

Application for Special Licence

Section 138, Sale and Supply of Alcohol Act 2012

Date stamp

IMPORTANT:

Application must be filed a minimum of 20 working days prior to the first event otherwise the District Licensing Committee cannot guarantee a licence will be granted.

ALL required documents, as listed below, **MUST** be attached to the application:

- **Owner's letter of permission** - where the premises or land is owned by Western Bay of Plenty District Council, the Agency will obtain this letter on your behalf;
- **Sketch plan** – a plan of the area where the event/occasion is being held highlighting where the consumption of liquor will occur and the position of any points of sale, designated areas and the principal entrance, or if participating in a market or event, your location and location of food vendors.
- **Certificate of Incorporation** – if applicable.

Note - If you are the licensee of an existing licensed premises, you are not required to supply the documents listed above. However if you intend to use an area that is not currently licensed, a plan showing this area is required.

1. Details of Applicant

Full legal name of applicant (e.g. individual or company).....

Postal address for service

Contact Person

Phone: Business Private Mobile

Email Fax

Status of applicant:

- | | | |
|--|--|--|
| <input type="checkbox"/> Natural Person | <input type="checkbox"/> Local Authority | <input type="checkbox"/> Body Corporate to which Section 28(1)(b) of the Act applies |
| <input type="checkbox"/> Private Company | <input type="checkbox"/> Trustee | <input type="checkbox"/> Manager under the Protection of Personal & Property Rights Act 1988 |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Public Company | <input type="checkbox"/> Government Department or other instrument of the Crown |
| <input type="checkbox"/> Club | <input type="checkbox"/> Licensing Trust | <input type="checkbox"/> Board, organisation, or other body to which section 28(1)(f) of the Act applies |
| <input type="checkbox"/> Community Trust | | |

If applicant is a company, please supply a Certificate of Incorporation.

Who will receive the profits from the sale of liquor?

Details of Manager / Responsible Person

Who will be responsible for sale and supply/consumption of liquor during the event?

Full legal name

Residential address

.....

Date of birth/...../..... Manager's Certificate No. Expiry Date/...../.....

(Continued Over)

Class 1	1 large event More than 3 medium events More than 12 small events	\$575.00	Large Event 400 + people	Application Number	Amount Paid \$
Class 2	3 to 12 small events or 1 to 3 medium events	\$207.00	Medium Event 100-400 people	Accepted by	
Class 3	1 or 2 small events	\$63.25	Small Event less than 100 people	Receipt no	Date/...../.....

2. Details of Manager / Responsible Person *(Continued)*

Is there a licence already held for the premises or conveyance concerned?

- Yes Kind of licence held
- No

If Applicant is an Individual:

Have you ever been convicted of any offence? Yes No

If Yes, what are the details of each offence?

(NOTE: You are entitled to protection under the Criminal Records (Clean Slate) Act. Disclose only convictions not eligible for concealment under the Clean Slate Act)

Nature of Offence	Date of Conviction	Penalty Suffered
...../...../.....
...../...../.....
...../...../.....

(NOTE: Continue on a separate page if necessary and attach to this application)

2. Who has booked the Event?

Full name
Residential address
Date of birth/...../.....

4. Type of Licence (Can select both if required)

- On-site *(Proceed to Question 5)*
- Off-site *(Proceed to Question 8)*

State whether the event for which the special licence is applied for could reasonably have been foreseen Yes No

If No, describe circumstances, ie funeral, cancelled venue, etc.

.....
.....

5. Details of Premises or Conveyance (on-site special licence)

Name of premises

Address of premises
.....

Liquor licence number of the licensed premises 022/.....

Does the applicant own the proposed licensed premises? Yes No

(Continued Over)

5. Details of Premises or Conveyance (on-site special licence) *(Continued)*

If No:

(i) What is the full name and address of the owner?

.....

(ii) What form and term of tenure / occupancy of the premises will you have?

.....

Or:

Any registration No?

Home base address

Any name used or proposed for conveyance?

In relation to the consumption of liquor, what part of the premises does the applicant intend to designate:

(i) A restricted area - No person under 18 years of age may be present on the premises

.....

(ii) A supervised area - Person under 18 years of age may be present if accompanied by a parent or legal guardian.

.....

