



28 November 2024

Jessica Durham

AHRP@clca.co.nz

Dear Jessica Durham

Request for Information – Local Government Official Information and Meetings Act (the Act) 1987

We refer to your email dated 5 November 2024. Please find our responses below.

1. How many off-licences were operating in your territorial authority boundaries as at 30 June 2024 (if you cannot confirm at that specific date, how many off-licences do you currently have operating in your territorial authority boundaries? Please confirm which date you have used)

Response: As at 30 June 2024, Council had 55 off licenced premises in Lower Hutt.

2. What are your current recruitment criteria and qualification requirements for appointing DLC Members and Chairs?

Response: Hutt City Council's (Council) District Licensing Committee (DLC) appoints its committee members in line with the Council's DLC appointment policy. This policy sets out the statutory requirements of section 192 of the Sale and Supply of Alcohol Act 2012 (SSA 2012).

In addition to the statutory requirements set out in SSA 2012, Council considers the following knowledge and skills as a requirement for members to be appointed:

- an understanding of the object of the Sale and Supply of Alcohol Act
- knowledge and understanding of Te Tiriti o Waitangi/ The Treaty of Waitangi
- strong communication skills
- an understanding of regulatory issues
- an understanding of alcohol related harm
- hearings experience

- investigative abilities
- excellent analytical skills
- skills to facilitate community facilitation
- the ability to work as part of a team.

Council's DLC appointment policy can be found at the link below:

https://hccpublicdocs.azurewebsites.net/api/download/587890ba7b2542ef8532867346c3a343/_extcomms/63793d963856f7944f2ba5b1ef3415482e47

3. What procedures have you implemented to give effect to the Sale and Supply of Alcohol Act (Community Participation) Bill Amendments?

Response: Council has made several changes to address the amendments to the Sale and Supply of Alcohol Act 2012 (SSA 2012). Council has amended its DLC Code of Practice to acknowledge the addition of section 203A to the SSA 2012. The Code of Practice now states that there will be no cross-examination of witnesses, hearings processes will avoid unnecessary formality, and that tikanga Māori will be better incorporated into proceedings. The Code of Practice has been amended to clarify that Te Reo Māori can be used to make submissions, though this had already featured in Councils Code of Practice.

4. What tikanga protocols have you implemented to give effect to the Sale and Supply of Alcohol Act (Community Participation) Bill Amendments?

Response: The first step Council has taken to ensuring tikanga Māori is implemented to give effect to SSA 2012 is to enshrine the incorporation of tikanga Māori in proceedings into the DLC Code of Practice.

Further protocols which have been changed to give effect to tikanga Māori are:

- The inclusion of Karakia at the beginning and end of all DLC hearings.
 - Te Tira Māori (Council's internal Māori advisory team) engaging with Mana Whenua to arrange authorised interpreters for Te Reo Māori evidence at hearings, also noted in the Code of Practice Amendments.
 - On-going discussions with Te Tira Māori on further steps which can be taken to introduce tikanga to the DLC hearings process.
5. Have you seen any notable changes in community participation since implementation of the Sale and Supply of Alcohol Act (Community Participation) Bill?

Response: There have been no hearings to determine this.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that this response to your information request may be published on Hutt City Council's website. Please refer to the following link: www.huttcity.govt.nz/council/contactus/make-an-official-information-act-request/proactive-releases

Yours sincerely

Philip Rossiter

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