

LOCAL ALCOHOL POLICY

CATEGORY:	Office of the Chief Executive	STATUS:	Draft
DATE POLICY ADOPTED:	[Insert meeting date]	APPROVAL BY:	Council
REVIEW PERIOD:	6 years	NEXT REVIEW DUE BY:	2026
DATE PREVIOUSLY ADOPTED:	N/A	REVISION NUMBER:	0

1 PURPOSE

1.1 The Local Alcohol Policy (LAP) provides guidance on the promotion of safe and responsible sale, supply and consumption of alcohol, encourages licensed premises to foster positive, responsible drinking behaviour and minimise alcohol-related harm; and reflects the views of the Wairoa community as to the appropriate location, number, hours and conditions that should apply to licensed premises within the district.

2 POLICY PROVISIONS

2.0.1 Under the Sale and Supply of Alcohol Act 2012 Council has developed a LAP, this must be read in conjunction with the Act and relevant regulations.

2.0.2 The Wairoa District Licensing Committee (DLC) and the Alcohol Regulatory Licensing Authority (ARLA) must have regard to the LAP when making decisions on licence applications in the district.

2.0.3 The LAP will apply to all premises on which alcohol is sold or supplied, all applications for new licences and licence renewals after the date the LAP comes into force.

2.1 LOCATION AND DENSITY OF LICENSED PREMISES

2.1.1 No new licence of any type will be granted in locations that are within 50 metres of a sensitive site. This provision excludes restaurants and cafes. An applicant for a new on licence is exempt from this clause where they can demonstrate that the hours, alcohol-related signage, and/or operation of the premises will have no significant impact on the sensitive site/s and or persons using the sensitive site/s.

- 2.1.2 No new off-licenses will be granted for new businesses within the Town Centre Zone in the Wairoa Township, with the exception of supermarkets.
- 2.1.3 There are no restrictions on the number of on-licences or club licences in the district. However, any application must conform to the District Plan and cannot be inconsistent with other Council policies or bylaws.

2.2 MAXIMUM LICENSED OPERATING HOURS

ON LICENCE		
Maximum operating hours	Trading days	Location
9am – 1am	Monday - Sunday	District-wide

OFF LICENCE		
Maximum operating hours	Trading days	Location
9am – 9pm	Monday - Sunday	District-wide

CLUB LICENCE		
Maximum operating hours	Trading days	Location
Sunday-Thursday 10am - 11pm Friday-Saturday 10am – 12am (midnight)	Monday - Sunday	District-wide

2.3 SPECIAL LICENCES

- 2.3.1 The hours approved for a special licence will depend on the location, type of premise, activity and participants of the event. Special licences will not extend past 1am.
- 2.3.2 No premises shall be permitted to have more than six events under a special licence in any 12-month period.
- 2.3.3 All Class 1 special licences have to be exercised by a person holding a Manager’s Certificate.

2.4 CONDITIONS ON ANY LICENCE

2.4.1 The District Licencing Committee may issue any type of licence subject to **discretionary** conditions, appropriate to the circumstances of that licence, including but limited to:

- a) The people to whom alcohol may be sold;
- b) The sale of alcohol to prohibited persons;
- c) Management of the premises;
- d) One-way door restrictions earlier than the maximum time of 1am;
- e) Requirement for a person/s holding a Manager's Certificate to be on duty;
- f) The kind of alcohol that may be sold;
- g) Display of safe and responsible drinking messages/material;
- h) Display of external promotion and advertising – including % of store front covered, type of material used;
- i) Effective interior and exterior lighting;
- j) CCTV in suitable locations for monitoring purposes;
- k) Provision of additional qualified security staff at specified time/s;
- l) Limit on the type and/or size of drinks and the number of drinks per customer after a specified time;
- m) Limit the use of glass drinking receptacles at specified times;
- n) Provide transport for patrons, or information about transport options;
- o) Provide food, non-alcohol and low-alcohol drinks;
- p) Adopt noise control management plans;
- q) Adopt risk management plans;
- r) Adopt a host responsibility policy.

