

# Matamata-Piako District Licensing Committee



## IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

## AND

## IN THE MATTER

of an application by **Paul and Kym Samuels Limited** for the renewal of an **off-licence** pursuant to section 127 of the Sale and Supply of Alcohol Act 2012.



Licence Number: **13/OFF/001/2022**  
Original Licence Number: **13/OFF/016/2020**  
File Number: **162.2020.1603.2**

## BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Adrienne Wilcock

## DECISION ON THE PAPERS

This is an application by Paul and Kym Samuels Limited for renewal of an off-licence in respect of premises situated at 79 Thames Street, Morrinsville known as Morrinsville New World. The general nature of the business is that of a Supermarket.

This application was lodged on 2 November 2021 and was advertised in accordance with s.101 of the Act, in the Piako Post on 10 & 17 November 2021. No objections were received.

The days and hours of operation set out in the application are:

**Monday to Sunday from 7.00 am until 9.00 pm**

These hours comply with the requirements of the Local Alcohol Policy, as it applies to the premises type.

The application was referred to the Police, Medical Officer of Health and Inspector for comment. No matters in opposition have been raised in respect of the application. Accordingly the application is determined on the papers.

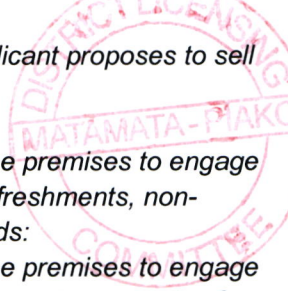
The applicant, in accordance with s. 212 of the Act, has named fourteen managers with current certificates to manage the sale of alcohol from the premises.

In deciding whether to renew an off-licence the committee must have regard to the matters set out in s.105 and 131 of the Act. These are:

### **Section 105**

- (a) *the object of this Act:*
- (b) *the suitability of the applicant:*

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- (c) *any relevant local alcohol policy:*
  - (d) *the days on which and the hours during which the applicant proposes to sell alcohol:*
  - (e) *the design and layout of any proposed premises:*
  - (f) *whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:*
  - (g) *whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:*
  - (h) *whether the applicant has appropriate systems, staff, and training to comply with the law:*
  - (i) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103*

### **Section 131**

- (a) *whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:*
- (b) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made by virtue of section 129:*
- (c) *the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.*

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 excessive or inappropriate consumption of alcohol should be minimised.

The Inspector has noted that he considers the applicant to be a suitable body to hold an off-licence. He has also noted that in his opinion the amenity and good order of the locality would be unlikely to be increased by more than a minor extent by the effects of a refusal to renew the licence.

I am satisfied as to those matters to which I must have regard and grant the renewal of the off-licence for a further three years.

The renewal certificate can be issued immediately.

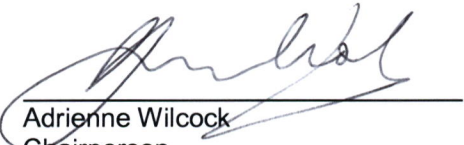
### **Conditions**

- (a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day:
- (b) No alcohol may be sold other than—
  - (i) beer that complies with the appropriate New Zealand food standard for beer; or
  - (ii) mead that complies with the appropriate New Zealand food standard for mead; or
  - (iii) fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or

