FAR NORTH DISTRICT COUNCIL
Licensing Committee

SALE AND SUPPLY OF ALCOHOL ACT 2012
NOTICE OF OBJECTION

5 July 2019

Submission from: Te Rūnanga-Ā-Iwi O Ngāpuhi

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Te Tumuhere – Chief Executive Officer
He mea hanga tōku whare, ko Papatūānuku te papa rahi.
Ko ngā maunga ngā poupou, ko Ranginui e tū iho nei, te tuānui.
Pūhanga-tohora titiro ki Te Ramaroa e whakakurupaeake rā i te Hauāuru.
Te Ramaroa titiro ki Whiria, te Paalaka-ō-te-riri, Te kawa ō Rahiri.
Whiria titiro ki Panguru ki Papata ki ngā rākau tūpatapata e tū ana ki te Hauāuru.
Panguru, Papata titiro ki Maungataniwhā
Maunga Taniwhā titiro ki Tokerau e ki a nei a Ngāti Rēhia, he ripo kau, he ripo kau.
Tokerau titiro ki Rākaumangamanga.
Rākaumangamanga titiro ki Manaia, e tu kōhatu mai ra i te akau.
Manaia titiro ki Tutāmoe, Tutāmoe titiro ki Maunganui.
Maunganui tāiāwhio atu tō titiro ko Pūhanga Tohora ko ia tēnei ko Te Whare-tapu o Ngāpuhi
Ehara aku maunga i te maunga nekenekeneke, he maunga tū tonu, tū te Āo tū te Po.
Ko te whare tapu o Ngāpuhi tenei, tihei mauri ora

A. GENERAL POSITION

1. Te Rūnanga-Ā-īwi O Ngāpuhi makes this submission as the only mandated iwi organisation able to officially represent Ngāpuhi.

2. Our responses to the ‘SALE AND SUPPLY OF ALCOHOL ACT 2012 NOTICE OF OBJECTION are set out in section B

3. Te Rūnanga-Ā-īwi O Ngāpuhi wishes to be heard on the Social Group Limited application for the sale and supply of alcohol.

Ngāpuhi

4. Te rohe pōtae (boundary) o Ngapuhi-Nui-Tonu extends from the Pōkeno in the South of Tamaki to Te Rerenga Wairua (Cape Reinga) in the North, often referred to as, Tamaki Makaurau ki Te Rerenga Wairua or the house of the eponymous ancestors, Puhikaiariki, Puhimoanariki and Puhitiwharau.

5. As stated in He Whakaputanga o te Rangatiratanga o Niu Tireni and reaffirmed in Te Tiriti o Waitangi, Ngapuhi is the Kaitiaki (guardian) of He Whakaputanga o te Rangatiratanga o Niu Tireni and Te Tiriti o Waitangi. This gives Ngapuhi Kaitiakitanga (guardianship) over all our natural Taonga (resources) – land, foreshore, sea, waterways etc. – within our iwi boundary. This includes the foreshore and seabed extending out from the coast and harbours of Te Whare Tapu o Ngapuhi.
Te Rūnanga-Ā-Iwi O Ngāpuhi

6. Te Rūnanga-Ā-Iwi o Ngāpuhi ("the Rūnanga") was incorporated as a charitable trust on 28 April 1989, and is registered under the Charitable Trusts Act 1957. It was established for all people of Ngāpuhi descent and is rooted firmly to Ngāpuhi tikanga and cultural values.

7. The Rūnanga is accountable to Ngāpuhi and is guided by the principles and powers embodied in the Trust Deed to receive, hold, manage and administer the Trust Fund for every charitable purpose benefiting Ngāpuhi. The Rūnanga represents 68,000 registered members and increasing. In 2013 New Zealand Statistics confirmed 125,601 Maori affiliated to Ngāpuhi.

