

**Health New Zealand**  
Te Whatu Ora

# **An analysis of alcohol licence applications and outcomes in Tāmaki Makaurau Auckland**

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1 July 2018 – 30 June 2023

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# Contents

<b>Executive summary</b> .....	4
<b>List of tables</b> .....	5
<b>List of supplementary tables</b> .....	5
<b>List of figures</b> .....	5
<b>1. Background</b> .....	6
1.1 Context	
1.2 Types of alcohol licences and the alcohol licensing system	
1.3 Previous data on alcohol licence applications and outcomes	
<b>2. Aims</b> .....	9
<b>3. Methods</b> .....	10
3.1 Data sources	
3.2 Data analysis	
<b>4. Findings</b> .....	12
4.1 Alcohol licence applications and outcomes by year	
4.2 Outcomes of alcohol licence applications by licence type	
4.3 Number of alcohol licence applications by parties opposed	
4.4 Influence of objection or opposition on outcomes of licence applications	
<b>5. Discussion</b> .....	19
5.1 Summary of findings	
5.2 Limitations	
5.3 Implications	
<b>References</b> .....	21
<b>Appendix</b> .....	23
<b>Appendix 1:</b> Number of alcohol licence applications processed by the Auckland DLCs	

# Executive summary

## Background

Our previous analysis of alcohol licence applications from 2014 to 2018 in Tāmaki Makaurau Auckland showed that only 1% of applications were opposed and proceeded to a District Licensing Committee (DLC) hearing. Most of these applications (86%) were granted by the DLCs. Communities have found it challenging to have their voices heard in the alcohol licensing process. The Covid-19 pandemic also led to reprioritisation of resources by the statutory agencies, Police and Public Health, away from alcohol licensing.

## Aims

To describe the outcomes of alcohol licence applications within Tāmaki Makaurau Auckland from 2018 to 2023, according to parties opposed (statutory agency, community members and local boards).

## Methods

We obtained data on the number and outcomes of alcohol licence applications processed by the Auckland DLCs from 1 July 2018 to 30 June 2023. We described the proportion of licences granted after a DLC hearing by year, licence type and parties opposed to the licence.

## Findings

Of the 9,490 applications for an alcohol licence, only 1% proceeded to a DLC

hearing and most of these were granted (76%). The proportion of applications granted has declined since 2021.

Communities objected to more alcohol licence applications than the statutory agencies did. However, applications that had only community objections were more likely to be granted than those opposed by any statutory agency. The greater the number of agencies opposed to a licence, the less likely applications were granted.

## Implications

Our findings suggest that while communities have been proactive in the alcohol licensing process, a large proportion of applications were granted. Licence applications were more likely to be declined by the DLCs when both communities and the statutory agencies were opposed. This highlights the need for agencies to reflect community concerns in the licensing process and for communities to be better supported in their objections.

New changes to the legislation make it easier for communities to object to alcohol licence applications. This may also facilitate the work of organisations, such as local boards, to amplify community voices in alcohol licensing.

## List of tables

1. Number of alcohol licence applications and Auckland DLC hearings by year
2. Number of Auckland DLC hearings with agency opposition by year

## List of supplementary tables

- S1. Number of alcohol licence applications processed by the Auckland DLCs

## List of figures

1. Types of alcohol licences in Aotearoa New Zealand
2. Summary of alcohol licensing process in Aotearoa New Zealand
3. Number of alcohol licence applications heard and granted at Auckland DLC hearings by licence type
4. Number of alcohol licence applications by licence type and parties opposed
5. Outcomes of alcohol licence applications by parties opposed
6. Outcomes of alcohol licence applications by number of community objectors
7. Outcomes of alcohol licence applications by number of agencies opposed

# 01

## Background



### 1.1 Context

Alcohol causes significant and wide-ranging harms in Aotearoa New Zealand. These harms include both mental and physical health impacts, family violence, crime and road traffic crashes [1]. The impact is not felt evenly by communities: Māori, Pacific Peoples and those living in areas with higher socioeconomic deprivation bear a disproportionate burden of harm [2,3]. Māori children and Pacific children had over five and three times respectively the rates of exposure to alcohol marketing than New Zealand European children [4]. At least 800 deaths per year in Aotearoa New Zealand are due to alcohol, with the death rate more than double for Māori compared with non-Māori [5]. Alcohol-involved emergency department presentations were also higher in Māori and those living in socioeconomically deprived communities [6].

