

DRAFT LOCAL ALCOHOL POLICY



Approved by:			
Sponsor:			
Department responsible:			
Date adopted:		Reviewed:	
Next review date:		DOC ID:	

1. PURPOSE

The purpose of this Local Alcohol Policy (LAP) is to set out the Council's policies in relation to the sale and supply of alcohol in the district, so alcohol licensing decisions are consistent with the Act (section 4):

- 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.

The Dunedin Local Alcohol Policy sets out how alcohol should be sold and supplied in accordance with the object of the Act.

2. SCOPE

The LAP must only include matters relating to licensing. Section 77(1) of the Act is prescriptive about the aspects of sale and supply of alcohol that a Local Alcohol Policy can include:

- location of licensed premises by reference to broad areas.
- location of licensed premises by reference to proximity to premises or facilities of a particular kind or kinds.
- whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district or any stated part of the district.
- maximum trading hours.
- the issue of licences, subject to discretionary conditions.
- one-way door restrictions.

3. LICENCE LOCATION – SENSITIVE FACILITIES

New off-licences or on-licences for new hotels, pubs, or taverns located in areas other than the Central Business District and District Plan Centre Zones will not be granted for a premises that is within 200m of the nearest boundary of any 'sensitive facility'. Sensitive facilities are places likely to attract young people under the legal purchase age, or where certain parts of the population may be vulnerable and so exposure to alcohol should be minimised.

For the Central Business District and Centre Zones, the distance restriction for new on-licences will be 100m and the distance restriction for new off-licenses will be 200m. Applications for other types

of new on-licence premises, for example restaurants/cafes, will be considered on a case-by-case basis in line with this LAP. Renewals of existing licences are excluded from this part of the LAP.

In the case of clubs, other than the general restrictions stated above, the licence must be for a premises that is located on, or is near, the ground or facility used by the club.

An applicant may be exempt from this policy provision if they can show in their licence application that:

- due to the hours, signage or operation of the premises it will likely have no impact, other than to a minor extent, on the users of the Sensitive Facility; or
- the primary purpose of their business is not the sale and supply of alcohol.

4. LICENCE LOCATION – FREEZE ON THE ISSUE OF NEW OFF-LICENCES

Research demonstrates that outlet density has a significant influence on alcohol-related harm, often in areas of higher levels of deprivation or other demographic characteristics such as age.

To minimise these impacts there will be no new off-licences issued in the following areas:

- In high deprivation areas as shown in Schedule 1.

An applicant may be exempt from this policy provision if they can show in their application that the primary purpose of their business is not the sale and supply of alcohol.

5. OFF-LICENCE PREMISES

5.1 Maximum Licensing Hours

The maximum licensing hours for all off-licence premises in the Dunedin district are:

- Monday to Sunday: 9.00am to 9.00pm.

5.2 Discretionary Conditions – Section 116 and 117

When assessing an off-licence application, consideration should be given to imposing the following conditions for issuing or renewing of off-licences unless there is a good reason not to do so:

- No external-facing display of alcohol-related advertising or promotion including any mobile or temporary signage affixed to or adjacent to the premises. Signage will be limited to displaying the store name and logo only.
- No single sales of beer above 5% ABV (excluding craft beer) or RTDs in containers of 500ml or less.
- No 'Buy now, pay later' schemes.

The issuing or renewing off-licences may include, and are not limited to, the following conditions:

- No alcohol deliveries outside licensing hours, including remote sellers.

- Restricting the sale of alcohol in specified glass containers where there is evidence of alcohol-related harm involving broken glass in the locality, a sufficient evidential link between the licensed premises and that harm, that the condition is likely to reduce the harm, is proportionate, and that the benefits outweigh the impacts on consumers and licensees.
- Security arrangements (e.g. CCTV, lighting) appropriate to the type of premises.