8. Ngāpuhi are the largest iwi in Aotearoa with a population of 125,601.

9. Te Rūnanga-Ā-Iwi o Ngāpuhi predominantly services Maori from the Southern shores of the Hokianga Harbour in the West, Mangamuka/Mangataipa in the North, Whangaroa/Rakaumangamanga in the East to Takahiwa/Manaia in the South.

10. Through our ten takiwa and guided by the wisdom of our Kaumātua and Kuia Te Rūnanga-Ā-Iwi O Ngāpuhi represents the descendants of Ngapuhi. Representation on the Runanga Governance Board includes nine members from local Takiwa and two members from urban Auckland. We are able to reach out across the sacred house of Ngāpuhi to over 110 hapū and their Marae.

   - Te Takiwā o Ngāpuhi ki Whangārei
   - Te Ropū Takiwā o Mangakāhia
   - Ngāpuhi ki to Hauauru
   - Ngāpuhi Hokianga ki te Raki
   - Ngā Ngaru o Hokianga
   - Te Takiwā o Ngāpuhi ki to Hauauru
   - Te Takiwā o Ngāpuhi ki to Tonga o Tāmaki
   - Rakaumangamanga
   - Ngāpuhi ki Waiwata
   - Te Takiwā o Ngāpuhi ki to Tonga o Tāmaki
   - Makaurau

11. With three subsidiary entities, the structure of Te Rūnanga-Ā-Iwi O Ngāpuhi provides the appropriate backdrop to support the development and delivery of benefits and services to Ngāpuhi:

   - Ngāpuhi Iwi Social Services
   - Te Hau Ora o Ngāpuhi
   - Ngāpuhi Asset Holding Company

Greater Interest

12. As articulated above, our tribal membership are tangata whenua who hold mana whenua within the immediate and wider district of Hokianga. As tangata whenua our tribal membership have both historical and current interest in community placemaking including future vested interest in developing and enhancing the social fabric of our communities. Our tribal membership reside, work, attend school, operate businesses and maintain our cultural protocols, practices and values within the immediate and adjacent area of the proposed activity and premises. Therefore, Te Rūnanga-Ā-iwi O Ngāpuhi considers that it satisfies s102 of the Act, in relation to having greater interest in the application than the public generally.

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1 Clause 3.1 and 3.2 of the Trust Deed www.Ngapuhi-iwi.nz
2 Statistics New Zealand (2013) Census
3 Te Rūnanga-Ā-Iwi O Ngāpuhi website www.Ngapuhi-iwi.nz
Objection to Proposal & On-Site Liquor Licence

13. Having a strong view and in support of our tribal membership, Te Rūnanga-Ā-iwi O Ngāpuhi object to the application of Social Group Limited for an on-licence at the premises at Unit 1/328 State Highway 12, Omapere, Far North District.

B. PARTICULAR DETAILS OF OBJECTION

14. Our objection is that the applicant wishes to sell and supply liquor at the premises Unit 1/328 State Highway 12, Omapere Far North District.

15. We have identified inconsistencies in the application and in our opinion, the risk analysis and impact assessment accompanying the application is of a low standard. We consider the application to be misleading, by misrepresenting the needs of our local tribal membership with no due consideration towards the negative impact it will have on both the social and cultural well-being of our tribal population.

16. Te Rūnanga-Ā-iwi O Ngāpuhi strongly supports the reduction of alcohol-related harm in communities. We note, that the Far North District has more liquor licences than Northland and New Zealand as a whole. We believe the number of active liquor licence premises in the Opononi-Omapere district far exceeds population size. We have concerns that if an on-site liquor licence is granted, it will increase alcohol-related harm to our tribal population, whether directly or indirectly and this will be in derogation of the Act.

Grounds for Objections

17. Te Rūnanga-Ā-iwi O Ngāpuhi acknowledges that the Sale and Supply of Alcohol Act 2012 objective relates to the safe and responsible sale, supply, and consumption of alcohol and the minimisation of harm caused by its excessive or inappropriate use. We are also aware that alcohol related harm includes any crime, damage, death, disease, disorderly behaviour, illness or injury and harm to individuals or the community, either directly or indirectly caused by excessive or inappropriate alcohol consumption.