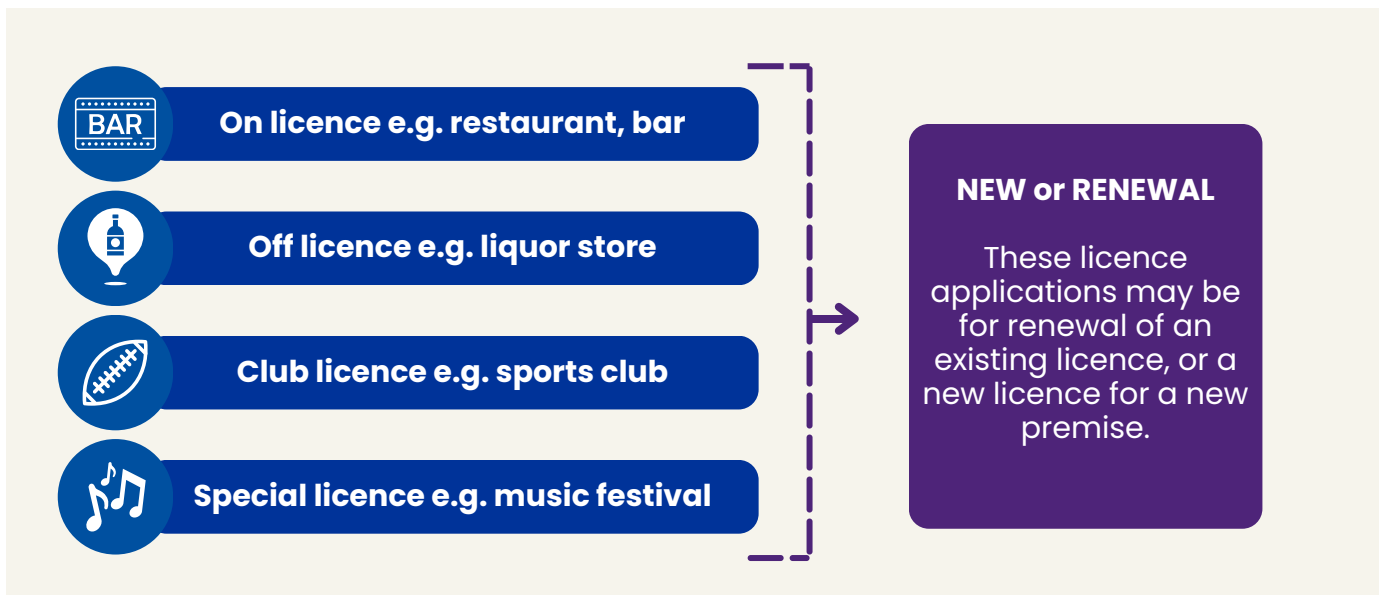
Harm to Māori from alcohol is being heard under the Waitangi Tribunal in relation to the Health Services and Outcomes Inquiry (WAI 2575) Stage II Claim [7]. Alcohol-related harm should be understood in the context of colonisation in Aotearoa [2]. Actions to reduce alcohol harm should also be responsive to iwi, hapū and whānau, as part of the Crown's commitment to Te Tiriti o Waitangi [2].

The World Health Organization has outlined the most cost-effective interventions to reduce alcohol harm, which include reducing alcohol availability, raising prices on alcohol, and comprehensive restrictions on alcohol marketing [8]. In 2010, the Law Commission New Zealand published a suite of recommendations for alcohol reform [3] in line with these interventions. Alcohol licensing determines how, where and when alcohol is sold to the public, hence it is an important means to limit alcohol availability and the associated harms.

### 1.2 Types of alcohol licences and the alcohol licensing system

In Aotearoa New Zealand, the Sale and Supply of Alcohol Act 2012 ('the Act') [9] provides for an alcohol licensing system that influences alcohol availability. Figure 1 outlines the four types of alcohol licences according to the Act.

The stated object of the Act is that alcohol is sold, supplied and consumed safely, and that any harm caused by excessive or inappropriate consumption of alcohol is minimised [9]. For alcohol to be sold, a liquor licence must be applied for and



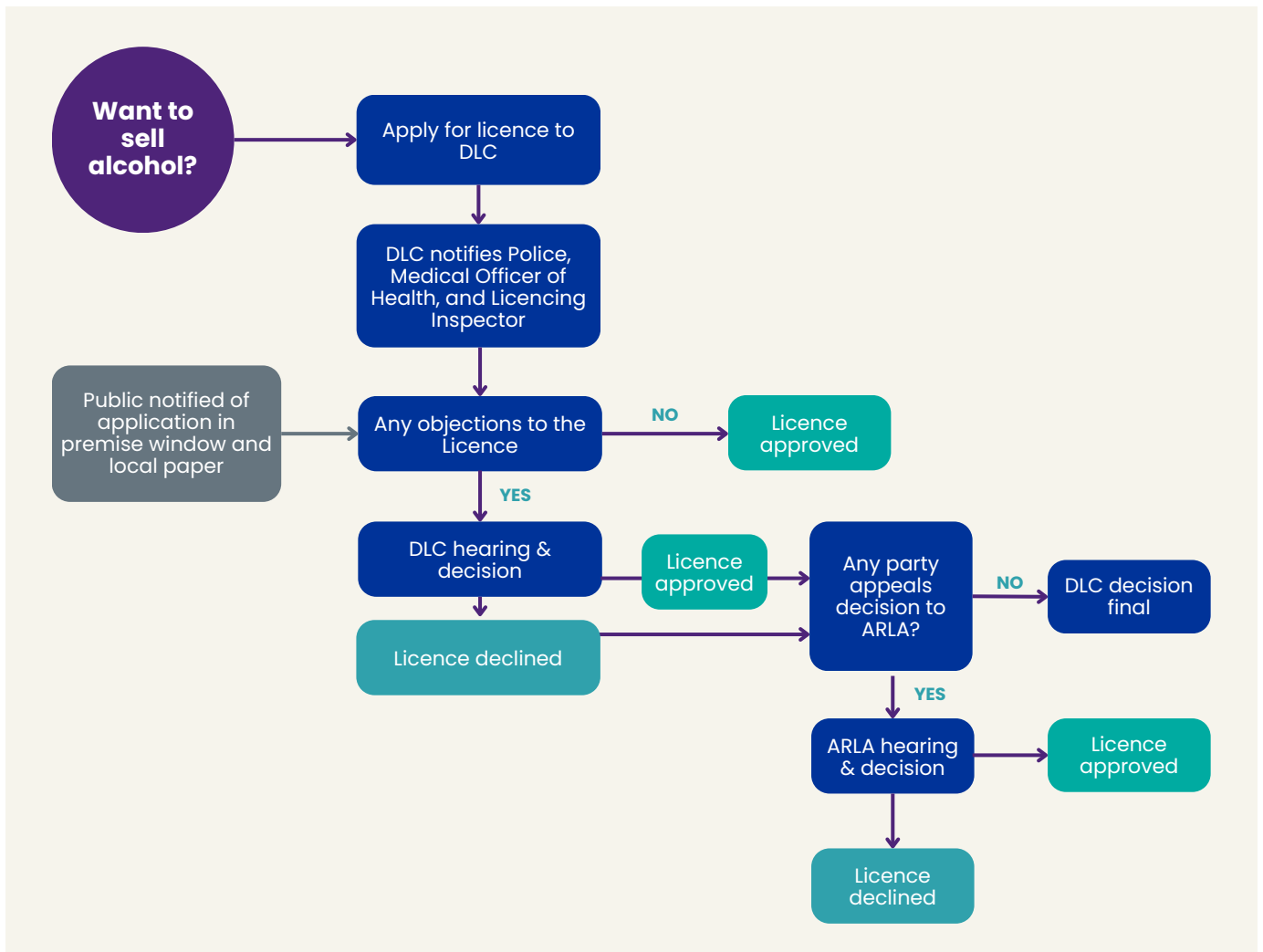
**Figure 1. Types of alcohol licences in Aotearoa New Zealand**

