



**WHANGAREI**  
DISTRICT COUNCIL

# Application Pack for Off Licence



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## Guidelines for Off Licence Application

### Section 31, Sale of Liquor Act 1989 Reg 8(1) and Sale of Liquor Regulations 1990

#### Applicant Guide

Whangarei District Licensing Agency is an Agency for the Liquor Licensing Authority in Wellington who issues licenses. The requirements for Licenses and the criteria the Authority consider in granting them are set out in the Sale of Liquor Act 1989 and Regulations and Whangarei District Licensing Agency Liquor Licensing Policy.

#### What you Need to Do

- 1 Complete this application for an 'Off Licence'. **(See Section 1)**
- 2 Complete the applications for a Resource Management Act Certificate. **(See Section 2)**
- 3 Complete the application for a Building Code Certificate. **(See Section 3)**
- 4 Make public notice – in a newspaper – on site. **(See Section 4)**
- 5 Make 3 copies of all submitted documents.

Fees : \$776.00 for Off Licences

\$132.00 for Caterers' Off Licenses, Auctioneers' Off Licenses

*(Must be paid at the time of application and is not refundable)*

#### What you need to submit for all applications

- The application form which must be completed, signed and dated.
- A scale plan drawn to draught person's standards with dimensions and total area, at a scale of 1:100 showing:
  - i the part of the premises to be used for the sale of liquor
  - ii the principal entrance
  - iii any part to be designated 'supervised' or 'restricted' as defined in the Sale or Liquor Act.
- If the applicant does not own the premises, a written statement from the owner that there is no objection to the granting of the licence.
- Map showing the location of the premises, e.g. a photocopy of a street map with your site marked.
- Exterior photograph or artist's impression, showing the principal entrance.
- Certificate of Incorporation if the applicant is a company.
- **Supermarkets** (Where the application relates to a supermarket)  
Particulars of the floor area of the supermarket, including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items. Note: Supermarkets are premises define in the Sale of Liquor Act as having at least 1000 square metres of floor area, including separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items

- **Grocery stores**( where the application relates to a grocery store)  
Particulars of the principal business of the store, including evidence and certified accounts showing the percentage turnover that is derived from the sale of main order household foodstuff requirements.
- **General Store – other type of premises** (Where the application is made in reliance on Section 36(2) (a) of the Act)  
Evidence to show that the sale of liquor in premises of a kind described in paragraph (c) [stand alone bottle stores, wine makers ] or paragraph (d) [ supermarket, grocery store ] of Section 36(1) of the Act would not be economic.

Note: " Other" premises cannot include dairies, service stations or premises in which the principal business is the sale of petrol or other automotive fuels.

- **Caterer** ( Where the application relates to the business of a caterer)  
Evidence to show that the applicant is or will be conducting the business of a caterer, including their frequency and types of functions that are or are proposed to be catered for.
- A brief written submission describing the way your business will operate, e.g. promoting mainly food or bar facilities, who the Manager will be, and a description of the business background of those persons involved.

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Website: <http://www.wdc.govt.nz> • E-mail: [mailroom@wdc.govt.nz](mailto:mailroom@wdc.govt.nz)



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## Resource Management Act & Building Code Certificates to Accompany Application

Where the application relates to any premises, the application must include a certificate by the local authority that the proposed use of the premises meets the requirements of the Resource Management Act 1991 and the Building Code.

In an ideal situation an applicant will have applied for and been granted a Resource management Act Certificate (which might involve the granting of a Land Use consent) prior to application for an 'Off Licence'.

However, application can be made for an RMA Certificate at the same time that the 'Off Licence' application is made and this application form is included in this pack. A separate fee also applies for the RMA Certificate application which is processed by council's Planning Consent Division.

### Building Code Certificate

Complete the application in Section 3. An additional fee applies for the building code certificate, which is processed by council's building division.

### Place your public notices (Forms attached)

#### a Newspaper

After lodging the application, and within 20 working days, insert two public notices in one of the following newspapers:

- Whangarei Leader
- Northern Advocate
- Whangarei Report

Public notices cannot be less than 5, or more than 10 days between each notification, and we suggest you publish on the same day one week apart. Send us the original page of the newspaper showing the date and the public notice – preferably the full page.

#### B On Site

Within 10 working days after lodging the application, the applicant must ensure that the notice of the application is attached in place on, or adjacent to the site to which application relates.

