

<b>Application</b>	SP1257
<b><u>IN THE MATTER</u></b>	the Sale and Supply of Alcohol Act 2012
<b><u>AND</u></b>	of an application by
<b><u>IN THE MATTER</u></b>	New Zealand Shearing Championships Inc for a special licence pursuant to section 138 of the Act

### **DECISION OF THE DISTRICT LICENSING COMMITTEE**

1. The application for a special licence is granted. The special licence may issue immediately.
2. New Zealand Shearing Championships Inc is authorised to sell and supply alcohol, at the Les Munroe Centre situated at King Street East, Te Kuiti to any person attending to any person attending the 2018 New Zealand Shearing Championships.
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 only on the following days and during the following hours:

Friday 6 April 2018, from 5.30pm to 11.00pm  
Saturday 7 April 2018, from 6.30pm to 2.00am the following day
  - c) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the District Licensing Committee on 16<sup>th</sup> February 2018 and no alcohol is to be taken out of this area.
  - d) The licensee must comply with the Alcohol Management Plan supplied with the application, in particular:
    - i. No ticket sales to enter the event after 9.00pm to effect a one-way door policy
    - ii. Alcohol will only be served to wristband holders.
  - e) The licensee must ensure all staff receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
  - f) The entire site is to be undesignated (persons under 18 are permitted at the venue)

- g) The holder of a manager's certificate shall be on duty and in the bar area at all times alcohol is sold. A sign shall be prominently displayed inside the bar area which identifies by name the person responsible for the management of the sale and supply of alcohol.
  - i. All staff will be trained in their responsibilities under the Act;
  - ii. Evidence of age documents will be requested from any person appearing to be under the age of 25.
  - iii. There must be no consumption of alcohol by staff or managers immediately before or during their shifts.
- h) 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.
- i) Drinking water must be freely available from the bar and the three water dispensers and this must be clear to customers, while the premises is open for the sale and supply of alcohol.
- j) Food must be available for consumption on the premises in accordance with the menu submitted with the application for this licence, or variations of a similar range and standard. Menus and the availability should be clear to customers and food should be actively promoted.
- k) A range of low-alcohol and non-alcoholic drinks must be available at all times when the premises is open for the sale of alcohol.
- l) A one-way door policy applies at the conclusion of the prize-giving. Patrons who leave after the prize-giving will not be readmitted unless they have a pass issued by security.
- m) Two courtesy vans are to be provided to transport patrons home from the venue and the availability of the courtesy vans is to be actively promoted by the public announcements throughout the evening.
- n) A telephone must be freely available for customers to call for transport and staff must assist if required. Telephone numbers for alternative forms of transport from the premises must be displayed.

## **REASONS**

1. This is an application by New Zealand Shearing Championships Inc for a special licence to be held at the Les Munroe Centre, Te Kuiti on Friday 6 April and Saturday 7 April 2018 for the New Zealand Shearing Championships. The estimated number attending is 250 people on Friday 6 April and 400 people on Saturday 7 April.
2. The Liquor Licensing Inspector and Police have no objection to this application for a special licence (s 141) on the basis that an alcohol management plan was supplied. However, the licenced hours sought for the Saturday 7 April, are beyond the maximum closing time of 1.00am specified in the Waitomo District Council Local Alcohol Policy (LAP). As this is a

similar event to last year and the decision of the District Licencing Committee from the 10 March 2017 Hearing confirmed this is an important event and qualifies as an exceptional circumstance. Therefore, the hours applied for (up to 2.00am) are considered appropriate in this instance.

3. The purpose of the Sale and Supply of Alcohol Act 2012 (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).
4. 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?
5. 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 a special licence be granted?**

6. The general nature of the event is the New Zealand Shearing Championships. Approximately 250-400 people are expected to attend the ticketed event each night. The issue of a special licence for this event will allow the applicant to allow patrons of the New Zealand Shearing Championships to consume alcohol on the premises while viewing the entertainment provided and after the official prizegiving.
7. The Licensing Inspector reports that the application does comply with the Waitomo District Local Alcohol Policy except for the request of opening hours from 6.30pm to 2.00am the following day. The District Licencing Committee in its decision from the hearing held on the 10 March 2017 confirmed that this event is an exceptional circumstance. The licensing committee is satisfied that the proposed trading hours are warranted.

8. The licensing committee is satisfied that New Zealand Shearing Championships is a suitable applicant to hold a special licence. This organisation has demonstrated compliance with the Sale and Supply of Alcohol Act 2012. There are currently 2 certificated Duty Managers who are responsible for ensuring compliance with the Act. All staff receive training in the requirements of the Act. The licensing committee is satisfied that proposed hours are reasonable.
9. The licensing committee is satisfied that New Zealand Shearing Championships has produced an Alcohol Management Plan that will ensure a comprehensive approach is taken to alcohol management at this event and that suitable measures will be taken to ensure that alcohol is sold and supplied responsibly and that harm caused by inappropriate or excessive consumption of alcohol is minimised.
10. 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.
11. 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, low-alcohol and non-alcoholic refreshments. Free water will be provided.
12. The licensing committee is satisfied that the applicant will provide information about alternative forms of transport from the premises, including shuttle vans provided and a free phone for customers to call other services.

#### **Conclusion**

13. 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.
14. Therefore, the application for a special licence is granted.

Dated at this 22 day of March 2018



Deputy Chair  
District Licensing Committee