

APPLICATION NUMBER: 032/SL/4514/2024

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

AND

IN THE MATTER of an application by **Ruapehu Motorcycle Club Inc** for a special-licence pursuant to section 138 of the Act on the occasion of the '47th Cold Kiwi'.

BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE

Chairperson: Mr Stuart Hylton

DECISION

1. Introduction

This is an application by **Ruapehu Motorcycle Club Inc** for a special licence in regard to an event to be held on private property at Weeping Hill Farm, State Highway 49, Waiouru. The licence is to allow event participants to legally consume liquor on the private property as part of the event. The event is a social gathering for like-minded motorcycle enthusiasts that runs over a two-and-a-half-day period where those attending will camp onsite.

Each evening there is a band. There will be a series of events on Saturday including the like of tug of war, hill climb, helmet dash and so on. This event has taken place at this location since 2017. The property is owned by the Lakes Road Family Trust, a signed letter was received on behalf of the Trust consenting to the applicant applying for a liquor licence to sell alcohol during the 2024 event.

The event takes place over three days with the applicant expecting 700 people to attend with ages expected to be between 18 and 75 years old. This is a large scale event.

The event is called '47th Cold Kiwi'. The dates and hours sought are –

**Friday 30 August from 3.00pm until 1.00am the following day, and
Saturday 31 August from 11.00am until 12.00am (midnight).**

These are the same hours that were licensed for the 2023 and 2022 events.

2. Application

The application was received on 25 June 2024 and included a site plan, certificate of incorporation, AMP and food list.

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 within report received 8 July 2024.

Medical Officer of Health – No opposition within report received on 18 July 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. The Inspector has no opposition to the issuing of the licence.

The inspectors report/file noted the following key matters –

- The applicant has obtained a licence for this event before and not come to the notice of enforcement agencies. This is the fifth time the event has been held at this particular location with past events not causing any problems.
- Suitability is not challenged.
- Given the nature of the site and the positive history of the event 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 premise is on a private property. A map of the area was provided by the applicant showing the paddock where the event will be held, the access road and the location of the gate house and breath testing station in relation to the licensed area.
- The licensed area is a marquee which is 30 m x 10 m (where the bands will play), the bar, caterer and outdoor area. Security and the Ruapehu Motorcycle Club office will be located inside the licensed area as shown in the plan date stamped 10 July 2023. The licensed area will be fenced.

- The applicant has requested this area is under a supervised designation. Entry to the licensed area will be via one opening in the fence which will be manned by security at all times the bar is open (as shown in the plan).
- The hours appear relevant for the event being undertaken and the same as previously.
- Two certified managers are nominated to be the responsible person to oversee the licence. These two managers have been duty managers for at least the last four events.
- Along with the two certified managers there will be six other bar staff, who all hold their LCQ qualifications and have worked in the bar in previous years. There will be two qualified security guards and six crowd control staff from Alpine Security who will be onsite to assist with the monitoring of the event.
- Both the Police and MOH have no opposition to the application

4. Decision

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

- a) Alcohol may only be sold under the licence on the following days and during the following hours to persons attending the 'Cold Kiwi event'.

Friday 30 August 2024 from 3.00pm until 1.00am the following day

Saturday 31 August 2024 from 11.00am until 12.00am (midnight)

- 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 10 July 2024.
- c) A copy of this licence with all the conditions, must be clearly displayed in a prominent place so all persons can read it.
- d) Drinking water shall be freely available on the premises as specified in the application.
- e) 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.
- f) Food must be available for consumption on the premises as specified in the application.
- g) Alcohol sales will be restricted to beer and RTDs with a maximum alcohol content of 5% and standard wines. There is a limit of four serves per customer per sale up to 8.00pm. After this time a limit of two serves per customer will apply.
- h) Low-alcohol beverages must be available for sale and supply on the premises as specified in the application.
- i) Non-alcoholic beverages must be available for sale and supply on the premises as specified in the application.
- j) The licensee must provide assistance with or information about alternative forms of transport from the premises as specified in the application.
- k) No BYO alcohol allowed on the site.
- l) The licensee must take the following steps to ensure that the provisions of this Act relating to the management of the event are observed:

That a certified duty manager be present at all times the license is in operation, and
The duty manager's name must be prominently displayed inside the premises

That compliance with the Alcohol Management Plan submitted with the application and must ensure all staff receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.

DATED at Taumarunui this 20th day of July 2024



Stuart Hylton
Chairperson
Ruapehu District Licensing Committee