

**Application number:** 036/SOL/003/2016

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

**AND**

**IN THE MATTER** of an application by Wanganui River Festival for a special-licence pursuant to section 138 of the Act on the occasion of the 'Whanganui Riverside Festival'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**



Chairperson  
Mr Stuart Hylton

**DECISION**

1. Introduction

This is an application by Wanganui River Festival for a special licence in regard to an event to be held at the Riverside/Moutoa Quay area, Whanganui. The nature of the event for which the licence is sought is the 'Whanganui Riverside Festival' which is part of the overall Whanganui Vintage Weekend. The dates and hours sought are 24<sup>th</sup> February 2016, between 12.00noon and 5.30pm.

2. Application

The application was received on 22nd December 2015.

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 objection within report received on 18th January 2016.

**Medical Officer of Health** – No objection within report received on 11<sup>th</sup> January 2016.

**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 his report –

- The applicant is the organising committee for the festival.
- The applicant has planned and supervised similar events in the past.
- Suitability is not challenged.
- The locality has been developed specifically for the events purpose and the special licence for this type of activity should not reduce amenity and good order of the locality.
- The marked up site plan has been provided and is referred to as the village. It will be manned by Maori wardens.
- The hours appear relevant for the event being undertaken.
- A suitable manager and volunteers are nominated for the event. A section 213(2) waiver is recommended for the manager being non-certified.
- The non-designation is supported.
- 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 and a s. 213(2) waiver.

**DATED** at Whanganui this 19th day of January, 2016.

  
Secretary  
**Whanganui District Licensing Committee**

