

Application for Off-Licence

Sections 100 and 127 (2) Sale and Supply of Alcohol Act 2012

To: The Secretary
District Licensing Committee
Whangarei District Council
Private Bag 9023
WHANGAREI 0148

Application for an **Off-Licence** is made in accordance with the details set out below:

Details of Application

Type of application (*tick box that applies*):

New Licence

Is a licence already held for the premises or conveyance concerned? Yes No

If Yes, state kind of Licence and Licence number: _____

Licence number: _____

Expiry Date: _____

Endorsements

Type of endorsement sought or sought to be renewed. (*tick all appropriate boxes*):

Auctioneer Remote Sales

Details of Applicant

Full legal name or names to be on Licence: _____

Contact person: _____ Driver Licence number: _____

Email: _____ Phone: _____

Postal Address for service of documents: _____

Town: _____ Post Code: _____

Status of applicant:

Natural Person Private Public Company

Partnership Limited Partnership Trustee

Other (*state*) Body corporate, board, organisation or other body; Licensing Trust; Government department or other instrument of the Crown; Local Authority; Trustee; Manager under the Protection of Personal and Property Rights Act 1988:

For an applicant who is a natural person or persons (*complete for each applicant*):

Full legal name: _____

Also known as: _____ Male Female

Residential address: _____

Town: _____ Post Code: _____

Occupation: _____

Date of Birth: _____ Place of Birth: _____

Email: _____ Phone: _____

Driver Licence Number: _____ Preferred mode of contact: _____

Full legal name: _____

Also known as: _____ Male Female

Residential address: _____

Town: _____ Post Code: _____

Occupation: _____

Date of Birth: _____ Place of Birth: _____

Email: _____ Phone: _____

Driver Licence Number: _____ Preferred mode of contact: _____

Full legal name: _____

Also known as: _____ Male Female

Residential address: _____

Town: _____ Post Code: _____

Occupation: _____

Date of Birth: _____ Place of Birth: _____

Email: _____ Phone: _____

Driver Licence Number: _____ Preferred mode of contact: _____

Business details: (*describe principal business and any other businesses*)

Type of licence sought

Please state under what section of the Act this off licence is sought, tick only one:

- Section 32(1) (a) to the holder of an on-licence issued for a hotel or tavern, for the premises (or part of the premises) for which the on-licence is held;
- Section 32(1) (b) for 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 for consumption somewhere else;
- Section 32(1) (c) – if (i) the premises for which it is to be issued are not retail premises; and (ii) at least 85% of the annual income of the person to whom it is to be issued is (in the opinion of the licensing authority or licensing committee concerned) expected to be earned from the remote sale of alcohol;
- Section 32(1) (d) – or premises where (in the opinion of the licensing authority or licensing committee concerned) the principal business carried on is the manufacture of alcohol;
- Section 32(1) (e) for premises that (in the opinion of the licensing authority or licensing committee concerned) are a supermarket with a floor area of at least 1 000 m² (including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items);
- Section 32(1) (f) for premises that (in the opinion of the licensing authority or licensing committee concerned) are a grocery store.
- Section 34 – Exception for certain areas where some licensed premises not economic
- (1) The licensing authority or licensing committee concerned may direct that an off-licence should be issued for premises not of a kind described in [section 32\(1\)](#) if satisfied –
- (a) that, in the area where they are situated, the sale of alcohol in premises of a kind described in [section 32\(1\)\(b\), \(d\), \(e\), or \(f\)](#) would not be economic; and
- (b) that the granting of the licence would not cause any significant increase in alcohol-related harm.
- (2) Subsection (1) overrides [section 32\(1\)](#) but is overridden by [section 36](#).
- Section 35 – Exception for certain complementary sales
- (1) The licensing authority or licensing committee concerned may direct that an off-licence should be issued for premises not of a kind described in [section 32\(1\)](#) if it is satisfied that –
- (a) the premises are a shop, but not a shop where the principal business carried on is the sale of food (whether food of a particular kind or kinds, or a range of food); and
- (b) alcohol would be an appropriate complement to goods of the kind sold (or to be sold) in the shop.
- (2) Subsection (1) overrides [section 32\(1\)](#) but is overridden by [section 36](#).

