

Application

19/040/2026

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND
IN THE MATTER

of a rehearing of an application by
**Tainui Wetere Domain Recreational
Reserve Society Inc** for a special
licence pursuant to section 201(4)

HEARING on Wednesday 23 September 2026 at the Railway Building 3, Rora Street, Te Kuiti

WAITOMO DISTRICT LICENSING COMMITTEE

Chairperson: Ms T McIntyre

Members: Dr M Cameron, Mr G Whitaker

APPEARANCES

Mr M Faull - Chair, Tainui Wetere Domain Recreational Reserve Society Inc

Mrs M Lovell - Secretary, Tainui Wetere Domain Recreational Reserve Society Inc

Mrs Jo Youngman - Treasurer, Tainui Wetere Domain Recreational Reserve Society Inc

Mr and Mrs R and J Murray – Custodians, Tainui Wetere Domain Recreational Reserve Society Inc

Mr P Johns, - Committee member, Tainui Wetere Domain Recreational Reserve Society Inc

Ms C Eludo-Karan - Licensing Inspector (in opposition)

Ms M Berry - Licensing Inspector (to assist)

Mr A Chand - Licensing Inspector (to assist)

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. This decision replaces the decision dated 19 August 2026. Tainui Wetere Domain Recreational Reserve Society Inc is authorised to sell and supply alcohol, on the premises situated at 5167 State Highway 3, Mokau to any person attending the Tainui Games being held between 8 August 2026 to 27 March 2027.
2. 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 on the following days and during the following hours:

Rugby
Saturday 8th August 2026, from 12noon to 7:00pm
Saturday 5th September 2026, from 12noon to 7pm
Saturday 19th September 2026, from 12noon to 7:00pm
Saturday 3rd of October 2026, from 12:00pm to 7:00pm

Golf

Saturday 17th October 2026, from 2:00pm to 7:00pm
Saturday 14th November 2026, from 2:00pm to 7:00pm
Saturday 21 November 2026, from 2:00pm to 7:00pm
Saturday 5th December 2026, from 2:00pm to 7:00pm
Saturday 8th January 2027, from 2:00pm to 7:00pm
Saturday 6th March 2027, from 2:00pm to 7:00pm
Saturday 27th March 2027, from 2:00pm to 7:00pm

- (c) Alcohol may be sold or supplied to people present participating in the event this licence is issued for.
- (d) The area where alcohol is to be sold and consumed is described in the plan received via email by the Waitomo District Licensing Committee on **23 June 2026** and no alcohol is to be taken out of this area.
- (e) A properly appointed certificated manager must be on duty and on the premises whenever the premises is open for the sale and supply of alcohol. If no duty manager is on the premises, alcohol must not be sold or supplied, and a notice must be displayed informing the public of this. A sign identifying the name of the duty manager and a copy of their manager's certificate is displayed in a prominent place.
 - i. 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.
- (f) Before each event, Tainui Wetere Domain Recreational Reserve Society Inc must conduct training with all committee, event staff and volunteers on the conditions of the licence and their responsibilities under the Act. A record must be maintained, including what content was covered, who conducted the training, when it took place and who attended.
- (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) 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.
- (i) Food must be available for consumption on the premises at all times the premises is open for the sale of alcohol in accordance with the menu submitted with the application.
- (j) 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.
- (k) A telephone must be available for customers to arrange transport, and staff must assist if needed. Contact details for alternative transport options including sober drivers and courtesy vehicles must be clearly displayed.
- (l) The entire premises is undesignated.

