

POLICY

Alcohol

Local Alcohol Policy

1 Introduction

The *Sale and Supply of Alcohol Act 2012* (the Act) enables the Council to develop a Local Alcohol Policy (LAP) to further control the location of licensed premises, the number of licensed premises in the District or any part of the District, the maximum trading hours, impose discretionary conditions on the issue of licences and impose one-way door restrictions. The District Licensing Committee (DLC) and Alcohol Regulatory and Licensing Authority (ARLA) are required to consider the LAP when making licensing decisions.

2 Policy Context

This Local Alcohol Policy contributes towards control of the adverse effects created by the misuse of alcohol. It reflects the local community's wishes regarding the sale and supply of alcohol providing local solutions to local problems.

2.1 Definitions

"Alcohol Management Plan" is a plan of measures and actions designed to manage the sale and supply of alcohol to achieve the objectives of the *Sale and Supply of Alcohol Act 2012*.

"Club" has the same meaning as section 5 of the *Sale and Supply of Alcohol Act 2012*.

"Club Licence" has the meaning given by section 60 of the *Sale and Supply of Alcohol Act 2012*.

"Discretionary conditions" in considering any application for a special licence, the Committee may, in deciding whether to grant or refuse the licence, apply any reasonable conditions if, in its opinion, the issuing of the licence, or the consequences of issuing the licence, without those conditions would be inconsistent with the policy.

"Off-Licence" has the meaning given by Section 17 and 18 of the *Sale and Supply of Alcohol Act 2012*.

"On-Licence" has the meaning given by Section 14 of the *Sale and Supply of Alcohol Act 2012*.

"One-way door restriction" has the meaning given by section 5 of the *Sale and Supply of Alcohol Act 2012*.

"Ready to drink (RTD)" is an alcoholic drink, combining a spirit with a soft drink.

"Special Licence" has the meaning given by section 22 of the *Sale and Supply of Alcohol Act 2012*.

"Stand-alone bottle store" is an off-licensed premises, selling primarily only alcohol, displayed and sold from that site, and is not part of an on-licensed business such as a hotel or tavern or a supermarket. An exemption to item 4.2.2 in this policy is available where a stand-alone bottle store was lawfully established at the date of the policy adoption.

"The Act" is the *Sale and Supply of Alcohol Act 2012*.

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3 Policy Objective

This policy has the objective of being consistent with the Community Development Strategy¹ and the Community Action Plan on Alcohol² prepared for the District as well as the objectives of the *Sale and Supply of Alcohol Act 2012* which is provided for in Section 4 of the Act as:

- *the sale, supply and consumption of alcohol should be undertaken safely and responsibly; and*
- *the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

4 Policy Statement

4.1 On-licence

Policies related to on-licences also apply to:

- Bring Your Own (BYO) restaurants (endorsed under section 37 of the Act)
- Caterers (endorsed under section 38 of the Act)

4.1.1 Hours of Operation

The hours of operation for on-licences are set by the District Licencing Committee (DLC) after consideration of the reports from the Licensing Inspector, Police, Medical Officer of Health and any objections. Note: an application for an on-licence must comply with the *Resource Management Act 1991* before it is lodged, however, additional restrictions in respect of hours of operation may be required.

The permitted hours of operation of on-licence premises are as follows:

Days of Week	Earliest opening time	Latest closing time
Sunday to Thursday	7.00 am	11.00 pm
Friday to Saturday	7.00 am	1.00 am the following day
New Year's Eve (31 December)	7.00 am	1.00 am the following day (New Years Day)

4.1.1.1 Public holidays

On any day preceding a public holiday the hours of operation are 7.00am to 1.00am (the morning of the public holiday).

4.1.1.2 Clause 4.1.1.1 does not apply to those days preceding Good Friday, Easter Sunday, or Christmas Day, or before 1 pm Anzac Day as identified in section 47 of the Act. For the preceding day before those listed in section 47 of the Act, the hours of operation are 7.00 am to 12.00 am (midnight).

