

Half-hour live entertainment exemption to 1.30am lock out and 3.00am last drinks



Before you complete this form

What this form is for

Use this form to apply for an exemption to the lock out and last drinks conditions that will allow a later lock out time of 2.00am and last drinks of 3.30am on nights when live entertainment is provided after midnight.

What you need to know

- ▲ Lodgement of this application does not discharge the responsibility of the licensee to comply with current conditions as required by the liquor laws or the venue's licence.
- ▲ You may attach any material or evidence in support of this exemption application, but you should reference it in the answers given in this document.
- ▲ Initial assessment of an exemption application may identify a requirement for further information and Liquor & Gaming NSW may conduct a compliance inspection.
- ▲ The NSW Police Force may be asked to comment on this application.
- ▲ Complete all questions as instructed. If information is missing, we may ask you to supply the required information and/or documents to support the application. If more space is required to answer any questions, please attach additional sheets.
- ▲ This form can be completed on a computer and saved, then printed or emailed.

Providing incomplete information can delay a decision on the application.

Please check

Before completing this application, use the following checklist to ensure you are eligible and have all required supporting documentation.

- Located within an applicable Precinct**
This form is only applicable to venues which are located within the Kings Cross Precinct or the Sydney CBD Entertainment Precinct. For information about the Act and Regulation, go to legislation.nsw.gov.au
- Venue floor plan**
A venue floor plan must be provided with the application. If applying for an exemption for a part of the licensed premises, the venue plan should include highlighting of the proposed exemption area.
- Live entertainment schedule**
The application must be accompanied by the venue's schedule of live entertainment events, showing recently held and upcoming events for four weeks before and after the application.

How to lodge this form

@ safe.premises@justice.nsw.gov.au

✉ Liquor & Gaming NSW
GPO Box 7060
Sydney NSW 2001

👤 Liquor & Gaming NSW
Level 6, 323 Castlereagh Street
Haymarket NSW 2000

Counter hours are 9:00am to 4:00pm, Monday to Friday, except public holidays.

Provide all pages of this application and supporting documents with payment. There's no need to include introduction pages i to ii.

Need more information?

🔗 liquorandgaming.justice.nsw.gov.au

For relevant fact sheets, including about special licence conditions in the Precincts, go to liquorandgaming.justice.nsw.gov.au/Pages/liquor/factsheets-checklists-guidelines.aspx

If you need help completing the application form

@ safe.premises@justice.nsw.gov.au

☎ (02) 9995 0837

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Cost

The application fee is \$250. The fee is non-refundable. No GST is applicable to the fee. A 0.4% surcharge applies to any credit card payments. Please note: Fees may be subject to change without notice.

How this request will be processed

Liquor & Gaming NSW will notify you in writing of the outcome of this exemption application.

If information is missing, we'll need to ask you to supply the required information to support the application. This may delay our response.

Note:

- ▲ This is the form approved under clauses 53OA(10) and 53ZHA(10) of the Liquor Regulation 2008 and is an official document for the purposes of section 36 of the *Gaming and Liquor Administration Act 2007*.
- ▲ Under section 36 *Gaming and Liquor Administration Act 2007* and section 307A *Crimes Act 1900*, it is an offence to provide information that is false or misleading.

Your privacy

We will handle your personal information in accordance with the *Privacy and Personal Information Protection Act 1998*. It is being collected by Liquor & Gaming NSW and will be used for the purpose of processing your application and may be disclosed to other Government agencies for this purpose. General information about your application may be published on an electronic noticeboard and information about the application, if granted, on a public register. Providing this information is voluntary, but where relevant information is not provided this may lead to your application being refused, delayed or not further considered. You have the right to request access to, and correct details of, your personal information held by us. You can access further information on privacy at liquorandgaming.justice.nsw.gov.au.

