

Report for alcohol licensing planning certificate under the Sale and Supply of Alcohol Act 2012 (SSAA)



1. Application description

Application number:	ALC21589998
Applicant's name:	Creative Hospitality Asia Ltd
Site address:	2-6 Wharf Street, Warkworth, Auckland 0910
Legal description:	Lot 5 DP 27277 RT NA30A/343
Operative plan(s) / PAUP:	Auckland Unitary Plan (Operative in Part) (AUP (OP))
Zoning:	Business – Town Centre Zone
Nature of business:	Restaurant/ Tavern
Type of licence:	On Licence – s14 of the Sale and Supply of Alcohol Act 2012.

2. Assessment

How is activity lawfully established:	Permitted Activity
Previous planning certificate?	Yes ALC21459437
RMA consent / certificate?	No
Permitted activity analysis:	This application relates to the operation of a restaurant/tavern premises on the subject site. Specifically, this application is for a change to a new licensee. There are no changes proposed to this activity or premises through this application beyond the change of licensee. Restaurants and Taverns are both defined as food and beverage activity and subsequently retail activity as contained in the AUP (OP) definitions. Retail activity is considered a permitted activity as activity table H10.4.1 (A14) of the AUP (OP). The activity is also located within the Warkworth 3 – Sub-precinct A precinct, however no subdivision, development or new built form is proposed as part of the current application, therefore the activity does not trigger assessment under Table I553.6.5.1 – Threshold for Development, Transport. A permitted activity is still required to meet all the other relevant standards of the AUP (OP). This activity is able to achieve this and furthermore, the

	activity is located in an existing lawfully established building.
Hours of Operation:	Whilst not restricted under the AUP (OP) nor any resource consents applicable to the site, the applicant has advised the premises will operate the following hours: • Monday to Sunday, 9am to 1am It is important to note that the hours of operation will be considered by the Alcohol Licensing Team when an alcohol licence is applied for and will depend on location and neighbouring land uses.
Maximum Occupancy:	The maximum occupancy is not restricted under the AUP (OP) nor any resource consents applicable to the subject site. The maximum occupancy may be restricted under other legislation and subject to fire reporting and/or building warrant of fitness.
Other specific matters:	No building works have been considered as part of this certificate – only matters relating to the activity.

3. Determination

The use as proposed at the subject site is detailed above, and as shown on the plans and documentation provided with the application.

Acting under delegated authority, under section 100(f) of the Sale and Supply of Alcohol Act 2012, I am satisfied the proposed use of the premises as a restaurant, requiring an on-licence under section 14 of the Sale and Supply of Alcohol Act 2012 meets the requirements of the Resource Management Act 1991.

This determination is based on the information provided by the applicant and a review of the council files.



Rebecca Sutton

Intermediate Planner

Resource Consents

Date: 10 December 2021

Appendix 1 – Business Zone Checklist

Proposal	Restaurant and Tavern
Certificate of title	☒ Supplied – must be less than 3 months old
Site Zoning	Business – Town Centre Zone
Overlays	High-Use Aquifer Management Areas Overlay – Mahurangi
Precinct	Warkworth 3 Sub-precinct A
Controls	Controls: Height Variation Control – Warkworth 8.5 metres Controls: Macroinvertebrate Community Index - Urban
Designations	N/A
Non-statutory information	N/A

BUSINESS ZONES (H9 to H17)

Activity or standard checked	Complies	Infringement	Activity Status	Identify and list the extent of the infringement(s). Show your working. Comments
Activity				
Activity	☒	☐	P	Restaurant and Tavern activity permitted in zone – H10.4.1 (A14)

Standards				
Activities within 30m of a residential zone	☐	☐	N/A	
Building height	☐	☐	N/A	
Height in relation to boundary	☐	☐	N/A	
Building setback at upper floors	☐	☐	N/A	
Maximum tower dimension and tower separation	☐	☐	N/A	
Residential at ground floor	☐	☐	N/A	
Yards - Rear - Side - Riparian - Lakeside - Coastal Protection	☐	☐	N/A	
Landscaping	☐	☐	N/A	
Maximum impervious area in the riparian yard	☐	☐	N/A	
Wind	☐	☐	N/A	
Outlook space	☐	☐	N/A	
Storage and screening	☐	☐	N/A	
Minimum dwelling size	☐	☐	N/A	

CHAPTER D OVERLAYS – N/A, no physical works proposed through this application

CHAPTER E AUCKLAND-WIDE

Auckland-wide checked	Complies	Infringement	Activity Status	List rule(s) infringed and the extent of the infringement. Show your working. Comments
E27 Transport				
Parking / Loading	☐	☐	N/A	Existing building and activity, no change proposed – EUR are considered to apply.
Parking space design	☐	☐		
Access	☐	☐		

CHAPTER I PRECINCT *If a row is not relevant, insert N/A into comments section.*

Remember to read general rules C1.6(3)&(4) about relationship between precinct rules and other rules in the AUP(OP)

Precinct Rule/Standard	Complies	Infringement	Activity Status	Comments
Table I553.4	☐	☐	N/A	No subdivision or development proposed, no physical works occurring as part of application.
Special Information Requirements				
	☐ Provided?			

OVERALL ACTIVITY STATUS

Overall Activity Status	☒ Permitted	☐ Controlled	☐ Restricted discretionary	☐ Discretionary	☐ Non complying
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