(iii) Undesignated (specify reason)

6. Details of Event(s)

Complete the following table, parts (i) and (ii) respectively, recording details of the event/occasion, or series of events/occasions, for which the licence is sought:

Part (i):

Description of the nature and principal purpose of the event	What is the day?	What is the date?	Hours during which liquor will be sold, supplied or consumed
--	------------------	-------------------	--

*e.g. Wedding celebration for Jane Smith and Joe Bloggs,
fundraising event for Primary School computer suite*

Saturday

08 Jan 2013

5pm to 01:00am the following day

Event 1

Event 2

Event 3

Event 4

Event 5

Event 6

NOTE: Where you wish to include more than 6 events attach details on a separate schedule.

6. Details of Event(s) *(Continued)*

Part (ii):

Approximate number of people attending	Is / Are the event(s)?						Probable age distribution of people attending	Where an outside area will be used:			
	Open to the public? <i>(tick as appropriate)</i>		By invitation only? <i>(tick as appropriate)</i>		By ticket sales? <i>(tick as appropriate)</i>			Is the area shown on your scale plan? <i>(tick as appropriate)</i>		Where required, does your letter of permission cover this area? <i>(tick as appropriate)</i>	
	YES	NO	YES	NO	YES	NO		YES	NO	YES	NO
<i>e.g. 85</i>		✓	✓								
Event 1											
Event 2											
Event 3											
Event 4											
Event 5											
Event 6											

NOTE: Where you wish to include more than 6 events attach details on a separate schedule.

Do you have, or do you require, a Resource Consent for any of the events listed above?

Yes No

Do you have, or do you require, a Building Consent for any of the events listed above?

Yes No

7. Details of Conditions

The Sale and Supply of Alcohol Act 2012 requires that food, low-alcoholic and non-alcoholic beverages must be available at all times that liquor is being sold or supplied. Please provide a thorough list for the questions below:

What provision do you intend to make for the sale or supply of (please describe in detail):

(i) Food (*chips, (crisps), nuts, chocolate, cakes and biscuits are not appropriate food*)

.....

(ii) Time food to be served

(iii) Non-alcoholic refreshments

To what extent and where will water be freely available?

.....

If no access to mains water supply, what provisions for potable water have been made?

.....

(iv) What type of low-alcohol beverages will be available?

.....

(v) Which type of alcohol beverages will be available for sale at your event (tick as many as appropriate)?

Beer Wine Spirits RTDs

How many alcoholic drinks can be purchased at one time?

What containers will the liquor be sold or consumed in?

(Continued over)

7. Details of Conditions *(Continued)*

Type of entertainment to be provided?

Time the entertainment is to be provided?

Does the premise have an evacuation scheme for public safety, which meets the requirements of Section 21AS of the Fire Service Act 1975? Yes No

Will you be employing security at your event? Yes No If so, how many?

Name of security company employed

Company contact name Contact No

Amenity and Good Order – What steps, if any, will you take to ensure your event will not create a nuisance to nearby residents?

.....
.....
.....

What steps do you propose to take to provide assistance with or information about alternative forms of transport from the licensed premises? (ie taxi information, courtesy coach, etc.)

.....
.....

What other steps do you propose to take aimed at promoting the responsible consumption of liquor?

.....
.....

What steps do you propose to take to ensure that the requirements of the Act in relation to the sale of liquor to prohibited persons are observed?

.....
.....

8. Details of Premises (off-site special licence)

Name of premises/event,

Address of premises

.....

Does the applicant own the proposed licensed premises? Yes No

(Continued Over)

8. Details of Premises (off-site special licence) (Continued)

If No:

(i) What is the full name and address of the owner?

(ii) What form and term of tenure / occupancy of the premises will you have?

In relation to the purchase of liquor, what part of the premises does the applicant intend to designate:

(i) A restricted area - No person under 18 years of age may be present on the premises

(ii) A supervised area - Person under 18 years of age may be present if accompanied by a parent or legal guardian.

Undesignated (specify reason)

9. Details of Event(s)

Complete the following table, parts (i) and (ii) respectively, recording details of the event/occasion, or series of events/ occasions, for which the licence is sought:

Part (i):

Description of the nature and principal purpose of the event	What is the day?	What is the date?	Hours during which liquor will be sold, supplied or consumed
<i>e.g. Wedding celebration for Jane Smith and Joe Bloggs, fundraising event for Primary School computer suite</i>	<i>Saturday</i>	<i>08 Jan 2013</i>	<i>5pm to 01:00am the following day</i>
Event 1
Event 2
Event 3
Event 4
Event 5
Event 6

NOTE: Where you wish to include more than 6 events attach details on a separate schedule.

