

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 **Krishna 2017 Limited** for a **temporary authority** pursuant to section 136 of the Act in respect of a premises situated at 144 Whitaker Street, Te Aroha known as **Thirsty Liquor**.



Licence Number: 13/TEMP/007/2023
Underlying Licence: 13/OFF/013/2020
File Number: 162.2023.1848.1

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Sue Whiting

DECISION ON THE PAPERS

This is an application for a temporary authority to carry on the sale and supply of alcohol under an existing Off-Licence with an expiry date of 11 October 2023.

This is the third application for a Temporary Authority, the applicant has submitted a substantive application which is currently being processed. However the public notification contained the incorrect details, for example it stated the premises was an on-licence where it is actually an off-licence. Due to the incorrect details the applicant has to re-advertise. The current Temporary Authority expires on the 30th of September 2023. The public objection period exceeds the current temporary licence. A new Temporary Authority will ensure the applicant can continue trading, prior to the new off-licence being processed.

The applicant will be the new owner of the business. The applicant will be the owner/operator of the business. There is one director of the company, Pankaj Narula. The applicant has a lease to operate the premises and this shows that the applicant has the necessary interest and rights in the premises for a temporary authority.

Pankaj Narula has worked in the hospitality industry for a number of years. He currently owns and operates the Village Kitchen restaurant in Morrinsville. The licence for that premises was issued by this authority. There have been no concerns regarding the operation of that premises. There have been no issues with how the premises has operated during the current Temporary Authority.

No matters in opposition to this temporary authority have been raised by the Inspector or by the Police.

We are satisfied as to the matters to which we must have regard and we grant the applicant a temporary authority to carry on the sale and supply of alcohol under the existing licence.

Section 136(4) of the Act requires the Committee, on making an order, to impose any conditions that the Act requires an on or off-licence to be issued subject to, may impose any conditions that the Act enables the licence to be issued subject to and may impose any other reasonable conditions it thinks fit. Sections 112, 116 and 117 of the Act detail compulsory and discretionary conditions of the licence in force.

The temporary authority is subject to the following conditions in addition to the existing conditions of the licence in force:

- a) It is a condition of this Temporary Authority that the holder must comply with all the conditions of the current off-licence, and the provisions of the Sale and Supply of Alcohol Act 2012.
- b) That an application for an off-licence be made within two months of the date of issue.
- c) The temporary authority must be displayed next to the base licence attached to the interior of the premises so as to be easily read by persons entering through the principal entrance.

The applicant's attention is drawn to s.136(5) of the Act which states that the person authorised by this order has the same duties, obligations, and liabilities, as the holder of the underlying off-licence concerned.

The certificate can be issued immediately.

Dated 21 Sep, 2023



Sue Whiting
Chairperson
Matamata-Piako District Licensing Committee