

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Cloud 9 Recreation Limited**
for a renewal of On-licence pursuant to section 127
of the Supply of Alcohol Act 2012.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

The application for renewal of On-licence (036/ON/004/2024) was publicly advertised in the River City Press on the 9 October 2025 along with a display notice attached to the premise in accordance with the Regulations, with no objections received.

As no matters of opposition were raised under section 102 and 103 reports; therefore, the matter was considered by the Whanganui District Licensing Commissioner on the papers contained in the full file provided by the secretary.

Commissioner: Stuart Hylton

RESERVED DECISION OF THE WHANGANUI DISTRICT LICENSING COMMITTEE

1. Application

On the 6 October 2025, **Cloud 9 Recreation Limited** on the prescribed form made application for renewal of an On-licence.

The application for renewal of On-licence is in relation to the premises known as *'Play2Win Bowling'*, situated in the old 'Farmer's Building', 131 Victoria Avenue, Whanganui. The premises is risk rated "Low".

The general nature of the business is that of an 'On Licence'. The renewal application seeks to renew with the same existing conditions. This is the premises/licensee's first renewal. The original licence was subject to a hearing by this DLC following opposition/objections from the agencies and members of the public. We can only assume those concerns/fears expressed during the hearing have not eventuated. The agencies report the premises has not come to the notice of authorities in an adverse manner during the renewal period.

The complete file included –

- The application
- Fire evacuation compliance statement
- Host Responsibility Plan
- Food/Drinks list
- Floor plan
- Photo's
- Copy of draft public notice and public display
- Existing Licence
- Reports from Police, Medical Officer of Health and Inspector

2. Decision Making

In considering this application for On-Licence the licensing committee had regard to the criteria under section 131 and 105 of the Act. Section 105 assessments were made using the inspector's full report and own assessment. I accept the inspector's assessment and recommendations.

Key matters raised in complete file including the inspector's reports were –

- The applicant is incorporated under the Companies Act 23 September 2004. Nickholas Azevedo is the sole director and shareholder. There have been no changes to the structure of the company since the previous application.
- The premise has not come to the notice of authorities in an adverse manner during the renewal period. The Inspector reports – *"A review of the premises confirms that operations remain consistent with the current licence. Staff and management appear to be meeting their host responsibility obligations, including appropriate patron identification procedures. There is no evidence of any breaches of licence conditions"*.
- This is the first renewal application.
- The applicant provided a host responsibility plan that if followed should ensure the object of the Act is met.
- Three manager's names were put forward for the licence which is considered to be suitable for this type of premise.
- There were no reports questioning suitability and neither do I.

- The current hours wanting to be renewed have operated without incident i.e.
SUNDAY TO THURSDAY: 10:00AM – 10:00PM
FRIDAY TO SATURDAY: 10:00AM – 11:00PM
- The floor plan submitted with the application is accurately shown on the version date-stamped as received by Whanganui District Council on 6 October 2025. No changes have been made to the design or layout, and the premises continue to operate effectively. The layout supports good oversight and management of alcohol consumption on the premises. During the Inspector's site visit on 15 October 2025, no issues or concerns were identified.
- No CPTED or amenity or good order issues raised with renewal. There is no reason to believe the amenity and good order of the locality would likely to be increased, more than a minor extent, by the effects of a refusal to renew the licence.
- The applicant has satisfactory systems for staff training and performance.
- The application accords with the Whanganui LAP.

3 Reporting Agencies

The following reports were received under section 103 of the Act and taken into account during the decision.

3.1 Police – Report received on 21 October 2025, of no opposition.

3.2 Medical Officer of Health – Report received on 21 October 2025, of no opposition.

3.3 Licensing Inspector – Full report dated 19 November 2025. The inspector has no opposition to the application and assessed the application against s. 105 matters with no matters of opposition raised. The inspector concludes that the application is complete and appears to meet the criteria for renewal of the licence with existing conditions.

4 Conclusion

Based on the evidence provided to me within the complete file, my assessment above of section 105 matters and the past operation of the premise/licensee, I conclude that the application meets the statutory criteria to be granted a renewal of On-licence under the Act for a period of three (3) years, from the expiry date of the previous licence.

The licence will be subject to the conditions identified within the Inspectors report.

5 Decision

The application is **Approved** for issue immediately.

Dated at Whanganui District this 28th day of November 2025.

Signed



Stuart Hylton
Whanganui District Licensing Commissioner

