

Sale of Liquor Act 1989
Application for Renewal of Licence
 (for on-licence, off-licence, or club licence)

To: The Secretary
 Ashburton District Licensing Agency
 PO Box 94
 ASHBURTON

| | |
|--|--------|
| OFFICE USE ONLY | |
| File No. | |
| Property Association | |
| Variation Sought | Yes/No |
| Replacement Licence required to: - variation | |
| - redefinition | |

Application for the renewal of a licence is made in accordance with the details set out below.

1. Details of Licence

- (a) Full name:
- (b) Postal address for service of documents:
- (c) Daytime contact name and telephone number:
- (d) Email

2. Details of Manager

Full name and address of all managers currently employed, and certificate numbers of manager's certificates:

Name: _____
 Certificate No: _____ Expiry Date: _____

Name: _____
 Certificate No: _____ Expiry Date: _____

Name: _____
 Certificate No: _____ Expiry Date: _____

Name: _____
 Certificate No: _____ Expiry Date: _____

3. Details of Licence

(a) Type of licence (*tick appropriate box*):

On-Licence Off-Licence Club Licence

- (b) Number:
- (c) Date of expiry:

4. Details of Premises *(To be included only where the licence applies to any premises)*

- (a) Address:
- (b) Trading or other name (if any):
- (c) *(If a Club Licence)* does the club share the premises with any other club? Yes / No
If Yes, -
 - (i) what is the name of the other club?
 - (ii) what months of the year do the respective clubs use the premises?

5. Details of Conveyance *(To be included only where the licence applies to any conveyance_*

- (a) Type of conveyance:
- (b) Address of home base (if any):
- (c) Trading or other name (if any):

6. Conditions

- Are any changes sought to the present conditions of the licence? Yes / No
If Yes, -
- (a) what changes are sought?
 - (b) what are the full reasons for the changes sought?

Dated at Ashburton this day of..... 20....

.....
Licensee

NOTES

1. This form should be used in respect of on-licences, off-licences, and club licences. Special licences are not renewable.
2. This application should be filed with the District Licensing Agency no later than 20 working days before the expiry of the licence. After that time, it may be filed only with the permission of the District Licensing Agency. In no case may the application be filed after the licence has expired.
3. For the matters that are to accompany this application, see Regulation 18(2) of the Sale of Liquor Regulations 1990. The fee must be paid with the application. *(Refer to the Current Schedule of Fees and Charges)*. <http://www.ashburtondc.govt.nz/council/Fees+and+Charges.htm>
4. Within 10 working days after filing this application with the District Licensing Agency, the applicant must give public notice of the application in Form 1. The notice must be published twice in a newspaper or newspapers circulating in the district and nominated by the Secretary of the District Licensing Agency, with not less than 5 days and not more than 10 days between the 2 days of publication.
5. Within 10 working days after filing this application with the District Licensing Agency, the applicant must ensure that notice of the application in Form 1A is attached in a conspicuous place on or adjacent to the site to which the application relates (unless the Secretary of the District Licensing Agency agrees that it is impracticable or unreasonable to do so).

Sale of Liquor Act 1989
Public Notice

.....
.....
(Full name, address, and occupation of applicant)

has made application to the District Licensing Agency at Ashburton for the grant (or renewal)
of a in respect of the premises situated at
(Specify type of licence)

.....
(Address)

known as

The general nature of the business conducted (or to be conducted) under the licence is
.....
(Type of business, for example, hotel, tavern, restaurant, entertainment/night club).

The days on which and the hours during which liquor is (or is intended to be) sold under the licence
are:

.....
.....
(Specify days and hours)

The application may be inspected during ordinary office hours at the office of the Ashburton
District Licensing Agency at 5 Baring Square West, Ashburton.

Any person who is entitled to object and who wished to object to the grant of the application may,
not later than 10 working days after the date of the first publication of this notice, file a notice in
writing of the objection with:

The Secretary
Ashburton District Licensing Agency
P O Box 94
ASHBURTON

This is the first (or second) publication of this notice. * The first publication was made on
.....
(Date)

[It is recommended that you discuss this with Councils Licensing Inspector prior to lodging]

Sale of Liquor Act 1989
Public Notice

.....
.....
(Full name, address, and occupation of applicant)

has made application to the District Licensing Agency at Ashburton for the grant (or renewal)
of a in respect of the premises situated at
(Specify type of licence)

.....
(Address)

known as

The general nature of the business conducted (or to be conducted) under the licence is
.....
(Type of business, for example, hotel, tavern, restaurant, entertainment/night club).

