

Application number: 036/SOL/054/2019


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

AND

IN THE MATTER of an application by **Whanganui District Council** for a special-licence pursuant to section 138 of the Act on the occasion of an 'Centenary Celebration'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **Whanganui District Council** for a special licence in regard to an event to be held at 10D Rodney Street, Whanganui. The nature of the event for which the licence is sought is an "Centenary Celebration – Durie Hill Elevator", where the sale and consumption of alcohol is likely to be minimal.

The date and hours sought are –

- **Friday, 21st June 2019, between 5.30pm and 7.30pm**

2. Application

The application was received on 7 June 2019 and included a site 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 within report received on 19 June 2019.

Medical Officer of Health – No opposition within report received on 11 June 2019.

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 inspector noted the following pertinent points in her report –

- The applicant is the Whanganui District Council and the area is a public place. Sale of alcohol will not take place rather a few drinks to celebrate the centenary.
- The applicant has run similar events in the past with no known issues arising
- These are community engagement activities, suitability is not challenged.
- The type of event is very small and an extra special licence should not reduce amenity and good order of the locality.
- The marked floor plan was included which involves the general public area at the top of the elevator.
- The hours appear relevant for the events being undertaken.
- Alcohol consumption will be minimal for the event.
- No certified manager is nominated for the event. Staff and security will be employed to control the evening. A s. 213(2) waiver is recommended for **Kym Fell** to act as manager for the event.
- A designation for the event is not requested or required.
- 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 21 day of June, 2019.



Secretary

Whanganui District Licensing Committee

