

LOCAL ALCOHOL POLICY 2025

Date adopted by Council:	29 May 2025
Date considered by Committee:	15 May 2025
Minute Reference:	2025/9
Previous Policy Reference(s):	Local Alcohol Policy 2017
Statutory Requirement:	Sale and Supply of Alcohol 2012
Business Unit/Author:	Policy and Planning Regulatory Services
Next Review Date:	Every 6 years or as required. This Policy does not cease to have effect because it is due for review or being reviewed.

1. INTRODUCTION

This local alcohol policy (the LAP) provides guidance to the Council's district licensing committee (the DLC) when deciding whether to issue a licence to sell and/or supply alcohol. This policy is an important tool to assist the DLC and the Alcohol Regulatory Licensing Authority (the licensing authority) in making decisions that are appropriate for Porirua and achieving the object of the Sale and Supply of Alcohol Act 2012 (the Act).

2. PURPOSE

The purpose of the LAP is to:

- promote the safe and responsible sale, supply and consumption of alcohol by putting in place a system of control that is applicable to the Porirua region;
- reflect the views of our communities regarding the appropriate location, total number of premises, trading hours and conditions that apply to licensed premises;
- provide certainty and clarity for applicants and the public as to whether a proposed licence application meets the criteria in the LAP; and
- provide instruction to the DLC and the Alcohol Regulatory and Licensing Authority, which they must have regard to when making decisions on all licensing matters for each district.

3. POLICY OBJECTIVES

The objectives of the LAP are to:

- reflect the views of local communities as to the appropriate location, hours and conditions that should apply to licensed premises within their communities
- reduce alcohol-related harm in Porirua City
- prioritise harm reduction for the communities more susceptible to alcohol related harm
- provide effective guidance and allow flexibility for the decisions of the District Licensing Committee and the licensing authority.

4. SCOPE OF POLICY

A local alcohol policy may only address the following licensing matters:

- a) Location of licensed premises by reference to broad areas (e.g. priority areas);
- b) Location of licensed premises by reference to proximity to premises of a particular kind(s) (e.g. schools);
- c) Location of licensed premises by reference to proximity to facilities of a particular kind(s) (e.g. alcohol treatment facilities);
- d) Whether further licenses should be issued for premises in the district concerned or any stated part of the district;
- e) Maximum trading hours;
- f) Issuance of licenses subject to discretionary conditions; and
- g) One-way door restrictions.

This LAP has been developed to set alcohol licensing criteria considered appropriate for when, where, and how alcohol is sold throughout Porirua City, with a particular focus on areas of the city that show higher instances of alcohol-related harm.

The LAP applies to all applications for alcohol licences, including renewals of licences issued under previous versions of the LAP, from the date the LAP comes into force.

Pursuant to section 108 of the Act, a licence may be refused if, in the opinion of the DLC, the issue of the licence, or the consequences of the issue of the licence would be inconsistent with this LAP.

Pursuant to section 133 of the Act, the DLC or the licensing authority may—

- a) decline to renew a licence if it considers that renewing the licence would be inconsistent with any policy set out in the relevant local alcohol policy relating to a matter specified in section 77(1)(a) to (d);
- b) impose conditions on any licence it renews if it considers that the renewal of the licence, or the consequences of the renewal of the licence, without those conditions would be inconsistent with the relevant local alcohol policy.

When the LAP has been adopted, any conditions in the LAP that relate to a modification of existing maximum trading hours, or a modification of a one-way door restriction, cannot come into force straight away. The date to bring that part of the LAP into force may be stated by resolution, but it cannot be a date that is earlier than the day that is three months after the day that public notice of the LAP is given. The rest of the LAP or amendments may be brought into effect on any day stated by resolution.

There are four types of licences:

Off licence (including remote licences)	Licensed for the sale of alcohol from the premises for consumption elsewhere, including off-site special licenses which allow for the sale and supply of alcohol for consumption elsewhere on the premise, for example, bottle stores and supermarkets. Remote off licences are able to deliver alcohol off site to customers.
On licence	Licensed for the sale and supply of alcohol for consumption on the premises, for example bars, restaurants and taverns.

