



# Matamata-Piako District Council

## Local Alcohol Policy 2017

**Adopted 24 January 2017**

(Pursuant to section 87(3) of the Sale and Supply of Alcohol Act 2012)

**Note: This Policy came into force on 26 April 2017 except clauses 3.6, 4.6, 5.5 and 6.3 which came into force on 26 July 2017<sup>1</sup>**

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<sup>1</sup> The Matamata-Piako District Council Local Alcohol Policy 2017 was approved when the Alcohol and Regulatory Licensing Authority issued its final decision 24 January 2017 under section 87(3) of the Sale and Supply of Alcohol Act 2012. In accordance with section 90(1)(b) and 90(2)(b) of the Sale and Supply of Alcohol Act 2012 all elements of the Local Alcohol Policy 2017, but excluding those elements relating to maximum trading hours, will come into force on Wednesday, 26 April 2017. In accordance with sections 90(1)(b) and 90(2)(a) of the Sale and Supply of Alcohol Act 2012 all elements relating to maximum trading hours will come into force on Wednesday, 26 July 2017.

## Contents

<b>1. Introduction and overview</b> .....	<b>3</b>
1.1 Background.....	3
1.2 LAP goals .....	3
1.3 LAP objectives .....	3
1.4 Partnership principles.....	3
<b>2. When this LAP is applicable</b> .....	<b>4</b>
2.1 When this LAP comes into force .....	4
2.2 Licence applications.....	4
2.3 Renewal of licences .....	4
2.4 Issue of second licence for premises already licensed .....	4
2.5 Special licences .....	4
<b>3. On-licence policies</b> .....	<b>6</b>
3.1 Introduction .....	6
3.2 Location of premises holding on-licences by reference to broad areas .....	6
3.3 Location of premises holding on-licences by reference to proximity to premises of a particular kind or kinds .....	6
3.4 Location of premises holding on-licences by reference to proximity to facilities of a particular kind or kinds .....	6
3.5 Further issuing of on-licences in the district.....	6
3.6 Maximum trading hours.....	6
3.7 Discretionary conditions .....	7
<b>4. Off-licence policies</b> .....	<b>8</b>
4.1 Introduction .....	8
4.2 Location of premises holding off-licences by reference to broad areas .....	8
4.3 Location of premises holding off-licences by reference to proximity to premises of a particular kind or kinds .....	8
4.4 Location of premises holding off-licences by reference to proximity to facilities of a particular kind or kinds .....	8
4.5 Further issuing of off-licences in the district.....	9
4.6 Maximum trading hours for premises holding off-licences .....	9
4.7 Discretionary conditions .....	10
<b>5. Club licence policies</b> .....	<b>11</b>
5.1 Introduction .....	11
5.2 Location of premises holding club licences by reference to broad areas .....	11
5.3 Location of premises holding club licences by reference to proximity to facilities of a particular kind or kinds .....	11
5.4 Further issuing of club licences in the district .....	11
5.5 Maximum trading hours for premises holding club licences.....	11
5.6 Discretionary conditions .....	12
<b>6. Special licence policies</b> .....	<b>13</b>
6.1 Introduction .....	13
6.2 Issuing of special licences in the district.....	13
6.3 Maximum trading hours for premises holding special licences .....	13
6.4 Discretionary conditions .....	13
<b>7. Definitions</b> .....	<b>15</b>
<b>8. Related policies/strategies or guidelines</b> .....	<b>18</b>
8.1 Regulations.....	18
8.2 Fees and Charges .....	18
<b>9. Policy review</b> .....	<b>18</b>

## **1. Introduction and overview**

### **1.1 Background**

- 1.1.1 A Local Alcohol Policy (LAP) is a set of policy criteria and decisions made by a Council in consultation with its community about the sale and supply of alcohol in its geographical area.
- 1.1.2 A LAP provides the District Licensing Committee with a policy framework when making decisions on licence applications, which they must 'have regard to' when making decisions on licence applications. It allows the District Licensing Committee to meet the object of the Sale and Supply of Alcohol Act 2012 (the Act) which states 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".
- 1.1.3 Nothing in this LAP overrides any other statutory right or obligation of any applicant, licensee or the Council under the Sale and Supply of Alcohol Act 2012 and regulations.

### **1.2 LAP goals**

- 1.2.1 The goals of the LAP are to:
- a) contribute to Matamata-Piako being a safe and healthy district
  - b) reflect our local community's character and amenity, values, preferences and needs
  - c) encourage licensed environments that foster positive and responsible drinking behaviour
  - d) minimise alcohol related harm in Matamata-Piako.

