

**APPLICATION NUMBER: 32/SL/4451/2024**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by **Elizabeth Helen Wheeler** for a special-licence pursuant to section 138 of the Act on the occasion of an 'Annual Pink Ribbon Fundraiser for the Breast Cancer Foundation NZ'.

**BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE**

**Chairperson: Mr Stuart Hylton**

**DECISION**

**1. Introduction**

This is an application by **Elizabeth Wheeler** for a special licence in regard to an event to be held at the Miriama Community Hall, 10 Miriama Street, Taumarunui. The nature of the event for which the licence is sought is an 'Annual Pink Ribbon fundraiser for the Breast Cancer Foundation NZ'.

The date and hours sought are –

**Thursday 23 May 2024 from 4.30pm until 9.30pm.**

**2. Application**

The application was received on the 24 April 2024 and included a site plan, event flyer and food list.

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 3 May 2024.

**Medical Officer of Health** – No opposition within report received on 30 April 2024.

**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. The Inspector has no opposition to the issuing of the licence subject to the recommended conditions.

The inspectors report/file noted the following key matters –

- The Inspector states - *‘Mrs Wheeler has organised Pink Ribbon fundraising events for the past 10 years and was granted a special Licence for a hospice fundraiser in October 2017. In addition, Mrs Wheeler was the secretary/manager of the Manunui Club (a licensed Club premises) between 1987 and 1994, so has plenty of historic experience with the management of the sale and supply of alcohol’.*
- The applicant is an individual who makes the application and will oversee the sale and supply of alcohol at the event. The applicant has industry experience and has applied for and operated special licences previously.
- The event is in a community hall that is separate to but on the ground floor of the Taumarunui Cosmopolitan Club. The application describes the event as “...we plan to sell tickets to an informative, educational, entertaining evening, that will be a collective fusion of entertainment, education, support with raffles, beautiful food and entertainment.” There will be speakers and singers at various points throughout the evening.
- Suitability is not challenged.
- The premises is a Community Hall owned by the Council. Council has given consent for the use of the hall for this purpose. The design and layout of the premises poses no problems to the reporting agencies given the temporary nature of the Special Licence. The floor plan is dated 24 April 2024 on the application file.
- The hours appear relevant for the event being undertaken.
- A non-certified manager, Elizabeth Wheeler, is nominated to oversee the event along with other organising assistants.
- Both the Police and MOH have no opposition to the application

#### 4. Decision

The application for Special Licence is **Approved** for issue subject to the following conditions.

#### 5. Conditions

- a) Alcohol may only be sold under the licence to persons attending **the Annual Pink Ribbon Fundraiser for the Breast Cancer Foundation NZ** on the following days and during the following hours:

**Thursday 23 May 2024 from 4.30pm until 9.30pm.**

- b) Alcohol must only be sold, supplied and consumed within the area marked on the plan submitted with the application date stamped as received by the District Licensing Committee on 24 April 2024.
- c) A copy of this licence with all the conditions, must be clearly displayed in a prominent place so all persons can read it.
- d) Drinking water shall be freely available on the premises as specified in the application.
- e) The licence holder must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- f) Food must be available for consumption on the premises as specified in the application.
- g) Low-alcohol beverages must be available for sale and supply on the premises as specified in the application.
- h) Non-alcoholic beverages must be available for sale and supply on the premises as specified in the application.
- i) The licensee must provide assistance with or information about alternative forms of transport from the premises as specified in the application.
- j) The licensee must take the following steps to ensure that the provisions of this Act relating to the management of premises are observed:

That at least one nominated manager must be present at all times during the event to oversee the licence, and

The duty manager's name must be prominently displayed inside the premises.

**DATED** at Taumarunui this 11<sup>th</sup> day of May, 2024.



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Stuart Hylton  
**Commissioner**  
**Ruapehu District Licensing Committee**