REASONS

3. Tainui Wetere Domain Recreational Reserve Society Inc (the Society) applied for a special licence for the Tainui Games to be held at the domain, situated at 5167 State Highway 3, Mokau. The event is scheduled to take place over several Saturdays from August to October 2026 (Rugby) and October 2026 to March 2027 (Golf).
4. As the Liquor Licensing Inspector, Police and Medical Officer of Health had no opposition to the application, the application was decided on the papers (s 202). A decision was issued dated 27 July 2026. A replacement decision was issued 19 August 2026 to rectify an error made by the Society regarding the date of one of the home rugby matches.
5. The Licensing Committee subsequently received a request from the Licensing Inspector for a further rehearing of the application on the grounds that the Society supplied alcohol for a 'Paint and Sip' event held 12 June 2026 without a special licence. Ms Eludo-Karan also advises that the Society has been dishonest in their dealings with the inspectorate about this matter. This reflects poorly on the Society's suitability.
6. The Licensing Committee considered it appropriate to hear from the Society to better understand the circumstances of the matter and assess the Society's understanding of its obligations under the Sale and Supply of Alcohol Act 2012, particularly in light of the new information received. The application was therefore heard at a public hearing by the Waitomo District Licensing Committee on 23 September 2026.¹

The Sale and Supply of Alcohol Act 2012

7. 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.²
8. 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?

¹ Section 202(1), Sale and Supply of Alcohol Act 2012

² Section 4, Sale and Supply of Alcohol Act 2012

- 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 Waitomo District Local Alcohol Policy?
9. The Licensing Committee notes that the days and hours and design and layout of the site are appropriate, and there are no issues with amenity and good order of the locality. While we must consider all of the above criteria, the main issue for consideration can therefore be narrowed down to the Society's suitability given the supply of alcohol without a licence and the subsequent dishonesty about the matter.

Is Tainui Wetere Domain Recreational Reserve Society Inc suitable? Have the Inspector, Police and Medical Officer of Health raised any relevant considerations?

10. The object of the Act is a central consideration when assessing suitability. This includes whether the licensee will ensure alcohol is sold, supplied, and consumed safely and responsibly on the premises. Case law from the High Court and Alcohol Regulatory and Licensing Authority (ARLA) confirms that "suitability" is a broad concept. Factors such as character and reputation, experience, previous operation of the premises, prior convictions, and honesty/ integrity are all relevant.³
11. Mrs Lovell confirmed that the Society has held at least ten special licences over the past eight years. The Inspector's report does not raise any issues with these previous events, other than the 'Paint and Sip' event, for which a special licence was not held. The presence of the chair, secretary, treasurer, and property custodians at the hearing showed strong engagement from the Society's executive committee. The committee members in attendance spoke to their longstanding connections to the local community. They have farmed or operated businesses in the area and have been involved in voluntary work with the Society and other community organisations. They appeared to be knowledgeable about their community, and clearly passionate about the importance of maintaining a strong sense of community. We consider these matters relevant to our assessment of the Society's character, reputation and experience as a licensee.
12. However, as stated in the DeeJay Enterprises decision⁴:

The Police cannot be everywhere. Little but a licensee's or manager's character and suitability may stand between upholding the law and turning a blind eye. Self-imposed standards in accordance with the law must be set by licensees and holders of General Manager's Certificates who control and manage licensed premises.

³ Nischay's Enterprises Limited [2013] NZARLA PH 387 at [53]-[54] and Police v Casino Bar (No 3) Ltd [2013] NZAR 267 (HC)

