Kaikōura District Council

LOCAL ALCOHOL POLICY 2026

Sale and Supply of Alcohol Act 2012

Approved by:	Executive
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BACKGROUND

The Sale and Supply of Alcohol Act 2012 establishes the framework within which a Local Alcohol Policy (LAP) may operate. Under section 77, a LAP may address:

- Location of licensed premises (by area, proximity to specific premises, or proximity to key facilities)
- Restrictions on new licences in all or part of the district
- Maximum trading hours
- Discretionary licence conditions
- One-way door policies

A LAP may also apply conditions to groups of licences and has legal standing once adopted.

When preparing a draft LAP, councils must consult Police, Licensing Inspectors, and Medical Officers of Health, and must consider:

- district plan objectives
- existing licence numbers, locations, and hours
- alcohol-ban areas
- resident and visitor demographics
- district health indicators
- the nature and severity of alcohol-related harm

The wider community must then be consulted through the Local Government Act's special consultative procedure.

The Act's purpose is to ensure alcohol is sold, supplied, and consumed safely and responsibly, and to minimise alcohol-related harm. Harm is defined broadly to include crime, injury, illness, disorder, and wider social impacts. These outcomes are equally important and not a balancing exercise.

Kaikōura's LAP has been developed collaboratively with key agencies and the community to provide a clear, consistent framework for managing alcohol within the district.

This policy must be considered by the District Licensing Committee and the Alcohol Regulatory and Licensing Authority when determining licence applications within the district.

Existing licences will continue under their current conditions until they are renewed. The provisions of this LAP apply to new licence applications and to renewals from the date the policy comes into force, in accordance with the Sale and Supply of Alcohol Act 2012.

Council recognises that the proximity of licensed premises to sensitive community facilities may be relevant to alcohol-related harm. This policy therefore requires the District Licensing Committee to have regard to the location of sensitive sites when considering licence applications.

POLICY OBJECTIVES

The LAP is intended to support Kaikōura as a safe and vibrant place to live, work, play, and visit. The broader community outcomes the policy seeks to achieve are:

- Promote community safety
- Reflect the district's character
- Minimise alcohol-related harm across all areas
- Ensure responsible sale, supply, and consumption of alcohol

The more specific policy intentions that support those outcomes are:

- Regulate operating hours for on-, off-, and club licences
- Ensure licensed premises take steps to minimise harm
- Provide clear guidance to the District Licensing Committee
- Support consistent, transparent local decision-making in line with the Act

Together, these objectives ensure the LAP is robust, workable, and aligned with the Act's purpose, giving both applicants and the community clarity about how alcohol will be managed within Kaikōura District.

DEFINITIONS

The following definitions are defined in Section 5 of the Act, and apply to this policy;

- **alcohol** means a substance -
  - (a) that -
    - (i) contains a fermented, distilled or spirituous liquor; and
    - (ii) at 20°C is found on analysis to 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 related harm** -
  - (a) means the harm causes by the excessive or inappropriate consumption of alcohol; this includes:
    - (i) 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;
    - (ii) any harm to society generally or the community, directly or indirectly caused, 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 a new licence or

renewal, means to 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 or agreeable.

- **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** means retail premises where at least 85% of the annual sales revenue is expected to be earned from the sale of alcohol for consumption somewhere else (see section 32) (1).
- **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.
- **grocery store** means a shop that-
  (a) has the characteristics normally associated with shops of the kind commonly thought of as grocery shops; and
  (b) comprises premises where-
    (i) a range of food products and other household items is sold; but
    (ii) the principal business carried on is or will be the sale of food products (see section 33) (1).
- **hotel** means premises used or intended to be used during business principally for providing to the public-
  (a) lodging; and
  (b) alcohol, meals, and refreshments for consumption on the premises.
- **intoxicated** means observably affected by alcohol, other drugs or other substances (or a combination of 2 or all those things) to such a degree that 2 or more of the following are evident;
  (a) appearance is affected;
  (b) behaviour is impaired;
  (c) co-ordination is impaired;
  (d) speech is impaired.
- **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.
- **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 during business principally for supplying meals to the public for eating on the premises.

- **restricted 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; 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
- **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.
- **social service provider** means an organisation whose primary purpose is to provide support, protection, treatment, rehabilitation, or assistance to vulnerable or at-risk individuals, families, or whānau, including addiction services, family violence services, emergency housing services, mental health services, and youth support services
- **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^2 including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items (see (section 32)(1)).
- **tavern** means premises used or intended to be used during business principally for providing alcohol and other refreshments to the public; but does not include an airport bar.

POLICY

POLICY 1: MAXIMUM PERMITTED TRADING HOURS

Note:

Applicants may apply for trading times within or up to the maximum permitted trading hours. Granting of trading hours shall be at the discretion of the licensing committee or Authority and may not necessarily be the full or maximum trading hours outlined in this section.

POLICY 1.1 On licences

On-licenced premises are where alcohol is sold and consumed on site (e.g. a restaurant, a tavern, a hotel).

(a) The maximum permitted trading hours in the Kaikōura district for all on-licenced businesses [except hotels and taverns covered by (b)] shall be **Monday to Sunday from 8.00am to 2.00am (the following day).**

(b) The maximum permitted trading hours in the Kaikōura district for all on-licenced taverns and hotels shall be **Monday to Sunday from 8.00am to 2.00am (the following day)**

(c) The following hours apply to hotel in bedroom mini bars sales: **Monday to Sunday 24 hours a day**

POLICY 1.2 Off-licences

Off-licensed premises are where alcohol is purchased to be consumed off site, and include bottle stores, supermarkets, grocery stores and remote sellers.

