

Decision No. **320/2014**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by **Whangarei Cruising Club Incorporated** for a special licence pursuant to s.137 of the Act in respect of premises situated at **212 Riverside Drive, Whangarei** for an event known as the **Peter Ackers Birthday Party**

**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 Cruising Club Incorporated** for an on-site special licence in respect to the **Whangarei Cruising Club** situated at **212 Riverside Drive, Whangarei** for an event known as the **Peter Ackers Birthday Party**.

The day and hours sought for the event are 6 September 2014, 7.30pm to Midnight. Ninety guests are expected to attend.

The applicant is an incorporated society, which has held a club licence for more than a decade.

The club has eight duty managers with current managers' certificates. The principal bar manager is Merv Fair (002/CM/15/2010), who is the club's secretary. The club's duty managers are all volunteers with daytime jobs. Thus, the club has a list of qualified duty managers on which to draw from for any specific event. The club has a host responsibility policy, which is strictly followed by duty managers and bar staff.

Police, in a report dated 19 August 2014, have not questioned the applicant's suitability to hold a special licence.

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 the 6<sup>th</sup> September 2014 from 7.30pm until 12midnight.**
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: **Manager to be on duty at all times and responsible for compliance. Name of duty manager to be display.**
6. Free drinking water must be readily available at the following places while the premises are open for business: **At the bar and on each dining table.**
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: **Beer, wine, spirits and RTD's.**
8. Food must be available for consumption on the premises as follows: **Catered event, a selection of finger food options.**
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, orange juice, 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 displayed.**
12. Members of the public must be excluded from the premises in the following circumstances: **Private function – invited guests only.**

13. Alcohol may be sold in the following types of container only: **Standard glasses and bottles.**

**DATED** at **Whangarei** this **26<sup>th</sup>** day of **August 2014**

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Chairman  
**Whangarei District Licensing Committee**  
14/77008