

Application number: 036/SOL/038/2019

IN THE MATTER of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER of an application by **Dayle Abbott** for a special-licence pursuant to section 138 of the Act on the occasion of the annual 'National Motorcycle Rally'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **Dayle Abbott** for a special licence in regard to an event to be held at the Lakelands Holiday Park, 316 Kaitoke Road, Whanganui. The nature of the event for which the licence is sought is for a national 'Motorcycle Rally'.

The date and hours sought is –

- **Friday, 14th February 2020, 2.00pm to 12.00pm (midnight), and**
- **Saturday, 15th February 2020, 2.00pm to 12.00pm (midnight).**

2. Application

The application was received on 9 April 2019 and included a site plan.

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 17 April 2019.

Medical Officer of Health – No opposition within report received on 29 April 2019.

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 following matters from the full file including inspectors report are pertinent to this decision –

- The applicant is an individual applying on behalf of a Club which organises this annual event.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The premise (camping ground) are to be licenced and have been in existence for some years and an extra special licence should not reduce amenity and good order of this rural locality.
- The area is suitable for the type of event and layout has been suitable in the past. The area will be fenced off.
- The hours appear reasonable for the event being undertaken.
- No certified managers are nominated for the event. A s. 213(2) waiver is sought for Dayle Abbott, Anita Coleman, Allan Westwood and Alan Abbott to act as non-certified managers.
- A 'Restricted' designation for the event is supported.
- 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 conditions outlined in the inspectors report and a s. 213(2) waiver.

DATED at Whanganui this 24th day of May, 2019.



Secretary
Whanganui District Licensing Committee

