

**Application**

19/008/2022

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**  
**IN THE MATTER**

of an application by  
Waitomo Rugby Sports and Recreation  
Club Incorporated for  
a club licence in respect of the premises  
at 28 Waitomo Village Road and known  
as Waitomo Rugby Sports and Recreation  
Club

**DECISION OF THE DISTRICT LICENSING COMMITTEE**

1. Waitomo Rugby Sports and Recreation Club Inc is authorised to sell and supply alcohol on the premises situated at 28 Waitomo Village Road and known as Waitomo Rugby Sports and Recreation Club for consumption on the premises to any authorised customer or visitor as described in the licence conditions.
2. This licence continues in force until the close of the period of 12 months after the day it is issued.
3. The licence is subject to the following conditions:
  - (a) Alcohol may only be sold and supplied to:
    - (i) a member of the club,
    - (ii) any member of any other club where this club has an arrangement for reciprocal visiting rights,
    - (iii) a person who is invited and accompanied by the members listed in (i) or (ii) above.
  - (b) Alcohol may be sold and supplied Monday to Sunday, from 1.30pm to 10.30pm.
  - (c) The club must always have a secretary.
  - (d) The club must inform the Waitomo District Licensing Committee of the name of a new secretary within 10 working days of their appointment.
  - (e) All proceeds from the sale of alcohol belong to the club.

- (f) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the Waitomo District Licensing Committee on 22 February 2022 and no alcohol is to be taken out of this area.
- (g) The entire premises is undesignated (persons under 18 can be in the area).
- (h) A properly appointed certificated, acting or temporary manager must be on duty and on the premises at all times when the premises is open for the sale and supply of alcohol.
- (i) A manager's register (as required by s.232 of the Act) is to be maintained and available on site.
- (j) The licensee must maintain and display a Host Responsibility Policy and ensure all staff receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- (k) Alcohol must not be sold or supplied to minors or intoxicated persons. The licensee must display appropriate signs at every point of sale detailing restrictions on the sale and supply of alcohol to such persons.
- (l) Drinking water must be freely available and this must be clear to customers while the premises are open for the sale and supply of alcohol.
- (m) A range of non-alcoholic and low-alcohol drinks must be available at all times when the premises is open for the sale of alcohol.
- (n) Food must be available for consumption on the premises at all times the premises is open for the sale of alcohol in accordance with the menu submitted with the application for this licence, or variations of a similar range and standard. Where catered finger foods, buffet or a la carte meals are not provided, there must be a minimum of food four choices available (excluding nuts and crisps and the like).
- (o) 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.
- (p) The Licensee must ensure the following are displayed;
  - i) A copy of the original licence with all the conditions, displayed prominently in the premises.
  - ii) A sign in a prominent place identifying the duty manager or responsible bar person.

## **REASONS**

1. This is an application by Waitomo Rugby Sports and Recreation Club Inc for a club licence in respect of the premises situated at 28 Waitomo Village Road. The club has been operating for over 50 years. The club previously held a club licence, however it lapsed on 17 May 2019, due to

insufficient members at that time. A certificate confirming that the premises complies with the building code and the Resource Management Act 1991 has been provided.

2. The application was advertised, and no objections have been received from members of the public. The Licensing Inspector, Police and the Medical Officer of Health have provided reports and do not oppose the application. Accordingly, the matter is decided on the papers (s 134).
3. 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).
4. In deciding whether to grant a club licence the licensing committee must have regard to sections 131 and 105 of the Act. Therefore this committee must consider the following questions within the framework of the purpose and object of the Act:
  - a) Is the applicant suitable?
  - b) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
  - c) Is the design and layout of the premises suitable?
  - d) 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?
  - e) Does the applicant have appropriate systems, staff and training to comply with the law?
  - f) Have the police, inspector and medical officer of health raised any relevant considerations?
  - g) Will the amenity and good order of the locality be increased by more than a minor extent by the effects of a refusal to renew the licence?
  - h) Has the applicant sold, displayed, advertised or promoted alcohol in a responsible manner?
  - i) Does the application comply with the Waitomo Local Alcohol Policy?

**Is the applicant suitable? Does the applicant have appropriate systems, staff and training to comply with the law? Does the application comply with the Waitomo Local Alcohol Policy?**

5. The licensing committee is satisfied that Waitomo Rugby Sports and Recreation Club Inc is a suitable entity to hold a club-licence. The club currently has 60 – 80 members. Rugby and netball are the primary sports associated with the club. Some of the committee members hold LCQ's and have experience operating bars previously. The licensing committee accepts the recommendation of the Licensing Inspector that the club is a responsible organisation that is suitable to hold a club licence.
6. The licensing committee is satisfied that Waitomo Rugby Sports and Recreation Club Inc has an appropriate Host Responsibility Policy and bar staff and committee training programme. There are two Duty Managers available to ensure compliance with the Act. The licensing committee considers that all bar staff and all committee members should be trained at least twice per year. Some clubs conduct training as a regular agenda item at monthly club meetings. Records of training conducted should be provided with each renewal application.
7. The application complies with the Waitomo Local Alcohol Policy.

**Are the days and hours during which the applicant proposes to sell alcohol reasonable?**

8. Waitomo Rugby Sports and Recreation Club Inc proposes to operate from 1.30pm to 10.30pm, Monday to Sunday. The licensing committee is satisfied that these are appropriate hours of

operation.

**Is the design and layout of the premises suitable?**

9. The licensing committee is satisfied that Waitomo Rugby Sports and Recreation Club Inc has a suitable design and layout to meet the requirements of the Act. The toilets, showers and changing rooms are not part of the licenced area. There is a small outdoor licensed area, which is predominantly for smokers. There is signage advising that alcohol cannot be taken out of the area. The licensed area is well appointed and able to be monitored effectively by bar staff. The entire premises is undesignated. This means that people under the age of 18 years may eat at the club without a parent or guardian.

**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?**

10. Waitomo Rugby Sports and Recreation Club Inc does not engage in the sale of goods or service other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food.

**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?**

11. The licensing committee is satisfied that the grant of a club licence to Waitomo Rugby Sports and Recreation Club Inc will not have a negative effect on the good order of the locality. There have been no reports of any nuisance, vandalism or noise problems associated with this premises.

**Conclusion**

12. The licensing committee is satisfied that the grant of the club 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. Therefore, the application for the club licence is granted.

Dated at this 29th day of July 2022



Sara Grayson  
Commissioner