

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by **Waipu Lions Club Incorporated** for an on special licence pursuant to s.137 of the Act in respect of premises situated at **Bream Bay College, Peter Snell Drive, Ruakaka** for an event described as the **Bream Bay College 75<sup>th</sup> Anniversary Reunion**

**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 **Waipu Lions Club Incorporated** for an on-site special licence in respect of premises situated at **Bream Bay College, Peter Snell Drive, Ruakaka** for an event described the Bream Bay College 75<sup>th</sup> Anniversary Reunion. The days and hours sought for the event are:

Friday 30 May 2014 from 6.30 pm to 11.00 pm  
Saturday 31 May 2014 from 5.30pm to 12.00 midnight.

The application relates to a Bream Bay College and Waipu District High School 75<sup>th</sup> Anniversary reunion. The reunion runs over two days. On Friday the 30<sup>th</sup> May 2014 there is to be a 'mix and mingle' event and on Saturday the 31<sup>st</sup> May 2014 there is a formal sit down dinner. The event is to be held at Bream Bay College, in the auditorium and 3 marquees. The licensed area includes the 3 marquees and the auditorium, the point of sales are in the auditorium and in the marquees. There is expected to be 1000 guests attending. The guests have to register and pay for tickets, registration closes at least two weeks prior to the event.

Included with the application is an Alcohol Management Plan which details the risk management, provision of food, toilets, security, certificated managers, car parking and noise control. This event is classed as a large scale event. Information received from the Whangarei District Council Planning Department shows that the activity has been waived from having to obtain resource consent because of the temporary nature of the event. Council's building department has also granted exemption under the Building Act to allow the use of the three marquees without building consent

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 we deal with the matters on the papers.

In deciding whether to issue a special licence, the District Licensing Committee must have regard to the criteria set down in section 142 of the Sale and Supply of Alcohol Act 2012. Section 143 further requires the Committee to have regard to the additional requirements for large-scale events. Read together these matters are as follows:

**Section 142 Criteria for issue of special licences**

*(1) In deciding whether to issue a special licence, the licensing committee concerned 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.*

### **Section 143 Additional requirements for large-scale events**

- (1) *If, in the opinion of the licensing committee concerned, an application for a special licence relates to a large-scale event, the committee may do any or all of the following:*
- (a) *require the applicant to provide the committee with a management plan describing how the applicant proposes to deal with matters such as security, monitoring, interaction with local residents, and public health concerns:*
  - (b) *require the applicant to provide the committee with a certificate by the territorial authority that the proposed use of the premises meets the requirements of the Resource Management Act 1991 and of the building code:*
  - (c) *require the applicant to liaise with the Police and the territorial authority on planning for the event.*
- (2) *In deciding whether to issue a special licence, the licensing committee concerned may have regard to the following matters (in addition to the matters stated in section 142(1))*
- (a) *whether, and how well, the applicant has complied with any requirement under subsection (1)(a):*
  - (b) *whether, and how well, the applicant has complied with any requirement under subsection (1)(c), and whether the Police and the territorial authority are satisfied with any liaison that has taken place.*

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and also those matters requiring our consideration under section 143 of the Act and we grant an on site special licence to the applicant subject to the following conditions

1. Alcohol may be sold under the licence only on the following days and during the following hours: **On Friday 30<sup>th</sup> May from 6.30pm until 11.00pm and Saturday 31<sup>st</sup> May 2014 from 5.30pm 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: **\$575.00 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 to 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: **Duty manager and security to be on site at all times and responsible for compliance, name of duty manager to be displayed**
6. Free drinking water must be readily available at the following places while the premises are open for business: **At every bar and in carafes on the tables**
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, wine and beer**
8. Food must be available for consumption on the premises as follows: **Finger foods on Friday night, full meal on Saturday night**
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, 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 and dial-a-driver numbers displayed, courtesy van available**
12. Members of the public must be excluded from the premises in the following circumstances: **Private event, entry by ticket only**
13. Alcohol may be sold in the following types of container only: **Standard glasses, plastic glasses and bottles.**
14. The licence is also subject to the following conditions, which in the committee's opinion are not inconsistent with the Act: **All aspects of the event must be managed in accordance with the steps prescribed in the Alcohol Management Plan supplied in support of the application**

**DATED at Whangarei this 13<sup>th</sup> day of May 2014**

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Chairman  
**Whangarei District Licensing Committee**