### **1.3 LAP objectives**

- 1.3.1 The objectives of the LAP are to:
- a) regulate the trading hours of club, on and off-licences
  - b) regulate the location of licensed premises
  - c) ensure licensed premises take appropriate measures to minimise alcohol harm
  - d) provide clear guidance to the District Licensing Committee.

### **1.4 Partnership principles**

- 1.4.1 Council recognises that to achieve a reduction in alcohol abuse there needs to be a multifaceted and organisational response. This includes all stakeholders such as licensees, their patrons, the agencies recognised as having statutory reporting responsibilities, government and non-government agencies, and the general community in the district.
- 1.4.2 The Matamata-Piako District Council has involved the Police, Medical Officer of Health and Licensing Inspectors in the preliminary development of a draft LAP. The Matamata-Piako District Council has also engaged with the District's community and various stakeholders to provide for their involvement in the policy development process.

## **2. When this LAP is applicable**

### **2.1 When this LAP comes into force**

- 2.1.1 This LAP comes into force on the day stated by Council resolution. Maximum trading hours come into force three months after the day on which public notice of the LAP adoption is given, and apply to both existing premises and premises not currently holding a licence.

### **2.2 Licence applications**

- 2.2.1 All policy criteria included in this LAP, in the appropriate section for on, off, club and special licences apply to licence applications for premises not currently holding a licence unless stated otherwise.
- 2.2.2 Pursuant to section 108 of the Act, the District Licensing Committee may refuse a licence if in its opinion, the issue of the licence, or consequences of the issue of the licence, would be inconsistent with the LAP.

### **2.3 Renewal of licences**

- 2.3.1 Pursuant to section 133 of the Act, the District Licensing Committee cannot take into account any inconsistency between a relevant LAP and the renewal of a licence or the consequences of its renewal.
- 2.3.2 The District Licensing Committee may however impose particular conditions on any licence it renews if there is a relevant LAP, and it considers that the renewal of the licence or the consequences of the renewal of the licence, without those conditions imposed on it would be inconsistent with the LAP.

### **2.4 Issue of second licence for premises already licensed**

- 2.4.1 Pursuant to section 25 of the Act a licence of one kind can be issued for a premises, or for part of a premises, for which a licence of another kind is (or licences of other kinds are) already held.
- 2.4.2 However, there are exceptions to the above. Pursuant to section 29 of the Act a club cannot hold an on-licence. A club is also not able to hold an off-licence unless it has continuously held an off-licence since before the commencement of the Act. These sections override section 25 as cited above, and section 28(1) of the Act which outlines who can hold an on, off and special licences.
- 2.4.3 Pursuant to section 36 of the Act off-licences cannot be held for petrol stations, certain garages, dairies, convenience stores, conveyances, or shops within shops.

### **2.5 Special licences**

- 2.5.1 Pursuant to section 41 of the Act a special licence must not be issued in circumstances where (in the opinion of the District Licensing Committee concerned) it would have been more appropriate for the applicant to apply for an on-licence, off-licence or club licence; or the variation of an existing on-licence, off-licence or club licence.

2.5.2 Any LAP policy criteria relating to the location of licensed premises and the further issuing of particular licences in the district do not apply to special licences.

### 3. On-licence policies

#### 3.1 Introduction

- 3.1.1 An on-licence premises is one where consumption of alcohol is authorised on the premises from which it is sold. Common examples include hotels, taverns and restaurants.

Section 14 of the Act states:

“On any premises an on-licence (other than an on-licence endorsed under section 37 of the Act) is held for, the licensee—

- a) Can sell and supply alcohol for consumption there; and
- b) Can let people consume alcohol”.

- 3.1.2 Policies in this LAP relating to on-licences also apply to:

- a) Bring Your Own restaurants (endorsed under section 37 of the Act).
- b) Caterers (endorsed under section 38 of the Act).

#### 3.2 Location of premises holding on-licences by reference to broad areas

- 3.2.1 There are no policies for on-licensed premises locations by reference to broad areas.

#### 3.3 Location of premises holding on-licences by reference to proximity to premises of a particular kind or kinds

- 3.3.1 When considering an on-licence application in respect to premises not currently holding a licence, the District Licensing Committee will have regard to the proximity of that proposed premises to other licensed premises where it considers this relevant.

#### 3.4 Location of premises holding on-licences by reference to proximity to facilities of a particular kind or kinds

- 3.4.1 There are no policies for on-licensed premises locations by reference to proximity to facilities of a particular kind or kinds.

