



ŌPŌTIKI/ KAWERAU/ WHAKATĀNE DISTRICT LICENSING COMMITTEES

Applications for RENEWAL of licences must be received at least 20 working days before the licence is due to expire.

CHECK LIST FOR OFF LICENCE OR OFF LICENCE RENEWAL

EVERY application must be accompanied by the following:

- A completed and signed application form.
- The prescribed fee. Please refer to the attached Fees and Charges sheet for information on the relevant fee. Note that an annual fee is also payable and for new licences this fee must be paid prior to the licence being issued and for all existing licences on the anniversary date of the licence.
- A copy of your new or updated Social Responsibility Policy.
- A signed Public Notice Declaration Form acknowledging that Form 7 is displayed on site. A Public Notice must also be placed in the local newspaper within 10 working days for RENEWALS and 20 working days for NEW applications. Please contact Council if you are unsure of which newspaper or the content of this notice. For further information refer to the Guidelines for Public Notification attached.
- A copy of the floor plans for the premises or conveyance, highlighting restricted or supervised areas and the principal entrance.
- Where the premises is a grocery store, a statement of annual sales revenue is required by Regulation 12 or 13.

Applications for all NEW licences must also include:

- A copy of your 100F certificate (planning and building certificate) or completed application form.
- A photo of the principal entrance.
- A report that details your target market and says how your proposed business will reduce any risks of negative effect on the local community. Also include any other information that may help assess your application.
- A copy of the Certificate of Incorporation (if applying in a company name)
- Where the applicant is not the owner of the premises, a written statement from the owner of the premises to the effect that the owner has no objection to the granting of a licence.
- If you are using an alcohol licensing consultant, a letter of authorisation for the consultant,

APPLICATION FEE ASSESMENT

Your application must be accompanied by a fee. This is non-refundable and non-transferable.

A payment calculator is attached to this application pack (Appendix 1).

ANNUAL FEE

Payment of an annual fee is required before we can issue your licence. This fee is payable at the time of lodgement of your application, and each year on the anniversary of its issue.

Please ensure that you have accurately assessed your fee. Incorrect applications need to be resubmitted which may incur additional fees. Your licence will not be issued until payment is received.

ADVERTISING YOUR PUBLIC NOTICES

Arrange advertising through your local newspaper, a draft notice is attached to this application (Appendix 2).

Completed:

- Yes (enclose copy of your published notices)
- No (a copy must be provided as soon as possible once the advertisement is placed)



The Secretary
 District Licensing Committee
 Opotiki District Council
 PO Box 44
 OPOTIKI 3122

The Secretary
 District Licensing Committee
 Kawerau District Council
 Private Bag 1004
 KAWERAU 3169

The Secretary
 District Licensing Committee
 Whakatane District Council
 Private Bag 1002
 WHAKATANE 3158

(CIRCLE APPLICABLE COUNCIL)

APPLICATION FOR A NEW OFF-LICENCE OR OFF-LICENCE RENEWAL
SECTION 100 OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012

Application for: New Off Licence Renewal Off Licence

Is a variation of conditions being sought Yes No

If Yes, outline the reasons:

Application is made in accordance with the details set out below:

DETAILS OF APPLICANT

FULL LEGAL NAME TO BE ON LICENCE: _____

APPLICANT STATUS: (e.g. natural person or persons, body corporate, department of state) _____

APPLICANT FULL NAME: _____

HAVE YOU USED OR BEEN KNOWN BY ANY OTHER NAMES? _____

DAYTIME PHONE: _____ **CELLPHONE:** _____

EMAIL ADDRESS: _____

POSTAL ADDRESS: _____

DATE OF BIRTH: _____ **PLACE OF BIRTH:** _____

MALE **FEMALE**

OCCUPATION: _____

DETAILS OF CRIMINAL CONVICTIONS

Have you received any criminal or traffic convictions?

Excluding speed camera infringement notices or traffic infringement offence notices or convictions that have been 'clean slated' under the Criminal Records (Clean Slate) Act 2004

YES

NO

| Nature of Offence | Conviction Date | Sentence |
|-------------------|-----------------|----------|
| | | |
| | | |
| | | |

Please record any further convictions on a separate sheet

DETAILS OF MANAGERS

Do you have a least one manager who has a manager's certificate?