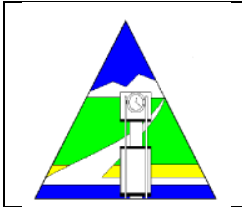
The days on which and the hours during which liquor is (or is intended to be) sold under the licence
are:
.....
.....
(Specify days and hours)

The application may be inspected during ordinary office hours at the office of the Ashburton
District Licensing Agency at 5 Baring Square West, Ashburton.

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writing of the objection with:

The Secretary
Ashburton District Licensing Agency
P O Box 94
ASHBURTON

THIS NOTICE MUST BE KEPT CURRENT ON SITE DURING THE ENTIRE PERIOD FOR
OBJECTIONS AND MAY BE REQUIRED TO BE REPLACED IF REMOVED, DESTROYED
OR DEFACED



Sale of Liquor 1989 **Public Notices – Form 1 & 1A**

The Sale of Liquor Act 1989 requires applicants for new “on”, “off” and “club” licences to give public notice of that proposal in a newspaper circulating in the area in which the liquor licence is sought.

A similar provision applies for renewals of these licences.

The Act also requires that a notice be displayed on the site of the proposed licensed premise.

Attached are suggested public notices in form 1, for the newspaper and form 1A for the site.

These documents are for guidance only and applicants should have regard to the detailed provisions in the Sale of Liquor Act 1989 rather than placing total reliance on these forms and notes.

Public Notice (Newspaper)

- Must be published in the Ashburton Guardian.
- Must be published within 20 days of making the application.
- Must be published twice, not more than 10 days apart, eg, on a Friday and the following Friday is suggested.
- Copies of the public notices and their date of publication must be delivered to the District Licensing Agency before the application can be further processed. ie the full page of the newspaper on which the public notice appeared may be required to be delivered to the Council office.

Public Notice (On site)

- Must be clearly legible and at least of A4 size. A computer generated and perhaps laminated notice would be a useful approach.
- Must be visible from the street.
- Must be displayed, on site, from not later than 10 days after making application until the close of the period for objections for the newspaper public notices.
- Should be replaced if destroyed or removed during the 10 day period.
- In some unusual circumstances an on-site notice may not be required. This exception would be unusual and applicants should assume that an on-site notice is required.



ASHBURTON DISTRICT COUNCIL

SALE OF LIQUOR ACT 1989

Information required to accompany your application for renewal of on, off and club licences.

Premises:

Address:

Applicants Name:.....

Licence type (on/off/club):.....

Contact Name & Phone number:

Building Warrant of Fitness

When does the premises building WOF expire?.....
(please enclose copy)

Fire Evacuation Scheme

Section 18(2)(da) of the Sale of Liquor Act 1989 requires the applicant to complete the following:

“Please contact Ashburton’s Fire Safety Officer, Kevin Donaldson, ph 307 8962 prior to completing this section. This completed form requires verification by the Fire Safety Officer”.

I STATE THAT –
[delete one]

- 1. The building in which the premises are situated has an evacuation scheme for public safety, which meets the requirements of section 21 of the Fire Service Act 1975.

OR

- 2. The building, by reason of its current use, does not require such a scheme, or the building is exempt from having to meet the requirements of such a scheme.

Signed by the applicant.....

Date.....

Verification by Fire Safety Officer

HOST RESPONSIBILITY POLICY GUIDELINES

As of 1 April 2000, licensed premises within the Ashburton District Licensing Agency area are required to have developed a written host responsibility plan. This plan should be made available to all staff and displayed in some form for both patrons and staff i.e. a reduced version, often seen as a “House Policy”.

You will need to address the following seven points in your policy.

(1) Minors

- How will you ensure that all of your staff are aware of the designation of your premise? This will determine ‘who’ is allowed on and to drink at your premise.

TIP: in your policy include the designation and what this means in terms of who is allowed on the premise

- How will you ensure that all your staff are **trained** on their responsibilities under the SOL Act in relation to minors?
- What **instructions** will you give staff to ensure that they know how to identify and proactively deal with minors?
- What **strategies** will you have in place to **deal** with minors? Are all staff fully aware of what forms of identification to request from potentially underage minors entering your premises? Who will ask them to leave?