#### 3.5 Further issuing of on-licences in the district

- 3.5.1 This policy does not limit the number of on-licensed premises in the Matamata-Piako District or restrict the issue of licences for premises not currently holding a licence, provided the other policy criteria are met.

#### 3.6 Maximum trading hours

- 3.6.1 The following maximum trading hours apply to all on-licensed premises in the Matamata-Piako District (other than hotel in-bedroom mini bar sales):

Maximum trading hours	All on-licensed premises
Monday to Sunday	7am to 1am the following day

- 3.6.2 The following hours apply to hotel in-bedroom mini bar sales:

Maximum trading hours	Hotel in-bedroom minibar sales
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Monday to Sunday	24 hours per day
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3.6.3 The District Licensing Committee has discretion to set the permitted trading hours as more restrictive than the maximum trading hours in the LAP.

### **3.7 Discretionary conditions**

3.7.1 Pursuant to sections 117 of the Act the District Licensing Committee may issue any on-licence subject to any reasonable conditions not inconsistent with this Act, the generality of which is not limited or affected by any other provision of the Act. There are mandatory conditions for on-licences outlined in the Act.

3.7.2 Conditions relating to the following matters may be appropriate for on-licensed premises:

- a) conditions about how patrons are informed about transport options
- b) details of the maximum number of patrons to be permitted on the premises
- c) details of the management of patrons in outdoor areas to minimise impacts on the amenity of nearby properties
- d) one-way door restriction
- e) Crime Prevention Through Environmental Design criteria
  - i. provision of interior and/or exterior lighting
  - ii. the installation and operation of Closed Circuit Television Cameras ( CCTV) cameras on the exterior of, and within the premises
  - iii. visibility of interior of premises from the street
  - iv. internal layout
  - v. layout of outdoor drinking areas.

## **4. Off-licence policies**

### **4.1 Introduction**

- 4.1.1 An off-licence premises is one where consumption of alcohol is authorised away from the premises on which it is sold. Common examples include supermarkets and bottle-stores.

Section 17 of the Act states:

“On the premises an off-licence is held for, the licensee can sell alcohol for consumption somewhere else.

While the premises an off-licence is held for are open for the sale of alcohol for consumption somewhere else, the licensee can also supply alcohol free, as a sample, for consumption on the premises.”

- 4.1.2 This section of the LAP does not apply to premises for which a remote-sale off-licence is held or for auctioneers.

### **4.2 Location of premises holding off-licences by reference to broad areas**

- 4.2.1 Licences for premises not currently licensed (excluding remote sellers endorsed pursuant to section 40 of the Act) should be limited to the Business Zone<sup>2</sup> under the Matamata-Piako District Plan unless authorised elsewhere by resource consent, and then subject to the following policies 4.3, 4.4, 4.5, 4.6, 4.7 in this section.

- 4.2.2 Council’s preference is for off-licensed premises to be located within the Business Zone. Where an application is made to locate outside of the Business Zone under the Matamata-Piako District Plan the applicant must demonstrate that regard has been given to the Crime Prevention through Environmental Design criteria, and operation of the premises will not impact upon the amenity and good order of the neighbourhood.

### **4.3 Location of premises holding off-licences by reference to proximity to premises of a particular kind or kinds**

- 4.3.1 Other than in circumstances where the premises has held an off-licence during the 60 day period prior to the date of application, when considering a licence application in respect of any premises not currently holding an off-licence, the District Licensing Committee will have regard to the proximity of that proposed premises to other off-licensed premises within a 50 metre radius (measured from the main façade of the premises, being the principal front of a building that faces onto a street or open space) where it considers this relevant.

### **4.4 Location of premises holding off-licences by reference to proximity to facilities of a particular kind or kinds**

- 4.4.1 Other than for premises in the Business Zone under the Matamata-Piako District Plan or in circumstances where the premises has held an off-licence during the 60 day

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<sup>2</sup>Advice note:

For the avoidance of doubt, under policies 4.2.1, 4.2.2, 4.4.1 and 4.4.3 ‘Business Zone’ means land zoned Business in the Matamata-Piako District Plan at the time when the relevant off-licence application is determined. In the event that the Matamata-Piako District Plan is superseded, the term Business Zone in this LAP will apply to the relevant zone or zones in the newly operative District Plan

period prior to the date of application, when considering a licence application in respect of any premises not currently holding an off-licence the boundary of the application site shall be a minimum of 50 metres from the closest boundary of any primary or secondary school, early childhood education centre, place of worship or Council administered playground existing at the time the application is made, unless it can be demonstrated to the reasonable satisfaction of the District Licensing Committee that the hours, signage or operation of the premises as they relate to alcohol sales will not have a material impact on those facilities and/or persons using those facilities.

