

LOCAL ALCOHOL POLICY

2025

Table of Contents

1.	Preliminary Provisions.....	4
1.1.	Intent and objective.....	4
1.2.	Statutory context.....	4
2.	On-Licences.....	7
2.1.	Introduction.....	7
2.2.	Location of premises holding on-licences by reference to proximity to other licensed premises.....	7
2.3.	Location of premises holding on-licences by reference to proximity to sensitive facilities.....	7
2.4.	Maximum trading hours for premises holding on-licences.....	8
2.5.	Discretionary conditions of on-licences	9
2.6.	One-way door restrictions.....	11
3.	Off-Licences	12
3.1.	Introduction.....	12
3.2.	Location of premises holding off-licences by reference to proximity to other licensed premises.....	12
3.3.	Location of premises holding off-licences by reference to proximity to sensitive facilities.....	12
3.4.	Amenity and good order.....	13
3.5.	Further issuing of off-licences in the District.....	13
3.6.	Maximum trading hours for premises holding off-licences	14
3.7.	Remote sale and remote sellers	14
3.8.	Discretionary conditions of off-licences	14
4.	Club Licences.....	18
4.1.	Introduction.....	18
4.2.	Location of premises holding club licences by reference to broad areas	18
4.3.	Location of premises holding club licences by reference to proximity to other licensed premises.....	18
4.4.	Location of premises holding club licences by reference to proximity to sensitive facilities.....	18
4.5.	Maximum trading hours for premises holding club licences	18
4.6.	Discretionary conditions of club licences	18
4.7.	One-way door restrictions.....	20
5.	Special Licences.....	21
5.1.	Introduction.....	21

Table of Contents

5.2. Issuing of special licences in the District	21
5.3. Maximum trading hours for premises holding special licences	21
5.4. Discretionary conditions of special licences	21
5.5. One-way door restrictions	23
6. Temporary Authorities	24
Schedule 1 - Definitions	25
Schedule 2 – Areas limiting new off-licence premises	35

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1. Preliminary Provisions

1.1. Intent and objective

- 1.1.1. This is the Waipa District Council Local Alcohol Policy 2025 (Policy). It is made under the Sale and Supply of Alcohol Act 2012 (*Act*). This Policy comes into force on 10 March 2025.
- 1.1.2. This Policy is intended to set a clear framework which will be applied to all applications for on, off, *club* and *special licences* within the Waipā District.
- 1.1.3. The objective of this Policy is to balance the reasonable needs of the residents of Waipā District regarding the safe and responsible sale, supply and consumption of *alcohol*, while addressing the statutory requirements of the Sale and Supply of Alcohol Act 2012, including the object of the *Act* to minimise the harm caused by excessive or inappropriate consumption of *alcohol*.
- 1.1.4. Definitions are italicised throughout and contained in [Schedule 1](#).

1.2. Statutory context

- 1.2.1. The object of the *Act* is that:
 - a) the sale, supply, and consumption of *alcohol* should be undertaken safely and responsibly; and
 - b) the harm caused by the excessive or inappropriate consumption of *alcohol* should be minimised.
- 1.2.2. Section 75 of the *Act* enables a territorial authority to have a local *alcohol* policy (LAP) relating to the sale, supply or consumption of *alcohol* within its district. A LAP may:
 - a) provide differently for different parts of the district;
 - b) apply to only part of the district;
 - c) apply differently to *premises* for which licences of different kinds are held or have been applied for.
- 1.2.3. Section 77 of the *Act* provides that some or all of the following matters relating to licensing can be included in a LAP:
 - a) location of *licensed premises* by reference to broad areas;
 - b) location of *licensed premises* by reference to proximity to *premises* of a particular kind or kinds;
 - c) location of *licensed premises* by reference to proximity to facilities of a particular kind or kinds;
 - d) whether further licences (or licences of a particular kind or kinds) should be issued for *premises* in the district concerned, or any stated part of the district;
 - e) maximum trading hours;

Preliminary Provisions

- f) the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions;
 - g) *one-way door restrictions*.
- 1.2.4. A LAP must not include any other matters relating to licensing and must not include policies on any matters not related to licensing.
- 1.2.5. Under section 93 of the *Act*, a LAP may contain a policy more restrictive than the *Council's* district plan, however a LAP cannot authorise anything forbidden by the district plan.
- 1.2.6. This Policy does not contain all provisions that may apply to *alcohol* licensing matters and should be read in conjunction with the *Act* (and other relevant legislation including, but not limited to, the Resource Management Act 1991 (RMA)).
- 1.2.7. It is the responsibility of the licence *applicant* to ensure that all relevant requirements are met, including the requirements under the Waipā District Plan and this Policy, before filing an application.
- 1.2.8. There are 4 kinds of *alcohol* licences under the *Act*:
- a) **On-licences:** these are issued for *premises* where the *licensee* can sell and supply *alcohol* for consumption on-site. They can also be endorsed under section 37 of the *Act* which gives *restaurants* the ability to allow 'bring your own' *alcohol*. Common *on-licence* examples include *cafés*, *hotels*, *taverns*, caterers, *restaurants*, and *BYO restaurants*.
 - b) **Off-licences:** these are issued for *premises* where the *licensee* can sell *alcohol* for consumption elsewhere. Common *off-licence* examples include *bottle stores* and supermarkets.
 - c) **Club licences:** these are issued for *premises* where the *licensee* can sell and supply *alcohol* only to *authorised customers* (who are members or visitors of that *club*) for consumption there.
 - d) **Special licences:** these are issued to allow the sale and consumption of *alcohol* at *events* or occasions on *premises* that are unlicensed, or *premises* for which the *event* timing would be outside their normal licence conditions. Not all provisions in this Policy apply to *special licences*.
- 1.2.9. To obtain a new or renewed licence, the *applicant* must apply to the relevant District Licensing Committee (*DLC*). The decision on any application may be appealed to the Alcohol Regulatory and Licensing Authority (*ARLA*).
- 1.2.10. Once in force, the *DLC* and *ARLA* must have regard to this Policy before deciding whether to issue a licence or its renewal.
- 1.2.11. A licence or its renewal may be refused if it is inconsistent with this Policy.
- 1.2.12. In addition, conditions may be imposed by the *DLC* and *ARLA* on any licence or its renewal to ensure consistency with this Policy.
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Preliminary Provisions

- 1.2.13. The Waipā District Council Local Alcohol Policy 2016 applied to the determination of all licensing applications prior to this Policy coming into force. This Policy will apply to the determination of a licensing application after this Policy comes into force, notwithstanding that the relevant licensing application was filed prior to this date.

2. On-Licences

2.1. Introduction

- 2.1.1. *On-licences* are licences that meet the requirements of sections 14, 15 and 16 of the Act.

2.2. Location of premises holding on-licences by reference to proximity to other licensed premises

- 2.2.1. When considering an application for a *new on-licence*, the *DLC* must have regard to the proximity of the proposed *premises* to existing *licensed premises* in relation to amenity and good order including noise and density and the potential *alcohol-related harm* caused by venue hopping.

2.3. Location of premises holding on-licences by reference to proximity to sensitive facilities

- 2.3.1. No *new on-licence* may be issued in respect of *premises* that *directly border* any *sensitive facility* existing at the time the *new on-licence* application is filed.
- 2.3.2. In addition, no *new on-licence* may be issued in respect of any *premises* that:
- a) is outside the *permitted area*; and
 - b) is less than 40 metres from the boundary of any *sensitive facility* existing at the time the licence application is filed.

Guidance note:

Distances are measured in a direct line 'as the crow flies'. Please see section 6.1.5. and Figures 2 and 3 for further clarification.

