



PALMERSTON NORTH  
LOCAL ALCOHOL POLICY  
2021

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## Introduction

The Sale and Supply of Alcohol Act 2012 gives local authorities the power to make local alcohol policies. These policies are intended to guide and direct the decisions of the District Licensing Committee on applications for alcohol licences in Palmerston North.

A key feature of these local alcohol policies is the requirement to engage and consult with the community during the development of the policy. This ensures that the views of the community are considered and that the policy reflects the aspirations of the community about how alcohol is sold and consumed in the district.

Section 77 of the Sale and Supply of Alcohol Act 2012 identifies the specific matters that a local alcohol policy can address:

- 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:
- f) the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions:
- g) one-way door restrictions.

## Objectives of the Policy

This policy has three key objectives:

### To minimise the harm caused by excessive or inappropriate consumption of alcohol

This objective aligns with the object of the Sale and Supply of Alcohol Act 2012, which is “the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.” In this context, “harm” has a broad meaning that includes:

- a) 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; and
- b) 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 paragraph (a).

### To provide clear and transparent guidance for licensing decisions

This policy will be used most directly by the District Licensing Committee when making decisions on applications for alcohol licences. Based on the workload of the Committee since its inception in 2013, this role will involve decisions every week on applications for new and renewed alcohol licences. It is important, therefore, that the policy provides clear and unambiguous guidance for the Committee, so that there is no confusion about how it should apply the policy to licensing decisions.

### To reflect the views of the community with regard to the sale and supply of alcohol

A key feature of the local alcohol policy provisions in the Sale and Supply of Alcohol Act 2012 is the requirement to engage and consult with the community. Prior to the new legislation, local authorities could develop licensing policies but there was no formal process around community engagement, and those policies had no official legal standing when it came to making licensing decisions. A local alcohol policy developed under the Sale and Supply of Alcohol Act 2012 must include consultation with the Police, Medical Officer of Health, licensing inspectors, and must include community consultation and engagement. Through this process, the views of the community can be incorporated into an alcohol policy which will directly influence decisions on applications for alcohol licences.

## Strategic alignment

In 2018 the Council adopted a new strategic direction with the vision “small city benefits, big city ambition.” The Council’s Long Term Plan, reviewed every three years, sets out how and when Council will fund the actions identified in its strategies and plans.

The Connected Community Strategy contributes to Goal 3: a connected and safe community. The Safe Community Plan, part of the Connected Community Strategy, identifies a range of new and existing actions to which the Council has committed, to achieve the goal of a connected and safe community. The Council made a commitment to develop a local alcohol policy by the end of 2020/2021. A local alcohol policy is made under the Sale and Supply of Alcohol Act 2012, which has two objectives:

- 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.

These objectives are consistent with Council’s strategic direction for a connected and safe community.

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## Policy Guidelines

### 1. On-licences

- 1.1 The Council has identified the following policies for the issuing of on-licences by the District Licensing Committee or the Alcohol Regulatory and Licensing Authority.

#### Hours

- 1.2 The Council has identified maximum trading hours (comprising the earliest opening and latest closing hours) that should apply to the following specific types of on-licensed premises in the Palmerston North City territorial area:

#### **Hotels**

- 1.2.1 For On-Licensed Premises designated as Hotels, the earliest hour for trading is 8am.
- 1.2.2 For On-Licensed Premises designated as Hotels, the latest hour for trading is 2am on the day following the commencement of trading.

#### **Taverns**

- 1.2.3 For On-Licensed Premises designated as Taverns, the earliest hour for trading is 8am.
- 1.2.4 For On-Licensed Premises designated as Taverns, the latest hour for trading is 2am on the day following the commencement of trading.

#### **Class 1 restaurants with a bar area operated as a tavern**

- 1.2.5 For On-Licensed Premises designated as Taverns, the earliest hour for trading is 8am.
- 1.2.6 For On-Licensed Premises designated as Taverns, the latest hour for trading is 2am on the day following the commencement of trading.

