

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Monique Dane** for a
special licence pursuant to s.137 of the
Act in respect of premises situated at the
**Quarry Arts Centre, 21 Selwyn
Avenue, Whangarei** for an event known
as the **Holland Festival 2014**.

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Deputy Chairman: Councillor Gregg Innes

DECISION (ON THE PAPERS)

This is an application by **Monique Dane** for an on-site special licence in respect of premises situated at the Quarry Arts Centre **21 Selwyn Avenue, Whangarei**, for an event known as the Holland Festival 2014.

The day and hours sought for the event is Saturday 26 April 2014 – 12 noon to 11.00pm.

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

The main focus of the festival is the celebration of the birthday of the King of Netherlands. It is a cultural experience, which includes Dutch music, dances, food and drinks. Although up to 4000 people are expected to attend the festival, a statement provided by the applicant based upon alcohol sales in 2011 and 2012 events show that the average number consuming alcohol is 150 people per event. Although this is not assessed as a large-scale event due to the main focus of the festival (i.e. cultural) and low number of people actually consuming alcohol, the applicant has provided an Alcohol Management Plan outlining how to deal matters such as security and monitoring.

The applicant and her nominated duty manager Ida Martha Yvonne Edwards (002/CM/20/2010) have been responsible for successfully hosting this event in 2011 and 2012 during which a special licence was issued. In addition, they hosted or had involvement with the "Midwinter Arts Festival" and the "Festivals of Light" (also held at this venue). The applicant also managed the special licences issued more recently to the Twilight Markets.

A total of 20 volunteers, trained on Host Responsibility, will patrol the premises and monitor the consumption of alcohol (e.g. intoxication), and identify potential problems. The majority of these volunteers have assisted in the previous special licences.

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

We are satisfied as to the matters to which we 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: **Saturday, 26 April 2014 from 12.00 noon to 11.00 pm.**
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. Volunteers and "Whangarei Community Patrols" staff to monitor behaviour.**
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.**
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: **Spirits, wine and beer.**
8. Food must be available for consumption on the premises as follows: **As per the items listed, such as pancakes, hot chips, fritters, Dutch delicatessen.**
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, tea, coffee and bottled 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: **Not applicable.**
13. Alcohol may be sold in the following types of container only: **Standard glass, can or bottle.**

DATED at Whangarei this 8th day of April 2014

Chairman
Whangarei District Licensing Committee