

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Oscar McCauley
pursuant to s.137 and s.138 of the Act for
a special licence in respect of premises
situated at Chelmer Street Oamaru 9400
known as "**Oamaru Gardens**"

BEFORE THE WAITAKI DISTRICT LICENSING COMMITTEE

Commissioner: Mr Bary McDonald

DECISION – ON PAPERS

This is an application by Oscar McCauley for a Special Licence in respect of premises situated at Chelmer Street Oamaru 9400 known as "**Oamaru Gardens**".

Reports have been received from The Waitaki District Council Licensing Inspector, The New Zealand Police and The Medical Officer of Health.

Based on the information provided to us on the complete file, we have determined to grant the application on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act. We grant the applicant a special licence pursuant to s.22 of the Act.

The licence is approved and will be subject to the following conditions:

Section 147 (3) - Compulsory conditions

- (a) Alcohol may be sold under the licence only on the following days and during the following hours:
- **Sunday 31 December 2022 from 6.00pm to 12.00 midnight**
- (b) Drinking water must be freely available from the Waitaki District Council caravan and from the bar as specified in the application.

Section 147 (1) - Discretionary conditions

- a) 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.
- b) The nominated Duty Manager must be on duty and may not consume alcohol throughout the entire event.
- c) Food must be available for consumption on the premises throughout the entire event when alcohol is being sold or supplied. The application states
- d) Low-alcohol beverages must be available for sale and supply on the premises.
- e) Non-alcoholic beverages must be available for sale and supply on the premises. Coffee, soft drinks, juices and water are specified in the application.
- f) The licensee must provide assistance with or information about alternative forms of transport from the premises. The name and phone number of local taxi companies must be clearly displayed.

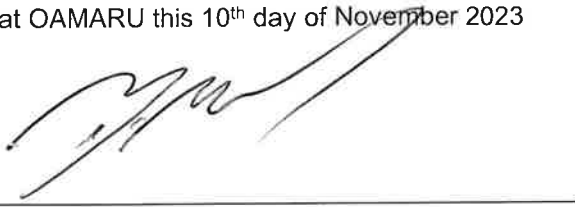
- g) A copy of this licence, together with signs showing the age restriction must be clearly displayed.
- h) Alcohol may be sold in the following types of containers only: plastic glasses or cans.
- i) Alcohol must only be sold, supplied and consumed within the area marked on the plan submitted with the application.

The licence is also subject to the following conditions, which in the committee's opinion are not inconsistent with the Act:

- (a) Noise should be controlled so as not to disturb neighbouring residents.
- (b) A maximum of 4 alcoholic drinks may be sold to **one patron at a time**.
- (c) This licence does not excuse the applicant from obtaining where necessary a Building Consent in respect of tents or marquees.

In terms of s.142 (g) and (i) of the Act the premises, situated at Chelmer Street Oamaru 9400 are more precisely identified in a plan dated as accepted by the District Licensing Committee on **10 November 2023**.

DATED at OAMARU this 10th day of November 2023



Commissioner
Waitaki District Licensing Committee

