

Decision	19/052/2024
<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 Tainui Wetere Domain Recreational Reserve Society 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. Tainui Wetere Domain Recreational Reserve Society Inc is authorised to sell and supply alcohol, on the premises situated at 5167 State Highway 3, Mokau to any person attending the tainui Rugby Games 10 and 17 August 2024.
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:
Saturday 10 August 2024, from 3.00pm to 9.00pm
Saturday 17 August 2024, from 3.00pm to 9.00pm.
 - (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 received via email by the Waitomo District Licensing Committee on 12 July 2024 and no alcohol is to be taken out of this area.
 - (e) The person nominated to manage the conduct of the sale and supply of alcohol at all times the premises are open for the sale and supply of alcohol is Maxine Eva Lovell and a sign shall be prominently displayed inside the premises, which identifies by name the person responsible under the licence.
 - 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.
- (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: substantial BBQ meal provided after the games.
- (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. Sober drivers must be made available to transport patrons from the premises and this assistance must be displayed in a notice to patrons.
- (k) The outdoor deck area is undesignated and the interior of the premises (clubroom and bar) will be supervised (no persons under 18 can be in the area unless with their parent or legal guardian).

REASONS

1. This is an application by Tainui Wetere Domain Recreational Reserve Society Inc for a special licence for the Tainui Rugby Games 2024 to be held at the Tainui Wetere Domain on 10 and 17 August 2024. This application was received more than 20 working days prior to the event as required by s137 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 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?

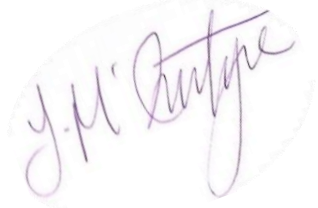
Should the special licence be granted?

- 5. The applicant proposes to host the Tainui Rugby Games. Proceeds are going to Tainui Wetere Domain Recreational Reserve Society Incorporated. The estimate of the number of people attending is up to 80. The licensing committee is satisfied that the proposed trading hours are reasonable.
- 6. The Licensing Inspector reports that the application does comply with the Waitomo District Local Alcohol Policy.
- 7. The licensing committee is satisfied that Tainui Wetere Domain Recreational Reserve Society Inc is a suitable applicant to hold a special licence. Tainui Wetere Domain Recreational Reserve Society Inc is entitled to hold an on-site special licence because the organisation is incorporated under the Incorporated Societies Act 1908 and has demonstrated compliance with the Sale and Supply of Alcohol Act 2012 in the past.
- 8. Tainui Wetere Domain Recreational Reserve Society Inc does not propose to have a certificated duty manager at this event. However, the licensing committee is satisfied that an exemption may be granted from the requirement to appoint a duty manager (s 213). This is a small low risk competition and Tainui Wetere Domain Recreational Reserve Society Inc is capable of managing it without a certificated duty manager. Maxine is the secretary of the club, previously worked at Awakino Hotel as a bar person and has completed Servewise courses. Maxine Eva Lovell will take responsibility for the management of the event and ensure that it complies with the Act. The licensing committee expects Maxine will brief all volunteer bar staff on their responsibilities under the Act and the conditions of this licence prior to the event.
- 9. 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. There will be reliable volunteers checking ID, the bar will be closed at a sensible time and there will be a number of volunteers who will be keeping watch on the day.
- 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. The licensing committee is satisfied that the design and layout of the premises is suitable given the temporary nature of the licence. The entire premises is to be an undesignated area including the outdoor deck area.
- 11. 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. The use of taxi services will be promoted as a safe option for transport home from the event.

Conclusion

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

Dated at this 1st day of August 2024



Tegan McIntyre
Commissioner
Waitomo District Licensing Committee