(a) The maximum permitted trading hours in the Kaikōura district for-all off-licensed premises shall be **Monday to Sunday from 8.00am to 10.00pm**

POLICY 1.3 Club licences

(a) The maximum permitted trading hours in the Kaikōura district for all clubs, reflecting the principal nature or activity of the club, shall be:

- **Sunday to Thursday from 8.00am to 10.00pm**
- **Friday and Saturday from 8.00am to 12.00 midnight**

POLICY 2: SPECIAL LICENCES

On-site special licences authorise and control the sale and supply of alcohol for events (such as a wine and food festival) where a premise is not licenced, and alcohol is sold and supplied to those attending for consumption on the premises. An application for an on-site special licence may be made for events (such as a wedding reception or school reunion) where a permanent on, off or club licence is not appropriate.

Off-site special licences authorise and control the sale of alcohol for events (such as wine and food and beer festivals) where a premise is unlicensed and the licensee's alcohol is sold for consumption somewhere else off the premises.

(Refer to section 22 of the Act)

POLICY 2.1 On-site and off-site special licences can cover an event or series of related events for a maximum of six events. A maximum of 26 on-site and off-site special licenses or on-site and off-site special licences covering 26 events (whichever is the lesser) will be issued per year (1 July to 30 June) per premises.

POLICY 2.2 Where the premise already holds an on-license, the conditions of an on-site special license will specify a closing time no more than two hours later than permitted by the current on-license.

POLICY 2.3 The District Licensing Committee may require an Alcohol Management Plan as part of any special licence application where, having regard to the nature, scale, location, duration, operating characteristics, past compliance history, or other relevant factors, the event is considered to present an elevated risk of alcohol-related harm.

Where required, an Alcohol Management Plan should identify matters relevant to the event, including:
event management arrangements;
- host responsibility measures;
- intoxication management procedures;
- security and crowd management arrangements, where appropriate;
- transport arrangements;
- procedures for preventing under-age drinking; and
- any other matters considered necessary by the District Licensing Committee.

The District Licensing Committee may impose event-specific conditions where necessary to minimise alcohol-related harm, having regard to the nature, scale, location, operation, and risk profile of the event.

POLICY 3: DISCRETIONARY CONDITIONS

The Sale and Supply of Alcohol Act 2012, allows District Licencing Committees to apply discretionary conditions on all licences issued such as:

POLICY 3.1 Supervised designation of bottle stores to ensure unaccompanied minors do not enter bottle stores.

POLICY 3.2 Display of safe drinking messages, material and signage to be clearly displayed at all points of sale, including food availability, transport options and identification options.

POLICY 3.3 A one-way door restriction may be imposed as a condition of any new or renewal on-licence for any hotel or tavern from 12.00 midnight.

POLICY 3.4 Conditions may be applied to licences in a graduated manner that would promote the object of the Act and could include (but not limited to) restrictions on type or quantity of alcohol sold as well as mechanisms that support harm minimisation, e.g. CCTV.

POLICY 3.5 A requirement for two Duty Managers to be on-site may be imposed as a condition of any new or renewal on licence for any hotel or tavern.

POLICY 3.6 For any new or renewal of a club licence, a condition may be imposed to

have a manager on-site where the District Licencing Committee consider it to be appropriate.

POLICY 4: LOCATION AND PROXIMITY TO SENSITIVE SITES

POLICY 4.1 When considering applications for new licences, renewals, relocations, or variations, the District Licensing Committee should have particular regard to the proximity of the proposed premises to sensitive sites, including:

- a school, including a kura kaupapa Māori;
- a licensed early childhood education facility, including a kōhanga reo;
- a marae;
- a church or other place of regular worship;
- an alcohol and drug treatment facility; and
- a social service provider delivering services to vulnerable persons.

POLICY 4.2 In assessing the relevance of a sensitive site, the District Licensing Committee may have regard to:

- the nature and scale of the proposed licensed activity;
- the nature of the sensitive site and the activities undertaken there
- the distance between the premises and the sensitive site
- pedestrian access and visibility between the premises and the sensitive site
- the hours of operation of both the premises and the sensitive site;
- the views of affected persons and agencies
- evidence relating to alcohol-related harm; and
- any other matters relevant to the object of the Act.

POLICY 4.3 Where the District Licensing Committee identifies concerns arising from the proximity of a licensed premises to a sensitive site, the Committee may impose conditions on the licence that it considers appropriate to minimise alcohol-related harm and promote the object of the Act.

POLICY 5: ADOPTION OF THE POLICY

POLICY 5.1 The Kaikōura District Local Alcohol Policy (LAP) was formally adopted by the Kaikōura District Council on 25 November 2026, and that the said Council shall resolve that the Policy will come into force, with legal standing on 27 November 2026.

POLICY 5.2 The Sale and Supply of Alcohol Act 2012 requires the LAP must be reviewed every 6 years via the special consultative process, although Council may choose to review it sooner, including to reflect legislative change.

Chief Executive Officer
Kaikōura District Council

Mayor
Kaikōura District Council