

**Application number: 036/SOL/030/2019**

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

**AND**

**IN THE MATTER** of an application by **Westcoast Riders Incorporated** for a special-licence pursuant to section 138 of the Act on the occasion of a 'Clubs 8<sup>th</sup> Anniversary Rally Celebration'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

Commissioner  
Mr S G Hylton



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**DECISION**

**1. Introduction**

This is an application by **Westcoast Riders Incorporated** for a special licence in regard to an event to be held at the NZ Army Base, Landguard Road, Whanganui. The nature of the event for which the licence is sought is a 'Clubs 8<sup>th</sup> Anniversary Rally Celebration'.

The date and hours sought is **11th May 2019, between 1.00pm and 1.00am the following day.**

**2. Application**

The application was received on 26<sup>th</sup> March 2019. The application included a floor plan, site plan, certificate of incorporation 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 report within statutory timeframe therefore we must assume no opposition.

**Medical Officer of Health** – No opposition within report received on 15th April 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 their report –

- The applicant is an incorporated society raising money for community good.
- This is an annual event. Previous events have been run without apparent incident.
- Suitability is not challenged.
- The land area has been in existence for many years and is a defence force area next to the airport. Permission has been granted by landowner to use the land for the purpose. The event should not reduce amenity and good order of the locality.
- The premise is suitable for the event and layout has been suitable in the past.
- The hours appear reasonable for the event.
- Dylan Brooks, a certified manager, is nominated as manager for the licence. The inspector has no concerns about suitability.
- A '**restricted**' 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.

**DATED** at Whanganui this 3rd day of May, 2019.

  
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Secretary  
**Whanganui District Licensing Committee**

