Clutha District Council

Applying for a Special Licence - general information

When is a Special Licence needed?

You will require a Special Licence for any function or event where alcohol will be sold either over a bar, by a ticket system or where the cost of the alcohol is included in the pre-sold ticket price. The person or group receiving the profits from the sale of alcohol must apply for the licence. A Special Licence allows events or functions to be held in unlicensed areas or in licensed premises outside the conditions of the alcohol licence.

You'll also need a special licence if the event is:

- at a venue with a club licence but you are expecting non-club members to attend the event and drink alcohol there.
- outside the hours or area authorised in an existing on-licence or club licence.
- being held in an unlicensed premises or area.

We cannot issue a special licence for a BYO event.

You do not need a special licence when:

- you are supplying alcohol to your guests in your own private residence.
- your guests are bringing alcohol to your own private residence.

Types of special licence

There are two types of special licence:

- **An on-site special licence** allows you to sell and supply alcohol for people to drink at the place where the event is being held (including on a bus, train, ferry or other vehicle).
- **An off-site special licence** allows you to sell alcohol for people to take and drink somewhere else, including small tastings at the event site. It can only be issued to manufacturers, distributors, importers or wholesalers of the alcohol being sold.

Are there any restrictions on the type of event that can be applied for?

Yes. The reporting agency would be likely to oppose any event for the purpose of trading when the legislation otherwise requires the premises to be closed (e.g. Christmas day).

What do I need to provide with my completed application form and fee?

A plan of the layout of the premises that clearly shows:

  - where alcohol is proposed to be sold and/or supplied
  - location of food stalls
  - tables/seating layout
  - stage
  - place of safety
  - any children's area
  - smoking area
  - what part of the premises is to be used and/or a designated
  - any other information that may assist the reporting agencies to assess the application.
- A detailed timeline or programme detailing how the event will run.
- A copy of any ticket, invitation, poster or promotional material used to promote the event.
- If you do not own the premises, written approval of the property owner (there is an area in the application form for property owners to sign).

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What if bad weather postpones the event?

You can still operate under the Special Licence on the day the event is postponed to. You just need to notify the District Licensing Committee of the new date prior to the event.

Does the nominated manager need to be present during the event or hold a manager's certificate?

The appointed manager for the event must be there during the event. Whether the manager requires a manager's certificate depends on the nature of the event. Generally, events with more than 250 people, or at a hotel or tavern, will require a manager who holds a manager's certificate. For other events, the committee may only require the holder of a manager's certificate to be on duty at high-risk events, this is determined on a case-by-case basis.

Can I use any tent or building to host my event?

Please contact the council's building control department if you plan to use a tent or marquee with a floor area exceeding 100m^2, as a building consent may be required. They will also help with advice on Building Act compliance if you propose to use a building not designed as a place of public assembly (for example an empty building or shed). You may also need to obtain comment from Fire and Emergency NZ.

Are there any restrictions on the type of event that can be applied for?

Yes, examples that are likely to be opposed by the reporting agencies are any event where the principal purpose is the consumption of alcohol, or a contrived event for the purpose of trading when the legislation otherwise requires the premises to be closed (for example Christmas day).

Fees

Fees vary depending on the number of events on the application and on the number of people attending. The fees are set by the Ministry of Justice. The calculation of patronage is determined by the total number of patrons attending the event or expected over all the days of the event.

Class 1: $575	1 event with over 401 persons; or 4 or more events of 100-400 persons; or 13 or more events of less than 100 persons
Class 2: $207	1 to 3 events of 100-400 persons; or 3 to 12 events of less than 100 persons
Class 3: $63.25	1 or 2 events of less than 100 persons

If you need help in calculating the fee, please contact our licensing team. Fees must accompany the application form.

What is an event or series of events?

For the purpose of fee calculation one event for a Special Licence is:

- an occasion or a gathering which takes place without a break; or
- a series of occasions or gatherings which take place and are the same in appearance, form and substance on all of the days (e.g., a sports tournament or a food and wine show over several days).

