

West Coast Councils



Buller District Council
6-8 Brougham Street, Westport 7825
PO Box 21, Westport 7866
T: (03) 788 9111
F. (03) 788 8041
66 Broadway, Reefton 7830
PO Box 75, Reefton 7851
T: (03) 732 8821
info@bdc.govt.nz
www.bullerdc.govt.nz



Grey District Council
105 Tainui Street, Greymouth 7805
PO Box 382, Greymouth 7840
T. (03)769 8600
info@greydc.govt.nz
www.greydc.govt.nz



Westland District Council
36 Weld Street, Hokitika 7810
Private Bag 704, Hokitika 7842
T. (03) 756 9010 or
0800 474 834
F. (03) 756 9045
council@westlanddc.govt.nz
www.westlanddc.govt.nz

Application for Variation or Cancellation of Conditions of Licence

EVERY application must be accompanied by the following – incomplete applications will not be accepted.

- The original of the completed application and supporting documents.
- The prescribed application fee. Refer to the attached Fees and Charges sheet for information on the relevant fee. A calculation table is also provided.
- A signed Public Notice Declaration Form acknowledging that Form 7 is displayed on site. Public notices for applications lodged in Buller, Grey and Westland are no longer required to be advertised in the local newspapers but instead they will be published on Council's website for 15 working days.
- Form 7 (Public Notice) completed for inclusion on Council's website. Please contact Council if you need assistance.
- Evacuation Scheme Statement Declaration
All applicants are advised to contact Fire and Emergency NZ first and confirm whether they have or are required to have an approved evacuation scheme.
- If any changes are made to the floor plan, provide scale floor plan showing those parts of the premises that are to be changed, including any changes to designations.
- If applicable, copies of all relevant building consents and certificates.

Further Information

Public Notification for Variation or Cancellation of Conditions of Licence

When an applicant applies for a variation or a cancellation of conditions of a licence they must publicly notify that they are applying and this has historically been by a notice published in the local newspaper. In Buller, Grey and Westland districts, public notices are now being published on the relevant Council's website for 15 working days. Working days under the Act do not include a Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the Sovereigns Birthday or Labour Day or a day in the period commencing on 20 December in one year and ending with 15 January in the next year.

The attached (Form 7) must be completed and supplied with your application.

When an application includes a change in trading hours and/or designated area the public notice should identify both current conditions and proposed conditions being sought.

Notice to be Displayed

A copy of this 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.

Matters of Opposition and Objections

The NZ Police and Community Public Health have a 15 working day period from the date the application is forwarded to them to either raise a matter in opposition or to advise they have no matter in opposition to the application. The general public have 15 working days from the date of publication of the public notice in which to lodge an objection.

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Record No.:
Date lodged:
Debtor No.:
Application Fee:
Receipt:
Invoice:

Application for Variation or Cancellation of Conditions of Licence [Form 14] Sections 280 and 283, Sale and Supply of Alcohol Act 2012

Council at which application is being made:

- To: The Secretary Buller District Licensing Committee
 Grey District Licensing Committee
 Westland District Licensing Committee

Application for Variation or Cancellation of the conditions of a licence is made in accordance with the particulars set out below.

1. Details of Licensee

- a. Full legal name displayed on licence: _____
- b. Postal Address for service of documents: _____
- c. Contact details:
Full legal name of contact person: Surname _____
Christian Name/s _____
Phone: _____ Mobile: _____
Fax: _____ Email: _____
Preferred mode of contact: _____

2. Details of Licence

Type of licence: (Tick appropriate box) On-licence Off-licence Club licence

Existing (current) Licence No: _____ Expiry Date: _____

3. Details of Premises (if not a conveyance)

- a. Address: _____
- b. Trading or other name: _____

4. Details of Conveyance - if not applicable proceed to 5.

- a. Type of conveyance: (Type, eg. bus, ship railway carriage etc): _____
- b. Address of home base: _____
- c. Trading or other name: _____

5. Police Approval

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 **I agree to the release of information obtained by the Police when compiling background checks.**
 (Note that failure to allow Police to disclose this information may result in your application being determined at a hearing.)