Club licence	Licensed for the sale and supply of alcohol to customers who are members, invited guests or visitors to the club concerned, for example, RSAs and sports clubs
Special licence	Licences for one-off events. Applications are assessed case by case

5. STATUTORY FRAMEWORK

The Sale and Supply of Alcohol Act 2012 (the Act) establishes a system of control over the sale and supply of alcohol to achieve the objectives of the Act.

The objectives of the Act are:

- To encourage the safe and responsible sale, supply and consumption of alcohol; and
- To minimise the harm caused by the excessive or inappropriate consumption of alcohol.

Section 75 of the Act allows Councils to have a local alcohol policy relating to the sale, supply, and/or consumption of alcohol within its district. The contents, development, adoption and review of that policy must comply with the provisions of part 2, subpart 2 of the Act.

The local alcohol policy must be consistent with the general law of New Zealand and the Council's District Plan.

The Council must not produce a draft local alcohol policy without having consulted the NZ Police, the Medical Officer of Health and the public.

6. POLICY COMMENCEMENT

The LAP comes into force on 18 July 2025 as specified in resolution 2025/9 (passed on 29 May 2025) of the Porirua City Council, and as publicly notified on 3 June 2025, in accordance with section 90 of the Act. This includes clauses 7.1, 7.2, 7.4, 7.5.

Clause 7.3 comes into force on 5 January 2026 as specified in resolution 2025/9 (passed on 29 May 2025) of the Porirua City Council, and as publicly notified on 3 June 2025, in accordance with section 90 of the Act.

7. POLICY CONTENT

Section 77(1)(d) of the Act provides that a LAP can include policies on whether further licenses (or licenses of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district.

To manage licences in areas that are vulnerable to alcohol harm the Council has created priority areas. Priority areas will have specific restrictions to manage the number of off-licences within their areas.

7.1 Priority areas

Priority areas are suburbs within Porirua City that have been selected based on having higher risk factors and instances of alcohol-related harm. The LAP provides specific conditions that can be applied to these areas to manage the supply of alcohol more tightly. Priority areas have been identified by a criteria that considers evidence that the suburbs score¹ highly in two or more of the following risk factors:

¹ The scoring is based on:

- 1 point for 100 or more victimisations per 1000 residents
- 1 point for deprivation level 8-10
- 1 point for 10 or more licences per area.

1. High density of alcohol licences
2. Suburbs (identified by the SA2 suburbs) with socioeconomic deprivation levels between 8-10²
3. Evidence of high rates of victimisations from police data (meaning higher than the rest of the city)³.

The priority areas in the LAP are:

- a) Porirua Central
- b) Titahi Bay
- c) Porirua East⁴
- d) Elsdon-Takapuwāhia

Maps are provided in Appendix 1.

7.2 Freeze on new off-licences in priority areas with rebuttable presumption

From the date this LAP comes into force, there is a presumption that new off-licenses will not be issued for any premises in a priority area.

This presumption can be rebutted, where information can be provided that supports the grant of a new off-licence within a priority area.

For the purpose of this clause, an application for a new off-licence does not include:

- a) An application for a premises that has traded pursuant to a licence of the same kind within the previous six months.
- b) An application by an applicant who has held a licence of the same kind for a different premises who is moving to a new premises within the same priority area.

The need for a freeze on new off-licences within the priority areas will be assessed at the next review date. The next review date will be in a maximum of 6 years' time or earlier if the Council considers it necessary.

The effect of the rebuttable presumption

The effect of the rebuttable presumption is that applications for new off-licences within the priority areas should generally be refused, unless the DLC or ARLA is satisfied – on the information made available as part of an application - that the applicant has rebutted the presumption.

