

IN THE MATTER

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

AND**IN THE MATTER**

of an application by
**Greenstone Entertainment
GP Limited**
pursuant to s138 of the Act for
an on-site Special Licence in
respect of an open space site
situated at
11 Redoubt Street, Taupo
known as the "**Taupo
Amphitheatre**"

BEFORE THE TAUPO DISTRICT LICENSING COMMITTEE

Chair/Commissioner: Murray Clearwater
Member: Graeme Cushing
Member: Judy James

Submissions

Dean Calvert - for the Applicant
Sergeant Greg Weston NZ Police AHPO in 'conditional opposition'.
Grant Singer – Chief Alcohol Licensing Inspector to assist
Dawn Meertens – delegated officer for the Medical Officer of Health 'in opposition'

Meeting date: 29th day of October 2024

BACKGROUND

1. This is an application by **Greenstone Entertainment GP Limited** for an On-Site Special Licence pursuant to Section 138 of the Sale and Supply of Alcohol Act 2012 for the **2025 Taupo Summer Concert**. It was formally received by the admin section of the Taupō District Licensing Committee on 26th of August 2024.
2. This year's event features Cold Chisel, Icehouse, Bic Runga and Everclear.
3. The application was lodged in a timely fashion and pre-hearing discussions were undertaken.
4. Despite a series of meetings and communications, the application was presented to the DLC in late October with the Police and the MOoH still opposed to various parts of the application.
5. As there was still 'matters in opposition' on the table the application could not be considered and determined by the Chairperson alone.
6. A Committee of three was empanelled to see if we believed that matter should be considered on the papers or still sent to a public hearing to hear evidence relating to the matters in opposition.
7. To assist our deliberations, we called for submissions of no more than 3 pages from the applicant and three agencies. We are also in receipt of a position statement for the Tuwharetoa Iwi Māori Partnership Board after they were encouraged by the Police to contribute to the consideration of the major concerts planned for Taupo over this summer.

8. After some discussion the Committee resolved to determine the application 'on the papers' and not to convene a hearing as much of the opposition was similar to previous years matters in opposition that have been debated before.

Summation for the Applicant

9. Dean Calvert told us that the audience would have the same demographics as previous years, namely groups of older persons with an average age of over 50 years.
10. He told us that they had been doing these concerts for 14 years now involving more than 36 concerts. They attend the debriefs every year and incorporate the learnings into the next year's programme. He said that he had had very productive meetings with the agencies and looked forward to working with them at this concert, and into the future.
11. He outlined the improvements they planned for this year including a change of Security provider. He hopes Red Badge staff will improve the rates of detection of smuggled in alcohol and other contraband into the venue.
14. In regard to service size he confirmed that there would be no large bottles of wine sold in the general area. There would be no glass in the general area only cans and plastic cups. All drinks will be depressurised at point of sale.
15. The new Greenstone Club area will be managed similar to the other areas.

Summation for the Inspector

16. The Inspector believes the applicant has the experience and skills to safely and responsibly manage the concert as proposed.
17. He reports that the conditions sought are largely the same as last year and should be imposed again.

Summation for the Police

18. Sergeant Weston is the Alcohol Harm Prevention Officer for the Taupo Police.
19. In his three-pager he outlined the concerns for the Police.
20. Whilst not opposed per se he believed there was still more the applicant could do to minimise the potential for harm.
21. He reminded us about the violent incident in the Corporate Area last year and the Police would like to see the maximum service size reduced to 2 drinks per serve for the duration of the concert.

Summation on behalf of the Medical Officer of Health

22. Ms Meertens outlined the general concerns held by the MOoH and also called for the maximum service size to be reduced to 2 drinks per person per sale.

Summation of the policy statement for the Tuwharetoa Iwi Māori Partnership Board

23. Ms. Louisa Wall is the Chair of the Partnership Board and outlined the concerns Māori have around the misuse of alcohol and the disproportionate effects on Māori generally.
24. Their suggestions for the Committee were closely aligned to those of the Police and the MOoH.

25. We thank Ms. Wall for putting the Board's 'thoughts' before us. We do encourage local Māori to become more involved in licensing decisions. The provisions of Section 139-140 are there to be utilised and we take on board the submissions of Tuwharetoa Iwi.

