

**NAME OF APPLICANT:** \_\_\_\_\_

**1. Every application for a variation or cancellation of conditions shall be accompanied by the following:**

- (a) The original and two photocopies of the completed application.

**2. Prescribed Fee**

The fee for an application of variation or cancellation of conditions is the same as an application for fee.

The prescribed fee is depending on the type of Licensed premise you have under the risk matrix fee model. Below is a guide for proposed fee:

Type of licence premise	Category example	Fee including GST
On Licence Class 1 Restaurant, Night Club, Tavern premise with licence hours no later than 2 am the following day and no enforcement in last 18 months	Medium fee category of 15	<b>\$816.50</b>
On Licence Class 2 Restaurant, Hotel or function centre with licence hours no later than 2 am the following day and no enforcements in last 18 months	Medium fee category of 10	<b>\$816.50</b>
On Licence Class 3 Restaurant, other premises no other specified	Low fee category of 5	<b>\$609.50</b>
On Licence BYO Restaurant, theatres, cinemas, winery cellar doors	Very low category of 2	<b>\$368.00</b>
On Licence – closing licence hours between 2.01m and 3 am	Add extra 5 (3+15 = 18) category High	<b>\$1023.50</b>
On Licence – closing licence hours after 3 am	Add extra 5 (5+15 = 20) category High	<b>\$1023.50</b>
Off Licence – supermarket, grocery store, bottle store	Medium fee category of 15	<b>\$816.50</b>
Off Licence – closing licence hours anytime after 10 pm	Add extra 3 (15+3 =18) High category	<b>\$1023.50</b>
Off Licence – Hotel, Tavern	Medium fee category of 10	<b>\$816.50</b>
Off Licence – winery cellar doors	Very low category of 2	<b>\$368.00</b>
Club Licence – Class 1	Medium fee category of 10	<b>\$816.50</b>
Club Licence Class 2	Low fee category of 5	<b>\$609.50</b>
Club Licence – Class 3	Very low category of 2	<b>\$368.00</b>

**NOTE:** the prescribed fee will increase if you have 1 or 2 enforcements against your licence in last 18 months. An additional weighting score of 10 for 1 enforcement or a score of 20 for 2 enforcements in last 18 months.

**Definitions:**

**class 1 restaurant** means a restaurant that has or applies for an on-licence and—

- (a) has, in the opinion of the territorial authority, a significant separate bar area; and
- (b) in the opinion of the territorial authority, operates that bar area, at least 1 night a week, in the manner of a tavern

**class 2 restaurant** means a restaurant that has or applies for an on-licence and—

- (a) has, in the opinion of the territorial authority, a separate bar; and
- (b) in the opinion of the territorial authority, does not operate that bar area in the manner of a tavern at any time

**class 3 restaurant** means a restaurant that has or applies for an on-licence and that, in the opinion of the territorial authority, only serves alcohol to the table and does not have a separate bar area

**enforcement holding** means a holding as defined in [section 288](#) of the Act, or an offence under the [Sale of Liquor Act 1989](#) for which a holding could have been made if the conduct had occurred after 18 December 2013. The weightings relating to the number of enforcement holdings in last 18 months (applied to all types of premises)

## 2. Advertising the Application

After filing the application for variation or cancellation of conditions of a licence, the applicant shall give public notice in the Whakatane Beacon of the application within 20 working days. A second public notice in the same newspaper is to be given between 5 and 10 days after the first public notice.

# Application for Variation or Cancellation of Conditions of Licence

Sections 280 and 283, Sale and Supply of Alcohol Act 2012

## Form 14

To: The Secretary  
District Licensing Committee  
Whakatane District Council  
Private Bag 1002  
WHAKATANE 3120

Application for the variation or cancellation of the conditions of a licence is made in accordance with the details set out below.

DETAILS OF LICENSEE			
Full legal name: ( <i>Mr, Mrs, Ms, Miss</i> )			
Street Address:			
Postal address: <i>if different from street address</i>			
Daytime contact name:		Phone number:	

DETAILS OF LICENCE			
Type of Licence ( <i>tick appropriate box</i> )	<input type="checkbox"/> On	<input type="checkbox"/> Off	<input type="checkbox"/> Club
Licence Number:		Date of expiry:	

DETAILS OF PREMISES [ <i>To be included only where the licence applies to any premises that are not a conveyance</i> ]	
Address of premises:	
Trading or other name (if any): state	

DETAILS OF COVENYANCE [ <i>to be included only where the licence applies to any conveyance</i> ]	
Type of conveyance: state	
Address of home base (if any): state	
Trading or other name (if any) state	

<b>CONDITIONS [to be filled in for each condition to which the application relates]</b>	
Terms of condition at present: (state)	
Action sought: (tick appropriate box)	<input type="checkbox"/> Variation <input type="checkbox"/> Cancellation
If variation, in what respect does the applicant seek to vary the condition? (state).	
Full reasons for variation or cancellation: (state)	

Dated at Whakatāne this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_

Signature of applicant

### Notes

- 1 This application must be accompanied by the prescribed fee.
- 2 Within 20 working days after filing this application with the District Licensing Committee, the applicant must give public notice of the application in form 7. The notice must be given in compliance with regulation 37 or 38 of the Sale and Supply Alcohol Regulations 2013 as if this application for variation were an application for the renewal of a licence.
- 3 Within 10 working days after filing this application with the District Licensing Committee, the applicant must ensure that notice of the application in form 7 is attached in a conspicuous place on or adjacent to the site to which the application relates (unless the Secretary of the District Licensing Committee agrees that it is impracticable or unreasonable to do so).

<b>COUNCIL OFFICE USE ONLY</b>			
Amount:		Date Paid:	
Receipt No:		Code:	LILQ/20 10 10 1310