

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application for a special licence
pursuant to s. 137 by the Whataroa
Community Association in respect of
premises known as The Whataroa
Community Hall at Scally Road,
Whataroa.

DECISION OF THE WESTLAND DISTRICT LICENSING COMMITTEE ON AN UNCONTESTED APPLICATION

Authority:

Pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 and a Council resolution dated 28 November 2013, the functions, powers and duties of the Westland District Licensing Committee are delegated to the committee chairperson where no objection has been filed, and no matters of opposition have been raised by the Police, the Medical Officer of Health or an Inspector. There is no Local Alcohol Policy in place for the District.

Summary of Evidence

A special licence is sought for the purposes of providing an Alcohol Service at the Whataroa community Hall on Saturday 2 July 2022 and on Friday 25 November 2022 for the purposes of a Social community get-together for an evening with Jody Direen and a community games evening respectively.

A report from the Inspector concludes that the applicant is suitable to operate the events under a special licence.

I note that it is intended to have a qualified Manager supervise the event.

The Police have no objection to the grant of the special licence.

The Medical Officer of Health has not reported on the application as the District Council staff involved have, apparently, not been able to contact the officer.

Evaluation of Evidence

I have considered the application on the basis of the uncontested reports received and the complete file which has been made available to me. The application was not publicly notified. The matter can, therefore, be dealt with on the papers.

The events are to be held on Saturday 2 July 2022 between the hours of 6.30pm and 2.00am the following day and on Friday 25 November 2022 from 6.30pm until midnight.

The Inspector has considered the measures to be taken by the applicant to ensure that the applicant has a range of strategies to ensure responsible sale and supply of alcohol. If the licence is exercised the way the application states that it is intended to, then the event will be a success in so far as the Sale and Supply of Alcohol Act 2012 is concerned.

I also note that the applicant is no stranger to holding Special Licences. The application places the management of the event in the hands of Lisa Maree Stevenson who is the holder of manager's certificate.

The extent of the licensed area is shown on a clear plan attached to the application I have not identified any compelling reason to impose designations.

I am surprised that the Council Staff have been unable to contact the Medical Officer of Health. I know through the media that the health service in New Zealand is currently stretched but being unable to contact the Medical Officer of Health seems odd. I am proceeding with the application because of time constraints

and I hope that the Secretary is in a position to explain any short coming to the Medical Officer of Health as I do not think that this is a matter that can be explained with section 103(4) in mind.

Decision and Reasons

I am satisfied as to those matters provided for in s.142 of the Act.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **058-2022** and I direct that a licence be issued pursuant to s.64 of the Act.

The terms and conditions will be:

Pursuant to s. 213(1) of the Sale and Supply of Alcohol Act 2012, the licensee shall appoint Lisa Maree Stevenson to be the manager.

The Licence may be exercised for the sale and supply of alcohol to any person lawfully attending the premises on Saturday 2 July 2022 from 6.30pm through to 2.00am the following day and on Friday 25 November 2022 from 6.30pm until midnight..

The extent of the licensed area is that internal area of the Whataroa Community Hall shown on a plan attached to the application date stamped as received on 20 May 2022.

Pursuant to section 147 (3)(b) of the Act drinking water shall be freely available to all customers at all times that the licence is being exercised.

Dated at Hokitika this 30 day of June 2022



Richard Simpson
Chairman, Westland District Licensing Committee