TIP: in your policy outline how you will ensure all staff are trained and will receive clear instructions on their responsibilities under the Sale of Liquor Act in regards to minors. Also outline your strategies for dealing with minors.

- Do you have appropriate signage displayed at every point of service re not serving minors?

TIP: include your commitment to always displaying such signage in your policy

Ashburton Community Alcohol & Drug Service has a range of signs available free of charge – phone 3081270 and ask for Chris Clark or Sue Newton.

(2) Intoxication

Staff must be trained in their responsibilities under the Sale of Liquor Act to prevent intoxication on licensed premises. Staff require clear instructions re identifying and proactively dealing with potentially intoxicated persons. Staff ability to identify signs at the onset as opposed to the escalation of intoxication is integral to meeting the requirements of s.166 and s.167 of the Act, prohibiting intoxication of licensed premises.

- How will you ensure that all your staff are **trained** on their responsibilities under the SOL Act in relation to intoxicated patrons?
- What **instructions** will you give staff to ensure that they know how to identify and proactively deal with potentially intoxicated persons?
- What **strategies** will you have in place to **deal** with potentially intoxicated persons? i.e. will you offer free soft drinks, tea, coffee to potentially intoxicated patrons. How will you slow them down? Which staff have the authority to ask patrons to leave? What is the line of authority?

TIP: in your policy outline how will you ensure that all staff are trained and will receive clear instructions on their responsibilities under the SOL Act with regard to potentially intoxicated patrons. Also outline your strategies for dealing with potentially intoxicated patrons.

- Do you have appropriate signage displayed at every point of service re not serving intoxicated patrons?

TIP: include your commitment to always displaying such signage in your policy.

(3) Food

A condition of your licence is that food must be available, and promoted by means of clear and well-positioned signs, at all times when the premise is authorized to be open for the sale of liquor. The range and style of food must be similar in style and nature that shown on the menu accompanying the licence

application, or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizza and the like. A range is considered to be a minimum of four food options.

They must be conveniently available, this means, priced realistically, be provided within a reasonable time frame, and of a type that customers would readily consume in the environment.

- Is your signage promoting this food clear and well positioned?
- How will you ensure that staff are aware of the food options (menu) available at all times?
- Hotels and taverns – do you have a **minimum of four** food options available at off-peak times?
- Do you have a minimum of four food options available at off-peak times?

TIP: in your policy include your systems for ensuring that all staff are aware of the food options at all times.

(4) Non-Alcoholic Beverages

A condition of your licence requires that a reasonable range of non-alcoholic refreshments are available at all times when the premises are open for sale of liquor.

- Do you offer a range of non-alcoholic refreshments to patrons at all times?
- Have you listed that you have available ‘free water’ at all times if requested?
- How are these non-alcoholic alternatives promoted? Are they promoted by signage, featured in the beverage menu, or both?

(5) Low-Alcohol Beverages

A condition of your licence requires that low alcohol refreshments are available at all times when the premises are open for the sale of liquor.

- Do you offer low-alcohol refreshments to patrons at all times?
- How are these low alcoholic alternatives promoted? Are they promoted by signage, featured in the beverage menu, or both?

TIP: in our policy include a description of the low-alcoholic refreshment you will have available e.g. beer and that it will be available and promoted at every bar/point of service by way of signage, or as a feature in the beverage menu.

(6) Safe Transport Options

A condition of your licence is that the licensee provides assistance with or information about alternative forms of transport from the licensed premises for both staff and patrons.

- What strategies do you have in place to ensure that both staff and patrons get home safely from your premise e.g. actively promote hire a driver type scheme, make a telephone readily available to arrange sober transport (taxi or private), a courtesy van, or operate a designated driver scheme?
- How do you promote these alternative forms of transport to the public?
- How do you ensure all staff are aware of these strategies?

(7) Liquor Promotions

Section 154A of the Act provides for a fine not exceeding \$5,000 for a licensee or manager who does anything in the promotion of the business conduct on the premises, or in the promotion of any event or activity held/conducted on the premises, that is intended or likely to encourage persons on the premise to consume alcohol to an excessive extent. A national protocol is attached. It clearly lists acceptable and unacceptable practices.

- What commitment do you give to adhering to the protocol, and section 154A?
- What steps will you, as Licensee, take to ensure that all staff adhere to the protocol, and your commitment?