### What we do

Whangarei District Licensing Agency will:

- Request a police report.
- Request a report from Northland Health, (it is important to make yourself available if contacted by Northland Health, as not doing so may delay your application).
- A Liquor Licensing Inspector may contact you for information before completing their report. The Inspector may want to visit your premises.
- If objections are received, copies will be sent to you by this office.
- A copy of the Inspectors, Health & Police Reports will be sent to you.
- The District Licensing Agency determines unopposed applications. Opposed applications will be forwarded to the Liquor Licensing Authority in Wellington for consideration.

## Completing the Application Form

- Note 1 Applicant's Name(s) – Name(s) to appear Off Licence  
If a partnership – the names of all partners are required  
If a company – enter the company name
- Note 1(a) Address of applicant where individual or preferred contact address where partnership/company
- Note 2 Details of proposed manager(s) – where more than one manager, provide details of each
- Note 3 Definition of 'restricted area' – no person under the age of 18 years permitted
- Note 4 Definition of 'supervised area' – person under the age of 18 years must be accompanied by a parent or legal guardian
- Note 5 Persons to whom liquor may not be sold pursuant to licence, e.g.:
- ◆ A minor
  - ◆ Persons who are intoxicated



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## **Section 1**

# **Application for Off Licence**



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## 2 Full Details When Applicant is a Company (continued)

In case only of a public company include full details of each person who holds 20% 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

### Convictions

Has the applicant been convicted of any offence <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes – what are the details of each of offence	Nature of Offence	Date of Conviction	Penalty Suffered

## 3 Partnership Details

Full details of each partner, as follows:				
Name	Address	Date of Birth	Place of Birth	Signature

## 4 Details of Premises

Address if proposed licensed premises				
Type of Premises	<input type="checkbox"/> Hotel or Tavern <input type="checkbox"/> Grocery Store <input type="checkbox"/> Supermarket <input type="checkbox"/> Other			
<input type="checkbox"/> Club <input type="checkbox"/> Premises on which principal business is manufacture or sale of liquor				
Proposed Trading Name				
Is licence sought conditional upon construction or completion of the premises				<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the applicant own the proposed licensed premises				<input type="checkbox"/> Yes <input type="checkbox"/> No
If no	a Full name and address of owner			
	b Form and term of the premises tenure			
The part of the premises (if any) the applicant intends designated as	A restricted area (note 3)			
	A supervised area (note 4)			

## 5 Details of Business

Does the applicant seek the licence in connection with the business of catering?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the applicant seek the licence in connection with the business of an auctioneer?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the sale of liquor intended to be the principal purpose of the business?		<input type="checkbox"/> Yes <input type="checkbox"/> 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 of any goods other than liquor and food, or in the provision of any services other than those directly related to the sale or supply of liquor and food? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes – what is the nature of those other goods or services		
The days and hours the applicant intends to sell liquor under the licence		
Does the applicant intend to provide complimentary samples of liquor on the premises		<input type="checkbox"/> Yes <input type="checkbox"/> No
What part of Section 36 of the Act is applicable to this application?		

**6 Certified Managers' Details**

Name	Address	Date of Birth	Certificate Number	Expiry Date

**7 Conditions**

What steps does the application propose to take to ensure that the requirements of the Act in relation to the sale of liquor to prohibited persons are observed (note 5)	
Where the principal business is other than the manufacture or sale of liquor, what kind or kinds of liquor does the applicant intend to sell or deliver under the licence	

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

\_\_\_\_\_  
Date



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## **Section 2**

# **Resource Management Act Certificate**



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## Application Guide for a ...

# Resource Management and Liquor Certificate

This application is made pursuant to Sections 9 (1)(e), 31 (1)(e) or 55 (1)(e) of the Sale of Liquor Act 1989. Please Note this application will also be subject to all other relevant provisions contained within the Resource Management Act 1991.

*If you are a new owner on an already liquor licensed premises, please refer to 2.3 on the On, Off and Club Licenses Application Guide (green cover sheet).*

## Background



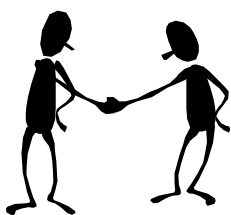
Sections 9 (1)(e), 31 (1)(e) and 55 (1)(e) of the Sale of Liquor Act 1989 require that any application for an on-licence, off-licence or club licence respectively in Whangarei District be accompanied by a certificate from Whangarei District Council which declares that the proposed use of the premises meets the requirements of the Resource Management Act 1991.

