

Application number: 036/SOL/099/2023

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **That Place Limited** for a special-licence pursuant to section 138 of the Act on the occasion of a mountain bike event known as 'Spoke Jam 2024'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **That Place Limited** for a special licence in regard to an event to be held at 'That Place Mountain Bike Park', 1021 Kaiwhaiki Road, Whanganui. The venue is a specialised cycling facility (Mountain Bike/Cross Country options) attracting attendance to its facilities and cycling options from throughout New Zealand. The nature of the event for which the licence is sought is the mountain bike event known as 'Spoke Jam 2024'.

The dates and hours sought are –

- **Saturday, 13 January 2024, between 1.00pm and 6.00pm.**
- **Sunday, 14 January 2024, between 1.00pm and 6.00pm.**

2. Application

The application was received on 11 December 2022 and included site plan and menu.

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 29 November 2023.

Medical Officer of Health – No opposition within report dated 16 November 2023.

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.

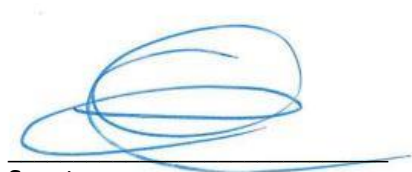
The inspector noted the following pertinent points in their report –

- The applicant is an incorporated society who according to the Inspector have run special licensed events previously without concern.
- Suitability is not challenged.
- The area is very rural and owned by the Oskam Family who have built a premier mountain bike facility. An extra special licence should not reduce amenity and good order of the locality.
- The area to be licensed is the woolshed and area immediately out front.
- The hours appear reasonable for the event being undertaken.
- The applicant has named a non-certified manager to be on duty for this licence. This is supported and a s. 213(2) waiver is granted to allow this to happen.
- A 'supervised' designation for the event 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.

DATED at Whanganui this 4 day of December, 2023.



Secretary
Whanganui District Licensing Committee