⁴ DeeJay Enterprises Ltd, LLA PH531-532/97

13. The DeeJay Enterprises decision emphasises that licensees have their own responsibility to set and maintain standards that ensure the law is complied with. The Committee therefore considers that the key question is whether the Society has demonstrated that it understands and will fulfil its responsibilities as a licensee, including ensuring that alcohol is only sold and supplied in accordance with the requirements of the Act.
14. The Licensing Inspector reported that, during the assessment of the Society's Special Licence application for the Tainui Games rugby and golf events, they identified a 'Paint and Sip' event advertised on the Society's Facebook page. Tickets were available for \$35. The Licensing Inspectors asked the Society why no special licence had been obtained for this event. In an email on behalf of the Society, Mrs Lovell advised that only light refreshments and non-alcoholic drinks had been provided and that alcohol had not been advertised or supplied as part of the event.
15. A complaint was later received from a member of the public alleging that the Society's response to the Licensing Inspectors was not accurate and that alcohol had in fact been supplied at the event. The complaint also raised concerns about the handling of proceeds from alcohol sales at a previous event.
16. On becoming aware that a complaint had been made, the Society organised a meeting with the Licensing Inspectors to discuss the allegations and explain themselves. At the meeting held on 26 August 2026, the Secretary and Vice Chair advised that approximately 15 people attended the Paint and Sip event and that bottles of wine were present. They confirmed that alcohol was supplied at the event and was to be paid for from the proceeds from ticket sales. The Secretary also acknowledged that the information initially provided to the Licensing Inspectors by email was not truthful. She advised that they had intentionally provided misleading information because they were fearful that disclosing the true circumstances of the event could jeopardise the Society's pending Tainui Games Rugby and Golf Special Licence application.
17. On questioning, the Licensing Committee learnt that events such as the 'Paint and Sip' are generally organised in response to an idea raised by a committee member, rather than as part of a pre-planned calendar of events. A number of committee members were involved in organising the event, including planning, advertising it on social media, engaging a tutor, and purchasing the materials required for the event. Six bottles of wine were brought to the event. Mrs Lovell explained that the wine was initially purchased by a committee member in a private capacity, with reimbursement occurring later. She also clarified that another committee member brought beer to the event for personal consumption and reported that most attendees drank orange juice.
18. It was not clear to the Licensing Committee whether the provision of alcohol had been intended from the outset or whether this was an ad hoc decision that arose as the event planning developed. Nevertheless, those involved in the planning were unaware that a special licence was required for the event. Mrs Lovell noted that the Society had run a similar event once before, using the same format. She accepted that their oversight in relation to special licences arose from a lack of knowledge and understanding of the requirements of the Act.

19. The Committee shares the Licensing Inspector's concerns that alcohol was present and consumed at the Paint and Sip event without the required special licence. Of greater concern, however, is the Society's conduct when the Licensing Inspectors subsequently sought information about the event. The Society did not simply misunderstand or omit relevant information, its representatives provided information that they knew was untrue and deliberately misled the Licensing Inspectors about the presence and supply of alcohol. We consider this to be a serious failure of honesty and transparency, particularly given that the information was provided in response to direct enquiries from the Licensing Inspectorate.
20. The Society has subsequently acknowledged that its response was inadequate and has accepted responsibility for both the licensing breach and the failure to provide full and accurate information when the matter was first raised. The Licensing Inspector reported that the committee members were responsive during discussions and expressed both strong remorse and a clear commitment to encouraging continuous improvement within the Society. We also saw evidence of this remorse at the hearing, with Mr Faull and Mrs Lovell both opening their evidence with sincere apologies.
21. The Licensing Committee considers the Society's response following the incident to also be an important consideration in assessing its suitability. In addition to their apology to the Licensing Inspectors, the Licensing Committee and Police, they have not sought to minimise the incident or rely solely on the fact that the amount of alcohol consumed appears to have been limited. Instead, they have acknowledged that the central issue was its failure to properly understand and comply with the licensing requirements and, importantly, its failure to be fully open and transparent when first questioned about the event.
22. Of significance to the Licensing Committee is the action taken by the Society since the incident. The Society appointed a subcommittee to address the complaint. This involved reviewing what occurred and identify measures to prevent a recurrence. An independent person, Mr Peter Devoy, assisted with mediation and provided recommendations concerning alcohol service, licensing compliance, host responsibility and event planning. Mr Devoy is a retired Police Officer who has moved to the area from Hamilton.
23. We heard that the Society has already put in place a number of changes following its review. This includes a process to check whether a licence is needed before any event involving alcohol is advertised or held. The Society is also making better use of the knowledge within its committee, including members who hold a Manager's Certificate or Licence Controller Qualification (LCQ), and a member who has practical experience working in a licensed hospitality environment. This knowledge will help the Society identify and deal with licensing requirements before future events take place.
24. The Licensing Committee discussed the need for the lessons learnt from this incident to become part of the Society's written policies and processes. This is important because committee membership will change over time, and the Society needs to ensure that the knowledge gained from this incident is retained and passed on to future members. Clear

written procedures will help ensure that licensing requirements are consistently understood and followed, regardless of who is on the committee, and reduce the risk of the same mistake happening again.

