

APPLICATION No.

036/SOL/073/2023

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Lost Art Limited** for
a special-licence pursuant to section 138
of the Act on the occasions of 'Concert –
Reign of the Beast'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **Lost Art Limited** for a special licence in regard to a one day event (concert) to be held at the Musicians Club (1 Watt Street), Whanganui. The nature of the event for which the licence is sought is a 'Concert – Reign of the Beast'. This licence is to cover the applicant selling alcohol "on-site" to attendees for consumption at the concert.

The date and hours sought are –

- **FRIDAY 13 October 2023**

6:00PM – 11:00PM

2. Application

The application was received on 19 September 2023 and included a site plan, letters from owner/organiser, AMP and a menu etc.

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 received on 3 October 2023.

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 key points—

- The applicant is a private company, with the principle director and alter ego being Gioia Damosso. This event is similar to the events the applicant held previously which according to reporting agencies have been well run.
- The event is described as a Concert (Rock Concert) with up to six bands playing hosted over a period of five hours. In this regard the entire event provides for those aged 15 years and over and where recent promotion looks to have patrons pre-purchasing tickets.
- Suitability is not challenged.
- The area to be licensed is the Musicians Club. The area to be licensed will include the hall generally as well as an area outside the hall entrance. Issuing a special licence should not reduce amenity and good order of the locality provided AMP and licence conditions are adhered to.
- The hours appear reasonable for the event being undertaken.
- A certified manager and security contingent is provided to manage the event.
- The applicant has sought a 'supervised designation' for the event which is supported. Permission to use the site has been granted.
- 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 11 day of October, 2023.



Secretary
Whanganui District Licensing Committee

