

PROPOSED DRAFT LOCAL ALCOHOL POLICY



Policy type	<i>City</i>		
Authorised by	<i>Council</i>		
First adopted	<i>22 July 2015</i>	Minute reference	M15/49.13
Revisions/amendments		Minute references	
Review date			

1. PURPOSE

1.1 To provide guidance to the licensing committee and licensing authority regarding:

- The trading hours of licensed premises
- The further issuing of licences
- **One-way door restrictions**
- Discretionary conditions.

2. SCOPE

2.1 This policy applies to Tauranga City.

3. DEFINITIONS

Term	Definition
Act	The Sale and Supply of Alcohol Act 2012
Bottle store	An off-licensed premise being a retail premise where (in the opinion of the licensing authority or licensing committee concerned) at least 85% of the annual sales revenue is expected to be earned from the sale of alcohol for consumption somewhere else (refer section 32(1)(b) of the Act).
City Plan	The Tauranga City Council's operative City Plan.
Club	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. (Refer section 5 of the Act.)
Council	Tauranga City Council or any Committee, Sub Committee or elected member of Council or officer or other person authorised to exercise the authority of Council.
Hotel	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 of the Act.)
Licensing authority	The Alcohol Regulatory and Licensing Authority continued in existence under section 169(1) of the Act.
Licensing committee	The District Licensing Committee established under section 186 of the Act, relevant to the licence or matter under consideration.
Off-licence	A licence for premises where the licensee can sell alcohol for consumption somewhere else.
On-licence	A licence for premises where the licensee can sell alcohol for consumption on the premises or can let people consume alcohol on the premises. For the avoidance of doubt, on-licences includes club licences per section 21 of the Act.
One-way door restriction	Relates 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. (Refer section 5 of the Act.)
Tauranga City Centre	For the purposes of this policy, the area indicated in Attachment 1 to this policy.
Tavern	(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 of the Act.)

4. PRINCIPLES

- 4.1 To minimise alcohol-related harm in Tauranga City.
- 4.2 To contribute to Tauranga City being **an inclusive city. a safe and healthy city.**
- 4.3 To reflect local communities' character, amenity, values, preferences and needs.
- 4.4 To encourage licensed premises to foster positive, responsible drinking behaviour.

5. Off-licenses

5.1. Maximum licensed hours

- Maximum licensed hours for off-licences shall be ~~7am~~ 10am to 10pm.

5.2 Where premises can be located

No new licences issued for bottle stores located within suburbs with a social deprivation index of 7 or more. This does not apply to new licences for an existing premises that has been sold, or for an existing premises that relocates to a new site within the **same area of deprivation suburb**.

5.3 Discretionary Conditions

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing and renewing licences for off-licensed premises:

- Signs detailing statutory restrictions on the sale of alcohol to minors and intoxicated persons adjacent to every point of sale;
- The maintenance of an alcohol-related incidents book;
- The installation and operation of CCTV cameras on the exterior of, and within, premises;
- Provision of effective exterior lighting;
- ~~No single sales of beer or ready to drink spirits (RTDs) in bottles, cans or containers of less than 440 mls in volume may occur except for craft beer~~
- **Restrictions on single sales**
- No single sales of shots or premixed shots;
- ~~Restrictions on sales based on the type of product and/or its price;~~
- Restrictions on the display of RTDs at principal entrance to the store or within 3 meters of the front window; and
- Restrictions on the display of product or price specials,

6. On-licences

6.1 Maximum licensed hours – excluding the Tauranga City Centre

- Maximum licensed hours for all on-licences in Tauranga (excluding the Tauranga city centre) shall be 9am to 1am the following day.

6.2 Maximum licensed hours – Tauranga City Centre

- Maximum licensed hours for all on-licensed premises in the Tauranga city centre shall be 9am to 3am the following day.

6.3 Where premises can be located

- No new on-licensed premises will be established in areas zoned 'industrial' in the City Plan.

