

**APPLICATION NUMBER: 032/SL/4488/2024**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by **Jolly Good Chaps Charitable Trust** for a special-licence pursuant to section 138 of the Act on the occasion of the 'Cold Kahuna Event'.

**BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE**

Chairperson: Mr Stuart Hylton

**DECISION**

**1. Introduction**

This is an application by **Jolly Good Chaps Charitable Trust** for a special licence in regard to an event to be held at 9 Horopito Road, Ohakune. The licence is to allow event participants to legally consume liquor on the private property as part of the event. Participants ride from all over New Zealand on small motorcycles of 49 to 125cc horsepower to meet in Ohakune to celebrate fundraising success.

The nature of the event for which the licence is sought is the 'Cold Kahuna event'. The date and hours sought are –

**Saturday 20 July 2024 from 3.30pm until 11.00pm**

**2. Application**

The application was received on 30 May 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 4 June 2024.

**Medical Officer of Health** – No opposition within report received on 17 June 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 third 'Cold Kahuna' event with past events not causing any problems.
- The applicant is hoping to sell 120 tickets, with the predominant age group expected to be between 30 and 50 years of age. Entertainment is provided by way of a jukebox entertainment system, the volume of which can easily be controlled by the organisers. Food trucks and a BBQ will be providing food through the event, which is fully ticketed.
- The applicant is a charitable trust who have specialised in running events in other locations.
- Suitability is not challenged.
- The premise is on a private property. The event will be closely monitored by the volunteers and the neighbouring properties have been contacted and provided with a contact number to use if they have any questions or concerns.
- The area is rural as shown in the aerial image within the application. Previous licences have operated well before and should not reduce amenity and good order of the locality.
- The licensed area will be fenced off and will have a shed building acting as the bar, as well as portaloos and a tent/marquee to provide seating. The final site plan date stamped 30 May 2024 was provided by the applicant. The licensed area will be demarcated by fence posts (pigtail style) and rope to mark off the area and will include signage to make very clear that alcohol cannot be taken out of the area. There will be three entry points that will be managed by the volunteers.

- The hours appear relevant for the event being undertaken.
- A certified manager, Wade Colville-Smith, is nominated to be the responsible person to oversee the licence.
- 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 Kahuna' event.

**Saturday 20 July 2024 from 3.30pm until 11.00pm**

- 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 30 May 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) Low-alcohol beverages must be available for sale and supply on the premises as specified in the application.
- h) Non-alcoholic beverages must be available for sale and supply on the premises as specified in the application.
- i) The licensee must provide assistance with or information about alternative forms of transport from the premises as specified in the application.
- j) No BYO alcohol allowed on the site.
- k) The licensee must take the following steps to ensure that the provisions of this Act relating to the management of premises 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

**DATED** at Taumarunui this 22<sup>nd</sup> day of June, 2024.



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**Stuart Hylton**  
**Secretary**  
**Ruapehu District Licensing Committee**