- 2.3.3. Clauses 2.3.1 and 2.3.2 do not apply where the *DLC* or *ARLA* is satisfied that there will be no impact, other than to a minor extent, on those persons using the relevant *sensitive facility*. The *applicant* may demonstrate the level of impact by providing evidence or explanation, where relevant, on factors such as (but not limited to):
- a) hours of operation,
 - b) external *alcohol-related* signage and advertising,
 - c) operation of the *premises* (such as steps being taken to minimise *alcohol-related harm*, nature of the *premises*, products being sold, CCTV),
 - d) a statement from the relevant *sensitive facilities*,
 - e) the number and proximity of the relevant *sensitive facilities* and any significant physical barriers (such as a river or expressway).

- 2.3.4. The renewal of an *on-licence* or the issue of an *on-licence* to a new *licensee* for an existing *on-licensed premises* will not be affected by any *sensitive facility* established after the original *on-licence* has been issued.

2.4. Maximum trading hours for premises holding on-licences

- 2.4.1. Subject to sections 46 and 47 of the *Act*, no *on-licence* may be issued or renewed for:

- a) any *hotel*,
- b) *class 1 restaurant*,
- c) other *on-licence premises* listed in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013 with a weighting of 15 or more at the time of application, or
- d) other *premises* where the principal activity is the provision of *alcohol* and other refreshments to the public,

with trading hours that exceed Monday to Sunday 9.00am to 1:00am the following day.

- 2.4.2. The *premises* listed in 2.4.1. are types of *premises* that are at higher risk of causing *alcohol-related harm*. The *premises* listed in 2.4.1.(c) capture the types of *premises* referred to in the Sale and Supply of Alcohol (Fees) Regulations 2013 as night club, *tavern* and adult *premises*. The Sale and Supply of Alcohol (Fees) Regulations 2013 gives a risk rating to *licensed premises* based on the types of activities that occur there, trading hours and previous enforcement action.

- 2.4.3. Subject to sections 46 and 47 of the *Act*, no *new on-licence* may be issued or renewed within 100 meters of any area within the Residential Zone for:

- a) any *hotel*,
- b) *class 1 restaurant*,
- c) other *on-licence premises* listed in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013 with a weighting of 15 or more at the time of application,
- d) *tavern*, or
- e) other *premises* where the principal activity is the provision of *alcohol* and other refreshments to the public,

with trading hours that exceed:

- Sunday to Thursday 9:00am to 10:30pm
- Friday and Saturday 9:00am to 12:00 midnight

- 2.4.4. Subject to sections 46 and 47 of the *Act*, no *on-licence* may be issued or renewed in respect of:

- a) any *restaurant* (other than a *class 1 restaurant*),
- b) *café* or

c) *function centre premises*

with trading hours that exceed Monday to Sunday 7:00am to 1:00am the following day.

2.4.5. No *on-licence* may be issued or renewed for any *premises* with an *outdoor dining area* in a public area, if the licensed hours for the *outdoor dining area* forming part of that *premises* exceeds 9:00am to 11:00pm on any day.

2.4.6. No *on-licence* may be issued or renewed in respect of any other *premises* not specified in clauses 2.4.1, 2.4.2, 2.4.3, and 2.4.4 above, if the trading hours for that *premises* exceeds Monday to Sunday 9:00am to 1:00am the following day.

2.5. Discretionary conditions of on-licences

2.5.1. In accordance with sections 110(1) and 117 of the *Act*, the *DLC* or *ARLA* may impose discretionary conditions (in addition to conditions required by section 110(2) of the *Act*) on any *new on-licence* or renewed *on-licence*, including about the following matters:

(a) Display of information about safe transport options

The *licensee* must display information about transport availability as follows:

- i. An A4 poster must be clearly displayed in at least two of the following locations:
 - by the main counter or *bar*; or
 - by the principal exit; or
 - the bathrooms; or
 - another location approved by the *DLC* or *ARLA*
- ii. The content of the poster must include the following:
 - anti-drink driving messaging; and
 - where applicable, taxi contact details and the location of the nearest taxi rank; and
 - advice that staff are available to give further information.

(b) Host Responsibility Policy.

The *licensee* must develop, display and maintain a policy, commonly known as a *Host Responsibility Policy*, to demonstrate the measures in place to promote the responsible consumption of alcohol.

(c) Security cameras for any *hotel, class 1 restaurant, other on-licence premises* listed in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013 with a weighting of 15 at the time of application, or *tavern*:

- i. The *licensee* must operate security cameras on any *premises* identified as *class 1 restaurant*, *Class 1 club*, *bottle stores*, and *premises* deemed as *taverns*.
- ii. The *DLC* and *ARLA* must consider specifying, as relevant:
 - that recordings made should be provided to a *Police Officer* or *Licensing Inspector* if requested.
 - that recordings must be of a quality that would assist in the identification of *alcohol*-related offending;
 - the areas that must be covered by the security cameras must include entry and exit points, outside areas that are immediately adjacent to the *premises*, and the main body of the *premises* accessed by patrons.
 - Minimum days for which recordings must be kept should be 14 days.
 - *Premises* have six months to comply from the date of a new licence being granted or renewed.

(d) Register of *alcohol*-related incidents.

- i. The *licensee* must maintain a register of material *alcohol*-related incidents, noting the date, time and details of each incident, and the steps taken by the *licensee* in response to the incident.
- ii. For the purposes of this condition, the term “material *alcohol*-related incidents” includes, but is not limited to the following situations:
 - a patron or staff member is seriously threatened; or
 - fighting occurs on the *premises*; or
 - an external agency such as the *Police*, *Wardens* or emergency services has been contacted; or
 - a patron has been forcibly evicted and/or banned from the *premises*; or
 - property is wilfully damaged by a patron;
 - patrons are found to be involved in any illegal activities on the *premises*, including drink spiking.
 - where the excessive or inappropriate consumption of *alcohol* may have been a contributing factor.
- iii. The register of incidents must be available for inspection by the *Police* and *Licensing Inspectors* at any time that the *premises* is open to the public and an incident should be recorded in the register within 12 hours of the incident occurring.

(e) Conditions relating to minimum numbers of certificated managers and staff.

The exact number of managers and staff required will depend on the layout, use, licensed hours, and capacity of the *premises*.

- (f) **Provision of additional lighting** around entrances and exits to ensure the safety of patrons.

2.6. One-way door restrictions

- 2.6.1. A *one-way door restriction* may be applied from midnight Monday to Sunday for any *class 1 restaurant*, other *on-licence premises* listed in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013 with a weighting of 15 or more at the time of application, or *tavern*, where those *premises* have a closing time later than midnight.
- 2.6.2. This condition may be added to *on-licences* as they are issued or renewed.

3. Off-Licences

3.1. Introduction

- 3.1.1. *Off-licences* are those licences that meet the requirements under sections 17, 18, 19 and 20 of the *Act*.

3.2. Location of premises holding off-licences by reference to proximity to other licensed premises

- 3.2.1. When considering a *new off-licence* application, the *DLC* and *ARLA* must have regard to the proximity of the proposed new *premises* to existing *off-licence premises* in relation to amenity and good order including noise and density.

