

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Diana Stavely** for a special licence pursuant to s.137 of the Act in respect of the premises **Tahuna Reef Restaurant and Bar** situated at the **Town Basin, Whangarei** for an event known as the **Mid Winter Event**

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Chairman: Councillor John Williamson

DECISION (ON THE PAPERS)

This is an application by **Diana Stavely** for an on-site special licence in respect of premises situated at **Tahuna Reef Restaurant and Bar, Town Basin, Whangarei** for an event known as the **Mid Winter Event**.

The day and hours sought for the event is **6pm to 12 midnight, 27 June 2014**.

The committee has received reports on the application from the Police, the Medical Officer of Health and the Licensing Inspector and none have raised matters in opposition. Further more the application did not require public notice. Accordingly the committee deals with the matters on the papers.

The application relates to a Mid Winter Event and will be attended by invited guests with the expected number of 100 guests. The application relates to Tahuna Reef Restaurant and Bar, Town Basin, Whangarei.

Diana Stavely works at the Whangarei District Council as a Water Assets Engineer. She has been working for the council since 2011. Special licences have previously been issued for similar events and there are no questions as to the suitability of the applicant to hold a special licence by the Police.

The duty manager Bradley Taylor (002/GM/55/2009) has held his managers certificate since 2009. He is currently the duty manager for Regent New World and is well experienced to run this event. He will have a few volunteers from the Whangarei District Council to help out behind the bar as well.

Section 142 of the Sale and Supply of Alcohol Act 2012 provides that in deciding whether or not to issue a special licence, the licensing committee must have regard to the following matters :

(a) the object of this Act:

(b) the nature of the particular event for which the licence is sought and, in particular,—

(i) whether the applicant is engaged in, or proposes at the event to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods; and

(ii) whether the applicant is engaged in, or proposes at the event to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:

(c) the suitability of the applicant:

(d) any relevant local alcohol policy:

(e) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of the licence:

(f) the days on which and the hours during which the applicant proposes to sell alcohol:

(g) the design and layout of the premises concerned:

(h) whether the applicant has appropriate systems, staff and training to comply with the law:

(i) any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas:

(j) any steps the applicant proposes to take to ensure that the requirements of this Act in relation to the sale and supply of alcohol to prohibited persons are observed:

(k) the applicant's proposals relating to—

(i) the sale and supply of non-alcoholic drinks and food; and

(ii) the sale and supply of low-alcohol drinks; and

(iii) the provision of help with or information about alternative forms of transport from the premises:

(l) any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under section 141.

DECISION

The committee is satisfied as to the matters to which it must have regard as set out in s.142 of the Act and we grant the applicant an on-site special licence subject to the following conditions.

1. Alcohol may be sold under the licence only on the following days and during the following hours: **Friday 27 June 2014 from 6.00 pm until 12.00 midnight**
2. Alcohol may be sold or supplied to the following types of people: **Persons attending the event**
3. The fees payable for the licence concerned are: **\$63.25 GST inclusive**
4. The licensee must take the following steps to ensure that the provisions of this Act relating to the sale or supply of alcohol to prohibited persons are observed: **No sales to minors or intoxicated persons; appropriate signage displayed; evidence of age documents must be requested when deemed necessary**
5. The licensee must take the following steps to ensure that the provisions of this Act relating to the management of premises are observed: **Manager to be on duty at all times and responsible for compliance. Name of duty manager to be displayed**
6. Free drinking water must be freely available to customers, while the event is taking place, at the following places: **At the bar and on each table**
7. Where the principal business carried out on the premises is not the manufacture or sale of alcohol, the kinds of alcohol that may be sold or delivered on or from the premises are: **Beer, RTD's and wine only**
8. Food must be available for consumption on the premises as follows: **Nibbles, full buffet dinner and desert**
9. Low-alcohol beverages must be available for sale and supply on the premises as follows: **Low alcohol beer**
10. Non-alcohol beverages must be available for sale and supply on the premises as follows: **Fruit juices, soft drinks, punch, tea and coffee**
11. The licensee must take the following steps to provide assistance with or information about alternative forms of transport from the premises: **Taxi telephone numbers displayed**
12. Members of the public must be excluded from the premises in the following circumstances: **Private event, members of the public are excluded**

13. Alcohol may be sold in the following types of container only: **Standard glasses, bottles**

DATED at **Whangarei** this **17th** day of **June 2014**

Chairman
Whangarei District Licensing Committee
14/49924