- 4.4.2 Renewal of a licence shall be unaffected should a school, early childcare facility, or place of worship later move to a site which borders an existing licensed premises.
- 4.4.3 Other than for premises in the Business Zone under the Matamata-Piako District Plan or in circumstances where the premises has held an off-licence during the 60 day period prior to the date of application, when considering a licence application in respect of any premises not currently holding an off-licence, the District Licensing Committee shall have regard to the proximity to any public park, car park or reserve within a 50 metre radius (measured from the main façade of the premises, being the principal front of a building that faces onto a street or open space), particularly where that public park, car park or reserve is within an alcohol control area prescribed by a bylaw, unless it can be demonstrated to the reasonable satisfaction of the District Licensing Committee that the hours, signage or operation of the premises as they relate to alcohol sales will not have a material impact on those facilities and/or persons using those facilities.

**4.5 Further issuing of off-licences in the district**

- 4.5.1 With regard to off-licences in the Matamata-Piako District there is a presumption that new licences will not be issued in the Matamata Ward, the Morrinsville Ward or the Te Aroha Ward, if, in the opinion of the District Licensing Committee, the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence.
- 4.5.2 The above policy 4.5.1 does not apply to licence applications for premises that are subject to an off-licence at the date of application or where the existing off-licensed business has to relocate.
- 4.5.3 The above policy 4.5.1 does not apply to premises where the alcohol is an appropriate complement to goods of the kind or kinds sold (or to be sold) in a shop under section 35 of the Act.

**4.6 Maximum trading hours for premises holding off-licences**

- 4.6.1 The following trading hours apply to all premises holding off-licences in the Matamata-Piako District:

Maximum trading hours	All off-licence sales including over the counter sales
Monday to Sunday	7am to 9pm the same day

- 4.6.2 The District Licensing Committee has discretion to set the permitted trading hours as more restrictive than the maximum trading hours in the LAP.

## 4.7 Discretionary conditions

4.7.1 Pursuant to sections 116(1) and 117 of the Act the District Licensing Committee may issue any off-licence subject to any reasonable conditions not inconsistent with this Act, the generality of which is not limited or affected by any other provision of the Act. There are mandatory conditions for off-licences outlined in the Act.

4.7.2 Conditions relating to the following matters may be appropriate for off-licensed premises:

- a) designation of the premises as a supervised or restricted area
- b) display of safe drinking messages/material
- c) the nature and extent of alcohol branded signage
- d) the nature and extent of alcohol product signage
- e) Crime Prevention Through Environmental Design criteria
  - i. provision of interior and exterior lighting
  - ii. the installation and operation of CCTV cameras on the exterior of, and within the premises
  - iii. visibility of the interior of the premises from the street
  - iv. internal layout.

## 5. Club licence policies

### 5.1 Introduction

- 5.1.1 A club 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 is a body corporate whose object is not for gain; or holds permanent club charter.

Section 21 of the Act states:

“On the premises a club licence is held for, the licensee can sell and supply alcohol to authorised customers (within the meaning of section 60(3)), for consumption there.”

“authorised customer, in relation to premises a club licence is held for, means a person who—

- (i) is a member of the club concerned; or
- (ii) is on the premises at the invitation of, and is accompanied by, a member of the club concerned; or
- (iii) is an authorised visitor”

### 5.2 Location of premises holding club licences by reference to broad areas

- 5.2.1 Club licensed premises not currently holding a licence should be located at, or in close proximity to the sports grounds or other facilities used by the club, if relevant.

### 5.3 Location of premises holding club licences by reference to proximity to facilities of a particular kind or kinds

- 5.3.1 When considering a licence application in respect of any premises not currently holding a licence, the District Licensing Committee will have regard to the proximity of that proposed premises to any primary or secondary school, early childhood education centre, place of worship or Council administered playground.
- 5.3.2 Renewal of a licence shall be unaffected should a school, early childcare facility or place of worship later move to a site which borders an existing licensed premises.

### 5.4 Further issuing of club licences in the district

- 5.4.1 This policy does not limit the number of club licensed premises in the Matamata-Piako District or restrict the issue of licences for premises not currently holding a licence, provided the other policy criteria are met.

