

ŌTOROHANGA DISTRICT LICENSING COMMITTEE

Decision	018-0589
<u>IN THE MATTER</u>	the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by Pungent Pukeko Limited for a special licence pursuant to section 138 of the Act

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The application for a special licence is granted. The special licence may issue immediately.
2. Pungent Pukeko Limited is authorised to sell and supply alcohol for off-site consumption, at 189 Kawhia Road, RD 3, Ōtorohanga to any person attending the Garden Ramble 15-16 November 2025.
3. This licence is subject to 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 under the licence only on the following days and during the following hours:
Saturday 15 November 2025, from 9.00am to 4.00pm
Sunday 16 November 2025, from 9.00am to 4.00pm
 - (c) Alcohol may be sold or supplied to people present participating in the event this licence is issued for.
 - (d) The licensee must display appropriate signage advising patrons that the alcohol sold may not be consumed on-site.
 - (e) The area where alcohol is to be sold and supplied is described in the plan date stamped as received by the District Licensing Committee on 30 October 2025.
 - (f) The persons nominated to manage the sale and supply of alcohol whenever the premises is open are Trevor Walters and Suzie Walters. A sign must be prominently displayed inside the premises showing the name of the person currently responsible for managing the sale and supply of alcohol under the licence.

- i. All staff will be trained in their responsibilities under the Act; Evidence of age documents will be requested from any person appearing to be under the age of 25.
 - ii. There must be no consumption of alcohol by staff or managers immediately before or during their shifts.
- (g) There must be no sale or supply of alcohol to minors or intoxicated persons. Appropriate signage outlining these restrictions must be clearly displayed at every point of sale.
- (h) The entire licenced area (the front patio) is supervised (no persons under 18 are permitted on the premises unless accompanied by a parent or legal guardian).
- (i) A telephone must be freely available for customers to call for transport and staff must assist if required. Telephone numbers for alternative forms of transport must be displayed.

Tastings

- (j) Sample tastings are to be limited to the products sold for off-site consumption.
- (k) The volume of individual free sample tastings must not exceed:
- 10ml for unmixed spirit-based alcohols (e.g. liqueurs) and;
 - 15ml for mixed spirit-based alcohol, beer, cider and wine.
- (l) The maximum number of sample tastings served to any customer by the licensee shall not exceed four (4). The licensee must display clear signage notifying customers of this restriction.
- (m) The licensee must ensure that each sample is served in a non-glass vessel and consumed immediately after poured.
- (n) Drinking water must be freely available whenever alcohol is being supplied by way of complimentary tastings.
- (o) Alcohol sold for off-site consumption must be cap sealed and placed in a sealed bag.

REASONS

1. This is an application by the Pungent Pukeko Limited for a special licence for off-site consumption for the Garden Ramble event to be held 15-16 November 2025. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
2. The Liquor Licensing Inspector, Police and Medical Officer of Health have no objection to this application for a special licence (s 141). Accordingly, this application is decided on the papers (s 202).
3. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4). In deciding whether to grant a special licence the District Licensing Committee must have regard to the criteria in s 142 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) What is the nature of the event? Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?

- b) Is the applicant suitable?
 - c) Will the amenity and good order of the locality be reduced to more than a minor extent by the effects of the issue of the licence?
 - d) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - e) Is the design and layout of the premises suitable? Are any areas of the premises designated restricted or supervised areas?
 - f) Does the applicant have appropriate systems, staff and training to comply with the law? What steps will the applicant take to ensure that alcohol is not sold to prohibited persons?
 - g) What proposals does the applicant have in relation to the sale and supply of non-alcoholic drinks and food, low-alcohol drinks and the provision of help with or information about alternative forms of transport from the premises?
 - h) Have the Inspector, Police and Medical Officer of Health raised any relevant considerations?
 - i) Does the application comply with the Ōtorohanga District Local Alcohol Policy?
4. The licensing committee may refuse a special licence even if there was no objection to the application (s 144). Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

- 5. The event involves a tour of private home gardens, with one of the tour stops being the home of the applicant's parents. The event is open to invited local and nearby residents. The applicant proposes to operate an alcohol stall at the premises. The primary purpose of the applicant's participation is to promote their products through tastings and off-sales of alcohol.
- 6. The licensing committee is satisfied that the proposed trading hours are reasonable. This is a pre-registered event organised by local residents who share an interest in gardening, and the host has some familiarity with those attending. The applicant confirmed that valid identification will be checked for anyone who appears to be under 25 years of age and wishes to taste or purchase alcohol from the stall. A floor plan was submitted showing that the licensed area will be undesignated, except for the front patio where the alcohol stall is located, which will be a supervised area. The inspector considers this arrangement to be appropriate.
- 7. The Licensing Inspector reports that the application does comply with the Ōtorohanga District Local Alcohol Policy.
- 8. The licensing committee is satisfied that Pungent Pukeko Limited is a suitable applicant to hold a special licence. The applicant has previously been granted a similar special licence and has demonstrated compliance with the Act. Although Mr Jack Walters holds a Manager's Certificate, he has applied for an exemption to appoint nominated persons (his parents) to act in place of a duty manager. Both nominated persons have assisted with remote alcohol sales over the past 12 months and were involved in the previous special event. Mr Trevor Walters is a member of the Waitomo Golf Club, where he has assisted the club's duty manager with the sale and supply of alcohol. The applicant confirmed that Mr Trevor Walters has received training in ID verification and intoxication assessment at the club. A character reference from the club's Vice President has been provided, confirming Mr Walters' experience and reliability in this role.
- 9. The licensing committee is satisfied that suitable measures will be taken to ensure that alcohol is sold and supplied responsibly, and that harm caused by inappropriate or excessive consumption of alcohol is minimised.
- 10. Given the nature of the event and the venue it is not likely that the issue of the special licence will adversely affect neighbouring properties. The licensing committee is satisfied that the design and layout of the premises is suitable given the temporary nature of the licence. The plan shows outdoor covered

patio marked as licence area and to be supervised. Entrance is from the east side front and alcohol tasting can take place within the licence area. Free drinking water and food provided on a table at the point of sale. Bottles of gin will be displayed at point of sale for patrons to view and choose a bottle if they wish to buy.

11. The licensing committee is satisfied that the applicant will provide sufficient food, low alcohol and non-alcoholic refreshments. Free water will be provided at the bar. The use of sober driver, uber and taxi services will be promoted as a safe option for transport home from the event.

Conclusion

12. The licensing committee is satisfied that the grant of the special licence with the appropriate conditions will ensure the safe and responsible supply of alcohol and the minimisation of harm caused by excessive or inappropriate use of alcohol.
13. Therefore, the application for a special licence is granted.

Dated at this 8th day of November 2025



Tegan McIntyre
Commissioner
Ōtorohanga District Licensing Committee