



te kaunihera ā-rohe o
matamata-piako
district council



Matamata-Piako District Council

Local Alcohol Policy 2023

Adopted 23 August 2023

This Policy came into force on 11 September 2023

Advice note: This policy was adopted prior to the Sale and Supply of Alcohol (Community Participation) Amendment Act 2023 receiving Royal Assent.

Therefore amendments resulting from this legislation have not been incorporated into this Policy and the law changes must be considered alongside this Policy. This advice note is not part of the Policy but intended for guidance.

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1. Introduction

1.1 Purpose

- 1.1.1 The purpose of the Local Alcohol Policy (LAP) is to provide the Matamata-Piako District Council District Licensing Committee (DLC) with a policy framework to assist in making appropriate licensing decisions that reflect the object of the Sale and Supply of Alcohol Act 2012 (the Act) and the preferences of the community.

1.2 Background

- 1.2.1 This Policy is made pursuant to the Sale and Supply of Alcohol Act 2012 (the Act). The object of the Act is that:
- a) *The sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and*
 - b) *The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*
- 1.2.2 Section 75 of the Act enables Matamata-Piako District Council (Council) to have a LAP relating to the sale, supply, or consumption of alcohol within the Matamata-Piako district (District).
- 1.2.3 Section 77 of the Act states that a LAP may include policies on any or all of the following matters relating to licensing (and no others):
- 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.¹*
- 1.2.4 This LAP comes into force on the day stated by Council resolution.
- 1.2.5 Pursuant to section 97 of the Act, Council must review its LAP no later than six years after it came into force and no later than six years after the most recent review of it was completed. If directed by Council a LAP can be reviewed or amended earlier.
- 1.2.6 Section 93 of the Act states that a LAP may contain a policy more restrictive than the relevant district plan, however a LAP cannot authorise anything forbidden by the relevant district plan.
- 1.2.7 This Policy does not contain all provisions that may apply to alcohol licensing matters, and should therefore be read in conjunction with the Act (and other relevant legislation including, but not limited to, the Resource Management Act 1991 (RMA)).

¹ Note that a) to d) do not apply to special licences or premises for which a special licence is held or has been applied for.

1.3 Objectives

1.3.1 The objectives of the LAP are to:

- a) Regulate the trading hours of club, on, and off-licensed premises;
- b) Regulate the location of club, on, and off-licensed premises;
- c) Encourage licensed premises to take appropriate measures to minimise alcohol-related harm;
- d) Provide clear guidance to the DLC relating to alcohol-licensing decision-making.

1.4 Goals

1.4.1 The goals of the LAP are to:

- a) Minimise alcohol-related harm in the District;
- b) Contribute to Matamata-Piako being a safe and healthy district;
- c) Reflect the character and amenity, values, preferences and needs of our communities;
- d) Encourage licensed environments that foster positive and responsible drinking behaviour.

1.5 Community Partnership

1.5.1 This Policy reflects Council's commitment to support our community to be safe, healthy and connected.

1.5.2 Council encourages a whole of community approach where all stakeholders work collaboratively to reduce alcohol-related harm including licence holders, patrons, health and social service agencies, government and non-government agencies, and the local community. The LAP forms part of this whole of system approach.

1.5.3 In accordance with section 78(4) of the Act, Council consulted with the Police, Medical Officer of Health and Licensing Inspectors in the development and review of this LAP.

1.5.4 Council has reviewed this Policy in consultation with stakeholders to understand their views and preferences for inclusion within the Policy.

1.5.5 In support of this LAP, a 24 hour a day, 7 day a week alcohol ban is in force within the townships of Matamata, Morrinsville, Te Aroha and Waharoa. For up to date maps, please refer to the relevant bylaw on Council's website.

2. Licence Applications

2.1 Introduction

- 2.1.1 A licence is required to sell and supply alcohol to the public. Applications must be filed with the DLC.
- 2.1.2 Alcohol licence determinations shall be made in accordance with the requirements and authority of the Act.
- 2.1.3 Reference should be made to Council's Fees and Charges document for a schedule of fees relating to alcohol licensing. Fees are set pursuant to the Sale and Supply of Alcohol (Fees) Regulations 2023 and the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013 where applicable.

