

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012


AND

IN THE MATTER

of an application by **Anthonie Tonnon**
for a special-licence pursuant to section
138 of the Act on the occasion of a 'live
musical'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **Anthonie Tonnon** for a special licence in regard to an event to be held at Anglican Church, 69 Koromiko Road, Whanganui. The nature of the event for which the licence is sought is a live musical.

The date and hours sought is 17 August 2019, between 7.00pm and 10.30pm.

2. Application

The application was received on 15th July 2019 and included a site plan, flyer and owners consent.

The application was not advertised and no objection or notice of desire to be heard has been received under section 141 of the Act. Accordingly we deal with the matter on the papers in accordance with section 202(1).

In considering the application for special licence the committee had regard to the following criteria under section 142 of the Act:

- (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](#).

3. Reporting Agencies

The following reports were received under section 141 of the Act.

Police Report – No opposition within report received on 23 July 2019.

Medical Officer of Health – No opposition within report received on 17th July 2019.

Licensing Inspector Report – Full report provided by the inspector including assessment of application against section 142 criteria. The Inspector concludes that the application is complete and will likely meet the criteria of the Act. Draft conditions are also offered by the inspector.


The complete file including inspectors report noted the following pertinent points—

- The applicant is a musician who is organising a Church musical where alcohol will play a very minor part.
- Suitability is not challenged.
- The Church is owned by the Anglican Church who have given permission for the event. Issuing a special licence should not reduce amenity and good order of the locality.
- The premise is suitable for the type of event and layout has been suitable in the past. Alcohol should not play a big part in the event.
- The hours appear reasonable for the event being undertaken.
- A certified managers (Brittany Taylor) is nominated for the event and will be supported by Church members.
- A 'supervised' designation for the whole premise has been recommended and supported.
- Both the Police and MOH have no opposition to the application.

4. Decision

The application for Special Licence is **Approved** for issue subject to the conditions outlined in the inspectors report.

DATED at Whanganui this 23rd day of July, 2019.


Secretary
Whanganui District Licensing Committee

