

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

**AND**

**IN THE MATTER** of an application by The Dance Club Limited for a new ON licence pursuant to Section 127 of the Sale and Supply of Alcohol Act 2012 in respect of the premises situated at 18 Tuwharetoa Street, Taupo and known as “The Dance Club”

**BEFORE THE TAUPO DISTRICT LICENSING COMMITTEE:**

Commissioner: Murray Clearwater

**The Application:**

This is an application by The Dance Club Limited for an On Licence in respect of premises situated at 18 Tuwharetoa Street, Taupo, known as “The Dance Club”. It was formally received by the Taupō District Licensing Committee on 8th December 2020. The general nature of the business to be undertaken is that of Tavern and it will operate as a dance club.

The application was duly advertised in the Taupo Times newspaper on the 18<sup>th</sup> and 24<sup>th</sup> of December 2020 and no objection or notice of desire to be heard has been received. Display of the public notice has been carried out in the terms of the Sale and Supply of Alcohol Act 2012 by the licensee and no objections were lodged by any members of the public.

As the public notices were published in breach of the ‘non-working day rule’ the objection period was extended to 5 February 2021. We grant a waiver for the non-compliant notifications.

The company directors of both The Dance Club & Sin City have signed an agreement as follows:

“I Toni Condon being the company director of T T M 2020 Limited trading as Sin City, and I Darrell Harris being the company director of The Dance Club Limited, trading as The Dance Club, agree that the toilet hallway (area between the two bars) and the actual toilet area will remain an alcohol free area and also agree that should any incident of note occur within that area, we shall both be held accountable.”

This is due to the fact that both premises will be sharing toilets and a toilet area, and the agencies have required some form of written agreement from both licensees acknowledging that they will be jointly held to account should issues arise.

**The Reasons for the Decision:**

The application is somewhat unique in that the business plans to share toilets with an adjoining licensed premises with no physical barrier between the two entities.

Unsurprisingly this raised ‘red flags’ for the agencies and similarly it raises concerns for the Committee. Both businesses are high-risk late-night tavern/nightclub/strip clubs. The hours sought are extensive and this applicant lacks experienced certificated managers to cover the intended opening hours.

However, Darrell Harris, for The Dance Club has worked closely with the agencies, and her neighbour, and they have agreed on a proposal that they believe will mitigate the risks identified.

The Committee remains concerned and puts Ms. Harris firmly on notice that exemplary performance is expected from day one.

The Police and Medical Officer of Health reports raise no matters in opposition, but both recommend the adoption of a raft of agreed conditions and proposals. Ms. Meertens, for the MOoH, goes further and invites the Committee to require the applicant to install the equivalent of lounge chairs and booths to encourage more relaxed drinking and dining as opposed to the 'vertical drinking' opportunities under the current layout.

We say this. It will be at the licensee's peril to attract a vertical drinking non-eating crowd to the premises. Ms Harris has said she will be opening Thursday to Sunday from 4.00pm. Patrons are very unlikely to be drawn to the premises in the early hours of the evening unless they are offered comfortable, safe, surroundings with good food and other refreshments. The 'Dance Crowd' are well known not to enter the CBD until later in the evening, as late as 11.00pm, as they have been partying and pre-loading elsewhere before entering licensed premises.

The Food menu provided is satisfactory but must be available on site and actively promoted.

Management of the shared toilet facilities will have to be overtly and competently managed from day one. Wrist banding of patrons has been agreed to but will be difficult to manage if patrons want to visit both premises or come and go as they often do.

No shots or shakers or similar products should be sold at all let alone after 12 midnight. These drink promotions cause rapid intoxication. We invite the applicant to re-consider the offering of such products.

Any breaches of the conditions that we are about to impose will result in the Committee deciding to re-hear the application at a public hearing where we can fully re-examine the situation and all the issues raised.

As indicated, we will grant the licence for 12 months, the probationary year. Experienced certificated manager/s MUST be on duty at all times when the premises is open for the sale, supply and consumption of alcohol. Any new managers MUST have at least six months experience working in high risk tavern style environments.

**The Decision:**

Subject to the above, we are satisfied as to the matters to which we must have regard as set out in the Act and we grant the applicant an On Licence authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises.

The licence shall be subjected to specific conditions as detailed in the attached licence.

**Dated at Taupo this 8<sup>th</sup> day of April 2021**



Murray Clearwater

**Commissioner**

**Taupō District Licensing Committee**

**ON LICENCE**

(for premises)

Sections 14 to 16, and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012, **THE DANCE CLUB LIMITED** is authorised to sell and supply alcohol, on the premises situated at 18 Tuwharetoa Street, Taupo and known as “**The Dance Club**”, to any person for consumption on the premises and to let people consume alcohol there.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Act.

**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: **Monday to Sunday from 8.00am to 3.00am the following day.**
2. No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day or before 1.00pm on Anzac Day to any person other than a person who is on the premises to dine.
3. The whole of the premises is designated as a **Restricted Area.**
4. A One-Way Door (OWD) is to apply from 2.00am. No Entry from this time. Exit Only.
5. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
6. 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.
7. 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. Menus must be visible, and food should be actively promoted.
8. A properly appointed certificated or Acting or Temporary Manager must be on duty at all times when the premises are open for the sale and supply of alcohol, and their full name must be on a sign prominently displayed in the premises.
9. The Licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
10. 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. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol,
  - c. A copy of the licence attached to the premises so as to be easily read.
11. No alcoholic shots after 12.00 midnight.
12. COA accredited security staff with Crowd Controller endorsements are to be engaged as door staff on Thursday Friday and Saturday evenings from 8.00pm until close,
13. A wrist band system be introduced into both clubs so that there is a differentiation between customers e.g. Fluro red for The Dance Club and Fluro yellow Sin City or fluorescent stamps on a person's wrist, clearly visible.
14. A security guard is to be positioned at all times at the end of the bar by the toilet door to manage the egress of patrons coming to and from the toilets.

**DURATION**

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period of 3 years after the period for which it was renewed.

**This licence expires on 8 April 2022 unless further renewed**

DATED at TAUPŌ on this 8<sup>th</sup> day of April 2021



Murray Clearwater

Commissioner for Taupō District Licensing Committee

**PLEASE DISPLAY THIS LICENCE IN THE MAIN ENTRANCE OF THE PREMISES**