

**APPLICATION NUMBER:** 032/SL/4494/2024

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

**AND**

**IN THE MATTER** of an application by **Taumarunui and Districts RSA Club Incorporated** for a special-licence pursuant to section 137 of the Act on the occasion of a 'wake/funeral'.

**BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE**

**Chairperson: Mr Stuart Hylton**

**DECISION**

**1. Introduction**

This is an application by **Taumarunui and District RSA Club Incorporated** for a special licence in regard to an event to be held at the **Taumarunui RSA Club** situated at 10 Marae Street, Taumarunui.

The licence is necessary to allow non club members attending the event to consume alcohol on the Club's premises. The event will take place in the main ground floor area of the club as shown on the site plan submitted 15 April 2024.

The nature of the event for which the licence is sought is a wake/funeral for Tessa Caroline Owen.

The date and hours sought are –

**Saturday 8 June 2024, 11.30am until 3.00pm**

**2. Application**

The application was received on the 4 June 2024 and was processed under urgency as you'd expect for such an event. A waiver under s. 137(2) of the Act is granted for the application to be received outside the statutory timeframe.

The application included an evacuation plan, site plan, certificate of incorporation, associated emails 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 received in report dated 5 May 2024.

**Medical Officer of Health** – No opposition received in report dated 5 May 2024.

**Licensing Inspector Report** – Full report dated 16 April 2024, 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 conditions.

The inspectors report/file noted the following key matters –

- The event is expected to attract 80 attendees.
- The applicant is a licensed club who require a special licence to allow non club members attending the event to consume alcohol at the Club. The Club has held similar events before with no known issues noted.
- Suitability is not challenged.
- This special licence application relates to the ground floor of the premises only and the outdoor smoker's area as shown in the plan provided by the applicant date stamped 15 April 2024.
- The hours appear relevant for the event being undertaken. These are approximate hours given the nature of the event.
- A certified manager is named to control the licence.
- 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 conditions below.

### 5. Conditions

- a) Alcohol may only be sold under the licence on the following days and during the following hours to persons attending the 'wake/funeral of Tessa Caroline Owen.

**Saturday 8 June 2024                      11.30am until 3.00pm**

- 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 15 April 2024.
- c) A copy of this licence with all the conditions, must be clearly displayed in a prominent place so all persons can read it.
- d) Drinking water shall be freely available on the premises as specified in the application.

- e) 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.
- f) Food must be available for consumption on the premises as specified in the application.
- g) Low-alcohol beverages must be available for sale and supply on the premises as specified in the application.
- h) Non-alcoholic beverages must be available for sale and supply on the premises as specified in the application.
- i) The licensee must provide assistance with or information about alternative forms of transport from the premises as specified in the application.
- j) No BYO alcohol allowed on the site.
- k) The licensee must take the following steps to ensure that the provisions of this Act relating to the management of premises are observed:

That a certified duty manager 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 5th day of June, 2024.**



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**Stuart Hylton**  
**Chairperson**  
**Ruapehu District Licensing Committee**