



Clutha District Council

GUIDANCE FOR YOUR APPLICATION FOR A NEW OFF LICENCE

Section 100, Sale and Supply of Alcohol Act 2012

Please submit the following information with your application for a new off licence:

- A photograph of the exterior of the premises or an artist's impression of the exterior of the proposed premises as they will look when they are finished.
- A map or a copy or portion of a map, showing the location of the premises.
- A scale plan showing:
 - Those parts of the premises that are to be used for the sale or supply of alcohol.
 - Those parts of the premises (if any) that the applicant intends should be designated as restricted areas or as supervised areas.
 - Each entrance to the premises that the applicant intends should be designated as a principal entrance.
- A local authority compliance certificate issued by the local authority that the proposed use of the premises meets the requirements of the Resource Management Act. For assistance with this, contact the Clutha District Council Planning Department.
- If the applicant is:
 - not the owner of the premises:- A copy of your lease agreement with the owner, also in writing, the owner's consent to the granting of an off licence for the premises.
 - incorporated:- A copy of the certificate of incorporation or other documented evidence of its incorporation.
 - a company:- A copy of the memorandum of association, or other documentary evidence of its authority to sell alcohol or to hold a licence under the Act or under the provisions of any previous enactment relating to the sale of liquor.
 - a local authority:- A reference to the enactment by which the applicant is expressly authorised to hold an off licence under the Act.
 - a board, organisation, or body to which Section 8(1)(bb) of the Act applies:- A reference to the Act under which the applicant is authorised to sell liquor or hold an off licence under the Act.
- A written Host Responsibility Policy. For assistance with this please call Public Health South.
- The prescribed fee. For assistance with this calculation please contact alcohol administration staff on (03) 419 0200.



Clutha District Council

Other information for the applicant on the requirements of the Sale and Supply of Alcohol Act 2012

Newspaper advertisement

Within 20 working days after lodging this application with the Clutha District Licensing Committee, the applicant is required to give public notice of the application. The wording of the notice is contained in Forms Schedule (Form 7) of the Sale and Supply of Alcohol Regulations 2013. The notice must be published twice in the public notices section of either the Otago Daily Times or Clutha Leader, with not less than five days and not more than 10 days between the two dates of publication.

The applicant must deliver a copy of each public notice and details of the dates and newspapers in which the notices were published to the Secretary of the Clutha District Licensing Committee.

Please note:-

To assist you with this process the Clutha District Licensing Committee will provide an appropriate notice for you when your application is submitted.

Site notice

Within 10 working days after filing the application, the applicant must ensure that a notice is displayed in a conspicuous place on or adjacent to the site to which the application relates. The wording of the notice is specified in the Sale and Supply of Alcohol Regulations 2013. The notice must be at least A4 size with the print being legible and prominent.

Please note:-

To assist you with this process the Clutha District Licensing Committee will provide an appropriate notice for you when your application is submitted.

Processing of the application

- The completed application form and supporting documents should be submitted to the Clutha District Licensing Committee, along with payment.
- The Clutha District Licensing Committee will send a copy of the application to the statutory reporting agencies. The Licensing Inspector, Police and Medical Officer of Health will inquire into the application.
- When reports and objections, if any, have been received the application will be processed and a decision made by the Clutha District Licensing Committee.

Please note:

It will take a minimum of 30 working days from when it is submitted before the licence may be issued. However it may take longer. If you have an intended opening date please let the Clutha District Licensing Committee know and we will do our best to help.

Criteria for off licence

1. In deciding whether to issue a licence, the Licensing Authority or the Licensing Committee concerned must have regard to the following matters:
 - (a) The object of this Act.

- (b) The suitability of the applicant.
- (c) Any relevant local alcohol policy.
- (d) The days on which and the hours during which the applicant proposes to sell alcohol.
- (e) The design and layout of any proposed premises.
- (f) Whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods.
- (g) Whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services.
- (h) Whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence.
- (i) Whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that:
 - (i) They would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but
 - (ii) It is nevertheless desirable not to issue any further licences.
- (j) Whether the applicant has appropriate systems, staff, and training to comply with the law.
- (k) Any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under Section 103.

Please note:

The Clutha District Licensing Committee places considerable importance on the object of the Sale and Supply of Alcohol Act 2012.

- (1) The object of this Act is that—
 - (a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and
 - (b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.
- (2) For the purposes of subsection (1), the harm caused by the excessive or inappropriate consumption of alcohol includes—
 - (a) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and
 - (b) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).

Note: These pages are for guidance and don't need to accompany the application.



Clutha District Council

**APPLICATION FOR NEW OFF LICENCE
(for premises)
Section 100, Sale and Supply of Alcohol Act 2012**

To: The Secretary
Clutha District Licensing Committee
PO Box 25
BALCLUTHA 9240

Application for an off licence is made in accordance with the details set out below.

1. Details of applicant(s)

- (a) Full name to be on licence: _____
- (b) Address of premises: _____
- (c) Postal address for service of documents: _____
- (d) Daytime contact number: _____ Cellphone: _____
Work: _____ Email: _____
- (e) Status of applicant (*tick appropriate box*)
 - Natural person Private company
 - Public company Licensing trust
 - Partnership Other (*please specify*) _____

2. Further details for applicant who is a natural person

- (a) Name (including any aliases): _____
- (b) Residential address: _____
- (c) Gender: _____ (d) Occupation: _____
- (e) Date and place of birth: _____
- (f) Daytime contact number: _____
- (g) Email address: _____ (h) Website: _____

3. Further details where applicant is a company

- (a) Date of incorporation: _____ (b) Place of incorporation: _____
- (c) Full details of each director, and the secretary, as follows: (*attach a separate sheet if necessary*)

Name	Address	Date of birth	Place of birth	Designation

4. If private company

(a) Authorised capital Paid-up capital

(b) Full details of each person who holds any shares issued by the company

Name	Address	Date of birth	Place of birth	Designation	Face value shares held

5. If public company

(a) 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

6. Further details where applicant is a partnership

(a) Full details of each partner as follows:

Name	Address	Date of birth	Place of birth	Signature of each partner

7. Criminal record check

Has the applicant **ever** been convicted of any offence? Yes No

Please 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.

