

INFORMATION ABOUT APPLYING FOR A RENEWAL OR VARIATION OF AN ON LICENCE

Section 127 (2), Sale and Supply of Alcohol Act 2012

An application for renewal of an on licence must be made no later than 20 working days before the expiry of the licence.

Please submit the following information with your application for a renewal or variation of On Licence:

- A scale plan showing (the Sale and Supply of Alcohol Regulations 2013 require this with each application for renewal of an on licence):
 - Those parts of the premises that are used for the sale or supply of alcohol.
 - Those parts of the premises (if any) that are designated as restricted areas or as supervised areas.
 - Each entrance to the premises that should be designated as a principal entrance.
- A menu or other indication of the standard and style of food to be provided or proposed to be provided.
- If applicant is *not the owner of the premises*:- A letter from the owner giving consent to the renewal of the on licence for the premises.
- A written host responsibility policy. For assistance with this please call Public Health South.
- The prescribed fee must be paid. For assistance with this calculation please contact the Clutha District Licensing Committee Administration Support Person on (03) 419 0284.

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

Newspaper advertisement

Within **10** 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 a newspaper circulating in the district, e.g. The Otago Daily Times, Clutha Leader or Blue Mountain Express, 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 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 with this process the Clutha District Licensing Committee will provide an appropriate notice 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, 20 working days before the expiry date of the licence.

The Clutha District Licensing Committee will send a copy of the application to the statutory reporting agencies. The Licensing Inspector, Police, Medical Officer of Health and NZ Fire Service will enquire 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 renewed. However, it may take longer.

Criteria for On Licence

1. In deciding whether to renew 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 increased, by more than a minor extent, by the effects of a refusal to renew the licence.

- (i) Whether the applicant has appropriate systems, staff, and training to comply with the law.
 - (j) Any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under Section 129.
 - (k) The manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.
2. The authority or committee must not take into account any prejudicial effect that the issue of the licence may have on the business conducted pursuant to any other licence.

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 guide pages do not need to accompany the application



Clutha District Council

APPLICATION FOR RENEWAL OR VARIATION OF ON LICENCE (for premises)

Section 127 (2), Sale and Supply of Alcohol Act 2012

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

Application for a renewal of On Licence is made in accordance with the details set out below.

Renewal Variation Renewal and variation

1. Details of applicant(s)

- (a) Full name on licence: _____
- (b) Trading name of premises: _____
- (c) Address of premises: _____
- (d) Postal address for service of documents: _____
- (e) Premises phone number: _____
- (f) _____

2. Details of existing licence

- (a) Licence number _____
- (b) Expiry date _____
- (c) _____

3. Contact person

- (a) Name: _____
- (b) Residential address: _____
- (c) Daytime contact number: _____
- (d) Email address: _____

4. Criminal Convictions

(a) Has the applicant ever been convicted of any offence? (Please attach a separate sheet if necessary) **YES / NO**

Conviction	Date of conviction

NOTE: Failure to disclose may result in the Police opposing the renewal of the licence.

5. Changes to ownership of business

- (a) Has there been any changes to the ownership of the business since the last renewal of the licence? (If yes, please provide details) **YES / NO**

6. Premises details

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

If no, state:

- i What is the full name and address of the owner? (a letter is required from the owner of the premises stating approval of renewal or variation of licence).

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

- (b) What part (if any) of the premises is currently designated?

- i A restricted area: _____
- ii A supervised area: _____

7. Details of business

- (a) Nature of business conducted: _____

- (b) Does the applicant wish to apply for the On Licence to be endorsed? **YES / NO**

(If yes, please specify) BYO (Section 37) Caterer (Section 38)

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

- (d) If no, state 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: _____

8. Conditions

Are any changes sought to the present conditions of the licence? **YES / NO**

- (a) If yes, what changes are sought? _____

- (b) Describe fully why the changes are sought? _____

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

- (d) What provision does the applicant intend to make for the sale and supply of:
 Food (describe variety): _____
 Non-alcoholic beverages (describe variety): _____
 Low-alcohol beverages (describe variety): _____
- (e) Free drinking water (where will this be available from – this will be included in the Licence conditions): _____
 If no access to mains water supply, potability of water intended to be available: (describe):

- (f) What steps does the applicant propose to take to provide assistance with or information about alternative forms of transport from the licensed premises? _____

- (g) 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? _____

- (h) What other steps does the applicant propose to take to promote the responsible consumption of alcohol: _____
 i. Other systems (including training systems) and staff in place for compliance with the Act:

9. Manager(s) employed (persons who hold a manager's certificate) (please attach a separate sheet if necessary).

Full legal name: _____

Address: _____

Certificate number: _____ Expiry date: _____

Full legal name: _____

Address: _____

Certificate number: _____ Expiry date: _____

Full legal name: _____

Address: _____

Certificate number: _____ Expiry date: _____

10. Additional questions

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

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

(d) The granting of this renewal will contribute to the object of the Act by: _____

10. Fire evacuation scheme *Tick (a) or (b) 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, which came into effect on 13 December 2019.

Applicant's signature: _____ **Dated at Clutha:** ___/___/___

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Applicant's signature: _____ **Dated at Clutha:** ___/___/___

Applicant's signature: _____ **Dated at Clutha:** ___/___/___

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.