

Decision number: 17/SP/015/2023.

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012 (the Act)

AND

IN THE MATTER

of an application by the
**TOKOROA KART CLUB
INCORPORATED** pursuant
to s138 of the Act for
an on-site Special
Licence in respect of
premises situated
at Moffatt Road known as the
'TOKOROA RACEWAY'

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

THE APPLICATION

TOKOROA KART CLUB INCORPORATED applies for an on-site Special Licence in respect of premises situated at Moffatt Road known as the **'TOKOROA RACEWAY'**. Up to 50 persons are expected to attend each event.

The licence is to cater for the 2023/2024 Kart season.

The days and hours sought are:

Saturday 09/09/2023	5.00pm – 7.00pm	Top Half Prizegiving
Sunday 10/09/2023	5.00pm – 7.00pm	Top Half Prizegiving
Sunday 24/09/2023	4.00pm – 6.00pm	Club Day Prizegiving
Sunday 03/12/2024	4.00pm – 7.00pm	Christmas Meeting
Sunday 25/02/2024	4.00pm – 6.00pm	Club Day Prizegiving
Saturday 16/03/2024	4.00pm – 6.00pm	Club Day Prizegiving
Sunday 12/05/2024	4.00pm – 6.00pm	Club Day Prizegiving
Sunday 09/09/2024	4.00pm – 6.00pm	Club Day Prizegiving

Substantive food and low alcohol and non-alcoholic beverages will be available at all times.

A responsible person will oversee the sale, supply and consumption of alcohol.

THE REASONS FOR THE DECISION

The Inspector has provided a report on the application and believes the application meets the criteria for issue.

The Police initially opposed the application citing the lack of certificated managers. They have since withdrawn their opposition after being advised that the Club will seek to resurrect their members managers certificates.

As we have said in previous years “The club has been granted special licences in the past for similar functions and these have not created any issues for the regulatory agencies or neighbours.

An exemption under Section 213(2) is sought to allow non-certificated managers to oversee the events. The exemption is granted, and a responsible person will be overseeing the sale, supply and consumption of alcohol at each event.

Exemplary behaviour must continue to be the norm otherwise this privilege would be lost.”

We would expect the Police to conduct a risk analysis of events before insisting on certificated managers as these are very low risk events.

But equally as we have pointed out to the Club, they are being given a privilege that must be respected otherwise it will be lost.

Neither the final reports of the Police nor that of the Medical Officer of Health raises any matters in opposition.

I am satisfied as to the matters to which we must have regard as set out in s.142 of the Act.

DECISION

The District Licensing Committee, pursuant to the Sale and Supply of Alcohol Act 2012 **grants** the application by **TOKOROA KART CLUB INCORPORATED** for an on-site Special Licence in respect of premises situated at Moffatt Road known as the **‘TOKOROA RACEWAY’** subject to conditions.

Conditions:

The licence is subject to the following conditions:

1. Alcohol may be sold and supplied for consumption on the premises only on the following days and hours:

Saturday 09/09/2023	5.00pm – 7.00pm	Top Half Prizegiving
Sunday 10/09/2023	5.00pm – 7.00pm	Top Half Prizegiving
Sunday 24/09/2023	4.00pm – 6.00pm	Club Day Prizegiving
Sunday 03/12/2024	4.00pm – 7.00pm	Christmas Meeting
Sunday 25/02/2024	4.00pm – 6.00pm	Club Day Prizegiving
Saturday 16/03/2024	4.00pm – 6.00pm	Club Day Prizegiving
Sunday 12/05/2024	4.00pm – 6.00pm	Club Day Prizegiving
Sunday 09/09/2024	4.00pm – 6.00pm	Club Day Prizegiving

2. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises;
 3. A responsible person, nominated by the licensee, must be on duty at all times when the premises are open for the sale and supply of alcohol;
 4. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard;
 5. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages;
 6. The Licensee must display signage as follows:
 - a. At every point of sale detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - b. A copy of the licence attached to the premises so as to be easily read by persons attending the premises; and
 - c. A sign prominently displayed at the premises, which identifies by name the manager for the time being on duty.
 7. The licensee must provide information and advice about forms of transport available to patrons from the licensed premises.
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8. No BYO alcohol is to be brought into the events.

DATED at TOKOROA this 29th day of August 2023.

A handwritten signature in black ink, appearing to read 'Murray Clearwater', with a long, sweeping tail extending to the right.

Murray Clearwater
Chairperson/Commissioner
South Waikato District Licensing Committee