The Law

26. Below we highlight the sections of the Act we must have regard to when determining this application. We have highlighted the parts we think have particular significance in this case.

Section 3 Purpose

- (1) The purpose of [Parts 1 to 3](#) and the schedules of this Act is, for the benefit of the community as a whole,—
- (a) to put in place a new system of control over the sale and supply of alcohol, with the characteristics stated in subsection (2); and
 - (b) **to reform more generally the law relating to the sale, supply, and consumption of alcohol so that its effect and administration help to achieve the object of this Act.**
- (2) **The characteristics of the new system are that—**
- (a) **it is reasonable; and**
 - (b) **its administration helps to achieve the object of this Act.**
27. From the Purpose we take that there is an obligation on the Committee to ensure that our determination, and final decision, is reasonable but also helps achieve the Object of the Act.

Section 4 Object

- (1) **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).

Section 142 Criteria for issue of special licences

- (1) In deciding whether to issue a special licence, the licensing committee concerned must have regard to the following matters:
- (a) **the object of this Act:**
 - (b) **the nature of the particular event for which the licence is sought and, in particular,—**
 - (i) whether the applicant is engaged in, or proposes at the event to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods; and
 - (ii) whether the applicant is engaged in, or proposes at the event to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:
 - (c) **the suitability of the applicant:**
 - (d) any relevant local alcohol policy:
 - (e) **whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of the licence:**

- (f) **the days on which and the hours during which the applicant proposes to sell alcohol:**
- (g) **the design and layout of the premises concerned:**
- (h) **whether the applicant has appropriate systems, staff and training to comply with the law:**
- (i) **any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas:**
- (j) any steps the applicant proposes to take to ensure that the requirements of this Act in relation to the sale and supply of alcohol to prohibited persons are observed:
- (k) the applicant's proposals relating to—
 - (i) **the sale and supply of non-alcoholic drinks and food; and**
 - (ii) **the sale and supply of low-alcohol drinks; and**
 - (iii) **the provision of help with or information about alternative forms of transport from the premises:**
- (l) **any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under [section 141](#).**

28. ***The Object of the Act.*** We will examine all the relevant criteria before returning to the Object of the Act to see if the mitigations offered will assist in minimising the excessive or inappropriate consumption of alcohol.
29. ***The Nature of the event.*** As in previous years, this is very much a 'soft day-time concert' with an average age of attendees likely to be over 50 years of age. Most attendees attend in groups and have a laid back picnic on the grassy banks of the amphitheatre, whilst watching the bands. However, it is a large scale event with more than 15,000 persons expected to attend.
30. ***The suitability of the applicant.*** There is no challenge to the suitability and experience of Mr Calvert and his company. Indeed, he appears to the Committee to be a responsible and competent licensee. He is well aware that there are learnings to be had every year and improvements can always be made.
31. ***Any Local Alcohol Policy.*** There is no Local Alcohol Policy in place in Taupo therefore there is nothing for us to consider.
32. Whether, in our opinion, ***the amenity and good order of the area*** would be likely be reduced by more than a minor extent by the granting of this licence.

We were impressed with the Alcohol Management Plan (AMP) written for this event but, as we have said before, writing one and implementing it are two different things. The organisers get credit for the fact that it appears, and confirmed by the Police, that there were no major issues at the 2023 event, other than the assault in the corporate area, attended by up to 15,000 persons. In crowds of this size there will always some who will become intoxicated. It is the applicants job to identify these people quickly and take affirmative action with them.

33. ***The days and hours sought for the licence.*** The hours of 10.30am to 7.30pm, with the public bars to shut at 5.00pm (5.30pm in the Corporate bar), is not unreasonable however it is still a 6.5-hour window and there is ample opportunity for persons to become intoxicated if they are so inclined.
34. ***The design and layout of the premises.*** There have been no issues raised about the design and layout of the event. There will be better access to free water and more toileting facilities this year.
35. ***Whether the applicant has appropriate systems, staff and training to comply with the law.*** As we stated earlier, we were impressed with the AMP prepared for this event though we do flag the lawful requirement that those employed on crowd control duties must all be

certificated with COAs under the Private Security Personnel and Private Investigators Act 2010.