Any application for a new off-licence within a priority area will be assessed on a case-by-case basis. In seeking the approval of a new off-licence that is contrary to the presumption in policy 7.2, an Applicant will need to provide evidence and information that explains why a grant of off-licence is appropriate. That could include information and evidence about:

- the economic opportunities, and need for a new off-licence within the area;
- the intended approach to operation, including the hours of operation and management;
- the extent of alcohol related harm within the priority area; and

² <https://www.ehinz.ac.nz/indicators/population-vulnerability/socioeconomic-deprivation-profile/>

³ <https://www.police.govt.nz/about-us/publications-statistics/data-and-statistics/policedatanz/victimisation-time-and-place>

⁴ Porirua East includes the SA2 boundaries Mungavin, Cannons Creek North and Cannons Creek South, and includes the Mungavin and Cannons Creek shops. It also includes the Waitangirua area as requested and resolved by committee members at the Puna Korero meeting on 15 May 2025 and the Council meeting of 29 May 2025.

- measures to mitigate any alcohol related harm and associated exposure for the local community.

In making decisions on applications for new off-licences within any priority area the DLC must consider the criteria in section 105 and the matters in section 106 of the Act. Under section 207 of the Act the DLC can also receive as evidence any statement, document, information, or matter that in its opinion may assist it with determining any application.

7.3 Maximum trading hours

The table below lists maximum trading hours for new and existing licences. The hours apply to all licences city-wide.

Licence types	Hours of trade
Off licence	9am-9pm
Remote off-licences City wide including priority areas	Purchases can be made any time of the day. Deliveries must be made within the hours of 6am to 11pm (see section 59(1) of the Act, and the restrictions on delivery in section 48 of the Act). (This does not include the delivery of stock/supply to the licensed venue).
On licence⁵ and Club licence On-licence hotel RSA Club licences	8am to 2am the following day. At any time on any day to guests in hotel rooms. 8am to 2am the following day, except 4am to 1pm on ANZAC Day.
Special licences	At any time on any day – applications assessed on merits.

7.4 Proximity to sensitive sites

In this LAP, sensitive sites are sites where the target users have been identified as being more vulnerable to alcohol harm than the general public as a result of direct exposure to premises that sell or supply alcohol.

Sensitive sites in Porirua are exclusively:

- A school as defined by section 2 of the Education Act 1989,
- Premises that are registered with the Alcohol and Drug Association of New Zealand as the location of a drug and/or alcohol treatment service provider.

Except for supermarkets, no new licences may be granted where the proposed licence is in close proximity (100 metre radius) to a sensitive site; unless:

- the users of the sensitive site are unlikely to be directly exposed to the sale or supply of alcohol and its related activities; or
- any exposure can be mitigated by the applicant to a minor or less than minor exposure.

⁵ Includes Bring Your Own (BYO) restaurants (endorsed under section 37 of the Act) and Caterers (endorsed under section 38 of the Act).

Applicant impact assessments

Every application (including renewals) for a new on, off or club licence, or to vary an existing licence in close proximity (100 metre radius) to a sensitive site, will require an impact assessment. The impact assessment will be used to determine the extent that the users of the sensitive site are likely to be exposed to alcohol promotion, consumption and consumers from the proposed licenced premises. The assessment must address the impact of that exposure and any proposed mitigation of the exposure. An impact assessment template will be provided via the Council website.

7.5 Discretionary conditions

Discretionary conditions may be applied to a licence to mitigate an identified or potential harm. In using its discretion to apply conditions, the DLC and the licensing authority must apply the test under section 117 of the Act which directs that a discretionary condition must be reasonable and not inconsistent with the Act. When considering the imposition of discretionary conditions the DLC and licensing authority will be guided by the following principles:

- **connection** – whether there is a connection between an identified foreseeable harm to be addressed and the proposed licensing activity
- **impact** – whether there is evidence to support that the proposed condition will help make the drinking environment safer and minimise harm
- **reasonableness** – whether it is within the capabilities of the applicant or licensee to satisfy this condition. Any condition must be a proportionate response to an expressly identified harm or potential harm. When undertaking this assessment, the DLC must consider what the condition seeks to address, what the benefit will be, then weigh the risk/benefit against all relevant circumstances.