6. ON-LICENCE PREMISES

6.1 Maximum Licensing Hours

The maximum licensing hours will apply in the following Second Generation Plan zones (Schedule 2), notwithstanding where existing licence hours continue until renewal (Table One):

Second Generation Plan Zone	Maximum Licensing Hours
Residential and Rural Zones	Sunday to Thursday: 9.00am to 11.00pm Friday to Saturday: 9.00am to 12.00am
Central Business District	Monday to Sunday: 9.00am to 3.00am the following day (One-way door applies 2.30am) Entertainment venues, Monday to Sunday: 5.00pm until 4.00am the following day
Centre Zones* Warehouse Precinct Harbourside Zone	Monday to Sunday: 9.00am to 1.00am the following day

Table One: On-Licence Premises – Maximum Licensing Hours

*Includes Principal Centres, Neighbourhood Centres, Suburban Centre Zones, Rural Centre Zones.

6.2 Discretionary Conditions – Section 117

When assessing an on-licence application, consideration should be given to imposing the following conditions for the issuing or renewing of on-licences unless there is a good reason not to do so:

- Requirements for security and management of outside areas and queues based on Crime Prevention Through Environmental Design (CPTED) principles.
- 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 available for inspection.
 - 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
 - The incident should be recorded in the incident register within 12 hours of the incident occurring
- Maintain staff training records available for inspection by the Police and Licensing Inspectors at any time that the premises is open to the public. Examples of such records include but are not limited to induction policies, methods for ongoing training, how alcohol-related incidents are recorded, and evidence of any training undertaken.

The issuing or renewing on-licences may include, and are not limited to, the following conditions:

- No sales of rapid intoxication drinks after 12.00am.

7. CLUB LICENCE PREMISES

A club has the meaning defined in this Policy.

7.1 Maximum Licensing Hours

The maximum licensing hours for club licence premises in the Dunedin district are:

- Sunday to Thursday: 10.00am to 11.00pm.
- Fridays and Saturdays: 10.00am to 12.00am.

7.2 Discretionary Conditions – Section 110 and Sections 116 and 117

When assessing a club licence application, consideration should be given to imposing the following conditions on any club licence unless there is a good reason not to do so:

- Require the holder of a manager's certificate to be present when alcohol is available for sale during busy periods e.g. more than X people are on the Club premises, noting that 'X people' will be determined by the District Licensing Committee (DLC). For large events or establishments, a number of licensed managers may be specified.

8. SPECIAL LICENCES

Special licences may be obtained to allow the sale and/or consumption of alcohol at events or occasions on premises that are either unlicensed or are licensed but they wish to operate outside the normal conditions of the licence, for example extending their trading hours or the licensed area.

8.1 Criteria

In addition to the matters in section 142 of the Act, which the DLC must have regard to in deciding whether to issue a special licence, the DLC will consider criteria including but not limited to the following when determining whether a special licence will be issued for an event:

- That the true purpose for the function is other than the mere enjoyment of bar facilities. For example, guests at a wedding or people with a special interest in a sports game.
- That the alcohol is ancillary to the purpose of the event.
- That people attending will see a difference between the event ambiance and a normal trading day (applies mainly to premises extending their normal licence).

Events focused on children and young people, i.e. events centred around under 18 year-olds including but not limited to children's sports games, school galas, school kapa haka events, etc. are not events for which a special licence should be granted.

8.2 Maximum Licensing Hours

Special licences for unlicensed premises will usually be restricted to 12.00am on the day following the start of the event. If there are multiple days covered by the special licence the restriction will apply on each of the days. In exceptional circumstances the DLC may grant greater hours.

For premises already holding an on or club licence, special licences will be granted only for the maximum hours for that type of premises as stipulated in this LAP. If the current hours are already

at the maximum, different hours will be granted only in exceptional circumstances as determined by the DLC.

8.3 Conditions

When assessing a special licence application, consideration should be given to imposing the following conditions unless there is a good reason not to:

- for any event with an anticipated patronage of more than 150 people, an Event Management Plan will be required.
- the days on which and the hours during which alcohol may be sold and supplied.
- any reasonable condition consistent with the object of the Act.

8.4 Management of Special Licensed Events

A special licence requires a certified manager to be present. However, if the DLC is satisfied the event is low risk and the named person has some experience, they may waive the requirement to have a certified manager present.

8.5 Multiple Events on One Special Licence

The Act allows the DLC to grant a special licence for a series of events or occasions. The DLC will require the multiple events named in a special licence application to be related in some way. Examples include a theatre group performing several performances over several days or an organisation holding a series of quiz nights.