#### **Other on-licensed premises<sup>1</sup>**

- 1.2.7 For all other On-Licensed Premises, the earliest hour for trading is 8am.
- 1.2.8 For all other On-Licensed Premises, the latest hour for trading is 12am on the day following the commencement of trading, except for function centres for which the latest hour of trading is 1am on the day following the commencement of trading.

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<sup>1</sup> Including class 2 and 3 restaurants, cinemas, theatres, function centres and other on-licensed premises not separately categorised.

### **Hotel mini-bars**

- 1.2.9 The restriction on trading hours for on-licences does not apply to sales of alcohol in hotels via mini-bars (refer to section 46 of the Act).

#### Location

- 1.3 Applications for an on-licence are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

#### One-way door restrictions

- 1.4 A one-way door restriction is not required to be applied to on-licensed premises in Palmerston North.

#### Discretionary conditions

- 1.5 No discretionary conditions have been identified for on-licensed premises.

## 2. Off-licences

- 2.1 The Council has identified the following policies for the issuing of off-licences by the District Licensing Committee or the Alcohol Regulatory and Licensing Authority.

#### Hours

- 2.2 The Council has identified maximum trading hours (comprising the earliest opening and latest closing hours) that should apply to the following specific types of off-licensed premises in the Palmerston North City territorial area:

### **All off-licensed premises**

- 2.2.1 For all Off-Licensed Premises the earliest hour for trading is 7am.  
2.2.2 For all Off-Licensed Premises the latest hour for trading is 9pm.

#### Location

- 2.3 Applications for an off-licence are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

#### Discretionary conditions

- 2.4 No discretionary conditions have been identified for off-licensed premises.

### 3. Club licences

- 3.1 The Council has identified the following policies for the issuing of club licences by the District Licensing Committee or the Alcohol Regulatory and Licensing Authority.

#### Hours

- 3.2 The Council has identified maximum trading hours (comprising the earliest opening and latest closing hours) that should apply to the following specific types of club licensed premises in the Palmerston North City territorial area:

#### **All club licensed premises**

- 3.2.1 For all Club licensed premises the earliest hour for trading is 8am.  
3.2.2 For all Club licensed premises the latest hour for trading is 12am on the day following the commencement of trading.

#### Location

- 3.3 Applications for club licences are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

#### Discretionary conditions

- 3.4 No discretionary conditions have been identified for club licensed premises.

### 4. Special licences

- 4.1 The Council has identified the following policies for the issuing of special licences by the District Licensing Committee or the Alcohol Regulatory and Licensing Authority.

#### Hours

- 4.2 The trading hours for a special licence are to be set at the discretion of the District Licensing Committee and can be up to 24 hours a day having regard to the nature and duration of the event.

#### Discretionary conditions

- 4.3 No discretionary conditions have been identified.



## Review

Section 97 of the Act requires that the Council review this policy within six years of it coming into force, and thereafter within six years of the most recent review. In recognition of the newness of this policy, the Council will undertake the first review of this policy two years after it comes into effect.

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## Appendix 1 - terms used in this Policy

Act	Means 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 (refer section 5(1) of the Act).
Bottle store	Means retail premises where (generally speaking) at least 85% of the annual sale revenue is expected to be earned from the sale of alcohol for consumption somewhere else (refer section 32(1) of the Act).
Café	Has the same meaning as “restaurant” in terms of any licence.
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 a permanent club charter (refer section 5(1) of the Act).
Club licence	Means a licence issued under the Act for the sale and supply of alcohol for consumption on the club premises by authorised customers (refer section 21 of the Act).
Council	Means the Palmerston North City Council
Exempt person	In relation to licensed premises to whose licence a one-way door restriction applies,— (a) means a person who— i. is the licensee; or ii. is the licensee’s spouse, civil union partner, or de facto partner; or iii. is a manager; or iv. is a manager’s spouse, civil union partner, or de facto partner; or v. is a member of the immediate family of the licensee or a manager; or vi. during the hours he or she is employed to work on the premises, and for 60 minutes after those hours have ended, is an employee of the licensee who does not live on the premises; or vii. is an agent of the licensee, or acting under a contract with the licensee or a manager, and has the authority of the licensee or a manager to enter the premises at that time—

