

Application

SP1316

IN THE MATTER

the Sale and Supply of Alcohol
Act 2012

AND
IN THE MATTER

of an application by
Te Waitere Boating Club
Incorporated
for a special licence
pursuant to section 138 of the
Act

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The application for an on-site special licence is granted. The special licence may issue immediately.
2. Te Waitere Boating Club Incorporated is authorised to sell and supply alcohol, at Te Waitere Boating Club to any person attending the Karaoke Competition and Fundraising Dinner for the Whaleboat Restoration Project.
3. This licence is subject to the following conditions:
 - (a) A copy of this licence with all the conditions must be displayed in a prominent place so all persons can read it and all staff must be familiar with the conditions.
 - (b) Alcohol may be sold under the licence from 6.00pm to 12.00 midnight on Friday 16 August 2019.
 - (c) Alcohol may be sold or supplied to people present participating in the event this licence is issued for.
 - (d) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the Waitomo District Licensing Committee on 4 July 2019 and no alcohol is to be taken out of this area.
 - (e) The holder of a manager's certificate shall be on duty and on the premises at all times alcohol is sold. A sign shall be displayed identify the duty manager.
 - (f) The entire premises is undesignated.
 - (g) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be displayed at every point of sale appropriate signs detailing these restrictions.

- (h) Drinking water must be freely available from the bar and this must be clear to customers while the premises is open for the sale and supply of alcohol.
- (i) Food must be available for consumption on the premises at all times the premises is open for the sale of alcohol in accordance with the menu submitted with the application for this licence, or variations of a similar range and standard.
- (j) A range of low-alcohol (less than 2.5% by volume) and non-alcoholic drinks must be available at all times when the premises is open for the sale of alcohol.
- (k) A telephone must be freely available for customers to call for transport and staff must assist if required. Safe transport options shall be promoted.

REASONS

1. This is an application by Te Waitere Boating Club Incorporated for a special licence for the Karaoke Competition and Fundraising Dinner for the Whaleboat Restoration Project to be held at Te Waitere Boating Club from 6.00pm to 12.00 midnight on Friday 16 August 2019.
2. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
3. The Liquor Licensing Inspector, Police and Medical Officer of Health have no objection to this application for a special licence (s 141). Accordingly, this application is decided on the papers (s 202).
4. The purpose of the Act is to put in place a new system of control over the sale and supply of alcohol (s 3). The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4).
5. In deciding whether to grant a special licence the District Licensing Committee must have regard to the criteria in s 142 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) What is the nature of the event? Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?
 - b) Is the applicant suitable?
 - c) Will the amenity and good order of the locality be reduced to more than a minor extent by the effects of the issue of the licence?
 - d) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - e) Is the design and layout of the premises suitable? Are any areas of the premises designated restricted or supervised areas?
 - f) Does the applicant have appropriate systems, staff and training to comply with the law? What steps will the applicant take to ensure that alcohol is not sold to prohibited persons?
 - g) What proposals does the applicant have in relation to the sale and supply of non-alcoholic drinks and food, low-alcohol drinks and the provision of help with or information about alternative forms of transport from the premises?
 - h) Have the Inspector, Police and Medical Officer of Health raised any relevant

considerations?

i) Does the application comply with the Waitomo District Local Alcohol Policy?

6. The licensing committee may refuse a special licence even if there was no objection to the application (s 144). Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

7. It is expected that up to 150 people will attend this fundraising event for the Whaleboat Restoration Project. The licensing committee commends the club for submitting an excellent application which shows that considerable thought has been given to making this a well-planned and successful event where alcohol related harm will be minimised. The licensing committee is satisfied that the proposed trading hours are reasonable.
8. The licensing committee is satisfied that Te Waitere Boating Club Incorporated is a suitable applicant to hold a special licence. The club currently holds a club licence and has demonstrated compliance with the Sale and Supply of Alcohol Act 2012. The issue of a special licence for this event will allow the applicant to sell alcohol to non-members of the club attending the event. A Duty Manager will be present on the premises for the duration of the proposed event to ensure compliance with the Act. Staff working at the event have appropriate training and are required to sign the Induction Form confirming they have read the special licence conditions. The Licensing Inspector has confirmed that the event is compliant with the Local Alcohol Policy.
9. Given the nature of the event and the venue it is not likely that the issue of the special licence will adversely affect neighbouring properties. The licensing committee is satisfied that the design and layout of the premises is suitable given the temporary nature of the licence. The applicant will provide sufficient food throughout the duration of the event, low alcohol and non-alcoholic refreshments. Free water will be provided at the bar and kitchen water stations. Safe options for transport home from the event will be promoted.

Conclusion

10. The licensing committee is satisfied that the grant of the special licence with the appropriate conditions will ensure the safe and responsible supply of alcohol and the minimisation of harm caused by excessive or inappropriate use of alcohol.
11. Therefore, the application for a special licence is granted.

Dated this 17th day of July 2019



Sara Grayson
Commissioner
Waitomo District Licensing Committee