



**Selwyn District Council  
Consultation on  
Draft  
Local Alcohol Policy 2013**

*June 2013*

## Summary of Information Draft Local Alcohol Policy 2013

The Selwyn District Council is undertaking consultation on a draft Local Alcohol Policy (LAP). This LAP has been prepared under the Sale and Supply of Alcohol Act 2012 and once adopted will replace the existing Liquor Licensing Policy 2008. The Statement of Proposal and Summary of Information are available at the Rolleston Council offices, all Council service centres and libraries and on the Council website.

### Reasons for this proposal

The Council agreed to develop a draft LAP under the Sale and Supply of Alcohol Act 2012 at the 12 December 2012 Council meeting and to have a provisional LAP before the 2013 elections. The Sale and Supply of Alcohol Act 2012 provides clear guidance on what provisions a LAP can contain. A LAP may only deal with liquor licensing issues and may only have provisions on maximum trading hours, location and density of premises. A LAP may also impose conditions for groups of licences. The Act also gives legal standing to LAPs.

Under the Act, a LAP must be developed in consultation with licensing inspector, Police and Medical Officers of Health and consulted with the community through the special consultative procedure.

The draft LAP for Selwyn does not differ significantly from the existing Selwyn District Council Liquor Licensing Policy 2008 in that the draft LAP provides maximum trading hours for all licensed premises and provides conditions for special licences. The draft LAP also takes into consideration the Selwyn community's aspirations for the district's growth and future development by not allowing off-licences to set up in Neighbourhood and Local Centres. These proposed areas are identified in the Rolleston and Lincoln Structure Plans as complementary shopping centres at a scale that would not compete with the main town centre. These centres' main function is to provide local services and areas for communities to gather within walking distance from surrounding residential areas.

To ensure trading hours are consistent across the different licences, the draft LAP provides the same hours for all types of licensed premises.

Once the draft LAP has been consulted on and hearings conducted, a provisional LAP will be produced, based on feedback received through consultation and during the preparation of the draft LAP. The Council intends to prepare a provisional LAP by September 2013 and publicly notify it in early 2014.

**Note** that only those who submit on the draft LAP during the special consultative procedure can appeal the provisional LAP when the Council notifies it in early 2014.

## Consultation on the draft LAP

Public consultation on the draft LAP begins on 5 June 2013 and closes on 5 July 2013. The Council seeks your views on its draft LAP. The statement of proposal including the draft LAP and summary of information are available on line at [www.selwyn.govt.nz/haveyoursay](http://www.selwyn.govt.nz/haveyoursay). Hard copies of these documents are available for viewing at all Council libraries and service centres. Submission forms are also available at the above places and online at the Council website. You can submit feedback online, or by posting in a hard copy or email [lap@Selwyn.govt.nz](mailto:lap@Selwyn.govt.nz) by 5 July 2013.

# Statement of Proposal Draft Local Alcohol Policy 2013

## Nature of the Proposal

The Selwyn District Council is undertaking consultation on a draft Local Alcohol Policy (LAP). This LAP has been prepared under the Sale and Supply of Alcohol Act 2012 and once adopted will replace the existing Liquor Licensing Policy 2008. The Statement of Proposal and Summary of Information are available at all Council service centres and libraries, and on the Council website.

## Reasons for this proposal

The Council agreed to develop a draft LAP under the Sale and Supply of Alcohol Act 2012 at the 12 December 2012 Council meeting and to have a provisional LAP prepared before the 2013 elections. The Sale and Supply of Alcohol Act 2012 gives legal standing to LAPs and provides clear guidance on what provisions a LAP can contain. A LAP may only deal with liquor licensing issues. It may only have provisions for maximum trading hours, location and density of premises and impose conditions for groups of licences.

Under the Act, a LAP must be developed in consultation with licensing inspector, Police and Medical Officers of Health and consulted with the community through the special consultative procedure.