- A. to clean, repair, or restock the premises (or any equipment in them); or
  - B. to check or remove cash; or
  - viii. is a person who has the authority of the licensee or a manager to enter the premises to remove equipment (for example, band equipment); or
  - ix. is an employee of the licensee who lives on the premises; or
  - x. is a person who—
    - A. lives or lodges in the building in which licensed premises are situated; and
    - B. is a tenant, lodger, or employee of the licensee; or
  - xi. is a genuine guest of a person who—
    - A. is a person of a kind described in subparagraph (x); and
    - B. is on the premises; and
- (b) at any particular time, includes a person who,—
- i. at that time, is authorised by an enactment other than this Act to enter the premises; or
  - ii. enters the premises to deal with an emergency occurring at that time.

**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 (refer section 5(1) of the Act).

**Off-licence** Means a licence issued under the Act for the sale and supply of alcohol from a premises for consumption somewhere else (refer section 17 of the Act).

**On-licence** Means a licence issued under the Act for the sale and supply of alcohol for consumption on the premises (refer section 14 of the Act).

**One-way door restriction** Means, in relation to a licence, 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

**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 (refer section 5(1) of the Act).

Special licence Means a licence issued under the Act for the sale and supply of alcohol for consumption on the premises (for an on-site special licence) or consumption somewhere else (for an off-site special licence) by people attending the event described in the licence (refer section 22 of the Act).

Tavern Means –  
(a) 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 (refer section 5(1) of the Act).

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# PALMERSTON NORTH LOCAL ALCOHOL POLICY 2021

THIS IS A SUMMARY OF THE PALMERSTON NORTH LOCAL ALCOHOL POLICY. FOR MORE DETAIL, PLEASE REFER TO THE FULL DOCUMENT.

## OBJECTIVES:

➤ To minimise the harm caused by excessive or inappropriate consumption of alcohol

➤ To provide clear and transparent guidance for licensing decisions

➤ To reflect the views of the community with regard to the sale and supply of alcohol

## On-licences

### HOURS

The following maximum trading hours apply to all on-licensed premises in the Palmerston North City territorial area:

Licence Type	Earliest Opening Hour	Latest Closing Hour
Hotels	8am	2am the following day
Taverns		
Class 1 Restaurant (with a bar area operated as a tavern)	8am	2am the following day
Function centres	8am	1am the following day
All other on-licensed premises (including Class 2 and 3 restaurants and cafes, cinemas and theatres)	8am	12am the following day

The restriction on trading hours for on-licences does not apply to sales of alcohol in hotels via mini-bars (refer to section 46 of the Act).

### LOCATION

Applications for an on-licence are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

### ONE-WAY DOOR RESTRICTIONS

A one-way door restriction is not required to be applied to on-licensed premises in Palmerston North

### DISCRETIONARY CONDITIONS

No discretionary conditions have been identified.

## Off-licences

### HOURS

The following maximum trading hours apply to all off-licensed premises in the Palmerston North City territorial area:

Licence Type	Earliest Opening Hour	Latest Closing Hour
All off-licensed premises (e.g. bottle stores, supermarkets, and grocery stores)	7am	9pm

### LOCATION

Applications for an off-licence are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

### DISCRETIONARY CONDITIONS

No discretionary conditions have been identified.

## Special licences

### HOURS

The trading hours for a special licence are to be set at the discretion of the District Licensing Committee, and can be up to 24 hours a day having regard to the nature and duration of the event.

### DISCRETIONARY CONDITIONS

No discretionary conditions have been identified.

## Club licences

### HOURS

The following maximum trading hours apply to all club licensed premises in the Palmerston North City territorial area:

Licence Type	Earliest Opening Hour	Latest Closing Hour
All club licensed premises	8am	12am

### LOCATION

Applications for club licences are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

### DISCRETIONARY CONDITIONS

No discretionary conditions have been identified.

**REVIEW** The Council will review this policy two years after it comes into effect.