

**IN THE MATTER**

of the Sale and Supply of Alcohol  
Act 2012

**AND**

**IN THE MATTER**

of an application by the  
Wanganui Stock Car and  
Speedway Club Incorporated for a  
Club Licence pursuant to section  
100 of the Supply of Alcohol Act  
2012.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

The application for Club Licence was publically advertised in the Whanganui Chronicle on the 3<sup>rd</sup> and 6th February 2016 with no objections received. No matters of opposition were raised under section 102 and 103 reports; therefore the matter was considered by the Whanganui District Licensing Commissioner on the papers contained in the full file provided by the secretary.

**Commissioner: Stuart Hylton**

**RESERVED DECISION OF THE WHANGANUI DISTRICT LICENSING COMMITTEE**

**1. Application**

Wanganui Stock Car and Speedway Club Incorporated made the application on the prescribed form received on 4th February 2016. The application for a Club Licence is in relation to the clubs premises at Motorsport Domain, Landguard Road, Whanganui.

The general nature of the business is that of a sports club (Motorsport). The Club should have been renewing its existing licence however they missed the renewal timeframe necessitating a new application.

The Club has been incorporated since 1977 and has held a liquor licence of some sort for a good number of those years. The sale and supply of liquor is not the main focus of the Club. The premises is undesignated and has not come to the attention of the authorities in an adverse manner during past licences.

The premises is adjacent to the Whanganui Airport, South Beach, NZ Defence Force Camp Site and a residential property. The property is zoned residential however necessary consents for activities have historically been granted. There are no sensitive uses or activities within a 500m radius of the premises/activity.

The complete file included –

- The application
- Reports from Police, Medical Officer of Health and Inspector
- Host Responsibility Policy
- Clubs incorporation details
- Menu
- Calendar of club events
- Building Act and RMA Certificate of Compliance.
- Club activities list
- Fire Evacuation Scheme and declaration
- Floor plan
- Copy of public advertisement

## **2. Decision Making**

In considering this application for a Club-Licence the licensing committee had regard to the criteria under section 105 of the Act.

Section 105 assessments:

### **(a) the object of this Act:**

The inspector notes that the applicant has supplied a Host Responsibility Policy stating the measures to be undertaken ensure the responsible sale and supply of alcohol. There have been no issues raised concerning previous operations so if the policy is followed then continued compliance should be able to be achieved.

### **(b) the suitability of the applicant:**

The applicant is an incorporated society since 1977. The applicant has supplied the name of one certified manager for the Club which the Inspector in his report comments is 'adequate'. The applicant appears to have appropriate systems, staff and training to comply with the law. Suitability is not challenged.

### **(c) any relevant local alcohol policy:**

No Local Alcohol Policy currently in place.

**(d) the days on which and the hours during which the applicant proposes to sell alcohol:**

Applicant has applied for the same days and hours as it previously enjoyed i.e.

- 1 October to 30 April, Friday – Sunday and Public Holidays, between 2.00pm and 1.00am the following day.
- 1 May to 14 October, the last Saturday each month, between 6.00pm and 1.00am the following day,
- All year, the last Thursday each month, between 6.00pm and 11.00pm,
- The Third Wednesday each month, between 6.00pm and 11.00pm,
- Every Tuesday, between 6.00pm and 11.00pm.

This is seen as adequate and has worked satisfactorily in the past.

**(e) the design and layout of any proposed premises:**

No CPTED assessment received with application but I concur with inspectors comment that there are no concerns with the layout of this premises. The floor plan provided has worked well over the years.

**(g) whether the applicant is engaged in, or proposes on the premises 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:**  
Motorsports, Stock-cars principally.

**(h) whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:**

No issues raised and agree with inspector's assessment.

**(j) whether the applicant has appropriate systems, staff, and training to comply with the law:**

One certified manager is minimal but adequate, the club implements good host responsibility measures and attends training events.

**(k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under [section 103](#). (see below)**

### **3 Reporting Agencies**

The following reports were received under section 103 of the Act and taken into account during the decision.

**3.1 Police** – Report received on 16th February 2016, of no opposition.

**3.2 Medical Officer of Health** – No report received within statutory timeframe therefore its presumed no opposition is raised.

**3.2 Licensing Inspector** – Full report dated 2nd March 2016. The inspector was satisfied the application is complete and appears to meet the criteria for a new club licence.

### **4 Conclusion**

Based on the evidence provided to me within the complete file, my assessment above of section 105 matters, I conclude that the application meets the statutory criteria to be granted a Club-Licence under the Act for a period of three (1) year.

### **5 Decision**

The licence is issued subject to the following conditions –

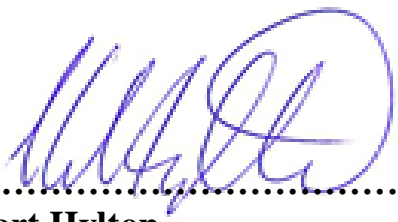
- (a) Administrative requirements as per s.61 (a), (b), and (c)
- (b) The club must have for consumption on the premises, at all times when the club is open for the sale of alcohol, a reasonable range of non-alcoholic refreshments and low-alcohol beverages.
- (c) Liquor may only be sold only on the following days and during the following hours:
  - **1 October to 30 April, Friday – Sunday and Public Holidays, between 2.00pm and 1.00am the following day.**
  - **1 May to 14 October, the last Saturday each month, between 6.00pm and 1.00am the following day,**
  - **All year, the last Thursday each month, between 6.00pm and 11.00pm,**
  - **The Third Wednesday each month, between 6.00pm and 11.00pm,**
  - **Every Tuesday, between 6.00pm and 11.00pm.**
- (d) At all times when the premises are open for the sale and supply of alcohol, a reasonable range of food is to be available for sale and consumption on the premises, in portions suitable for a single customer,—

- at reasonable prices; and
  - within a reasonable time of being ordered, and
  - Notifiable to customers through appropriate notices throughout the premises.
- (e) The licensee must ensure that signs are predominantly displayed within the licensed premises detailing information regarding alternative forms of transport from the premises.
- (f) The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol.
- (g) The license and managers on duty must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed.

The application is **Approved** for issue immediately.

**Dated at Whanganui District this 3rd day of March 2016.**

**Signed**



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**Stuart Hylton**  
**Whanganui District Licensing Commissioner**