Decision No. 14/SP/061/2026

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

AND

IN THE MATTER of an application by The Pokeno Whisky Company Limited pursuant to s.138 of the Act for a special licence in respect of premises situated at 22 Gateway Park Drive POKENO known as "The Pokeno Whisky Company".

BEFORE THE WAIKATO DISTRICT LICENSING COMMITTEE

Commissioner: Dr Michael Cameron

DECISION

The application for an on-site special licence is granted.

Application:

[1] This is an application by Te Akau Waingaro Community Complex Incorporated for an on-site special licence in respect of premises situated at 22 Gateway Park Drive, Pokeno, known as "The Pokeno Whisky Company". The application is sought to allow the sale or supply of alcohol, for consumption there, to people attending the following event/s:

"The Whisky Crew Launch".

[2] The application is to allow an existing licensed premises to sell or supply alcohol at a time when the sale of alcohol on the premises would otherwise be unlawful.

[3] The days and hours sought for the licence are:

Saturday, 28 November 2026 6:00 pm to 11:00 pm

[4] The application was not required to be notified in accordance with section 139(b) of the Act. No objection has been received under section 140 of the Act. Reports from the Police and an Inspector do not raise any matters in opposition to the application. The MOH elected not to report on the application. Accordingly, the application is determined on the papers.

Criteria for determining the application:

[5] In deciding whether to issue a special licence the committee must have regard to the matters detailed in section 142 of the Act. These are:

(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; and
(l) Any matters dealt with in any report from the Police, the Medical Officer of Health or an Inspector made under section 141.

[6] Section 143 of the Act details further criteria that must be given regard in respect of a large-scale event. I do not consider the event to be a large-scale event to which section 143 of the Act applies.

Reasons and decision:

[7] The nature of the event is not likely to lead to real risk of excessive or inappropriate consumption of alcohol. The applicant operates a permanent on-licence and off-licence, and there have been no adverse reports on the operation of the premises. The proposal complies with the provisions of Section 7 of the Waikato District Local Alcohol Policy relating to special licences. The event is low profile and located in a rural area, far from any sensitive sites, and will be unlikely to reduce the amenity and good order of the locality, to more than a minor extent. The days and hours applied for, and the design and layout of the premises, are appropriate for an event of this nature. The applicant has appropriate systems and training in place, and they have appropriate processes in place to avoid the sale and supply of alcohol to prohibited persons. Non-alcoholic drinks, low-alcohol drinks and an appropriate range of food will be available. Reports of an inspector and Police did not raise any matters in opposition to the application, and the MOH did not report on the application.

[8] Section 213 of the Act provides that the holder of a special licence must appoint at least one manager. The Inspector notes in their report that the applicant has nominated two certificated managers, Michael Tawse and Matthew Robert Johns, to supervise the sale and supply of alcohol for the duration of the special licence.

[9] The applicant has sought for the premises to be designated as a restricted area. I determine that this is appropriate.

[10] An alcohol management plan has been submitted with the application and will be in force throughout the event.

[10] The Object of the Act is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly, and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised. The Inspector has indicated that they consider that "the applicant has demonstrated suitable measures to ensure responsible sales, supply, and consumption of alcohol and that harm will be minimised". I agree with that assessment.

[11] Overall, and as outlined in paragraphs [7] to [10] above, I am satisfied with the matters to which I must have regard as set out in section 142 of the Act, and that the application is capable of meeting the object of the Act. Accordingly, I grant the applicant an on-site special licence.

Conditions

Sections 146 to 148 of the Act detail compulsory and discretionary conditions that may be imposed on a special licence.

The licence will be subject to the following conditions:

(a) Alcohol may be sold under the licence only on the following days and during the following hours:

Saturday, 28 November 2026 6:00 pm to 11:00 pm

(b) The licensee must take the following steps to ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed:
   (i) 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.

(c) The licensee must take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:
   (i) All staff will be trained in their responsibilities under the Act.
   (ii) A sign shall be prominently displayed inside the premises, which identifies by name the manager on duty responsible for the management of the sale and supply of alcohol under the licence.

(f) Drinking water must be freely available at the following places while the premises are open for business:
   On occupied tables.

(g) The licensee must have available for consumption on the premises, always when alcohol may be sold under the licence, a reasonable range of non-alcoholic and low-alcohol beverages.

(h) Food must be available for consumption on the premises as follows:
   The style of food will be as shown on the submitted menu: the Rack Pack Classic BBQ menu or variations of a similar range and standard.

(j) The licensee must take reasonable steps to comply with the Alcohol Management Plan submitted with the application at all times that the special licence is in force.

(k) The licensee must take the following steps to provide assistance with or information about alternative forms of transport from the premises:
  (i) Display telephone numbers and information for alternative forms of transport such as taxis and dial-a-driver services.

(i) For the purposes of this event, and for clarity, the licensed premises for the event include the outdoor area specified in the site plan received by the Committee and date stamped 6 November 2026.

The licensee must ensure a copy of the licence and the conditions subject to which it is issued shall be attached to the interior of the premises so as to be easily read by people using the premises.

DATED at Ngaaruawaahia on 6 November 2026

DISTRICT LICENSING COMMITTEE
Waikato District Council

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Michael Cameron
Commissioner
Waikato District Licensing Committee