18. Section 105 specifies matters to which an objection must be made. If alcohol is sold on the particular street identified in our submission, it will increase noise levels and levels of nuisance, vandalism and crime. A further on-site liquor licence will impact on our tribal membership who are residents, operate and manage commercial properties including schools and marae, it will expose them to alcohol-related harm.

19. We are aware that there is a further application for an off-site liquor licence that will operate less than 10 meters away. There is further concern that with the current number of active liquor licences within a 4km area and the sudden increase of having two locations selling alcohol out of the same property and on the same street has the potential to seriously increase alcohol-related harm and negative cumulative effects on our tribal population.

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4 Application by Taj Liquor Centre Limited Off-Site Licence
The Suitability of Applicant

20. Te Rūnanga-Ā-īwi O Ngāpuhi have concerns regarding the applicant Social Group Limited. Both property owner and the company Social Group Limited who is applying for the liquor licence are based and live outside the region. This raises concerns that there appears to be very little vested interest other than the selling and supply of alcohol to the community. We are concerned that the social impacts of proprietors who do not live in the area and have no social vested interest in our tribal population or local communities other than a self-interest economic business venture, impacts on the very social fabric that keeps families and communities safe from harm. Considering this, the proposed on-site managers in our opinion, lack industry experience including experience and knowledge of our tribal membership and community.

21. The application allows for those applying for a liquor licence to identify other liquor licence premises. There are a number of active alcohol licenses in both Opononi and Omapere. The nearest active liquor license site is located on the adjacent property less than 200 meters away and another liquor outlet less than 1 minute from the proposed on-site liquor application (Appendix I).

22. Te Rūnanga-Ā-īwi O Ngāpuhi believe that the application lacks integrity and disclosure including insight and knowledge of the values of our local tribal membership and community and their connection with their coastal marine, dedicated open green spaces with family facilities and surrounding environment.

Applicant Engaged in Sale of Goods other than Alcohol

23. We believe that there are discrepancies in the application relating to whether the applicant is proposing to sell tobacco or other potentially harmful goods and paraphernalia.

Relevant Local Alcohol Policy

24. Far North District Council pursuant to the Local Government Act 2002, have put in place alcohol bylaws to control alcohol in public places. The purpose of these bylaws is to prohibit and control the consumption or possession of alcohol in public places including vehicles to reduce alcohol related harm.

25. Te Rūnanga-Ā-īwi O Ngāpuhi acknowledges that under s105(1)(c) those licensing authorities must have regard to relevant local alcohol policies. Omapere and Opononi are identified to have 24 hours, 7 days a week permanent alcohol control areas in place. The Omapere Alcohol Control Area map (Appendix II) shows that the proposed site is located within the controlled area. It is concerning, that the applicant does not recognise or acknowledge these controls in their application.

26. According to the Far North District Council, local alcohol policy objectives are to balance the reasonable needs of the residents regarding the sale, supply and consumption of alcohol, while meeting its statutory requirements of the Act. In our opinion and from the opinion of our tribal

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5 Far North District Council (2018) Alcohol Control Bylaw
6 Far North District Council 2018 Omapere Alcohol Control Area map
membership who reside in the area, this proposal does not meet the needs of our local tribal population.

27. As it currently stands, there are only 2 Police Officers that cover the south Hokianga area which includes, Omapere, Opononi, Rawene and other towns. Due to a roster system, only 1 Police Officer is on duty at a time. The proposal to sell alcohol will place enormous pressure on already scarce resourcing for the area.

28. Currently, statistics show that majority of Police and Emergency attendances are due to domestic violence. From these domestic violence call outs, numbers tell us that 85-90% of those incidents involve alcohol and drugs. In our opinion a very lethal combination for everyone involved. We believe that this type of proposed activity does not add to reducing alcohol-related harm, but will exacerbate the problem.

