

**Decision Number: 60E [2024] 20722**

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

**AND**

**IN THE MATTER OF** an application by **Music Festival Limited** for a **Special Licence** pursuant to section 22 of the Act in respect of premises situated at **6 Riccarton Avenue, Christchurch**, known as **'The Event Triangle'**

**RESERVED DECISION OF THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE**

Chairperson. Mr D L Blackwell  
Members. Mrs M. Redstone  
Mr M. Hossain

Hearing. at Christchurch on Wednesday 18 December 2024.

Appearances. Mr Young, Counsel for the applicant  
Mr Lawson, witness for the applicant  
Mr Mitchell, witness for the applicant  
Mr Hay, Christchurch City Council Chief Licensing Inspector  
Inspector Paulin, New Zealand Police  
Sergeant Robertson, New Zealand Police  
Senior Constable Craddock, New Zealand Police.  
Ms Williams, Representative of the Medical Officer of Health  
Dr Brunton, Medical Officer of Health  
Mr Hoult, Hato Hone St John

Assisting the Committee  
Mr L. Smeele  
Ms N. McDonnell  
Ms J. Beer

## **Introduction**

[1] This is an application by the **Music Festival Limited (“the applicant”)** for an On-Site Special Licence pursuant to section 22 of the Sale and Supply of Alcohol Act 2012 (“the Act”) for premises known as **The Event Triangle** situated at 6 Riccarton Avenue, Christchurch.

[2] The general nature of the event is that of Electric Avenue Music Festival. The number of people attending is said to be approximately 35,000 each of the two days.

[3] The applicant has nominated Thomas Lawson, a qualified manager, to manage the sale and supply of alcohol on this occasion.

[4] The New Zealand Police, the Medical Officer of Health and the Christchurch City Council Licensing Inspector are all opposed. All three agencies have indicated they would withdraw their opposition with some changes to the number of drinks being able to be sold to any one patron at a time.

[5] At the start of the hearing the Chair said he had read all the documents filed several times and formed the view that the only matter of disagreement was the number of drinks to be sold to any person at any time. The applicant had requested 4 drinks per person at any time for the first four hours, the Police and the Medical Officer of Health want two drinks per person while the Licensing Inspector was comfortable with four drinks for the first two hours and then two drinks for the balance of the day’s event. All the agencies indicated they were comfortable with four low alcohol drinks at any time during the day.

[6] There was consensus that issues relating to the number of drinks sold at any time was, in general terms, the only issue to be determined.

## **Opening submissions Mr Young**

[7] Mr Young outlined the applicant’s case saying that the proposal was to allow 4 drinks per serve for part of the event.

[8] Mr Young spoke of the Rhythm & Alps event (RA) in the Cardrona Valley saying it was central to this hearing. (2024) NZARLA 221-222.

[9] Mr Young said the “ultimate safety valve condition” was important to the RA event and this condition could be explored during the hearing.

[10] Mr Young said the Police and MOH evidence reveals a “policy approach”. He said there was an absence of any evidence of breaches of the provisions of the Act

[11] Mr Young finished by saying that the RA decision makes it clear generalised and policy-based assertions by reporting agencies are inadequate to support restrictions on suitable applicants.

**Mr Lawson – Brief of Evidence.**

[12] Mr Lawson’s brief of evidence was taken as read.

[13] Mr Lawson outlined his extensive experience in the hospitality industry over the last twenty-five years which included many large events for the University of Canterbury Students Association. He said he had been contracted by the applicant to be Festival Duty manager since 2022.

[14] Mr Lawson also detailed the structure and training of all his duty managers and bar staff.

[15] Mr Lawson then outlined the applicant’s preference for both days is to have:

(a) 4- drinks per serve (per person) for the first 4 hours:

(b) then 2 – drinks per serve (per person) for the 2 hours: and

(c) 1 –drink per serve (per person) if deemed necessary ie high level of intoxication,

questionable substances detected from Know Your Stuff etc.

[16] Mr Lawson explained that for the first 8 years of the event the Electric Avenue event started the day with 4 drinks serves however this changed in 2024 when they voluntarily changed to 2 serves to avoid the application going to a hearing.

