



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 NEW ON LICENCE OR ON LICENCE RENEWAL

EVERY application must be accompanied by the following:

- The original of the completed application and supporting documents.
- 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 Host 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.
- Evacuation Scheme Statement Declaration Form completed in full and signed.
When making application for licence and renewals, applicants need to make a statement to the effect that:
 - 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
 - The building by reasons of its current use, does not require an evacuation scheme, or that the building is exempt from having to meet the requirements for such a scheme.All applicants are advised to contact the New Zealand Fire Service first and confirm whether they have or are required to have an approved evacuation scheme.
- A scale floor plan showing:
 - Those parts of the premises that are to be used for the sale or supply of liquor; and
 - Those parts of the premises (if any) that the applicant intends should be designated as restricted areas or as supervised areas; and
 - Each entrance to the premises that the applicant intends should be designated as a principal entrance. (Main entrance for display of licence).
- A copy of the menu or indication of standard and style of food to be provided or proposed to be provided, including prices.

Applications for all NEW licences must also include:

- Where the applicant is incorporated - A copy of the Certificate of Incorporation or other documentary evidence of its incorporation.
- Where the applicant is a company - A copy of the Memorandum of Association, or other documentary evidence of its authority to sell liquor, or to hold a licence under the Act, or under the provisions of any previous enactment relating to the sale of liquor (if there is one).
- Where the applicant is a local authority - A reference to the enactment by which the applicant is expressly authorised to hold an on-licence under the Act.
- Where the applicant is a manager acting for any person pursuant to a property order made under the Protection of Personal and Property Rights Act 1988 - A copy of the property order.
- A photograph of the exterior of the premises or an artist's impression of the exterior of the proposed premises as it will look when finished.
- A map, or a copy of a map, or a portion of a map, showing the location of the premises.
- Where the applicant is not the owner of the premises - A written statement from the owner to the effect that the owner has no objection to the grant of the licence. (A copy of any lease and assignment that discloses this use as licenced premises will suffice).
- A copy of your 100F certificate (planning and building certificate) or completed application form.

If a Conveyance:

- Copy of planning certificate consent
- Copies of all relevant building certificate consents
- For body corporate applicant, copy of certificate of incorporation (or equivalent document)

If not a Conveyance:

- For body corporate applicant, copy of certificate of incorporation (or equivalent document)
- If not a conveyance, a certificate issued by the local authority that the proposed use of the premises meets the requirements of the Resource Management Act and the NZ Building Code. The current fee for this certificate is \$150.00.



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 NEW ON LICENCE OR ON LICENCE RENEWAL
SECTIONS 100 AND 127(2) OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012

Application for: On Licence Renewal of On 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(S) TO BE ON LICENCE:

WHETHER LICENCE ALREADY HELD FOR PREMISES OR CONVEYANCE CONCERNED:

NO **YES: (state licence kind)**

USUAL RESIDENTIAL ADDRESS:

POSTAL ADDRESS FOR SERVICE:
(If different from above)

EMAIL ADDRESS:

DAYTIME PHONE NUMBER:

MOBILE PHONE NUMBER:

CRIMINAL CONVICTIONS: state all criminal convictions (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

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

NONE

DETAILS:

PREFERRED MODE OF CONTACT:

Daytime Phone Mobile phone
 Email Post

NATURAL PERSON DETAILS:

OCCUPATION:

DATE OF BIRTH:

PLACE OF BIRTH:

MALE FEMALE

STATUS OF APPLICANT

NATURAL PERSON LICENSING TRUST PRIVATE COMPANY
 PUBLIC COMPANY PARTNERSHIP LOCAL AUTHORITY
 BODY CORPORATE TO WHICH SECTION 28(1)(B) OF THE ACT APPLIES
 BOARD, ORGANISATION OR OTHER BODY TO WHICH SECTION 28(1)(C) OF THE ACT APPLIES
 GOVERNMENT DEPARTMENT OR OTHER INSTRUMENT OF THE CROWN
 MANAGER UNDER THE PROTECTION OF PERSONAL AND PROPERTY RIGHTS ACT 1988.

