

## LICENSING COMMITTEE

**Application** 018-0368

**IN THE MATTER** the Sale and Supply of Alcohol Act 2012

**AND**  
**IN THE MATTER** of an application by  
Peter Alexander Burgess  
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. Peter Burgess is authorised to sell and supply alcohol, on the premises situated at 613 Harbour Road, Oparau, to any person attending Awaroa Pig Hunting Club Annual Competition.
3. This licence is subject to the following conditions:
  - (a) Alcohol may be sold under the licence only on Saturday 23 July 2022, from 1.30pm to 12.00 midnight.
  - (b) 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 27 June 2022 and no alcohol is to be taken out of this area.
  - (c) The persons nominated to manage the conduct of the sale and supply of alcohol at all times the premises is open for the sale and supply of alcohol are Faye Gilbert and Tim Gilbert and a sign shall be prominently displayed inside the premises which identifies by name the persons responsible for the management of the sale and supply of alcohol under the licence.
  - (d) 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
  - (e) Drinking water must be freely available from each table and at the bar.
  - (f) 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.
  - (g) 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.
  - (h) A telephone must be freely available for customers to call for transport and staff must assist is required. Telephone numbers for alternative forms of transport from the premises must be displayed.

- (i) The entire premises is undesignated.

## **REASONS**

1. This is an application by Peter Burgess for a special licence for the annual Awaroa Pig Hunting Club Competition be held at the Hautaru Hall at 613 Harbour Road, Oparau. The application was filed more than 20 working days prior to the event as required by section 137.
2. The 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 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 Otorohanga District Local Alcohol Policy?

### **Should the special licence be granted?**

5. The general nature of the event is a pig hunting competition that runs over three days. The special licence is required for the final day, which includes a weigh-in, a prize giving, an evening meal, and socialising. There will also be an auction of hunting wear donated by a local vet. Approximately 100 people of all ages are expected to attend the event. The licensing committee is satisfied that proposed hours are reasonable and that food will be available for the duration of the event.
6. The Licensing Inspector reports that the application does comply with the Otorohanga District Local Alcohol Policy.
7. The licensing committee is satisfied that Peter Burgess is a suitable applicant to hold a special licence. Peter Burgess has made the application on behalf of the club because the club is not incorporated and cannot apply for a special licence. Peter Burgess has been involved in organising the same event in previous years and he does not have any criminal convictions.

8. 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.
9. 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 undesignated. This is appropriate given that given that children are attending the event.
10. Peter Burgess does not propose to have a certificated duty manager at this event. However, the licensing committee is satisfied that an exemption may be granted from the requirement to appoint a duty manager (s 213). This is a small function and Peter Burgess is capable of managing it without a certificated duty manager. Faye Gilbert and Tim Gilbert will take responsibility for the management of the event and ensure that it complies with the Act. Faye Gilbert has previously held a manager's certificate and has experience managing the sale of alcohol. Tim Gilbert was the Club President at the Oparau Club and also has experience with the sale of alcohol. There will be eight volunteers assisting Faye and Tim, and they are all committee members. A briefing will take place before the event and will include the SCAB Intoxication Assessment Tool and identification of minors. The licensing committee is satisfied that the applicant will have trained bar staff on the premises that are aware of their responsibilities and obligations under the Act.
11. The licensing committee is satisfied that the applicant will provide sufficient food, low-alcohol and non-alcoholic refreshments. Free water will also be provided. Sober driver services will be available.

### **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. Therefore, the application for a special licence is granted.

Dated this 19th day of July 2022



Sara Grayson  
Commissioner  
District Licensing Committee