

Decision No. **303/2014**

**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 a special licence pursuant to s.137 of the Act in respect of premises situated at **35 Alamein Ave, Onerahi, Whangarei** for an event known as the **Prizegiving Social**

**BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE**

Chairman: Councillor John Williamson

**DECISION (ON THE PAPERS)**

This is an application by **Onerahi Rugby Football Club Incorporated** for an on-site special licence in respect to the **Onerahi Rugby Football Club** situated at **35 Alamein Ave, Onerahi, Whangarei** for an event known as the **Prizegiving Social**.

The day and hours sought for the event are: 5pm – 10.30pm, 30 August 2014

Onerahi Rugby Football Club Incorporated is an incorporated society that has held a club licence in the past.

Special licences have previously been issued to the applicant for similar events and there are no questions as to the suitability of the applicant to hold a special licence by the Police or other enforcement partners.

The applicant has nominated Sally Louise Raymond to be the duty manager. She is not a certified manager but has had experience in running events in the past. The Onerahi Rugby Football Club is in the process of having a duty manager certified.

The applicant has ensured that appropriate systems are in place to ensure compliance with the provisions of the Act.

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.

Under section 213(2) the committee may grant an exemption from having a certified manager. The committee is satisfied that Sally Louise Raymond will manage the conduct of the sale of alcohol pursuant to the licence. The committee, however, would expect that should Onerahi Rugby Football Club make application for any further special licenses in the future then they would have certificated managers to attend to the sale of alcohol at these events rather than nominated people.

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 30<sup>th</sup> August 2014 from 5.00pm until 10.30pm.**
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, burgers and toasted sandwiches 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, soft drinks 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 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 licensee is exempt from the requirements of section 213(1) of the Act and a nominated person namely: Sally Louise Raymond will manage the conduct of the sale of alcohol pursuant to the licence.

**DATED at Whangarei this 19<sup>th</sup> day of August 2014**

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Chairman  
**Whangarei District Licensing Committee**  
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