

**DECISION NUMBER**

**4440/2024**

**IN THE MATTER**

of the Sale and Supply of  
Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by **Ruapehu  
Alpine Lifts Limited** for a  
renewal of an On-licence pursuant  
to section 127 of the Supply of  
Alcohol Act 2012.

**BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE**

The application for renewal of On-licence (032/ON/3703/2021) was publicly advertised in the Tamarunui Bulletin newspaper on the 16 and 23 May 2024, along with a display notice attached to the premise in accordance with the Regulations, with no objections received.

As no matters of opposition were raised under section 102 and 103 reports; therefore, the matter was considered by the Ruapehu District Licensing Commissioner on the papers contained in the full file provided by the secretary.

**Commissioner: Stuart Hylton**

**DECISION OF THE RUAPEHU DISTRICT LICENSING COMMITTEE**

**1. Application**

On the 6 May 2024, **Ruapehu Alpine Lifts Limited** on the prescribed form made application for renewal of an On-licence. This is the third renewal application by the current licensee.

The application for renewal of On-licence is in relation to the premises known as '*Happy Valley Ski Hire & Bistro*' situated on the Whakapapa skifield.

The general nature of the business is that of a 'Restaurant Style On-licence'.

The renewal application seeks to renew with the same conditions. The premise has not come to the notice of authorities in an adverse manner during the renewal period.

The complete file included –

- The application
- Fire evacuation compliance statement
- Host Responsibility Plan
- Food/Drinks list
- Floor plan
- Photo's
- Copy of draft public notice and public display
- Existing Licence
- Reports from Police, Medical Officer of Health and Inspector

## 2. Decision Making

In considering this application for On-licence, the licensing committee had regard to the criteria under section 131 and 105 of the Act. Section 105 assessments were made using the inspector's full report and own assessment. I accept the inspector's assessment and recommendations.

Key matters raised in complete file including the inspector's report were –

- No public objections were received to the renewal.
- The applicant is a private company who have four directors and a multitude of shareholders. The licensee is currently in receivership and a new buyer sought for the ski field. This renewal allows the receivers to keep operating whilst they find another entity owner.
- The applicant has operated this licence for the past seven years and has named two certified managers for the licence which is viewed as suitable for this type of premises. The premises has a 'medium' risk rating.
- The premise has not come to the notice of authorities in an adverse manner during the renewal period.
- The applicant provided a host responsibility plan that if followed should ensure the object of the act is met.
- The applicant appears to have appropriate systems, staff and training to comply with the law.
- There were no reports questioning suitability and neither do I.
- The existing trading hours that are sought to be renewed are:

### **Monday to Sunday, between 9.00am and 11.00pm**

These hours fall within the default national maximum trading hours allowable. The applicant has operated within these hours without any apparent issue.

- The floor plan date stamped 28 April 2017, shows the licensed footprint. The premises is located in the beginners' ski area of Happy Valley in the Whakapapa Ski Fields. The premises is a café with seating and food and beverage service areas located on the ground floor. Doors open onto a wooden deck on the ground floor providing a view over Happy Valley and additional seating is located on a mezzanine floor. The layout is open plan and the majority of the premises can be viewed from the points of sale. The floorplans are unchanged from those currently licensed.
- No CPTED or amenity or good order issues raised with renewal. There is no reason to believe the amenity and good order of the locality would likely to be increased, more than a minor extent, by the effects of a refusal to renew the licence.

- The Inspector reports that a review of the supporting information demonstrates that the applicant has appropriate systems, staff and training to meet the requirements of the Act and the Ruapehu LAP.
- The application accords with the Ruapehu LAP.

### 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 8 May 2024, of no opposition.

**3.2 Medical Officer of Health** – Report received on 29 June 2024, of no opposition.

**3.3 Licensing Inspector** – Full report dated 27 June 2024. The inspector has no opposition to the application and assessed the application against s. 105 matters with no matters of opposition raised. The inspector concludes that the application is complete and supports renewal of the licence with suggested conditions.

### 4 Conclusion

Based on the evidence provided to me within the complete file, my assessment above of section 105 matters and the past operation of the premise/licensee, I conclude that the application by **Ruapehu Alpine Lifts Limited** meets the statutory criteria to be granted a renewal of On-licence under the Act for a period of three (3) years, from the expiry date of the previous licence.

The licence will be subject to the existing conditions.

### 5 Decision

Accordingly, the application is **Approved** for issue immediately.

**Dated at Ruapehu District this 9<sup>th</sup> day of July 2024**



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**Stuart Hylton**  
**Ruapehu District Licensing Commissioner**