granted by a District Licensing Committee (DLC) appointed by the territorial authority, such as Auckland Council [9]. Councils can also develop local alcohol policies (LAPs), which can influence the number and location of licences that can be granted in their region, and the maximum hours of trade [10]. The DLC has to consider any relevant LAPs when making a decision to grant a licence [10].

Three statutory agencies are involved in alcohol licensing in Auckland, including Auckland Council’s licensing inspectorate, the Police, and the Medical Officer of Health at the National Public Health Service (Northern Region), Health New Zealand – Te Whatu Ora. These three agencies inquire into and can oppose licence applications that do not meet the object of the Act, or any other criteria for the issue or renewal of licences as specified in sections 105 and 131 of the Act, respectively [9]. Community members, or their representatives such as local boards, can also object to applications based on the same criteria.

Figure 2 summarises the alcohol licensing process. The DLC holds a public hearing to determine if the licence should be granted upon any opposition or objection to an application. The DLC can also place conditions on an alcohol licence, such as hours of sale [9], as a means to control alcohol availability and mitigate harm. If the applicant or opposing parties are unsatisfied with any part of the DLC’s decision, they can appeal to the Alcohol Licensing Regulatory Authority (ARLA), where the appeal is considered at a hearing, and the DLC decision is confirmed, modified or reversed.

The Covid-19 pandemic response led to a temporary modification to the Act called an Immediate Modification Order (IMO) [11], which no longer required the Police and Medical Officer of Health to report on alcohol licence applications within 15 working days of receiving a licence application. This was done to allow work by these groups to be reprioritised to the pandemic. The IMO was in place from 16 April 2020 to 2 December 2022.



**Figure 2. Summary of alcohol licensing process in Aotearoa New Zealand<sup>1</sup>**

### 1.3 Previous data on alcohol licence applications and outcomes

In our previous report published in 2019 [12] we found that only 1% of the 16,478 alcohol licence applications (including special licences) from July 2014 to June 2018 went to a DLC hearing and that the vast majority (86%) of these applications were granted by the DLCs. Notably, community members objected to a greater number of applications than agencies, but had lower rates of a licence application being declined. This suggested that the Act may not be fulfilling its intended purpose of

enabling community voice in alcohol licensing [12]. In August 2023, the *Sale and Supply of Alcohol (Community Participation) Amendment Act* [13] was introduced to address the difficulties community members experience in having their voice heard at DLC hearings. These changes were intended to improve communities' ability to influence alcohol licensing decisions, including extending the time frame for community objections, and allowing anyone to object to licence applications. Until these legislation amendments, community objectors were required to have a 'special interest' (for example, live within two km of the proposed licence site). DLC

<sup>1</sup> Adapted from [www.resources.alcohol.nz](http://www.resources.alcohol.nz)



hearings will also be made more accessible, removing cross-examination which communities have found intimidating, incorporating tikanga Māori, and allowing submissions in te reo Māori. Of note, the

analysis in this report predates these changes to the legislation.

# 02

## Aims



The purpose of this report is to provide an overview of alcohol licence applications and their outcomes, so that communities and statutory agencies can better understand and enhance the impact of their objections or oppositions to alcohol licence applications.

We carried out a descriptive analysis of alcohol licence applications and their outcomes from 1 July 2018 to 30 June 2023 in Tāmaki Makaurau Auckland.