[17] Mr Lawson explained the event for 2025 was a two-day event over 9 hours as opposed to the previous events being one day for 12 hours. He said his main concern was to allow the early arrivals to purchase 4 drinks and get settled and happy from the start of the day. He believed a happy crowd would help with those people coming back for the second day.

[18] Mr Lawson emphasised that they want to make the event an enjoyable experience for the attendees.

[19] In his rebuttal evidence, which was also taken as read, Mr Lawson commented on matters that the other parties had raised. These included suggestions from Sergeant Robertson of more shade and his concern that with 4 serves some of that alcohol could be passed to another person who was intoxicated.

[20] Mr Lawson said Sergeant Robertson's view that the applicant's lack of understanding of related harm is regrettable. He further outlined the applicant's experience over 14 years running festivals and that they had not had any history of non-compliance.

[21] Mr Lawson then covered a previous event outlined in Senior Constable Craddock's brief of evidence.

[22] Mr Lawson finished by saying he believed they had sufficient systems in place, a proven Alcohol Management Plan and experienced well trained operators.

[23] Upon questioning from the Committee, Mr Lawson said when 4 serves were available they equated to about 30% of alcohol sales and alcohol sales represented 10 – 15 % of turnover.

[24] Mr Lawson agreed, at a meeting with the agencies, the applicant had offered to only have 4 serves for the first 2 hours, however this was rejected and the applicant withdrew the offer.

### **Mr Mitchell – Brief of Evidence**

[25] Mr Mitchell's evidence, which was taken as read, was brief and stressed the applicant's experience of 14 years and his reliance on the supporting documents, including the Alcohol Management Plan.

[26] In his rebuttal evidence, he commented on the potential issue of preloading as set out in Dr Brunton's evidence, and states that preloading is what they are trying to avoid. He believes that by allowing patrons on Friday to purchase 4 drinks they will be reducing queues and thus frustration. He said this will make them less likely to preload on Saturday.

[27] Mr Mitchell also questioned Dr Brunton's suggestions that the high price of food can lead to cost conscious people saving money for alcohol.

[28] Mr Mitchell also questioned the 72 hour data from A & E as presented by Dr Brunton believing that there is no reason to adopt a 72 hour period.

[29] Mr Mitchell said 4 serves does not mean that a single person consumes all 4 drinks. He said typically groups split to buy food and beverages for each other and find a place to set up.

[30] In answering questions from the Committee, Mr Mitchell said the event started in 2015 with about 8,000 patrons and this year they expect 35,000 each day. The attendance is capped at 35,000 although demand is likely to be for 20,000 above the 35,000. He said 90% purchased the two-day ticket.

### **Opening submissions Mr Hay**

[31] Mr Hay gave brief opening submissions.

[32] Mr Hay clarified that he was opposed to the applicant's request for 4 drinks per serve for four hours but was comfortable with 4 drinks for the first two hours.

### **Opening submissions Inspector Paulin**

[33] Inspector Paulin said the event for the first time was being held over two days with an expected 60,000 people attending.

[34] Inspector Paulin said that the Police oppose the application on the grounds that the object of the Act cannot be met through increasing the amount of alcohol available to be purchased in one transaction. He said Police submit that a precautionary approach is the correct one when dealing with a large-scale event that spans two days. Inspector Paulin said a 2 serve limit was agreed for the 2024 event and it is of significant concern that they now wish to increase the serve limits.

[35] Inspector Paulin said the applicant suggests the Police approach is a blanket policy from the Police and MOH. He said in reality it is an established and proven mechanism which both assists the applicant to minimise harm and it also allows it to show a commitment to do so.

[36] Inspector Paulin detailed several cases that the Police thought the Committee should be aware of. He then talked through some of the evidence from the other parties.

[37] Inspector Paulin finished by submitting that the Committee should adopt a common sense, perhaps precautionary approach, particularly in the face of the proposed increase in the serve limited from the 2024 event.

### **Senior Constable Craddock – Brief of Evidence**

[38] Senior Constable Craddock's brief of evidence was taken as read.

