

Alcohol Licensing Applications

Types of Licence

On Licence

An on licence allows alcohol to be sold for consumption **on** the premises or conveyance.

- Issued for one year, may be renewed for three.
- Casual drinkers cannot be served on Easter Sunday, Good Friday, Christmas Day or before 1.00 pm Anzac Day in any premises
- Diners and lodgers can be sold alcohol on any day of the week.
- The hours of trade may be limited by the Resource Management Plan - contact a Planning Officer for details.
- In the case of a hotel or tavern a 'Restricted' or 'Supervised' designation will be imposed on the whole or one or more parts of the premise.

Off Licence

An off licence allows alcohol to be sold for consumption **off** the premises.

- Issued for one year, may be renewed for three.
- Authorises the complimentary supply of samples on the premises.
- Supermarkets and grocery stores can only sell wine and beer, and it must be in a single area of the store.
- A remote sales off licence allows sales by email, internet or phone

Club Licence

A club licence allows an incorporated society to sell alcohol to members and their guests. It does not allow sale to the general public.

- Issued for one year, may be renewed for three.
- Any club leasing Council land should first check if the lease will need to be amended to allow the sale of alcohol. Contact Council's Property Department to check.

Making an Application

You can have a consultant or a solicitor make the application on your behalf; or you can do it yourself.

The application process:

1. Apply for a Local Authority Certificate

The certificate confirms that the premises and its use complies with the requirements of the Resource Management Act 1991 and the Building Code. This will form part of your Licence application.

The site will be checked for the following:

- The proposed use must be permitted in the zone or by a resource consent.
- Adequate parking must be provided.
- Restrictions on trading hours for sites in or adjoining residential areas exist.
- Maximum occupancy (toilets, fire escapes, etc).

Application Fee: Local Authority Certificate \$280.50.

2. Apply for an On, Off, Club Licence

- i. Complete the appropriate application form.
- ii. All applications must be accompanied by the following information:
 - Copy of Local Authority Certificate (see above)
 - Photograph of principal entrance of the premises
 - Scale floor plan of premises showing any supervised or restricted area
 - Details of the experience and training of applicant
 - Food and drinks menus
 - Detail of how and where you are going to provide free drinking water to patrons. If you have a private water supply, provide details of water treatment system
 - Host Responsibility Policy or Social Responsibility Policy
 - What other steps are proposed to promote the responsible consumption of alcohol
 - Any other systems including training and staff systems that you will have in place to ensure compliance with the Act
 - For any companies or body corporate, copy of certificate of incorporation (or equivalent document)
 - Building Owner's consent to sell alcohol
 - Club rules (if applicable)
- iii. After lodging an application you must:
 - Within 10 working days – Display a public notice of the application on the premises. This needs to be in a place where it can be easily seen by a person outside the premises and should be displayed for at least 10 days; **and**
 - Within 20 working days – Publicly notify the application by either placing a notice -

(a) in the Nelson Mail.; or
(b) on the Tasman District Council website
Once a complete application has been received, further information and the format of the notices will be provided by the Secretary of the District Licensing Committee.

- iv. You may be contacted by the Licensing Inspector, the Police and Public Health to discuss your application. It will then be determined by the District Licensing Committee.

Fees

There will be two types of fees for all licences:

- An application fee – for all applications for new licences, renewals and variations of licences. This will range from \$368 to \$1207.50; **plus**
- An annual fee - payable by all licensees every year on the anniversary date of the issue of the licence. This will range from \$161 to \$1437.50.

Fees are calculated according to a new premises cost/risk rating that is determined by a combination of factors. These are:

- The type of licence (e.g. Restaurant, tavern, winery cellar door)
- The latest hours allowed by the licence
- The number of enforcement actions undertaken in the last 18 months

See the separate Fees Information Sheet to calculate what your fees will be.

Designation of areas

A hotel or Tavern must have part or all of the premises designated as Supervised or Restricted areas. Restaurants and supermarkets may be Undesignated.

‘Supervised’ means that persons under 18 years of age may only be present if accompanied by a parent or legal guardian.

‘Restricted’ means that no person under 18 years of age may be present.

Host responsibility

Information and a template Host Responsibility Policy is available from the Public Health Service, Nelson Marlborough District Health Board on 03 546 1537.

Building requirements

Advice regarding:

- structural alterations;
- fire safety and egress;
- disabled access;

can be obtained from Council’s Building Control Team on 03 543 8400.

Temporary authority

A Temporary Authority allows the new owner of a licensed premises to trade on an existing licence until they obtain a new licence in their own name. It is normally issued for three months.

The Temporary Authority application should be lodged at least 20 working days before the takeover date. This allows the Inspector and Police to enquire into the application, and for the District Licensing Committee to determine it. A copy of the sale and purchase agreement or other evidence of legal entitlement is also required.

Temporary Authority Order \$296.70

Manager’s certificate

When alcohol is available for sale to the public, a manager who holds a current Manager’s Certificate must be on duty.

Refer to the Manager’s Certificate information sheet, which contains the relevant information including training requirements.

Food Act

The new Food Act came into force on 1 March 2016. It changes the requirements for all food business depending on the risk of the food you handle.

Premises making food usually require a Food Control Plan. An information brochure “Guidance to Starting a New Food Business” is available from our Council website or Contact Environmental Health on 03 543 8400 for more information.

Food premises must contain:

- A wash-hand basin and sink in or adjacent to a bar area and the kitchen.
- A glass washing machine or sanitiser or other method of sanitising glasses, jugs and other utensils used for the service or consumption of beverages.
- Hot and cold running water to the above fixtures.
- Toilets for staff and customers. (Toilets and access for the disabled will be required.)

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