APPENDIX 1 – ADDITIONAL INFORMATION

1 DEVELOPMENT & REVIEW OF THE LAP

- 1.1 A LAP must be developed in consultation with Medical Officers of Health, inspectors (as defined under the Sale and Supply of Alcohol Act 2012), Police and the community. It must be reasonable and consistent with the objectives of the Act.
- 1.2 In preparing a LAP, WDC must have regard to the following:
- a) The objectives and policies in the District Plan.
 - b) The number of licences of each kind in the district, and location and opening hours of each licensed premise.
 - c) Liquor bans.
 - d) The demographic profile of the district's residents and tourists.
 - e) The health indicators of the district's residents.
 - f) The nature and severity of alcohol-related problems in the district.
- 1.5 WDC can revoke its LAP and adopt another in its place. The LAP can be reviewed before the review timeframe of six years.

2 DISTRICT LICENSING COMMITTEE

- 2.1 Decisions on applications for licences are made by the DLC, which is made up of three people, two from the wider community and one elected Councillor.
- 2.2 The DLC must consider each application in accordance with:
- a) The LAP.
 - b) The objectives of the Act.
 - c) Suitability of the applicant.
 - d) Design and layout of the premises.
 - e) The types of goods or services provided by the applicant.
 - f) Whether the good order of the locality of the premises may be reduced by the issue of a licence.
 - g) Whether the applicant has the systems, staff and training to comply with the law.

APPENDIX 2 – DEFINITIONS

When interpreting the LAP, the definitions below should be used.

The Act	Sale and Supply of Alcohol Act 2012
Alcohol	A substance that contains fermented, distilled, or spirituous liquor, which is found to contain 1.15% or more ethanol by weight, in a form that can be consumed by people.
Alcohol-related harm	The harm caused by the excessive or inappropriate consumption of alcohol. It includes any crime, damage, death, disorderly behaviour, illness, or injury, caused or contributed to by excessive or inappropriate consumption of alcohol.
Good order of the locality	The degree to which the locality of a premises is pleasant.
Bar	A part of a hotel or tavern used mainly for the sale or consumption of alcohol.
Bottle store	Retail premises where at least 85% of the annual revenue is earned from the sale of alcohol for consumption elsewhere.
Club	A corporate body that has as its object participation or promotion of a sport or recreational activity, other than for gain; or a body that holds permanent club charter.
Club licence	A licence for the sale of alcohol for consumption at the club premises and only to members, affiliates and guests of the club.
Hotel	Business premises used mainly for providing lodging, alcohol, meals, and refreshments for consumption onsite.
Licence	A current licence issued under the Act.
Off-licence	A licence for premises where the licensee sells alcohol for consumption elsewhere.
On-licence	A licence for premises where the licensee sells alcohol for consumption onsite.
One-way door restriction	A requirement that, during the hours stated in the restriction no person is to be admitted (or re-admitted) into the premises and supplied with alcohol, unless he or she is an exempt person.
Prohibited person	A person to whom alcohol cannot be sold. This includes persons under 18 years of age, an intoxicated person and in the case of a club, a person who is not authorised to enter the premises.
Regulations	Regulations made under the Act.
Sensitive site	Areas or facilities that are considered more sensitive to alcohol-related harm. These sites include childcare facilities, educational facilities, medical centres, places of worship, and marae.

	<p>Childcare facilities: Includes any crèche, day or after-school care centre, pre-school, kindergarten, kohanga reo or play centre.</p> <p>Educational facilities: Any educational premises, including primary, secondary, tertiary, vocational education institutes, and private tertiary establishments.</p> <p>Medical centres: Premises used to provide essential medical, physical and mental health services, as well as any addiction treatment facilities. This includes any pharmacy, dental surgery, or health clinic.</p> <p>Places of worship: Buildings and land used mainly for worship or religious purposes.</p>
Special licence	<p>A licence that allows the licensee to sell alcohol to people attending an event. This licence may be:</p> <ul style="list-style-type: none"> • An on-site or an off-site licence • For a single event or a series of events • To permit the sale of alcohol at an on-licence or a club licence, outside the conditions of the usual licence
Supermarket	<p>Under section 32 (1) (e) of the Act - premises that (in the opinion of the licensing authority or licensing committee concerned) are a supermarket with a floor area of at least 1000m² (including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items)</p>
Tavern	<p>Premises used mainly for providing alcohol and other refreshments to the public.</p>