[39] Senior Constable Craddock said she was an officer in the Alcohol Harm Prevention unit, a role she had had for ten years. She said for many years it has been an established process for the serve limit to be reduced as patrons exhibiting signs of being affected by alcohol becomes apparent. She said in some territorial authority areas the local alcohol policy specifically restricts drink serves to a maximum of two.

[40] Senior Constable Craddock said people preload to save money before arriving at an event and this means the alcohol may not have yet fully taken effect on them.

[41] Senior Constable Craddock said she had worked at a considerable number of events with Mr Lawson and outlined several occasions where he was reluctant to reduce serve levels when it was apparent that intoxications levels were getting high. She said with experience you can get a feel at an event when intoxication levels are rising to a concerning level.

[42] Senior Constable Craddock said with the event running over two days she is certain that there is a significantly increased risk of alcohol related harm. She said in her view a 2 drink limit is absolutely essential as is the presence of a suitably qualified and experienced duty manager who should take a precautionary approach to alcohol.

### **Inspector Paulin – Brief of Evidence**

[43] Inspector Paulin's evidence was taken as read.

[44] Inspector Paulin produced a copy of a document from a group called the Regulatory Agencies Steering Group.

[45] Inspector Paulin said the Police see the two standard drinks as a good way to mitigate the risk of intoxication at large scale events such Electric Avenue. He said a further established trend in the attendance of music festivals is the emergence of wide-scale consumption of recreational drugs by attendees.

[46] Inspector Paulin said the larger the crowd attending a single event the greater the risk of harm arising – and therefore the greater the obligation on the licensee to ensure their systems, staff and training and general processes for the operation of the event are at a high level. He said the anticipated total of around 60,000 people, present a significant risk of alcohol related harm arising. He said the reality is that excessive consumption of alcohol will and does arise and the licensee and managers must work to reduce the risk as much as possible.

[47] Upon questioning Inspector Paulin said the Police asks for a precautionary approach to lessen the availability of alcohol.

### **Sergeant Robertson – Brief of Evidence**

[48] Sergeant Robertson's brief of evidence was taken as read.

[49] Sergeant Robertson said that in his experience the licensee for Electric Avenue Music Festival has not met the object of the Act in the operation of the licence for this event over the years it has been held. He said the supply and consumption of alcohol has not been undertaken safely and responsibly, and harm caused by excessive consumption of alcohol has not been minimized.

[50] Sergeant Robertson said every year Police see clear evidence of crime, damage, disorderly behavior arising as the result of excessive consumption of alcohol at the event. He said they also see the flow on to CBD violence and disorder.

[51] Sergeant Robertson said the failings are not Music Festival Limited's alone as the reality is that most large scale public events of this nature routinely see people treated or removed for gross intoxication.

[52] Sergeant Robertson said compounding the risk of intoxication is the widespread use of recreational drugs by attendees. He said these drugs tend to mask signs of intoxication but can lead to a significant deterioration in a person's condition as the drugs wear off.

[53] Sergeant Robertson said the Police support activity by promoters to deliver entertainment to the population. He said the Police want our communities to be and feel safe and this means ensuring that the licensees are able to exercise reasonable control over the volume of alcohol that individuals are able to consume at such events.

[54] Sergeant Robertson said a two serve limit with the ability to reduce further as the event unfolds is the most efficient and practical tool available, alongside appropriate screening of patrons. He said this applicant fails further in their responsibilities when they reject that – or where, as in this case, when they monetise alcohol for their own benefit.

[55] Sergeant Robertson said many similar events in Canterbury and New Zealand, but often smaller than Electric Avenue Music Festival, work in collaboration with the agencies and see value in a 2 drink per person condition. He said Electric Avenue agreed to a 2 serve condition in 2024 but now want to reverse that position to a 4 drink serve.

[56] Sergeant Robertson said that at one of the hourly meetings at the 2024 event he clearly remembers Tom Lawson saying that the two drink limit had “worked well”.

[57] Sergeant Robertson said with what he had seen at the 2024 event he had trouble reconciling the applicant's position that they wanted to reduce the early bottleneck at the bar and suggesting that they may not return for the second day if their experience was not pleasant. He said he had suggested to the applicant that he thought the design, location and size of the bar area could be significantly improved to alleviate most of their perceived problems.