YES

NO

| Full Name of Manager | Date of Birth | Certificate Number | Expiry Date |
|----------------------|---------------|--------------------|-------------|
| | | | |
| | | | |

COMPANY DETAILS

PRIVATE COMPANY

PUBLIC COMPANY

NAME OF COMPANY:

DATE OF INCORPORATION:

WHERE THE COMPANY WAS INCORPORATED:

| Role | Name | Address | Date of Birth | Place of Birth |
|-------------|------|---------|---------------|----------------|
| Director | | | | |
| Director | | | | |
| Secretary | | | | |
| Shareholder | | | | |
| Shareholder | | | | |

PARTNERSHIP DETAILS

| Partner | Name | Address | Date of Birth | Place of Birth | Designation |
|----------|------|---------|---------------|----------------|-------------|
| Person 1 | | | | | |
| Person 2 | | | | | |
| Person 3 | | | | | |

PREMISE DETAILS (if not a conveyance)

ADDRESS OF PREMISES:

POST CODE:

TRADING NAME OF PREMISES:

IS THE PREMISES UNDER CONSTRUCTION: YES NO

DO YOU (THE APPLICANT) OWN THE PREMISES? YES NO

IS THERE A CURRENT OFF-LICENCE FOR THE PREMISES?
For example, a licence issued to a previous business owner
 YES NO (Complete details below)

FULL NAME OF THE OWNER:

FULL ADDRESS OF THE OWNER:

TYPE OF LEASE:

LEASE EXPIRY DATE:

WHAT PARTS (IF ANY) DO YOU INTEND TO DESIGNATE AS RESTRICTED OR SUPERVISED AREAS?

RESTRICTED AREA(S) – for those 18 years or older:

SUPERVISED AREA(S) – where minors must be accompanied by a legal guardian:

DETAILS OF CONVEYANCE

TYPE (EG SHIP, RAILWAY CARRIAGE, BUS ETC):

TENURE (OWNED BY APPLICANT, OPERATED UNDER CHARTER OR LEASE):

IF NOT OWNED BY APPLICANT, FULL LEGAL NAME AND ADDRESS OF OWNER:

REGISTRATION NUMBER:

HOME BASE ADDRESS:

ANY NAME USED FOR CONVEYANCE:

BUSINESS DETAILS

IS THE SALE OF ALCOHOL THE PRINCIPAL PURPOSE OF THE BUSINESS?

YES NO (Explain the main purpose below)

DO YOU SELL, OR INTEND TO SELL, AND GOODS OTHER THAN FOOD OR ALCOHOL?

YES (provide details below) NO

DO YOU PROVIDE, OR INTEND TO PROVIDE, ANY SERVICES OTHER THAN THOSE DIRECTLY RELATED TO THE SALE AND SUPPLY OF ALCOHOL OR FOOD?

YES (provide details below) NO

ARE YOU AN AUCTIONEER? YES NO

ARE YOU A REMOTE SELLER? YES NO

ON WHICH DAYS AND DURING WHICH HOURS DO YOU INTEND TO SELL ALCOHOL UNDER THE LICENCE?

7 days/week Hours:

| HOURS | MON | TUES | WEDS | THURS | FRI | SAT | SUN |
|-------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

CONDITIONS – STEPS YOU WILL TAKE TO MINIMISE HARM FROM ALCOHOL

THE SALE AND SUPPLY OF ALCOHOL ACT 2012 AIMS TO MINIMISE HARM FROM ALCOHOL BY MANAGING THE WAY IT IS SOLD, SUPPLIED AND CONSUMED.

PLEASE ANSWER EACH SECTION THOROUGHLY:

What steps will you take to ensure compliance with the Act in regard to the sale and supply of alcohol to prohibited persons, such as minors and intoxicated people?

What other systems (including training) and staff are in place (or to be in place) to make sure that you comply with the Act?

What relevant experience and training do you have?

SIGNATURE OF APPLICANT

Applicant's signature _____ Date _____

'Pursuant to the Privacy Act 1993 the following is brought to your attention: The personal information contained in this form is being collected to assist Council and other agencies in processing your application and may be made available to the public as part of the process. You do have the right of access to, and correction of, this information subject to the provisions of the Privacy Act 1993'

| TOTAL AMOUNT PAYABLE | |
|---|-----------------------|
| Total points | Amount payable |
| Application fee (based on your risk category) | \$ |
| Annual fee (based on your risk category) | \$ |
| Total amount | \$ |

DLC OFFICE USE ONLY

Application fee must be paid with application

Date lodged: _____

Fee paid: _____ Receipt number: _____

NEW ZEALAND POLICE AUTHORISATION

SECTION 103 OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012

Assessing the suitability of the applicant of a manager's certificate is a requirement under the sale and Supply of Alcohol Act 2012. The Police are required to report on this application. That report may include the release of any previous convictions that you may have, (other than convictions for offences against provisions of the Land Transport Act 1998 not contained in Part 6, and offences to which the Criminal Records (Clean Slate) Act 2004 applies.

AUTHORISATION

"The Police are required to report on this application. That report may include the release of any previous convictions you may have. You will receive a copy of that report. Do you consent to the release of this information?"

