

**Application number: 036/SOL/064/2021**

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

**AND**

**IN THE MATTER** of an application by **Emma Newborn** for a special-licence pursuant to section 138 of the Act on the occasion of a 'Theatre Show'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

Chairperson  
Mr Stuart Hylton



**DECISION**

**1. Introduction**

This is an application by **Emma Newborn** for a special licence in regard to an event to be held at a Woolshed on private property, 964 Tokomaru West Road, Whanganui. The nature of the events for which the licence is sought is a 'Theatre Event – Comedy and Music'.

The date and hours sought are –

- **Friday, 29th October, 2021, between 6.30pm and 9.30pm.**

**2. Application**

The application was received on 26 July 2021 and included a floor plan, event flyer and letter from the owner of the woolshed giving permission for the use.

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** – A report dated 2 August 2021 offering no opposition to the application.

**Medical Officer of Health** – No opposition within report received on 29 July 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 file notes the following pertinent points –

- The applicant is a natural person.
- Suitability is not challenged.
- The premise to be licensed is a private woolshed in a very rural area. The granting of the special licence should not reduce the amenity and good order of the locality.
- The premise and area is suitable for the type of event and layout has been suitable in the past. The marked floor plan shows the area to be licensed and the application includes a letter from the property owner.
- The hours appear reasonable for the event being undertaken.
- A certified manager is nominated for the event to ensure compliance.
- The woolshed will be undesignated.
- Both the Police and MOH have no objections 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 2nd day of August, 2021.

  
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Secretary  
Whanganui District Licensing Committee