[58] Sergeant Robertson explained that the Alcohol Harm Prevention Unit sits outside the Police Operational Response Group and that he and Senior Constable Jolliffe attended the 2024 event in plain clothes but wearing Police Identification. This enabled them to move around freely and observe unhindered. He spoke of visiting one corporate area about 3.00 pm where the manager appeared to be struggling and said there had been a number of removals and she had reduced the serve limit to one drink.



[59] At the St John area, Sergeant Robertson said they appeared swamped and he recalled observing people in various states of intoxication including some lying on stretchers asleep or unconscious.

[60] Sergeant said he then returned to the Police base just outside the perimeter fence where he saw a number of people who had obviously been removed from the event and he heard reports of some trying to re-enter the event by climbing the fence. He also noted one male who was grossly intoxicated.

[61] Sergeant Robertson said Te Whatu Ora – Health New Zealand have developed guidelines including Guidelines for Managing Alcohol at Large Events. At various passages they recommend that a restriction on total serves per person be imposed.

[62] Sergeant Robertson said the National Drug Intelligence Bureau released a report in relation to waste water testing for drugs around the 2024 event. He said that report noted 11 times the normal MDMA levels, 3 times the normal noted cocaine levels and 2 times normal ketamine levels. He said the impact of potential harm arising from the consumption of recreational drugs and alcohol are well documented.

[63] Sergeant Robertson said 2 hands = 2 drinks is a reasonable and appropriate slogan the Committee might consider.

[64] Upon questioning, Sergeant Robertson said a 2 drinks per serve limit is not a firm policy as they look at each event on its merits.

[65] Sergeant Robertson said Music Festival Limited are generally good operators with good food but he does not have confidence they be will acting responsibly by having 4 serves for the first four hours.

### **Opening submissions – Ms Williams**

[66] Ms Williams said the MOH is opposed and the grounds for opposition are relatively narrow, and more or less confined to the Object of the Act, in relation to the serve limit per transaction.

[67] Ms Williams outlined that Dr Brunton's evidence will cover how alcohol is processed by the body and the effects of excessive consumption (intoxication) and dehydration. She said

Dr Brunton will provide Emergency Department data and she will describe the impact on an Emergency Department should a 2-day event cause a spike in presentations.

[68] Ms Williams said if queues are the issue then the applicant should consider the number of bars to avoid long queues rather than increasing the number of serves to manage queues.

[69] Ms Williams said, as put forward in the report in opposition, the MOH position is a maximum 2 drink serve limit to be reviewed and reduced where necessary.

### **Dr Brunton – Brief of Evidence**

[70] Dr Brunton said she was the Medical Officer of Health for Canterbury and Westland, a position she has held since 2003.

[71] Dr Brunton said her principal concern with the application was the risk of alcohol related harm from the maximum number of serves a patron can purchase at any one time.

[72] Dr Brunton said she had further concern with the impact this may have on Christchurch Hospital Emergency Department and nearby health services. She explained in detail the effect on a person's body of excess alcohol and how a person gradually becomes intoxicated should they consume more than one standard drink per hour. She said there are a number of factors that can influence the effect of alcohol such as general state of health, size, gender, food, the environment and the consumption of drugs.

[73] Dr Brunton also explained to the Committee the effect of drugs combined with alcohol. She spoke of the risks of preloading and how it is possible that these people may not show signs of intoxication, but once entry is gained if they can purchase 4 drinks this may tip the balance for some people. Dr Brunton also spoke of the risk of drink spiking and dehydration as the excitement of the event can make the drinking of water less of a priority.

[74] Dr Brunton said the current New Zealand Low Risk Guidelines recommend that to reduce your risk of injury do not drink more than 4 drinks at a time for women and five for men. She said to put that into context the maximum a woman should drink on any one occasion presuming a single serve is in fact one standard drink. She said some if not all of the alcoholic drinks on offer at Electric Avenue will contain more than one standard drink.

[75] Dr Brunton said we do not know how much impact there will be from the change to a two day event in 2025, however, it is likely there will be an increase in alcohol related harm. She said for a high risk event a precautionary approach should be taken, service should be slowed and an effective way to do this is by reducing the number of drinks per serve.