9 ALL LICENCE DISCRETIONARY CONDITIONS

Given their importance consideration should be given to imposing the following conditions on any licence issued or renewed unless there is a good reason not to do so:

- Plans to prevent intoxication.
- Plans to prevent violent behaviour.
- Plans to prevent the sale and supply of alcohol to prohibited people, e.g., people under 18 years of age, intoxicated people.

DEFINITIONS

ABV – alcohol by volume, a standard measurement of the percentage of pure ethanol.

Act – the Sale and Supply of Alcohol Act 2012.

Alcohol-related harm – harm caused by the excessive or inappropriate consumption of alcohol, including 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 alcohol. This applies to the individual, the community or society generally.

Areas of high deprivation – areas measured at a deprivation level of 7-10 using the ten-decile New Zealand Index of Socioeconomic Deprivation.

Bar – in relation to a hotel or tavern means any part used principally or exclusively for the sale or consumption of alcohol.

Buy now, pay later – a short-term financing option that allows the purchase goods or services immediately and to be paid for them in small, scheduled instalments over time.

CCTV – Closed circuit television camera.

Club – a body corporate having as its objective the participation in or promoting a sport or other recreational activity, otherwise than for gain; or is a body corporate whose object is not gain; or, holds permanent club charter.

Craft beer – beer produced by craft breweries that are typically small scale, independent and traditional and innovative with flavour and creativity.

Crime Prevention Through Environmental Design – the deterring of criminal behaviour and reducing the fear of crime by intentionally shaping the physical environment (e.g. [National guidelines for crime prevention through environmental design in New Zealand | Ministry for the Environment](#)).

DLC – District Licensing Committee comprising a chairperson and two members.

Education facility – any early childhood facility, school, or tertiary institution.

Entertainment venue – a location with an activity involving a live performance intended to entertain patrons.

Environment – the social, economic, aesthetic, and cultural conditions that affect the amenity values of the people and their communities.

Event – an occasion and a gathering and may include a series of events.

Health facility – a premises from which medical ~~and~~ or psychological services are provided.

Hotel – a premises providing lodging as well as alcohol, meals, and refreshments for consumption on the premises.

Material alcohol-related incidents – includes, but is not limited to the following situations where the excessive or inappropriate consumption of alcohol has been a contributing factor:

- (a) a patron or staff member is seriously threatened; or
- (b) fighting occurs on the premises; or
- (c) an external agency such as the Police, Māori Wardens or emergency services has been contacted; or
- (d) a patron has been forcibly evicted and/or banned from the premises; or
- (e) property is wilfully damaged by a patron;
- (f) patrons are found to be involved in any illegal activities on the premises, including drink spiking.

Prohibited people – people who are under 18 years of age or who are intoxicated.

Rapid intoxication drink – is one that is designed to be consumed rapidly or contains a high percentage of alcohol, served in a small glass or container (such as shooters, shots, bombs, test tubes, jelly shots and other similar drinks), prepared on the premises and contains more than 45mL of spirits or liqueur, or is a pre-mixed alcoholic drink containing more than 5% alcohol or containing more alcohol than 2 standard drinks (a pre-mixed drink must fall within both the 5% alcohol by volume threshold and the 2 standard drinks threshold to be served after 12 midnight).

Recreational facility – any sporting complex, including swimming pools.

Restaurant/café – a premises that is used, or intended to be used, principally for the supply of meals or snacks for consumption on the premises.

Restricted area – people under the age of 18 years may not enter.

RTD – ready-to-drink, pre-mixed packaged beverages.

Second Generation Plan – the Operative Dunedin City Second Generation District Plan 2026 (2GP), is Dunedin's second district plan developed under the Resource Management Act 1991 (RMA).

