

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Brash Consulting Limited pursuant to s.137 of the Act for an On-Site special licence in respect of premises situated at Chateau Tongariro Hotel, State Highway 48, Mount Ruapehu.

BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE

Commissioner: Ross Murphy

DECISION

This is an application for an On-site Special Licence with the applicant, location and premises detailed above. The application was received at least 20 working days before the event.

The application is sought for the 20th annual Tussock Traverse run/walk sporting event over several different distances and is to allow the sale of alcohol at a particular occasion or event where there is no existing licence in force for people to attend the event.

The day and hours sought for the licence are: **Saturday 3 February 2024 – 9.30 am to 6.30 pm.**

The application was not required to be notified in accordance with s.139(b) of the Act. Reports from the Police, Medical Officer of Health and an Inspector do not raise any matters in opposition to the application. Accordingly, the application is determined on the papers.

In deciding whether to issue the licence the District Licensing Committee must have regard to the criteria in s.142 of the Act and this committee must consider this within the framework of the purposes and object of the Act:

- (a) The object of the Act:
- (b) The nature of the particular event for which the licence is sought:
- (c) The suitability of the applicant
- (d) Any relevant local alcohol policy
- (e) Whether 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 the Act in relation to the sale and supply of alcohol to prohibited persons are observed:
- (k) The applicant's proposals relating to the sale and supply of non-alcoholic drinks, low-alcohol drinks and food and to 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.

This is a multi-distance running/walking event. There are several distances for entrants to choose from including 32km, 21km, 12km or 6km. It is expected there will be up to 800 participants plus crew and supporters. The days and hours are similar to last year and are over a lengthy period due to the combined events where there is a wide range of expected finish times through the day and evening. There have been no issues with previous events, and as with previous events, alcohol consumption is limited to one beer per entrant aged 18 or older.

The supply of alcohol is relatively low risk and is to allow one 330 ml bottle of sponsors beer (including low-alcohol) to be supplied to each competitor aged 18 or over as they complete their event. This is supplied along with food and vendors and a BBQ is also available. Due to the nature of the event and participants involved, it is not anticipated there will be any issues and there have been none in the past events.

Section 213 of the Act requires the appointment of at least 1 manager in accordance with the Act unless exempted by the committee from the requirement to do so. The application identifies that a certificated manager will be appointed.

The event is considered a large scale event to which s.143 of the Act applies. The criteria that must be given regard are:

- (a) *Whether and how well the applicant has complied with any requirement in s.143(1)(a) of the Act relating to the provision of a management plan for the event:*
- (b) *Whether and how well the applicant has complied with any requirement under s.143(1)(c) of the Act relating to liaison with the Police and territorial authority on planning for the event and whether the Police and territorial authority are satisfied with any liaison that has taken place.*

I am satisfied with the matters to which I must have regard as set out in s.143 of the Act.

Having inquired into this application, the Inspector is satisfied that the application is in keeping with the object and the requirements of the Act and I am satisfied as to the matters to which I must have regard as set out in s.142 of the Act and I grant the application with the following conditions;

- a) **A copy of this licence with all the conditions must be displayed in a prominent place so all persons can read it (and all staff must be familiar with the conditions).**
- b) Alcohol may be sold only on the following day and during the following hours: Saturday 3 February 2024, 9.30 am to 6.30 pm.
- c) The entire premises is undesignated.
- d) The holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold and a sign shall be prominently displayed inside the premises, which identifies by name the person responsible under the licence.
- e) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be displayed at every point of sale appropriate signs detailing these restrictions.
- f) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the District Licensing Committee on 8 December 2020 and no alcohol is to be taken out of this area.
- g) Drinking water must be freely available and this must be clear to customers, while the premises is open for the sale and supply of alcohol.
- h) Food must be available for consumption on the premises at all times when open for the sale of alcohol along the following lines: A BBQ sausage and bun is to be provided to all competitors at the completion of their event.

- i) A range of low-alcohol and non-alcoholic drinks must be available at all times when the premises are open for the sale of alcohol.
- j) Any transport options available must be promoted within the licensed area.
- k) No BYO alcohol on the site.

DATED this 18th day of January 2024

A handwritten signature in black ink, appearing to read 'Ross Murphy', with a large, stylized flourish at the end.

Ross Murphy
Commissioner
Ruapehu District Licensing Committee