

Decision No. **237/2014**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by the **Hora Hora  
Rugby Union Football Club  
Incorporated** for a special licence  
pursuant to s.137 of the Act in respect of  
premises situated at **4 Te Mai Road,  
Whangarei** for an event known as the  
**Community Concert**

**BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE**

Chairman: Councillor John Williamson  
Member: Lee Andrewes  
Member: Mervyn Williams

**DECISION (ON THE PAPERS)**

This is an application by **Hora Hora Rugby Union Football Club Incorporated** for an on-site special licence in respect of premises situated at the **4 Te Mai Road, Whangarei** for an event known as the **Community Concert**.

The day and hours sought for the event is 11 July 2014, 7.30pm to 12.00 Midnight.

The application relates to a Community Concert hosted by Auckland based 'The Production Company' featuring New Zealand Artists: Anika Moa and Benny Tipene and is expected to be attended by members of the public who are over the age of eighteen. The expected number of guests is between 200 and 400.

The Hora Hora Rugby Football Union Club Whangarei Incorporated holds a club licence (002/CL/3/2000). Special licences have previously been issued to the applicant for events and there are no questions as to the suitability of the applicant to hold a special licence by the Police.

The duty managers are Cynthia Harrison (GM149/2007) and Gareth Brendon Foster (025126). Gareth has held his managers certificate since 1992, he is currently the duty manager for Absolute Caterers. Cynthia has held her managers certificate since 2007, she is also currently the duty manager for Absolute Caterers. They are experienced and have run these events in the past without any concerns coming to the attention of enforcement partners. A sufficient number of bar staff that are trained and experienced have been employed during this event. Two qualified security guards who are also experienced in controlling these events have also been employed. The applicant has indicated that they will be able to call on additional certificated security personal, should the need arise.

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. Furthermore the application did not require public notice. Accordingly the committee deals with the matters on the papers.

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 it grants 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 the 11<sup>th</sup> July 2014 from 7.30pm until 12.00midnight.**
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: **\$207 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, certificated security.**
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 in the clubrooms.**
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: **RTD's, spirits, wine and beer.**
8. Food must be available for consumption on the premises as follows: **Kitchen open for bistro and takeaways.**
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 and water.**
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: **Ticketed event, members of the public are excluded.**
13. Alcohol may be sold in the following types of container only: **Standard glasses, cans, bottles.**
14. The licence is also subject to the following conditions, which in the committee's opinion are not inconsistent with the Act:
  - a. **The number of people attending the event must not exceed the buildings maximum occupancy of 400.**

**DATED** at Whangarei this 8<sup>th</sup> day of July 2014

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Chairman  
**Whangarei District Licensing Committee**  
14/57812