3.3. Location of premises holding off-licences by reference to proximity to sensitive facilities

- 3.3.1. No *new off-licence* may be issued in respect of *premises* that:
- a) is located within the *permitted area*; and
 - b) *directly borders* any *sensitive facility* or *community facility* existing at the time the licence application is filed.
- 3.3.2. The decision on any renewal of an *off-licence* will not be affected by any *sensitive facility* or *community facility* established after the original *off-licence* subject to that renewal has already been issued. However, the *DLC* and *ARLA* must have regard to any substantial change in the operation of the *off-licensed premises* when renewing a licence that *directly borders* a *sensitive facility* or *community facility*.
- 3.3.3. No *new off-licence* may be issued in respect of a *premises* that:
- a) is outside the *permitted area*; and
 - b) is less than 40 metres from the boundary of any *sensitive facility* or *community facility* existing at the time the application is lodged; or
 - c) is greater than 40 metres and less than 100 metres from the boundary of any *sensitive facility* or *community facility* and the *DLC* or *ARLA* reasonably believes that a person using the *sensitive facility* or *community facility* will be significantly impacted.

Guidance note:

Distances are measured in a direct line 'as the crow flies'. Please see section 6.1.5. and Figures 2 and 3 for further clarification.

- 3.3.4. Clauses 3.3.1 and 3.3.3(a) and (b) do not apply where the *DLC* or *ARLA* is satisfied that there will be no impact, other than to a minor extent, on those persons using the relevant *sensitive facility* or *community facility*. The *applicant* may demonstrate the level of impact by providing evidence or explanation, where relevant, on factors such as (but not limited to):
- a) compliance with the outcomes listed in 3.8.1.(c) to 3.8.1(k),
 - b) hours of operation,
 - c) external *alcohol*-related signage and advertising,
 - d) operation of the *premises* (such as steps being taken to minimise *alcohol-related harm*, nature of the *premises*, products being sold),
 - e) a statement from the relevant *sensitive facilities* and *community facilities*,
 - f) the number and proximity of the relevant *sensitive facilities* and *community facilities* and any significant physical barriers (such as a river or expressway).

3.4. Amenity and good order

- 3.4.1. When considering amenity and good order in relation to a *new off-licence*, the *DLC* and *ARLA* must have regard to the proximity of the *premises* to a *public park*, car park or reserve particularly where that *public park*, car park or reserve is within a permanent alcohol ban area prescribed by Waipā District Council's relevant Alcohol Control Bylaw and, if necessary, impose the conditions set out in 3.8.

3.5. Further issuing of off-licences in the District

- 3.5.1. No *new off-licences* may be issued in the areas specified below and shown in [Schedule 2](#) if the total number of *off-licences* within those areas exceed the number specified below:
- a) Kihikihi 2
 - b) Te Awamutu East 2
 - c) Te Awamutu Central 7
 - d) Cambridge Central 9
 - e) Leamington North 2
 - f) Leamington Central 4

Guidance note:

This Policy comes into force on 10 March 2025. The Waipā District Council Local Alcohol Policy 2016 applied to the determination of all licensing applications prior to this Policy coming into force. This Policy will apply to the determination of a licensing application after this Policy comes into force, notwithstanding that the relevant licensing application was filed prior to this date.

3.5.2. The prohibition in clause 3.5.1 will not apply to an application for an *off-licence* in respect of:

- a) *premises* subject to an existing *off-licence* or subject to an *off-licence* in the previous 12 months prior to the application,
- b) a *special licence*,
- c) a *temporary authority*,
- d) a remote seller (where *alcohol* is not also sold on the premises),
- e) a principal business carried on for the manufacture of *alcohol*, or
- f) applications under section 35 of the *Act* (for example, florists adding an *alcoholic* drink to a gift basket).

3.6. Maximum trading hours for premises holding off-licences

3.6.1. No *off-licence* may be issued or renewed with trading hours that exceed Monday to Sunday 7:00am to 10:00pm (subject to section 48 of the *Act*).

3.7. Remote sale and remote sellers

3.7.1. Remote sellers are excluded from 3.6. subject to section 40 of the *Act*.

3.7.2. The *remote sale* of *alcohol* may be made at any time on any day subject to section 49 of the *Act*.

3.8. Discretionary conditions of off-licences

3.8.1. In accordance with sections 116 and 117 of the *Act*, the *DLC* and *ARLA* may impose discretionary conditions (in addition to the conditions required by sections 112 and 116(2) of the *Act*) on any *new off-licence* or renewed *off-licence*, including about the following matters:

(a) Register of *alcohol* related incidents

- i. The *licensee* must maintain a register of material *alcohol*-related incidents, noting the date, time and details of each incident, and the steps taken by the *licensee* in response to the incident.
- ii. For the purposes of this condition, the term “material *alcohol*-related incidents” includes, but is not limited to the following situations:
 - a patron or staff member is seriously threatened; or
 - fighting occurs on the *premises*; or an external agency such as the *Police*, *Wardens* or emergency services has been contacted; or
 - a patron has been forcibly evicted and/or banned from the *premises*; or

- property is wilfully damaged by a patron;
 - where the excessive or inappropriate consumption of *alcohol* may have been a contributing factor.
- iii. The register of incidents must be available for inspection by the *Police* and Licensing *Inspectors* at any time that the *premises* is open to the public and the incident should be recorded in the register within 12 hours of the incident occurring.

(b) Remote sale deliveries

- i. The outside of the delivery package must contain the following words:

Courier Warning

1. Contains *alcohol*.
2. Do not leave at destination without proof of delivery.
3. Do not leave with persons under 18 years of age. If the receiver appears to be under the age of 25 years check valid identification such as current passport, New Zealand driver's licence or Hospitality NZ18+ Card / Kiwi Access Card, to ensure the receiver is 18 years of age or over;
4. Do not leave with intoxicated persons.

(c) Security cameras for off-licences:

- i. The *licensee* must operate security cameras on the *premises* identified as an *off-licence*.
- ii. The *DLC* and *ARLA* must consider specifying, as relevant:
- that recordings made should be provided to a *Police* Officer or Licensing *Inspector* if requested.
 - that recordings must be of a quality that would assist in the identification of *alcohol*-related offending;
 - the areas that must be covered by the security cameras must include entry and exit points, outside areas that are immediately adjacent to the *premises*, and the main body of the *premises* accessed by patrons.
 - Minimum days for which recordings must be kept should be 14 days.
 - *Premises* have six months to comply from the date of a new licence being granted or renewal.

(d) Application of Crime Prevention Through Environmental Design (CPTED) principles to achieve the following outcomes:

- i. Lighting
- Internal lighting inside the *premises* to enable passive surveillance by staff and active surveillance by security cameras.
 - Lighting to allow customers to be seen as they enter the *premises*.

- Lighting to allow staff to check identification.
- External areas such as car parks and loading bays being well lit, subject to the requirements of any resource consent or a district plan rule.
- ii. Internal Layout
 - General points of sale to be positioned near the main entrance.
- iii. Staff
 - Relevant staff understanding how to operate the security camera system.
 - There being sufficient numbers of staff to ensure control of the *premises* during trading hours.
 - A minimum number of certified managers and staff to be present onsite. The exact number of managers and staff required will depend on the layout, use and capacity of the *premises*.
- (e) Limiting external advertising and visibility**
 - i. Signage will be limited to displaying the store name and logo only.
 - ii. No external display of *alcohol* products or pricing, this includes flags, sandwich boards or any mobile signage.
 - iii. Where reasonably practicable, at least 50% of any store front glazing will be transparent, consistent with CPTED guidelines.
 - iv. Limiting the visibility from the outside of the premises of internal alcohol-related displays and advertising.
- (f) Controlling the marketing and promotion of non-*alcoholic* products that pose a high risk of *alcohol-related harm*.**
 - i. That non-*alcoholic* products are not marketed or promoted in such a way so as to encourage excessive or inappropriate *alcohol* consumption, such as the promotion of ‘drinking games’ and similar products.
- (g) Conditions relating to Method of payment**
 - i. No *alcohol* may be purchased either remotely or on the premises using a BNPL Contract, as that term is defined under the Credit Contracts and Consumer Finance Regulations 2004.
- (h) Single sales of *alcohol***
 - i. A limitation of the sale of single units of beer, cider and RTD’s less than 500ml but higher than 5% strength from the *premises*.
- (j) Remote sale of *alcohol***
 - i. *Alcohol* sales are limited to only those manufactured by the *licensee* whose primary alcohol component parts were manufactured by the licensee, for example, manufacturers whose product is distilled on-site

Off-Licences

and not manufacturers whose primary product involves repackaging a product made by a third party.