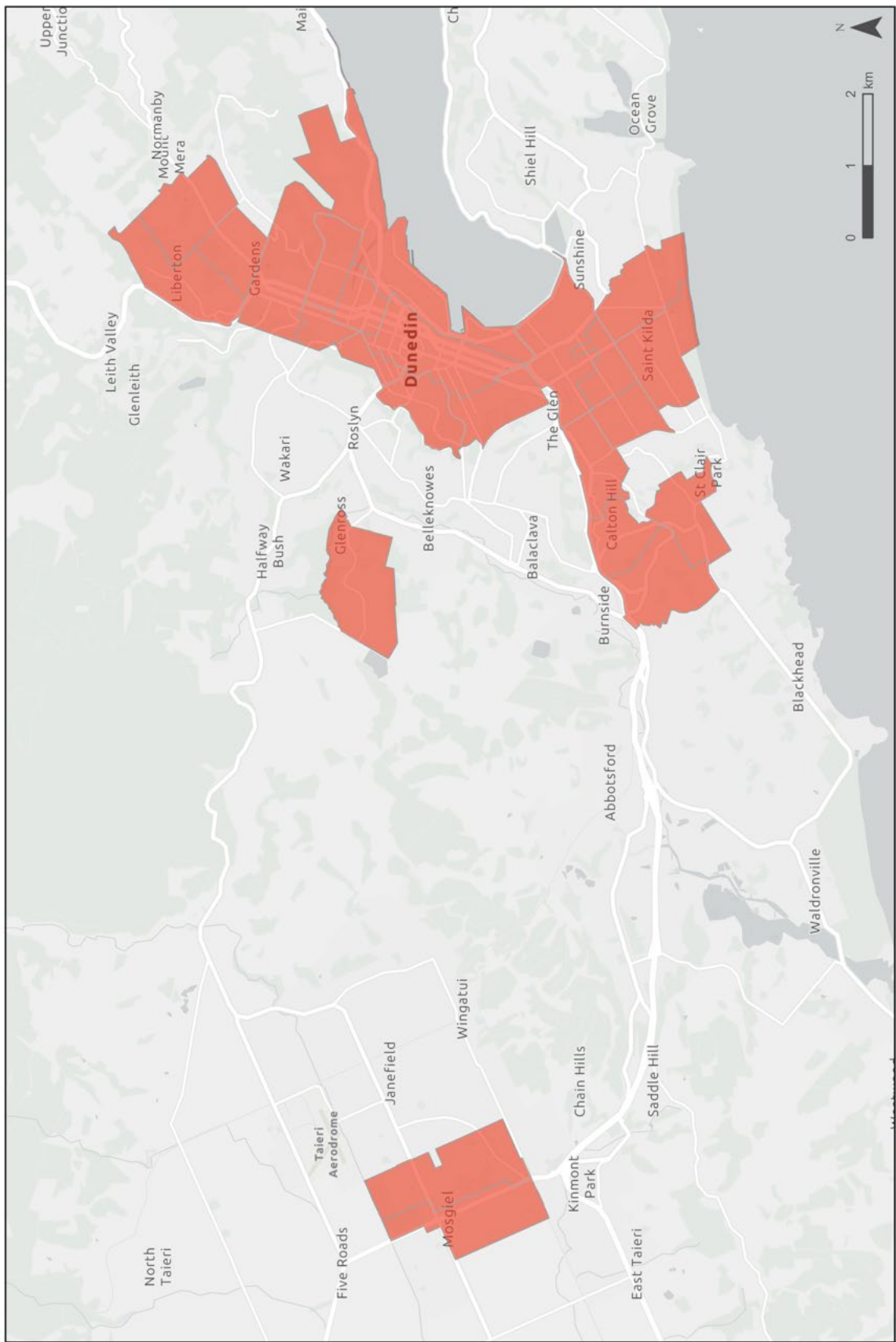
Sensitive facility – any educational, public recreational, or health facility, marae, places of worship, addiction treatment or rehabilitation services, and the Dunedin Central City Bus Hub.

Special licence – a 'temporary' licence allowing the holder to sell and supply alcohol at an event or special occasion. An on-site special licence applies to sale for consumption at the event or special occasion. An off-site special licence allows sales of alcohol for consumption away from the event or special occasion.

Tavern/pub – a premises used or intended to be used during their business principally for providing alcohol and other refreshments to the public.

Young person – under 18 years old.

Schedule 1 – Areas where no issuing of new off-licences applies



Schedule 2 – Commercial zones where licenced premises are permitted

