

Decision number: CL0033-2026

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application  
by the **Mangawhai Boating  
and Fishing Club OBFC  
Incorporated** pursuant to  
s100 of Act for a new CLUB  
Licence in respect of  
premises situated at 2a  
Alamar Crescent,  
Mangawhai, Kaipara District,  
known as

**“Mangawhai  
Boating and Fishing  
Club ”**

**BEFORE THE KAIPARA DISTRICT LICENSING COMMITTEE**

The **Mangawhai Boating and Fishing Club OBFC Incorporated** applies for a new CLUB Licence in respect of premises situated at 2a Alamar Crescent, Mangawhai, Kaipara District known as the **Mangawhai Boating and Fishing Club.”**

The activity is that of boating and fishing club based in clubrooms situated adjacent to the Mangawhai Heads. The Club has around 217 members including 40 under 16 years of age.

The Club initially sought the following days and hours: **Monday to Sunday 11.00am to 11.00pm.**

The application was publicly notified on the council’s website from the 5<sup>th</sup> of August 2025 and published in the Kaipara Lifestyler on the 5<sup>th</sup> of August 2025 and the 12<sup>th</sup> of August 2025. **Twelve objections were received from the public.**

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The objections were based around a raft of issues including the potential for excessive noise, pressure on parking, density of licensed premises and the 'excessive' hours sought.

Planning and building certificates were sought and have been issued for this activity.

## **REASONS FOR THE DECISION**

Neither the Police nor the Medical Officer of Health has raised any matters in opposition.

The inspector reports that the amenity and good order of the area should not be reduced by more than a minor extent and that the Club has sound host responsibility practices and will operate within its principal purpose.

They have been operating compliantly for many years using Special Licences for their events.

The public objections triggered a response from the applicant who amended the days and hours sought to **Friday and Saturday 3.30pm to 9.30pm and Sundays 3.30pm to 8.30pm.**

This resulted in 11 of the 12 objections being withdrawn. The 12<sup>th</sup> of objector indicated on their objection form that they did not require a public hearing and did not respond to the advice re the amended hours sought. They ask that we consider the contents of their objection 'on the papers' presented.

Their concerns were similar to the other 'withdrawn' submitters i.e. hours of operation, parking and noise generation.

Pursuant to Section 202(3) of the Act the DLC elects to determine this application on the papers.

Under Section 215 of the Act, clubs enjoy the privilege of not having to have a certificated manager physically on duty **at all times**. This recognises the fact that many certificated managers appointed to clubs are volunteers and unpaid.

The 'buy-off' is that if they are not physically on the premises when the bar is open they must be immediately contactable **AND** be able to come to the premises within a reasonable time i.e. 10-15 minutes to deal with any issue detected by the regulatory agencies or the club's own bar staff.

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**We do expect that a certificated manager will be on duty at the busy times or when events are occurring.** Responsible persons can operate the bar during quieter times.

We do have the ability to require a certificated manager to be on duty under Section 215(3) of the Act and would not hesitate to do so if it was brought to our attention that the Club was not operating compliantly in this regard.

We note the Club has two certificated managers and others that are prepared to obtain a managers certificate.

We also remind the Club that the bar should only be opened for Club activities i.e. boating activities, fishing tournaments and socialising around those activities.

As we have put in the discretionary conditions at least three types of substantive food options must be readily available at all times when the bar is open.

Special licences can be sought for events that may attract members of the public. The Club should avoid creating contrived events to maximise profits from the sale of alcohol. That is more in the domain of on-licensed premises such as taverns and bars.

We are satisfied that the measures the Club intends to put in place will maintain the Club as a low risk activity and not create a nuisance for its neighbours.

We thank the submitters for their interest in the community and its facilities.

Overall, I am satisfied as to the matters to which we must have regard as set out in s.105 and 106 of the Act.

## **DECISION**

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by **Mangawhai Boating and Fishing Club OBFC Incorporated** for a new CLUB Licence in respect of premises situated at 2a Alamar Crescent, Mangawhai, Kaipara District known as the **Mangawhai Boating and Fishing Club**” subject to conditions.

The Licence is granted for 12 months from the date of issue.

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**Conditions:**

This licence is subject to the following conditions:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours  
**Friday and Saturday 3.30pm to 9.30pm and Sundays 3.30pm to 8.30pm.**
2. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises;
3. **While the premises are open for the sale and supply of alcohol no BYO alcohol may be consumed on the premises;**
4. 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;**
5. At all times the premises are open for the sale and supply of alcohol a range of substantive food options must be readily available. **A minimum of three types of food should be available.** Menus must be visible, and food should be actively promoted;
6. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises;
7. **Alcohol can be sold and supplied to guests of members of clubs with which the licensee has an arrangement for reciprocal visiting rights for members;**
8. The Licensee must display:
  - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
  - b. A copy of the licence attached to the inside of the premises so as to be easily read by persons using the premises.

**DATED** at Mangawhai this 23<sup>rd</sup> day of January 2026

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

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Murray Clearwater  
**Deputy Chairperson/Commissioner**  
**Kaipara District Licensing Committee**

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