### 5.5 Maximum trading hours for premises holding club licences

- 5.5.1 The following maximum trading hours apply to all club licensed premises in the Matamata-Piako District:

Maximum trading hours	All club licensed premises
Monday to Sunday	7am to 1am the following day

5.5.2 Returned Services Associations affiliated with the Royal New Zealand Returned Services Association and other club-licensed premises of a similar nature who are involved with ANZAC Day commemorations/civic services shall be permitted to trade from 5am on ANZAC Day.

5.5.3 The District Licensing Committee has discretion to set the permitted trading hours as more restrictive than the maximum trading hours in the LAP.

## **5.6 Discretionary conditions**

5.6.1 Conditions relating to the following matters may be appropriate for club-licensed premises:

- a) conditions about how patrons are informed about transport options
- b) details of the maximum number of patrons to be permitted on the premises
- c) details of the management of patrons in outdoor areas to minimise impacts on the amenity of nearby properties
- d) one-way door restriction
- e) Crime Prevention through Environmental Design criteria
  - i. provision of interior and/or exterior lighting
  - ii. the installation and operation of CCTV cameras
  - iii. visibility of interior of premises from the street
  - iv. internal layout
  - v. layout of outdoor drinking areas.

5.6.2 Pursuant to sections 110(1) and 117 of the Act the District Licensing Committee may issue any club licence subject to any reasonable conditions not inconsistent with this Act, the generality of which is not limited or affected by any other provision of the Act. There are mandatory conditions for club licences outlined in the Act.

## 6. Special licence policies

### 6.1 Introduction

- 6.1.1 Special licences allow the sale and consumption of alcohol at events or occasions on premises that are unlicensed, or premises that would be outside their normal licence conditions. They can permit on site or off site sales, and are in force for the date and time of the event only.

Section 22 of the Act states:

“There are 2 kinds of special licence: on-site special licences and off-site special licences”

“On the premises a special licence designated as an on-site special licence is held for, the licensee can sell or supply alcohol, for consumption there, to people attending an event described in it”

“On the premises a special licence designated as an off-site special licence is held for, the licensee can sell the licensee’s alcohol, for consumption somewhere else, to people attending an event described in it”

### 6.2 Issuing of special licences in the district

- 6.2.1 Pursuant to section 41 of the Act a special licence must not be issued in circumstances where (in the opinion of the District Licensing Committee concerned) it would have been more appropriate for the applicant to apply for an on-licence, off-licence or club licence; or the variation of an existing on-licence, off-licence or club licence.

### 6.3 Maximum trading hours for premises holding special licences

- 6.3.1 The maximum trading hours for special licences will be set by the District Licensing Committee on a case by case basis with regard taken to the nature of the event or series of events.
- 6.3.2 A special licence will only be issued with greater hours than set out below in exceptional circumstances where a unique event is to be held as determined by the District Licensing Committee.

Guideline	All special licensed premises
Monday to Sunday	7am to 1am the following day

- 6.3.3 Where the applicant for a special licence already holds an on, off or club licence with the maximum hours permitted for that type of licence under this policy, a special licence with greater hours will only be issued in exceptional circumstances as determined by the District Licensing Committee.

### 6.4 Discretionary conditions

- 6.4.1 Conditions relating to the following matters may be appropriate for special licences:
- alcohol risk management plans for large scale events

- b) the maximum period for a series of events. Generally, a series of events for any special licence should not exceed a six month period
- c) the maximum number of events in any six month period. Generally, no premises should have more than 15 events under special licence in any six month period
- d) one-way door restriction
- e) Crime Prevention through Environmental Design criteria
  - i. provision of interior and exterior lighting
  - ii. provision of additional security (staff) after 'x' hour
  - iii. visibility from the street
  - iv. internal layout
  - v. layout of outdoor drinking areas.

6.4.2 Pursuant to section 143, 146, 147(1) and 147(2) of the Act the District Licensing Committee may issue any licence subject to any reasonable conditions not inconsistent with this Act, the generality of which is not limited or affected by any other provision of the Act. There are particular discretionary conditions and compulsory conditions for special licences outlined in section 147(3) of the Act.

## 7. Definitions

**Alcohol product signage**, in relation to off-licences, means signage depicting alcohol products such as through photographs or illustrations, but does not include signage containing only the name or price of alcohol products.

**Alcohol branded signage**, in relation to off-licences, means signage that contains branding such as names, symbols, images or slogans of alcohol products or producers.