Late applications

If you submit an application less than 20 working days before your event, you must have a reasonable explanation. The District Licensing Committee will decide if the application can be processed. If this is not accepted, a refund will not be issued.

A 'working day' does not include weekends, statutory holidays or any day between 20 December and 15 January inclusive. The earlier the application is received the better.

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Who reports on applications?

Applications are referred to the Police, Licensing Inspector and Medical Officer of Health for consideration. They may require further details or want to meet you about your application.

How are special licences granted?

Under the Sale and Supply of Alcohol Act 2012, the District Licensing Committee (DLC) considers all special licence applications. Usually, the DLC chairperson will consider and make a decision "on the papers". In some cases, the committee might need to hold a public hearing.

For further information contact:
Clutha District Council 0800 801 350 or help.desk@cluthadc.govt.nz.

Note: These guide pages do not need to accompany the application.

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Application for Special Licence

Section 138, Sale and Supply of Alcohol Act 2012

This application for a Special Licence is made in accordance with the particulars set out below:

Is this application for an event in more than 20 working days? ☐ Yes ☐ No

If **NO,** tell us why you couldn't lodge this application on time, including why you could not have foreseen the need for a special licence. (Use and attach a separate piece of paper if you need more space)

Type of Special Licence applied for:

☐ On-site *(the alcohol will be consumed on the licensed premises*)
☐ Off-site (*the alcohol will be sold in sealed containers and will be consumed elsewhere)*

Total number of events: | |

Details of applicant

Full name or names to be on licence: | |

(*Full legal name or company name – this is the person/organisation/group receiving the profits from the sale of alcohol)*

Applicant status: (tick appropriate box)

☐ Natural person
☐ Body corporate (i.e. incorporated clubs)
☐ Partnership of any of the above entities
☐ Other *(please state)* | |
☐ Licensing trust or community trust
☐ Limited partnership

Contact details for applicant:

Contact name: | |

Contact number: | | Mobile number: | |

Email address: | |

Postal address for service: | |

Email address for licence to be sent to: | |

Criminal record check

Has the applicant **ever** been convicted of any offence? Yes ☐ No ☐

Please state all criminal convictions other than convictions for offences against provisions of the Land Transport Act 1998 not contained in Part 6, and offences to which the Criminal Records (Clean Slate) Act 2004 applies.

Conviction	Date of conviction

NOTE: Failure to disclose may result in the Police opposing the application.

Experience and training in running special licence events:

Details of premises

Address of premises:

Trading name of premises (*if any*):

Does the applicant own the premises? ☐ Yes ☐ No

If no**,** please provide full name and address of owner:

(The owner of the premises needs to complete the box at the bottom of this page)

Is the licence conditional upon completion of building work or construction of a marquee larger than 100m^2? ☐ Yes ☐ No

If yes, state details of building consent:

Is a licence already held for premises concerned? ☐ Yes ☐ No

If yes, what type of licence:
☐ On Licence ☐ Off Licence ☐ Club Licence Licence number:

Is there a fire evacuation scheme for public safety in place for the premises? ☐ Yes ☐ No ☐ Unknown

Is a floor plan and or site plan provided? ☐ Yes ☐ No ☐ N/A
(if you are unsure if you need to provide plan please contact the Alcohol Licensing department)

Please provide a floor plan or site plan of the area to be covered by the licence, showing:

- ☐ The entire area to be licensed including any outside area
- ☐ Entrance(s)
- ☐ Location and number of toilets available for patrons
- ☐ Where alcohol will be sold and/or supplied from
- ☐ Where security will be stationed (if any)
- ☐ Place of safety (if any)
- ☐ Outside smoking area
- ☐ Location of free water
- ☐ Location of where food will be available
- ☐ Location of Host Responsibility and prohibited persons signage

Will the premises be designated?