36. **Any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas.** The “Greenstone Club, the “VIP Bar” area and the Corporate Hospitality area, as well as both Public bar service areas are to be designated as **Supervised Areas**. This is appropriate.
37. **Any steps the applicant proposes to take to ensure that the requirements of this Act in relation to the sale and supply of alcohol to prohibited persons are observed.** We were told that 70 ‘security’ personnel would be employed at the event and there would be perimeter fencing, bag searching and age verification. These are all responsible measures.
38. A One-Way Door will operate with no pass-outs to prevent side loading. A certificated and dedicated Duty Manager will be on duty at each bar throughout the event. Red Badge is to be engaged for this years event.

The applicant's proposals relating to—

(i) the sale and supply of non-alcoholic drinks and food; and

(ii) the sale and supply of low-alcohol drinks; and

(iii) the provision of help with or information about alternative forms of transport from the premises.

39. The applicants AMP adequately covers off these requirements but we do note that a number of food outlets ran out of food early in the event. This was unacceptable and must be closely monitored by the applicant as the provision of food is an important tool in slowing the rise of intoxication levels.

Any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under [section 141](#). The agencies have expressed their final positions, and we give full regard to them.

40. We are also required to take in to account any Alcohol Management Plan (AMP) submitted with the application.

Section 143 Additional requirements for large-scale events

(1) If, in the opinion of the licensing committee concerned, an application for a special licence relates to a large-scale event, the committee may do any or all of the following:

(a) require the applicant to provide the committee with a management plan describing how the applicant proposes to deal with matters such as security, monitoring, interaction with local residents, and public health concerns:

(b) require the applicant to provide the committee with a certificate by the territorial authority that the proposed use of the premises meets the requirements of the [Resource Management Act 1991](#) and of the building code:

(c) require the applicant to liaise with the Police and the territorial authority on planning for the event.

(2) In deciding whether to issue a special licence, the licensing committee concerned may have regard to the following matters (in addition to the matters stated in [section 142\(1\)](#)):

(a) whether, and how well, the applicant has complied with any requirement under subsection (1)(a):

(b) whether, and how well, the applicant has complied with any requirement under subsection (1)(c), and whether the Police and the territorial authority are satisfied with any liaison that has taken place.

41. This section requires (if sought by the Committee) AMPs for major events and also requires the applicant to liaise with the local authorities and the regulatory agencies.
42. As discussed earlier the liaison between the applicant and the agencies has been adequate.

DISCUSSION AND REASONS FOR THE DECISION

43. The Inspector has provided us with a comprehensive report on the application and believes the application meets the criteria for issue and that the event should be well run. He also reports that the amenity and good order of the area should not be reduced by more than a minor extent.
44. The Police, Tuwharetoa and the Medical Officer of Health still hold concerns about service size and the overall amenity and good order of the area both during and after the event.
45. Overall, the previous good conduct, and the concessions offered, have been sufficient for us to decide to grant this special licence but with a number of mandatory and discretionary conditions.
46. Alcohol does have a place in our communities and our lives, but it will be in a place that helps achieve the Object of the Act and minimises the potential for alcohol related harms both at the event and in the community generally, thereafter.
47. Overall, the checks and balances put in place by the applicant and previous history of these events have permitted us to take a more liberal approach.
48. As the applicant is well aware this event will surely be closely monitored by the agencies and the granting of similar licences in the future will be based on exemplary performance and compliance with the following licence conditions.
49. We see a key measure to the successful management of this licence will be hourly meetings that we intend to prescribe between the licensee and the three regulatory agencies. **Based on that consultation the agencies will have the ability to require a further reduction of service size and/or the closure of the bar/s.** These review meetings should start from 2.00pm or early if concerns are held by the attending agencies.
50. Upon returning to the Object of the Act and standing back and reviewing the evidence adduced, we are satisfied that the licence can be granted subject to the agreed conditions that will help achieve the object of the Act.