For the licence applications that went to a DLC hearing, we showed how parties opposed may have influenced whether an application was granted or not. We also showed how the Covid-19 pandemic [14] may have impacted the number and outcomes of alcohol licence applications.

# 03

## Methods

### 3.1 Data sources

We obtained the following information on DLC hearings from Auckland Council on 9 August 2023: the number of DLC hearings from 1 July 2018 to 30 June 2023, the licence type, the number of agencies opposed, whether there was community objection, and the hearing outcome (application granted or not granted).

The total number of licences processed by the Auckland DLCs for each financial year (ending 30 June) was sourced from the reports from the DLCs to ARLA for those years [15]. The numbers of issued and declined licences were added together to give the total number of applications processed by the DLCs for that financial year and the five-year time period (Table S1, Appendix 1). DLC hearings were categorised by relevant financial year according to the hearing date. For consistency, we have excluded special licence applications from this report, as the DLC reports to ARLA did not include the number of special licences processed each year [15]. We have also excluded applications for temporary authority, variation of conditions, and those that were awaiting a decision by the DLC.

### 3.2 Data analysis

Firstly, licence applications were categorised by licence type (off, on and club licences) and whether they were new or renewal applications. We then calculated the proportion of licences that were granted as an outcome of a DLC hearing (Table 1 and Figure 3).

Secondly, licence applications that went to a DLC hearing were categorised by the number opposed/objected to by statutory agencies and communities. Here 'communities' included community members and organisations, such as local boards. Because multiple parties may be opposed to one application, the total number of applications exceeded the number of DLC hearings when application types were categorised by who opposed the licence (Figure 4).

Thirdly, hearings were grouped by which parties opposed/objected to a particular licence application, and then the proportion of licence applications granted was calculated for each group, including agencies only, community only, and both agencies and community (Figure 5). We then analysed if the proportion of granted applications differed by the number of community objectors and agencies that opposed the licence application (Figures 6 and 7).

The number of community objectors was categorised as 1-10, 11-20 and 21 or more; and the number of agencies opposed was one, two or three. We used Chi-squared tests with p-values to assess whether there were significant differences in outcomes between all the above groups. To evaluate the impact of the Covid-19 pandemic response, we also described the proportion of licence applications with agency opposition by year (Table 2). Microsoft Excel was used for all data analyses.

# 04

## Findings

### 4.1 Alcohol licence applications and outcomes by year

The Auckland DLCs processed a total of 9,490 off-, on- and club licence applications from 1 July 2018 to 30 June 2023 (Table S1, Appendix 1).

The number of licence applications that went to a DLC hearing during that time period was 110, representing 1.2% of the applications processed (Table 1). This is comparable with our previous report for July 2014 to June 2018, showing that 1% of the total number of applications proceeded to a DLC hearing.

The number of licence applications processed increased from 2018–2019 to a peak in 2019–2020 and then declined, with the lowest number of processed applications in 2022–2023. The number of DLC hearings relative to the number of applications processed was highest in 2020–2021 (1.8%) and lowest in 2021–2022 (0.7%).

The period of 2021–2022 saw just over a third of DLC hearings of the preceding year (12, down from 32), despite a similar number of licence applications (1,814 in 2020–2021). This 2021–2022 period coincided with Covid-19 response measures in Auckland (Level 4 and Level 3 restrictions from August to December 2021) [14].

9,490

off-, on- and club licence applications were processed between July 2018 and 30 June 2023

110

applications went to a DLC hearing (1.2%)

84

of which were granted (76%)

88

applications had community objectors

51

were opposed by statutory agencies

**Infographic: Summary of alcohol licence application outcomes**

**Table 1. Number of alcohol licence applications and Auckland DLC hearings by year**

Year (1 July - 30 June)	Number of applications processed (on, off and club licences)	Number of DLC hearings (% total applications processed)	Number of granted applications following DLC hearing (% number of DLC hearings)
2018-2019	1,926	20 (1.0%)	14 (70%)
2019-2020	2,359	24 (1.0%)	19 (79%)
2020-2021	1,814	32 (1.8%)	27 (84%)
2021-2022	1,741	12 (0.7%)	10 (83%)
2022-2023	1,650	22 (1.3%)	14 (64%)
<b>Total (all years)</b>	9,490	110 (1.2%)	84 (76%)

Of the 110 applications which proceeded to a hearing, 84 were granted (76%). The proportion of licence applications granted increased from 2018 to a peak of 84% in 2020-2021 and has since declined, with the lowest proportion of licences being granted in 2022-2023 (64%). In comparison, our previous reporting period (July 2014 to June 2018) saw a higher overall proportion of licence applications granted (155 /180 applications, 86%).