Note:

- Where uncertain, please seek independent legal advice or the services of a professional licensing agent to ensure that your application is made under the correct section of the Act.
- Where an application is made under the incorrect or inappropriate section of the Act, your application could be opposed and ultimately declined (refused) by the District Licensing Committee.
- Council staff, especially licensing inspectors, are unable to give legal advice or guidance in this matter.

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*):

For a body corporate, authority under which incorporated: _____

Further details where applicant is a company

Date and place of incorporation: _____

Give full details of each director (*use an additional sheet of paper if necessary*)

Name: _____

Date of Birth: _____ Place of Birth: _____

Address: _____

Designation: _____ Driver Licence Number: _____

Public company only:

Give details of each person who holds 20 percent or more of the shares issued by the company.

Name: _____

Date of Birth: _____ Place of Birth: _____

Address: _____

Designation: _____ Driver Licence Number: _____

Private company only:

Authorised capital: \$ _____ Paid-up capital: \$ _____

Give full details of each person who holds any shares issued by the company

Name: _____

Date of Birth: _____ Place of Birth: _____

Address: _____

Designation: _____ Driver Licence Number: _____

Face value of shares held: \$ _____

Further details where applicant is a partnership:

(Attach a copy of the partnership agreement to the application)

Name: _____

Date of Birth: _____ Place of Birth: _____

Address: _____

Designation: _____ Driver Licence Number: _____

Name: _____

Date of Birth: _____ Place of Birth: _____

Address: _____

Designation: _____ Driver Licence Number: _____

Name: _____

Date of Birth: _____ Place of Birth: _____

Address: _____

Designation: _____ Driver Licence Number: _____

Name: _____

Date of Birth: _____ Place of Birth: _____

Address: _____

Designation: _____ Driver Licence Number: _____

Details of Premises

Address of premises: _____

Proposed trading name: _____

Does the applicant own the proposed Licensed premises? Yes No

If No, what is the full name and address of the owner

Full Name: _____

Address: _____

Town: _____ Post Code: _____

Tenure: *(freehold, unit title, leasehold or under licence, including term)* _____

Is the licence conditional on completion of building work? Yes No

If Yes, please state details: _____

Details of Managers

(If more than four bar managers are employed, give details on a separate sheet of paper or submit a copy of the register of certificated managers)

Full name and address: _____

Manager's certificate number: _____ Expiry date: _____

Driver Licence number: _____

Full name and address: _____

Manager's certificate number: _____ Expiry date: _____

Driver Licence number: _____

Full name and address: _____

Manager's certificate number: _____ Expiry date: _____

Driver Licence number: _____

Full name and address: _____

Manager's certificate number: _____ Expiry date: _____

Driver Licence number: _____

Business Details

What is the general nature of the business to be conducted by the applicant if the licence is granted?

(e.g. *hotel, tavern, restaurant, function centre, entertainment/nightclub*):

Is the sale of alcohol intended to be the principal purpose of the business? Yes No

If NO, what is intended to be the principal purpose of the business? _____

Is the applicant engaged, or intending to be engaged, in the sale or supply of any goods other than alcohol and food, or in the provision of any services other than those directly related to the sale or supply of alcohol and food?

Yes No

If Yes, what are those other goods and services? _____

On which days and during which hours does the applicant intend to sell alcohol under the licence?

What part (if any) of the premises does the applicant intend should be designated as:

A supervised area: _____

A restricted area: _____

(Remote sellers only) Does the applicant wish to have the licence endorsed under Section 40 of the Act?

Yes No

Conditions

What is the experience and training of the applicant? _____

What steps are proposed to be taken to prevent the sale and supply of alcohol to prohibited people?

Describe any other steps proposed to promote the responsible consumption of alcohol: _____

What other systems (including training systems) and staff are in place (or are to be in place) for compliance with the Act? _____

Signature

Signature of applicant _____ Dated at _____

Name of applicant _____

Notes

This application must be accompanied by the prescribed fee (see information over page).