Under the Resource Management Act 1991 Whangarei District Council has a responsibility to control the "effects" of the use of land within the Whangarei District. The Act requires that council prepare and administer a district plan. The District Plan contains rules that are intended to control the environmental effects associated with the use of land. The use of a building or land for the sale or consumption of alcohol constitutes a use of land under the Act, and may be controlled by the rules in the District Plan. Therefore, any proposal to establish, extend or intensify such an operation needs to be assessed against the rules in the District Plan.

If council determines that the proposal complies with all of the rules in the District Plan and is accordingly considered to be a "permitted" activity, then a Resource Management and Liquor Certificate can be issued. If council determines that the proposal does not comply with all of the rules in the District Plan, resource consent will be required before the proposal is allowed to commence. When a resource consent authorising the proposal is granted then a Resource Management and Liquor Certificate can be issued. If council determines that the proposal has existing use rights under Section 10 of the Resource Management Act 1991, then a Resource Management and Liquor Certificate can be issued.

A Resource Management and Liquor Certificate is proof that the proposal complies with the requirements of the Resource Management Act 1991 and therefore it satisfies the requirements of Section 9 (1) (e), Section 31 (1) (e) and Section 55 (1) (e) of the Sale of Liquor Act 1989.

## Lodgement Meeting



It is recommended each application for resource consent undergo a Lodgement Meeting which is to be held between the applicant (and/or agent) and the Reporting Officer who will be processing the application. The purpose of the meeting is to ensure that all the necessary information has been supplied with the application. They also provide a valuable opportunity for applicants to meet council staff to discuss the resource consent process or issues relating to the application. Incomplete applications lodged through this system will not be accepted and this may result in the necessity for additional Lodgement Meetings. Please ask our Duty Planner for more information about

Lodgement Meetings and how to make an appointment.

## Information to accompany Application Form

An application for a resource management and liquor certificate must be made on the correct application form. A copy of this form is inclosed in this application pack. In addition to a completed form, council requires the following information to assess all applications.

## Covering Letter



All applications must provide a covering letter addressed to the Team Leader (Consents) which explains what you are applying to do and how you comply with the rule(s) in the District Plan(s). If you are trying to establish existing use rights, describe the use, explain how the use was lawfully established, and identify whether the use has been discontinued at any time and for how long. If you have obtained a resource consent for the proposal please supply council's reference numbers.

## Certificate of Title

A current copy of the Certificate of Title of the property where the proposed activity is to occur. As a guide the Title supplied should be no older than 6 months. Copies can be obtained from your lawyer.

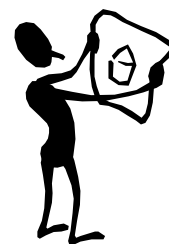
## Planning Maps

A photocopy of the relevant map(s) from the District Plan(s) which show the property and its zoning. Highlight the property to which the Certificate of Compliance relates.

## Set of Plans:

The plans must be at a recognised scale (eg. 1:50, 1:100, 1:200), be true to scale and key dimensions are to be included. Plans should be dated, numbered and referenced. The plans need not be working drawings but are required to show the following, where relevant:

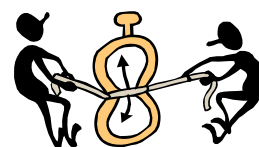
- Full site plan
- Boundary dimensions
- Distance to boundaries from proposal
- North point
- All existing and proposed buildings, including minor features such as decks and stairs, with dimensions and gross floor areas.
- Any retaining walls
- Driveway and note approximate gradient of driveway
- Parking and manoeuvring areas (including tracking curve)
- Outdoor living court
- Existing and proposed landscaping
- Full elevations with finished floor levels and site contours
- Any areas of earthworks (cut or fill)
- Street address and area of allotment
- Colours and materials to be used
- Name of draughtsperson, date drawn and references
- Location of any hazards associated with the site
- Location of any values identified in the Plan, including ecological, cultural and landscape values.



***4 copies of the completed application form and accompanying information is required to be supplied. The 4 copies of the plans required can be made up of 1 full set of plans and 3 copies reduced to A4 size.***

## Processing Time Frames

Council endeavours to process Resource Management and Liquor Certificates within 20 working days from the date of receipt. This is not a requirement of the relevant legislation but rather an aim of the Annual Plan. If further information is requested (as outlined above) the working day count stops until such time as the information request is adequately satisfied.



