

Ture ā-Rohe mō ngā Utu Raihana Waipiro 2025 | Alcohol Licensing Fees Bylaw 2025

Tauākī Tūtohu | Statement of Proposal



Ngā Hua | Contents

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Kupu Whakataki | Introduction

Matamata-Piako District Council is proposing an Alcohol Licensing Fees Bylaw, made in accordance with the Sale and Supply of Alcohol Licensing (Fees) Regulations 2013

Currently, Council charges the statutory fees as set out in the Sale and Supply of Alcohol Act 2012. These statutory fees have not kept up with increases in Council's costs since their implementation.

The proposed Bylaw would allow Council to bring licensing fees in line with the increases in costs that have occurred since 2012, for both the processing and monitoring of alcohol licences.

It is proposed to take a staggered approach to increasing alcohol licensing fees, increasing fees by 25 percent from 1 July 2025, another 25 percent from 1 July 2026 to account for cost recovery and a 3 percent increase from July 1, 2027 to account for assumed inflation. This is to ensure the increases are spread out for current licence holders and not seen fully in year one.

Ngā Take mō te Tūtohutanga | Reasons for the proposal

Currently Council charges the statutory fees for alcohol licences as set out in the Sale and Supply of Alcohol (Fees) Regulation 2013 (see Table 1 below).

Table 1 – Council's Current Alcohol Licence Fees (set by statute)

| | | Licence Application Fee (GST Included) | Annual Fee (GST Included) |
|----------------------------------------|-----------|----------------------------------------|---------------------------|
| On Licence, Off Licence, Club Licence. | Very Low | \$368.00 | \$161.00 |
| | Low | \$609.50 | \$391.00 |
| | Medium | \$816.50 | \$632.50 |
| | High | \$1,023.50 | \$1,035.00 |
| | Very High | \$1,207.50 | \$1,437.50 |
| Special Licence | Class 1 | \$575.00 | n/a |
| | Class 2 | \$207.00 | n/a |
| | Class 3 | \$63.25 | n/a |
| Temporary Authority | - | \$296.70 | n/a |
| Temporary Licence | - | \$296.70 | n/a |
| Manager's Certificate | - | \$316.25 | n/a |

Implementing the proposed Bylaw would:

- a) Allow Council to charge fees for alcohol licences which more accurately reflect the true costs to Council of administering these licences.
- b) Shift the costs from ratepayers to those applying for the licences
- c) Align the charging of fees for alcohol licences more closely with the policy considerations of Council's Revenue and Financing Policy, which amongst other considerations, seeks to fairly distribute the benefits between the whole community, separate communities, and individuals

Te mānuka e kaweā ake ana | What we're proposing

Ngā panonitanga e tūtohua ana | What we're proposing to change

We are proposing to increase alcohol licensing fees by 25% for the period 1 July 2025 to 30 June 2026, and by an additional 25% for the period of 1 July 2026 to 30 June 2027. The fees would increase by an additional 3% for the period of 1 July 2027 to 30 June 2028.

The table below sets out the fees payable to Council for application and annual fees for Licences, for the next three years (from 1 July 2025 to 30 June 2026, from 1 July 2026 to 30 June 2027 and from 1 July 2027 to 30 June 2028).

Table 2 – Proposed alcohol licensing fees

| Period fee applies: | 1 July 2025 to 30 June 2026 (incl. GST) | | 1 July 2026 to 30 June 2027 (incl. GST) | | 1 July 2027 to 30 June 2028 (incl. GST) | |
|-----------------------------|--------------------------------------------|------------|--------------------------------------------|------------|--------------------------------------------|------------|
| | Application Fee | Annual Fee | Application Fee | Annual Fee | Application Fee | Annual Fee |
| Risk Category for Premises* | | | | | | |
| Very Low | \$460 | \$201 | \$575 | \$252 | \$592 | \$260 |
| Low | \$762 | \$489 | \$952 | \$611 | \$981 | \$629 |
| Medium | \$1,021 | \$791 | \$1,276 | \$988 | \$1,314 | \$1,018 |
| High | \$1,279 | \$1,294 | \$1,599 | \$1,617 | \$1,647 | \$1,666 |
| Very High | \$1,509 | \$1,797 | \$1,887 | \$2,246 | \$1,944 | \$2,313 |

**The fee category for premises are those defined in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013.*

Ngā mea e tūtohua ana kia pūmau tonu | What we're proposing to keep the same

We are proposing to retain the licence requirements and classifications as outlined in the Sale and Supply of Alcohol Act 2012 and the Sale and Supply of Alcohol (Fees) Regulations 2013.

In addition, the Manager's Certificate fee cannot be changed unless all territorial authorities change the fee. The fee currently remains at \$316.25 (GST inclusive) as per section 11, Sale and Supply of Alcohol (Fees) Regulations 2013.

Ētahi atu kōwhiringa me whakaaro ake | Other options we could consider

Option 1: Adopt the draft Bylaw as proposed

This is Council's recommended option.

Adopting the proposed Alcohol Licensing Fees Bylaw would result in alcohol licence fees increasing by 25 percent from July 1, 2025, another 25 percent from July 1, 2026 and a 3 percent increase from July 1, 2027 to account for assumed inflation.

Adopting the proposed Bylaw would enable Council to better reflect the true costs of administering the fees.

| Advantages + | Disadvantages - |
|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Would allow for cost recovery, therefore ratepayers would be subsidising less of this activity. | Those requiring alcohol licences would have to pay more than they do currently over a staged approach. |

Option 2: Status Quo – Continue to charge the fees set by statute

Keeping the status quo would keep alcohol licensing fees the same as they currently are, based on statutory fees set out in 2013, by the Sale and Supply of Alcohol (Fees) Regulations.

| Advantages + | Disadvantages - |
|----------------------------------------------------------|---------------------------------------------------------------------------------------------|
| No application fee increase for alcohol licence holders. | Council will continue to spend more on administering the activity than it collects in fees. |
| | Loss from expenditure will continue to be covered by ratepayers. |

Ngā Whakaarotanga ā-Ture | Legal Considerations

Pursuant to section 155 of the Local Government Act 2002 (LGA), Council must determine whether a bylaw is the most appropriate way of addressing the perceived problem.

