

Application number: 036/SOL/051/2023

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

AND

IN THE MATTER of an application by **Joamari Van der Walt** for a special-licence pursuant to section 138 of the Act on the occasion of a 'Winter Wonderfest Fundraiser'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Commissioner
Mr S G Hylton



DECISION

1. Introduction

This is an application by **Joamari Van der Walt** for a special licence to be held at the Space Studio and Gallery at 18 St Hill Street, Whanganui. The nature of the particular event for which the licence is sought is for a Winter Wonderfest Fundraiser. The final event of a series celebrating local female entrepreneurs.

The dates and hours for which the licence is sought are –

- **Saturday, 26 August 2023, 4.00pm to 7.00pm**

2. Application

The application was received on 2 August 2023 and included a floor plan.

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.

Medical Officer of Health – No opposition within report dated 18 August 2023.

Licensing Inspector Report – Full report provided by the inspector including assessment of application against section 142 criteria. The Inspector concludes that the application meets both the object and criteria of the Act. Draft conditions are also offered by the inspector.

The inspector also noted the following pertinent points in his report –

- The applicant is an individual who has experience in running similar type of events and has also applied for her own Off-licence which is pending.
- The event is the final in a series of events as a fundraiser where attendees have to be ticket holders. Alcohol should not be a big part of the event.
- Two certified managers are nominated for the licence and are supported by the Inspector.
- The event will involve low levels of alcohol consumption.
- The hours sought are reasonable for the type of event.
- A '**restricted**' designation for the Hall is supported
- Both the Police and MOH have no opposition to the application

I concur with the inspector's assessment and suggested conditions for the event.

4. Decision

Accordingly, the application for Special Licence is **Approved** for issue subject to the conditions outlined in the inspector's report.

DATED at Whanganui this the 24 day of August, 2023.



Secretary
Whanganui District Licensing Committee

