

**Application number: 036/SOL/134/2018**

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

**AND**

**IN THE MATTER** of an application by **Paparangi Sheep Dog Trial Club** for a special-licence pursuant to section 138 of the Act on the occasion of 'annual sheep dog trials'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

Chairperson  
Mr Stuart Hylton



**DECISION**

**1. Introduction**

This is an application by **Paparangi Sheep Dog Trial Club** for a special licence in regard to an event to be held on the Rainey property, 612 Koatanui Road, Whanganui. The nature of the event for which the licence is sought is 'annual sheep dog trials'.

The dates and hours sought are:

- **15 February 2019, between 10.00am and 11.00pm,**
- **16 February 2019, between 10.00am and 11.30pm,**

**2. Application**

The application was received on 12th December 2018, and included a site plan, menu, aerial plan and owners consent letter.

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 report within statutory timeframe therefore assume no opposition.

**Medical Officer of Health** – No opposition within report received on 13<sup>th</sup> December 2018.

**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 noted the following pertinent points in their s. 141(2) report –

- The applicant has been granted special licences before for this annual event.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The event takes place on a remote rural farm without issue previously and another special licence should not reduce amenity and good order of the locality. The owner supports this use of their land.
- The building is suitable for the type of event and layout has been suitable in the past.
- The hours appear satisfactory for the events being undertaken.
- No certified manager is nominated to manage the event although three experienced club members have been named. A section 213(2) waiver is recommended.
- No designation requested or recommended.
- 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 for non-certified manager/s.

**DATED** at Whanganui this 31 day of January, 2019.



Secretary

**Whanganui District Licensing Committee**

