

**LICENSING COMMITTEE**

**Application**  
**IN THE MATTER**  
**AND**  
**IN THE MATTER**

018-0419  
the Sale and Supply of Alcohol Act 2012  
of an application by  
Trek for Life Aotearoa/NZ Charitable Trust  
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. Trek for Life Aotearoa/NZ Charitable Trust is authorised to sell and supply alcohol, to any person attending the Trek for Life function on 11 March 2023.
3. This licence is subject to the following conditions:
  - a) Alcohol may be sold or supplied to people participating in the event this licence is issued for.
  - b) Alcohol may be sold and supplied under the licence from 2.00pm to 12.00 midnight on Saturday 11 March 2023.
  - c) Only beer, wine, cider and RTD's may be sold. No free pour spirits are permitted. There is a maximum of two serves per transaction.
  - d) 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 February 2023 and no alcohol is to be taken out of this area.
  - e) The licensee must comply with the Alcohol Management Plan supplied with the application.
  - f) The holder of a manager's certificate shall be on duty and on the premises at all times alcohol is sold or supplied, unless the duty manager is taking a break, during which time, the nominated person, Twyla MacDonald, is responsible to manage the conduct of the sale and supply of alcohol. A sign shall be prominently displayed inside the premises which identifies by name the person responsible for the management of the sale and supply of alcohol under the licence.
  - g) There must be suitable lighting within the licensed area (the marquee) to ensure it can be adequately monitored by staff.
  - h) The licensee must ensure all staff receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012. A pre-event briefing must be held with all staff involved in the sale and supply of alcohol, that covers the special licence conditions and the alcohol management plan.
  - i) The premises is undesignated.
  - j) 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.
  - k) Drinking water must be freely available from the bar and this must be clear to customers, while the premises is open for the sale and supply of alcohol.
  - l) Food must be available for consumption on the premises at all times alcohol is sold or supplied. Bar snacks including pies, lasagne and hot chips must be available at all times that an evening meal is not available.
  - m) A range of low-alcohol and non-alcoholic drinks must be available at all times when the premises is open for the sale of alcohol.
  - n) No BYO alcohol is permitted at the event.

## REASONS

1. This is an application by Trek for Life Aotearoa/NZ Charitable Trust for a special licence for the final night (11 March 2023) of a trek from Onewhero to Te Rauamoia, from 4 to 12 March 2023. The event could attract up to 350 people of all ages, although it is expected that only one family with children will be attending.
2. The Licensing Inspector, Police and Medical Officer of Health have no objection to this application for a special licence (s 141). An alcohol management plan was supplied. The Medical Officer of Health has recommended a number of conditions, which have been taken into consideration. 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).
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 Otorohanga District Local Alcohol Policy?

### Should a special licence be granted?

5. Trek for Life Aotearoa/NZ Charitable Trust is operating a nine-day trek, that people can complete on horseback, on a bike or on foot. Participants will camp on a farm each night and will have all meals catered for at each site, from a marquee. The application is for a special licence for the final night (11 March 2023) of the trek, that will take place at 152 Pearl Avenue, Kawhia. This is the only night of the trek that will take place in the Otorohanga District. Approximately 350 people of all ages will attend the event, however only a small number of children will be involved. Therefore, the licensing committee considers it is appropriate that the event is undesignated. The event will be licensed from 2.00pm, however most trekkers will arrive at the campsite around 4.00pm. Muster is at 6.30pm when the instructions for the next day will be given. Dinner is served at 7.00pm and then the end of trek party, with music, will take place with an 80's neon theme.
6. The Licensing Inspector reports that the application does comply with the Otorohanga District Local Alcohol Policy.
7. The licensing committee is satisfied that Trek for Life Aotearoa/NZ Charitable Trust is a suitable applicant to hold a special licence. The trust has previous experience running the event and has demonstrated compliance with the Sale and Supply of Alcohol Act 2012. One certificated Duty Manager will be responsible for ensuring compliance with the Act. The Trust has applied for an exemption to have a nominated person take charge of compliance when the duty manager takes a break. This request is

granted pursuant to section 213. The nominated person, Twyla MacDonald, has received suitable training and will only be responsible for the compliance with the Act and the conditions of the special licence for short periods of time. The event is only open to people who have registered for the trek and is not open to the general public. The event is relatively small, and all participants will be well known to the bar staff by the final evening. All staff receive training in the requirements of the Act. The licensing committee is satisfied that the proposed hours are reasonable. The suggestion from the Licensing Inspector for a limit of two serves per transaction has been included as a condition of the licensing. Types of alcohol are limited to those specified in the application – beer, wine, cider and RTD's. It is a condition of the licence that no 'free pour spirits' are permitted.

8. The licensing committee is satisfied that Trek for Life Aotearoa/NZ Charitable Trust has produced an Alcohol Management Plan that will ensure a comprehensive approach is taken to alcohol management at this event and 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.
9. 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.
10. The licensing committee is satisfied that the design and layout of the premises is suitable given the temporary nature of the licence. It is a condition of the licence that suitable lighting is provide inside the marquee to enable staff to monitor patrons. The applicant will provide sufficient food, low-alcohol and non-alcoholic refreshments. Free water will be provided.
11. Participants will be camping on site, however, if anyone does need to leave site a sober driver service will be provided.

### **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. Therefore, the application for a special licence is granted.

Dated at this 7th day of March 2023



Sara Grayson  
Commissioner  
Otorohanga District Licensing Committee