Once Council has determined that a bylaw is the most appropriate way of addressing the perceived problem, it must, before making the bylaw, determine whether the proposed bylaw:

- a) is the most appropriate form of bylaw; and
- b) whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

These requirements are addressed below.

Is a bylaw the most appropriate way of addressing the perceived problem?

Council's perceived problem regarding the processing of alcohol licensing applications is that the costs associated with administering the licensing applications are not covered by the fees paid by applicants. This gap in funding results in ratepayers subsidising the administrative process.

A bylaw is an appropriate way to regulate Council alcohol licensing fees as it is permitted under the Sale and Supply of Alcohol (Fees) Regulations 2013 and allows Council to set alcohol licensing fees at a level that reflects the actual costs of providing the service.

Is the draft Bylaw the most appropriate form of bylaw?

A bylaw addressing alcohol licensing fees is the most appropriate way of addressing the perceived problem as it provides an effective way for Council to recover costs.

Is the draft Bylaw consistent with the New Zealand Bill of Rights Act 1990?

Council is required to consider if the Bylaw is consistent with the New Zealand Bill of Rights Act 1990 (NZBoRA). Section 155(3) of the Act states that no bylaw may be made which is inconsistent with the NZBoRA.

The NZBoRA specifically identifies four types of rights, these are:

- Life and security of the person;
- Democratic and civil rights;
- Non-discrimination and minority rights;
- Search, arrest and detention.

Staff have reviewed the draft Bylaw in relation to the four types of rights and conclude that it is consistent with the NZBoRA.

Bylaw Review Periods

Pursuant to sections 158 and 159 of the LGA, Council is required to review bylaws five years after initial adoption and every ten years after that.

For this particular Bylaw a three yearly review is recommended initially to ensure fees are kept up to date and reflect actual costs. Council may assess earlier than this if needed.

Local Government Act 2002 (LGA) Decision-making requirements

Having regard to the decision making provisions in the LGA and Councils Significance Policy, a decision in accordance with the recommendations is assessed as having a medium level of significance.

All Council decisions, whether made by the Council itself or under delegated authority, are subject to the decision-making requirements in sections 76 to 82 of the LGA. This includes any decision not to take any action.

Ētahi atu mōhiohio | More information

For more information about this proposal, and to see what else we are seeking feedback on go to mpdc.nz/letstalk


He kōrero whakahoki | Feedback

Whether you agree, disagree or you have suggestions we want to hear from you!

Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.


You can drop your feedback form into any of our Council offices or libraries.

Me pēhea te tuku urupare | How to give your feedback

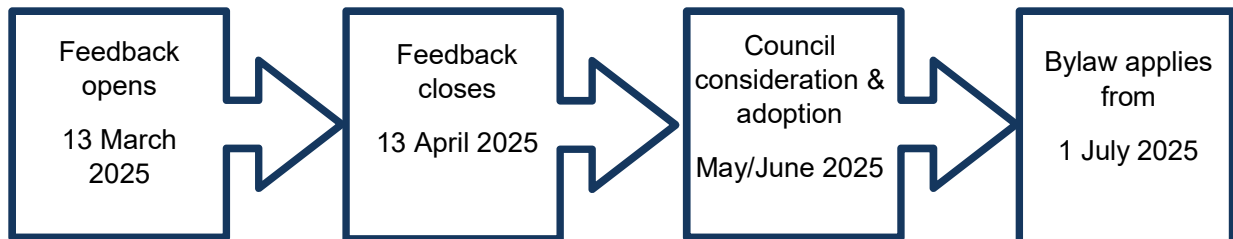
 **Online:** To fill out the online form click [here](#).

 **Mail to:** Matamata-Piako District Council, PO Box 266, Te Aroha 3342

 **Email:** info@mpdc.govt.nz

 **In-person:** You can drop your feedback form into any of our Council offices or libraries.

Key dates



Puka whakahoki kōrero | Feedback form – Draft Alcohol Licensing Fees Bylaw

Please provide your feedback by 13 April 2025

Name/Organisation: _____

For individuals please simply write name/names, for organisations please write the full organisation name

Email: _____ **Phone:** _____

Address: _____

Town: Matamata Morrinsville Te Aroha Other: _____

Age: Under 18 18–24 25–34 35–44 45–64 65–74 75+

Would you like to speak to the Mayor and Councillors about your feedback?

Feedback can be provided in person or via video on Wednesday 7 May 2025 (and Thursday 8 May if required).

Yes No

Privacy statement: Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.

Alcohol Licensing Fees Bylaw:

1) Which of these options do you support?

Proposed option: Introduce Bylaw with Staged Fee Increases

- We are proposing to increase alcohol licensing fees for the period 1 July 2025 to 30 June 2026 by 25 percent, for the period of 1 July 2026 to 30 June 2027 by 25 percent, and a 3 percent increase for the period of 1 July 2027 to 30 June 2028.

Option 2: Status Quo

- Keeping the status quo would keep alcohol licensing fees the same as they currently are, which are based on the statutory fees set out in 2013, by the Sale and Supply of Alcohol (Fees) Regulations.

Option 3: Other

Additional Comments to support the option chosen above:

- 2) Is there anything else you would like us to consider in regard to Alcohol Licensing in the district?

Please provide any further comments below

Please provide your feedback by 13 April 2025