YES NO

(Tick One)

SIGNATURE OF APPLICANT: _____

FULL NAME OF APPLICANT: _____

DATE: _____

THE IMPACT OF THE CRIMINAL RECORDS (CLEAN SLATE) ACT 2004 ON APPLICATIONS FOR MANAGER'S CERTIFICATES UNDER THE SALE AND SUPPLY OF ALCOHOL ACT 2012

The Criminal Records (Clean Slate) Act 2004 commenced on Monday 29 November 2004. The Act enables individuals who satisfy all of the eligibility criteria to conceal all of their convictions in most circumstances. It sets a high threshold for eligibility.

The general criteria for obtaining the benefits of the 'clean slate' scheme are set out below. Section 7 of the Act should be consulted for full information.

The individual must have:

- No convictions within the last seven years;
- Never been sentenced to a custodial sentence (eg imprisonment, corrective training, borstal)
- Never been ordered by a Court during a criminal case to be detained in a hospital due to his/her mental condition, instead of being sentenced
- Paid in full any fine, reparation or costs ordered by the Court in a criminal case;
- Never been indefinitely disqualified from driving under section 65 of the Land Transport Act 1998 or an earlier equivalent provision (section 65 relates to mandatory penalties for repeat offences involving use of alcohol or drugs)

Additional info: <http://www.justice.govt.nz/services/criminal-records/about-the-criminal-records-clean-slate-act-2004>

FEEES AND CHARGES CALCULATOR

Fee Categories for premises

A Territorial Authority must assign a category to any premises for which an on-licence, off-licence or club licence is held or sought in accordance with the table.

An annual fee must be paid on initial application and then each year on the anniversary of the issue of the licence.

The date on which the fees category must be determined is, for the purpose of an application fee, the day on which the application is made *or*, for the purpose of the annual fee, the day on which the annual fee is payable.

| Definitions | | |
|-----------------------|-------|--|
| Type | Class | Type of premise |
| Clubs | 1 | A club that has or applies for a club licence and has at least 1,000 members of purchase age and in the opinion of the territorial authority, operates any part of the premises in the nature of a tavern at any time. |
| | 2 | A club that has or applies for a club licence and is not a class 1 or class 3 club |
| | 3 | A club that has or applies for a club licence and has fewer than 250 members of purchase age and in the opinion of the territorial authority, operates a bar for no more than 40 hours each week. |
| Remote sales premises | | Premises for which an off-licence is or will be endorsed under section 40 of the Act. |

| Type of Licence | Type of premise | Weighting |
|-----------------|--|-----------|
| Off Licence | Supermarket, grocery store, bottle store | 15 |
| | Hotel, tavern | 10 |
| | Class 1, 2 or 3 club, remote sale premises, premises not otherwise specified | 5 |
| | Winery cellar doors | 2 |

| Latest alcohol sales time allowed for premise | | |
|---|---|-----------|
| Type of premise | Latest trading time allowed (during 24 hour period) | Weighting |
| Off licence | 10 pm or earlier | 0 |
| | Any time after 10 pm | 3 |
| | Remote sales – not applicable | 0 |

| Number of enforcement holdings in respect of the premises in the last 18 months | Weighting |
|---|-----------|
| None | 0 |
| One | 10 |
| Two or more | 20 |

| | Total Points | Fee category | Application fee incl. GST | Annual fee incl. GST |
|--------------------------|--------------|--------------|---------------------------|----------------------|
| <input type="checkbox"/> | 0 - 2 | Very low | \$368.00 | \$161.00 |
| <input type="checkbox"/> | 3 - 5 | Low | \$609.50 | \$391.00 |
| <input type="checkbox"/> | 6 - 15 | Medium | \$816.50 | \$632.50 |
| <input type="checkbox"/> | 16 - 25 | High | \$1023.50 | \$1035.00 |
| <input type="checkbox"/> | 26 plus | Very high | \$1207.50 | \$1437.50 |

GUIDELINES FOR PUBLIC NOTIFICATION

Public notification of an application under the Sale and Supply of Alcohol Act 2012 means a notice published in a newspaper (or on an internet site nominated by the Secretary of the District Licensing Committee) and a notice displayed on site. There is currently no internet site notified for the display of public notices.

A notice (Form 7) must be displayed on site within 10 working days of the application being received by the District Licensing Committee and must be in a conspicuous location on or adjacent to the site where it can conveniently be read by a person outside the premises. The words in italics are for your information only and do not need to be included in the notice.

A further notice must be publicly notified in a newspaper nominated for the purpose of any application by the Secretary of the District Licensing Committee being a newspaper which is circulating in the locality to which the application relates and must follow the format as noted on Form 7.

If you have any queries please contact the Licensing Inspector prior to submitting your public notice to the newspaper. If incorrect or insufficient information is published or it is published in the wrong newspaper, you may be required to re-submit the public notices for publication.

