

# TASMAN DISTRICT LICENSING COMMITTEE

## AGENDA FOR DETERMINATION OF APPLICATIONS

**Date:** Wednesday 24 December 2014

**Time:** 9.00 am

**Venue:** Owen Room, Tasman District Council, 189 Queen Street, Richmond

**Chair:** Cr Brian Ensor

### Declaration of Interest

Nil.
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### Special Licence

File Ref	Applicant/Event	Application Approved/Refused
SP2068	A J & J E Dixon/New Year's Eve	<i>[Signature]</i> 29/12/14
File Ref	Applicant/Event	Application Approved/Refused
SP2081	H & J Gardner/Two Weddings & New Year's Eve	<i>[Signature]</i> 24/12/14

# TASMAN DISTRICT LICENSING COMMITTEE

Decision No. SP2068

## IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

## AND

## IN THE MATTER

of an application by Andrew & Jane Dixon for a Special Licence pursuant to Section 138 of the Act in respect of premises situated at The Mussel Inn, 1259 Takaka-Collingwood Highway, Takaka known as 1259 Takaka-Collingwood Highway, Takaka

## BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE

Chairperson: Cr Brian Ensor  
Members: L Gabites  
D Lewis

## DECISION

This application for a Special Licence was reheard under Section 201(4) of the Act following an initial consideration on 17 December 2014. At that initial consideration of the application, we were not completely satisfied as to the matters with which we must have regard as set out in Section 142 of the Act, particularly Section 142(e) regarding amenity and good order of the locality.

The applicant has since gained a Resource Consent (RM141096) addressing the extension of hours on New Year's Eve and temporary traffic measures. We are now satisfied that the amenity and good order of the locality are not likely to be reduced by more than a minor extent, by the effects of the issue of the licence.

The general nature of the event to be held is that of a New Year's eve celebration. Reports were received from the Licensing Inspector, the Police and the Medical Officer of Health and no matters in opposition were raised.

We are now satisfied as to the matters to which we must have regard as set out in Section 142 of the Act, and we grant the applicant the Special Licence sought. A copy of the licence setting out the conditions to which it is subject is attached to this decision. This matter is now dealt with on the papers and the Committee does not intend to convene a public hearing.

The licence may issue immediately.

DATED at Richmond this 24<sup>th</sup> day of December 2014



Chairperson  
Tasman District Licensing Committee

# TASMAN DISTRICT LICENSING COMMITTEE

Decision No. SP2081

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by Hamish and Jenny Gardner for a Special Licence pursuant to Section 138 of the Act in respect of premises situated at 107 Appleby Highway, Richmond, known as The Office, 107 Appleby Highway, Richmond

**BEFORE THE TASMAN DISTRICT LICENSING COMMITTEE**

Chairperson: Cr Brian Ensor  
Members: L Gabites  
D Lewis

**DECISION**

This application for a Special Licence was reheard under Section 201(4) of the Act following an initial consideration on 17 December 2014. At that initial consideration of the application, we were not completely satisfied as to the matters with which we must have regard as set out in Section 142 of the Act, particularly Section 142(e) regarding amenity and good order of the locality.

The applicant has since gained a Resource Consent (RM141079) to allow the events to occur. We are now satisfied that the amenity and good order of the locality are not likely to be reduced by more than a minor extent, by the effects of the issue of the licence.

The general nature of the events to be held is that of private weddings and a New Year's eve celebration. Reports were received from the Licensing Inspector, the Police and the Medical Officer of Health and no matters in opposition were raised.

We are now satisfied as to the matters to which we must have regard as set out in Section 142 of the Act, and we grant the applicant the Special Licence sought. A copy of the licence setting out the conditions to which it is subject is attached to this decision. This matter is now dealt with on the papers and the Committee does not intend to convene a public hearing.

We make the observation that applications for special licences are required by section 137 of the Act to be filed with the District Licensing Committee's secretariat at least 20 working days before the day on which the event concerned begins. In this case, that requirement has not been met, there being only 15 working days between the time of application and the proposed event. Section 137 (2) of the Act allows us to consider an application for a special licence that is filed inside 20 working days prior to the event if we are satisfied that the need for a special licence could not have been foreseen earlier. This has not been the case for this application with the failure to apply in the prescribed time appearing to be a matter of neglect or omission. However, the secretariat and inspector, with the co-operation of Police and the Medical Officer of Health, have been able to complete the required reports at short notice. We are satisfied that the neglect or omission was not wilful, so pursuant to section 208 of the Act waive the requirement relating to the prescribed time for lodgement of the application.

The licence may issue immediately.

DATED at Richmond this 24<sup>th</sup> day of December 2014

  
Chairperson  
Tasman District Licensing Committee