(k) Separate point of sale (for off-licences on premises also holding an on-licence)

There must be a separate point of sale and supply for the proposed *off-licence* from that of the *on-licence*.

4. Club Licences

4.1. Introduction

- 4.1.1. *Club licences* are those licences that meet the requirements under section 21 of the *Act*.

4.2. Location of premises holding club licences by reference to broad areas

- 4.2.1. New *club licences* may only be issued in respect of *premises* located at or next to the sports grounds or other facilities used by the *club*, as relevant.

4.3. Location of premises holding club licences by reference to proximity to other licensed premises

- 4.3.1. When considering an application for a *new club licence*, the *DLC* and *ARLA* must have regard to the proximity between the *premises* subject to a proposed *new club licence* and any other existing *licensed premises* to assess the impact to amenity and good order including noise, density and the potential *alcohol-related harm* caused by venue hopping.

4.4. Location of premises holding club licences by reference to proximity to sensitive facilities

- 4.4.1. The *DLC* and *ARLA* must have regard to the proximity of any *premises* subject to a proposed *new club licence* to any *sensitive facility* or residential area.

4.5. Maximum trading hours for premises holding club licences

- 4.5.1. The *DLC* and *ARLA* must have regard to the days and hours of operation, and the type of activities undertaken by the *club*, in setting *club hours* for any *new club licence*.
- 4.5.2. Subject to section 46 of the *Act*, no *club licence* may be issued or renewed with trading hours that exceed Monday to Sunday 9.00am to 1.00am the following day.

4.6. Discretionary conditions of club licences

- 4.6.1. In accordance with sections 110(1) and 117 of the *Act*, the *DLC* and *ARLA* may impose discretionary conditions (in addition to those required by section 110(2)) on any *new club licence* or renewed *club licence*, including about the following matters:

(a) Display of information about safe transport options

The *licensee* must display information about transport availability as follows:

- i. an A4 poster must be clearly displayed in at least two of the following locations:
 - by the main counter or *bar*; or

- by the principal exit; or
 - the bathrooms; or
 - another location approved by the *DLC* or *ARLA*
- ii. The content of the poster must include the following:
- anti-drink driving messaging; and
 - where applicable, taxi contact details and the location of the nearest taxi rank; and
 - advice that staff are available to give further information.

(b) Duty Manager

The *licensee* of a *club licence* to ensure that the *duty manager* is present at the following times:

- i. On Fridays and Saturdays from 8pm (if the *club* is operating at that time; and
- ii. At any other time when over 50 patrons can be reasonably expected to be present.

(c) Host Responsibility Policy

The *licensee* must develop, display and maintain a policy, commonly known as a *Host Responsibility Policy*, to demonstrate the measures in place to promote the responsible consumption of alcohol

(d) Register of *alcohol* related incidents

- i. The *licensee* must maintain a register of material *alcohol*-related incidents, noting the date, time and details of each incident, and the steps taken by the *licensee* in response to the incident.
- ii. For the purposes of this condition, the term “material *alcohol*-related incidents” includes, but is not limited to the following situations:
 - a patron or staff member is seriously threatened; or
 - fighting occurs on the *premises*; or
 - an external agency such as the *Police*, Wardens, or emergency services have been contacted; or
 - a patron has been forcibly evicted and/or banned from the *premises*; or
 - property is wilfully damaged by a patron; or
 - patrons are found to be involved in any illegal activities on the *premises*, including drink spiking; or
 - where the excessive or inappropriate consumption of *alcohol* may have been a contributing factor.
- iii. The register of incidents must be available for inspection by the *Police* and Licensing *Inspectors* at any time that the *premises* is open to the

public and incident should be recorded in the register within 12 hours of the incident occurring.

(e) Security cameras

- i. The *licensee* must operate security cameras on the *premises* identified as *class 1 club*.
- ii. The *DLC* and *ARLA* may consider specifying:
 - that recordings made should be provided to a *Police Officer* or *Licensing Inspector* if requested.
 - that recordings must be of a quality that would assist in the identification of *alcohol*-related offending.
 - the areas that must be covered by the cameras must include entry and exit points, outside areas that are immediately adjacent to the *premises*, and the main body of the *premises* accessed by patrons.
 - minimum days for which recordings must be kept should be 14 days.
 - *premises* have six months to comply from the date of a new licence being granted or renewed.

(f) Conditions relating to minimum numbers of certificated managers and staff

In addition to the *duty manager* condition above, the minimum number of certified managers and staff to be present on site. The exact number of managers and staff required will depend on the layout, use, licensed hours, and capacity of the *premises*.

4.7. One-way door restrictions

- 4.7.1. A *one-way door restriction* may be applied from midnight Monday to Sunday, for any *class 1 club* where those *premises* have a closing time later than midnight.

5. Special Licences

5.1. Introduction

- 5.1.1. *Special licences* are those licences that meet the requirements under section 22 of the *Act*.

5.2. Issuing of special licences in the District

- 5.2.1. The *DLC* and *ARLA*, subject to section 41 of the *Act*, may refuse a *special licence* or licences where it considers it would be more appropriate for the *applicant* to apply for an *on-licence*, *off-licence* or *club licence*, or for a variation of an existing licence.

5.3. Maximum trading hours for premises holding special licences

- 5.3.1. *Special licences* for *premises* that are not otherwise licensed will not be issued with trading hours later than 1.00 am on the day following the *event*, except in exceptional circumstances where the *DLC* or *ARLA* is satisfied that the *event* will not increase *alcohol-related harm*.
- 5.3.2. Where the *applicant* for a *special licence* already holds an on, off or *club licence* at the relevant *premises* with the maximum trading hours permitted for that type of licence under this Policy, a *special licence* with greater trading hours will only be issued in circumstances where the *DLC* or *ARLA* is satisfied that the *event* will not increase *alcohol-related harm*.

5.4. Discretionary conditions of special licences

- 5.4.1. In accordance with sections 146 and 147(1), and in addition to the conditions required by section 147(3), the *DLC* and *ARLA* may impose discretionary conditions on any *special licence*, including about the following matters:
- (a) **The provision of food for consumption on the *premises***
 - (b) **The provision of low and non-*alcoholic* beverages**
 - (c) **The provision of information relating to transport options**
 - (d) **Exclusion of the public**
 - (e) **The filing of returns**
 - (f) ***Large Scale Events***
For large-scale events of 400 people or more;
 - i. An alcohol management plan will be required; and
 - ii. The licensee must maintain a register of material alcohol-related incidents, noting the date, time and details of each incident, and the steps taken by the licensee in response to the incident.

For the purposes of this condition, the term “material *alcohol*-related incidents” includes, but is not limited to the following situations:

- a patron or staff member is seriously threatened;
- fighting or disorder occurred on the *premises*;
- an external agency such as the *Police*, Wardens or emergency services has been contacted;
- a patron has been forcibly evicted and/or banned from the premises
- property is wilfully damaged by a patron
- patrons are found to be involved in any illegal activities on the *premises*, including drink spiking
- where the excessive or inappropriate consumption of *alcohol* has been a contributing factor.
- there has been breach of *alcohol* ban area
- Noise concerns raised by authorised Officers of the Council, Licensing *Inspector*, *Police* or residents.

