

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Eliason Hospitality
Limited for a special-licence pursuant to
section 138 of the Act on the occasion of
a 'Jetsprint Racing Event'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE



Chairperson
Mr Stuart Hylton

DECISION

1. Introduction

This is an application by Eliason Hospitality Limited for a special licence in regard to an event to be held at the Murray's property, 598 State Highway 4, Upokongaro. The nature of the event for which the licence is sought is an annual national jetsprint event.

The dates and hours sought are –

- 1st April 2017, between 3.00pm and 12.00am midnight,
- 27th December 2017, between 12.00pm (midday) to 7.00pm.

2. Application

The application was received on 2nd March 2017 and included a menu, owner permission letter, flyer, floor plan and 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 objection within report received on 27th March 2017.

Medical Officer of Health – No objection within report received on 14th March 2017.

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 pertinent points are noted from the application and inspector's report –

- The applicant is a private company in the name of Eliason Hospitality Limited.
- Mr Eliason has held and run other special licences before with no known non-compliance issues.
- Suitability is not challenged.
- The premises is in a rural farmland and within a self –contained area within the 'Shelter Belt Raceview Speedway' on private farmland. Issuing a special licence should not reduce amenity and good order of the locality.
- The area is suitable for the type of event and layout has been suitable in the past.
- The hours appear reasonable for the events being undertaken.
- Two non-certified managers (Dave Eliason and Charlie Macnab) are nominated for the event and accordingly a s. 213(2) waiver is sought and supported. Both are experienced at managing licensed premises.
- A 'supervised' designation for the event has been requested and is supported.
- Both the Police and MOH have no objections 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 28th day of March, 2017.



Secretary

Whanganui District Licensing Committee