Licence type	Potential conditions that can be included at discretion of the DLC
Off-licences	<ul style="list-style-type: none">• All bottle stores must have supervised designation (minors must be accompanied).• Alcohol product advertising is limited to less than 50% of the total shop front area.• No external alcohol product advertising or other advertising other than the business name and signage.• Requiring the licensee to ensure litter (such as but not limited to vomit and alcohol-related rubbish) is removed from any areas the licensee has outside the licensed premises (including any car parks, external walkways and landscaping).• Restriction on the use of buy now pay later options (e.g. “Laybuy®” or “Afterpay®”) in bottle stores.• No single sales of beer, mead, wine, cider, ready to drink products, and alcohol higher than 6% strength (ABV), in containers less than 330mls. This restriction does not apply to any alcohol product designed to be sold individually, and not as part of a multipack. (A multipack is a pack of more than 1 of the same alcohol product, packed together in a container or carton for the purpose of selling the pack as one item.• Mandatory age checks upon the purchase and delivery of alcohol to ensure customers are of legal age to purchase alcohol.
On-licences	<ul style="list-style-type: none">• Restriction on the use of outdoor areas after 10pm outside the City Centre.

	<ul style="list-style-type: none"> • Restriction of loudspeaker, amplifier, relay or other audio equipment after 10 pm outside the City Centre. • Provision of effective exterior lighting. • Provision of additional security (staff) after 11pm. • The installation and operation of CCTV cameras on the exterior of, and within premises. • No serving in glass containers at specified times. • Requiring the licensee to ensure litter (this includes, but is not limited to, vomit and alcohol-related rubbish) is removed from any areas the licensee has outside the licensed premises (including any carparks, external walkways and landscaping). • One-way door restriction. • Patron number to security personnel ratio. • Patron number to bar manager ratio. • Provision of transport for patrons.
Club licences	<ul style="list-style-type: none"> • Restriction on the use of outdoor areas after 10pm outside the City Centre. • Restriction of loudspeaker, amplifier, relay or other audio equipment after 10 pm outside the City Centre. • Provision of effective exterior lighting. • Provision of additional security (staff) after 11pm. • The installation and operation of CCTV cameras on the exterior of, and within premises. • No serving in glass containers at specified times. • Requiring the licensee to ensure litter (such as but not limited to vomit and alcohol-related rubbish) is removed from any areas the licensee has outside the licensed premises (including any carparks, external walkways and landscaping). • One-way door restriction. • Patron number to security personnel ratio. • Patron number to bar manager ratio. • Provision of transport for patrons. • Certified manager to be on site after 9pm. • All nominated responsible persons should have ServeWise training. (a free online programme).⁶
Special licences	<p>The following special licence discretionary conditions should be considered for both on-site and off-site special licences:</p> <ul style="list-style-type: none"> • Number of 'nominated persons' or certified Duty Managers to be present. • Specify locations for Managers to be present (e.g. at point of sale, anywhere else on site that their presence would be beneficial). • Limit on number of drinks to be sold in one transaction. • Drink containers to be opened at point of sale. • No high-alcohol doubles or shots to be sold.

⁶ <https://servewise.alcohol.org.nz/login/index.php>

	<ul style="list-style-type: none"> • Specify security staff number required and their location. • Patron number to security ratio. • Specify event staff to wear high visibility clothing. • Specify containers alcohol may be sold in. • Condition to ensure the police reserve rights to require earlier cessation of licence hours by request to the licensee and reduce number of sales or/and slowing of service. • Limits on promotion of alcohol. • Require one-way door restriction. • Noise limits from an event. • Lighting requirements. • Consideration of having a specific 'licensed area' within an overall 'event area'. This is intended to help restrict movement of patrons with alcohol inside the event and make it easier for event staff, police and alcohol licensing inspectors to monitor an event.
--	---

8. POLICY MONITORING AND REVIEW

Decisions by the DLC that are inconsistent with this LAP will be monitored by the Secretary for the DLC and reported annually to the Council.

Monitoring of compliance by licensees with the maximum licence hours and licence conditions is the responsibility of the Council's Licensing Inspectorate and the NZ Police.