Public Notices

Within 10 working days after filing this application with the District Licensing Committee, the applicant must:

- give public notice of it in form 7a of the Sale and Supply of Alcohol Regulations 2013.

Public notices must be made in either of the following newspapers:

- Whangarei Leader
- Northern Advocate
- Whangarei Report

Two public notices are required for all new off licence applications.

Notices must be published between 5 and 10 working days apart, we suggest one week apart. After publication, please send us the original full-page from the newspaper, showing the date and the public notice, not a clipping.

Also within 10 working days after filing this application, the applicant must:

- ensure that notice of this application in form 7b 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 or in the case of a conveyance).

The applicant must contact the Council's liquor licensing section once this notice has been displayed to arrange for the collection of photographic proof of this notice.

Office Use Only

Date application received: _____ Application number: _____

Assigned Fee Category: _____ Fee: _____ Receipt number: _____

Declaration of Evacuation Scheme

Important: This form must be completed and returned with your licence application.

To enable the District Licensing Committee to approve your licence, your application must be accompanied by the following statement that outlines the building status in relation to having, or not having, an approved evacuation scheme filed with Fire Emergency New Zealand.

In relation to Liquor Licensing (mainly bars and clubs), the most likely criteria is that the facility is capable - through calculation in the Building Act - of holding 100 or more customers. Buildings capable of holding less than 100 people generally don't need a scheme.

If you are unsure of your occupancy numbers, consult the latest Fire Design Report for your building, the building file at Council or contact the Fire Emergency New Zealand representative listed below.

If you are a tenant in a larger building, your building may already have an approved evacuation scheme. Check with the building owner.

To be completed by applicant:

Applicants Name: _____

For premises known as: _____

Street Address: _____

Building Owner: _____

Statement (Tick the option that applies)

- The building has a current evacuation approved under Section 76 Fire and Emergency New Zealand Act 2017 or the Fire Service Act 1975.
 Has a trial evacuation been completed in the building in the last 6 months and reported to Fire and Emergency New Zealand? (If not your application may be opposed). Yes No
- The building does not require an evacuation scheme due to either current use or nature of the building.
- We are a tenancy in a larger building with an evacuation scheme approved by the New Zealand Fire Service.

Signed: _____ **Date:** _____

Position: _____

Note:

For more information or advice, please contact:

Craig Bain
 Whangarei-Kaipara Area 2
 12 Mansfield Terrace
 Whangarei
 Email: craig.bain@fireandemergency.nz



Phone: (09) 430 1256

Use this page to ensure you lodge a complete application. If not complete, your application may be returned to you.

Attachments required to accompany new applications

- For a body corporate – a copy of the certificate of incorporation (or equivalent documentation) and full details in the company details section of the application form
- For a partnership – a copy of the partnership agreement and full details of each partner in the partnership details section of the application form
- A map showing the location of the premises within Whangarei District
- Photo or artist’s impression of outside of the premises
- Detailed A4 scale floor plan of the interior of the premises highlighting:
 - those parts of the premises that are to be used for the sale and supply of alcohol.
 - if a grocery store or supermarket the single area (including any sub-areas) required in section 113 of the Act is to be clearly identified.
 - each area to be designated as a supervised or restricted area, and indicating whether supervised or restricted area;
 - the principal entrance or principal entrances
- A written statement from the owner of the building consenting to the applicant selling alcohol from the premises
- Certificates from Whangarei District Council that the proposed use of the premises meets requirements of the Resource Management Act and of the Building Code
- A copy of each manager’s certificate and details of the manager’s experience
- Details of staff training/staff training plan
- A brief written statement describing the way the business will operate.
- Public Notice – the notice must be completed and attached for checking before being placed in the newspaper. The appropriate newspaper(s) to place the advertisement will be advised. The date of the first publication **MUST** be advised prior to placing the advertisement

Grocery Stores

- A verified statement of annual sales revenue required by regulation 12 or 13 (as the case requires) of the Sale and Supply of Alcohol Regulations 2013. The statement is to detail gross sales revenue, excluding GST, of food products, household items, alcohol, tobacco, convenience foods and other revenue (excluding revenue from NZ Lotteries). *Note: Food product is defined in Section 33(1) of the Act and convenience food is defined in regulation 3 of the Sale and Supply of Alcohol Regulations 2013.*

Fees

Fees are based on a “cost/risk rating” of each premises and take into account the type of premises, hours of operation and any enforcement actions in the previous 18 months. A weighting for each of these will produce the rating for the premises as shown below.