National Protocol on Alcohol Promotions

Promotions are a marketing tool for enhancing product awareness, providing a special offer to customers and/or boosting trade during quiet periods. However, price discounting and other promotions can effectively increase the availability of alcohol and thereby encourage risky drinking. Under the provisions of Section 154A of the Sale of Liquor Act 1989, any promotions or activities must not be seen as intended or *likely to encourage* persons to consume alcohol to an excessive extent.

SALE OF LIQUOR ACT 1989

Part 8 – Offences and enforcement

Excessive consumption of alcohol

154A. Promotion of excessive consumption of alcohol—

Every person commits an offence and is liable to a fine not exceeding \$5,000 who, being a licensee or manager of licensed premises, does anything in the promotion of the business conducted on the premises, or in the promotion of any event or activity held or conducted on the premises, that is intended or likely to encourage persons on the licensed premises to consume alcohol to an excessive extent.

The responsibility of organising and holding promotions rests with both duty managers and licensees to ensure the responsible service of alcohol. Promotions in breach of Section 154A of the Act can result in suspension or cancellation of a licence and/or of a Manager's Certificate. Irresponsible promotions can also damage the reputation and prospects of a business. Furthermore, intoxication does not have to be proven for the promotion to be in breach of the Act, but merely as *likely to occur*.

Licensees are encouraged to establish a clear written policy which details how any promotion of alcohol is to be managed, setting out responsible service of alcohol practices to be followed during promotions. A Promotions Policy could form part of the premises' Host Responsibility (HR) Policy and is required by the licensing authorities for new applications and renewal of existing licences. The HR *Implementation Plan* then details how the HR Policy including any promotions is to be enacted.

This Protocol was developed by The Alcohol Advisory Council of New Zealand (ALAC), the Hospitality Association of New Zealand (HANZ), New Zealand Police and Local Government New Zealand. It is intended to assist District Licensing Agencies (DLAs), Police, Public Health Services, Licensees and all bar staff to understand the type of promotions and events which are likely to be considered acceptable and unacceptable under the provisions of the Act. All promotions must also comply with the Advertising Standards Authority's (ASA) *Code for Advertising Liquor*.

This Protocol is, however, a guideline and the determination of an acceptable promotion or event will always be decided on an individual case by case basis.

***If you are unsure and require guidance on any promotional activities
you should contact your local DLA in the first instance.***

ACCEPTABLE PROMOTIONS

- ✓ Happy Hour as long as it is of no more than 2 hours duration and occurs only once in any 24 hour period.
- ✓ Promotions which offer price discounts of up to but no more than 50% of the normal retail price and for a reasonable duration so as not to encourage faster than normal drinking.
- ✓ A complimentary standard drink upon arrival.
- ✓ A promotion of a particular brand of alcohol that provides incentives to purchase that brand, as long as its discounted price is reasonable so as not to encourage excessive or faster than normal drinking.
- ✓ Supplying beer in self-serving vessels such as 'Barmaids' and 'KiwiKegs' as long as there is an in-house policy on their use that includes monitoring, management and control of consumption to ensure responsible drinking.
- ✓ Providing complimentary food with promotions.
- ✓ Promotions that involve competitions with prizes of food and other prizes consistent with good host responsibility.
- ✓ Promotions that promote meal and drink combos.

UNACCEPTABLE PROMOTIONS

- ✗ Any promotion that encourages the excessive consumption of alcohol or is of a limited duration that encourages faster than normal drinking.
- ✗ Discounted promotions that serve alcohol in non-standard measures, such as 'shooters', 'slammers', 'shakers' and 'teapots'.
- ✗ Games, challenges or other activities that encourage excessive or rapid alcohol consumption.
- ✗ Drinks cards where multiple free drinks are offered, and are of a discount of more than 50% of the normal retail price, and are valid for a limited duration that encourages faster than normal drinking.
- ✗ Marketing of promotions such as inappropriate signage that may promote excessive or rapid alcohol consumption.
- ✗ Promotions that involve large quantities of free alcoholic drinks, e.g. *free drinks for women all night*.
- ✗ Time-related promotions that may lead to excessive or rapid alcohol consumption, e.g. *free drinks until the first try*.

ACCEPTABLE PROMOTIONS

***must still be suitably monitored, managed and controlled
so as to ensure alcohol is not consumed to an excessive extent.***

**SUITABLE AND ADEQUATE FOOD AS WELL AS LOW AND NON-ALCOHOLIC DRINKS
MUST BE PROMOTED AND AVAILABLE AT ALL TIMES**