## Want to Know More



The text from the Proposed District Plan as Amended by Council Decision can be found on the council's website [www.wdc.govt.nz](http://www.wdc.govt.nz) under the public documents tab. All application forms can also be found on the internet.

A video supplied by the Ministry for the Environment detailing the resource consent process is available to be viewed at council.

For further information on resource consents and the District Plan(s), please refer to our other pamphlets in this series or contact the Duty Planner at Whangarei District Council, Ph 430 4200.

***The pamphlets are intended to provide general information on making an application. They are not intended as legal documents and may not be applicable in all circumstances.***

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**Fee payable \$400 (or more)**

OFFICE USE ONLY		Date Rec'd: _____
Name of CLO _____		
Fees received \$ _____	<b>688506 - 576</b>	
Receipt No _____		
RC _____ SD/LU/CC _____		
Assess _____ P _____		
R O _____		

## Application form for ... **Sale of Liquor Certification under the RMA**

This application is made pursuant to Sections 9 (1)(e), 31 (1)(e) or 55(1)(e) of the Sale of Liquor Act 1989. Please note that your application will also be subject to all other relevant provisions contained within the Resource Management Act 1991 ("RMA").

This form provides us with your contact details, and details about your proposed activity and its effects on the environment. Please note that the public can view all the information provided in your application.

We recommend that you talk to council staff about your proposal before you fill in this form. You should also contact us if you are unsure what forms you should be using, or if you need help with filling in any of the forms. We can be contacted on (09) 430 4200. A video provided by the Ministry for the Environment explaining the resource consent process is available to be viewed at council should you wish to see it.

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

**It is important that you answer all questions fully**

### Application Details

Name of party applying for liquor certificate \_\_\_\_\_

Name of Premises \_\_\_\_\_

Is this an existing licensed premises?  Yes  No

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

On-Licence (s9)  Off-Licence (s31)  Club Licence (s55)

Description of Activity \_\_\_\_\_

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

Operating Hours \_\_\_\_\_

Maximum Number of Patrons \_\_\_\_\_ Number of parking spaces available on site \_\_\_\_\_

The activity  is a permitted activity  has a valid resource consent  has existing use rights

### Site Description (most of this information should appear on your rates notice)

Property Names \_\_\_\_\_

Property Address \_\_\_\_\_ Property ID \_\_\_\_\_

Legal Description \_\_\_\_\_ CT \_\_\_\_\_ Valuation Ref \_\_\_\_\_

## Ownership/Occupancy

I am the (i.e. Owner, Occupier, Lessee) \_\_\_\_\_ of the property.

Name of owner/occupier: (if different from applicant) \_\_\_\_\_

Postal Address of owner/occupier \_\_\_\_\_

## Application Fees

The fees charged by Whangarei District Council for the processing of applications are itemised on the form titled "Resource Consent Processing and Monitoring Fees".

You will be charged a processing fee when council has reached a decision on your application. Interim billing may also occur on applications that take a long time to process.

The processing charge covers tasks such as site visits, report preparation, information searches, and may include input from other council staff including our engineers and noise officers. Mileage is also charged for. If both a planner and an engineer make a site visit, only the mileage for one trip will be charged. This only applies to the first trip made. If additional trips are made by a planner or an engineer these will be charged for. Additional site visits may be necessary for example when an application is notified and a public notice is required to be erected, or if alterations are made to the proposal.

**Please refer to the form titled 'Resource Consent Processing and Monitoring Fees'** on the Council website 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** on the file.

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. In the case where a consultant is required council reserves the right to on-charge costs.

By submitting and signing this application form you have undertaken to pay the council's processing and monitoring fees.

## Attachments

I Attach  Advance Fee  Covering Letter  
 Certificate of Title  Plans (as per guidelines)  
 Planning Maps  Other (please specify) \_\_\_\_\_

**Note:** The Application Guides for Resource Management Certification Applications lists the information requirements for these Resource Consent applications. Incomplete applications may result in requests for further information and therefore delays may be experienced.

The text from the Proposed District Plan as Amended by Council Decision can be found on council's website [www.wdc.govt.nz](http://www.wdc.govt.nz).

