

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by **Whanganui Marist Rugby Football Club Incorporated** for a renewal of Club Licence pursuant to section 127 of the Supply of Alcohol Act 2012.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

The application for renewal of Club Licence (036/CLUB/005/2016.2) was publically advertised in the Wanganui Chronicle on the 11th July 2022. No objections were received.

No matters of opposition were raised under section 128 and 129 reports; therefore the matter is 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**

**Wanganui Marist Rugby Football Club Incorporated** made the application on the prescribed form received on 7 July 2022.

The application for renewal of Club Licence is in relation to the clubs premises at 23 Hatrick Street, Whanganui.

The general nature of the business is that of a sports (rugby) club. The Whanganui Marist Rugby Football Club has been incorporated since 1971 and has held a liquor licence most of those years. The sale and supply of liquor is not the main focus of the club.

The renewal seeks to vary the conditions through the extension of the licensed footprint to include the outside BBQ area as shown on an amended site plan. The inspector has no opposition to this variation.

The premise has not come to the notice of officials during the renewal period.

The complete file included –

- The application
- Supporting letter
- Floor plan
- Reports from Police, Medical Officer of Health and Inspector
- Club's Host Responsibility Policy
- Fire Evacuation Scheme letter of compliance from applicant
- Food / Drink list menu
- Copy of current licence
- Notice of renewal
- Copy of public advertisement and premise advertisement

**2. Decision Making**

In considering this application for Club-Licence the licensing committee had regard to the criteria under section 131 and 105 of the Act.

**Section 105/131 assessments:**

**(a) the object of this Act:**

The inspector notes that the applicant has supplied a Host Responsibility Policy stating the measures to be undertaken to ensure the responsible sale and supply of alcohol. There have been no issues raised concerning previous operations so if the policy is followed then compliance with the object of the Act should be able to be achieved.

**(b) the suitability of the applicant:**

The applicant is an incorporated society since 1971 and located on the current site for many years. The applicant has supplied the name of two certified managers for the licence. This is considered to be sufficient to manage the licence and the Club have been made aware of concerns about keeping this level up.

The suitability of the applicant is not challenged.

**(c) any relevant local alcohol policy:**

The applicant has some discretionary LAP conditions on their licence.

**(d) the days on which and the hours during which the applicant proposes to sell alcohol:**

Applicant has applied for the same days and hours as currently enjoyed i.e.

- **Monday to Friday, 6.00pm to 10.00pm,**
- **Saturday, 11.00am to 12.00 midnight,**
- **Sunday, 11.00am to 10.00pm.**

This is seen as adequate and has operated in the past without incident.

**(e) the design and layout of any proposed premises:**

Past CPTED assessments have not raised any issues. An amended floor plan layout appears to function satisfactorily and is accepted by the inspector.

**(g) whether the applicant is engaged in, or proposes on the premises 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:**

Currently the focus is on sport, namely rugby.

**(j) whether the applicant has appropriate systems, staff, and training to comply with the law:**

Previous operations have been satisfactory and therefore systems seem appropriate. The applicant has indicated staff have a good understanding of the Act.

**(k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103. (see 3 below)**

**(s.131(1)(b))whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:**

No issues raised and amenity and good order should not be compromised by the renewal of the licence.

**(s.131(1)(d)the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.**

No issues raised within file.

### **3 Reporting Agencies**

The following reports were received under section 103 and 129 of the Act and taken into account during the decision.

**3.1 Police** – No opposition.

**3.2 Medical Officer of Health** - Report received on 20 July 2022 of no opposition.

**3.2 Licensing Inspector** – Full report dated 10<sup>th</sup> August 2022. The inspector is satisfied the application is complete and has no opposition to the renewal application with extended licensed footprint.

### **4 Conclusion**

Based on the evidence provided to me within the complete file, my assessment above of section 105/131 matters and the past operation of the premise/licensee, I conclude that the application meets the statutory criteria to be granted a renewal of Club-Licence under the Act for a period of three (3) years.

### **5 Decision**

The licence can be issued subject to the conditions in the Inspectors report and the licensed area being extended to reflect the amended site plan as submitted.

The application is **Approved** for issue immediately.

**Dated at Whanganui District this 10 August 2022.**

**Signed**

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Stuart Hylton  
Whanganui District Licensing Commissioner

