

TASMAN DISTRICT LICENSING COMMITTEE

AGENDA FOR DETERMINATION OF APPLICATIONS

Date: Wednesday 23 September 2015

Time: 8.30 am

Venue: Cobb Room, Tasman District Council, 189 Queen Street, Richmond

Chair: Cr Brian Ensor

Declaration of Interest

N/A

Special Licence

File Ref	Applicant/Event	Application Approved/Refused
SP2124	K Braniff & G Anderson/Ngatimoti Festival	Approved 23/9/15

On-licence application

File Ref	Applicant	Application Approved/Refused
ON0118	Kaiteriteri Recreation Reserve Board/ variation application	Approved 23/9/15

New Managers Certificates

File Ref	Applicant	Application Approved/Refused
MGR2323	R Campbell	Approved 23/9/15
File Ref	Applicant	Application Approved/Refused
MGR2324	A Gudsell	Approved 23/9/15
File Ref	Applicant	Application Approved/Refused
MGR2325	T Hamilton	Approved 23/9/15

Renewal of Managers Certificates

File Ref	Applicant	Application Approved/Refused
MGR0959	A Sutherland	Approved 23/9/15
File Ref	Applicant	Application Approved/Refused
MGR1571	A Page	Approved 23/9/15
File Ref	Applicant	Application Approved/Refused
Mgr2182	B Chinnery	Approved 23/9/15
File Ref	Applicant	Application Approved/Refused
MGR2240	R Trevaskis	Approved 23/9/15
File Ref	Applicant	Application Approved/Refused
MGR2245	E Evitt	Approved 23/9/15

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. SP2124

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Kirsten Braniff & Graeme Anderson for Ngatimoti School PTA for a Special Licence pursuant to Section 138 of the Act in respect of premises situated at Greenhill Road, Ngatimoti known as Ngatimoti School and Ngatimoti Reserve

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr Brian Ensor
Members: L Gabites
D Lewis

DECISION

The general nature of the event to be held is that of a community festival.

Reports were received from the Licensing Inspector, the Police and the Medical Officer of Health and no matters in opposition were raised. Accordingly we deal with the matter on the papers.

In considering the range of matters to which we must have regard, we note that the Tasman District Council Local Alcohol Policy (LAP) contains a discretionary condition in clause 2.3.3 relating to the sale of alcohol pursuant to special licences. Specifically the LAP states:

No school fete, gala or similar event held on school grounds at which the participation of children can be reasonably expected shall allow for the consumption of alcohol on the premises.

We observe from detail provided with the application, that both the alcohol sales and associated facilities such as toilets will be located on the Ngatimoti School grounds. Further, the application is made on behalf of the Ngatimoti School PTA and information provided with the application identifies that attendees are expected to cover a wide spectrum of ages including children. We conclude that the discretionary condition included in the LAP to be applicable to the Ngatimoti Festival.

In mitigation, the applicant has volunteered the following:

1. Only having alcohol sales in a single location;
2. The bar will be operated as a restricted area, and persons under the age of 18 shall not be permitted in that restricted area;
3. The bar will be housed in a 3 sided marquee and that there will be no promotional signage or specific advertising visible outside of the bar;
4. No alcohol will be permitted to be removed from the restricted area;

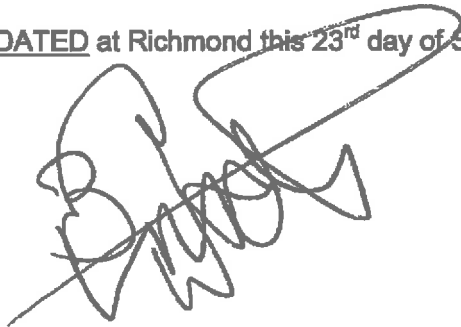
5. The licensed area will be limited to approximately 6 metres by 10 metres and it will be roped off from the other activities at the Festival;
6. The hours that the bar operates are the hours shown on the licence, and the event shall otherwise be alcohol free.

The Committee notes that it is not comfortable granting licenses that breach the principle or intent of any relevant provisions of the LAP, but also observes that in this case, there are some mitigating circumstances. Should a similar event be intended for next year, we recommend to the organising committee that the discretionary condition of the LAP detailed above is given careful consideration.

We are satisfied as to the matters to which we must have regard as set out in Sections 142 and 143 of the Act, and we grant the applicant the Special Licence sought subject to conditions. A copy of the licence setting out the conditions to which it is subject is attached to this decision.

