

Application number: **036/SOL/108/2018**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Eliason Hospitality**
for a special-licence pursuant to section
138 of the Act on the occasion of two
'Night and Day Jetsprint Racing' events.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Commissioner
Mr S G Hylton



DECISION

1. Introduction

This is an application by **David Eliason** for a special licence in regard to an event to be held at the Murray Property, 598 SH4, Whanganui. The nature of the events for which the licence is sought is a 'Jet Sprint'.

The dates and hours sought are –

- **27th December 2019, between 1.00pm and 9.00pm;**
- **4th April 2020, between 1.00pm and 9.00pm.**

2. Application

The application was received on 4 November 2019. The application included a floor plan, menu, letter of support from property owner and flyer.

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 14th November 2019.

Medical Officer of Health – No opposition within report received on 7th November 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 inspector also noted the following pertinent points in her report –

- The applicant is an individual who has organised these types of events before. These events are the annual local jet sprint events which are very popular.
- Previous events have been run without apparent incident.
- Suitability is not challenged.
- The premise area has been in existence for many years and used for many jet sprint events. The event should not reduce amenity and good order of the locality. It's an enclosed area for private guests.
- The premise is suitable for the event and layout has been suitable in the past.
- The hours appear reasonable for the events.
- David Eliason and Charlie McNab, two non-certified managers, are nominated as managers for the licence. A s. 213(2) waiver is requested for this to happen. The inspector has no concerns about their suitability.
- The '**Supervised**' designation for the event is supported.
- Both the Police and MOH have no opposition to the application.

4. Decision

Accordingly 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 18th day of November, 2019.

Secretary
Whanganui District Licensing Committee