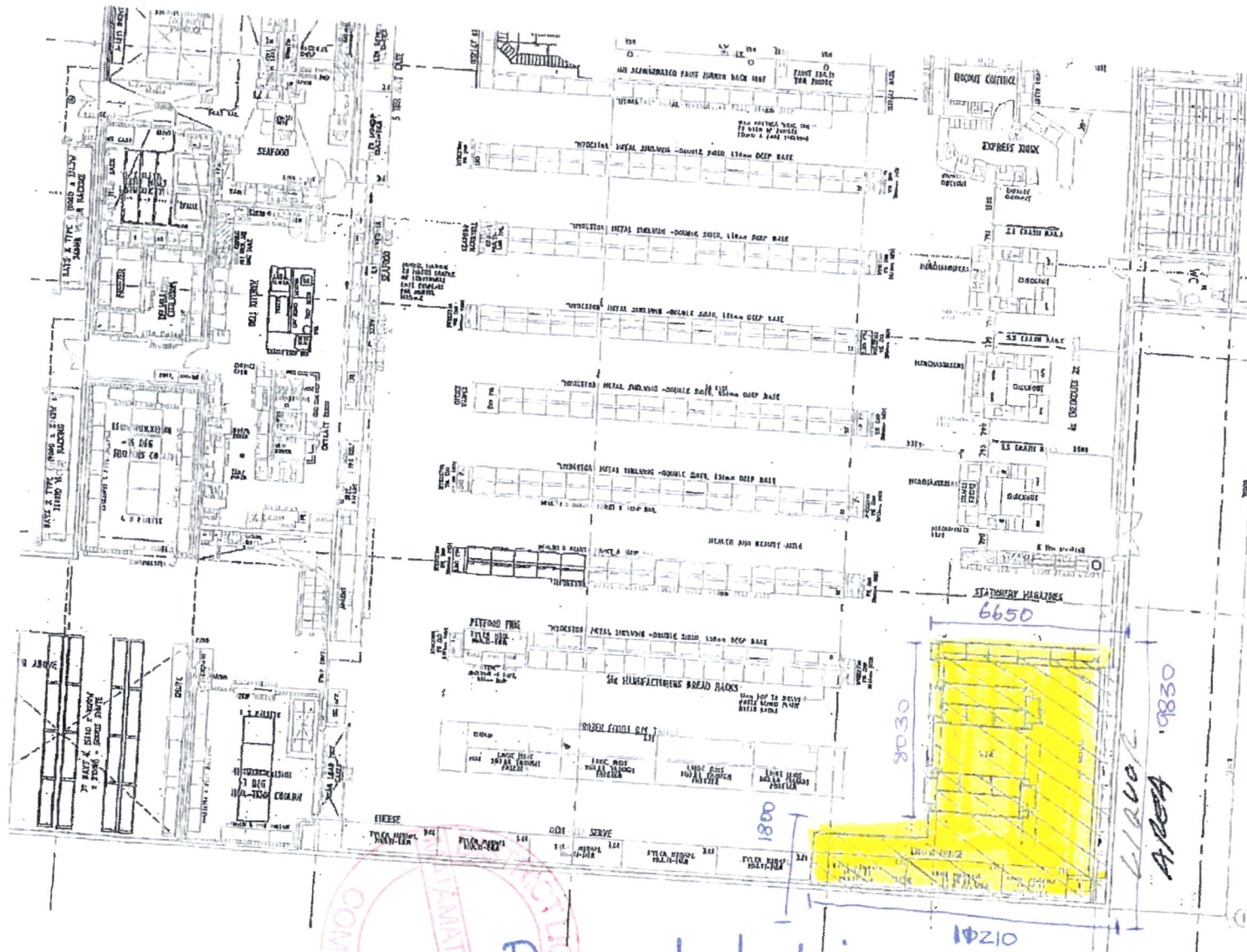


- (iv) grape wine that complies with the appropriate New Zealand food standard for grape wine; or
  - (v) a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted
- (c) Alcohol may be sold only on the following days and during the following hours:
- Monday to Sunday from 7.00 am until 9.00 pm**
- (d) The only area delineated on the attached plan is a permitted area for the display and promotion of alcohol: **06-G1**
- (e) While alcohol is being provided free as a sample drinking water to be provided free from the same location
- (f) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must 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.
- (g) Manager's register (as required by s.232 of the Act) is to be maintained and available onsite.
- (h) 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. If a duty manager is not present then there must be no alcohol sales and a notice displayed advertising the public of this fact.  
The licensee must ensure the following are displayed:
- (i) A sign to be seen from outside the principle entrance stating the ordinary hours of business during which the premise will be open for the sale of alcohol
  - (ii) A copy of the original licence with all the conditions, just inside the principal entrance so persons entering can read it.
  - (iii) A sign in a prominent place identifying the duty manager.

**Dated** at Te Aroha this 18<sup>th</sup> day of January 2022

  
Adrienne Wilcock  
Chairperson  
Matamata-Piako District Licensing Committee





Designated Liquor  
Area - Retail.

MORRINSVILLE NEW WORLD.

1	2000.00	Shelves included
2	30.00	Shelves included
3	20.00	Shelves included
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**FOODSTUFFS**  
AUGLANDS LIMITED

PLAN  
EQUIPMENT LAYOUT  
NO CANOPY

06-61



# Off-licence

Section 17 to 20, and 64, Sale and Supply of Alcohol Act 2012



## Licence number: 13/OFF/16/2020

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **Paul and Kym Samuels Limited** (the licensee) is authorised to sell alcohol on the premises situated at **79 Thames Street Morrinsville** and known as **Morrinsville New World**, to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises.

If this licence is not endorsed under section 40 of the Act, the licensee is also authorised to sell alcohol on or from the premises and deliver it somewhere else.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Act.

### Conditions

This licence is subject to the following conditions:

- (a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day;
- (b) No alcohol may be sold other than—
  - (i) beer that complies with the appropriate New Zealand food standard for beer; or
  - (ii) mead that complies with the appropriate New Zealand food standard for mead; or
  - (iii) fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
  - (iv) grape wine that complies with the appropriate New Zealand food standard for grape wine; or
  - (v) a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
- (c) Alcohol may be sold only on the following days and during the following hours:  
**Monday to Sunday from 7.00 am to 9.00 pm**
- (d) The only area delineated on the attached plan (**06-G1 18 December 2020**) is a permitted area for the display and promotion of alcohol.
- (e) While alcohol is being provided free as a sample drinking water to be provided free from the same location.
- (f) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must 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.
- (g) 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. If a duty manager is not present then there must be no alcohol sales and a notice displayed advertising the public of this fact.  
The licensee must ensure the following are displayed:
  - (i) A sign to be seen from outside the principle entrance stating the ordinary hours of business during which the premise will be open for the sale of alcohol
  - (ii) A copy of the original licence with all the conditions, just inside the principal entrance so persons entering can read it.
  - (iii) A sign in a prominent place identifying the duty manager.

### Duration

Subject to the requirements of the Act relating to payment of fees, and to the provisions of the Act relating to suspension and cancellation of licences, this licence continues in force—

- a) until its expiry date detailed below; but
- b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, until the close of the period of 3 years after the expiry date.

Dated at Te Aroha on 18<sup>th</sup> January 2021

Secretary, District Licensing Committee  
Matamata-Piako District Council  
Council Ref: 162.2020.1603.1

Unless renewed, this licence expires on:

**18<sup>th</sup> January 2022**

This licence was issued by the  
Matamata-Piako District Licensing Committee