

1. **IN THE MATTER**  
2012

of the Sale and Supply of Alcohol Act

**AND**

**IN THE MATTER**

of an application by the **Bula Bure Limited**  
for a special-licence pursuant to section 137  
of the Act on the occasion of '**New Year's  
Eve Celebration**'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

Chairperson  
Mr Stuart Hylton



**DECISION**

**1. Introduction**

This is an application by **Bula Bure Limited** for a special licence in regard to an event to be held at the restaurants premises, 149 London Street, Whanganui. The nature of the event for which the licence is sought is '**New Year's Eve Celebration**'. The premises is licensed but requires an extra hour to cover the New Year 's Eve celebration.

The date and hours sought are –

- **New Year's Eve: Saturday, 1<sup>st</sup> January 2022, from 12.00 midnight to 1.00am.**

**2. Application**

The application was received on 16<sup>th</sup> December 2021 and included a menu, floor plan and waiver request. 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 20 December 2021.

**Medical Officer of Health** – No opposition within report received on 20 December 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 inspector noted the following pertinent points in his report –

- The applicant holds a licence but requires a special licence for New Year's Eve extended hours.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The premise and licence is in existence and an extra special licences of this nature should not reduce amenity and good order of the locality.
- The premise is suitable for the type of event and layout has been suitable in the past. The marked floor plan was included.
- The hours appear relevant for the event being undertaken.
- Certified managers are nominated for the event including other staff. This is seen as sufficient to cover the functions.
- A designation for the event is not required.
- 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 20th day of December, 2021.

  
Secretary  
Whanganui District Licensing Committee