2.2 Application of Policy

- 2.2.1 Pursuant to section 105(1)(c) of the Act, The DLC must have regard to any relevant LAP in deciding whether to issue a licence.
- 2.2.2 Provisions regarding the location and further issuing of licences in the District do not apply to existing licences. This exemption remains in force for as long as the premises remains continuously licensed, and will cease if the current licence or any subsequent licence for the premises is surrendered or not renewed.

2.3 Issuing of Licences

- 2.3.1 Section 28(1) of the Act outlines who can hold an on, off and special licence.
- 2.3.2 Section 30 of the Act outlines who can hold a club licence.
- 2.3.3 Pursuant to section 105 and 131 of the Act, the DLC must have regard to a range of matters when considering a licence application including:
 - The object of the Act;
 - The suitability of the applicant;
 - Any relevant LAP;
 - The days on which and the hours during which the applicant proposes to sell alcohol;
 - The design and layout of any proposed premises;
 - Whether the applicant provides goods and/or services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food;
 - Whether (in its opinion), 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;
 - Whether (in its opinion), the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that:
 - they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but
 - it is nevertheless desirable not to issue any further licences.
 - Whether the applicant has the appropriate systems, staff, and training to comply with the law;
 - Any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health.
 - The manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.
- 2.3.4 When considering the effects of issuing or renewing a licence on amenity and good order of a locality, section 106 of the Act states that the DLC must have regard to current and possible future noise levels, nuisance and vandalism, and the number of premises for which licences of the kind concerned are already held (as they relate to the locality).

- 2.3.5 Pursuant to section 108 of the Act, the DLC may refuse to issue a new licence if, in its opinion, the issue of the licence, or consequences of the issue of the licence, would be inconsistent with any relevant LAP.
- 2.3.6 Pursuant to section 107 of the Act, The DLC may, having regard to any matter stated in section 105, refuse to issue a licence, even if no objection was filed against the application for it under section 102 and no report was filed under section 103 opposing that application.

2.4 Renewal of Licences

- 2.4.1 Pursuant to section 133 of the Act, the DLC must not take into account any inconsistency between a relevant LAP and the renewal of a licence or the consequences of its renewal. However, the DLC may 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.

2.5 Issue of Second Licence for Premises Already Licensed

- 2.5.1 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.
- 2.5.2 However, there are exemptions 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 section 28 of the Act. This section overrides section 25 of the Act as cited above, and section 28(1) of the Act which outlines who can hold an on, off and special licence.

3. On-Licence Policies

3.1 Introduction

- 3.1.1 An on-licensed premises is one where consumption of alcohol is authorised on the premises from which it is sold. Common examples include hotels, taverns and restaurants.
- 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).
- 3.1.3 For the purposes of clauses 3.2.1, 3.2.2, 3.3.1, 3.4.1, and 3.5.1, a licensed premises that changes ownership but continues to hold an on-licence is not considered to be a new licensed premises.
- 3.1.4 For the purposes of clauses 3.2.1, 3.2.2, 3.3.1, 3.4.1, and 3.5.1, a premises that has not been subject to an on-licence for more than twelve (12) months prior to the filing of the application shall be considered as being a new premises licensed for the first time. Premises that have been subject to an on-licence in the twelve (12) months prior to filing the application are not considered as being a new premises licensed for the first time.

3.2 Location of Premises Holding On-Licences by Reference to Broad Areas

- 3.2.1 New on-licensed premises being licensed for the first time should be restricted to:
- a) Areas marked 'Business Zone' under the Matamata-Piako District Council District Plan (District Plan); or
 - b) Locations authorised by resource consent.
- 3.2.2 As stated above, Council's preference is for on-licensed premises to be located within the Business Zone. However, where an application is made to locate outside of this, applicants must demonstrate that the operation of the premises will not impact upon the amenity and good order of the neighbourhood, and that consideration has been given to the Crime Prevention through Environmental Design criteria.

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 any on-licence application in respect of new premises being licensed for the first time, the DLC 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 District or restrict the issue of licences for premises not currently holding a licence, provided all other policy criteria are met.

