

Application number: 036/SOL/111/2024

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

AND

IN THE MATTER of an application by **Deacon Eliason-Malden** for a special-licence pursuant to section 138 of the Act on the occasion of several 'Jetsprint Racing' events.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Commissioner
Mr S G Hylton



DECISION

1. Introduction

This is an application by **Deacon Eliason-Malden** for a special licence in regard to an event to be held at the Murray Property 'Shelternview Jetsprint Track', 598 SH4, Whanganui. The nature of the events for which the licence is sought are 'Jet Sprints'.

The dates and hours sought are –

- **FRIDAY 27 DECEMBER 2024 11:30 AM – 9:30 PM (27 DECEMBER 2024)**
- **SATURDAY 1 FEBRUARY 2025 11:30 AM – 8:30 PM (1 FEBRUARY 2025)**
- **SUNDAY 2 FEBRUARY 2025 11:30 AM – 9:30 PM (2 FEBRUARY 2025)**

2. Application

The application was received on 19 December 2024. The application included a floor plan, menu, letter of support from property owner and flyer.

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.

Medical Officer of Health – No opposition within report received on 21 November 2024.

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 original application cited Mr Dave Eliason as the applicant. In this matter, and given a recent conviction related to Driving Under the Influence of Alcohol, Mr Dave Eliason elected to withdraw himself from the application. The new applicant is a relation of the previous applicant.
- The applicant (and Organising Committee) has hosted and managed similar events without previous concern. Those events have had the privilege of a Special Licence. No concern is noted.
- The applicant is a private individual who has organised these types of events before. This event is the annual local jet sprint event which are very popular.
- Previous events have been run without apparent incident.

- Suitability is not challenged. The premise area has been in existence for many years and used for many jet sprint events. The event should not reduce amenity and good order of the locality. It's an enclosed area for private guests. The bar area is contained within a separately located structure) and within a fenced grassed area specially prepared for this event. The entire fenced area (delineated) is designated as a 'Supervised' area. This has been suitable on previous and similar occasions.
- The hours appear reasonable for the events.
- Charlie McNab, a non-certified manager, is nominated as managers for the licence. A s. 213(2) waiver is requested for this to happen. The inspector has no concerns about his suitability. He will be assisted by volunteers.
- The '**Supervised**' 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 and a s. 213(2) waiver.

DATED at Whanganui this 16 day of December, 2024.



Secretary