**Amenity and good order of the locality**, in relation to an application for or for the renewal of a licence, means the extent to which, and ways in which, the locality in which the premises concerned are situated is (or, in the case of a conveyance, the localities where the conveyance is likely to travel are) pleasant and agreeable.

**Authorised customer** in relation to premises a club licence is held for, means a person who:

- a) is a member of the club concerned; or
- b) is on the premises at the invitation of, and is accompanied by, a member of the club concerned; or
- c) is an authorised visitor.

**Authorised visitor** in relation to premises a club licence is held for, means a member of some other club with which the club concerned has an arrangement for reciprocal visiting rights for members.

**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.

**Condition**, in relation to a licence, includes the designation (under the Sale and Supply of Alcohol Act, or a former licensing Act) of an area of the premises as:

- a) an area to which minors must not be admitted; or
- b) an area to which minors must not be admitted unless accompanied by a parent or guardian.

**District Licensing Committee** means the Matamata-Piako District Licensing Committee appointed pursuant to section 186 of the Act.

**Early Childhood Facility** includes any crèche, childcare centre, kindergarten, kohanga reo, or playcentre or any other place (excluding school) where 11 or more children at any one time receive care or education.

**Event**, in relation to a special licence, includes an occasion and a gathering, and a series of small, related events.

**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.

**Large scale event** means an event to which section 143 of the Act applies.

**Local Alcohol Policy**, means the Matamata-Piako District Council Local Alcohol Policy (this document).

**Licence-**

- a) means a licence issued under the Sale and Supply of Alcohol Act that is in force; and
- b) in relation to any licensed premises, means the licence issued for them (or, in the case of premises that 2 or more licences have been issued for, any of those licences).

**Licensed premises** means any premises for which a licence is held.

**Licensee-**

- a) means a person who holds a licence; and
- b) in relation to any licensed premises, means the person who holds the licence concerned.

**Member** in relation to a club, means a person who-

- a) has expressly agreed in writing to comply with the club's rules; and
- b) is recognised as a member of the club by those rules.

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

**Place of worship** includes any church, mosque or other facility designed primarily for worship and related religious activities.

**Premises-**

- a) includes a conveyance; and
- b) includes part of any premises; and
- c) in relation to a licence, means the premises it was issued for.

**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.

**Restricted area** means an area that-

- a) is designated (under section 119 of the Sale and Supply of Alcohol Act or a corresponding provision of a former licensing Act) as an area to which minors must not be admitted; and
- b) in relation to any licensed premises or the licensee or a manager of any licensed premises, means an area of those premises that is designated (under the Sale and Supply of Alcohol Act or a former licensing Act) as an area to which minors must not be admitted.

**School** includes any primary, intermediate or secondary school any Kura Kaupapa.

**Sell**, in relation to alcohol, includes-

- a) charge a fee (however described, and whether an entry fee, a ticket price, or a payment of any other kind) for an alcohol-inclusive matter; and
- b) require, ask for, or (expressly or by implication) suggest the making of a koha or other donation (whether to be made before, after, or during the entry event, activity, or function concerned) in relation to an alcohol-inclusive matter.

**Supervised area-**

- a) means an area that is designated (under section 119 or a corresponding provision of a former licensing Act) as an area to which minors must not be admitted unless accompanied by a parent or guardian; and
- b) in relation to any licensed premises or the licensee or a manager of any licensed premises, means an area of those premises that is designated (under this Act or a former licensing Act) as an area to which minors must not be admitted unless accompanied by a parent or guardian.

**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).

**The Act** means the Sale and Supply of Alcohol Act 2012.

## **8. Related policies/strategies or guidelines**

### **8.1 Regulations**

8.1.1 To give effect to aspects of the Act the Sale and Supply of Alcohol Regulations 2013 have been developed which relate to the following areas:

- a) licensing system
- b) LAPs
- c) risk-based fees
- d) grocery store eligibility
- e) licensee obligations
- f) alcohol control areas (liquor bans)
- g) evidence of age
- h) infringement offences
- i) manager qualification
- j) remote sales
- k) licensing and community trusts.

### **8.2 Fees and Charges**

8.2.1 Reference should be made to the Council's Fees and Charges for a schedule of the fees and charges relating to alcohol licensing. The fees are set by the Sale and Supply of Alcohol (Fees) Regulations 2013 and the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013 where applicable.

## **9. Policy review**

9.1.1 Pursuant to section 97 of the Act Council must review its LAP no later than 6 years after it came into force and no later than 6 years after the most recent review of it was completed. If directed by Council a LAP can be reviewed or amended earlier.