3.6 Maximum Trading Hours for Premises Holding On-Licences

3.6.1 The following maximum trading hours apply to on-licensed premises in the District:

Maximum Trading Hours – On-Licensed Premises
Monday to Sunday - 7:00am to 1:00am the following day. Hotel in-bedroom mini bar sales - Monday to Sunday: 24 hours per day.

3.6.2 Maximum trading hours are subject to section 47 of the Act which details restrictions for on-licences regarding the sale and supply of alcohol on Anzac Day morning, Good Friday, Easter Sunday, and Christmas Day.

3.6.3 The Council's policy position on maximum trading hours is not intended to set an expectation that the DLC should issue every licence with the full extent of the maximum hours. Therefore, the DLC may issue licences with more restrictive hours than the maximum trading hours specified in this LAP.

3.7 Discretionary Conditions

3.7.1 In addition to the mandatory conditions for on-licences outlined in section 110(2) and pursuant to sections 110(1) and 117 of the Act, the DLC may issue any on-licence subject to any reasonable condition(s) not inconsistent with the Act. The provisions of the Act allow for wide-ranging discretions as to the conditions that may be applied to a licence, the generality of which is not limited or affected by any other provision in the Act.

3.7.2 The following are examples of discretionary conditions which may be applied to any new or renewed on-licence or any other reasonable condition:

- 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) Inclusion of a one-way door restriction to be applied after 11:00pm;²
- e) Application of the principles of Crime Prevention through Environmental Design criteria, including:
 - i. Provision of interior and/or exterior lighting;
 - ii. The installation and operation of closed circuit television (CCTV) cameras on the exterior of, and within the premises;
 - iii. Visibility of the interior of the premises from the street;
 - iv. Internal layout;
 - v. Layout of outdoor drinking areas.

² Particular consideration – one-way door policy

During the development of this Policy, a one-way door policy was recommended by the Police and Te Whatu Ora - Waikato. Council has not set a mandatory one-way door policy, but signals to the DLC to have particular regard to the application of a one-way door policy where it considers this to be relevant. A one-way door restriction is designed to minimise disorder and crime resulting from large numbers of people on the streets by refusing entry to patrons after a particular time. By staggering departure times, and deterring large numbers of people from exiting licensed premises at the same closing time, the potential for harm can be minimised.

4. Off-Licence Policies

4.1 Introduction

- 4.1.1 An off-licensed premises is one where consumption of alcohol is authorised away from the premises from which it is sold. Common examples include supermarkets and bottle stores.
- 4.1.2 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.
- 4.1.3 This section of the LAP does not apply to premises for which off-licences are endorsed under sections 39 or 40 of the Act relating to auctioneers and remote sellers.
- 4.1.4 For the purposes of clauses 4.2.1, 4.2.2, 4.3.1, 4.4.1, 4.4.2, 4.4.3, 4.5.1, 4.5.2 and 4.5.3, a licensed premises that changes ownership but continues to hold an off-licence is not considered to be a new licensed premises.
- 4.1.5 For the purposes of clauses 4.2.1, 4.2.2, 4.3.1, 4.4.1, 4.4.2, 4.4.3, 4.5.1, 4.5.2 and 4.5.3, a premises that has not been subject to an off-licence for more than twelve (12) months prior to the filing of the application shall be considered as being a new premises licensed for the first time. Premises that have been subject to an off-licence in the twelve (12) months prior to filing the application are not considered as being a new premises licensed for the first time.

4.2 Location of Premises Holding Off-Licences by Reference to Broad Areas

- 4.2.1 New off-licensed premises being licensed for the first time should be restricted to:
 - a) Areas marked 'Business Zone' under the District Plan; or
 - b) Locations authorised by resource consent.
- 4.2.2 As stated above, Council's preference is for off-licensed premises to be located within the Business Zone. However, where an application is made to locate outside of this, applicants must demonstrate that the operation of the premises will not impact upon the amenity and good order of the neighbourhood, and that consideration has been given to the Crime Prevention through Environmental Design criteria.

4.3 Location of Premises Holding Off-Licences by Reference to Proximity to Premises of a Particular Kind or Kinds

- 4.3.1 When considering any off-licence application in respect of new premises being licensed for the first time, the DLC will have regard to the proximity of that proposed premises to other off-licensed premises within a 100 metre radius³ where it considers this relevant.

