

What you need to know when applying for an alcohol licence

The information we ask to be provided with your application is required under the Sale and Supply of Alcohol Act 2012. Please use the covering page checklist as a guide, and read the following notes, making sure your application includes all of this information.

Has your application for renewal been lodged within 20 working days of the date of expiry?

Applications for licence renewals must be made AT LEAST 20 WORKING DAYS BEFORE THE CURRENT EXPIRY DATE and can only be received in a lesser time frame if the DLC decides there were unforeseeable circumstances. An application for waiver under Section 208 must be applied for.

Public Notification for On, Off and Club Licences

When an applicant applies for a new licence or to renew an existing 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 a renewal 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.

The object of the Act

The object of the Act is to ensure that the sale, supply and consumption of alcohol will be undertaken safely and responsibly and any harm caused by the excessive or inappropriate consumption of alcohol is minimized. Your application will be forwarded to the Police and Community & Public Health for comment and they are able to oppose to your application or delay their response if insufficient information is provided.

Suitability of the applicant

Why are you a suitable person or business to hold a licence? What previous experience do you have in selling and supplying alcohol? What do you know about the Sale and Supply of Alcohol Act 2012 and the requirements within this Act? Your application will be forwarded to the Police and Community & Public Health for comment and they are able to oppose the application in which case the DLC would hold a hearing to make its decision on the application.

The manner in which alcohol is to be sold

This relates to any promotions or advertising. Alcohol cannot be included as a prize in a raffle and there are new rules around advertising discounts of more than 25%, promotions likely to lead to the excessive consumption of alcohol, or aimed at or likely to have special appeal to minors.

Design and layout of the premises

You need to supply a floor plan which shows all areas intended to be used for selling or supplying alcohol including any outdoor areas. This plan needs to identify the following where applicable: where the bar is to be located, exits, toilet facilities, kitchen, the principal entrance, location of bar, lighting, furniture, security lighting, location of security cameras and monitors, any outdoor parking, assembly area in case of emergency etc.

Photos of the inside and outside of the premises are also required. This can help the reporting agencies and District Licensing Committee when making their decision as it can clarify whether the design and layout of the premises comply with the requirements under the Sale and Supply of Alcohol Act.

Provision of any other goods or services

What other activities are going to be taking place in addition to the supply of alcohol and food? Describe all the activities eg, accommodation, are any other services or goods being sold?

Appropriate systems, staff and training to comply with the law

- It is important to list all managers with a current manager's certificate employed by you, whether on a full time or casual basis. If you only have one manager recorded, it could be questioned as to whether staffing levels are adequate for the number of hours you are requesting to operate.
- Prohibited persons: How are you going to make sure that no minors are sold or supplied alcohol? How are you going to ensure that no one becomes intoxicated and what are you going to do about it if they do? Remember no person may remain on site or enter the site if intoxicated. How do you know if a person is intoxicated? How are you going to prevent people becoming intoxicated?
- How and where will you supply free potable water. (Potable water is either mains supply or certified as meeting the Drinking Water Standards.) Note that if your premises is not on a mains water supply, you may be requested by the Medical Officer of Health to supply a recent water test certificate to demonstrate the potability of your drinking water.
- What are you doing about promoting and providing information about alternative transport options? If a bus or courtesy vehicle is being provided how and when is this going to operate?

Why the amenity and good order of the surrounding area will not be negatively affected

In other words, how are you going to manage the premises without causing any major issues in the immediate environment. For example, how much noise is likely to be produced and how are you going to mitigate any negative effects from the noise, what about vehicle movements and parking, litter, patrons behaviour etc.

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 first publication of the public notice in which to lodge an objection.

Operating on a Temporary Authority

A new owner taking over an existing licensed premises may apply for and operate under a Temporary Authority Order which allows you to trade under the conditions of the existing licence which is valid for three months.

It is in your best interest to apply for your new licence as soon as possible so that, providing all information is supplied and approved, your new licence may be issued before the Order expires. If it appears that your new licence will not be able to be issued by the Order's expiry date, a further Temporary Authority Order must be applied for. If multiple temporary authorities are required due to the lack of information being supplied, your suitability to be a licensee may be put in question.

Annual Fees

An annual fee is payable for all licences. For new licences this fee must be paid prior to the licence being issued and for all existing licences on the anniversary date of the licence. If the annual fee is not paid within 30 days after the day on which it is due the licence is suspended from that day on until the annual fee and any additional penalties are paid.

Additional requirements for Off Licences

- SUPERMARKETS AND GROCERY STORES ONLY: The floor plan showing the proposed single area for the display and promotion of alcohol including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables and delicatessen items.
- GROCERY STORE ONLY: particulars of the principal business of the store as set out in section 33 of the Act including a statement of annual sales revenue as required by regulation 12 or 13 of the Sale and Supply of Alcohol Regulations 2013.
- Other information will be requested if the premises is operating / to operate under additional legislation such as the Wine Makers Act 1981 and Auctioneers Act 1928, or application is made under sections 34 or 35 of the Sale and Supply of Alcohol Act 2012.