

ŌTOROHANGA DISTRICT LICENSING COMMITTEE

Application	018-0532/SP1701
<u>IN THE MATTER</u>	the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by Kāwhia Boating and Angling Club Incorporated for a special licence pursuant to section 138 of the Act

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The application for a special licence is granted. The special licence may issue immediately.
2. Kāwhia Boating and Angling Club Incorporated is authorised to sell and supply alcohol, at the Kāwhia Boating and Angling Club situated at 124 Omimiti Street, Kāwhia to any person attending Annual Community Rowing Regatta
3. This licence is subject to the following conditions:
 - a) A copy of this licence with all the conditions must be displayed in a prominent place so all persons can read it (and all staff must be familiar with the conditions).
 - b) Alcohol may be sold only on the following days and during the following hours:
Sunday 1 January 2025; 11.00 am to 11.00 pm
 - c) Alcohol may be sold or supplied to people present participating in the event this licence is issued for.
 - d) The entire premises is undesignated.
 - e) The holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold.
 - (i) All staff will be trained in their responsibilities under the Act.
 - (ii) Evidence of age documents will be requested from any person appearing to be under the age of 25.
 - (iii) There must be no consumption of alcohol by staff or managers immediately before or during their shifts.
 - f) There must be no sale or supply of alcohol to minors or intoxicated persons and there

must be displayed at every point-of-sale appropriate signs detailing these restrictions.

g) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the District Licensing Committee on 24 October 2024 and no alcohol is to be taken out of this area

h) Drinking water must be freely available from the bar and water cooler and this must be clear to customers, while the premises is open for the sale and supply of alcohol.

i) Food must be available for consumption on the premises at all times when open for the sale of alcohol along the following lines: -Catered finger foods, buffet or a la carte meals
The choices do not include nuts and crisps and the like. The availability should be clear to customers and food should be actively promoted.

j) A range of low-alcohol and non-alcoholic drinks must always be available when the premises are open for the sale of alcohol.

k) A telephone must be freely available for customers to call for transport and staff must assist if required. Telephone numbers for alternative forms of transport from the premises must be displayed.

l) Alcohol may be sold in the following types of containers only: bottles and glasses

REASONS

1. This is an application by Kāwhia Boating and Angling Club Incorporated for a special licence for the Annual Community Rowing Regatta to be held at Kāwhia Boating and Angling Club, 124 Omimiti Street, Kāwhia on Sunday 1 January 2025; 11.00 am to 11.00 pm
2. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
3. The Liquor Licensing Inspector, Police and Medical Officer of Health have no objection to this application for a special licence (s 141). Accordingly, this application is decided on the papers (s 202).
4. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4).
5. In deciding whether to grant a special licence the District Licensing Committee must have regard to the criteria in s 142 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) What is the nature of the event? Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?
 - b) Is the applicant suitable?
 - c) Will the amenity and good order of the locality be reduced to more than a minor extent by the effects of the issue of the licence?
 - d) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - e) Is the design and layout of the premises suitable? Are any areas of the premises designated restricted or supervised areas?

- f) Does the applicant have appropriate systems, staff and training to comply with the law? What steps will the applicant take to ensure that alcohol is not sold to prohibited persons?
 - g) What proposals does the applicant have in relation to the sale and supply of non-alcoholic drinks and food, low-alcohol drinks and the provision of help with or information about alternative forms of transport from the premises?
 - h) Have the Inspector, Police and Medical Officer of Health raised any relevant considerations?
 - i) Does the application comply with the Otorohanga District Local Alcohol Policy?
6. The licensing committee may refuse a special licence even if there was no objection to the application (s 144). Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

- 7. The general nature of the event is a community activity. Approximately 120 people are expected to attend the event. The licensing committee is satisfied that the proposed trading hours are reasonable.
- 8. The Licensing Inspector reports that the application does comply with the Otorohanga District Local Alcohol Policy.
- 9. The licensing committee is satisfied that Kāwhia Boating and Angling Club Incorporated is a suitable applicant to hold a special licence. Kāwhia Boating and Angling Club Incorporated is entitled to hold an on-site special licence because the applicant has two staff members who hold managers certificates and have demonstrated compliance with the Sale and Supply of Alcohol Act 2012 in the past.
- 10. The applicant has advised there will be 8-9 bar staff on including committee members overseeing the consumption of alcohol. The licensing committee expects Sandra Butler and Grant Scott to brief all volunteer bar staff on their responsibilities under the Act and the conditions of this licence prior to the event to ensure they are aware of their responsibilities and obligations. Sandra Butler and Grant Scott will take responsibility for the management of the event and ensure that it complies with the Act.
- 11. The licensing committee is satisfied that suitable measures will be taken to ensure that alcohol is sold and supplied responsibly, and that harm caused by inappropriate or excessive consumption of alcohol is minimised.
- 12. The entire premises is to be an undesignated area. The club room is located on one level in an elevated position and the principal entrance is located to the front of the premises. Entrants to the club can be seen from the bar. Drinking water is located on the bar and in a water chiller next to the bar. The premises are open plan with tables and chairs for patrons to use. The kitchen is well appointed, and toilets lead off the main floor area. The premises are well lit both inside and outside of the premises. There is a balcony to the front of the premises which is intended to be part of the licensed area. Ranch sliders to the front of the clubrooms provides staff a view of this area.
- 13. The licensing committee is satisfied that the applicant has submitted a menu with the application which is considered substantial and compliant with section 142(1) (k) (i) regarding its provision. The provision of low and non-alcoholic drinks will be low alcohol beer and mild ale, tea, coffee, soft drinks and juices. Water will be freely available as bottles at the bar and at the water chiller.
- 14. In terms of alternative transport options, the applicant has advised that the club is central to all accommodation and within walking distance. Signage and staff will inform patrons that the bar staff committee members will offer rides.

15. The conditions for this licence are consistent with licences issued since the commencement of the Sale and Supply of Alcohol Act 2012 and now include information about the statutory obligations to display signage.

Conclusion

16. The licensing committee is satisfied that the grant of the special licence with the appropriate conditions will ensure the safe and responsible supply of alcohol and the minimisation of harm caused by excessive or inappropriate use of alcohol.

17. Therefore, the application for a special licence is granted.

Dated at this 28th day of November 2024

A handwritten signature in black ink, appearing to read 'R. W. Johnson'.

Cr Roy Johnson
Deputy Chair
Otorohanga District Licensing Committee