

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by **Onerahi Rugby Football Club Incorporated** for an on site special licence pursuant to s.137 of the Act in respect of premises situated at 35 Alamein Avenue, Onerahi, Whangarei for two social functions.

**BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE**

Chairman: Councillor John Williamson  
Member: Paul Dimery  
Member: Mark Vincent

**DECISION (ON THE PAPERS)**

This is an application by **Onerahi Rugby Football Club Incorporated** for an on-site special licence in respect of premises situated at **35 Alamein Avenue, Onerahi, Whangarei** for an event two social functions.

The days and hours sought for the events are 11 May 2014 from 2.30 pm until 8.30 pm and 5 July 2014 from 2.30 pm until 8.00 pm.

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 application relates to two events, which are fundraising events. These fundraising events are for one junior and one women's team which have recently joined the club. The funds raised will go to the teams to help pay for expenses. One event is to be held after a match the other is a social afternoon. The events are to be held on Sunday 11<sup>th</sup> of May from 2.30pm until 8.30pm and Saturday 5<sup>th</sup> July 2014 from 2.30pm until 8.00pm. The expected number of guests is 80 at each.

The applicant is not the holder of a club licence and has applied for a special licence to sell and supply alcohol to club members, opposition teams, families and supporters. Sales will take place in the clubrooms during the fundraising events. The club has very strict rules for no alcohol to be consumed or taken outside of the clubrooms.

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 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](#).*

We are satisfied with the matters to which we must have regard 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 Sunday 11<sup>th</sup> May 2014 from 2.30pm until 8.00pm and Saturday 5<sup>th</sup> July 2014 from 2.30pm until 8.30pm.**
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 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 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 the bar and on the tables in the clubroom.**
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 and beer.**
8. Food must be available for consumption on the premises as follows: **Hot chips, pies and burgers and sit down dinners.**
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 and soft drinks.**
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.**
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 glasses, cans and bottles.**
14. **The series of events will be monitored by enforcement agencies and where non compliance with licence conditions is found the committee will expect to receive an application from the Licensing Inspector or the Police for the suspension or cancellation of the licence under section 283 of the Act**

**DATED** at Whangarei this 6<sup>th</sup> day of May 2014

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Chairman  
**Whangarei District Licensing Committee**

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