9. Details of Event(s) *(Continued)*

Part (ii):

Approximate number of people attending	Is / Are the event(s)?						Probable age distribution of people attending	Where an outside area will be used:			
	Open to the public? <i>(tick as appropriate)</i>		By invitation only? <i>(tick as appropriate)</i>		By ticket sales? <i>(tick as appropriate)</i>			Is the area shown on your scale plan? <i>(tick as appropriate)</i>		Where required, does your letter of permission cover this area? <i>(tick as appropriate)</i>	
	YES	NO	YES	NO	YES	NO		YES	NO	YES	NO
<i>e.g. 85</i>		✓	✓								
Event 1											
Event 2											
Event 3											
Event 4											
Event 5											
Event 6											

NOTE: Where you wish to include more than 6 events attach details on a separate schedule.

Do you have, or do you require, a Resource Consent for any of the events listed above?

Yes No

Do you have, or do you require, a Building Consent for any of the events listed above?

Yes No

10. Details of Conditions

The Sale and Supply of Alcohol Act 2012 requires that food, low-alcoholic and non-alcoholic beverages must be available at all times that liquor is being sold or supplied. Please provide a thorough list for the questions below:

What provision do you intend to make for the sale or supply of (please describe in detail):

(i) Food (*chips, (crisps), nuts, chocolate, cakes and biscuits are not appropriate food*)

.....

(ii) Time food to be served

(iii) Non-alcoholic refreshments

To what extent and where will water be freely available?

.....

If no access to mains water supply, what provisions for potable water have been made?

.....

(iv) What type of low-alcohol beverages will be available?

.....

(v) Which type of alcohol beverages will be available for sale at your event (tick as many as appropriate)?

Beer Wine Spirits RTDs

How many alcoholic drinks can be purchased at one time?.....

What containers will the liquor be sold or consumed in?

10. Details of Conditions *(Continued)*

Amenity and Good Order – What steps, if any, will you take to ensure your event will not create a nuisance to nearby residents?

.....
.....

What systems (including training) and staff are in place for compliance under the Act?

.....
.....

What other steps do you propose to take aimed at promoting the responsible consumption of liquor?

.....
.....

What steps do you propose to take to ensure that the requirements of the Act in relation to the sale of liquor to prohibited persons are observed?

.....
.....

11. Signature of Applicant

Signature: Date:

(NOTE: this application must be signed by the applicant personally)

If applying as a company, please state your name and relationship to the company, e.g. director, secretary

Name Relationship

Pursuant to the Privacy Act 1993, the following is brought to your attention: The personal information contained in this form is being collected to assist Council and other agencies in processing your application and may be made available to the public as part of the process. You do have the right of access to, and correction of, this information subject to the provisions of the Privacy Act 1993.

OFFICE USE ONLY

Incomplete Criteria for Counter and Postal Applications

ENCLOSURES	Owner's Letter of Permission if applicant does not own premises	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Sketch Plan with area for consumption (including any outside area) point of sale and principal entrance highlighted.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Certificate of Incorporation if applicant status is that of a Company	<input type="checkbox"/> Yes	<input type="checkbox"/> No
APPLICATION	Ensure details of proposed Manager(s) have been entered	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Ascertain if application requires a designation on premises. If no under 18's permitted, premises should be designated restricted. If under 18's are to be accompanied by parents or legal guardians, area should be designated supervised. If no designation required, reason should be entered.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Check that only one box is ticked (for designations)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Ensure full description of event(s) are completed in Part (i) & (ii) of questions 6 and 9 including names where the event is a birthday/wedding, the name(s) of the person who the event is catering for, number of people attending and the number of events.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Ensure full details of conditions are given. This will enable Inspector/Police/Public Health to determine suitability of application.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Ensure application has been signed by applicant if an individual, company director if applicant is a company or office bearer if applicant is a club.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
All Pages	Check all questions answered.	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Note

If any criteria indicates "NO", the application is incomplete

Is application complete? Yes No

If incomplete, date and method of advice to Applicant stating requirements

Date Method

.....