A monitoring framework will be developed to monitor the impact of the LAP. A three-yearly monitoring report/activity will be conducted and will include:

- Application of the policies included in the LAP by the DLC
- Alcohol harm statistics for Porirua
- Economic contribution of alcohol industry to the local Porirua economy
- Community participation in alcohol licensing
- Community feedback (including licensees) through a public survey whether there is a need to adjust or amend the LAP earlier than the 6 year review period.

9. APPEAL/ COMPLIANCE PROCESS

Appeals on the decisions of the DLC are made to the licensing authority in accordance with the Act. A subsequent right of appeal to the High Court exists under the Act.

10. DEFINITIONS

Act, the	means the Sale and Supply of Alcohol Act 2012.
Alcohol-related harm	<p>means the harm caused by the excessive or inappropriate consumption of alcohol; and includes—</p> <ul style="list-style-type: none"> (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 directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in subparagraph (i).
Alcohol Regulatory and Licensing Authority (ARLA)	is the licensing authority and national body that hears appeals from district licensing committee decisions and appeals of LAPs.
Amendment Act, the	means the Sale and Supply of Alcohol (Community Participation) Act 2023.
Bottle store	means off-licensed premises being retail premises where (in the opinion of the licensing authority or licensing committee concerned) at least 85% of the annual sales revenue is expected to be earned from the sale of alcohol.
Close proximity	within 100 metres in a straight line from boundary to boundary.
Club	<p>means a body that</p> <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 a permanent club charter (refer section 5 of the Act).
Club-RSA	means a club licence where the club is a member of the Royal New Zealand Returned & Services Association.
District Licensing Committee (DLC)	means the District Licensing Committee at Porirua. The DLC members are appointed by the Council but it acts independently of Council.
District Plan	means the Operative Porirua City District Plan.
Harm, alcohol related	has the same meaning as contained in section 5 of the Act.

