

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Flowering Rata 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/009/2021) was publicly advertised in the Whanganui Chronicle on the 20 November 2023 with no objections received. 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

The application was received on 17th November 2023 on the prescribed form from **Flowering Rata Limited**.

The application for renewal of On-licence is in relation to the premises known as 'Maria Lane Eatery and Bar' situated at 98 Victoria Avenue, Whanganui.

The premise is currently classified as a Restaurant Style On-licence and is undesignated. There were no changes sought to the current conditions and the premises has not come to the notice of authorities in an adverse manner during the renewal period.

The complete file included –

- The application.
- Host Responsibility Policy.
- Copy of public notice.
- Menu.
- List of managers.
- Code Compliance Certificate.
- Letter from Director explaining reasons for re-designation.
- Letter from Director attesting to premises Fire Evacuation Scheme.
- 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, s. 103(3)(b) reports and own assessment. I accept the inspector's assessment and recommendations.

The inspectors report raised the following pertinent matters for this Committee to consider.

- The applicant is a private company with two directors and three shareholders with plenty of experience. Suitability is not challenged.
- The hours sought are the same:
Interior: Mon to Sun 8.00am to 12.00 midnight
Exterior: Seated Service Only Mon to Sun 9.00am to 11.00pm
- Floor plans have not changed for the renewal and seem suitable for the type of premises.
- A recent inspection noted the applicant has the necessary systems in place including staff training.

The inspector's report failed to raise any other matters of concern after assessing section 105 matters.

3 Reporting Agencies

The following reports were received under section 103 of the Act and considered during the decision.

3.1 Police – No opposition.

3.2 Medical Officer of Health - Report received on 11th December 2023, of no opposition.

3.2 Licensing Inspector – Full report dated 19th February 2024. The inspector has no opposition to the application and assessed the application against s. 105 matters with no matters of opposition raised.

She concludes that the application is complete and appears to meet the criteria for renewal on the conditions presently attached to the licence.

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.

The licence will be subject to the existing conditions.

5 Decision

Accordingly, the application is **Approved** for issue.

Dated at Whanganui District this 19th day of February 2024.

Signed



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Stuart Hylton
Whanganui District Licensing Commissioner

