

Selwyn District Council

Local Alcohol Policy 2025

Selwyn District Council		
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1. INTRODUCTION

The Sale and Supply of Alcohol Act 2012 (**the Act**) is the primary legislation regulating the sale and supply of alcohol in New Zealand. The aim of the Act is that: the sale, supply and consumption of alcohol should be undertaken safely and responsibly; and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

The Act allows a territorial authority to adopt its Local Alcohol Policy (**LAP**) in consultation with its community, about the sale and supply of alcohol in its district. Selwyn District Council has decided to adopt this LAP for its district and to set different restrictions and conditions for identified areas and licence types within the district.

The LAP must be read in conjunction with the Act and relevant regulations.

The Council's District Licensing Committee (**DLC**) and the Alcohol Regulatory Licensing Authority (**ARLA**) must have regard to the LAP when deciding licence applications in the district.

2. OBJECTIVE OF THIS POLICY

The Selwyn District LAP provides guidance for the DLC so that licensing decisions:

- Contribute to Selwyn being a safe and healthy district.
- Reflect the views of local communities regarding licensed premises within their communities.
- Encourage licensed environments that foster positive, responsible drinking behaviour and minimise alcohol-related harm.

3. OUR POLICY

3.1 LOCATION OF LICENSED PREMISES

a. Stand-alone bottle stores

Subject to the requirements of any resource consent or a District Plan rule, new licences for standalone bottle stores will only be issued for a business that locates in Town Centre Zones as identified in the Selwyn District Plan.

Note: The Town Centre Zone (TCZ) is the primary focus for commercial activities within the district and provides a diverse range of commercial activities, along with residential, recreation, cultural and community activities and civic services. There are specific TCZ rule requirements related to food and beverage activities and resource consent may be required to operate stand-alone bottle stores in the TCZ.

b. Location relating to sensitive sites

With the exception of restaurants, cafes, and special licences, no new licences will be granted for stand-alone bottle stores within 150 metres of sensitive sites existing at the time of the application for a licence.

Note 1: *This clause will not apply to an application for a new licence made because of a change of ownership of the premises, provided the licence type and scope of the new licence are the same as the existing licence for the premises.*

Note 2: *The DLC may exercise discretion to section 3.1 in the case of rural settlement zones and small townships. This discretion will still consider location to sensitive sites and potential alcohol harm.*

3.2 TRADING HOURS

MAXIMUM PERMITTED TRADING HOURS IN THE SELWYN DISTRICT:

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

OFF-LICENCE			
Off-licence types	Maximum operating hours	Trading days	Location
Supermarkets, wineries, taverns, stand-alone bottle stores, grocery stores, manufacturers and Hotels.	7 am –9 pm	Monday-Sunday	District-wide

REMOTE SELLER			
Remote seller	Maximum operating hours	Trading days	Location
Individuals or businesses who sell or deliver alcohol remotely (such as online alcohol retailers)	7 am – 9 pm <i>Note: operating hours for Remote Seller cover both the sales and the deliveries. No sales or deliveries after 9p.m.</i>	Monday-Sunday	District-wide

ON-LICENCE			
On-licence types	Maximum operating hours	Trading days	Location
Restaurants, cafes, bars, wineries, BYO, function centres	7 am – 1 am	Monday-Sunday	District-wide
Taverns, Hotels	7am – 2am	Monday-Sunday	District-wide
Hotel room mini bars sales	24hours	Monday-Sunday	District-wide

CLUBLICENCE			
Club licence types	Maximum operating hours	Trading days	Location
All Clubs including sports and other (including RSA)	8 am – 11 pm	Monday-Thursday and on Sundays	District-wide
	8am – 12 midnight	Friday - Saturday	District-wide

SKI CLUB LICENCE			
Club licence types	Maximum operating hours	Trading days	Location
Ski clubs	7am to 12midnight	Monday-Sunday	District-wide

Note: Ski field clubs differ from other sports clubs in that they are located in remote locations, provide a unique “destination” activity (in that people use club facilities as part of the ski trip experience), and provide accommodation. Ski field clubs are permitted to apply for longer hours to allow them to provide these services.

SPECIAL LICENCE				
Events, private functions, street party, sporting event, farmers markets taking place at:	Maximum operating hours	Trading days	Frequency	Location
On-licence premises	7am to 2am <i>Special licence conditions will specify the same closing time as the on- licence closing. Time, depending on the on- licence type</i>	Monday - Sunday	Maximum 10 events in 6 months or 20 events per calendar year	District-wide
Off-licence premises	7am -9pm <i>Same as off-licence premises</i>	Monday - Sunday	Maximum 26 events in 6 months or maximum of 52 events per calendar year	District-wide
Club licence premises	8am – 11 pm 8am – 12midnight <i>Same as club licence premises</i>	Sunday-Thursday Friday - Saturday	Maximum 10 events in 6 months or 20 events per calendar year	District-wide

Note: Special licences can cover an event or series of related events. A series of related events is defined as a similar event held at the same venue. Special licences authorise and control the sale and supply of alcohol for events (such as a wine and food festival) where the premises are not licensed, and alcohol 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.