[76] Dr Brunton said for the 2023 event over a 72 hour period the Hospital Emergency Department saw 56 patients related to the festival with a third being alcohol related and a third being drug related including one in ICU. This was in addition to the 220 + that St John managed.

[77] Dr Brunton said for 2024 ED saw 18 patients, 4 had medical conditions, 7 had injuries, 11 were obviously intoxicated or affected by alcohol and 2 were unresponsive from suspected drug ingestion.

[78] Dr Brunton outlined a number of established methods of reducing alcohol harm at events like Electric Avenue. These include making water freely available, making sure food is available at affordable prices, provide a separate area where non-alcoholic beverages are available, the use of pricing to limit sales, proper monitoring and enforcement of the event's Alcohol Management Plan, reduce the number of alcohol sales outlets and/or the number of serves per sale, and restricting alcohol promotion and advertising at the event.

[79] Dr Brunton concluded her evidence by saying that she recommends a maximum two drink limit per occasion of sale should apply from the outset, to be reviewed and reduced as necessary throughout the event. Dr Brunton said should the applicant accept this condition her opposition would fall away.

[80] Answering questions from the Committee, Dr Brunton explained that looking at medical issues over 72 hours is not unusual as large events can have a long tail. She stressed that a precautionary approach should be taken.

### **Mr Hoult. Event Report Data Hato Hone St John**

[81] Mr Hoult presented their data for the 2018, 2023 and 2024 events. He said due to Covid and other matters they had no data for 2019, 2020, 2021 and 2022.

The data showed the following:

2018	Total patient presentations 86
	Patients presenting with alcohol intoxication as primary complaint 36
	Patients transported to hospital 2. Moderate drug and alcohol intoxication.
2023	Total patient presentations 228
	Patients presenting with alcohol intoxication as the primary complaint 12
	Patients transported to hospital 0
	Patients referred to A & E. 2
2024	Total patient presentations 558
	Patients presenting with alcohol intoxication as primary complaint 50
	Patients transported to hospital 1
	Patients referred to A & E 5

[82] Asked by the Committee why the numbers for 2023 and 2024 were very different Mr Hoult said he was not sure but gave a number of thoughts. He said he thought the 2023 numbers appeared very low and the 2024 event numbers were probably the norm. He noted the temperature in 2023 was 18 degrees and in 2024 it was 28 degrees. He said the numbers were not terrible and probably what you could expect for a large music event.

### **Closing submissions**

#### **New Zealand Police – Sergeant Robertson**

[83] Sergeant Robertson spoke of Inspector Paulin and Senior Constable Craddock's significant experience at large-scale public events across the country and identified behaviours and risks they had directly observed.

[84] Sergeant Roberson had outlined his observations from the 2024 event including evidence of alcohol related harm arising from the consumption of alcohol and preloading.

[85] Sergeant Robertson said the opposition from the Police and the MOH is based solely on the limit.

[86] Sergeant Robertson said on the basis that the license should be granted there should be a 2 serve limit of full strength alcoholic drinks, this should be further reduced to 1 serve as appropriate. There should at no point be any increase in the limit once it has been put in place and a 4 serve limit should be applied to low alcohol drinks.

### **Closing submissions Ms Williams**

[87] Ms Williams reminded the Committee of the evidence Dr Brunton gave regarding how alcohol is processed by the body and why a 4 drink limit could easily lead to intoxication.

[88] Ms Williams said the crux of the matter in section 142 is the Object of the Act.

[89] Ms Williams said the applicant wants 4 serves to get through condensed egress but crowd congestion in a tight space is not a reason for 4 serves.

[90] Ms Williams said the MOH position is that there should be a maximum of 2 serves reviewed and reduced as necessary. This is an effective tool in reducing alcohol harm through reducing the amount of alcohol available for consumption at any one time and also allows for more frequent intoxication assessments.

### **Closing submissions - Mr Hay.**

[91] Mr Hay said that the Inspectorate believes that a 4 serve limit for the first 2 hours would be a good outcome for both parties. He said he finds the maximum serve stance by the other reporting agencies in relation to large scale events to be inconsistent, difficult to reconcile and contrary to the evidence produced at the hearing.