.....

Accepted by

Name

General Information – Please Retain Special Licence

Sale and Supply of Alcohol Act 2012, Sections 22, 25, 28, 41-2, 55, 137-150)

What is a special licence?

A special licence is a licence to sell and supply liquor, on the premise or area described in the licence, to any person attending any occasion or event or series of occasions or events described in the licence.

What does “sale” include under the Sale and Supply of Alcohol Act 2012?

“Sale” includes instances where liquor is provided at an occasion or event and the cost is included as part of the ticket entry or cover charge.

When is a special licence required?

Where the event is being held in an unlicensed premises or area (such as a local hall, park or sports ground) and:

- Liquor is to be sold, or
- Where, although no sale of the liquor will take place, the host considers liquor to be a substantial part of the event.

Where the event is to be held in licensed premises and:

- Liquor is to be sold or supplied at an occasion or event to non-members on licensed club premises.
- Liquor is to be sold or supplied outside the hours indicated on the liquor licence.
- Liquor is to be sold or supplied to persons normally excluded from being on the premise by the conditions of the liquor licence.

Who should make the application? (See Section 1 of the application)

Where liquor is to be sold:

- The application must be made in the name of the person or legal entity that receives the proceeds from the sale of liquor. This could be in the name of an individual, company, partnership or other entity.

Where no sale of liquor will take place:

- The application would normally be made in the name of the person or legal entity responsible for the event.

What are the obligations of the applicant? (See Section 2 of the application)

A person must be appointed to manage the conduct of the sale, supply or consumption of liquor:

- If the event is small or a private social gathering, it may be sufficient for a responsible person to be nominated.
- For larger events or events that are open to the public, the District Licensing Committee may require a person who holds a manager's certificate (issued under the Sale and Supply of Alcohol Act 2012) to be appointed and present at all times liquor is being sold, supplied, or consumed.

How is a special licence applied for?

An application form is available from the Western Bay District Licensing Committee or from the Customer Service Centre of Western Bay of Plenty District Council.

- All applications need to be filed at least 20 working days prior to the event.
- Documents that must be filed with the application are outlined on the application.
- The fee must be paid at the time the application is filed.

Special licences can cover one-off or short duration events, but can also cover large events such as wine and food festivals.

Class 1	1 large event More than 2 medium events More than 12 small events	\$575.00	Large Event 400 + people
Class 2	3 to 12 small events 1 to 3 medium events	\$207.00	Medium Event 100-400 people
Class 3	1 or 2 small events	\$63.25	Small Event less than 100 people

- The application can be posted to the District Licensing Committee or delivered to the Western Bay of Plenty District Council Customer Service Centre.

What is the procedure for determining the application?

- A copy of the application will be sent to the Police, Toi Te Ora Public Health and the Licensing Inspector for a report.
- If the Inspector, Toi Te Ora Public Health or Police oppose the application, you will be given the opportunity to have the application presented to a Council hearing if you wish.

The following matters are taken into account by the District Licensing Committee when considering an application:

- The nature of the occasion, event or function.
- The suitability of the applicant including character, reputation and any recorded convictions.
- The days and hours liquor is to be sold, supplied or consumed.
- The areas (if any) that are proposed to be designated as "restricted" or "supervised" areas.
- The steps to be taken by the applicant to ensure that the requirements of the Sale and Supply of Alcohol Act are observed.
- The sale and supply of non-alcoholic and low alcohol refreshments and food.
- Reports from the Police, Inspector and Toi Te Ora Public Health.

Some terminology (See Section 3 of the application)

Tenure:

- The form and term of tenure relates to by what authority you have to be on the premises/area. This is normally by 'hire' or 'lease' and the term will be the period this is for, e.g. one night.

Designation of restricted or supervised areas:

- These definitions relate to the age of persons allowed to be present on the licensed area and may be chosen by the applicant or imposed by the District Licensing Agency.
- Generally most small to medium gatherings and private social gatherings do not need to have designated areas.

The Resource Management Act 1991 and the Building Act 1991 (See Section 4 of the application)

- For large events that are to be held on public property you are advised to consult with Council's Environmental Consents division to determine if you require a Resource Consent or Building Consent (e.g. if erecting large marquees/tents or other temporary structures such as stages), prior to submitting an application.