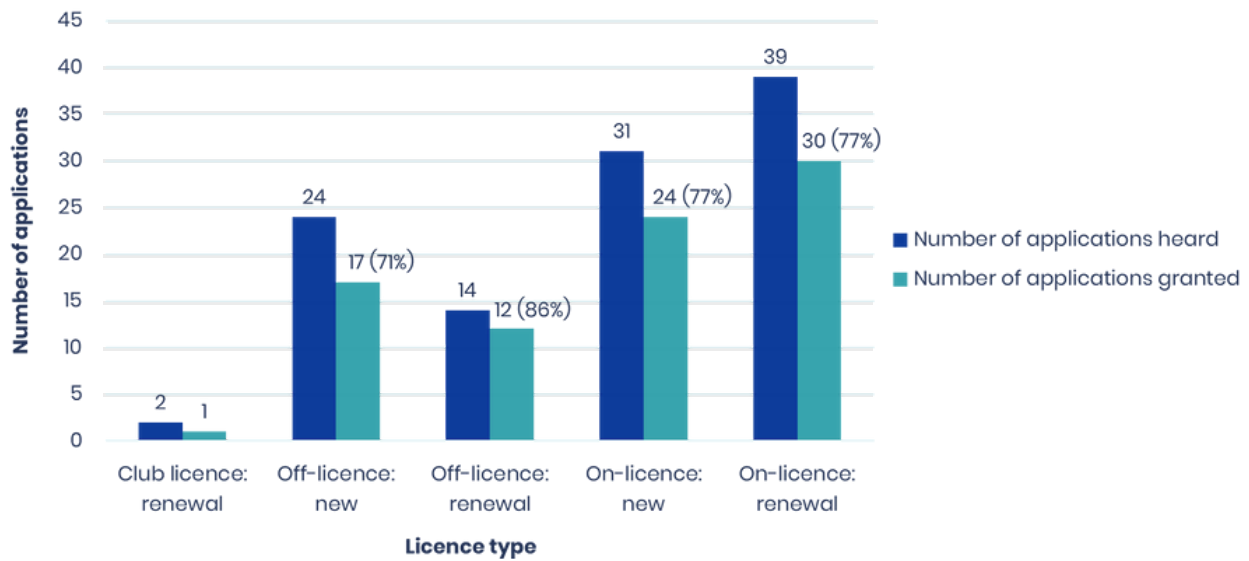
#### **4.2 Outcomes of alcohol licence applications by licence type**

Applications for renewal of on-licences, followed by applications for new on-licences were the most common types

of licence applications that proceeded to a DLC hearing. There were more on-licence renewals compared with the previous reporting period, where off-licence renewals (followed by on-licence renewals) were most commonly heard.

Consistent with our previous report, renewal applications for off-licences were the most frequent licence type to be granted following a DLC hearing (86%). This was followed by new and renewal applications for on-licences (both 77%) (Figure 3).

Only two club licence applications were heard at the DLCs, limiting data interpretation for this licence type.

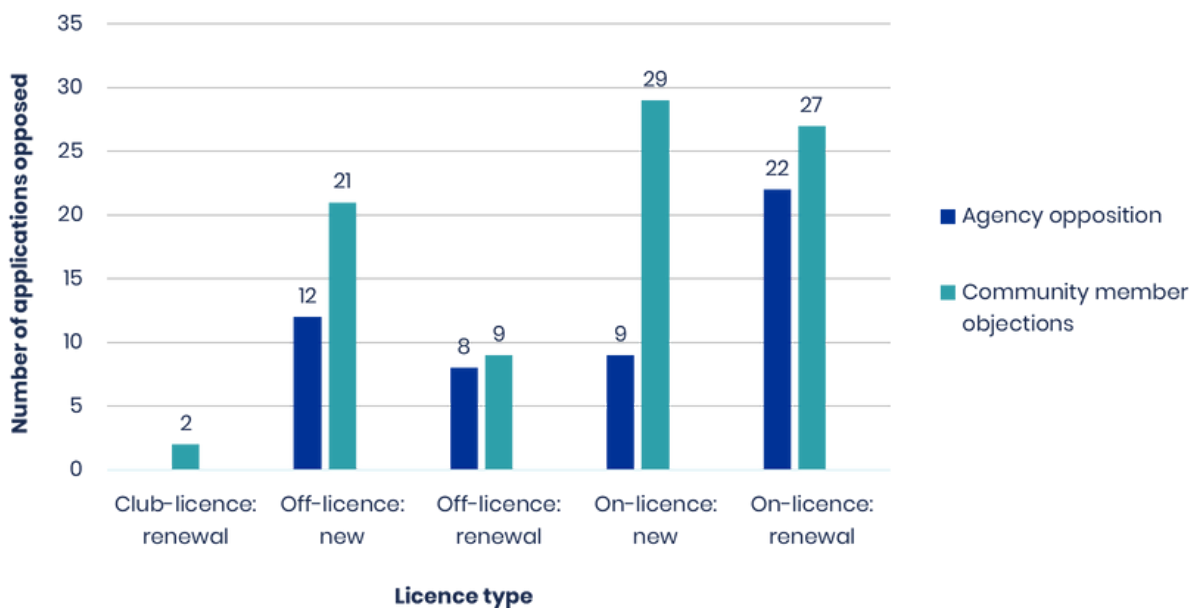


**Figure 3. Number of alcohol licence applications heard and granted at Auckland DLC hearings by licence type**

\* Percentage labels not included for club-licence due to low numbers

### 4.3 Number of alcohol licence applications by parties opposed

Communities objected to more licence applications (88) than the statutory agencies (51 applications) (Figure 4). Of the different licence types, new and renewal on-licence applications formed the majority of community objections. Applications for renewal of on-licences, followed by new off-licences were the most frequent licence types that the agencies opposed.