³ Measured from the main façade of the premises, being the principal front of a building that faces onto a street or open space.

4.4 Location of Premises Holding Off-Licences by Reference to Proximity to Facilities of a Particular Kind or Kinds

- 4.4.1 Off-licences must not be located within a 100 metre radius⁴ of a sensitive site existing at the time the application is made.
- 4.4.2 Renewal of a licence shall be unaffected should a sensitive site later move to a site located within a 100 metre radius⁵ of an existing licensed premises.
- 4.4.3 Clause 4.4.1 does not apply to supermarkets and grocery stores.

4.5 Further Issuing of Off-Licences in the District

- 4.5.1 There is a presumption that new off-licences will not be issued in the District, if in the opinion of the DLC, 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 Clause 4.5.1 does not apply to licence applications for premises where the alcohol is an appropriate complement to goods of the kind or kinds sold (or to be sold) in a shop pursuant to section 35 of the Act.
- 4.5.3 Clause 4.5.1 does not apply to licence applications where the existing off-licensed business has to relocate.

4.6 Maximum Trading Hours for Premises Holding Off-Licences

- 4.6.1 The following maximum trading hours apply to off-licensed premises in the District:

Maximum Trading Hours - Off-Licensed Premises
Monday to Sunday - 7:00am to 9:00pm the same day.

- 4.6.2 Maximum trading hours are subject to section 48 of the Act which details restrictions for off-licences regarding the sale and supply of alcohol on Anzac Day morning, Good Friday, Easter Sunday, and Christmas Day.
- 4.6.3 The Council's policy position on maximum trading hours is not intended to set an expectation that the DLC should issue every licence with the full extent of the maximum hours. Therefore, the DLC may issue licences with more restrictive hours than the maximum trading hours specified in this LAP.

4.7 Discretionary Conditions

- 4.7.1 In addition to the mandatory conditions for off-licences outlined in section 116(2) and pursuant to sections 116(1) and 117 of the Act, the DLC may issue any off-licence subject to any reasonable condition(s) not inconsistent with the Act. The provisions of the Act allow for wide-ranging discretions as to the conditions that may be applied to a licence, the generality of which is not limited or affected by any other provision in the Act.
- 4.7.2 The following are examples of discretionary conditions which may be applied to any new or renewed off-licence or any other reasonable condition:
 - a) Designation of the premises as a supervised or restricted area;

⁴ Measured from the main façade of the premises, being the principal front of a building that faces onto a street or open space.

⁵ Measured from the main façade of the premises, being the principal front of a building that faces onto a street or open space.

- b) Display of safe drinking messages and material;
- c) The nature and extent of alcohol product and/or branded signage, for example no more than 50% of the main façade of the premises to be devoted to alcohol product and/or branded signage;
- d) Types of alcohol to be sold, for example limit single sales;
- e) Application of the principles of Crime Prevention through Environmental Design criteria, including:
 - i. Provision of interior and/or 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 licensed premises is where the licensee can sell and supply alcohol to authorised customers for consumption there.
- 5.1.2 For the purposes of clauses 5.2.1, 5.3.1, 5.4.1, 5.4.2 and 5.5.1, a licensed premises that changes ownership but continues to hold a club licence is not considered to be a new licensed premises.
- 5.1.3 For the purposes of clauses 5.2.1, 5.3.1, 5.4.1, 5.4.2 and 5.5.1, a premises that has not been subject to a club licence for more than twelve (12) months prior to the filing of the application shall be considered as being a new premises licensed for the first time. Premises that have been subject to a club licence in the twelve (12) months prior to filing the application are not considered as being a new premises licensed for the first time.

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 Premises of a Particular Kind or Kinds

- 5.3.1 There are no policies for club licensed premises by reference to proximity to premises.

5.4 Location of Premises Holding Club Licences by Reference to Proximity to Facilities of a Particular Kind or Kinds

- 5.4.1 When considering a club licence application in respect of any premises not currently holding a licence, the DLC will have regard to the proximity of that proposed premises to any sensitive site.
- 5.4.2 Renewal of a licence shall be unaffected should a sensitive site later move to a site which borders an existing licensed premises.

