

APPLICATION No.

036/SOL/086/2021

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 'Food and
Beverage Festival'.

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 events to be held at Majestic Square, Whanganui. The nature of the event for which the licence is sought is a 'Food and Beverage Expo'. This licence is to cover the applicant selling alcohol "on-site" to attendees for consumption at the festival. Other stall holders have their own individual 'off-site' special licences to sell and supply attendees alcohol for consumption off the site.

The date and hours sought are –

- **23 October 2021, 1.00pm to 6.00pm**

2. Application

The application was received on 21 September 2021 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 within report received on 18 October 2021.

Medical Officer of Health – No opposition within report received on 13 October 2021.

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.

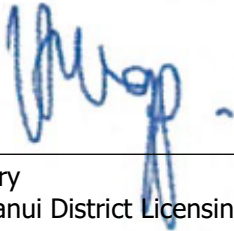
The complete file including inspectors report noted the following key points–

- The applicant is an incorporated body involving two persons, with the principle director and alter ego being Gioia Damosso. This event is similar to the event the applicant held last year which according to reporting agencies was well run. There is an AMP provided and Police/Inspector have been involved in the planning of the event, especially AMP requirements.
- Suitability is not challenged.
- The area to be licensed is Majestic Square which will be fenced off. 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.
- Only ticket holders and persons over the age of 18 are allowed at the event.
- A certified manager and security contingent is provided to manage the event.
- The applicant has asked that the licensed area be designated as 'restricted' for the event and this is supported. The area is shown on the marked up plan and should be clearly delineated on the day. 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 19 day of October, 2021.



Secretary
Whanganui District Licensing Committee