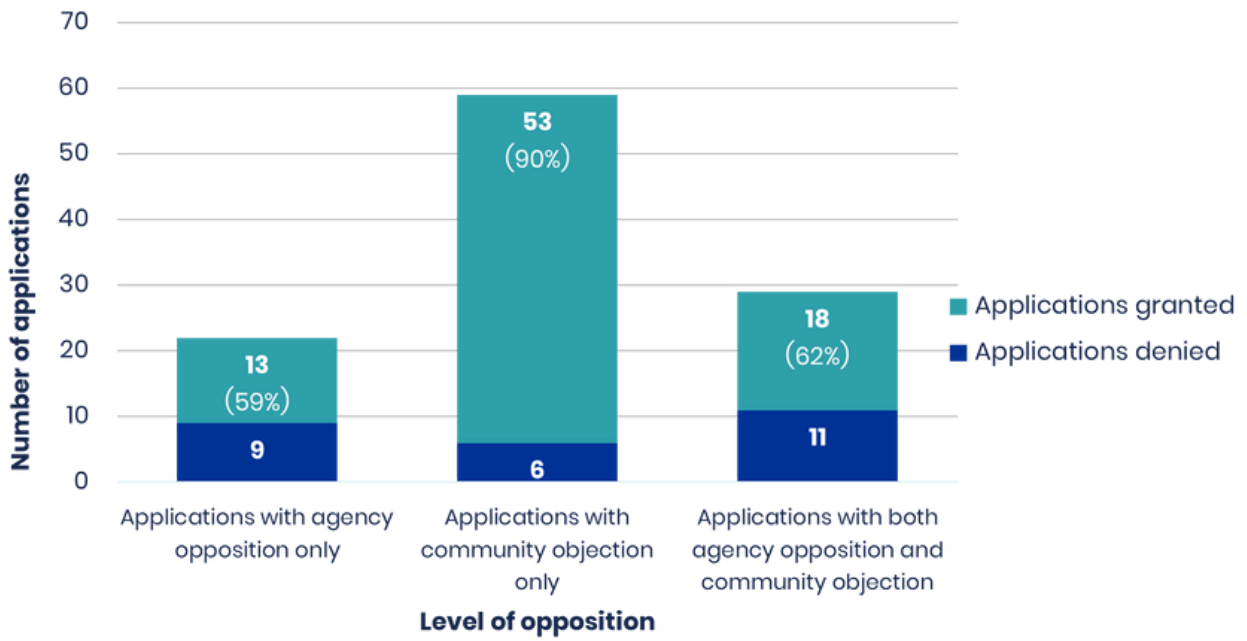
**Figure 4. Number of alcohol licence applications by licence type and parties opposed**

#### 4.4 Influence of objection or opposition on outcomes of licence applications

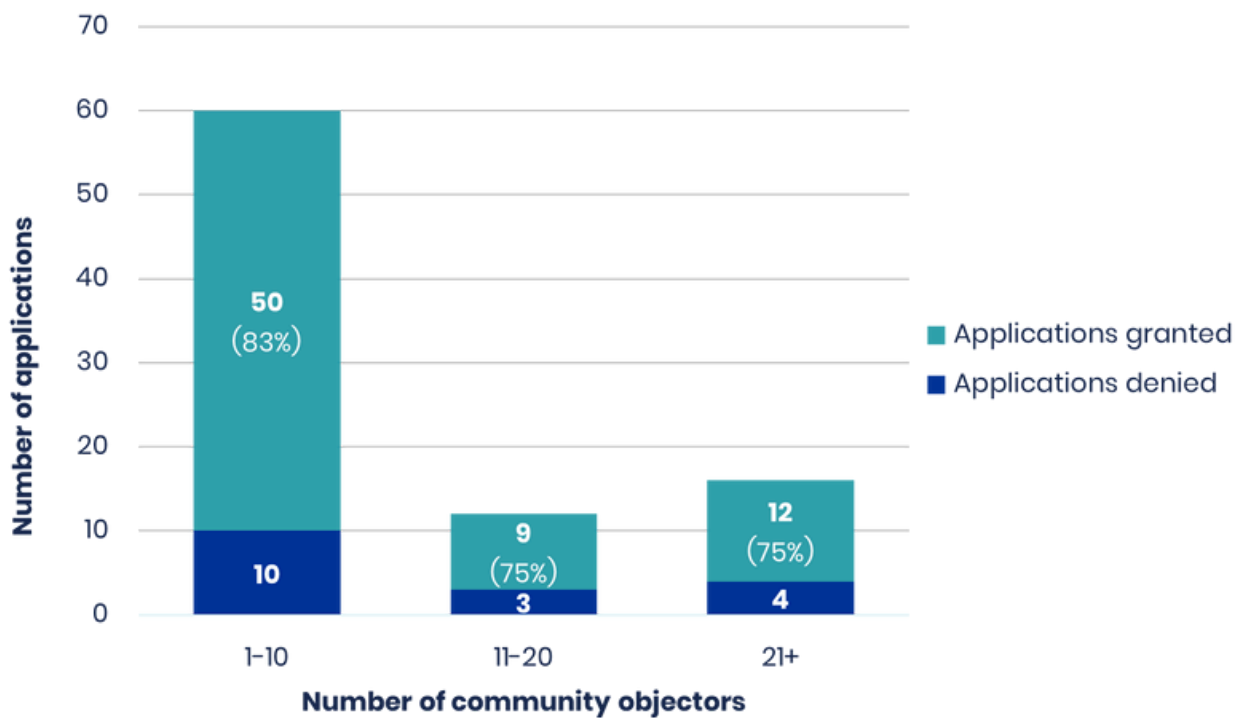
Of the 110 applications that went to a DLC hearing, 22 (20%) had only agency opposition, 59 (54%) had only community objection, and 29 (26%) had both agency and community objection. The outcomes of licence applications varied by the parties who opposed or objected to an application (Figure 5). Applications that only had community objection, without opposition by any statutory agency, were most likely to be granted (90%). Applications opposed by any statutory agency only and any agency plus community were granted less frequently (59% and 62% respectively,  $p = 0.002$ ).

