

# Matamata-Piako District Licensing Committee



IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Te Aroha Jockey Club Incorporated for a **special licence** pursuant to section 137 of the Sale and Supply of Alcohol Act in respect to a premises at 102 Stanley Road South, Te Aroha.



Licence Number: **013/SP/010/2015**  
File Number: 162.2015.1002.1

## BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Teena Cornes

### DECISION ON THE PAPERS

This is an application by Te Aroha Jockey Club Incorporated for a special licence in respect of their premises situated at 102 Stanley Road South, Te Aroha. The application is to allow the sale or supply of alcohol, for consumption on the site for a number of horse racing meetings.

The application is made under section 137 of the Sale and Supply of Alcohol Act 2012 and is to allow for the sale and supply of alcohol to patrons attending race meetings on an unlicensed premises. The days and hours sought for the licence are:

- Raceday – Thursday 12 March 2015 from 11.00am until 6.30pm
- Raceday – Wednesday 29 April 2015 from 11.00am until 6.30pm
- Raceday – Wednesday 27 May 2015 from 11.00am until 6.30pm
- Raceday – Sunday 21 June 2015 from 11.00am until 6.30pm
- Raceday – Sunday 5 July 2015 from 11.00am until 6.30pm

The application was referred to the Police, Medical Officer of Health and Inspector for comment. No matters in opposition have been raised in respect of the application. Accordingly the application is determined on the papers.

In deciding whether to issue a special licence the committee must have regard to the matters set out in s.142 of the Act. These are:

- a) *the object of this Act;*
- b) *the nature of the particular event for which the licence is sought*
- c) *the suitability of the applicant;*
- d) *any relevant local alcohol policy;*
- e) *whether 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:*

A handwritten signature in blue ink, appearing to be "JAC".

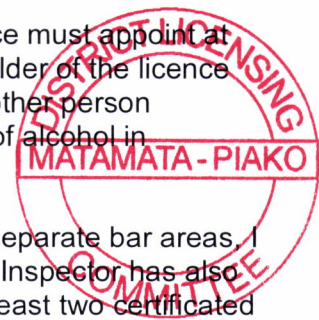
- f) *the days on which and the hours during which the applicant proposes to sell alcohol:*
- g) *the design and layout of the premises concerned:*
- h) *whether the applicant has appropriate systems, staff and training to comply with the law:*
- i) *any areas of the premises that the applicant proposes 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 the sale and supply of low alcoholic, and non-alcoholic drinks, the provision of food and 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.*

The object of the Act is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol should be minimised.

The Inspector has noted that he considers the applicant to be a suitable body to hold a special licence and that certificated managers will manage the sale and safe consumption of alcohol. He has also noted that in his opinion the sale and supply of alcohol at these events will not reduce the amenity and good order of the locality by more than a minor extent. The event is a race day at the Te Aroha racecourse and the special licence will allow patrons to purchase alcohol if they so wish.

I am satisfied as to the matters to which I must have regard as set out in s.142 of the Act and I grant the applicant a special licence.

Section 213 of the Act requires that the holder of a special licence must appoint at least one manager. The licensing committee may exempt the holder of the licence from this requirement if it is satisfied that the licensee, or some other person nominated by the licensee, will manage the conduct of the sale of alcohol in accordance with the licence.



Having regard to the nature of the event and that there are five separate bar areas, I do not consider that it is appropriate to grant an exemption. The Inspector has also recommended that because of the number of individual bars at least two certificated managers be responsible for the sale and supply of alcohol. I agree with that recommendation and note that two certificated manager have been identified in the application by the Club.

The licence will be subject to the following conditions.

- a) Alcohol may only be sold under this licence on the following day and hours:

**Raceday – Thursday 12 March 2015 from 11.00am until 6.30pm**  
**Raceday – Wednesday 29 April 2015 from 11.00am until 6.30pm**  
**Raceday – Wednesday 27 May 2015 from 11.00am until 6.30pm**  
**Raceday – Sunday 21 June 2015 from 11.00am until 6.30pm**  
**Raceday – Sunday 5 July 2015 from 11.00am until 6.30pm**

- b) A minimum of two managers, each holding a current Manager's Certificate issued pursuant to the Sale of Liquor Act 1989 or the Sale and Supply of Alcohol Act 2012 shall be responsible for the sale of alcohol during these events.
- c) The sale and consumption of alcohol shall only be carried out within the licensed area.
- d) The licensee shall have a reasonable range of food available for consumption on the premises at all times when alcohol may be sold under the licence. The food shall be of the range and types of food submitted with the application but must be no less substantial than snack foods in the nature of pies, sandwiches, filled rolls, pizza or the like. The availability of these foodstuffs shall be notified to patrons by appropriate notices throughout the premises.
- e) The licensee shall have a reasonable range of low alcohol and non-alcoholic refreshments available for consumption on the premises at all times when alcohol may be sold under the licence.
- f) The licensee shall ensure that drinking water will be made readily available to all attendees, free of charge.
- g) All licensed areas are designated as supervised.
- h) A copy of the Special Licence Certificate shall be displayed in each of the licensed areas.
- i) The following steps shall be taken by the licensee to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
  - i) The person responsible for the sale of alcohol shall ensure that alcohol is not sold or provided to minors or to intoxicated persons.
  - ii) Photo identification is required to be produced by the customer when staff are in doubt of their age.

**Dated** at Te Aroha this 11<sup>th</sup> day of March 2015



Teena Cornes  
Chairperson  
Matamata-Piako District Licensing Committee

