

Decision	SP1450
<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 New Zealand Shearing Championships Inc 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. New Zealand Shearing Championships Incorporated is authorised to sell and supply alcohol, on the Les Munro Centre premises situated at King Street East, Te Kuiti to any person attending the New Zealand Shearing and Wool Handling Championships 2023.
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 under the licence only on the following days and during the following hours:
Friday 31 March 2023, from 5.30pm to 11.00pm
Saturday 1 April 2023, from 6.30pm to 1.00am the following day.
 - (c) Alcohol may be sold or supplied to people present participating in the event this licence is issued for.
 - (d) The area where alcohol is to be sold and consumed is described in the plan received via email by the Waitomo District Licensing Committee on 17 February 2023 and no alcohol is to be taken out of this area.
 - (e) The licensee must comply with the Alcohol Management Plan supplied with the application.
 - (f) A properly appointed certificated must be on duty and on the premises at all times when the premises is open for the sale of alcohol. If a duty manager is not present, then there must be no alcohol sales and a notice displayed advising the public of this fact.
 - a. All staff will be trained in their responsibilities under the Act;
 - b. Evidence of age documents will be requested from any person appearing to be under the age of 25.
 - c. There must be no consumption of alcohol by staff or managers immediately before or during their shifts.

- (g) 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) Drinking water must be freely available from the bar and this must be clear to customers while the premises is open for the sale and supply of alcohol.
- (h) 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: A caterer's menu provided. A free supper is provided at the conclusion of the Saturday evening's prize giving.
- (i) A range of low-alcohol and non-alcoholic drinks must be available at all times when the premises is open for the sale of alcohol.
- (j) A telephone must be freely available for customers to call for transport and staff must assist if required. Courtesy vans or sober driver services must be made available to transport patrons from the premises and this assistance must be displayed in a notice to patrons.
- (k) The entire premises is undesignated.

REASONS

1. This is an application by New Zealand Shearing Championships Incorporated for a special licence for the New Zealand to be held at the Les Munro Centre premises 31 March-1 April 2023. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
2. 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).
3. The purpose of the Act is to put in place a new system of control over the sale and supply of alcohol (s 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 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 Waitomo District Local Alcohol Policy?

5. Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

6. The nature of the event is a shearing and wool handling show. The event is over three days (Thursday to Saturday), however alcohol will not be sold on Thursday 30 March 2023. Proceeds are going to New Zealand Shearing Championships Incorporated. The estimate of the number of people attending is up to 250 on Friday and up to 400 on Saturday 1 April. The probable age distribution of people attending is “mainly adults”. Entry to the event is by pre-purchased ticket or payment of an admission fee. Ticket sales cease at 9 pm. The licensing committee is satisfied that the proposed trading hours are reasonable.

7. The Licensing Inspector reports that the application does comply with the Waitomo District Local Alcohol Policy.

8. The licensing committee is satisfied that New Zealand Shearing Championships Incorporated is a suitable applicant to hold a special licence and has previously demonstrated compliance with the Sale and Supply of Alcohol Act 2012.

9. The licensing committee is satisfied that to New Zealand Shearing Championships Incorporated has produced an Alcohol Management Plan that will ensure a comprehensive approach is taken to alcohol management at this event and 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.

10. Given the nature of the event and the venue it is not likely that the issue of the special licence will adversely affect neighbouring properties. The licensing committee is satisfied that the design and layout of the premises is suitable given the temporary nature of the licence. The entire premises is to be an undesignated area.

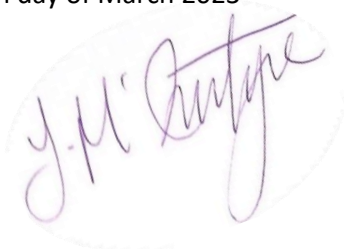
11. The licensing committee is satisfied that the applicant will provide sufficient food, low alcohol and non-alcoholic refreshments. Free water will be provided at the bar. The use of sober driver services will be promoted as a safe option for transport home from the event.

Conclusion

12. 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.

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

Dated at this 17th day of March 2023



Tegan McIntyre
Commissioner
Waitomo District Licensing Committee