5.5 Further Issuing of Club Licences in the District

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

5.6 Maximum Trading Hours for Premises Holding Club Licences

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

Maximum Trading Hours – Club Licensed Premises
Monday to Sunday - 7:00am to 1:00am the following day.

- 5.6.2 Pursuant to section 47A of the Act, 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 4:00am on Anzac Day.

- 5.6.3 The Council's policy position on maximum trading hours is not intended to set an expectation that the DLC should issue every licence with the full extent of the maximum hours. Therefore, the DLC may issue licences with more restrictive hours than the maximum trading hours specified in this LAP.

5.7 Discretionary Conditions

- 5.7.1 In addition to the mandatory conditions for club licences outlined in section 110(2) and pursuant to sections 110(1) and 117 of the Act, the DLC may issue any club licence subject to any reasonable condition(s) not inconsistent with the Act. The provisions of the Act allow for wide-ranging discretions as to the conditions that may be applied to a licence, the generality of which is not limited or affected by any other provision in the Act.
- 5.7.2 The following are examples of discretionary conditions which may be applied to any new or renewed club licence or any other reasonable condition:
- 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) Inclusion of a one-way door restriction after a specified time;
 - e) Application of the principles of Crime Prevention Through Environmental Design criteria, including:
 - i. Provision of interior and/or 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;
 - v. Layout of outdoor drinking areas.

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 for which the event timing would be outside their normal licence conditions. Special licences can permit on site or off site sales, and are in force for the date and time of the event (or series of events) only.
- 6.1.2 A special licence is valid for a particular event, a series of linked events, or a social gathering specified in the licence. Special licences may be issued for a series of events. An example of this would be a series of theatre performances.

6.2 Issuing of Special Licences in the District

- 6.2.1 Pursuant to section 145 of the Act, a special licence may be refused if contrary to a relevant LAP.
- 6.2.2 Any LAP criteria relating to the location of licensed premises and the further issuing of particular licences in the District do not apply to the issuing of special licences.
- 6.2.3 Pursuant to section 41 of the Act, a special licence must not be issued in circumstances where (in the opinion of the DLC 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 Special Licences

- 6.3.1 Maximum trading hours for a special licence will be set by the DLC on a case-by-case basis with regard taken to the nature of the event or series of events.

6.4 Discretionary Conditions

- 6.4.1 In addition to the mandatory conditions for special licences outlined in section 147(3) and pursuant to sections 143, 146, 147(1) and 147(2) of the Act, the DLC may issue any special licence subject to any reasonable condition(s) not inconsistent with the Act. The provisions of the Act allow for wide-ranging discretions as to the conditions that may be applied to a licence, the generality of which is not limited or affected by any other provision in the Act.
- 6.4.2 The following are examples of discretionary conditions which may be applied to any special licence or any other reasonable condition:
 - a) Alcohol risk management plans for large scale events;
 - b) The maximum number of events under special licence. Generally, no premises should have more than 18 events under special licence in any six-month period.⁶
 - c) The maximum period for a series of events. Generally, a series of events for any special licence should not exceed a six month period;
 - d) Inclusion of a one-way door restriction after a specified time;
 - e) Application of the principles of Crime Prevention through Environmental Design criteria, including:

⁶ Particular consideration – number of events under special licence

Council signals to the DLC to carefully consider where the number of events under special licence exceeds this Policy (18 events under special licence in any six-month period), and to consider whether it is 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 (refer to clause 6.2.3).

- i. Provision of interior and/or exterior lighting;
- ii. Provision of additional security staff after a specified time;
- iii. Visibility from the street;
- iv. Internal layout;
- v. Layout of outdoor drinking areas.