Conviction	Date of conviction

NOTE: Failure to disclose may result in the Police opposing the application.

8. Premises Details

(a) Address of proposed licensed premises: _____

(b) Proposed trading name for premises (*if any*): _____

(c) Is a licence sought conditional upon construction or completion of the premises? **YES/NO**

(d) Does the applicant own the proposed licensed premises? **YES/NO**

If No (i) What is the full name and address of the owner?

(ii) What form of tenure of the premises will the applicant have (*including term of tenure*)?

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

(i) A restricted area: _____

(ii) A supervised area: _____

9. Details of business

(a) Nature of business to be conducted: _____

(b) Does the applicant wish to apply for the off licence to be endorsed? **YES/NO**

(*If yes, please specify*) Auctioneers (*Section 39*) Remote seller (*Section 40*)

(c) Is the sale of alcohol the principal purpose of business? **YES/NO**

(d) If no, state intended principal purpose of business: _____

(e) 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**

(f) If yes, state the nature of those other goods or services: _____

(g) Which days and which hours are proposed for the sale of alcohol? _____

10. Conditions

(a) What experience and training does the applicant have? _____

(b) To what extent and where will drinking water be freely available to patrons when complementary samples are available? (***This location will be a licence condition***): _____

(c) If no access to mains water supply, potability of water intended to be available: (*describe*)

(d) What steps does the applicant propose to take to ensure that the requirements of the Act in relation to the sale of alcohol to prohibited persons are observed? _____

(e) What other steps does the applicant propose to take to promote the responsible consumption of alcohol? _____

(f) Other systems (including training systems) and staff in place (or to be in place) for compliance with the Act: _____

11. Manager(s) to be employed (*Persons who hold a manager's certificate*)

Full legal name: _____

Address: _____

Certificate number: _____ Expiry date: _____

Full legal name: _____

Address: _____

Certificate number: _____ Expiry date: _____

Full legal name: _____

Address: _____

Certificate number: _____ Expiry date: _____

12. Additional questions

(a) The granting of this application will not decrease the amenity or good order of the area by more than a minor extent because: _____

(b) The design and layout of our premises complies with the Act because: _____

(c) The granting of this application will contribute to the object of the Act by: _____

13. Fire evacuation scheme (Tick (a), (b) or (c) as appropriate)

Applications for a licence under the Sale and Supply of Alcohol Act 2012 require the licensed premises to comply with section 75 of the Fire and Emergency New Zealand Act 2017 which legislates that all relevant buildings must provide and maintain an evacuation scheme. Among the buildings that require an evacuation scheme includes those buildings where:

- The gathering together, for any purpose, of 100 or more persons
- Providing employment facilities for 10 or more persons
- Providing accommodation for more than 5 persons
- Storing or processing hazardous substances in quantities exceeding the prescribed minimum amounts.

Please tick one -

- (a) Fire evacuation scheme. The building in which the premises is situated has an evacuation scheme for public safety which meets the requirements of Section 75 of the Fire and Emergency Act 1975, and the requirements as set out in the documentation of the approved evacuation scheme has been maintained in accordance with Section 76 of the Act;

Have you held a trial evacuation at the premises?

YES / NO

What was the last date of a trial evacuation? _____

(These must be held every six (6) months and notified to the Fire Service).

- (b) Procedure only. The building, by reason of its current use, is not required to provide and maintain such a scheme or because of the nature of the building, is exempt from having to meet the requirements to provide and maintain such a scheme. Evacuation procedures are required to be in place with this information being readily available, such as fire action notices displayed identifying those procedures.

Note: If you do not have your procedures displayed and readily available, you may be subject to penalties under the Fire and Emergency New Zealand (Offences) Regulations 2019.

Applicant's signature: _____ **Date:** ___/___/___

Applicant's signature: _____ **Date:** ___/___/___

Applicant's signature: _____ **Date:** ___/___/___

Applicant's signature: _____ **Date:** ___/___/___

Privacy statement

The information you provide in this application and any supporting documents will be used by the Clutha District Council to process your application under the Sale and Supply of Alcohol Act 2012. If required, the information may form part of a public hearing before the DLC and may appear in the hearing agenda. The decision will be made publicly available. The information you provide may also be used in any subsequent decision relating to your application.

The information provided will be shared with the Clutha District Licensing Committee (DLC), CDC licensing inspectors, Police and the Medical Officer of Health for the purposes of making a decision on your application.

The council is required to keep a record of every premises licence application (including for renewals and variations) filed with the District Licensing Committee and the committee's decision on it. This information,

including the application and all attachments, is made available to the council's licensing inspectors and police for the purposes of monitoring ongoing compliance with any licence conditions and undertakings, duty manager appointments, and the Act.

The council is required to report statistics about applications to the Alcohol Regulatory and Licensing Authority. Any member of the public may, under the Local Government Official Information and Meetings Act 1987, request access to information held by the council. Under the Privacy Act 2020, you have the right to see and correct personal information that the council holds about you.

If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at help.desk@cluthadc.govt.nz or on 03 419 0200.