6. Fire Safety – Evacuation Scheme Statement

I hereby state that: (tick one)

- The owner of the building in which the premises are situated provides and maintains an evacuation scheme as required by [section 21B](#) of the Fire Service Act 1975.
- Because of the building's current use, its owner is not required to provide and maintain such a scheme.
- Because of the nature of the building, its owner is exempt from the requirement to provide and maintain such a scheme.

A registered Evacuation Scheme is required when: the building can hold more than 100 people; there are more than 10 employees in the entire building; or overnight accommodation is provided for more than 5 people.

If you are unsure whether you require an evacuation scheme, you can visit the Fire and Emergency NZ (FENZ) website www.fireandemergency.nz – go to Evacuation Advice and follow the link. Information on this site advises the criteria for requiring an evacuation scheme and has the tools and resources on how to develop one. If you still require assistance you can contact:

West Coast Fire Safety Officer, PO Box 222, Greymouth 7840, phone 03 768 0318, email evacmanagewestcoast@fireandemergency.nz

7. Conditions

To be filled in for each condition to which the application relates

Terms of condition at present: _____

Action sought: (Tick appropriate box) Variation Cancellation

If variation, in what respect does the applicant seek to vary the condition? (What change is being requested?) _____

Full reasons for variation or cancellation: _____

Terms of condition at present: _____

Action sought: (Tick appropriate box) Variation Cancellation

If variation, in what respect does the applicant seek to vary the condition? (What change is being requested?) _____

Full reasons for variation or cancellation: _____

Terms of condition at present: _____

Action sought: (Tick appropriate box) Variation Cancellation

If variation, in what respect does the applicant seek to vary the condition? (What change is being requested?) _____

Full reasons for variation or cancellation: _____

8. Signature: Please ensure this application is signed and dated

Dated at _____ this _____ day of _____ 20_____
(Place ie. Westport, Greymouth, Hokitika) (day) (month) (Year)

Applicant Signature

Notes

- 1 This application must be accompanied by the prescribed fee.
- 2 Within 20 working days after filing this application with the District Licensing Committee, the applicant must give public notice of the application in form 7. The notice must be given in compliance with regulation 37 or 38 of the Sale and Supply Alcohol Regulations 2013 as if this application for variation were an application for the renewal of a licence.
- 3 Within 10 working days after filing this application with the District Licensing Committee, the applicant must ensure that notice of the application in form 7 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).

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)

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 Greymouth 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 *(type of business eg hotel, tavern, restaurant etc).*

The days on which and the hours during which alcohol 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 Grey District Licensing Committee at 105 Tainui Street, Greymouth.

Any person who is entitled to object and who wishes to object to the issue of the application 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 PO Box 382, Greymouth 7840.

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.

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.

Office Use only (to be included on website publication)

Published on website:

15 day objection period ends:

Declaration Form

Display of Public Notice

To: The Secretary **Buller** District Licensing Committee
 Grey District Licensing Committee
 Westland District Licensing Committee

Application Type: (Tick as appropriate)

- NEW**
 RENEWAL or
 VARIATION OR CANCELLATION OF CONDITIONS OF LICENCE

Of

- ON LICENCE**
 OFF LICENCE or
 CLUB 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



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FEES AND CHARGES

Sale and Supply of Alcohol (Fees) Regulations 2013

On, Off and Club Licences and other Licence fees

Application fees must be paid at the time of application - no application will be accepted without the relevant fee. The fee payable for a new or renewal of an On, Off or Club Licence or a variation or cancellation of conditions of licence is assessed using a cost/risk rating system based on the type of premises, type of licence, hours of operation and any enforcement holdings in the last 18 months. The fee category is based on the sum the ratings which determine the applicable application and annual fees. A Territorial Authority may, in its discretion and in response to particular circumstances, assign a fee category to premises that is one level lower but no premises may be assigned a category lower than very low.

