

Decision N° **SP1708**

**In the Matter**

of the Sale and Supply of Alcohol Act 2012

**and**

**In the Matter**

of an application by **David James Biggs on behalf of Phat Productions Trading Limited** for a Special Licence pursuant to s.142 of the Act in respect of premises situated at **Schepens Farm, 1207 Waimatenui East Road, Donnellys Crossing, Kaipara District** known as the **“Dimension New Year’s Eve Music Festival”**

**Before the Kaipara District Licensing Committee**

Chair: Mr Peter Winder  
In Attendance: Governance Services Manager: Sean Mahoney  
General Manager Planning and Regulatory: Fran Mikulicic  
Chief Licensing Inspector: Rachel Sheppard

**Decision (On the Papers)**

This is for an application by David James Biggs on behalf of Phat Productions Trading Limited for a Special licence in respect of premises situated at Schepens Farm, 1207 Waimatenui East Road, Donnellys Crossing, Kaipara District and known as the Dimension New Year’s Eve Music Festival. The application is for a music festival to be held from Thursday 31 December 2015 until Sunday 03 January 2016.

This application was made under section 138 of the Sale and Supply of Alcohol Act 2012 and is being determined by the District Licensing Committee under section 191(2).

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.



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We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the applicant a Special Licence.

Alcohol may be sold under the licence only on the following days and during the following hours:

- **Thursday 31 December 2015 from 12.00 noon until 1.00am the following day.**
- **Friday 01 January 2016 from 12.00 noon until 1.00am the following day.**
- **Saturday 02 January 2016 from 12.00 noon until 1.00am the following day.**

The licence will be subject to the following conditions:

- a) The licensee shall have available for consumption on the premises, at all times when alcohol may be sold under the licence, a reasonable range of non-alcoholic refreshments.
- b) A variety of substantial foods shall be available as detailed by the applicant for consumption on the premises at all times when the premises are authorised to be open for the sale and supply of alcohol. The range of food will include a selection of hamburgers, bacon and egg rolls, traditional hotdogs, American hotdogs, steak and onion sandwiches, hot chips, donuts and nachos.
- c) Low-alcohol beverages of the nature stated on the application form, must be available for sale and supply on the premises at all times when the premises are authorised to be open for the sale of alcohol.
- d) Drinking water be freely available to all customers at all times that the premises are open for the sale and supply of alcohol. 'Freely available' to customers, in relation to water, means -
  - (i) *Supplied free in clean drinking vessels on request; or*
  - (ii) *Available free in larger containers from which it may be easily poured or drawn by customers, together with clean drinking vessels that are also available free nearby; or*
  - (iii) *Available free from a tap to which customers have easy access, together with clean drinking vessels that are also available free nearby.*
- e) The steps detailed in the application form must be taken by the licensee to provide assistance with or information about alternative forms of transport from the licensed premises.
- f) The steps as detailed in the application form must be taken by the licensee to promote the responsible consumption of alcohol.
- g) 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:
  - The Manager and responsible persons to be on duty at all times.
  - Host responsibility techniques to be applied to ensure no intoxication.
  - No sale of alcohol to minors or intoxicated persons allowed.



- g) 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:
- The Manager and responsible persons to be on duty at all times.
  - Host responsibility techniques to be applied to ensure no intoxication.
  - No sale of alcohol to minors or intoxicated persons allowed.
- h) Members of the public shall be excluded from the premises in the following circumstances:
- If an intoxicated or otherwise prohibited person under the Act.
- i) Alcohol may only be served in the following containers:
- Beer – shall be by way of single serve 473ml plastic cups as supplied by the premises or 330ml depressurized cans.
  - Wine – shall be by way of single serve 125ml plastic cups as supplied by the premises.
  - Spirits – shall be by way of single serve 30ml plastic nip cups as supplied by the premises.
  - Premix Spirits – shall be by way of single serve 220ml plastic cups as supplied by the premises.
- j) The maximum number of drinks which can be served per person shall be restricted as follows:
- Up to 10:00pm - Beer and Wine - a maximum of 4 drinks; Spirits – a maximum of 2 drinks and
  - Between 10:00pm and 1:00am the following day for all alcohol sales, a maximum of 2 drinks.
- k) In addition to Margaret Rangiwhai Hita as certified Manager for the event, we also appoint under s.213(2) of the Act David James Biggs, Maria Bogorquez, and Tuila Fuiava as responsible persons for the 2015-2016 Dimension New Year's Eve Music Festival.

**DATED** at Dargaville this 07<sup>th</sup> day of December 2015.



**Peter Winder**

**Chair**

**Kaipara District Licensing Committee**