25. The Licensing Committee considers that these remedial steps demonstrate that the Society has reflected on what went wrong and has identified specific changes intended to reduce the likelihood of a similar incident occurring. The Licensing Committee was also pleased to note the thorough approach taken by the Society to review the matter, in particular the use of an independent professional to assist with the review.
26. The Chair, Mr Faull, acknowledged that the Society's committee were all volunteers and reiterated that mistakes had been made but that they were committed to "work like hell" to ensure they complied going forward. He conveyed that it had been a huge learning curve, and it wouldn't happen again. The Licensing Inspectors also acknowledged that the Society had been on a learning curve but were satisfied with the remedial steps taken and the processes now put in place. Following the evidence heard at the hearing and the Society's agreement to additional conditions on the special licence, Ms Eludo-Karan and Ms Berry confirmed they no longer opposed the special licence being granted.
27. The Licensing Committee considers the conditions proposed by the Licensing Inspector to be appropriate. The first condition requires the Society to appoint a certified duty manager for all remaining events covered by the special licence. An overall event manager with a good understanding of the requirements of the Sale and Supply of Alcohol Act 2012 would also be beneficial for larger games/events.
28. The second condition requires all committee members and event staff involved in planning, hosting or working in a voluntary capacity at any of the remaining special licence events to complete a briefing and some training in alcohol licensing, host responsibility and alcohol harm minimisation before the licensed event on 3 October 2026. A record of training must be kept, and evidence of the first completed training must be provided to the Licensing Inspector before the event.
29. The Licensing Inspector explained that these conditions are intended to provide additional safeguards and make sure the Society has the right knowledge and oversight in place for its future licensed events. The Society confirmed their agreement to these conditions and reported that they had an experienced certified duty manager employed for the remaining events.
30. For completeness, the Police have reported after the licensing breach and the subsequent failure to provide full and accurate information and continue to remain unopposed to the application.

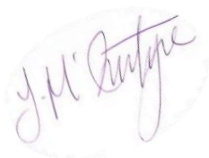
Conclusion

31. The Licensing Committee considers the 'Paint and Sip' incident, and particularly the Society's initial response to the Licensing Inspectors, to be serious matters relevant to its suitability. However, the Society has since acknowledged what went wrong, accepted

responsibility, expressed genuine remorse and taken practical steps to address the issues identified. These subsequent actions demonstrate that the Society has genuinely learned from the incident, improved the way it manages licensed events, and understands the importance of acting responsibly to keep its community safe. The imposition of additional conditions on the special licence will provide further assurance that these changes will be put into practice and maintained going forward.

32. The Licensing Committee expects the Society to follow through on its commitment to ensure that its improved processes are embedded in its future event planning and operation. The Society should also understand that, given the seriousness of what occurred, its future compliance is likely to be subject to closer scrutiny by the reporting agencies. It will therefore be important that the Society can demonstrate, through its actions and records, that the lessons from this matter have been put into practice and that the agreed processes are being consistently followed.
33. In summary, standing back and considering the Special Licence application afresh, the Licensing Committee is satisfied that, with the strengthened training, processes and procedures and ongoing committee commitment discussed at the hearing, the Society is a suitable entity and capable of properly fulfilling the responsibilities that come with holding a special licence.
34. The conditions of the special licence have been amended to reflect the matters discussed at the hearing and the steps the Society has agreed to put in place.

Dated on this 29th day of September 2026



Tegan McIntyre
Commissioner
Waitomo District Licensing Committee