

Application number: 036/SOL/033/2022

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

AND

IN THE MATTER of an application by **Lunartech Limited** for a special-licence pursuant to section 138 of the Act on the occasion of a 'Concert'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **Lunartech Limited** for a special licence in regard to an event to be held at Porridge Watson establishment at 30 Drews Avenue, Whanganui. The nature of the event for which the licence is sought is a 'Concert'.

The dates and hours sought are the –

- **Saturday 9 July 2022, between 12.00 midnight and 2.00am, the following day.**

2. Application

The application was received on the 22 June 2022, and included a menu and floor plan. This DLC issued a waiver for lateness of application.

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 28 June 2022.

Licensing Inspector Report – Full report provided by the inspector including assessment of application against section 142 criteria.

The file included the following pertinent points –

- The applicant is a private company who run a licensed On-licence establishment and this special licence is to extend normal trading hours past midnight to 2pm for the 'Concert' event.
- The applicant holds an On-Licence but needs a special licence to sell for the extended hours.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The area is the same area that is currently licenced as part of the applicant's on-licence, is part of the CBD area and an extra special licence should not reduce amenity and good order of the locality.
- The area is suitable for the type of event and layout should not be an issue.
- The hours appear reasonable for the event being undertaken. The hours needed are 12 midnight to 2.00am the following day.
- Certified managers are nominated for the event including other staff. This is seen as sufficient to cover the function.
- A 'supervised' designation for the event is supported.
- 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 5th of July, 2022.



Secretary
Whanganui District Licensing Committee