DECISION

The District Licensing Committee, pursuant to the Sale and Supply of Alcohol Act 2012 **grants** the application by the **Greenstone Entertainment GP Limited** for an on-site Special Licence in respect of an open space site situated at 11 Redoubt Street, Taupo known as the “Taupo Amphitheatre & Riverside Park”, subject to conditions.

Conditions:

The licence is subject to the following conditions:

1. Alcohol may be sold and supplied for consumption on the premises only on the following days and hours: **Saturday 25 January 2025 from 10.30am to 5.00pm (Public Bars and the “Greenstone Club” area bar); and from 11.00am to 5.30pm (the Corporate Bar and the “VIP Bar” area). The special licence for the entire venue will operate until 7.30pm.**
2. The following areas are to be designated as **Supervised areas:** The “Greenstone Club, the “VIP Bar” area and the Corporate Hospitality area, as well as both Public bar service areas, as identified on the concert layout plan date stamped as received by Taupo District Licensing Committee on 26 August 2024.
3. Intoxicated persons will not be served and will be removed from the venue and minors will not be served alcohol.
4. Drinking water must be freely available at both public bars, and at the “VIP bar”, the “Greenstone Club” bar and at the Corporate area bar. Six large “water tanker trucks/ water tankers will be placed throughout the venue.

5. A certificated manager must be on duty at all times at each bar facility, within the licensed area, when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed.
6. 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.
7. 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.
8. The following types of alcohol can only be sold at the event: Beer, Craft beers, Wine, Sparkling wine, Ciders and a selection of pre-mixed RTD products will be sold at the event. No free-pour spirits will be sold at the event.
9. Alcohol may be sold in the following types of containers only: Beers, Cider & pre-mix RTD's will be sold in cans, and Wine will be sold in plastic cups. In the Corporate area wine is to be served in 750ml size glass bottles. There will be no glass permitted in the public areas.
10. Beer cans and bottles are to be de-pressurised at point of sale from 10.30am.
11. The Licensee must display signage as follows:
 - a. At every point-of-sale detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons,
 - b. A copy of the licence attached to the premises so as to be easily read by persons attending the premises,
 - c. A sign prominently displayed at the premises, which identifies by name the manager for the time being on duty at each bar facility.
 - d. The licensee must provide information and advice about forms of transport available to patrons from the licensed premises.
12. The licensee must provide information and advice about forms of transport available to patrons from the licensed premises.
13. The licence is also subject to the following conditions, which in the committee's opinion are not inconsistent with the Act:

Alcohol serves: Public bars, the "VIP Bar" and the "Greenstone Club" bar - a Maximum of Four Beers, Craft beers, Wine, Sparkling wine, Ciders and a selection of pre-mixed RTD products. Four alcoholic drinks can be sold to one person at any one time from 10.30am to the reduction time of 4.00pm. From 4.00pm this will reduce to two alcoholic drinks until both public bars close at 5.00pm.

Alcohol serves: Corporate Bar - a Maximum of four alcoholic drinks or One 750ml bottle of Wine can be sold to one person at any one time from 11.00am to the reduction time of 4.30pm. From 4.30pm this will reduce to two plastic glasses of wine (i.e. wine will be sold by the glass) or two other alcoholic drinks until the bar closes at 5.30pm.
14. A One Way Door (OWD) Policy shall apply, and no Pass Outs are to be permitted, except on medical grounds.
15. **Police have the ability to change alcohol service sizes, or to close all or any bar at any time based around crowd behaviour, or to change the time of depressurisation of cans & bottles to earlier in the day. These decisions will be based on review meetings with Greenstone Entertainment GP Limited, the Taupo Police, the Taupo District Licensing Committee Inspector, the Medical Officer of Health representative and the Concert Promoters. The first meeting shall take place at 2.00pm.**

DATED at TAUPO this 4th day of November 2024



Murray Clearwater
Chairperson/Commissioner
Taupo District Licensing Committee



GREAT LAKE TAUPŌ
Taupo District Council

On Site Special Licence

Section 22 and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012, **Greenstone Entertainment GP Limited** is authorised to sell and supply alcohol, on the premises situated at 11 Redoubt Street, Taupo and known as Taupo Amphitheatre & Riverside Park, Redoubt Street, Taupo for consumption on the premises, to any person attending the following occasion or event (or series of occasions or events): **Taupo Summer Concert.**

The authority conferred by this licence must be exercised through a managers or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Sale and Supply of Alcohol Act 2012.