**4 copies of the completed application form and accompanying information is required to be supplied. The 4 copies of the plans required can be made up of 1 full set of plans and 3 copies reduced to A4 size.**

## Address for Service/Correspondence

Name of Applicant or Agent (if any) \_\_\_\_\_ Ref No \_\_\_\_\_

Telephone Business \_\_\_\_\_ Home \_\_\_\_\_ Fax \_\_\_\_\_

Postal Address \_\_\_\_\_

Signature of applicant/agent \_\_\_\_\_ Date \_\_\_\_\_

**Note:** All correspondence and communication, including invoices in regard to this application will be sent to the above address



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## **Section 3**

# **Building Code Certificate**



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## Building Code Certificate Application Form

*Under the Provisions of the Sale of Liquor Act 1989*

**Fee \$160 510032 - 172**

### 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)

\_\_\_\_\_ And please tick the appropriate box below

On Licence \_\_\_\_\_

Off Licence \_\_\_\_\_

Clubs \_\_\_\_\_

If there is an existing Off 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 and will require a building consent Building consent Number \_\_\_\_\_

Existing building requiring upgrade or currently under building alternation Building consent Number \_\_\_\_\_

New building Building consent Number \_\_\_\_\_

Intended maximum occupant number \_\_\_\_\_

**Applicant Details (All fields are mandatory)**

Mr     Mrs     Miss     Ms     Other (please specify) \_\_\_\_\_

First name in full \_\_\_\_\_

Middle name(s) \_\_\_\_\_ Surname \_\_\_\_\_

If applying on behalf of a company/trust, full company/trust name (please list trustee(s) and contact address(es)

Street Address \_\_\_\_\_

Suburb \_\_\_\_\_ Town/City \_\_\_\_\_

Postal address if different from above \_\_\_\_\_

Home contact No \_\_\_\_\_ Work contact No \_\_\_\_\_ Mobile No \_\_\_\_\_

**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 of Liquor Act 1989 Section 9(1)(e) or Section 31(1)(e), or Section 55(1)(e).

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

\_\_\_\_\_  
Date

Please specify capacity in which application was signed \_\_\_\_\_



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## **Section 4**

# **Public Notification of Application**



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## Guidelines for Submitting Advertisements in Newspaper New Premises Applications

### Form D

#### ➤ Club Applications

#### 1 Place your Public Notices (*Forms attached*)

After lodging the application and within 20 working days, insert two public notices in one of the following newspapers:

- i Whangarei Leader
- ii Northern Advocate
- iii Whangarei Report

**Between 5 and 10 working days apart. We suggest you publish on the same day one week apart. Send us the original page of the newspaper showing the date and the public notice – the full page (*Not Clippings*).**

#### 2 Within ten (10) working days after filing this application with the District Licensing Agency, the applicant must ensure that notice of the application is attached in place on, or adjacent to the site to which application relates (unless the Secretary of the District Licensing Agency agrees that it is impracticable or unreasonable to do).

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**Public Notification**  
**Application for an Off Licence**  
*Section 31(3) Sale of Liquor Act 1989*

**Details of Applicant**

Name \_\_\_\_\_

Address \_\_\_\_\_

Occupation \_\_\_\_\_

has made application to the District Licensing Agency at Whangarei for the grant of an Off Licence in respect of the premises situated at:

Situation Address \_\_\_\_\_

Known as *(Name of business)* \_\_\_\_\_

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

*(type of Business)* \_\_\_\_\_

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

Days and Hours \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Any person who is entitled to object and who wishes to object to the grant of the application may, not later than 10 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 Agency at the Whangarei District Council, Private Bag 9023, Whangarei 0140.

This is the  first  second publication of this notice

The notice was first published on *(date)* \_\_\_\_\_

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**Public Notification**  
**Application for On & Off Licenses**  
*Sections 9 (4) and 31 (3), Sale of Liquor Act 1989*

**Details of Applicant**

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Occupation \_\_\_\_\_

has made application to the District Licensing Agency at Whangarei for the grant of On and Off Licences in respect of premises situated at:

Situation Address \_\_\_\_\_

Known as *(Name of business)* \_\_\_\_\_

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

*(Type of Business)* \_\_\_\_\_

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

**Off Licence** Days and Hours \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Off Licence** Days and Hours \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Any person who is entitled to object and who wishes to object to the grant of the application may, not later than 10 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 Agency at the Whangarei District Council, Private Bag 9023, Whangarei.

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