[92] Mr Hay said the Inspectorate is of the view that the applicant and the management team have proven experience and provide a high level of expertise in managing large scale events to minimize alcohol harm.

## **Closing submission Mr Young**

[93] Mr Young quoted case law in his final submissions.

[94] Mr Young expressed concern at what he saw as a nationwide internal policy as described in Inspector Paulin's evidence. He noted Sergeant Robertson's glowing praise for the Alcohol Management Plan and the overall management of the event.

[95] Mr Young said that St John treated 0.2% of the patrons for acute intoxication which in his view fits within the window of minimisation.

[96] Mr Young said, in response to the Police assertion, that queues were useful for assessing intoxication, Music Festival Limited were only seeking 4 serves for 4 hours.

[97] Mr Young said the MOH relied on St John's data and then the Emergency Department data but did not call the person responsible for collation of the data. He also noted Dr Brunton did not attend the event.

[98] Mr Lawson also expressed concern that Mr Lawson was, in his words, attacked and that he was collateral damage to achieve a national policy.

[99] Mr Young finished by stating that MFL considers it critical that 4 serves be permitted for 4 hours on the first day but accepts that a shorter period of 3 hours might be appropriate on the second day.

## **Discussion**

[100] We are dealing with a unique situation where, while the three reporting agencies are opposed, they are only opposed to the number of alcoholic drinks that can be served to one patron at any one time. None of the Agencies expressed a desire for the event to not take place.

[101] The applicant wants 4 drinks being able to be sold to a patron for the first 4 hour and then a maximum of 2 alcoholic drinks for the rest of the day. In his final submissions, Mr Young did suggest that 3 drinks per serve per person for the first three hours might be more appropriate for the second day.

[102] The Police and the medical Officer of Health both want a maximum of 2 alcoholic drinks to be sold to any one patron at any time during the event. The Liquor Licensing Inspector seeks a maximum of 4 alcoholic drinks for the first two hours and then a maximum of 2 alcoholic drinks for the balance of each day. All three Agencies are comfortable with 4 serves of low alcohol drinks for the entire event.

[103] The decision for the Committee comes back clearly to the object of the Act;

**The object of this Act is that—**

**(a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and**

**(b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.**

**(2) For the purposes of subsection (1), the harm caused by the excessive or inappropriate consumption of alcohol includes—**

**(a) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and**

**(b) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).**

[104] The Committee also needs to ensure any conditions imposed are fair and reasonable and assist the event meeting the object of the Act.

[105] The Committee accepts that an event generally aimed at younger members of our society, under 35 years, and potentially involving over 60,000 patrons over two days is a high risk event and thus necessitates a high level of management in general and in particular around the sale, supply and consumption of alcohol. We also note that Sergeant Robertson

said in his brief of evidence that Electric Avenue Music Festival has not met the object of the Act over the years this event has been held.

[106] Mr Lawson and Mr Mitchell were both excellent witnesses for the applicant and were able to explain to the Committee how they felt it important that the patrons were able to arrive and settle in at the venue, hence the desire for them to sell 4 serves per patron for the first 4 hours.

[107] The Committee understands the applicant's position but wears a different hat to the applicant and feels if all they are attempting to do is to increase the experience for the patrons arriving early in the day there are other options for them to consider, such as more bars and or a better layout of the serving areas.

[108] The Police, and in particular, Senior Constable Craddock, raised concerns with the reluctance of Mr Lawson to restrict sales of alcoholic drinks at other events he managed. While the Committee noted those concerns the main concern for this application was on the Electric Avenue event therefore minimal weight was attributed to this evidence.

[109] We note the Police did give the applicant a glowing report for the way they broadly run the event, including the Alcohol Management Plan, but noted the event is the country's largest festival event being held over two days for the first time with an anticipated crowd of around 35,000 each day.

[110] We believe Sergeant Robertson's evidence was very significant and powerful as he and Senior Constable Jolliffe had attended the 2024 in civilian clothes and he was able to outline in great detail his observations at that event. In particular we noted with concern of his observation of visiting the St Johns area and seeing people in various states of intoxication, including some asleep or unconscious.