4.1.2 Discretionary conditions of on-licences

These discretionary conditions may include (but are not necessarily limited to):

- Provision of additional security (staff)
- The installation and operation of CCTV cameras on the exterior of, and within premises
- Provision of effective exterior lighting
- Restriction on the use of outdoor areas
- Noise control

¹ Waimakariri District Council Community Development Strategy 2015-2025 (TRIM: 150605089108)

² Waimakariri District Council Community Action Plan on Alcohol (TRIM: 090821025046)

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- One-way door restrictions
- New staff to complete 'serve-wise' training within the first month of employment.

4.2 Off-Licences

4.2.1 Hours of Operation

The permitted hours of operation of off-licence premises is as follows:

Days of Week	Earliest opening time	Latest closing time
Monday to Sunday	7.00 am	10.00 pm

4.2.2 Section 48 of the Act provides that an off-licence must ensure that no alcohol is sold on or delivered from the premises on Good Friday, Christmas Day or before 1 pm on Anzac Day. Moreover, no alcohol is to be sold on or delivered from the premises on Easter Sunday, unless it is grape wine or fruit or vegetable wine made on the premises or from product harvested from the land on which the premises are situated.

4.2.3 Off-Licence Location

No off-licence is to be issued for any business being a new 'stand-alone' bottle store, unless that bottle store is located on land zoned Business 1 Zone or Business 2 Zone as defined in the Waimakariri District Plan. Where a stand-alone bottle store was lawfully established prior to the adoption of this LAP, its use is exempt from clause 4.2.2 until such time as the Council amends this part of the Policy.

4.3 Club Licences

A number of clubs are situated in or adjacent to residential zoned areas. The sale of liquor must be secondary to the objectives of the Club, and the licensed hours must also be relevant to the Club's activities.

4.3.1 Hours of operation

The permitted hours of operation of Club Licenced premises is as follows:

Days of Week	Earliest opening time	Latest closing time
Sunday to Thursday	7.00 am	11.00 pm
Friday, and Saturday	7.00 am	1.00 am the following day

4.3.1.1 Public Holidays

On any day preceding a public holiday the hours of operation are 7.00am to 1.00am (the morning of the public holiday).

4.3.1.2 Anzac Day trading hours for licensed RNZRSA clubs

Clause 4.3.1.1 does not apply to licensed RNZRSA clubs under section 47A of the Act. The permitted trading hours for any licensed premises to which this section applies include the hours from 4 am to 1 pm on Anzac Day. Additionally, any one-way door restriction applicable to the premises does not operate during the hours specified.

4.3.2 Discretionary conditions of club licences

These discretionary conditions may include (but are not necessarily limited to):

- Advertising signage dimensions, number and location

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- For premises in residential zones reduced hours may be considered on the circumstances of each application
- The installation and operation of CCTV cameras on the exterior of, and within premises
- Provision of effective exterior lighting
- Restriction on the use of outdoor areas
- New staff to complete 'serve-wise' training within the first month of employment.

4.4 Special Licences

4.4.1 Hours of operation

Restrictions on hours will be imposed if the DLC considers it appropriate in respect of any environmental or other considerations which may require constraints on the hours of operation. Such issues may be raised by the Licensing Inspector, Police or other relevant affected parties.

4.4.2 Discretionary conditions of special licences include:

These discretionary conditions may include (but are not necessarily limited to):

- No premises would generally have more than 12 events under one licence application, however where the events are low risk, of short duration and are 'like' events, as determined by the District Licensing Committee, one application could cover a single 12 month period.
- Sale of alcoholic drinks to be limited, e.g. two per customer at any one time
- Meet the terms of the Alcohol Management Plan for public events
- No alcohol is to be sold in glass containers
- The District Licensing Committee may decline a licence extending beyond 3.00 am.

4.4.3 Alteration to hours of operation

An alteration to hours of operation for an event may be applied for by way of a Special Licence to the DLC. A minimum of 20 working days will be required for processing such a licence.

5 Links to legislation, other policies and community outcomes

Alcohol Control Bylaw 2018
Community Outcomes
2011 – 2016 Road Safety Strategy
Canterbury Regional Policy Statement
Waimakariri District Plan
Sale and Supply of Alcohol Act 2012

6 Adopted by and date

This policy was adopted by Council on 4 December 2018 to come into force on 17 December 2018.

7 Review

Review in six years or by resolution of Council.