

**APPLICATION NUMBER: 032/SL/4455/2024**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by **Audiology Touring Ltd** for an on-site special-licence pursuant to section 138 of the Act on the occasion of the 'Ohakune Mardi Gras annual outdoor music festival'.

**BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE**

**Chairperson: Mr Stuart Hylton**

**DECISION**

**1. Introduction**

This is an application by **Audiology Touring Ltd** for an on-site special licence in regard to an event to be held within the public space known as 'The Junction', Thames and Rimu Streets in Ohakune. The nature of the event for which the licence is sought is the 'Ohakune Mardi Gras annual outdoor music festival'.

The date and hours sought are –

**Saturday 22 June 2024 from 4.00pm until 12.30am the following day**

**2. Application**

The application was received on the 30 April 2024 and included a site plan, event flyer, manager's certificates, Alcohol Management Plan and food list.

This is a Class 1, large annual event of up to 9,000 attendees that hasn't caused alcohol related harm issues in the past. The event will be R18. Tickets for the event are sold online. Tickets for the 'George FM Rave Train' can also be purchased on both sites, leaving from either Auckland or Hamilton to Ohakune. A train will also depart and return to National Park, a small town approximately 36km from Ohakune, where a significant number of attendees will be staying over the weekend. The gates, bars and stage will open at 4.00pm. The bar will close at 11.30pm followed by the stage closure at midnight.

There will be two stages located inside the event area. The main stage will be situated at the north end of the Village Green on Thames Street and the second will be located on an empty section on Rimu Street between the main entrance and Thames Street. Throughout the event, a number of acts (bands and DJ's) will be performing on each stage. The event will also include food stalls, merchandise and amusements.

The application was 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 1 May 2024.

**Medical Officer of Health** – No opposition within report received on 31 May 2024, which lifted a previous interim opposition stating –

*“Follow (sic) receipt of further information we are revoking our interim opposition to this application. We have now considered this application with respect to the public health issues involved and are not aware of any problems that would require opposition.*

*We recommend:*

- *2 serve limit per person at point of sale be in effect from the onset of the event*
- *The use of a nip pourer or shot glass must be used for all wet pour spirit and mixers to ensure accurate serve sizes.”*

This is further commented on in the Inspectors report below.

**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. The Inspector has no opposition to the issuing of the licence subject to the recommended conditions.

The inspectors report/file noted the following key matters –

- The applicant is a private company who will receive the proceeds from the event and will oversee the sale and supply of alcohol at the event. Audiology Touring facilitates around 150 events each year including club shows, concerts and tours. The largest event is Bay Dreams which is a single day music and camping festival held in Mount Maunganui hosting 20,000 plus people. The applicant owns the event in partnership with the Ohakune Events Charitable Trust. This year's event will be the fifth time the partnership has delivered the event and the 28th Ohakune Mardi Gras overall.
- The Inspector notes *"The application has been completed by Matthew Alfeld, General Manager of Multi Events Limited who are coordinating the bar operations manager for the event. Mr Alfeld, together with the Multi Events team, are responsible for adhering to the Sale and Supply of Alcohol Act during the event. Mr Alfeld is also on the Alcohol Leadership Team, has been with Multi Events since its inception, and has held manager's certificate for several years. Mr Alfeld has been involved in Ohakune Mardi Gras the past several years and is very experienced in alcohol management at large events. Overall alcohol management at last year's event went well."*
- The application is to licence The Junction including the two stages located inside the event area. The main stage will be situated at the north end of the Village Green on Thames Street and the second will be located on an empty section on Rimu Street between the main entrance and Thames Street. The event will also include food stalls, merchandise and amusements. There are a number of plans in place to ensure the amenity of the area is kept clean, safe and reasonably nuisance free. The Inspector states – *"Given the nature of the event and the venue itself, it is not expected that the amenity and good order of the locality will be adversely affected to any major extent by the issue of this Special Licence"*.
- The application was supported by an Alcohol Management Plan, Noise Management Plan, Waste Management Plan, Security Operational Plan, Major Event Action Plan and Traffic Management Plan. These plans have been socialised with relevant statutory entities for robustness and seen fit for purpose. Additionally public meetings have been held to hear and address any concerns along with agency meetings leading up to the actual event.
- Suitability is not challenged.
- The hours appear relevant for the event being undertaken. In this regard the Inspector states - *"Given the nature of the event I do not feel the days and hours sought are excessive."* I agree.
- Ten certified managers are nominated to oversee the event along with other organising assistants, security guards, angels, one general staff supervisor, eight intoxication managers and six crowd care staff and up to 90 general bar staff.
- Both the Police and MOH have no opposition to the application although the MOH has suggested additional conditions relating to serve limits. The Inspector notes – *"The applicant starts with a maximum serve of four drink per person and drops this as appropriate throughout the event. Hourly meetings are held at the control point which are attended by the organisers, Council, Police, FENZ, St John and security. Serves are discussed at each meeting and over the past two years the Inspector attended and serves have been responsibly managed and service drops or cessation has not required any prompting. Nip pourers are used for accurate measures"*. The application says - A maximum of four alcoholic drinks per person will be served, the number of

