

Decision No. **298/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Rotary Club of Whangarei South Incorporated** for a special licence pursuant to s.137 of the Act in respect of premises situated at **Forum North Exhibition Centre, Rust Avenue, Whangarei** for an event known as the **Bernina Northland Fashion Awards**

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Chairman: Councillor John Williamson

DECISION (ON THE PAPERS)

This is an application by the **Rotary Club of Whangarei South Incorporated** for an on-site special licence in respect to **Forum North** situated at **Rust Avenue, Whangarei** for an event known as the **Bernina Northland Fashion Awards**.

The “Northland Bernina Fashion Awards”, is an event to showcase the creative talent of Northland pupils, students, amateur and semi-professional sewers and artists.

This annual ticketed event will be attended by approximately 350 people (adults and children). The applicant has applied for a special licence to sell alcohol from the bar, before and after the show, as well as during intermissions.

The day and hours sought for the event are: 6.30pm – 11.00pm: 21 August 2014.

The Rotary Club of Whangarei South Incorporated raises funds for community projects. It serves the local community in many ways, such as supporting youth initiatives (e.g. Outward Bound and Summer Science School).

The organisation does not hold a club licence, and therefore relies upon the grant of special licences to sell alcohol during events.

The nominated duty manager is Murray Inder, who is the Immediate-Past President of the Club. He has managed special licences issued for previous annual “Northland Bernina Fashion Awards”, and these were managed in accordance with the provisions of the Act and specific licensing conditions.

The Police, have not questioned the applicant’s suitability to hold a special licence.

The nominated manager, Murray Inder, has recently obtained a LCQ qualification under the new Act, and intends to apply for a manager’s certificate upon receipt of his LCQ certificate. Club volunteers, who will assist Mr Inder behind the bar, will be trained on the provisions of the Act (e.g. no sale to minors) and licensing conditions. There will be club stewards to monitor the entrance, dressing area and exhibition hall. Also, appropriate signage will be displayed at the bar.

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 Murray Inder will manage the conduct of the sale of alcohol pursuant to the licence. The committee, notes that Mr Inder has recently completed the training for the Licence

Controller Qualification (LCQ) and intends to make application for a manager's certificate once he has received his LCQ certificate.

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:
2. **Thursday, 21 August 2014, 6.30 pm to 11.00 pm.**
3. Alcohol may be sold or supplied to the following types of people: **Persons attending the event.**
4. The fees payable for the licence concerned are: **\$207.00 GST inclusive.**
5. 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.**

6. 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.**
7. Free drinking water must be readily available at the following places while the premises are open for business: **At the bar.**
8. 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: **Beer and wine.**
9. Food must be available for consumption on the premises as follows: **assorted finger food.**
10. Low-alcohol beverages must be available for sale and supply on the premises as follows: **Low alcohol beer.**
11. Non-alcohol beverages must be available for sale and supply on the premises as follows: **Soft drinks, orange juice, tea, coffee and water.**
12. 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.**
13. Members of the public must be excluded from the premises in the following circumstances: **N/A**
14. Alcohol may be sold in the following types of container only: **Standard glasses and bottles.**
15. The licensee is exempt from the requirements of section 213 (1) of the Act and a nominated person namely: Murray Inder will manage the conduct of the sale of alcohol pursuant to the licence.

DATED at Whangarei this 12th day of August 2014

Chairman
Whangarei District Licensing Committee
14/71399