~~5.1.1 One-way door restrictions~~

- ~~Any on-licensed premises licensed until after 2am shall have a one-way door restriction in place from 2am.~~

6.4 Discretionary conditions

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing and renewing licences for on-licensed premises: ~~including on-licences issued to clubs:~~

- patron number to security ratio
- patron number to bar manager ratio
- provision of additional security (staff) after 11pm
- the installation and operation of CCTV cameras on the exterior of, and within, premises
- provision of effective exterior lighting
- restrictions on the size (e.g. 'doubles') and time of 'last orders;
- management of patrons queuing to enter the licenced premises
- restriction on the use of outdoor areas after 10pm
- provision of seating i.e. no vertical drinking zones within the licence-to-occupy area (i.e.: all LTO areas are seated only at all times)
- no serving in glass containers at specified times
- no shots or particular types of drinks to be served after specified times
- a restriction on the number of drinks per customer
- restrictions on permitted drinking vessels
- no alcohol service for a specified time before the closing the licensed premises
- provision of transport for patrons
- acoustic design certificate required if an existing tavern is the subject of complaints
- acoustic design certificate required for all new on-licenced and club premises with a residential boundary within 500 metres and an outside area operating after 11pm.

The above conditions would apply to all types of on-licence premises.

7. Club licences

7.1 Maximum licensed hours – excluding the Tauranga City Centre

- Maximum licensed hours for all club licences in Tauranga (excluding the Tauranga city centre) shall be 9am to 1am the following day.

7.2 Maximum licensed hours – Tauranga City Centre

- Maximum licensed hours for all club premises in the Tauranga city centre shall be 9am to 2am the following day.

7.3 ~~One-way door restrictions~~

- ~~• Any club licensed until after 1am shall have a one-way door restriction in place from 1am.~~

7.3 Discretionary conditions

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing and renewing club licences:

- patron number to security ratio
- patron number to bar manager ratio
- provision of additional security (staff) after 11pm
- the installation and operation of CCTV cameras on the exterior of, and within premises
- provision of effective exterior lighting
- restrictions on the size (e.g. 'doubles') and time of 'last orders
- management of patrons queuing to enter the licenced premises
- restriction on the use of outdoor areas after 10pm
- provision of seating i.e. no vertical drinking zones within the licence-to-occupy area (i.e.: all LTO areas are seated only at all times)
- no serving in glass containers at specified times
- no shots or particular types of drinks to be served after specified times
- a restriction on the number of drinks per customer
- restrictions on permitted drinking vessels
- no alcohol service for a specified time before the closing the licensed premises
- provision of transport for patrons
- acoustic design certificate required if an existing tavern is the subject of complaints
- acoustic design certificate required for all new on-licenced and club premises with a residential boundary within 500 metres and an outside area operating after 11pm.

8 Special Licences

8.1 Discretionary conditions

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing special licences, including special licences issued to clubs:

- number of 'responsible persons' or certified Duty Managers to be present

- specify locations Managers to be present at. (e.g.: at point of sale, anywhere else on site that their presence would be beneficial)
- free water to be available
- limit on number of drinks to be sold in one transaction
- drink containers to be opened at point of sale
- no high alcohol doubles or shots to be sold
- specify security staff number required and their location (Guard to patron ratio)
- specify event staff to wear high viz clothing
- specify containers alcohol may be sold in
- condition to ensure Police reserve rights to require earlier cessation of licence hours by request to the licensee and reduce number of sales and slowing of service
- limits on promotion of alcohol
- require one way door procedure
- limits as to noise from event
- lighting requirements
- consideration of having specific 'licenced area' within an overall 'event area' - this will help restrict movement of patrons with alcohol inside the event and be easier to monitor for event staff and Police/Licensing Inspectors
- the above conditions apply to both on-site and off-site special licences.

9. RELEVANT DELEGATIONS

- 9.1 This policy is delegated to the licensing committees and licensing authority to implement as appropriate.

10. REFERENCES AND RELEVANT LEGISLATION

- 10.1 Sale and Supply of Alcohol Act 2012

11. ASSOCIATED POLICIES/PROCEDURES

11.1 [Alcohol Bylaw 2018](#)

11.3 [Street use and Public Places Bylaw 2018](#)

12. SCHEDULES

Schedule 1 – Tauranga City Centre as defined in the Local Alcohol Policy.

Schedule 1