The licence may issue immediately.

DATED at Richmond this 23rd day of September 2015

A handwritten signature in black ink, appearing to be 'D. Smith', written over a horizontal line. The signature is stylized and somewhat cursive.

**Chairperson
Tasman District Licensing Committee**

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/ON/030/2015

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Kaiteriteri Recreation Reserve Board pursuant to s.127 of the Act for variation of an on-licence in respect of premises situated at 1 Kaiteriteri-Sandy Bay Road, Kaiteriteri known as "Shoreline Restaurant Kaiteriteri"

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr Brian Ensor
Members: L Gabites
D Lewis

DECISION

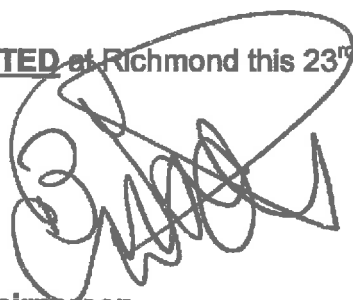
This is an application by Kaiteriteri Recreation Reserve Board for variation of an on-licence in respect of premises situated at 1 Kaiteriteri-Sandy Bay Road, Kaiteriteri, known as "Shoreline Restaurant Kaiteriteri".

The applicant seeks to vary the defined area of the premises.

The application was publicly advertised and there were no objections. Reports were received from the Licensing Inspector, the Police and the Medical Officer of Health and no matters in opposition were raised. Accordingly we deal with matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.131 of the Act. In accordance with Practice Statement LIQ/ADM 1 issued under s.176 of the Act a new licence will issue which will expire on **14 October 2016** unless again renewed.

DATED at Richmond this 23rd day of September 2015



**Chairperson
Tasman District Licensing Committee**

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/CERT/148/2015

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Rosalind Jane
Campbell pursuant to s.219 of the
Act for a Manager's Certificate

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

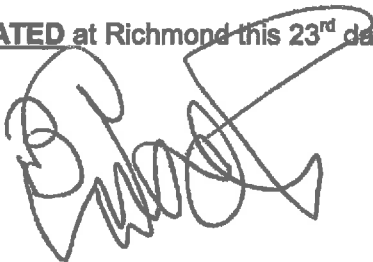
Chairperson: Cr B Ensor
Members: L Gabites
D Lewis

DECISION

This is an application by Rosalind Jane Campbell for a Manager's Certificate. Reports have been received from the Police and the Licensing Inspector and no matters were raised in opposition. Accordingly we shall deal with the matter on the papers.

We are satisfied that the applicant meets the criteria as set out in s.222 of the Act and grant the application accordingly. The Manager's Certificate may issue immediately.

DATED at Richmond this 23rd day of September 2015



**Chairperson
Tasman District Licensing Committee**

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/CERT/146/2015

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Aleshia Marie
Gudsell** pursuant to s.219 of the Act
for a Manager's Certificate

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr B Ensor
Members: L Gabites
D Lewis

DECISION

This is an application by Aleshia Marie Gudsell for a Manager's Certificate. Reports have been received from the Police and the Licensing Inspector and no matters were raised in opposition. Accordingly we shall deal with the matter on the papers.

We are satisfied that the applicant meets the criteria as set out in s.222 of the Act and grant the application accordingly. The Manager's Certificate may issue immediately.

DATED at Richmond this 23rd day of September 2015



**Chairperson
Tasman District Licensing Committee**

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/CERT/147/2015

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Todd Murray
Hamilton** pursuant to s.219 of the
Act for a Manager's Certificate

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr B Ensor
Members: L Gabites
D Lewis

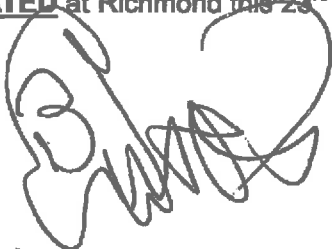
DECISION

This is an application by Todd Murray Hamilton for a Manager's Certificate. Reports have been received from the Police and the Licensing Inspector and no matters were raised in opposition. Accordingly we shall deal with the matter on the papers.

It is noted that the applicant has little or no experience in the sale of alcohol from "On" licence premises, so it is agreed between the applicant and the Tasman District Licensing Committee that the function of Manager will only be undertaken in "Off" licence premises. This limitation may be reviewed by the Tasman District Licensing Committee and removed as soon as suitable experience is obtained by the applicant.

