

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Whangarei Deep
Sea Anglers Club Incorporated** for a
special licence pursuant to s.137 of the
Act in respect of premises situated at
Marina Road, Tutukaka and known as
the Tutukaka Club, for three **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 **Whangarei Deep Sea Anglers Club Incorporated** for an on-site special licence in respect of the Tutukaka Club premises situated at Marina Road, Tutukaka, for three social functions.

The day and hours sought for the events are as follows:

1. 50th Wedding anniversary for Ray and Margaret Barrell – 5 April 2014 - 6.00pm to 1.00am the following day.
2. Wedding of Douglas McAuley and Charlotte Haufenschmitt – 25 April 2014 – 3.00pm to 1.00am the following day.
3. Wedding of Rachel Wano and Jason Tonner – 20 December 2014 – 3.00pm to 1.00 am the following day.

The applicant is an incorporated club that has held a club licence since at least 1990. Special licences have previously been issued to the applicant for similar and different events. The club has four certificated managers: Amber Smith (002/CM/6/2011); Janet Pitt (002/CM/21/2001) Debra Murray (002/CERT/026/2014) and Trucelle Nicolson (002/CM/5/2008).

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

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, 5 April 2014 between 6.00pm and 1.00am the following day;**
 - **Friday, 25 April 2014 between 3.00pm and 1.00am the following day;**
 - **Saturday, 20 December 2014, between 3.00pm and 1.00am the following day.**
2. alcohol may be sold or supplied to the following types of people: **Persons attending the functions.**
3. the fees paid 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 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 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: **RTD's, spirits, wine and beer.**
8. food must be available for consumption on the premises as follows: **Fully catered meals.**
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: **Soft drinks, 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 telephone numbers are displayed at the bar, availability of local shuttle service and transport arrangement for guests.**
12. members of the public must be excluded from the premises in the following circumstances: **Private functions by invitation only.**
13. alcohol may be sold in the following types of container only: **Standard glasses or bottles.**

DATED at Whangarei this 1st day of April 2014

Chairman
Whangarei District Licensing Committee