Type of premises (off licences)	Weighting
Supermarket, grocery store, bottle store	15
Hotel or tavern with off licence	10
Remote sale premises, other premises not specified elsewhere	5
Winery cellar doors	2

Latest trading time allowed by off licence	Weighting
10pm or earlier	0
Any time after 10pm	3

Number of enforcements in last 18 months	Weighting
None	0
1	10
2 or more	20

The “cost/risk rating” is the combined total of the weightings for each of the three parameters. To determine the cost/risk rating for your premises add the three weightings applicable to your premises.

There are 5 fee categories depending on the total rating:

Cost/Risk rating	Fee Category	Application fee	Annual fee
		GST Incl	GST Incl
0-2	Very low	\$600	\$262
3-5	Low	\$994	\$637
6-15	Medium	\$1,456	\$1,031
16-25	High	\$1,669	\$1,687
26+	Very high	\$1,969	\$2,344

*These fees are as per Councils Schedule of Fees and Charges 1 July 2017 – 30 June 2018

Note: The application fee must be paid at the time of application. For a new licence application, if the application is granted, the annual fee must also be paid before the licence can be issued. An invoice will be issued once the decision is made. The final determination of the fee category for the premises is made by the Council.

Public Notice of application for Off-Licence (Form 7a)

(to be completed and taken to Newspaper)

Section 101, Sale and Supply of Alcohol Act 2012

(Print clearly the full name, address and occupation of applicant)

has made application to the Whangarei District Licensing Committee for the issue of an off-licence in respect of the premises situated at`

and known as _____

The general nature of the business to be conducted under the licence is _____

:

(e.g. hotel, tavern, restaurant, entertainment/night club)

The days on which and the hours during which alcohol is intended to be sold under the licence are:

The application may be inspected during ordinary office hours at the office of the Whangarei District Council, District Licensing Committee, Forum North, Rust Ave, Whangarei

Any person who is entitled to object and who wishes to object to the issue of the licence may, not later than 15 working days after the date of the first publication of this notice, file a notice in writing of the objection with the Secretary of the District Licensing Committee at Whangarei District Council, Private Bag 9023, Whangarei 0148.

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.

This is the first publication of this notice.

OR

This is the second publication of this notice. This notice was first published on

Notes (Not for publication):

Shaded text – select appropriate text for the first or second advertisement

Public Notice of application for Off-Licence (Form 7b)

(to be displayed at the front entrance of the premises)

Section 101, Sale and Supply of Alcohol Act 2012

(Print clearly the full name, address and occupation of applicant)

has made application to the Whangarei District Licensing Committee for an off-licence in respect of the premises situated at _____

and known as _____

The general nature of the business conducted under the licence is _____

(e.g. hotel, tavern, restaurant, entertainment/night club)

The days on which and the hours during which alcohol is sold under the licence are:

The application may be inspected during ordinary office hours at the office of the Whangarei District Council, District Licensing Committee, Forum North, Rust Ave, Whangarei.

Any person who is entitled to object and who wishes to object to the issue of the licence may, not later than 15 working days after the date of the first publication of this notice, file a notice in writing of the objection with the Secretary of the District Licensing Committee at Whangarei District Council, Private Bag 9023, Whangarei 0148.

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.

This notice was first published in the _____

(name of newspaper)

on _____



Public Health Questionnaire for Off-Licence Applications

This questionnaire helps to ensure that you, as a licensee, meet the Public Health requirements of the Sale and Supply of Alcohol Act (2012) to minimise illness, disease, Injury or death caused by the inappropriate consumption of alcohol.

This questionnaire should be completed by the applicant/licensee (not a consultant) & returned with your licence application

Your licence application may be delayed without completion of this questionnaire.