COMPANY DETAILS

DATE OF INCORPORATION:

PLACE OF INCORPORATION:

DIRECTOR AND SECRETARY DETAILS

Name	Address	Date of Birth	Place of Birth	Designation

In the case of a private company, if applicable:

AUTHORISED CAPITAL:

PAID UP CAPITAL:

PRIVATE COMPANY: Full details of each person who holds any shares, issued by the company					
Name	Address	Date of Birth	Place of Birth	Designation	Face Value of Shares Held

PUBLIC COMPANY: Full details of each person who holds 20% shares or more of the shares, or of any particular class of shares, issued by the company					
Name	Address	Date of Birth	Place of Birth	Designation	Face Value of Shares Held

PARTNERSHIP: Full details of each party				
MUST be signed by each partner				
Name	Address	Date of Birth	Place of Birth	Signature

DETAILS OF PREMISES (if not a conveyance)	
ADDRESS OF PROPOSED LICENCED PREMISES:	
ANY NAME, TRADING NAME OR NAME OF BUILDING:	
IS A LICENCE SOUGHT CONDITIONAL UPON CONSTRUCTION OR COMPLETION OF BUILDING WORK?	
<input type="checkbox"/> NO	<input type="checkbox"/> YES (provide details)
DO YOU (THE APPLICANT) OWN THE PREMISES?	
<input type="checkbox"/> YES	<input type="checkbox"/> No (provide owners details)

OWNERS NAME:

OWNERS ADDRESS:

WHAT FORM AND TERM OF TENURE OF THE PREMISES WILL THE APPLICANT HAVE?

eg leasehold, tenancy agreement, licence

DETAILS OF CONVEYANCE

TYPE: *e.g., ship, railway carriage, bus*

TENURE: *e.g., 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:

IS A LICENCE SOUGHT CONDITIONAL UPON CONSTRUCTION OR COMPLETION OF THE PREMISES?

NO

YES (provide details)

DETAILS OF MANAGERS TO BE EMPLOYED (not applicable for BYO only)

Full Name of Manager	Address	Date of Birth	Certificate Number

BUSINESS DETAILS

WHAT IS THE GENERAL NATURE OF THE BUSINESS TO BE CONDUCTED BY THE APPLICANT IN THE PREMISES IF THE LICENCE IS GRANTED? e.g., hotel, tavern, restaurant, entertainment/nightclub

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?

NO YES (provide details below)

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

NO YES (provide details below)

IN THE CASE ONLY OF A BYO RESTAURANT DOES THE APPLICANT WISH TO HAVE THE LICENCE ENDORSED UNDER SECTION 37 OF THE ACT?

NO YES

IN THE CASE OF A CATERING BUSINESS DOES THE APPLICANT WISH TO HAVE THE LICENCE ENDORSED UNDER SECTION 38 OF THE ACT?

NO YES

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

Leave blank if entire area is undesignated

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

RESTRICTED AREA(S): - For those 18 years or older:

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

EXPERIENCE AND TRAINING OF THE APPLICANT TO MANAGE A LICENCED PREMISES TO MEET COMPLIANCE WITH THE ACT:

FOOD INTENDED TO BE AVAILABLE FOR PURCHASE: *attach menu*

NON-ALCOHOLIC BEVERAGES INTENDED TO BE AVAILABLE FOR PURCHASE: *type and range*

LOW-ALCOHOL BEVERAGES INTENDED TO BE AVAILABLE FOR PURCHASE: *type and range (a minimum of two 2.5% or lower options must be available)*

DESCRIBE HOW FREE POTABLE DRINKING WATER WILL BE AVAILABLE AT ALL TIMES AND WHERE POTABLE WATER IS SOURCED FROM:

EXPLAIN HOW WILL YOU PROVIDE ASSISTANCE WITH ARRANGING ALTERNATIVE FORMS OF TRANSPORT AS A RESPONSIBLE HOST? *i.e, appropriate signage displayed that phone available to call for a ride home or taxi service details for pickup(s)*