CONDITIONS

This licence is subject to the following conditions:

1. Alcohol may be sold and supplied for consumption on the premises only on the following days and hours: **Saturday 25 January 2025 from 10.30am to 5.00pm (Public Bars and the "Greenstone Club" area bar); and from 11.00am to 5.30pm (the Corporate Bar and the "VIP Bar" area). The special licence for the entire venue will operate until 7.30pm.**
2. The following areas are to be designated as **Supervised areas**: The "Greenstone Club, the "VIP Bar" area and the Corporate Hospitality area, as well as both Public bar service areas, as identified on the concert layout plan date stamped as received by Taupo District Licensing Committee on 26 August 2024.
3. Intoxicated persons will not be served and will be removed from the venue and minors will not be served alcohol.
4. Drinking water must be freely available at both public bars, and at the "VIP bar", the "Greenstone Club" bar and at the Corporate area bar. Six large "water tanker trucks/ water tankers will be placed throughout the venue.
5. A certificated manager must be on duty at all times at each bar facility, within the licensed area, when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed.
6. 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.
7. 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.
8. The following types of alcohol can only be sold at the event: Beer, Craft beers, Wine, Sparkling wine, Ciders and a selection of pre-mixed RTD products will be sold at the event. No free-pour spirits will be sold at the event.
9. Alcohol may be sold in the following types of containers only: Beers, Cider & pre-mix RTD's will be sold in cans, and Wine will be sold in plastic cups. In the Corporate area wine is to be served in 750ml size glass bottles. There will be no glass permitted in the public areas.
10. Beer cans and bottles are to be de-pressurised at point of sale from 10.30am.
11. The Licensee must display signage as follows:
 - a. At every point-of-sale detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons,
 - b. A copy of the licence attached to the premises so as to be easily read by persons attending the premises,
 - c. A sign prominently displayed at the premises, which identifies by name the manager for the time being on duty at each bar facility.
 - d. The licensee must provide information and advice about forms of transport available to patrons from the licensed premises.
12. The licensee must provide information and advice about forms of transport available to patrons from the licensed premises.
13. The licence is also subject to the following conditions, which in the committee's opinion are not inconsistent with the Act:
Alcohol serves: Public bars, the "VIP Bar" and the "Greenstone Club" bar - a Maximum of Four Beers, Craft beers, Wine, Sparkling wine, Ciders and a selection of pre-mixed RTD products. Four alcoholic drinks can be sold to one person at any one time from 10.30am to the reduction time of 4.00pm. From 4.00pm this will reduce to two alcoholic drinks until both public bars close at 5.00pm.
Alcohol serves: Corporate Bar - a Maximum of four alcoholic drinks or One 750ml bottle of Wine can be sold to one person at any one time from 11.00am to the reduction time of 4.30pm. From 4.30pm this will reduce to two plastic glasses of wine (i.e. wine will be sold by the glass) or two other alcoholic drinks until the bar closes at 5.30pm.
14. A One Way Door (OWD) Policy shall apply, and no Pass Outs are to be permitted, except on medical grounds.
15. **Police have the ability to change alcohol service sizes, or to close all or any bar at any time based around crowd behaviour, or to change the time of depressurisation of cans & bottles to earlier in the day. These decisions will be based on review meetings with Greenstone Entertainment GP Limited, the Taupo Police, the Taupo District Licensing Committee Inspector, the Medical Officer of Health representative and the Concert Promoters. The first meeting shall take place at 2.00pm.**

DURATION

This licence is only in force as specified in Condition 1.

THE LICENSED PREMISES

The licensed premises known as the 2025 Taupo Summer Concert situated at the Taupo Amphitheatre & Riverside Park, 11 Redoubt Street, Taupo, is more precisely identified as outlined in the event site plan provided with the application, as received by the Taupo District Licensing Committee on 26 August 2024.

Dated at Taupō on 7 November 2024

Murray Clearwater
Commissioner
Taupo District Licensing Committee