



**ŌPŌTIKI/ KAWERAU/ WHAKATĀNE DISTRICT LICENSING COMMITTEES
2023-2024**

**CHECKLIST FOR APPLICATION FOR VARIATION OR
CANCELLATION OF CONDITIONS OF LICENCE**

NAME OF APPLICANT: _____

Every application for a variation or cancellation of conditions shall be accompanied by the following:

1. A completed application form
2. The prescribed fee
 - The fee for an application of variation or cancellation of conditions is the same as an application for fee. The prescribed fee is depending on the type of Licensed premise you have under the risk matrix fee model. Below is a guide for proposed fee:

Type of licence premise	Risk category & scoring	Fee incl. GST
On Licence Class 1 Restaurant, Night Club, Tavern premise with licence hours no later than 2 am the following day and no enforcement in last 18 months	Medium / 15	\$816.50
On Licence Class 2 Restaurant, Hotel or function centre with licence hours no later than 2 am the following day and no enforcements in last 18 months	Medium / 10	\$816.50
On Licence Class 3 Restaurant, other premises no other specified	Low / 5	\$609.50
On Licence BYO Restaurant, theatres, cinemas, winery cellar doors	Very low / 2	\$368.00
On Licence – closing licence hours between 2.01am and 3 am	High / 18	\$1023.50
On Licence – closing licence hours after 3 am	High / 20	\$1023.50
Off Licence – supermarket, grocery store, bottle store	Medium / 15	\$816.50
Off Licence – closing licence hours any time after 10 pm	High / 18	\$1023.50
Off Licence – Hotel, Tavern	Very low / 2	\$816.50
Off Licence – winery cellar doors	Very low / 2	\$368.00
Club Licence – Class 1	Medium / 10	\$816.50
Club Licence – Class 2	Low / 5	\$609.50
Club Licence – Class 3	Very low / 2	\$368.00
NOTE: the prescribed fee will increase if you have 1 or 2 enforcements against your licence in last 18 months. An additional weighting score of 10 for 1 enforcement or of 20 for 2 enforcements in last 18 months.		

Advertising the application

After filing the application for variation or cancellation of conditions of a licence, the applicant shall give public notice in the Whakatane Beacon of the application within 20 working days. A second public notice in the same newspaper is to be given between 5 and 10 days after the first public notice.



The Secretary
District Licensing Committee
Ōpōtiki District Council
PO Box 44
ŌPŌTIKI 3122



The Secretary
District Licensing Committee
Kawerau District Council
Private Bag 1004
KAWERAU 3169
(CIRCLE APPLICABLE COUNCIL)



The Secretary
District Licensing Committee
Whakatāne District Council
Private Bag 1002
WHAKATĀNE 3158

**APPLICATION FOR VARIATION OR CANCELLATION OF CONDITIONS OF LICENCE
SECTION 28 and 283 OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012**

Application for the variation or cancellation of the conditions of a licence is made in accordance with the details set out below.

DETAILS OF LICENCEE

FULL NAME:

HAVE YOU USED OR BEEN KNOWN BY ANY OTHER NAMES?

DAYTIME PHONE:

CELLPHONE:

EMAIL ADDRESS:

POSTAL ADDRESS:

DETAILS OF LICENCE

TYPE OF LICENCE: ON OFF CLUB

LICENCE NUMBER:

LICENCE EXPIRY DATE:

DETAILS OF PREMISES (not a conveyance)

TRADING NAME OF LICENSED PREMISE:

ADDRESS OF PREMISE:

DETAILS OF CONVEYANCE

TRADING NAME:

TYPE OF CONVEYANCE: *eg ship, railway carriage, bus*

ADDRESS OF HOME BASE:

CONDITION	
<input type="checkbox"/> VARIATION	<input type="checkbox"/> CANCELLATION
TERMS OF CONDITION:	
IF VARIATION, IN WHAT RESPECT DOES THE APPLICANT SEEK TO VARY THE CONDITION?	
FULL REASONS FOR VARIATION OR CANCELLATION:	
CONDITION	
<input type="checkbox"/> VARIATION	<input type="checkbox"/> CANCELLATION
TERMS OF CONDITION:	
IF VARIATION, IN WHAT RESPECT DOES THE APPLICANT SEEK TO VARY THE CONDITION?	
FULL REASONS FOR VARIATION OR CANCELLATION:	
CONDITION	
<input type="checkbox"/> VARIATION	<input type="checkbox"/> CANCELLATION
TERMS OF CONDITION:	
IF VARIATION, IN WHAT RESPECT DOES THE APPLICANT SEEK TO VARY THE CONDITION?	
FULL REASONS FOR VARIATION OR CANCELLATION:	

More conditions at end of application

SIGNATURE OF APPLICANT

Applicant's signature: _____ Date: _____

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).

DLC OFFICE USE ONLY
Application fee must be paid with application
Date lodged: _____
Fee Paid: \$316.25 Receipt number: _____

CONDITION
<input type="checkbox"/> VARIATION <input type="checkbox"/> CANCELLATION
TERMS OF CONDITION:
IF VARIATION, IN WHAT RESPECT DOES THE APPLICANT SEEK TO VARY THE CONDITION?
FULL REASONS FOR VARIATION OR CANCELLATION:
CONDITION
<input type="checkbox"/> VARIATION <input type="checkbox"/> CANCELLATION
TERMS OF CONDITION:
IF VARIATION, IN WHAT RESPECT DOES THE APPLICANT SEEK TO VARY THE CONDITION?
FULL REASONS FOR VARIATION OR CANCELLATION:
CONDITION
<input type="checkbox"/> VARIATION <input type="checkbox"/> CANCELLATION
TERMS OF CONDITION:
IF VARIATION, IN WHAT RESPECT DOES THE APPLICANT SEEK TO VARY THE CONDITION?
FULL REASONS FOR VARIATION OR CANCELLATION:

FEES & CHARGES – Risk Matrix Model

Sale and Supply of Alcohol (Fees) Regulations 2013

License Fees

Fees must be paid at the time of application and no application will be accepted without the relevant fee.

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.

The fee payable for a new On, Off or Club Licence or renewal of an On, Off or Club Licence is assessed using a cost/risk rating system. The cost/risk rating of the premises is the sum of the highest applicable weighting for the type of premises and type of licence, the hours of operation and any enforcement holdings in the last 18 months.

In addition an annual fee is payable which will be due 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.

Definitions		
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 and 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.
	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.
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.
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Type of licence and 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 3 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	2.00am or earlier	0
	Between 2.01 and 3.00am	3
	Any time after 3.00am	5
Premises for which an off-licence is held or sought other than remote sales)	10.00pm or earlier	0
	Any time after 10.00pm	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

Cost/risk rating	Fees category
0 - 2	Very low
3 - 5	Low
6 - 15	Medium
16 - 25	High
26 plus	Very High