## Developing the draft Local Alcohol Policy

Initial information was obtained through various means. Discussions were held with Council staff, the Licensing Inspector, Health and Police Officers before the Council commissioned a telephone survey of the Selwyn community, conducted by Research First in March 2013. Feedback was also sought from community boards and committees. Licence holders in the district were invited to two stakeholder meetings held in Darfield and Lincoln on 15 and 16 April 2013 where staff presented on the LAP process and preparation of the draft. Stakeholders were asked for feedback on what they thought were issues around how alcohol is purchased and consumed in Selwyn and were encouraged to complete a short survey. Two short surveys were also undertaken to obtain information on young people's opinions of alcohol issues. One survey was available through Selwyn's website and facebook pages, while the other was a paper survey made available to the three high schools. The online survey was open to anyone although it encouraged feedback from those less than 24 years of age while the school survey targeted people between years 9 to 13.

Initial information obtained from staff, the licensing inspector, Police and Medical Officer of Health did not indicate licensing issues. The results of the public opinion survey showed that, in general the community felt that the number of premises and their operating hours were sufficient. Licensing issues were not highlighted by community boards or the community committees. The results of the online survey showed that most respondents drank once a month and had between 3- 4 standard drinks at home or at family and friends' homes.

Alcohol was commonly obtained from supermarkets, bottle stores, pubs and from parents or friends. The survey completed by the high schools showed that many did not drink alcohol at all while those that did, drank small amounts occasionally.

The information gathered from the public, stakeholders, community boards and committees and the information provided by the licencing inspector, was used to prepare the draft LAP. The draft LAP was then further discussed with Health and Police Officers.

### **Options for a draft LAP**

At the December 2012 meeting the Council resolved to prepare a draft LAP. Two possible options for a draft LAP were investigated:

- Option 1 – Prepare a LAP retaining the same provisions as is in the existing Policy.

The existing policy was prepared in 2008 and has a range of trading hours<sup>1</sup> for the different licences<sup>2</sup> and within groups of licences:

On-licences:

- On-licences for restaurants have maximum trading hours of 7am to 11pm.
- On-licences for taverns have maximum trading hours of 7am to 3am the following day.
- On-licence premises operating in or adjacent to residential areas have maximum trading hours of 9am to 11pm (Sunday to Thursday) and 9am to 1 am the following day (Friday and Saturday).

Off-licences:

- Off-licences for stand alone bottle stores and tavern bottle stores can have maximum trading hours of 9am to 11pm.
- Off-licence for supermarkets allow them to sell alcohol during their normal operating hours but no later than 11pm.

Club licences:

- Club licences allow clubs (such as sports clubs) to sell alcohol during their normal club hours, with closing times no later than 10pm (Sunday to Thursday) and 12 midnight (Friday and Saturday).

At present many of the licensed premises do not make full use of the hours they are granted as they are not open in the later hours. Depending on the needs of their customers, these businesses also seem to be flexible around their closing times.

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<sup>1</sup> Trading hours refer to the hours a premise is licensed to sell alcohol – the premise may be open for longer hours, however, outside their licensed hours they are not allowed to sell alcohol.

<sup>2</sup> On-licence premises are where alcohol is sold and consumed on site (e.g. a restaurant). Off-licences are where alcohol is purchased to be consumed off site (e.g. a bottle store).

Special licences are granted for specific one off events or series of events (no more than six events in six months) where a permanent on, off or club licence is not appropriate. The 2008 policy also provides guidelines for applying for special licences.

It must be noted that since 2008, Selwyn has rapidly changed with its population increasing, and towns and villages experiencing increased residential and business developments. For these reasons Option 2 is the recommended option.

- Option 2 – Prepare a LAP taking into consideration the changes in Selwyn communities over the last five years and Selwyn’s future development envisioned by Selwyn’s communities.

The draft LAP should provide clarity and consistency to liquor licence applicants and the community with regards to licensed premises trading hours. It should also be appropriate for and reflect the current needs of licence holders and the community as well as take into consideration the community’s aspirations for their towns and villages in Selwyn. Option 2 is therefore recommended as the preferred option.