The register of alcohol incidents must be provided on request to the *Police* and Licensing *Inspectors* at any time that the premises is open to the public and or provided within 10 working days after event. The incident should be recorded in the register within 12 hours of the incident occurring.

(g) Conditions relating to non-glass types of vessels to avoid injury and damage

Provision of toughened glass, plastics/polycarbonates, or official glasses depending on the type of *event* and the design and layout of the *premises*, in particular, for *events* being held primarily outdoors or that are considered by the *DLC* or *ARLA* to be high-risk *events*.

(h) Number and kind of *alcoholic* beverages

- i. Conditions restricting the number of *alcoholic* beverages and kinds of *alcohol* that can be sold and supplied per patron per transaction. To be applied for the entire duration of the *event*, or after a certain time, as appropriate.
- ii. Conditions restricting the maximum volumes for free sample tastings.

(i) Engagement with Police, Medical Officer of Health and Licensing Inspector

Implemented as necessary for a *large-scale event*:

- i. consultation of the agencies prior to the *event*, where requested by the agencies; and or
- ii. meeting/debriefing with the agencies after the *event*, where requested by the agencies, and if the *licensee* will be holding future *events* of a comparable nature.

(j) Queue management

Management of queues at the entrances to the *event* and/or queues for *bar* areas.

(k) Staggered closing times

Implementation of progressive closing times and staggering the closing times of different *bar* areas at the *event*.

(l) Security

- i. A minimum ratio of security staff to patrons and/or specification of a minimum number of security staff to be operating at certain areas of the *event*.
- ii. A security plan will detail provision of security staff, identify risks and risk management, emergency response, appointment of a responsible person, identification of security by patrons, security at access points, security at perimeter, signs and notices placed for reporting issues and steps to be taken for monitoring.

5.5. One-way door restrictions

- 5.5.1. The *DLC* and *ARLA* may impose a *one-way door restriction* condition on any *special licence* where it believes this is warranted. The *one-way door restriction* condition will not apply any earlier than two hours prior to the conclusion of the *event*.

6. Temporary Authorities

- 6.1.1. All *temporary authority* applications will be passed to the *Police* to give them an opportunity to enquire into the application.
- 6.1.2. Pursuant to section 136(4)(c) every *temporary authority* will be subject to a condition that no second or subsequent temporary authorities will be issued in respect to the same *premises* and *licensee* unless a full licence application has already been filed, or, in exceptional circumstances, with the prior approval of the Chairperson/Commissioner of the Licensing Committee.

Schedule 1 - Definitions

Act	means the Sale and Supply of Alcohol Act 2012.
Alcohol	has the meaning given by section 5(1) of the <i>Act</i>, which is a substance: a) that— i. is or contains a fermented, distilled, or spirituous liquor; and ii. at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or b) that— i. is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and ii. is <i>alcohol</i> (within the meaning of paragraph (a)) when completely thawed to 20°C; or c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people.
Alcohol-related harm	has the meaning given by section 5(1) of the <i>Act</i>, which is: <i>Alcohol-related harm</i> a) means the harm caused by the excessive or inappropriate consumption of <i>alcohol</i>; and b) includes— i. any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of <i>alcohol</i>; and ii. any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in subparagraph (i)

Schedule 1 - Definitions

Applicant	means the <i>applicant</i> for an <i>alcohol</i> licence under the <i>Act</i> .
ARLA	means the Alcohol Regulatory and Licensing Authority.
Authorised customer	has the meaning given by section 60(3) of the <i>Act</i>, which is: in relation to <i>premises</i> a <i>club licence</i> is held for, means a person who— a) is a member of the <i>club</i> concerned; or b) is on the <i>premises</i> at the invitation of, and is accompanied by, a member of the <i>club</i> concerned; or c) is an <i>authorised visitor</i>.
Authorised visitor	has the meaning given by section 60(3) of the <i>Act</i> , which is in relation to <i>premises</i> a <i>club licence</i> is held for, a member of some other <i>club</i> with which the <i>club</i> concerned has an arrangement for reciprocal visiting rights for members.
Bar	a) has the meaning given by section 5(1) of the <i>Act</i>, which is, in relation to a <i>hotel</i> or <i>tavern</i>, means a part of the <i>hotel</i> or <i>tavern</i> used principally or exclusively for the sale or consumption of <i>alcohol</i>. b) in relation to other establishments not listed in (a), means a place where drinks, especially <i>alcoholic</i> drinks, are sold and drunk, or the area in such a place where the person serving the drinks stands.
Bottle store	means a <i>premises</i> that holds an <i>off-licence</i> where the primary purpose is the retail of <i>alcohol</i> for consumption elsewhere. This does not include remote sellers.
Café	see <i>Restaurant</i> .
Club	has the meaning given by section 5(1) of the <i>Act</i>, which means a body that— a) is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or

Schedule 1 - Definitions

	b) is a body corporate whose object is not (or none of whose objects is) gain; or c) holds permanent <i>club</i> charter.
Class 1 club	has the meaning given by section 5(6) of the Sale and Supply of Alcohol (Fees) Regulations 2013 which is, a <i>club</i> that has or applies for a <i>club licence</i> and— a) has at least 1000 members of purchase age; and b) in the opinion of the territorial authority, operates any part of the <i>premises</i> in the nature of a <i>tavern</i> at any time.
Class 1 restaurant	has the meaning given by section 5(6) of the Sale and Supply of Alcohol (Fees) Regulations 2013 which is, a <i>restaurant</i> that has or applies for an <i>on-licence</i> and— a) has, in the opinion of the territorial authority, a significant separate <i>bar</i> area; and b) in the opinion of the territorial authority, operates that <i>bar</i> area, at least 1 night a week, in the manner of a <i>tavern</i>.
Club licence	means a licence for a <i>club</i> issued in respect of <i>premises</i> where the <i>licensee</i> can sell <i>alcohol</i> only to <i>authorised customers</i>, for consumption there.
Community facility	means a <i>Council</i> owned or managed building that is used by members of the public for recreation, sport, or cultural purposes, such as community swimming pools, libraries, museums, and community halls. It does not include buildings that the public visit predominantly for other purposes, such as tourist information centres or Council offices.
Council	means the Waipā District Council.
CPTED or Crime Prevention Through Environmental Design	means a crime prevention philosophy based on proper design and effective use of the built Environment. Note: the use of <i>CPTED</i> is intended to reduce crime and fear of crime by reducing criminal opportunity and fostering positive social interaction among legitimate users of space.

Schedule 1 - Definitions

Directly borders

means, in relation to a *premises*, directly adjoining and contiguous to that *premises* and includes being directly opposite across the road or at a 45° angle across the road from that *premises*, as detailed in *Figure 1* below.

