

APPLICATION NUMBER: 032/SL/4407/2024

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Kaitieke Polo-Crosse Club Inc.** for an on-site special-licence pursuant to section 138 of the Act on the occasion of an 'international polocrosse carnival'.

BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE

Chairperson Mr Stuart Hylton

DECISION

1. Introduction

This is an application by **Kaitieke Polo-Crosse Club Inc.** for a special licence in regard to an event to be held at Manunui Polo-Crosse Club Rooms situated at Miro Street, Manunui.

The application is to allow the sale of alcohol at a particular occasion or event where there is no existing licence in force for people to attend the event.

The nature of the event for which the licence is sought is the 'international polocrosse carnival'. Several matches will be played over the tournament, which will feature the New Zealand national junior team and the Queensland state junior team from Australia.

The dates and hours sought are –

- **Friday 8 March 2024 4.00pm until 12.00am (midnight)**
- **Saturday 9 March 2024 4.00pm until 12.00am (midnight)**

2. Application

The application was received on 20th February 2024 and included a site plan, request for waiver for late application, flyer, certificate of incorporation, AMP and food list.

The application was not advertised and no objection or notice of desire to be heard has been received under section 141 of the Act. Accordingly we deal with the matter on the papers in accordance with section 202(1).

In considering the application for special licence the committee had regard to the following criteria under section 142 of the Act:

- (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](#).

3. Reporting Agencies

The following reports were received under section 141 of the Act.

Police Report – No opposition within report received 23 February 2024.

Medical Officer of Health – No opposition within report received on 1 March 2024.

Licensing Inspector Report – Full report provided by the inspector including assessment of application against section 142 criteria. The Inspector concludes that the application is complete and will likely meet the criteria of the Act. The Inspector has no opposition to the issuing of the licence subject to recommended compulsory conditions.

The inspector's report/application file noted the following key matters –

- The Club has applied for special licences of a very similar nature since 2017 and not come to the notice of enforcement agencies, although no licence was applied for in 2023. The Club uses suitably experienced staff and there have been no issues arising from past events. The Inspector believes the applicant is suitable.

- Suitability is not challenged.
- The premise is the Club's Clubrooms in the form of a hall. The premises is located on the site at Miro Street, Manunui. The premises is formed from a building and adjoining deck located on the polocrosse grounds and shown in the plan date stamped 1 November 2021. No designation is proposed.
- Previous licences have operated well before and should not reduce amenity and good order of the locality. The community is involved in the event and naturally should be invested in maintaining good order and amenity.
- The hours appear relevant for the event being undertaken.
- Two non-certified managers, **Dean Gower and Renn Erceg**, are nominated to be the responsible persons to oversee the licence. A s.312(2) waiver is granted to allow this to happen.
- Both the Police and MOH have no opposition to the application

4. Decision

The application for Special Licence is **Approved** for issue subject to the following conditions.

5. Conditions

- a) Alcohol may only be sold under the licence on the following days and during the following hours:
 - **Friday 8 March 2024 4.00pm until 12.00am (midnight)**
 - **Saturday 9 March 2024 4.00pm until 12.00am (midnight)**
- b) Alcohol must only be sold, supplied and consumed within the area marked on the plan submitted with the application date stamped as received by the District Licensing Committee on 1 November 2021.
- c) The entire licensed area is **undesigned**.
- d) A copy of this licence with all the conditions, must be clearly displayed in a prominent place so all persons can read it.
- e) Drinking water shall be freely available on the premises as specified in the application.
- f) The licence holder must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- g) Food must be available for consumption on the premises as specified in the application.
- h) Low-alcohol beverages must be available for sale and supply on the premises as specified in the application.
- i) Non-alcoholic beverages must be available for sale and supply on the premises as specified in the application.

- j) The licensee must provide assistance with or information about alternative forms of transport from the premises as specified in the application.
- k) No BYO alcohol allowed into the licensed area.
- l) The licensee must take the following steps to ensure that the provisions of this Act relating to the management of premises are observed:
- That **Dean Gower and Renn Erceg** are the nominated responsible persons to oversee the licence and one must be present at all times the license is in operation, and
 - The duty manager's name must be prominently displayed inside the premises.

DATED at Taumarunui this 3 day of March, 2024.



Stuart Hylton
Commissioner
Ruapehu District Licensing Committee