It is the responsibility of the applicant to ensure that the notice is published and that the complete page of each newspaper in which the application is published is forwarded to the District Licensing Committee. Your application will not be processed until this information is received. Photocopies of the notices or clippings of the notices from the newspaper are not acceptable.

New Applications

This notice must be published twice with the first public notice being published within **20** working days of the District Licensing Committee receiving the application with an interval of not less than 5 or more than 10 days between. Generally, most people place their notices one week apart. If there is any delay in publishing the notice a waiver will need to be sought before the application can be processed.

Renewal Applications

Note that when a renewal application includes an extension of trading hours and/or designated area the public notice should identify the current conditions and the proposed conditions being sought.

Licences for premises or conveyances in very low or low risk fee category

One public notice must be published within **10** working days of the District Licensing Committee receiving the application. As with new applications, if there is any delay in publishing the notice a waiver will need to be sought before the application can be processed. This notice does not have to be published twice.

Licences for premises or conveyances in medium, high or very high fee risk category

The notice must be published twice with the first public notice being published within **20** working days of the District Licensing Committee receiving the application with an interval of not less than 5 or more than 10 days between.

Public notice of application for on-licence, off-licence, or club-licence (or application for variation of conditions of on-licence, off-licence, or club-licence)
(delete where not applicable)

Section 101 Sale and Supply of Alcohol Act 2012

Form 7

.....
(Full name of applicant, address and occupation)

has made application to the District Licensing Committee at

for the of a *(State*

kind of licence) in respect of the premises situated at

.....*(Location address or the kind of conveyance)*

known as *(Trading name of premises).*

The general nature of the business conducted *(or to be conducted)* under the licence is

..... *(e.g., hotel, tavern, restaurant etc).*

The days on which and the hours during which liquor is *(or is intended to be)* sold under the licence are: *(specify days and hours*

.....
The application may be inspected during ordinary office hours at the office of the *Ōpōtiki/Whakatāne/Kawerau* *(delete whichever applicable)* District Licensing Committee at *108 St John Street, Ōpōtiki/Ranfurlly Court, Kawerau/ 14 Commerce Street, Whakatane. (delete whichever applicable)*

Any person who is entitled to object and who wishes to object to the grant of the application may, no later than 25 working days after the date of the publication of this notice, file a notice in writing of the objection with the Secretary of the District Licensing Committee at *PO Box 44, Ōpōtiki/ Private Bag 1004, Kawerau/ Private Bag 1002, Whakatane 3158 (delete whichever applicable)*

No objection to the issue of a licence may be made in relation to a matter other than a matter specified in section 105(1) of the Sale and Supply of Alcohol Act 2012. *(new application - delete whichever applicable)*

No objection to the renewal of a licence may be made in relation to a matter other than a matter specified in section 131 of the Sale and Supply of Alcohol Act 2012. *(renewal application - delete whichever applicable)*

(In case of publication in newspaper(s) only) This is the *(state whether first, second or only)* publication of this notice.

(In case of second publication in newspaper(s)) This notice was first published on *(state date).*

DECLARATION FORM – DISPLAY OF PUBLIC NOTICE

To: The Secretary
District Licensing
Committee

Ōpōtiki District Council
PO Box 44
OPOTIKI 3122

To: The Secretary
District Licensing
Committee

Kawerau District Council
Private Bag 1004
KAWERAU 3169

To: The Secretary
District Licensing Committee

Whakatane District Council
Private Bag 1002
WHAKATANE 3158

Application Type: (Tick as appropriate)

NEW OFF LICENSE

RENEWAL OFF LICENSE

I hereby declare that I have affixed a copy of the Public Notice Form (Form 7) in a conspicuous location on or adjacent to the site where it can conveniently be read by a person outside the premises as required by the Sale and Supply of Alcohol Act 2012.

SIGNED by the licence holder or licence applicant

NAME of signatory

Date

Licence Number/s (if applicable)

FIRE EVACUATION SCHEME
Sale and Supply of Alcohol Act 2012

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

Application for a licence is made in accordance with the details set out below:

| DETAILS OF PREMISES | | | |
|---|-------------------------------------|--------------------------------------|---------------------------------------|
| Name of premises: | | | |
| Street Address: | | | |
| Postal Address: (if different from above) | | | |
| Daytime contact: | | Telephone No: | |
| Type of licence: | <input type="checkbox"/> On-licence | <input type="checkbox"/> Off-licence | <input type="checkbox"/> Club licence |

| | |
|---|--|
| I hereby state that either: [please delete one option] | (i) The building in which the premises are situated has an evacuation scheme for public safety which meets the requirements of Section 21A of the Fire Service Act 1975. or (ii) The building, by reason of its current use, does not require such a scheme, or the building is exempt from having to meet the requirements for such a scheme. |
|---|--|

Dated at Whakatane this _____ day of _____ 20 ____

 Signature of Applicant