There were 88 applications with community objection, with the number of community objectors ranging from one to 477. Figure 6 shows that most

had between one and 10 objectors (60, 68%). There were 12 applications (14%) with 11-20 objectors, and 16 applications (18%) with 21 or more objectors. There were no clear differences in the proportion of applications granted by number of community objectors, with 83%, 75% and 75% granted for applications with 1-10, 11-20 and 21 or more community objectors, respectively ( $p = 0.65$ ).



**Figure 5. Outcomes of alcohol licence applications by parties opposed**



**Figure 6. Outcomes of alcohol licence applications by number of community objectors**

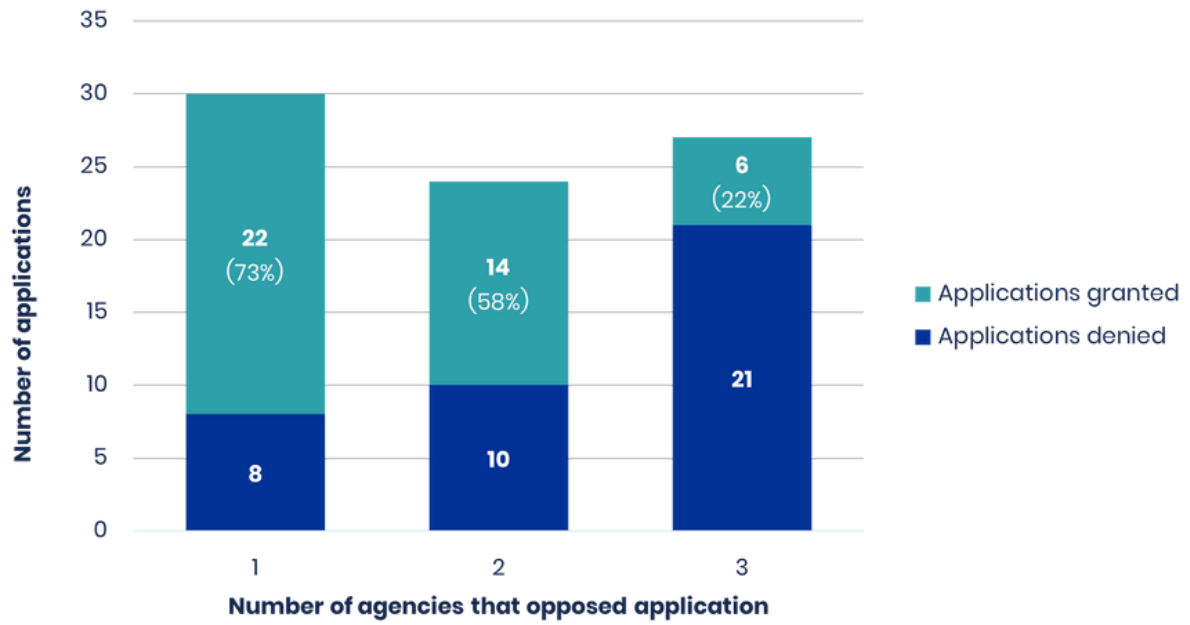


Table 2 shows that the proportion of DLC hearings with agency opposition varied from 42% to 50% over the five years. The two years with the most agency oppositions (2018–2019 and 2022–2023) had the lowest proportions of licence applications granted (70% and 64% respectively). Conversely, the years with the least agency oppositions (2020–2021 and 2021–2022) had the highest proportions of applications granted (84% and 83% respectively).

There was a total of 81 applications where one or more agencies opposed. Figure 7 shows that there were 30 applications where one agency opposed (37%), 24 where two agencies opposed (30%), and 27 where all three agencies opposed (33%). Where statutory agencies opposed, the proportion of licences granted decreased with more agencies opposing, with 73%, 58% and 22% of applications being granted for one, two and three agencies opposed respectively ( $p < 0.001$ ).