Amenity and Good Order

29. Section 105(1)(h) has regard to the amenity and good order of the area. District licensing committees and the Alcohol Regulatory and the Licensing Authority have to consider amenity and good order when deciding whether to grant a new licence. Te Rūnanga-Ā-iwi O Ngāpuhi believe that issuing a new alcohol licence would significantly reduce the amenity and good order of the locality.

30. Te Rūnanga-Ā-iwi O Ngāpuhi strongly supports the values and principles of whanaupura, positive placemaking and healthy families and communities. We have serious concerns regarding this proposal as it will more than likely expose our tribal membership their families and children to the very harm and, damage and behaviours associated with alcohol.

31. We further believe that it is not safe nor responsible for a liquor store to operate on that particular street or in that particular area and would reduce the amenity and good order of the locality by more than a minor extent of the following sites:
   - Freese Park Playground
   - Omapere Community Support Centre
   - Omapere Wharf
   - Omapere Pensioner Flats
   - Omapere Play Centre
   - Opononi Area School

32. We are extremely concerned that the postal address of the proposed liquor licence differs to the actual location the liquor store will operate from. The actual street frontage for the proposal will operate on the prominent corner of Old Wharf Road and Freese Park Road. Both Old Wharf Road and Freese Park Road is frequently used by families and is the only street that has a designated park with playground equipment and public amenities that caters to both visitors and local residents, that families and their children frequent (Appendix III). We believe that thorough site context wide analysis is an essential component to enable decision makers to be fully informed on the negative impacts this type of use and activity would bring to this family designated location.
33. Te Rūnanga-Ā-iwi O Ngāpuhi considers that the proposed activity is not compatible with the current and future use of surrounding properties, adjacent park facilities, open public spaces, children’s designated playground area and the open coastal environment. These public spaces are considered a significant part of the social fabric of our tribal population that adds value to Omapere and Opononi communities. Te Rūnanga-Ā-iwi O Ngāpuhi believe that the amenity and good order of the locality will be substantially reduced, upon issuing of a new alcohol licence.

34. Currently, the site proposed is frequented by our local school children. It is the closest shop where they are able to purchase food for the lunches or grab a quick snack on the way to and from school. There are residential properties upstairs, adjacent on both sides and across the street. The open green spaces that are in keeping with the coastal environment will be severely changed with an increase in noise, nuisance, vandalism and litter. The introduction of alcohol on the premises will not only expose our most vulnerable tribal membership and their families to the associated behaviours and attitudes of alcohol harm, but will be out of place amongst family homes and children play areas.

35. In regards to tribal population and the extent of their exposure to alcohol-related harm, the estimated usual resident population for Omapere and Opononi is 510, with the majority being of Māori descent and are aged over 45 years. According to Statistics NZ, a large portion of the population are aged less than 15 years, who are the most vulnerable of our tribal population.

36. It is well known that Omapere and Opononi currently have 7 active liquor licences, within 4km of the proposed application. There are currently 3 off-licences, 2 on-licences, and 2 club licences active in Omapere and Opononi. Omapere and Opononi currently have four and a half times that of the Far North District as a whole and 9 times that of the rate for New Zealand. There is a concurrent liquor licence being applied for less than 10m away from the proposed site. Te Rūnanga-Ā-iwi O Ngāpuhi believe this to be extremely excessive.

37. Finally, Te Rūnanga-Ā-iwi O Ngāpuhi would like to thank the Far North District Licensing Committee for the opportunity to submit to the off-site licence application and find in favour of our notice of objection.

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Lorraine Toki
Tumuhere – Chief Executive Officer
Te Rūnanga-Ā-iwi O Ngāpuhi

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7 Statistics New Zealand (2013) Census
8 Application by Taj Liquor Centre Limited Off-Site Licence
APPENDIX I  Distance from proposed licence to current active licence