A series of related events for an off-site special licence could be holding a stall at a farmers' market. A series of related events for an on-site special licence could be a sports tournament held over 3 days or monthly club meetings.

3.3. DISCRETIONARY CONDITIONS

Note: Section 117 of the Sale and Supply of Alcohol Act 2012, allows the DLC to include any other reasonable conditions that are consistent with the Act. There are also a number of mandatory conditions outlined in the Act that must be imposed.

Where the DLC is satisfied that one or more of the following matters are relevant to an application the DLC may include (among other things) the following discretionary conditions as applicable:

3.3.1 OFF-LICENCES

Conditions relating to the following matters may be appropriate for bottle stores:

- a.** Supervised designation of all bottle stores to ensure unaccompanied minors do not enter bottle stores.
- b.** Display of safe drinking messages/material.

3.3.2 CLUB LICENCES

Conditions relating to the following matters may be appropriate for a club licence:

A Duty Manager must be available to attend the premises within 15 minutes upon request, during the trading hours of a premises with a club licence (such as rugby and associated sports clubs) where the number of patrons exceeds 20 persons.

3.3.3 SPECIAL LICENCES

Conditions relating to the following matters may be appropriate for special licences:

- a.** A special licence is required where an event is held at a premises with a club licence, and it is not a club activity.
- b.** Where the time, setting and numbers attending creates a risk of alcohol related harm, the District Licensing Committee may request an alcohol management plan be completed (refer to section 143 of the Act).
- c.** Non-licensed premises will not be issued a special licence beyond 1a.m.

3.3.4 TRAINING FOR ALL LICENCES

All bar staff, including certified manager must complete Serve-Wise, or other approved training no less than once a year.

3.3.5 SIGNAGE FOR ALL LICENCES

Display of safe and responsible drinking messages/material.

3.3.6 LIGHTING FOR ALL LICENCES

- a.** Internal lighting inside the premises enables surveillance by staff and CCTV.
- b.** Lighting allows customers to be seen as they enter the premises.
- c.** Lighting allows staff to check identification.
- d.** External areas such as car parks and loading bays are well lit, subject to the requirements of any resource consent or a District Plan rule.

3.3.7 CCTV FOR ALL LICENCES

- a.** CCTV is installed in suitable locations to monitor areas which are not easily or not continuously monitored by staff. The areas that must be covered by the CCTV, such as entry and exit points, and main areas accessed by patrons.
- b.** Customers are aware of the CCTV system.
- c.** Recordings made may be provided to a Police Officer or Inspector if requested, subject to the Privacy Act 2020 provisions and/or any other regulations applicable.

DEFINITIONS

Any terms that are not defined in this LAP are to be interpreted in accordance with the interpretation provided in the section 5 of the Sale and Supply of Alcohol Act 2012.

Addiction treatment facility means a facility where people are treated for addiction.

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.

Stand-alone 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 Sale and Supply Alcohol Act 2012, section 32 (1)(b)) and is not part of an on-licensed business, such as a hotel, tavern or supermarket.

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.

Educational facilities include early learning and child-care facilities, primary, secondary and tertiary institutions and institutions delivering educational services for vulnerable groups such as unemployed, youth, kura kaupapa and kohanga reo.

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 Sale and Supply Alcohol Act 2012 section 33(1))

Health facilities include hospitals, urgent care, nursing homes, birth centres, healthcare facilities, doctors' offices, addiction treatment centres, clinics, and general health care facilities.

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.

Recreational facilities include parks, reserves, skate parks, youth centres and libraries, playgrounds and community facilities.

Remote seller means endorsed licensees within the Selwyn district who sell alcohol remotely including through websites, apps, phone orders, or any other non-face-to-face sales channels, where delivery is made to an address within the district.

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.

Rural settlement zones and smaller townships means the following: Kirwee, Tai Tapu, Hororata, Southbridge, Glentunnel, Whitecliffs, Castle Hill, Arthurs Pass, Springfield, Springston, Rakaia Huts, Lake Coleridge, Coalgate,

Sheffield, and Waddington.

Sensitive sites include areas, premises or facilities that are either considered more sensitive to alcohol-related harm or are already experiencing greater levels of alcohol related harm. Such sites are educational facilities, places of worship, marae and recreational facilities, health facilities, addiction facilities.

Places of worship include a building or part of a building used primarily for public and private worship, or for religious purposes, including ceremonies, services, instruction or education, or for meetings or social functions directly related to the work of a religious organisation, and includes all land which is held for any of the foregoing purposes.

Supermarket means premises with a floor area of at least 1000m² including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items (see Sale and Supply Alcohol Act 2012 section 32 (1)).

Supervised designation means that people under 18 are only allowed to enter if they are accompanied by a parent or legal guardian.

Town Centre Zones include the areas as delineated in the Selwyn District Plan.

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

Trading hours is the period of time when licenced premises are open to the public.

Winery means:

- a) premises where fruit or vegetable wine or grape wine is made; or
- b) premises situated on land from which there is harvested produce from which fruit or vegetable wine, or grape wine is made (see Sale and Supply Alcohol Act 2012 Section 215 (2) (a)).