The draft LAP proposes goals and objectives that seek to highlight the LAP’s aim to make Selwyn a good place to live, with a variety of places for the community to socialise and different licensed premises to reflect this. Initial information gathered from the public opinion survey and the feedback received from community boards and committees, and licence holders suggest Selwyn’s communities are satisfied with the operating hours and number of licensed premises. However, the public opinion survey feedback suggested that should alcohol related harm become an issue, the community is willing to have other mechanisms in place (such as a bylaw) to manage alcohol issues.

Location and density provisions were also investigated. These policy options were discarded as most licensed premises are in the town centres which are also places the community uses to shop and socialise in. Being a rural district, town centres are small and there is little ability to restrict licensed premises to areas which are not close to schools, places of worship or community facilities. Feedback from the licensing inspector, stakeholders and public also make no mention of any issue with the current location or number of premises.

Similarly, there is no apparent reason to restrict the number of premises as feedback indicates people believe there is the right number of premises in Selwyn. It is also worth noting that as profit-making businesses; most licensed premises are unlikely to open in an area where there is insufficient need. Instead the LAP proposes not to allow off-licences to set up in the proposed neighbourhood and local community shopping centres planned for the future developments in Rolleston and Lincoln.

The one way door policy option was also discarded. A one way door policy is meant to control crowds looking for other venues as each closes. Such a policy allows patrons leave a premise, but no enter or re-enter after a certain time. There are few premises that have late hours in Selwyn and in many areas there is only one licensed premise. A one way door

policy is not appropriate for Selwyn, as in most towns, once people leave the tavern or club there are not many other places to go.

The draft LAP provides consistent maximum trading hours for all on, off and club licences as well as provisions for special licences. The proposed hours are shorter than that provided by the existing policy.

Maximum permitted hours:

- Maximum permitted hours for all on- licence restaurants and cafes are 8am to 11pm (Sunday to Thursday) and 8am to 1am the following day (Friday and Saturday).
- Maximum permitted hours for all on- licence taverns and hotels are 8am to 1 am the following day.
- Maximum permitted hours for all off- licences are 7am to 10 pm seven days a week.
- Maximum permitted hours for club licences will reflect normal club activity with the closing times of 10pm Sunday to Thursday and 12 midnight Friday and Saturday.

Special licence provisions:

- Special licences will be granted for no more than six events in a six month period.
- On-licence premises applying for a special licence may be allowed to close a maximum of two hours later than permitted by their on-licence.
- A special licence is also required where an event is held at a licenced club, but where the event will be outside normal authorised club hours and where the majority of attendees are not club members.
- District licensing committees will be able to request an alcohol management plan, if the committee is of the opinion that the event is at risk of alcohol related harm.

The draft LAP also proposes to not allow off-licences in proposed neighbourhood and local centres in Rolleston and Lincoln. The LAP also proposes where there 20 or more people present at the club, there must be certified manager on site. Under the LAP bottle stores are to be designated as supervised areas to ensure unaccompanied minors do not enter bottle stores and that bottle stores display safe drinking messaging.

### **Next steps**

Once the draft LAP has been consulted on and hearings held (if necessary), a provisional LAP will produced based on feedback received through consultation and that received during the preparation of the draft LAP. The Council intends to prepare a provisional LAP by September 2013 and publicly notify it in early 2014.

**Note** that only those who submit on the LAP during the special consultative procedure can appeal the provisional LAP when the Council notifies it in early 2014.

## **Submissions on the draft LAP**

Public consultation on the draft LAP begins on 5 June 2013 and closes on 5 July 2013. The Council seeks your views on its draft LAP. The statement of proposal including the draft LAP and summary of information are available on line at [www.selwyn.govt.nz/haveyoursay](http://www.selwyn.govt.nz/haveyoursay). Hard copies of these documents are available for viewing at all Council libraries and service centres. Submission forms are also available at the above places and online at the Council website. You can submit feedback online, or by posting in a hard copy or email [lap@Selwyn.govt.nz](mailto:lap@Selwyn.govt.nz) by 5pm 5 July 2013.