We are satisfied that the applicant meets the criteria as set out in s.222 of the Act and grant the application accordingly. The Manager's Certificate may issue immediately.

DATED at Richmond this 23rd day of September 2015



**Chairperson
Tasman District Licensing Committee**

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/CERT/150/2015

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Andrew Mark
Sutherland pursuant to s.224 of the
Act for a renewal of a Manager's
Certificate

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr Brian Ensor
Members Laurie Gabites
David Lewis

DECISION

This is an application by Andrew Mark Sutherland for a renewal of a Manager's Certificate. Reports were received from the Licensing Inspector and the Police, and no matters in opposition were raised. Accordingly we deal with the matter on the papers.

The applicant holds the prescribed qualification required by s.218 of the Sale and Supply of Alcohol Act 2012, and we are satisfied as to the other matters to which we must have regard as set out in s.227 of the Act.

The applicant has also applied for a waiver under Section 208 of the Act due to the late application for renewal of his managers certificate. The expiry date on the certificate was 29 July 2015. We note that the applicant attempted to undertake some action towards the renewal of his managers certificate on the 20th of July 2015, nine days prior to the expiry date. Subsequently the matter slipped the applicants mind as he reports travelling to Germany for a work related conference, and we are advised that the certificate expired during the period he was travelling. He subsequently dealt with the matter urgently on his return to New Zealand and the application for renewal was lodged five days late on Monday 3rd August 2015.

We are satisfied that the neglect or omission that lead to the application for renewal being lodged after the expiry date was not willfull, and grant the application for a waiver pursuant to section 208 of the Act.

Accordingly, we grant the application for a renewal of a manager's certificate pursuant to s.228 of the Act. In accordance with Practice Statement LIQ/ADM 1 issued under s.176 of the Act a new certificate will issue which will expire on 29 July 2018 unless again renewed.

DATED at Richmond this 23rd day of September 2015


Chairperson
Tasman District Licensing Committee

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/CERT/149/2015

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Aimey Lee Page**
pursuant to s.224 of the Act for a
renewal of a Manager's Certificate

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr Brian Ensor
Members Laurie Gabites
David Lewis

DECISION

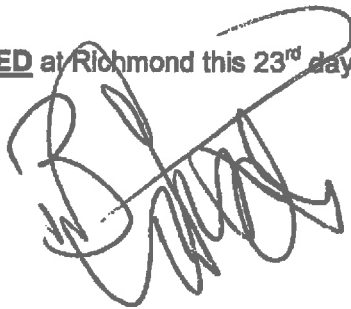
This is an application by Aimey Lee Page for a renewal of a Manager's Certificate. Reports were received from the Licensing Inspector and the Police, and no matters in opposition were raised. Accordingly we deal with the matter on the papers.

The applicant holds the prescribed qualification required by s.218 of the Sale and Supply of Alcohol Act 2012, and we are satisfied as to the other matters to which we must have regard as set out in s.227 of the Act.

It is noted that the applicant has little or no experience in the sale of alcohol from "On" licence premises, so it is agreed between the applicant and the Tasman District Licensing Committee that the function of Manager will only be undertaken in "Off" licence premises. This limitation may be reviewed by the Tasman District Licensing Committee and removed as soon as suitable experience is obtained by the applicant.

We grant the application for a renewal of a manager's certificate pursuant to s.228 of the Act. In accordance with Practice Statement LIQ/ADM 1 issued under s.176 of the Act a new certificate will issue which will expire on **7 October 2018** unless again renewed.

DATED at Richmond this 23rd day of September 2015



**Chairperson
Tasman District Licensing Committee**

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/CERT/149/2015

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Aimey Lee Page**
pursuant to s.224 of the Act for a
renewal of a Manager's Certificate

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr Brian Ensor
Members Laurie Gabites
David Lewis

DECISION

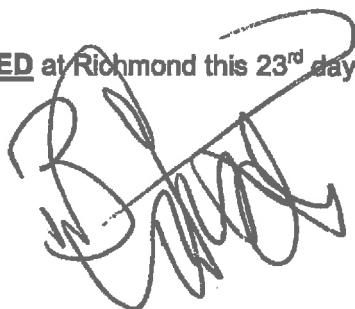
This is an application by Aimey Lee Page for a renewal of a Manager's Certificate. Reports were received from the Licensing Inspector and the Police, and no matters in opposition were raised. Accordingly we deal with the matter on the papers.