☐ **Restricted area** No person under 18 may be in the area.
NOTE: Mark on a plan of the premises which areas are to be designated "restricted".

☐ **Supervised area** Persons under 18 may be present if accompanied by a parent or legal guardian.
NOTE: Mark on a plan of the premises which areas are to be designated "supervised".

☐ **No designation** There is no restriction on the age of people who may be present.

Property owner approval

I/We being the owner (or authorised agent) of the premises

described as have no objection to the granting of this special licence.

Contact daytime phone: Email:

Signature: Date:

If this is being completed online, approval from the property owner is to be emailed separately.

Event details

If the application is for more than one event, please copy the following pages and describe each additional event and number the pages. It is important to supply any additional information which may support this application.

Event number ☐ of ☐ Over how many days? ☐

Date(s) of the event: ☐

Main Purpose of Event: ☐

(Also provide details of timetable and/or programme or attach this separately)

Hours of event: Start: ☐ am/pm Finish: ☐ am/pm

Hours alcohol will be sold: Start: ☐ am/pm Finish: ☐ am/pm

Estimated number of people attending event: ☐

Is an alcohol/event management plan required? ☐ Yes ☐No

(This is a requirement if your event has 250+ attending. Visit https://resources.alcohol.org.nz/resources-research/alcohol-resources/research-and-publications/alcohol-management-plan-template for a template)

The event is: ☐ Public ☐ Private

Admission will be controlled by: ☐ Door sales ☐ Pre-sold tickets ☐ Invitation only

Details of how this event will be promoted: (*e.g. Facebook, newspapers, website, radio, newsletters etc.)*

☐

The event will be monitored in the following way: *(e.g. security stationed at entranceway, duty manager circulating)*

☐

The entrances will be monitored by:

☐ Certified security ☐ Bar staff
☐ Individual ☐ Family members
☐ Other ☐

If certified security, number of people: ☐

Name of the proposed security company: ☐

Will alcohol be sold through a cash bar? ☐ Yes ☐ No

If no, described how alcohol will be sold or supplied: (*e.g. dry till, tab, included in ticket price*)

☐

Where will alcohol be sold or supplied from?
(*Show these areas on a floor plan or site plan*)

☐ Tent ☐ Bar
☐ Booth ☐ Tray service
☐ Other ☐

What type of alcohol will be available?

☐ Beer ☐ Wine
☐ RTDs ☐ Spirits
☐ Cider ☐ Other ☐

Do you intend to sell wine by 750ml bottles? ☐ Yes ☐ No

If yes, what time will wine bottle sales cease? _____

Type of containers alcohol will be sold in? ☐ Glass ☐ Cans ☐ Bottles ☐ Plastic

How many drinks will you allow to be sold in a single transaction?

☐ 1 or ☐ 2 drinks per person per sale ☐ 4 drinks per person per sale

Location of freely available drinking water for patrons:

_____

Source of the water: ☐ Town supply ☐ Other: _____ ☐ Bottled water (please specify)

Event host responsibility provisions: *(not required for off-site applications)*

Detail the type and amount of food that will be available:

_____

Remember that food (e.g. pies, sandwiches, savouries, filled rolls, etc.) must be available AT ALL TIMES alcohol is for SALE and SUPPLY – even before and after suppers. Give details if a meal is being provided, together with an approximate time of when meal/supper will be served. If you have a menu please supply it with your application. NOTE: potato crisps, dips, lollies, ice-creams and nuts are NOT considered substantial food.

How this food will be promoted:

_____

Name or details of person(s) providing catering:

_____

Steps proposed to take if the food, non-alcoholic drinks or low-alcoholic drinks are exhausted:
(*Remember that food must be available at all times alcohol is for SALE or SUPPLY, even before and after suppers*).