# Selwyn District Council Draft Local Alcohol Policy 2013

## *Goals*

- To contribute to Selwyn being a safe place in which to live, work and play.
- To reflect the changing character of the Selwyn district and its communities.
- To minimise alcohol related harm in Selwyn.

## *Objectives*

- To regulate the operating hours of on, club and off- licences
- To regulate the location of licensed premises
- To ensure licensed premises take appropriate measures to minimise alcohol harm.
- To provide clear guidance to the District Licensing Committee

## **Policy 1 Maximum Trading Hours**

### *Note:*

Applicants can apply for maximum trading hours but there is no guarantee that these maximum trading hours will be granted.

### **1.1 On-licences**

- The maximum permitted trading hours in the Selwyn district for all on-licensed restaurants and cafés will be:
  - Sunday to Thursday: 8am to 11pm
  - Friday and Saturday: 8am to 1am the following day
- The maximum permitted trading hours in the Selwyn district for all on-licensed taverns and hotels will be:
  - Seven days a week: 8am to 1am the following day

### *Note:*

On-licensed premises are where alcohol is sold and consumed on site (e.g. a restaurant, refer to the section on definitions in this policy).

### **1.2 Off-licences**

- The maximum permitted trading hours in the Selwyn district for all off-licensed premises will be:
  - Seven days a week: 7am to 10pm
- The following hours apply to hotel in bedroom mini bars sales:
  - Monday to Sunday 24 hours a day

### *Note:*

Off-licences are where alcohol is purchased to be consumed off site (e.g. a bottle store, refer to the section on definitions in this policy).

### **1.3 Club licences** (refer to the section on definitions in this policy)

- The maximum permitted trading hours in the Selwyn district for all clubs will reflect the principle club activity with the closing times of:  
Sunday to Thursday: 10pm  
Friday and Saturday: 12 midnight
- Any activity outside normal club activity will require a special licence.

### **1.4 Special licences** (refer to section 22 of the Act)

- Special licences can cover an event or series of related events for a maximum of six events in six months.
- Where the premise already holds an on-licence, the conditions of a special licence will specify a closing time no more than two hours later than permitted by its on-licence.
- A special licence is required where an event is held at a premise with a club licence, but outside the normal authorised club hours and the majority of attendees are not club members.
- Where the time, setting and numbers attending creates a risk of alcohol related harm, the District Licencing Committee may request an alcohol management plan be completed (refer to section 143 of the Act).

#### *Note:*

Special licences authorise and control the sale and supply of alcohol for events (such as a wine and food festival) where the premise is not licenced and liquor is sold and supplied to those attending. A Special Licence can also be applied for events (such as a wedding reception or school reunion) where a permanent on, off or club licence is not appropriate.

### **Policy 2** Location of licensed premises

- Off-licences will not be granted for a neighbourhood or local centre

#### *Note:*

Neighbourhood and local centres are proposed shopping areas in the Rolleston and Lincoln Structure Plans that will service local communities at a scale that would not compete with the main town centre. Neighbourhood centres will be located on primary movement routes and may provide a small range of shops (e.g. café, hairdresser). Local centres will be located on local routes and may provide a few shops such as a dairy or facilities such as a reserve or bus stop. The Selwyn District Plan defines neighbourhood centres as a “grouping of principally convenience stores (in the order of 6-15 stores) predominantly servicing the local communities weekly and day-to-day requirements” and local centres as “a small grouping of convenience stores (in order of 1-5 stores) servicing residents’ day-to-day retailing requirements and predominantly draws people from a localised area”.