**Table 2. Number of Auckland DLC hearings with agency opposition by year**

<b>Year (1 July - 30 June)</b>	<b>Number of DLC hearings</b>	<b>Number of hearings with agency opposition</b>	<b>% Hearings with agency opposition</b>	<b>% Applications granted following DLC hearing</b>
<b>2018–2019</b>	20	10	50%	70%
<b>2019–2020</b>	24	11	46%	79%
<b>2020–2021</b>	32	14	44%	84%
<b>2021–2022</b>	12	5	42%	83%
<b>2022–2023</b>	22	11	50%	64%



**Figure 7. Outcomes of alcohol licence applications by number of agencies opposed**

# 05

## Discussion

### 5.1 Summary of findings

There were more than 9,000 applications for a licence to sell alcohol from 1 July 2018 to 30 June 2023 in the Auckland region. The number of alcohol licence applications processed by the DLC has not yet returned to pre-Covid-19 levels, with the lowest number of applications in 2022–2023.

Similar to the previous reporting period (1 July 2014 to 30 June 2018), only 1.2% of licence applications processed went to a DLC hearing (excluding special licences). Most of these applications were granted (76%), although this was lower than that over the previous reporting period (86%). This proportion has also been decreasing since 2021. The initial response to the Covid-19 pandemic in 2020–2021 and 2021–2022 saw the least statutory agency oppositions and the highest proportions of applications granted (84% and 83% respectively).

As per our previous report, communities objected to alcohol licence applications more frequently than the statutory agencies did. However, applications that were opposed by both communities and agencies were less likely granted than those with community objection only. The greater the number of agencies opposed, the less likely applications were granted.

Overall, alcohol licence applications were less likely to be granted when a statutory agency has opposed. Previous research has shown that communities are not on a level playing field to agencies in having their voices heard at hearings, even when they have been personally affected by a licence site [16]. Communities may not have the same access to the resources available to agencies for DLC hearings, such as legal representation [16]. This points to an opportunity for local boards and other community organisations to be more involved in supporting and resourcing communities to object to licence applications.

### 5.2 Limitations

There are a number of limitations regarding the data sources that should be considered when interpreting the findings here, including:

- The total number of alcohol licence applications processed was not directly comparable between the current and previous reporting period. Applications for special licences were excluded from this analysis as these numbers were not available from the ARLA reports.

- This report only looked at applications that were declined or granted following an Auckland DLC hearing. This may therefore have missed instances where applications were withdrawn by the applicant in response to opposition, or where oppositions were withdrawn before a DLC hearing. DLC decisions that were later appealed to ARLA were also excluded as this information was not readily available.
- The outcomes of some licence applications were not yet available at the time of analysis. These applications have been excluded from this report.
- Here we only conducted a simple descriptive analysis of alcohol licence applications and their outcomes, focusing on the impact of agency oppositions and community objections. Future analyses may examine whether factors with equity implications are also relevant, for example, area ethnicity makeup, deprivation index, and existing alcohol license density.
- Whether local boards or other community organisations objected to a licence application was not consistently recorded in the data. This meant we were unable to analyse the impact of these objections on application outcomes.

### 5.3 Implications

Although most alcohol licence applications are granted, communities have a powerful lever in the licensing process in that a sole objection to an application can trigger a DLC hearing. Community objectors have played an active part in the alcohol licensing process, even though they may be less resourced than the statutory agencies.

Changes to the Act in 2023 make it easier for communities to object to licence applications and have their voices heard at DLC hearings [13]. This may also facilitate the work of organisations, such as local boards, to amplify community voices in alcohol licensing. Examples of such work include informing community members of licence applications, attending DLC hearings in support of communities, objecting to licence applications, and assisting community members in their objections.

Statutory agency opposition appeared to have a larger impact on whether a licence application was granted by a DLC, particularly when all three agencies were opposed. This points to the importance of enhancing collaboration between the three statutory agencies. Licence applications were also less likely to be granted when both agencies and communities were opposed. Through engaging with and understanding local communities, the agencies can better reflect community concerns in their oppositions.



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# Appendix 1

## Number of alcohol licence applications processed by the Auckland DLCs

Table S1 summarises the number of alcohol licence applications processed by the Auckland DLCs by year and licence type, extracted from the DLC reports to ARLA. Due to changes in reporting over time, we were not able to analyse trends in the number of new and renewal applications.

**Table S1. Number of alcohol licence applications processed by the Auckland DLCs, 1 July 2018 – 30 June 2023\***

Year (1 July - 30 June)	New off-licences	Total off-licences	New on-licences	Total on-licences	New club licences	Total club licences	Total renewals (all licence types)	Total applications processed**	Applications refused***
2018-2019	138 (1)	N/A	485 (1)	N/A	7 (0)	N/A	1296 (2)	1926	4
2019-2020	317 (0)	N/A	838 (2)	N/A	31(0)	N/A	1173 (4)	2359	6
2020-2021	155 (2)	N/A	410 (0)	N/A	6 (0)	N/A	1243 (1)	1814	3
2021-2022	N/A	442 (2)	N/A	1093 (3)	N/A	206 (0)	N/A	1741	5
2022-2023	New: 164 (1) Renewal: 303 (1)	467 (2)	New: 342 (1) Renewal: 741 (0)	1083 (1)	New: 15 (1) Renewal: 85(1)	100 (2)	N/A	1650	5
<b>Period total (1 July 2018 - 30 June 2023)</b>								9490	23

\* Numbers in brackets are the numbers of licence applications refused

\*\* Total number of alcohol licences issued and number of applications refused by the DLCs

\*\*\* As reported by the DLCs to ARLA by year



# **Health New Zealand Te Whatu Ora**

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