_____

Types of non-alcoholic drinks available:

_____

Types of low alcohol drinks available: (Please state brand. Low alcohol is between 1.15% to 2.5% alcohol)

_____

Assistance and information in place about alternative forms of transport:

_____

Tick what is available: ☐ Taxi service ☐ Courtesy coach ☐ Telephone ☐ Cell phone ☐ Other _____

How host responsibility provisions will be promoted:

☐ Signage
☐ Other

Other matters

Provide details of steps proposed to be taken to prevent the sale and supply of alcohol to prohibited people:

Provide details of any other steps proposed to promote the responsible consumption of alcohol:

Provide details of other systems you plan to have in place to meet compliance with the Act, including training and staff:

Do you intend to engage in the sale or supply of any goods other than alcohol and food, or in the provision of any services other than those directly related to the sale or supply of alcohol and food?
☐ Yes ☐ No

If yes, please describe the nature of other goods and services:

Smoke Free Environments Act 1990:
Is the event smoke free? ☐ Yes ☐ No
If no, is signage displayed? ☐ Yes ☐ No

Provide details of the outside designated smoking area: (please detail this area on your floor plan)

NOTE: Workplaces must be compliant with the Smokefree Environments Act 1990 and that workplaces include areas where volunteers are used.

Signature of applicant*: Date:

**If this form is completed online you will not be able, or required, to sign this form and the online lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and that you have made the above representations, warranties and certification.*

Checklist for attachments:

☐ Application fee paid (refer to guide sheet)
☐ A plan of the premises
☐ Copy of ticket, invitation or any promotional material (e.g. poster etc.)
☐ Any risk management plan if prepared. Requirement for events with 250 people or more
☐ Event programme / timeline
☐ Copy of manager's certificate if not issued by this council
☐ Request for late application form attached

Details of manager

This section is to be filled in and signed by the person who will manage the event/s. These are the details of the individual who will manage the sale and supply of alcohol at the event. (If there is more than one manager for the event(s), please copy this page and get each manager to complete).

Full name of proposed manager:

Preferred name if different:

Date of birth: **Place of birth:**

Postal address:

Daytime contact number: **During event:**

Email:

Have you managed an event similar to this in the past? ☐ Yes ☐ No

If yes, provide brief details:

Do you hold a manager's certificate? ☐ Yes ☐ No

Certificate number: Expiry date:

(If your certificate was not issued locally, please attach a copy of that certificate with this application).

If you do not hold a certificate, you MUST give brief details of any relevant experience that you have had in the hospitality industry:

Manager's criminal record check

Has the applicant **ever** been convicted of any offence? Yes ☐ No ☐

Please state all criminal convictions other than convictions for offences against provisions of the Land Transport Act 1998 not contained in Part 6, and offences to which the Criminal Records (Clean Slate) Act 2004 applies.

Conviction	Date of conviction

NOTE: Failure to disclose may result in the Police opposing the application.

How many staff members will you have working on the date of the event? (including yourself)

What training is in place for your staff?

What steps do you intend to take to manage the sale and supply of alcohol, with the aim of helping to reduce alcohol harm and help with host responsibility?

What controls are in place to deal with persons who are intoxicated to ensure their safety and the safety of others, and that alcohol is not sold or supplied to them?

What controls are in place to ensure that alcohol is not sold or supplied to persons under the age of 18 years?

Detail what food the applicant intends to provide?

I acknowledge that I understand my obligations as prescribed by the Sale and Supply of Alcohol Act 2012.

Signature of Manager*: Date:

Privacy statement

The information you provide in this application and any supporting documents will be used by the Clutha District Council to process your application under the Sale and Supply of Alcohol Act 2012 and may be shared with relevant government agencies. If required, the information may form part of a public hearing before the District Licensing Committee (DLC) and may appear in the hearing agenda. The decision will be made publicly available. The information you provide may also be used in any subsequent decision relating to your application. Any member of the public may, under the Local Government Official Information and Meetings Act 1987, request access to information held by the council. Under the Privacy Act 2020, you have the right to see and correct personal information that the council holds about you. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at help.desk@cluthadc.govt.nz or 0800 801 350.