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OFFICE USE ONLY

AM0660

By Email Mail OTC

Date lodged

Application number

Amount paid

GLS receipt

Date finalised

Finalised by

2A Licensee is an individual

Mr Ms Mrs Miss Other

Given name

Middle name

Family name

Date of birth

2B Licensee is an organisation

Name of organisation

ABN

ACN

3. Premises details

Business street address (compulsory)

Suburb/town/city

State Postcode

The premises is in the following Precinct:

Please check one.

Kings Cross Precinct

Sydney CBD Entertainment Precinct

Part A Premises details

1. Liquor licence

Liquor licence number

LIQ

Liquor licence type

Liquor licence name. Usually the trading name

2. Licensee

Please check one.

The licensee is an individual Complete 2A only

The licensee is an organisation Complete 2B only

Part B Applicant

This application may be lodged by the Licensee (if an individual), the Director or Secretary (if the licensee is an organisation), or by another person authorised to act on behalf of the corporation or club.

4. Applicant relationship to licensee

Please check one.

The licensee is an individual

Complete 4A only

The licensee is a Director or Secretary (organisation licensee) or other person (authorised to act on behalf of the corporation or club)

Complete 4B only

4A Applicant contact details

Home phone

Work phone

Mobile

Email

4B Applicant details

Mr Ms Mrs Miss Other

Given name

Middle name

Family name

Position in organisation E.g.; Director

Organisation name

Part C Venue overview and exemption details

5. Actual trading hours

What are the regular, actual trading hours for the venue? (These may be less than, or the same as the authorised trading hours).

Open and close times 24 hour clock e.g. 6pm = 18:00

Monday : : to : :

Tuesday : : to : :

Wednesday : : to : :

Thursday : : to : :

Friday : : to : :

Saturday : : to : :

Sunday : : to : :

Public Holidays/Events

: : to : :

6. Live entertainment after midnight

For which nights of the week are you seeking an exemption? How regularly does your venue provide live entertainment after midnight on these nights?

Please check days and regularity below.

Monday

Every week

Sometimes (every 2 to 3 weeks)

Occasionally (around once a month)

Rarely (less than once a month)

Never

Tuesday

Every week

Sometimes (every 2 to 3 weeks)

Occasionally (around once a month)

Rarely (less than once a month)

Never

Wednesday

Every week

Sometimes (every 2 to 3 weeks)

Occasionally (around once a month)

Rarely (less than once a month)

Never

- Thursday
 - Every week
 - Sometimes (every 2 to 3 weeks)
 - Occasionally (around once a month)
 - Rarely (less than once a month)
 - Never

- Friday
 - Every week
 - Sometimes (every 2 to 3 weeks)
 - Occasionally (around once a month)
 - Rarely (less than once a month)
 - Never

- Saturday
 - Every week
 - Sometimes (every 2 to 3 weeks)
 - Occasionally (around once a month)
 - Rarely (less than once a month)
 - Never

- Sunday
 - Every week
 - Sometimes (every 2 to 3 weeks)
 - Occasionally (around once a month)
 - Rarely (less than once a month)
 - Never

- Public Holidays
 - New Year's Day
 - Australia Day
 - Good Friday
 - Easter Saturday
 - Easter Sunday
 - Easter Monday
 - Anzac Day
 - Queen's Birthday (June)
 - Labour Day (October)
 - Christmas Day
 - Boxing Day

An exemption can only be granted to a venue in relation to those nights on which live entertainment is provided after midnight.

7. Market orientation towards live performances, the arts and cultural events and endeavours

Explain how live performances and/or the arts form a core part of the venue's business model and offering to customers. Describe how your venue invests in, and contributes to, supporting the live performance and arts sectors.

Relevant factors to identify in your response may include, but not be limited to, types of live entertainment provided at the venue, degree of investment or contribution, whether the premises has a live music licence issued by APRA-AMCOS, whether tickets for live entertainment on the premises can be purchased, and any key plans demonstrating this type of market orientation.

Has your venue ever been used in connection with artistic or cultural festivals?

Please check one.

No Go to 9

Yes Please supply details:

Which festivals and what sort of contribution does your venue make?

Please attach a schedule showing all live entertainment:

- ▶ provided at the venue over at least four weeks immediately prior to the date of application, and
- ▶ planned to be held at the venue for at least four weeks following the date of application.