[111] The applicant did raise concern that the Police were attempting to instigate a national policy of a two drink serve per person for large scale events. While there may be some truth in that allegation we accept that the restriction on sales is a useful tool in minimising alcohol harm.

[112] The evidence of Dr Brunton assisted us in better understanding how the body processes alcohol and the masking effect some recreational drugs can have on in masking the effects of alcohol.



[113] Dr Brunton included in her evidence data from the Emergency Department that was not collated by her. The Committee believes that as the Medical Officer of Health that evidence holds more weight than a minimal amount, however on this occasion we were able to come to our final conclusion by giving it only minimal weight.

[114] The data supplied by Mr Hault of St John was very useful to the Committee. The number of persons presenting to St John with alcohol intoxication as the primary complaint was of major concern, particularly when compared with the 2023 event.

[115] The Committee did consider including a clause precluding the increase in the serve limit back to the allowable level once it had been reduced during each day of the event. While the circumstances for any increase back to the allowable levels would need to be truly exceptional, the Committee has confidence that the applicant will act responsibly on this matter without it being a condition.

## **Decision**

[116] After considering all the factors presented, including that the event is moving to a two day event in 2025 and potentially doubling the number of patrons over the two days, the Committee feels it has no alternative but to take a precautionary approach by limiting the number of serves to a patron at any one time to 2 serves, excluding low alcohol drinks.

[117] The Committee is satisfied after standing back and evaluating all the matters placed before it and having had regard to the criteria as set out in section 142 of the Act that granting the application subject to conditions achieves the purpose and objects of the Act.

[118] Accordingly, pursuant to section 104(1) of the Act we grant the application for a Special Licence for the event subject to the following conditions:

### **The Licensed Premises**

- (a) This special licence authorises the sale, supply and consumption of alcohol within the premises identified on the plan provided with the application and attached to and forming part of the licence.

### **Compulsory conditions – section 147(3)**

- (b) Alcohol may only be sold under the licence on the following days and during the following hours:

**Friday 21 February 2025, 2.00 pm to 9.45 pm.**

**Saturday 22 February 2025, 1.30 pm to 10.30 pm.**

- (c) Drinking water must be freely available on the premises as specified in the application.

**Discretionary Conditions – section 147(1) and (2)**

- (d) The licence holder must display appropriate signs adjacent to every point of sale detailing the statutory requirements on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (e) Food must be available for consumption on the premises as specified in the application.
- (f) Low-alcohol beverages must be available for sale and supply on the premises as specified in the application.
- (g) Non-alcoholic beverages must be available for sale and supply on the premises as specified in the application.
- (h) The licensee must provide assistance with or information about alternative forms of transport from the premises as specified in the application.
- (i) A copy of this licence together with signs showing the age restriction must be clearly displayed.
- (j) Entry is restricted to ticket holders only.
- (k) Alcohol may only be sold in the following types of container only: Reusable plastic cups.

- (l) Alcohol must only be sold, supplied and consumed within the area marked on the plan submitted with the application.
- (m) There shall be a maximum of 2 serves of alcoholic drinks sold to any one patron at any time throughout the event. The serve limit for low alcoholic drinks shall be 4 per person throughout the event

**Restricted and supervised area Section 147 (2)**

- (n) The following area is designated as Restricted: The public event areas.
- (o) The following areas are designated as Supervised: The Back of House and the Green Room.

**The licence is also subject to the following conditions which in the Committee's opinion are not inconsistent with the Act**

- (p) Noise should be controlled so as not to disturb neighbouring residents.
- (q) The Alcohol Management Plan, as provided with the application and the undertakings within, are to be read as conditions of the licence and must be adhered to.
- (r) This licence does not excuse the applicant from obtaining, where necessary, a building consent in respect of tents and marquees.

[119] The applicant's attention is drawn to section 258 of the Act which makes it an offence to not comply with certain requirements and restrictions imposed by or under the Act.

**DATED** at CHRISTCHURCH this 15<sup>th</sup> day of January 2025

Signature



David Blackwell, QSM

Chairperson

**Christchurch District Licensing Committee**