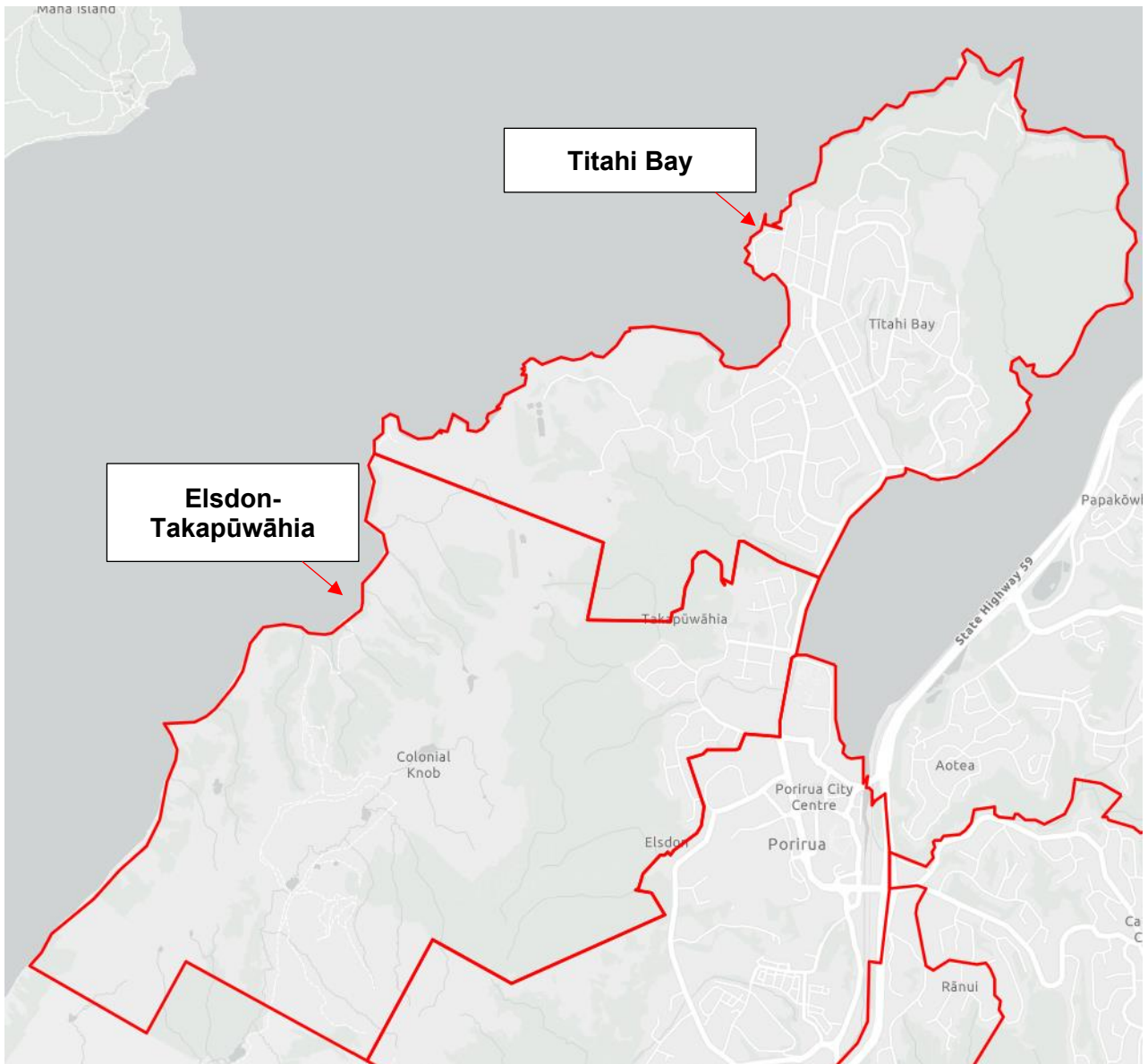
Hotel	means premises used or intended to be used in the course of business principally for providing to the public: (a) lodging; and (b) alcohol, meals, and refreshments for consumption on the premises (refer section 5 of the Act).
LGA, the	The Local Government Act 2002.
Maximum trading hours	means the maximum trading hours for the purpose of section 45 of the Sale and Supply of Alcohol Act 2012.
Off licence	means a licence for premises where the licensee can sell alcohol for consumption somewhere else.
Off-remote	means an off-licence to conduct remote sales under the Act. 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 (iii) 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.
On licence	means a licence for premises where the licensee can sell alcohol for consumption on the premises or can let people consume alcohol on the premises. For the avoidance of doubt, on-licences includes club licences per section 21 of the Act.
On-conveyance	means an on-licence for a vehicle (e.g. bus tours, ferries, trains).
One-way door restriction	means, in relation to a licence, a requirement that, during the hours stated in the restriction: (a) no person is to be admitted (or re-admitted) into the premises unless he or she is an exempt person; and (b) no person who has been admitted (or re-admitted) into the premises while the restriction applies to the licence is to be sold or supplied with alcohol (refer section 5 of the Act).
On-hotel	means an on-licence for a hotel and relates to sales to lodgers only.
Opposed application	means an application where:

	<ul style="list-style-type: none"> • a report has been filed in opposition by the Medical Officer of Health, Police or Council Alcohol Inspector; or • an objection has been filed by a person with a greater interest than the public generally.
Priority Areas	means the areas/suburbs identified in clause 7.1.
Special licence	means a licence granted for an event or series of events and can be for either on-site consumption or off-site consumption. A full definition is contained in section 22 of the Act.