Application details

Name of Licensed Premises:

Name of applicant:

Who is the main contact person and their role?

Email address

Contact phone number:

Is your premises in a liquor ban area? Yes No

Intoxicated Patrons

How do you identify if a person is intoxicated?

.....
.....
.....

What process do you have to deal with intoxicated patrons?

.....
.....
.....

Alcohol Promotion

Is alcohol advertised on the building exterior? Yes No

Sandwich boards Yes No

Billboards Yes No

What percentage of your front window is covered in alcohol advertising?

.....

What alcohol brands and products are you currently advertising in your windows?

.....

Do you sell single serve alcoholic drinks? Yes No

Do you have tastings? Yes No

If yes, is water freely available? Yes No

Signage

- Do you have the following signage on display? Yes No
- No ID, No Service, No Exceptions Yes No
- Alcohol will not be served to anyone who is intoxicated Yes No

Smoke-free Environments Act 1990

- Do you sell tobacco? Yes No
- Are tobacco products visible to the public? Yes No

UNDERTAKING FROM LICENSEE

I..... (Full name), the Licensee* for.....Premises

acknowledge that I have read and understood each of the above questions and I agree to comply with the measures outlined here throughout this next licensing period.

I also acknowledge that Public Health Liquor Licensing Officer, on behalf of the Medical Officer of Health, may visit my premises, from time to time, in order to undertake a Sale and Supply of Alcohol Act 2012 compliance check.

Signed:..... Dated:.....

Position/Title:.....
.....

**In the case of a corporate this application is to be signed by the Operations Manager responsible for the premise / outlet.*

The submission of this Public Health Questionnaire is not complete until it has been signed either by the Licensee or Operations Manager for the premises. The information contained within this Public Health Questionnaire may be shared with other statutory agencies, including Police, LLI or ARLA, for the purpose of their enquires.

Section 2

Resource Management Act Certificate

RMA Certificate Checklist		
Customer	Office	
<input type="checkbox"/>	<input type="checkbox"/>	Four copies of all documentation
<input type="checkbox"/>	<input type="checkbox"/>	Certificate of Title
<input type="checkbox"/>	<input type="checkbox"/>	Covering letter
<input type="checkbox"/>	<input type="checkbox"/>	Owner's authorisation letter (<i>if not the owner</i>)
<input type="checkbox"/>	<input type="checkbox"/>	Location/Planning maps (<i>locality maps – District Plan</i>)
<input type="checkbox"/>	<input type="checkbox"/>	Brief description of type of business/Number of patrons (<i>e.g. bar/restaurant</i>)
<input type="checkbox"/>	<input type="checkbox"/>	Number of parking spaces/traffic movements
<input type="checkbox"/>	<input type="checkbox"/>	Signage detail (<i>if applicable</i>)
<input type="checkbox"/>	<input type="checkbox"/>	Building plans
<input type="checkbox"/>	<input type="checkbox"/>	Fees (<i>cash or cheque only</i>)

CSR checklist completed by		Date
		Receipt no



Office use		Date received _____
Name of CSR _____		
Fees received \$ _____		
Receipt no _____		
TechOne app no _____	RO _____	
Assess _____	P _____	

Resource management and liquor certificate application

This application is for resource consent made pursuant to Sections 100(f) of the Sale and Supply of Alcohol Act 2012. Your application will also be subject to all other relevant provisions contained within the RMA 1991.

This form is designed to provide Council with required details, and must be submitted as part of your application. The public can view all the information provided in your application.