The applicant holds the prescribed qualification required by s.218 of the Sale and Supply of Alcohol Act 2012, and we are satisfied as to the other matters to which we must have regard as set out in s.227 of the Act.

It is noted that the applicant has little or no experience in the sale of alcohol from "On" licence premises, so it is agreed between the applicant and the Tasman District Licensing Committee that the function of Manager will only be undertaken in "Off" licence premises. This limitation may be reviewed by the Tasman District Licensing Committee and removed as soon as suitable experience is obtained by the applicant.

We grant the application for a renewal of a manager's certificate pursuant to s.228 of the Act. In accordance with Practice Statement LIQ/ADM 1 issued under s.176 of the Act a new certificate will issue which will expire on 7 October 2018 unless again renewed.

DATED at Richmond this 23rd day of September 2015



**Chairperson
Tasman District Licensing Committee**

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/CERT/112/2014

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Barry Allen
Chinnery** pursuant to s.224 of the
Act for a renewal of a Manager's
Certificate

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr Brian Ensor
Members Laurie Gabites
David Lewis

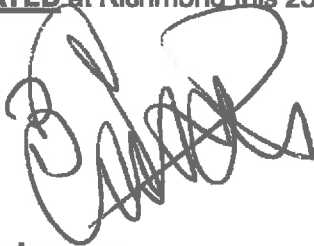
DECISION

This is an application by Barry Allen Chinnery for a renewal of a Manager's Certificate. Reports were received from the Licensing Inspector and the Police, and no matters in opposition were raised. Accordingly we deal with the matter on the papers.

The applicant holds the prescribed qualification required by s.218 of the Sale and Supply of Alcohol Act 2012, and we are satisfied as to the other matters to which we must have regard as set out in s.227 of the Act.

We grant the application for a renewal of a manager's certificate pursuant to s.228 of the Act. The certificate will expire on 9 July 2018 unless again renewed.

DATED at Richmond this 23rd day of September 2015



**Chairperson
Tasman District Licensing Committee**

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/CERT/172/2014

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Rachel Linda
Trevaskis pursuant to s.224 of the
Act for a renewal of a Manager's
Certificate

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr Brian Ensor
Members Laurie Gabites
David Lewis

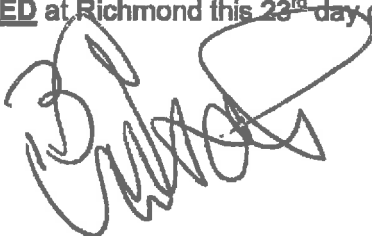
DECISION

This is an application by Rachel Linda Trevaskis for a renewal of a Manager's Certificate. Reports were received from the Licensing Inspector and the Police, and no matters in opposition were raised. Accordingly we deal with the matter on the papers.

The applicant holds the prescribed qualification required by s.218 of the Sale and Supply of Alcohol Act 2012, and we are satisfied as to the other matters to which we must have regard as set out in s.227 of the Act.

We grant the application for a renewal of a manager's certificate pursuant to s.228 of the Act. The certificate will expire on **10 September 2018** unless again renewed.

DATED at Richmond this 23rd day of September 2015



**Chairperson
Tasman District Licensing Committee**

TASMAN DISTRICT LICENSING COMMITTEE

Decision No. 51/CERT/201/2014

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Ellen Christine
Evitt** pursuant to s.224 of the Act for
a renewal of a Manager's Certificate

BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr Brian Ensor
Members Laurie Gabites
David Lewis

DECISION

This is an application by Ellen Christine Evitt for a renewal of a Manager's Certificate. Reports were received from the Licensing Inspector and the Police, and no matters in opposition were raised. Accordingly we deal with the matter on the papers.

The applicant holds the prescribed qualification required by s.218 of the Sale and Supply of Alcohol Act 2012, and we are satisfied as to the other matters to which we must have regard as set out in s.227 of the Act.

It is noted that the applicant has little or no experience in the sale of alcohol from "On" licence premises, so it is agreed between the applicant and the Tasman District Licensing Committee that the function of Manager will only be undertaken in "Off" licence premises. This limitation may be reviewed by the Tasman District Licensing Committee and removed as soon as suitable experience is obtained by the applicant.

We grant the application for a renewal of a manager's certificate pursuant to s.228 of the Act. The certificate will expire on **15 October 2018** unless again renewed.

DATED at Richmond ~~this~~ **23rd** day of September 2015



**Chairperson
Tasman District Licensing Committee**