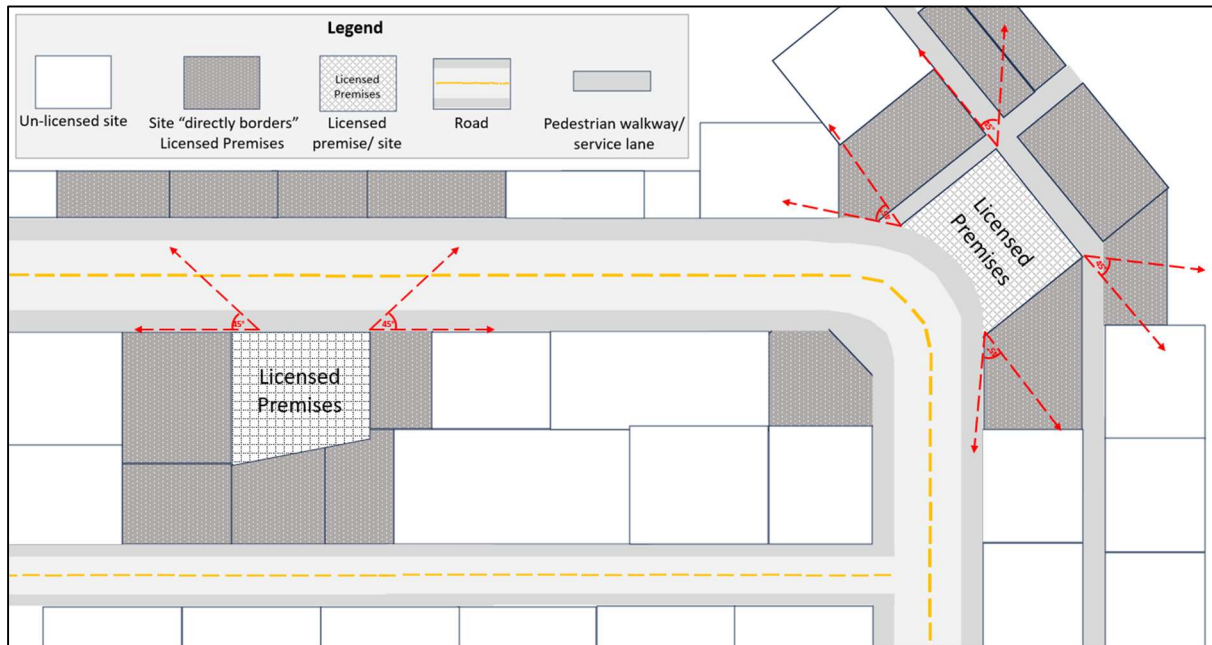


Figure 1: Diagram of Directly Borders – Indicative only.

DLC

means the Waipā District Licensing Committee.

Duty manager

means a manager of a *licensed premises*, who holds a manager's certificate and is appointed as a manager under the *Act*.

Early childcare facility

includes any crèche, childcare centre, kindergarten, kohanga reo, play centre or Plunket rooms, and any other place (excluding a *school*) where five or more children receive care or education on a commercial basis.

Event

includes an occasion and a gathering, and any of a series of events.

Guidance note:

The intent of granting a licence to a “series of events” is to provide for *events* that reoccur in essentially the same manner and same level of lower risk over time. For example, a theatre showing the same show, expecting a similar amount of patrons, at the same place, at the same time on several different dates during a

Function centre

premises in which the principal business is pre-booked private functions where *alcohol* is sold or supplied in conjunction with those functions.

Host responsibility policy

means a policy the *licensee* and/or *premises* manager composes that outlines steps they will take to ensure they are acting as a responsible host. The matters covered are steps taken to:

- a) prevent intoxication; and
- b) not serve *alcohol* to minors; and
- c) provide and actively promote low and non-*alcoholic* alternatives; and
- d) provide and actively promote substantial food; and
- e) serve *alcohol* responsibly or not at all; and
- f) arrange safe transport options; and
- g) actively manage the *premises* at all times.

Hotel

has the meaning given by section 5(1) of the *Act*, which means *premises* used or intended to be used in the course of business principally for providing to the public—

- a) lodging; and
- b) *alcohol*, meals, and refreshments for consumption on the *premises*

Inspector

has the meaning given by section 5(1) of the *Act*, which means an *inspector* appointed under section 197(1) of the *Act*; and,—

- a) in relation to *premises* that are not a conveyance, means an *inspector* appointed by the chief executive of the territorial authority

Schedule 1 - Definitions

	in whose district the <i>premises</i> are situated; and
	b) in relation to a conveyance, means an <i>inspector</i> appointed by the chief executive of the territorial authority in whose district the principal place of business in New Zealand of the <i>applicant</i> or <i>licensee</i> (as the case may be) is situated.
Large-scale event	means an event to which section 143 of the <i>Act</i> applies.
Licensed <i>premises</i>	has the meaning given by section 5(1) of the <i>Act</i> , which means any <i>premises</i> for which a licence is held.
Licensee	has the meaning given by section 5(1) of the <i>Act</i> , which means: a) a person who holds a licence; and b) in relation to any <i>licensed premises</i> , means the person who holds the licence concerned.
Marae	means an area of land set apart for the common use of tāngata whenua of Waipā District and can include a complex of buildings such as wharehau (meeting house), wharekai (dining hall), whārepaku (ablution block), papakāinga (housing); and/or other facilities generally associated with a <i>marae</i> or <i>pā</i> .
Medical Officer of Health	has the meaning given by section 2(1) of the Health Act 1956.
New club licence	means a <i>club licence</i> (or proposed <i>club licence</i>) in respect of a <i>premises</i> that is subject to a <i>club licence</i> for the first time or a <i>premises</i> that has not been subject to a <i>club licence</i> in the twelve (12) months prior to the relevant licence application.
New on-licence	means an <i>on-licence</i> (or proposed <i>on-licence</i>) in respect of a <i>premises</i> that is subject to an <i>on-licence</i> for the first time or a <i>premises</i> that has not been subject to an <i>on-licence</i> in the twelve (12) months prior to the relevant licence application.
New off-licence	means an <i>off-licence</i> (or proposed <i>off-licence</i>) in respect of a <i>premises</i> that is the subject to an <i>off-licence</i> for the first time or a <i>premises</i> that has not

Schedule 1 - Definitions

been subject to an *off-licence* in the twelve (12) months prior to the relevant licence application.

Off-licence

means that on the *premises* an *off-licence* is held for, the *licensee* can sell *alcohol* for consumption somewhere else.

On-licence

means that on the *premises* an *on-licence* (other than an *on-licence* endorsed under section 37) is held for, the *licensee* can sell and supply *alcohol* for consumption there and can let people consume *alcohol*.

One-way door restriction

has the meaning given by section 5(1) of the *Act*, which means in relation to a licence, is a requirement that, during the hours stated in the restriction,—

- a) no person is to be admitted (or re-admitted) into the *premises* unless he or she is an exempt person; and
- b) no person who has been admitted (or re-admitted) into the *premises* while the restriction applies to the licence is to be sold or supplied with *alcohol*.

Outdoor dining area

means an area of a *premises* holding an *on-licence* or *club licence* that is outside of the building which comprises any part of a public footpath, pavement or other public place, and is used principally for dining.

Permitted Area

means an area under the Operative Waipā District Plan where *licensed premises* are a permitted activity.

Place of worship

includes any church, mosque or other facility designed primarily for worship and related religious activities.

Police

means the New Zealand Police.

Premises

has the meaning given by section 5(1) of the *Act*, which includes

- a) a conveyance; and
- b) includes part of any *premises*; and

Schedule 1 - Definitions

	c) in relation to a licence, means the <i>premises</i> the licence was issued for.
Prohibited persons	are persons to whom <i>alcohol</i> cannot be served including minors and intoxicated persons and in the case of <i>clubs</i> any person who is not an <i>authorised customer</i> .
Public park	means any park, reserve, playground, garden or similar public place maintained by or on behalf of the <i>Council</i> for recreation purposes.
Rehabilitation treatment centre	means residential support houses and inpatient or outpatient specialist units that primarily provide support or treatment of <i>alcohol</i> , drug or substance abuse or addiction, but to avoid doubt, excludes general practice clinics or medical centres.
Remote sale	has the meaning given by section 5(1) of the <i>Act</i>, which is, in relation to <i>alcohol</i>, means a sale pursuant to a contract that— a) has been entered into (using the Internet, by telephone or mail order, or in any other way) between— i. a seller who holds an <i>off-licence</i>; and ii. a person (whether the buyer or a person acting on the buyer's behalf) who is at a distance from the <i>premises</i> where the seller entered into the contract; and b) contains a term providing for the <i>alcohol</i> to be delivered to the buyer (or to a person or place nominated by the buyer) by or on behalf of the seller.
Restaurant or Café	has the meaning given by section 5(1) of the <i>Act</i>, which means <i>premises</i> that— a) are not a conveyance; and b) are used or intended to be used in the course of business principally for supplying meals to the public for eating on the <i>premises</i>.
School	includes any primary, intermediate or secondary <i>school</i> and any <i>kura kaupapa</i> .
Sensitive facility	means a <i>school</i> , <i>early childcare facility</i> , <i>place of worship</i> , <i>rehabilitation treatment centre</i> , or <i>marae</i> .