serves may drop during the event. The Duty Managers and Alcohol Leadership Team are constantly monitoring the crowd and drop serves accordingly. This has been observed being strictly adhered to and to work well in previous years. I therefore do not see the need for the MOH's suggested conditions.

- There were no public objections despite extensive consultation and event publicity.
- The Inspector concludes that – *"It is my view that the granting of this licence will not result in the amenity and good order of the locality being reduced, or that its granting will lead to unsafe, irresponsible, excessive or inappropriate alcohol consumption. It is the view of reporting agencies that the granting of the licence will not lead to an increase in alcohol related harm"*. The Inspector suggests additional conditions to which the applicant has signed agreement to.

The Committee agrees with the Inspector's assessment and is satisfied that there has been sufficient planning and integrated comprehensive planning by all concerned, to include the necessary checks and balances to ensure the object of the Act is met.

#### 4. Decision

The application for Special Licence is **Approved** for issue subject to the following conditions.

#### 5. Conditions

Alcohol may only be sold under the licence to persons attending 'Ohakune Mardi Gras annual outdoor music festival'.

The date and hours sought are –

- a) Alcohol may only be sold under the licence to persons attending the '**Ohakune Mardi Gras Annual Outdoor Music Festival**', on the following days and during the following hours:

**Saturday 22 June 2024 from 4.00pm until 12.30am the following day**

- b) Alcohol must only be sold, supplied and consumed within the area marked on the plan submitted with the application date stamped as received by the District Licensing Committee on 22 May 2024.
- c) A copy of this licence with all the conditions, must be clearly displayed in a prominent place at each point of sale so all persons can read it (and all staff must be familiar with the conditions).
- d) The holder of a manager's certificate shall be on duty (and on site) at every point of sale at all times alcohol is sold and supplied.
- e) The duty manager's name must be prominently displayed at all points of sale.
- (i) All staff will be trained in their responsibilities under the Act;
  - (ii) Evidence of age documents will be requested from any person appearing to be under the age of 25.
  - (iii) Intoxication checks to be maintained with every purchase.
  - (iv) Visual intoxication assessments are to be carried out by security/event staff for every patron entering the event at the main gate and any person deemed intoxicated is refused entry.
  - (v) There must be no consumption of alcohol by staff or managers immediately before or during their shifts.
  - (vi) Signage shall be prominently displayed at each point of sale, which identifies by name the person responsible under the licence.
  - (vii) Managers must be easily identifiable.

- f) Security staff are to be located at the entry/exit point of each residential licensed premises, to ensure that any person deemed to be intoxicated is refused re-entry to the Mardi Gras event licensed area.
- g) The entire premises is designated as a restricted area (No persons under 18 are permitted).
- h) The event must be glass free with all beverages served in cans or plastic cups.
- i) No alcohol or glassware is to be allowed to be brought into the site or leave the site.
- j) Drinking water must be freely available and actively promoted through signage displayed at each bar and all water stations must be regularly checked and restocked as required.
- k) The licensee (and Duty Managers) must ensure compliance with the Alcohol Management Plan submitted with the application.
- l) The licence holder must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- m) Food must be available for consumption within the licensed areas as specified in the application.
- n) Low-alcohol beverages must be available for sale and supply within the licensed areas as specified in the application.
- o) Non-alcoholic beverages must be available for sale and supply within the licensed areas as specified in the application.
- p) The licensee must provide assistance with or information about transport options for the event as specified in the application.

**DATED** at Taumarunui this 14<sup>th</sup> day of June, 2024.



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