

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 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/001/2023.1) was publicly advertised in the Whanganui Midweek on the 21 February 2024 with no objections received. 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

DECISION OF THE WHANGANUI DISTRICT LICENSING COMMITTEE

1. Application

The renewal application was received on 13 February 2024 on the prescribed form from **Whanganui District Council**.

The application for renewal of On-licence is in relation to the premises known as '*Royal Whanganui Opera House*' situated at 69 St Hill Street, Whanganui.

The premise is currently classified as a Theatre/Cinema Style On-licence which is undesignated.

There were no changes sought to the current conditions and the premises has not come to the notice of authorities in an adverse manner during the renewal period.

The complete file included –

- The application.
- Host Responsibility Policy.
- Copy of public notice.
- Menu.
- List of managers.
- Code Compliance Certificate.
- Letter from Director explaining reasons for re-designation.
- Letter from Director attesting to premises Fire Evacuation Scheme.
- 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, s. 103(3)(b) reports and own assessment. I accept the inspector's assessment and recommendations.

The inspectors report raised the following pertinent matters for this Committee to consider.

- The applicant the Whanganui District Council is a Territorial Authority as defined under the Local Government Act 2022 as a body corporate with perpetual succession. The Whanganui District Council has taken over management of its assets and this includes the licensing of its venues. The applicant has a vested interest that its assets and that its reputation is held to high regard.
- The applicant has five managers listed to manage the license. Suitability is not challenged.
- The hours sought are the same:
Monday to Sunday 1.00pm to 12.00 midnight
- The site plan has not changed for the renewal and seems suitable for the type of premises and activities.
- A recent inspection noted the applicant has the necessary systems in place including staff training.

The inspector's report failed to raise any other matters of concern after assessing section 105 matters.

3 Reporting Agencies

The following reports were received under section 103 of the Act and considered during the decision.

3.1 Police – No opposition within report dated 1 March 2024.

3.2 Medical Officer of Health - Report received on 5 March 2024, of no opposition.

3.2 Licensing Inspector – Full report dated 5 April 2024. The inspector has no opposition to the application and assessed the application against s. 105 matters with no matters of opposition raised.

She concludes that the application is complete and appears to meet the criteria for renewal on the conditions presently attached to the licence.

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.

The licence will be subject to the existing conditions.

5 Decision

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

Dated at Whanganui District this 23rd day of April 2024.

Signed



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Stuart Hylton
Whanganui District Licensing Commissioner