7. Definitions

Alcohol	means a substance: a) that: i. is or contains a fermented, distilled, or spirituous liquor; and ii. at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or b) that: i. is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and ii. is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people.
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.
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-related harm	To give effect to the object of the Act, alcohol-related harm (the harm caused by the excessive or inappropriate consumption of alcohol) is defined widely, and 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; 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).
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.
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	Retail premises where at least 85% of the annual sale revenue is expected to be earned from the sale of alcohol for consumption somewhere else.
Business Zone	Means land zoned as Business in the Matamata-Piako District Plan at the time when the relevant 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.
Club	Means a body that: <ul style="list-style-type: none"> 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.
Club Licence	A licence holder can sell and supply alcohol for consumption on the club premises by authorised customers and visitors.
Conveyance	<ul style="list-style-type: none"> a) means an aircraft, coach, ferry, hovercraft, ship, train, or other vehicle, used to transport people; and b) includes part of a conveyance.
District	Refers to the Matamata-Piako District.
District Licensing Committee (DLC)	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.
Education Facilities	Means land and/or buildings used to provide regular instruction or training and includes pre-schools, schools, tertiary education institutions, works skills training centres, outdoor education centres and sports training establishments.
Event	In relation to a special licence, includes an occasion or gathering, and may include a series of small, related events.
Grocery Store	Means a shop that has the characteristics normally associated with shops of the kind commonly thought of as grocery shops and comprises premises where a range of food products and other household items is sold, but the principal business carried on is or will be the sale of food products. In most cases grocery stores will be less than 1,000 m ² in size.
Hotel	Means premises used or intended to be used in the course of business principally for providing to the public: <ul style="list-style-type: none"> a) lodging; and b) alcohol, meals, and refreshments for consumption on the premises.
Inspector	Means an inspector appointed by the Council under section 197(1) of the Act.

Large scale event	Means an event to which section 143 of the Act applies.
Library	Means a Matamata-Piako District Council library located in Matamata, Morrinsville and Te Aroha.
Licence	a) means a licence issued under the 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 two or more licences have been issued for, any of those licences).
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.
Licensed premises	Means any premises for which a licence is held.
Local Alcohol Policy (LAP)	Means the Matamata-Piako District Council Local Alcohol Policy 2023 (this document).
Manager	a) means a manager of licensed premises appointed under the Act; and b) in relation to any licensed premises, means a manager of those premises.
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.
New Licence	Means a premises that has not been subject to a licence (with the exception of Special Licences) for more than 12 months prior to the filing of an application. Notes: <ul style="list-style-type: none">• An alcohol licence is specific to the licensee and the premises. If the licensee moves their business to other premises they are required to apply for a new licence for the new premises.• A licensed premises that changes ownership but continues to hold a licence is not considered to be a new licence.• A change of licence type is considered an application for a new licence.
Off-licence	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.
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 (pursuant to the definition in the Act); 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.

On-licence	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.
Place of worship	Includes any church, mosque or other facility designed primarily for worship and related religious activities.
Policy	Refers to the Matamata-Piako District Council Local Alcohol Policy 2023 (this document).
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.
Prohibited Persons	Persons to whom alcohol cannot be served including minors and intoxicated persons and in the case of Clubs any person who is not an Authorised Customer or Member.
Proposed Premises	Means the property to which the licence application refers.
Public Park	Means any park, reserve, playground or similar public place maintained by Council for recreation purposes.
Remote Sale	In relation to alcohol, means a sale pursuant to a contract that: a) has been entered into (using the Internet, by telephone or mail order, or in any other way) between: i. a seller who holds an off-licence; and ii. a person (whether the buyer or a person acting on the buyer's behalf) who is at a distance from the premises where the seller entered into the contract; and b) contains a term providing for the alcohol to be delivered to the buyer (or to a person or place nominated by the buyer) by or on behalf of the seller.
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 and any Kura Kaupapa.
Sell	Sell, in relation to alcohol, includes:

	<p>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</p> <p>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.</p>
Sensitive Site	Means Public Parks and Reserves, Education Facilities, Places of Worship, Playgrounds, Libraries, and Marae.
Special licence	<p>Can be granted for events or occasions on premises that are unlicensed or premises that would be outside their normal licence conditions and may be:</p> <ul style="list-style-type: none"> • On-site where the licensee can sell or supply alcohol, for consumption there, to people attending an event described in it. • Off site where the licensee can sell the licensee's alcohol, for consumption somewhere else, to people attending an event described in it.
Supermarket	Means premises with a floor area of at least 1,000 m ² (including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items).
Supervised area	<p>a) means an area that 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 unless accompanied by a parent or guardian; and</p> <p>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 unless accompanied by a parent or guardian.</p>
Tavern	<p>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</p> <p>b) does not include an airport bar.</p>
The Act	Means the Sale and Supply of Alcohol Act 2012 (including any subsequent amendments).