If, when an application is determined, it is found that a higher application fee should have been paid, the licence must not and will not be issued or renewed (or variation granted) until the applicant pays the difference between the amount paid and the amount that should have been paid.

In addition, an annual fee is payable for all licences. For new licences this fee must be paid prior to the licence being issued, for all existing licences it must be paid on the anniversary date of the licence. . If this fee is not paid within 30 days after the day on which it is due the licence is suspended from the next day and until the fee and any penalties in respect of late payment are fully paid.

Calculation of Fees – Refer to Definitions

Type of Premises: _____ Weighting: _____
 Latest Alcohol Sale Time: _____ Weighting: _____
 Enforcements: _____ Weighting: _____
 Total: _____

Cost/risk rating	Fees category	Application fee \$ inc GST	Annual fee \$ inc GST
0-2	Very low	\$368.00	\$161.00
3-5	Low	\$609.50	\$391.00
6-15	Medium	\$816.50	\$632.50
16-25	High	\$1023.50	\$1035.00
26 plus	Very High	\$1207.50	\$1437.50

Category: _____ Application Fee: _____ Annual Fee: _____

Class of Premises

Type	Class	Description
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.
Clubs	1	A club that has or applies for a club licence, has at least 1,000 members of purchase age and in the opinion of the territorial authority operates any part of the premises in the nature of a tavern at any time.

Clubs	2	A club that has or applies for a club licence and is not a class 1 or class 3 club
	3	A club that has or applies for a club licence and has fewer than 250 members of purchase age and in the opinion of the territorial authority, operates a bar for no more than 40 hours each week.

Type of premises

Type of Licence	Type of Premises	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
Off-licence	Supermarket, grocery store, bottle store	15
	Hotel, tavern	10
	Class 1, 2 or 3 club, remote sale premises, premises not otherwise specified	5
	Winery cellar doors	2
Club-licence	Class 1 club	10
	Class 2 club	5
	Class 3 club	2

Latest alcohol sales time allowed for premises

Type of Premises	Latest trading time allowed (during 24 hour period)	Weighting
Premises for which an on-licence or club-licence is held or sought	2.00 am or earlier	0
	Between 2.01 and 3.00 am	3
	Any time after 3.00 am	5
Premises for which an off-licence is held or sought (other than remote sales)	10.00 pm or earlier	0
	Any time after 10.00 pm	3
Remote sales premises	Not applicable	0

Number of enforcement holdings in respect of the premises in the last 18 months	Weighting
None	0
One	10
Two or more	20

Other Definitions	
Remote sales premises	Premises for which an off-licence is or will be endorsed under section 40 of the Act.
Enforcement holding	A holding as defined in section 288 of the Act, or an offence under the Sale of Liquor Act 1989 for which a holding could have been made if the conduct had occurred after 18 December 2013.

Other Licence Fees

Type	Description of activity	Application fee \$ incl GST
Temporary Authority	Fee payable to the territorial authority under s.136(2) of the Act for a temporary authority to carry on the sale and supply of alcohol	\$296.70
Temporary Licence	Fee payable to the territorial authority by a person applying under section 74 of the Act to sell alcohol pursuant to a licence from premises other than the premises to which the licence relates	\$296.70
Permanent Club Charter	Annual fee payable to the territorial authority in which the club's premises are situated by the holder of a permanent club charter as described in section 414 of the Act	\$632.50
Extract from register	Fee payable to a licensing committee under section 66(2) of the Act for an extract from a register	\$57.50
	Fee payable to ARLA under section 65(2) of the Act for an extract from a register	\$57.50
Appeals	Fee payable to ARLA under section 154 of the Act (against a decision of a licensing committee)	\$517.50
	Fee payable to ARLA under section 81 of the Act (against a local alcohol policy)	\$517.50