

Decision No. **374/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Onerahi Soccer Club Incorporated** for a special licence pursuant to s.137 of the Act in respect of premises situated at **148 Church Street, Whangarei** for an event known as the **Prize Giving**

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 Soccer Club Incorporated** for an on-site special licence in respect to **Onerahi Soccer Club** situated at **148 Church Street Whangarei** for an event known as the **Prize Giving**.

The day and hours sought for the event are: 1.00pm to 10.00pm, 11 October 2014.

The expected number of guests is 60.

The applicant currently does not hold a club licence and has applied for a special licence to sell and supply alcohol to club members, family and friends. The applicant made an application for a club licence in December 2013 but due to various reasons their application has not been determined.

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.

Onerahi Soccer Club Incorporated was incorporated under the Incorporated Societies Act 1908 on 14 April 1980.

There are no questions as to the suitability of the applicant to hold a special licence by the Police or other enforcement partners.

Shelley Maree Harley will be the duty manager for this event and has held a manager's certificate (002/GM/3/2002) since 1996. She is a club member and has many years of experience managing licensed premises without any concerns coming to the attention of enforcement partners.

Bernard Luiten will assist Shelley behind the bar. He is Onerahi Soccer Club's president and is experienced.

There are no concerns expressed by the Police or other enforcement partners regarding their suitability.

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: **Saturday, 11 October 2014 from 1:00 pm to 10:00 pm.**
2. Alcohol may be sold or supplied to the following types of people: **Persons attending the event.**
3. The fees paid 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: **Manager to be on duty at all times and responsible for compliance, name of duty manager displayed.**
6. Drinking water is to be freely available to customers at the following places while the event described in it is taking place: **At the bar counter of the club room and on dining 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: **RTDs, wine and beer.**
8. Food must be available for consumption on the premises as follows: **A sausage sizzle, smoked fish and bread will be provided from 1 pm to 4 pm. Snacks and nibbles such as breads, crackers, salami, chutneys and pate and spit roast with buns, roasted potatoes and kumara, garden salad and coleslaw will be provided from 6pm to 10pm. Alcohol will be sold before and during the consumption of food.**
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 juice, soft drinks, tea, coffee 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 will be 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 or bottles.**

DATED at Whangarei this 30th day of September 2014

Chairman
Whangarei District Licensing Committee
14/89461