



## 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  
Ōpōtiki District Council  
PO Box 44  
ŌPŌTIKI 3122

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

The Secretary  
District Licensing Committee  
Whakatāne District Council  
Private Bag 1002  
WHAKATĀNE 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:

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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 at 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:

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REGISTRATION NUMBER:

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HOME BASE ADDRESS:

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ANY NAME USED FOR CONVEYANCE:

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**BUSINESS DETAILS**

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

☐

YES

☐

NO (Explain the main purpose below)

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

☐

YES (provide details below)

☐

NO

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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

☐

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

7 days/week ☐ Hours:

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

**NOTES**

1. This form must be accompanied by the prescribed fee
2. Within 20 working days after filing this application with the District Licensing Committee (or 10 working days if it is an application for renewal), the applicant must give public notice of it in form 7. The notice must be given in compliance with regulation 36, 37, or 38 of the Sale and Supply of Alcohol Regulations 2013 (whichever applies to this application).
3. Except in the case of a conveyance, within 10 working days after filing this application with the District Licensing Committee, the applicant must ensure that notice of this application in form 7 is attached in a conspicuous place on or adjacent to the site to which this application relates (unless the Secretary of the District Licensing Committee agrees that it is impracticable or unreasonable to do so).

TOTAL AMOUNT PAYABLE	
Total points	Amount payable
Application fee (based on your risk category)	\$
Annual fee (based on your risk category)	\$
<b>Total amount</b>	<b>\$</b>

**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>



## FEES 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 Ōpōtiki/Whakatāne/Kawerau *(delete whichever applicable)* for the *issue/renewal/variation of conditions (delete one)* 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/Ranfurly 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 LICENCE**

☐

**RENEWAL OFF LICENCE**

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.

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**SIGNED** by the licence holder or licence applicant

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**NAME** of signatory

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**Date**

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**Licence Number/s** (if applicable)

**FIRE EVACUATION SCHEME**  
**Sale and Supply of Alcohol Act 2012**

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

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 76 of the Fire and Emergency Act 2017.  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.
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Dated at      Ōpōtiki/Kawerau/Whakatāne this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of FENZ

*(Please fill this form in and send to [RiskReductionBayOfPlenty@fireandemergency.nz](mailto:RiskReductionBayOfPlenty@fireandemergency.nz) for FENZ to sign off then send to your Liquor Licensing Inspector who will send it to the District Licensing Secretary.*