Matamata-Piako District Licensing Committee

matamata piako district council

IN THE MATTER of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER of an application by **Matamata Liquor Supplies Limited** for the renewal of an **off-licence** pursuant to section 127 of the Sale and Supply of Alcohol Act 2012.

DISTRICT LICENSING MATAMATA-PIAKO COMMITTEE

Licence Number: **13/OFF/001/2017**
Original Licence Number: 013.2006.32.4
File Number: 162.2006.32.5

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Teena Cornes

DECISION ON THE PAPERS

This is an application by Matamata Liquor Supplies Limited for renewal of an off-licence in respect of premises situated at 3 Tainui Street, Matamata known as Super Liquor Matamata. The general nature of the business is that of a bottle store.

This application was lodged on 2 December 2016 and was advertised in accordance with s.101 of the Act, in the Matamata Chronicle on 7 & 14 December 2016. No objections were received.

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

Monday to Sunday from 8.00 am until 11.00 pm

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 three 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:
(c) any relevant local alcohol policy:

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(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:*

(j) whether the applicant has appropriate systems, staff, and training to comply with *the law:*

(k) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103*

Section 131

(b *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:*

(c) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made by virtue of section 129:*

(d) *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.

When renewing an off-licence, section 132 allows the committee to impose conditions as set out in section 116 or to vary or cancel any conditions applying to the licence before its renewal.

I have included a new condition imposed under section 116 requiring drinking water to be readily available when samples are being provided. The off-licence is now subject to these conditions.

The renewal certificate can be issued immediately.

Conditions

a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday or Christmas Day or before 1.00pm on Anzac Day.

b) Alcohol may be sold or delivered only on the following days and during the following hours:

Monday to Sunday from 8.00 am until 11.00 pm

c) The whole of the premises is designated as a supervised area.

d) The licensee shall take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:
   (i) All staff will be trained in their responsibilities under the Act.
   (ii) Evidence of age documents will be requested from any person appearing to be under the age of 25.
   (iii) A sign shall be prominently displayed inside the premises which identifies the name of the manager on duty or the person responsible for the sale and supply of alcohol under the licence.
   (iv) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition of sales to intoxicated persons.

e) The licensee must ensure that drinking water will be made readily available and free of charge, at all times when alcohol is being provided free as a sample.

Dated at Te Aroha this 16th day of February 2017

DISTRICT LICENSING MATAMATA-PIAKO COMMITTEE

Teena Cornes
Chairperson
Matamata-Piako District Licensing Committee