APPENDIX 1: MAPS

Priority Areas

Elsdon-Takapūwāhia and Titahi Bay

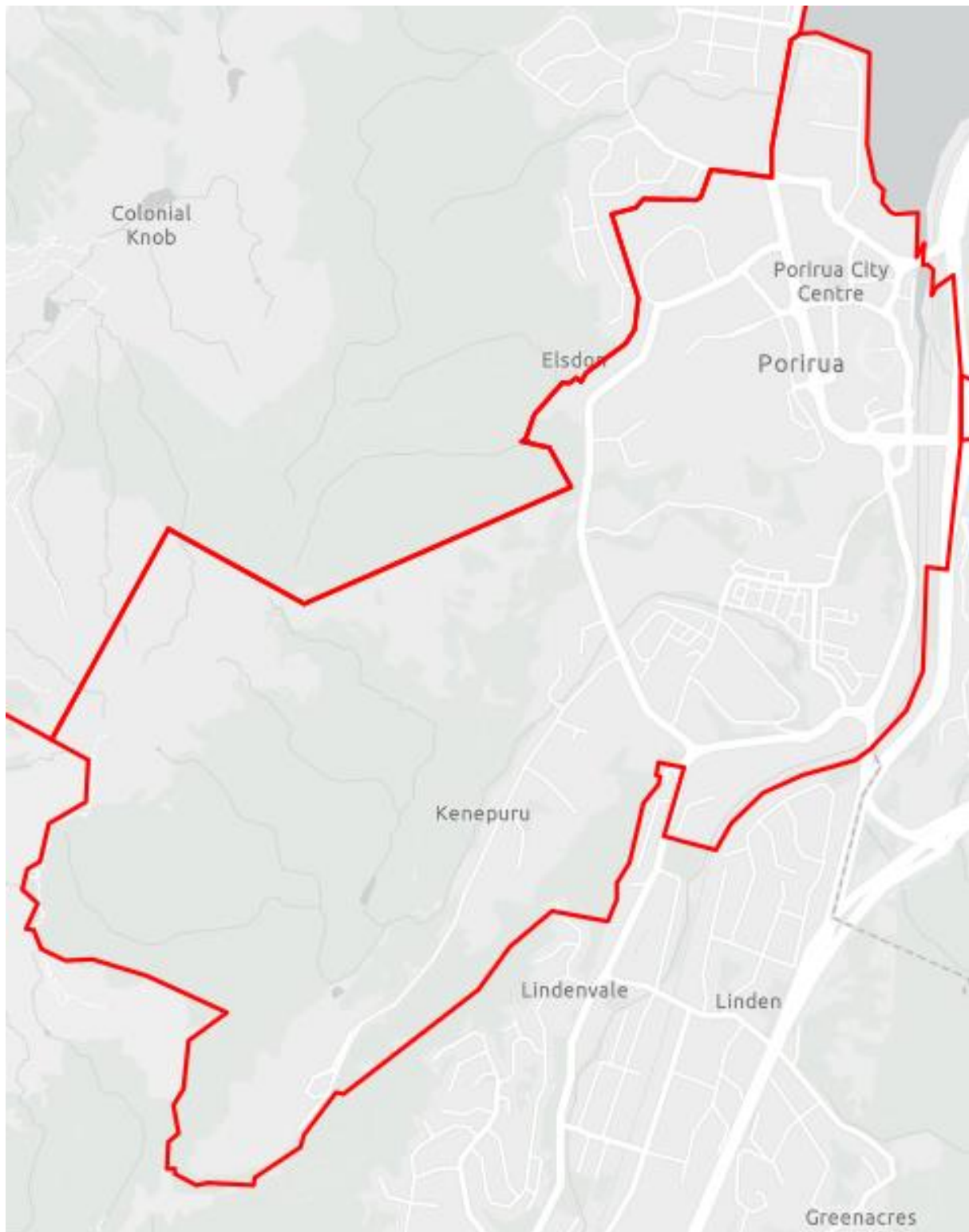


The Titahi Bay area includes the Statistical Area 2 boundaries 2025⁷ (SA boundary) for Titahi Bay North, Titahi Bay South and Onepoto.

The Takapūwāhia – Elsdon area includes the SA boundary for Elsdon Takapūwāhia.

⁷ [Statistical Area 2 2025 | Stats NZ Geographic Data Service](#)

Porirua Central



Porirua Central includes the SA boundaries for Porirua Central.

Porirua East



Porirua East includes the SA boundaries: Waitangirua Tairangi, Waitangirua Corinna, Cannons Creek East, Cannons Creek South, Cannons Creek North and Porirua East.