**Policy 3** Discretionary conditions

- A certified manager to be on duty during the trading hours of a premise with a club licence (such as rugby and associated sports clubs) where the number of patrons exceeds 20 persons.
- Supervised designation of all bottle stores to ensure unaccompanied minors do not enter bottle stores.
- Display of safe drinking messages/material

## Definitions (see section 5 of the Sale and Supply of Alcohol Act 2012)

**bar**, in relation to a hotel or tavern, means a part of the hotel or tavern used principally or exclusively for the sale or consumption of alcohol

**bottle store** means retail premises where at least 85% of the annual sales revenue is expected to be earned from the sale of alcohol for consumption somewhere else (see section 32 (1))

**club** 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
- (b) is a body corporate whose object is not (or none of whose objects is) gain; or
- (c) holds permanent club charter

**grocery store** means a shop that—

- (a) has the characteristics normally associated with shops of the kind commonly thought of as grocery shops; and
- (b) comprises premises where—
  - (i) a range of food products and other household items is sold; but
  - (ii) the principal business carried on is or will be the sale of food products (see section 33(1))

**hotel** 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

**restaurant** means premises 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 premises

**supermarket** – means premises with a floor area of at least 1 000 m<sup>2</sup> including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items (see section 32 (1))

**tavern**—

- (a) means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but
- (b) does not include an airport bar

# Submission Form



## Have your say...

### Ways to send your submission:

Post: Draft Local Alcohol Policy  
Selwyn District Council  
PO Box 90  
ROLLESTON 7643

Fax: (03) 347 2799

Email: [lap@selwyn.govt.nz](mailto:lap@selwyn.govt.nz)

Online at: [www.selwyn.govt.nz/haveyoursay](http://www.selwyn.govt.nz/haveyoursay)  
Either download this form  
Or complete an online submission

### Office Use Only

Submission  
Number

**Submissions Close**  
**Friday 5 July 2013**  
**at 5:00pm**

**Please note:**  
All submissions will be  
publicly displayed  
No anonymous  
submission will be  
accepted

### PLEASE PRINT

Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_  
Mr/Mrs/Miss/Ms \_\_\_\_\_ Evening Phone \_\_\_\_\_  
\_\_\_\_\_ Mobile \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_ Post Code \_\_\_\_\_

Email \_\_\_\_\_

Organisation represented (if applicable) \_\_\_\_\_

Do you wish to be heard in support of your submission at a hearing? ☐ YES ☐ NO # Pages \_\_\_\_\_

Preferred day / time to be heard (please tick one box only)

Rolleston (Council Chambers)	<b>Monday 22 July</b> <b>9 am – 5 pm</b>	Morning Session	
		Afternoon Session	

The Council welcomes comments on any part of our Draft Local Alcohol Policy. We would like to hear from you either as an individual or through any group or organisation of which you may be a member. Submissions must be made in writing. Submission forms are available at the Council Libraries/Service Centres, or can be found at [www.selwyn.govt.nz](http://www.selwyn.govt.nz). You can also lodge an electronic submission using our online form on our website [www.selwyn.govt.nz/haveyoursay](http://www.selwyn.govt.nz/haveyoursay) if you prefer.

**Overall, how much do you agree with the Draft Local Alcohol Policy?**

<b>Strongly agree</b>	<b>Agree</b>	<b>Neither agree or disagree</b>	<b>Disagree</b>	<b>Strongly disagree</b>

**How much do you agree or disagree with the policy provisions?**

1. Do you agree/disagree with the maximum trading hours for on-licensed cafes and restaurants- Sunday to Thursday 8am to 11pm, Friday and Saturday 8am to 1 am the following day? Have you other comments?
2. Do you agree/disagree with the maximum trading hours for on-licensed taverns and hotels- seven days a week 8am to 1am the following day? Have you other comments?
3. Do you agree/disagree with the maximum trading hours for all off-licensed (e.g. supermarkets, stand alone bottle stores and bottle stores attached to taverns or hotels) – Seven days a week 7am to 10pm? Have you other comments?
4. Do you agree/disagree with the closing times for all clubs - Sunday to Thursday at 10pm, Friday and Saturday at 12 midnight? Have you other comments?
5. Do you agree/disagree that no off-licence will be granted in the proposed neighbourhood or local centres in Rolleston and Lincoln? Have you other comments?
6. Do you agree/disagree with the proposed discretionary conditions? Have you other comments?
7. Do you have other comments or suggestions?

Please use extra paper if required. Thank you for your submission