District Plan Rules & Maps, Application Forms and Land Information are available on Council’s website www.wdc.govt.nz

If you have spoken to a member of our planning staff about your proposal, please enter their name

1 Application details

Name of party applying for liquor certificate _____

Name of Premises _____

I need this Certificate as part of my application for a/an:

- On-Licence
 Off-Licence
 Club Licence

Description of activity _____

(e.g. BYO restaurant; nightclub; tavern; entertainment or function centre)

Operating hours *(existing, if relevant, and proposed)* _____

Maximum no of patrons _____ No of parking spaces available onsite _____

The activity Is a permitted activity Has existing use rights

Has a valid resource consent Ref _____

2 Site details

Property address _____

Legal description _____ CT _____ Valuation ref _____

District Plan environment _____ Property ID _____

3 Ownership (if different from applicant)

Full legal name of owner _____
 Postal address of owner _____
 Full legal name of occupier (if different from applicant) _____
 Postal address of occupier _____
 Phone no (Owner) _____ Owner email (Owner) _____

4 Agent (if application)

Name of Agent _____ Agent ref _____
 Postal Address of Agent _____
 Phone No _____ Email _____

5 Payer (mandatory)

Full legal name of payer _____
 Postal address of payer _____
 Phone no _____ Email _____

 Signature (mandatory)

 Date

6 Address for Service/Correspondence

Same as agent's details (✓ if applicable)

Name _____ Ref no _____
 Telephone Business _____ Home _____ Fax _____
 Postal address _____
 Email _____

7 Application fees

Please refer to Council's Resource Consent Guidance Notes and 'Schedule of Fees & Charges'. You are required to pay an advance fee deposit at time of lodgement. Please refer to Council's Resource Consent Guidance notes, the Schedule of Fees & Charges and the Resource Consent processing Monitoring Fees attached to the guidance notes.

You will be charged a processing fee when Council has reached a decision on your application. Interim billing may also occur on applications. The processing charge covers tasks such as site visits, report preparation, information searches, and input from other Council staff including Engineers. Mileage is also charged for.

Please refer to the form titled 'Resource Consent Processing and Monitoring Fees' for a detailed list of the processing and monitoring fees you may be charged. The form lists the current charge out rates. These rates are subject to change and are reviewed every financial year. Please note that the charge out rate may change during the processing of your application and the fees incurred will be charged out at the rate applicable at the time the work is done.

All figures are standard fees inclusive of GST; the final fee in any one application will be determined by the Resource Consents Manager or his/her appointee. Where a consultant is required, Council reserves the right to on-charge costs in accordance with the annual Schedule of Fees & Charges.

By submitting and signing this application form you undertake to pay Council's processing and monitoring fees.

8 Attachment checklist (Mandatory requirements are in bold)

- | | |
|---|--|
| <input type="checkbox"/> Advance fee/deposit | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Certificate of title | <input type="checkbox"/> Four copies of application form |
| <input type="checkbox"/> Planning maps | <input type="checkbox"/> Covering letter |
| <input type="checkbox"/> Other (please specify) _____ | |

Section 3

Building code certificate

Building Code Certificate Checklist			
Customer	Office		
<input type="checkbox"/>	<input type="checkbox"/>	Application form completed and signed	
<input type="checkbox"/>	<input type="checkbox"/>	Scale plan of premises (<i>see guidelines</i>)	
<input type="checkbox"/>	<input type="checkbox"/>	Fees	
CSR checklist completed by			Date
			Receipt no



Building code certificate application

Under the Provisions of the Sale and Supply of Alcohol Act 2012

Premises details

Full address/location of premises _____

Legal description Lot _____ DP _____ or section _____ SO _____

State the proposed use of the premises (e.g. shop, cabaret, restaurant, motel, hotel, club etc)

please ✓ the appropriate box

On licence _____

Off licence _____

Club _____

If there is an existing On Licence, please state the general nature of the business

On licence _____

If there is an existing Off Licence, please state type

Off licence _____

Existing name of premises _____

Proposed name of premises (if any) _____

If these premises were not previously licensed, please state previous use, e.g. Warehouse, retail, office or residential, the premises are located in

Existing building that will not have a change of use

Existing building that will have a change of use & require a building consent BC no _____

Existing building requiring upgrade or currently under building alternation BC no _____

New building BC no _____

Intended maximum occupant number _____

Applicant details

Name of applicant _____

Street address _____

Postal address if different from above _____

Contact numbers _____

Declaration and signature

I hereby apply for a certificate that my premises comply with the Building Code requirements. This application is made to comply with the provisions of the Sale and Supply of Alcohol Act 2012, Section 100(f).

Signature

Date