Schedule 1 - Definitions

Special licence	means the type of licence detailed in section 22 of the <i>Act</i> .
Tavern	has the meaning given by section 5(1) of the <i>Act</i> , which means <i>premises</i> used or intended to be used in the course of business principally for providing <i>alcohol</i> and other refreshments to the public; but does not include an airport <i>bar</i> .
Temporary authority	means a <i>temporary authority</i> order issued and in force under section 136 of the <i>Act</i> .

- 6.1.3. Unless the context requires another meaning, a term of expression that is defined in the *Act* or the Operative Waipā District Plan, and used in this Policy but not defined, has the meaning given by the *Act* firstly, and by the Operative Waipā District Plan secondly.
- 6.1.4. To avoid doubt, reference to “include”, “including”, and “such as” in this Policy means without limitation.
- 6.1.5. For the purposes of measuring the distance between sites for the purpose of this Policy, the following methodology will apply:
- a) for sites on separate Records of Title, the Record of Title boundaries will be used and measured from the closest point of the subject site Record of Title to the closest point of the relevant existing site Record of Title. See *Figure 2* below.
 - b) for sites on the same Record of Title, the *alcohol* area boundary will be used and measured from the closest point of the subject site *alcohol* area boundary to the closest point of the relevant existing site boundary. See *Figure 3* below.

Schedule 1 - Definitions

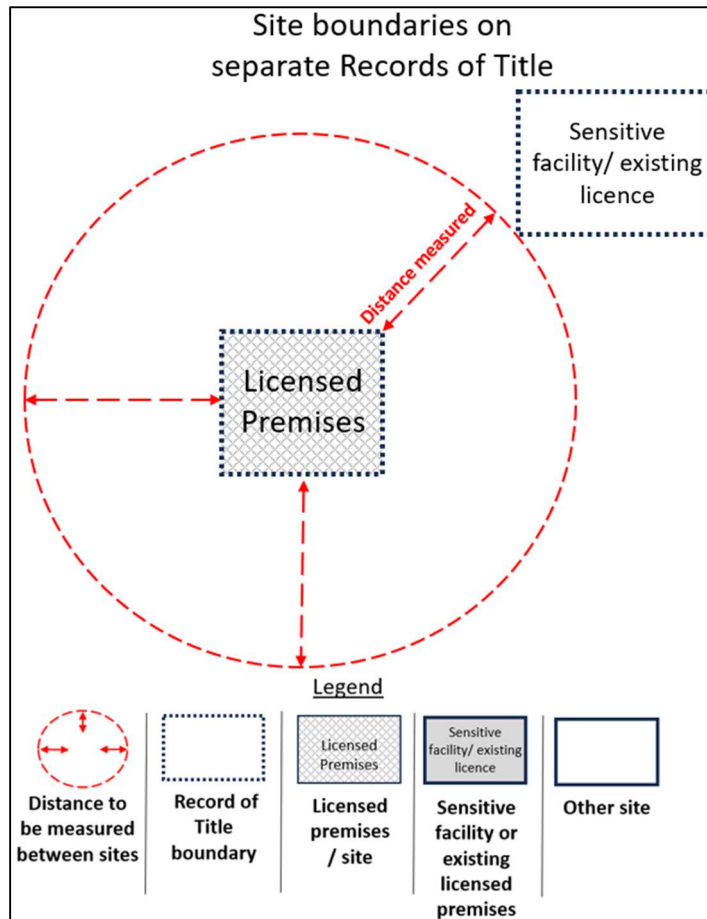


Figure 3: Measuring between sites on separate Records of Title.

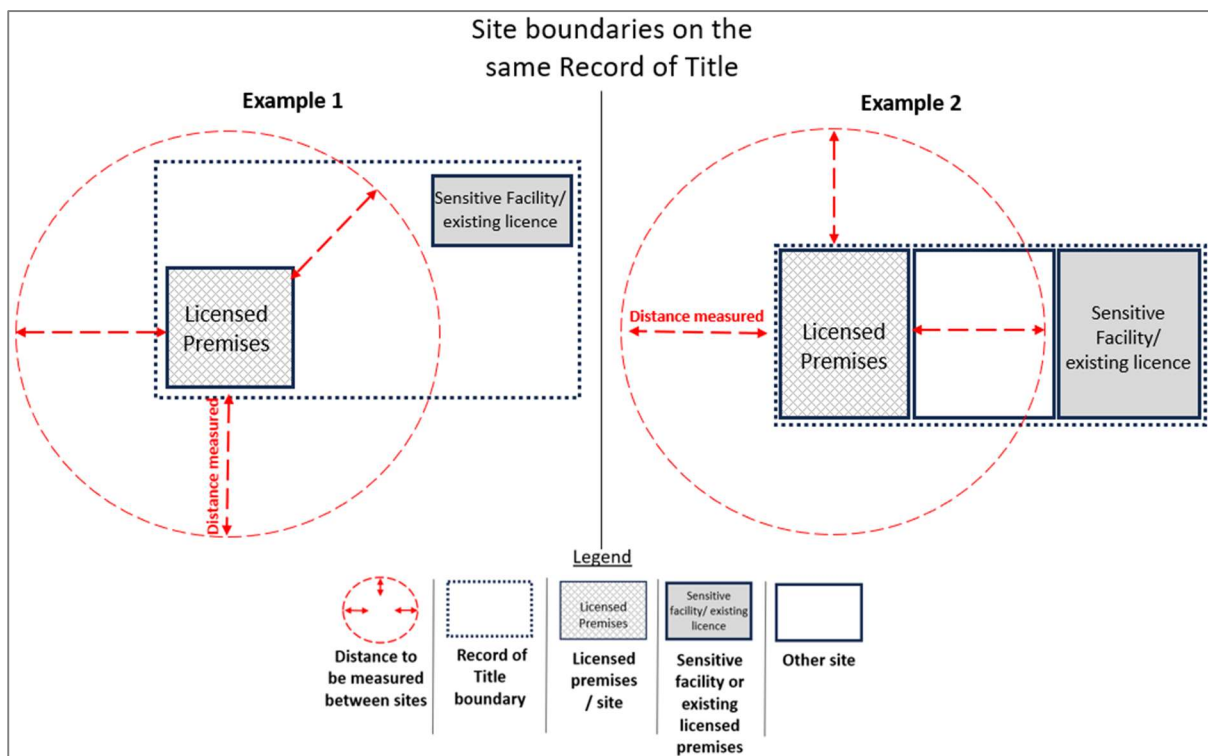


Figure 2: Measuring between sites on the same Record of Title.