Copies of relevant recent publicity demonstrating a strong focus on live performance and the arts may also be attached in support of this application (optional).

8. Nature of ongoing operation of all or part of the premises

Does all or part of your venue have a history of nightclub operations?

Please check one.

- Yes (please be aware that you may not be eligible for this exemption if that is considered to be the sole purpose of the venue)
- No

If an exemption is sought for all or part of a venue with a history of nightclub operation, but that does not solely operate as a nightclub (i.e. a multi-purpose entertainment facility), describe how often it is used to provide other forms of entertainment and provide the most relevant examples.

Is the premises operated and/or marketed as an adult entertainment venue of a sexual nature?

Please check one.

- Yes (please be aware that you are not be eligible for this exemption and should not apply)
- No

9. Other supporting information

If you have any additional supporting information you consider relevant to this application, please describe below. You may attach any material or evidence in support of this exemption application, but you should reference it in your answers.

If Liquor & Gaming NSW identify compliance concerns, we may ask you for further information to assess your application, for example copies of incident registers.

Are you applying for an exemption for the entire licensed premises, or for an exemption on part of the premises?

Please check below.

Entire premises (attach the venue plan)

Continue to Part D Payment

9. Other supporting information (cont'd)

Part of the premises (partial exemption)

Please supply details:

- ▲ Specify the area that you are seeking exemption for. Attach the venue plan with the relevant area highlighted.
- ▲ Describe the area that you are seeking exemption for below.
- ▲ Venue floor plan attached.

Part D Payment

The fee for this application is \$250.

This fee is non-refundable in the event that the application is withdrawn or not granted. The fee does not incur GST, and may be subject to change.

Please pay by:

Credit card Cheque Cash Money order

Payment amount \$

Credit card payments

A surcharge of 0.4% will be added to credit card payments.

Card type MasterCard Visa

Card number

Name on card

Expiry date

Cardholder signature

Date

Cheque payments

Please cross and mark 'Not negotiable'. Make payable to 'Liquor & Gaming NSW'.

Drawer name

Cash

Cash can only be accepted if lodging this application in person. **Do not mail cash.**

Part E Declaration

The Licensee or person authorised to act on behalf of the corporation or club (the Applicant listed in Part B) must read, confirm by crossing each box, and sign the declaration below.

- ▲ I declare that I am 18 years or older and I am authorised to lodge this application.
- ▲ I declare that the contents of this application including attachments are true, correct and complete and that I have made all reasonable inquiries to obtain the information required to complete the application.
- ▲ I undertake to immediately notify Liquor & Gaming NSW of any change to the information in this application, if the information changes before the application is determined.
- ▲ I acknowledge that under section 36 of the *Gaming and Liquor Administration Act 2007* and section 307A of the *Crimes Act 1900* it is an offence to provide false or misleading information in this application.
- ▲ I acknowledge that failure to provide all required information may result in delay or refusal of the application.
- ▲ I understand that specific details I have supplied in this application may be 'personal information' under the *Privacy and Personal Information Protection Act 1998*. Personal information is any information or opinion that identifies an individual, or enables someone to identify an individual.
- ▲ I acknowledge that Liquor & Gaming NSW is collecting information to enable processing of this application. I also understand that the information will be used for its intended purpose only. The information will be stored securely, and the applicant will be allowed to access and update the information. When processing this application, information may need to be disclosed to other Government agencies including to the police.

Pre-lodgement checklist

Before submitting your application, **you must complete this checklist** to ensure that you have included all items required for the application.

- Questions in Part A to C have been answered in full.
- Payment details are entered correctly in Part D.
- Cheque has been included if paying by that method.
- The Declaration has been read.

I have attached

- The venue floor plan, including highlighting of any proposed exemption area.
- A live entertainment schedule.
- Any other attachments as indicated in your responses.
- If more room is required for any questions, additional pages are included with those answers.

Name

Title

Signature

Date

DD / MM / YYYY