

**Application**

SP1237

**IN THE MATTER**

the Sale and Supply of Alcohol  
Act 2012

**AND**

**IN THE MATTER**

of an application by  
On-Stage Te Kuiti Inc  
for a special licence  
pursuant to section 138 of the  
Act

**DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE**

1. The application for an on-special licence is granted. The special licence may issue immediately.
2. On-Stage Te Kuiti Inc is authorised to sell and supply alcohol, on the premises situated at the corner of King Street West and John Street, Te Kuiti to any person attending the Theatrical Performance 'Rocky Horror'.
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 on Saturday 19 August 2017, from 5.15pm to 12.00 midnight
  - (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 10 July 2017 and no alcohol is to be taken out of this area.
  - (e) The holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold and their name shall be on display.
  - (f) 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.

- (g) 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.
- (h) 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.
- (i) 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.
- (j) 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.
- (k) The entire premises is undesignated.

## REASONS

1. This is an application by On-Stage Te Kuiti Inc for a special licence for two Theatrical Performances of 'Rocky Horror' to be held at the corner of King Street West and John Street, Te Kuiti on Saturday 19 August 2017, from 5.15pm to 12.00 midnight. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
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 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).
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 Council 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. Up to 100 people are expected to attend each performance of 'Rocky Horror' on Saturday 19 August 2017. The first performance is scheduled for 6.00pm to 8.00pm and the second is from 9.00pm to 11.00pm. However, the doors will open at 5.15pm, therefore it is appropriate that the licence starts at the this time and continues to 12.00 midnight to give patrons an opportunity to finish their drinks at the end of the show. These hours comply with the Waitomo District Council Local Alcohol Policy.
7. The licensing committee is satisfied that On-Stage Te Kuiti Inc is a suitable applicant to hold a special licence because previous performances have been managed without incident. There are two certificated Duty Managers who are responsible for ensuring compliance with the Act.
8. The licensing committee is satisfied 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. 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 applicant will provide sufficient food, low alcohol and non-alcoholic refreshments. Free water will be provided at the bar. Assistance with transport home from the premises will be provided.

**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 30th day of July 2017



Sara Brown  
Commissioner