Schedule 2 – Areas limiting new off-licence premises

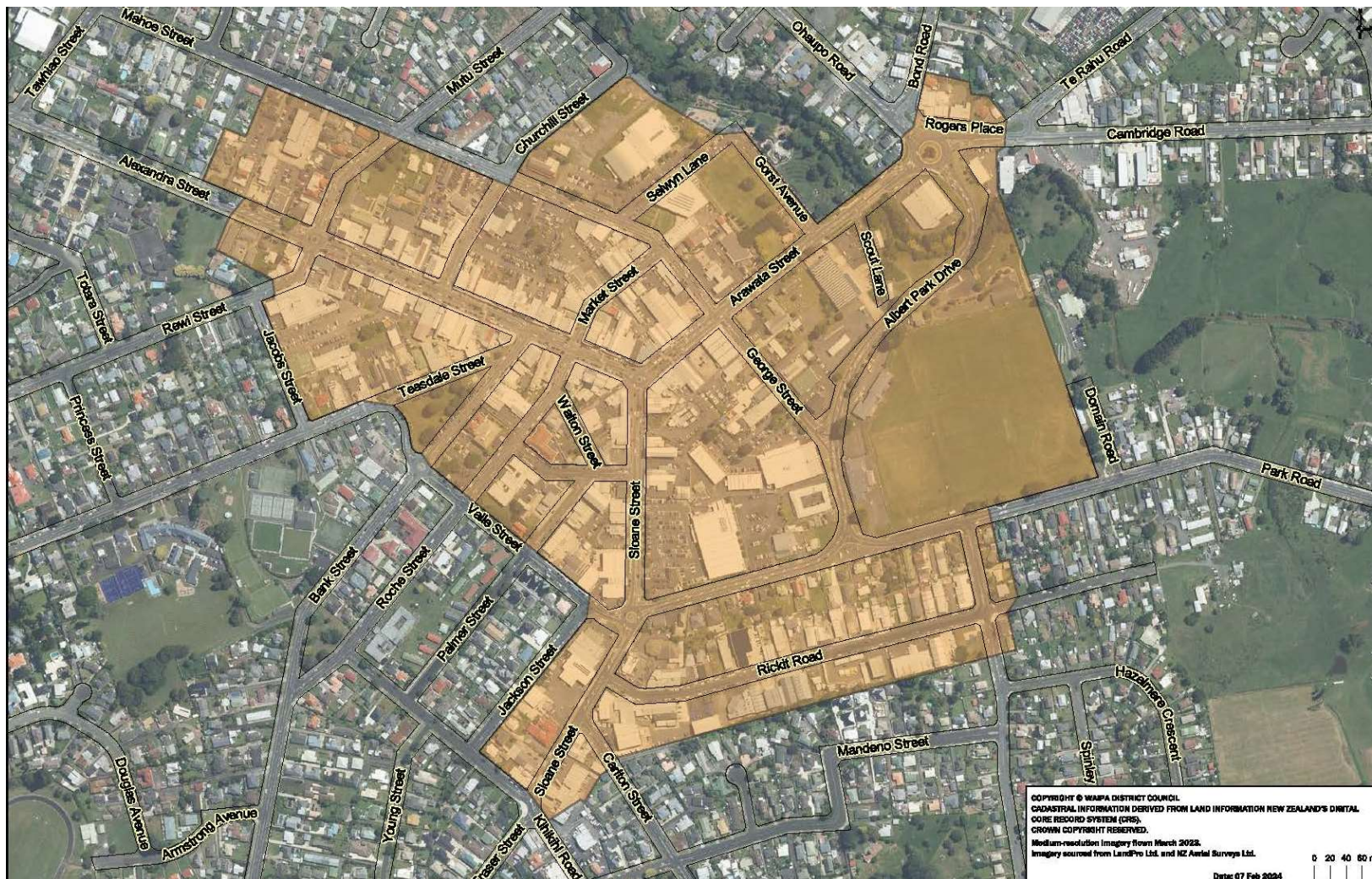
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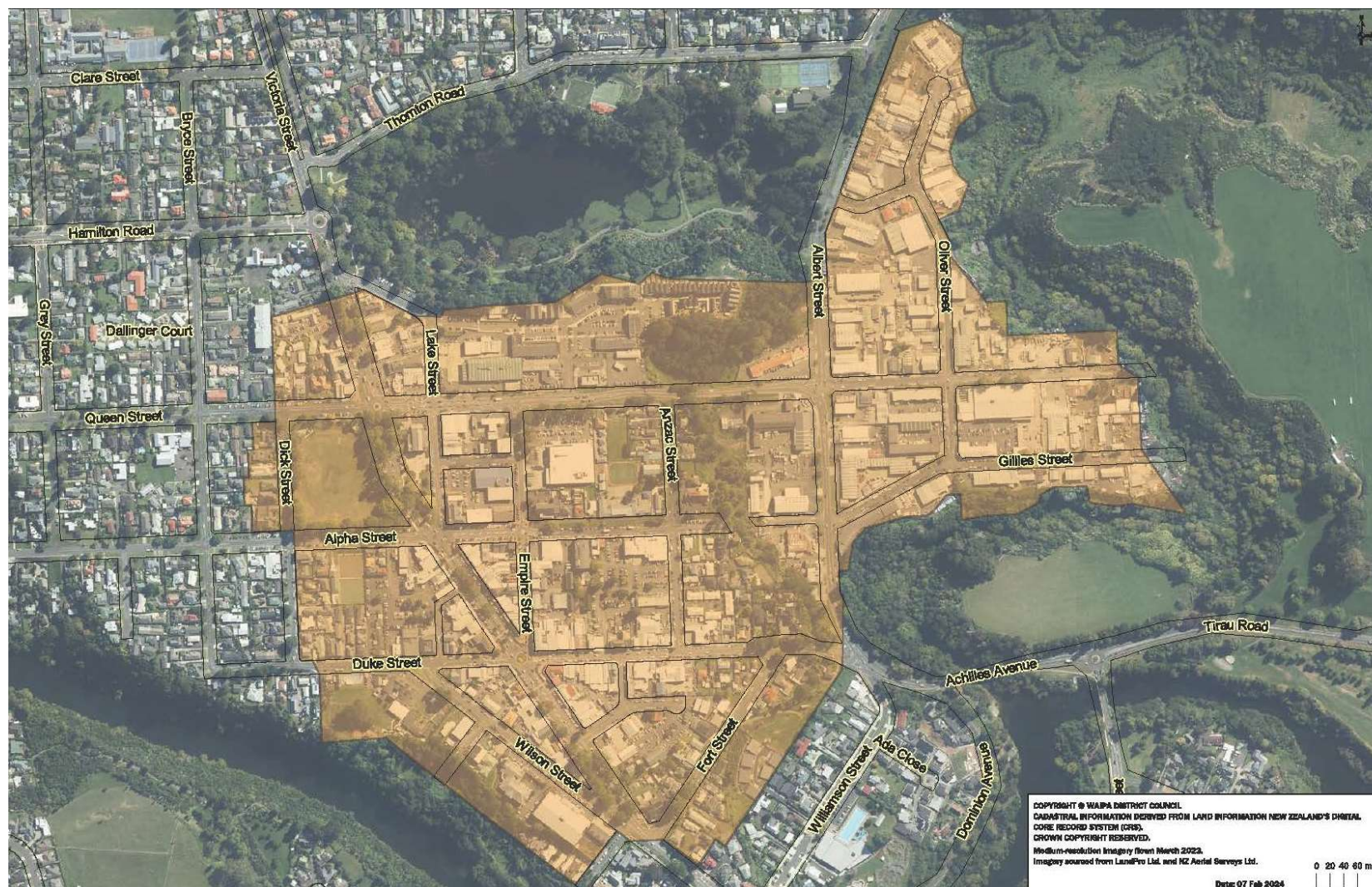
Te Awamutu East



Te Awamutu Central



Cambridge Central



Leamington North



Leamington Central

