

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by the **Waimarie Operating Trust** 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/001/2016.2) was publically advertised in the Whanganui Chronicle on the 19 February 2022 along with a display notice attached to the premise in accordance with the Regulations, with no objections received.

As 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

On the 20 January 2022, **Waimarie Operating Trust** on the prescribed form made application for renewal of an On-licence. This is the third renewal application.

The application for renewal of On-Licence is in relation to the vessel known as '*Waimarie*' which is moored at and sails from 1A Taupo Quay, Whanganui.

The general nature of the business is that of an 'On-licence Conveyance'. The renewal application seeks to renew with the same existing conditions. The vessel is undesignated and has not come to the notice of authorities in an adverse manner during the renewal period.

The complete file included –

- The application
- Fire evacuation compliance statement
- Fire Evacuation Plan
- Host Responsibility Plan
- Food/Drinks list
- Floor plan
- Photo's
- S.208 waiver and decision for lateness
- Copy of draft public notice and public display
- Existing Licence
- 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 and own assessment. I accept the inspector's assessment and recommendations.

Key matters raised in complete file including the inspector's reports were –

- The applicant is a charitable trust and alcohol is not a big part of the Waimarie experience.

- The vessel has not come to the notice of authorities in an adverse manner during the renewal period.
- The applicant provided a host responsibility plan that if followed should ensure the object of the act is met.
- One certified manager's name was put forward for the licence which is considered to be the minimum required. Given the nature of the operation this is seen as sufficient. The applicant appears to have appropriate systems, staff and training to comply with the law.
- There were no reports questioning suitability and neither do I.
- The current hours wanting to be renewed have operated without incident i.e.

Monday to Sunday, between 8.00am and 1.00am the following day.

- Floor plan provided works well for the general nature of the operation with the whole vessel being licensed.
- Current non designation across the entire premise to remain.
- No CPTED or amenity or good order issues raised with renewal. There is no reason to believe the amenity and good order of the locality would likely to be increased, more than a minor extent, by the effects of a refusal to renew the licence.
- The applicant has appropriate systems for staff training and performance.

3 Reporting Agencies

The following reports were received under section 103 of the Act and taken into account during the decision.

3.1 Police – Report received on 31 January 2022, of no opposition.

3.2 Medical Officer of Health – Report received on 16 February 2022, of no opposition.

3.3 Licensing Inspector – Full report dated 11 March 2022. The inspector has no opposition to the application and assessed the application against s. 105 matters with no matters of opposition raised. The inspector concludes that the application is complete and appears to meet the criteria for renewal of the licence with existing conditions.

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, from the expiry date of the previous licence.

The licence will be subject to the conditions suggested in the Inspectors report.

5 Decision

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

Dated at Whanganui District this 11 day of March 2022.

Signed



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Stuart Hylton
Whanganui District Licensing Commissioner

