

Application	SP1463
<u>IN THE MATTER</u>	the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by Lynette Monica Louise Adams 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. Lynette Monica Louise Adams is authorised to sell and supply alcohol, on the Mahoenui Memorial Hall premises situated at State Highway 3, Mahoenui to any person attending the Mahoenui Pig Hunting 2023 Competition on 2 September 2023.
3. This licence is subject to the following conditions:
 - (a) Alcohol may be sold under the licence only on the following days and during the following hours:
Saturday 2 September 2023, from 12noon to 10.00pm
 - (b) 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 6 August 2023 and no alcohol is to be taken out of this area.
 - (c) A properly appointed certificated must be on duty and on the premises at all times when the premises is open for the sale of alcohol. If a duty manager is not present, then there must be no alcohol sales and a notice displayed advising the public of this fact.
 - a. All staff will be trained in their responsibilities under the Act;
 - b. Evidence of age documents will be requested from any person appearing to be under the age of 25.
 - c. There must be no consumption of alcohol by staff or managers immediately before or during their shifts.
 - (d) 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
 - (e) Drinking water must be freely available from the bar area and this must be clear to customers while the premises is open for the sale and supply of alcohol.

- (f) 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.
- (g) 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.
- (h) A telephone must be freely available for customers to call for transport and staff must assist if required. The availability of sober drivers shall be promoted.
- (i) The entire premises is undesignated.

REASONS

1. This is an application by Lynette Monica Louise Adams for a special licence for Mahoenui Pig Hunting 2023 Competition to be held at the Mahoenui Memorial Hall premises on 2 September 2023. The application was filed more than 20 working days prior to the event as required by section 137.
2. 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).
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. Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

6. The pig hunting competition is being held to raise funds for the upkeep of the Mahoenui Community Hall. Individuals pay a \$40 entry fee to compete in different hunting categories. The Mahoenui Pig Hunting Competition is an annual competition and has been undertaken for the past couple of years without any

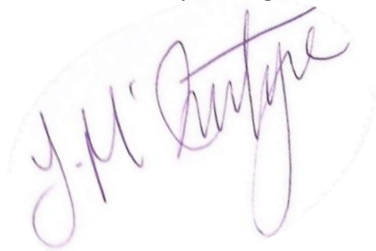
concerns raised. Approximately 100 people are anticipated to attend. The licensing committee is satisfied that proposed hours are reasonable.

7. The licensing committee is satisfied that Lynette Monica Louise Adams is a suitable applicant to hold a special licence. Lynette is entitled to hold an on-site special licence because she has attained the age of 20 years of age (s 28(a)) and has demonstrated compliance with the Sale and Supply of Alcohol Act 2012 in the past. All staff receive training in the requirements of the Act. There is 1 certificated Duty Managers responsible for ensuring compliance with the Act and Lynette will be assisting on the bar. All staff receive training in the requirements of the Act.
8. The application does comply with the Waitomo District Local Alcohol Policy and 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.
9. The licensing committee is satisfied that the design and layout of the premises is suitable given the temporary nature of the licence. The premises consists of a large main hall, kitchen and food servery, a small bar servery and toilet facilities. The licensed area also includes a fenced large paddock located outside the hall.
10. The licensing committee is satisfied that the applicant will provide sufficient food, low-alcohol and non-alcoholic refreshments. Free water will also be provided. The use of sober driver services will be promoted as a safe option for transport home from the event.

Conclusion

11. 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.
12. Therefore, the application for a special licence is granted.

Dated at this 21st day of August 2023



Tegan McIntyre
Commissioner
Waitomo District Licensing Committee