

**Application number:** **036/SOL/093/2021**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by **Bricklane Limited**  
for a special-licence pursuant to section  
138 of the Act on the occasion of the  
'Three Days deep – DJ Festival'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

Chairperson  
Mr Stuart Hylton



**DECISION**

**1. Introduction**

This is an application by **Bricklane Limited** for a special licence in regard to an event which is to licence areas within the War Memorial Hall Forecourt, Queens Park, Whanganui. The nature of the event for which the licence is sought is the 'Three Days deep – DJ Festival'.

The date and hours sought are –

- **Thursday 20 January 2022 to Saturday 22 January 2022, between 12.00 midday and 1.00am daily.**

**2. Application**

The application was received on 14<sup>th</sup> October 2021. The application included a site map, alcohol mgt plan, noise plan etc.

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 21 December 2021.

**Medical Officer of Health** – No opposition within report received on 18 December 2021.

**Licensing Inspector Report** – Full report provided by the inspector including assessment of application against section 142 criteria. The report was very thorough and gives the DLC some comfort matters have been well planned and thought about. 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 their report –

- The applicant is a private company.
- The applicant holds On Licences for other premises, is experienced in the trade and putting on special events but needs a special licence to sell to patrons in this unlicensed venue for this specific event.
- This is a three day event with a crowd limit of 2000 people. The Sunday is a backup day if rain ruins one of the other days.
- The applicant has not come to the notice of enforcement agencies previously. The applicant has held similar licences.
- Suitability is not challenged.
- The premise (War Memorial Hall Forecourt and Surrounds) have been in existence for some years and an extra special licence should not reduce amenity and good order of the locality. A noise plan is in place and will be monitored. This area has been used for similar type of large gatherings previously.

- The premise is suitable for the type of event and layout has been suitable in the past. The area to be licensed for the special event is the entrance foyer, forecourt and surrounds as shown on the site map. The whole licensed area is to be designated "restricted".
- The hours appear reasonable for the events being undertaken.
- Three certified managers are nominated for the events including other staff and security. This is seen as sufficient to cover the function.
- Both the Police and MOH have no opposition to the application and have worked with the applicant to ensure all concerns have been addressed.

#### 4. Decision

The application for Special Licence is **Approved** for issue subject to the conditions outlined in the inspectors report with the addition of the following three conditions –

- A one way door policy shall be enforced daily from 5pm,
- Only single service drinks to be served after 11pm.
- No 8% RTD's to be sold during the event.

**DATED** at Whanganui this 21st day of December, 2021.

Secretary  
Whanganui District Licensing Committee