EXPLAIN HOW YOU WILL PREVENT SALES TO MINORS OR INTOXICATED PERSONS BEING PROHIBITED PERSONS? *i.e, asking for proof of age and monitor for intoxicated persons and appropriate signage will be displayed*

EXPLAIN HOW YOU WILL ENSURE COMPLIANCE WITH THE ACT TO PROMOTE RESPONSIBLE CONSUMPTION OF ALCOHOL, MANAGE OTHER RISKS AND MAINTAIN ADEQUATE SUPERVISION IN THE LICENCED PREMISES:

EXPLAIN HOW YOU INTEND TO TRAIN/HAVE TRAINED STAFF IN THEIR RESPONSIBILITIES UNDER THE SALE AND SUPPLY OF ALCOHOL ACT:

SIGNATURE OF APPLICANT

Applicant's signature _____ Date _____

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).

DLC OFFICE USE ONLY	
Application fee must be paid with application	
Date lodged: _____	
Fee paid: _____	Receipt number: _____

ADDITIONAL QUESTIONS

THE GRANTING OR RENEWAL OF THIS APPLICATION WILL NOT DECREASE THE AMENITY OR GOOD ORDER OF THE AREA BY MORE THAN A MINOR EXTENT BECAUSE: *Include information about staffing levels, training, in house practices including identification and response to intoxication, disorderly behaviour, noise, vandalism/ graffiti/litter affecting neighbouring properties, types of neighbouring properties etc.*

THE DESIGN AND LAYOUT OF OUR PREMISES COMPLIES WITH THE ACT BECAUSE: *(Attach Floor Plan)*

Consider lighting and visibility especially in outdoor areas. Supermarkets and grocery stores must identify the one area of the premises where alcohol is to be promoted and displayed and how it is intended to limit as far as reasonably practicable the exposure of shoppers to displays, promotions and advertisements for alcohol. You must supply a current floor plan identifying entrances, internal layout of furniture, security cameras and monitors etc.

THE GRANTING OR RENEWAL OF THIS APPLICATION WILL CONTRIBUTE TO THE OBJECT OF THE ACT BY:

Explain how the sale and consumption of alcohol will be undertaken safely and responsibly and the harm caused by excessive or inappropriate consumption of alcohol is minimised both to the individual and society generally.

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/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)*

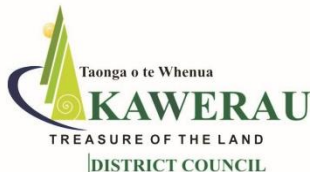
No objection to the issue of a licence may be made in relation to a matter other than a matter specified in section 105(1) of the Sale and Supply of Alcohol Act 2012. *(new application - delete whichever applicable)*

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



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 Type:

- NEW ON LICENCE**
 RENEWAL ON 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.

SIGNED by the licence holder or licence applicant

NAME of signatory

Date

Licence Number/s (if applicable)

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 (e.g. 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
Restaurant	1	A restaurant that has or applies for an on-licence and has, in the opinion of the Territorial Authority, a significant bar area and operates that bar area at least one night a week in the manner of a tavern.
	2	A restaurant that has or applies for an on-licence and has, in the opinion of the Territorial Authority, a separate bar area and does not operate that bar area in the manner of a tavern at any time.
	3	A restaurant that has or applies for an on-licence and, in the opinion of the Territorial Authority, only serves alcohol to the table and does not have a separate bar area.
	BYO	A restaurant for which an on-licence is or will be endorsed under section 37 of the Act.

Type of Licence	Type of premise	Weighting
On Licence	Class 1 restaurant, night club, tavern, adult premises	15
	Class 2 restaurant, hotel, function centre.	10
	Class 3 restaurant, other premises not otherwise specified.	5
	BYO restaurants, theatres, cinemas, winery cellar doors.	2

Latest alcohol sales time allowed for premise		
Type of premise	Latest trading time allowed (during 24 hour period)	Weighting
On licence	2.00am or earlier	0
	Between 2.01am and 3.00am	3
	Any time after 3.00am	5

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

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.
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Dated at Whakatane this _____ day of _____ 20 ____

 Signature of Applicant