

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 **Matamata Memorial RSA Incorporated** for the renewal of an **off-licence** pursuant to section 127 of the Sale and Supply of Alcohol Act 2012.



Licence Number: **13/OFF/004/2019**
Original Licence Number: 013/OFF/004/2016
File Number: 162.2003.24.8

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Adrienne Wilcock

DECISION ON THE PAPERS

This is an application by Matamata Memorial RSA Incorporated for renewal of an off-licence in respect of premises situated at 3 Ngaio Street, Matamata known as Matamata Memorial RSA. The general nature of the business is that of a Memorial Club.

This application was lodged on 26 April 2019 and was advertised in accordance with s.101 of the Act, in the Scene on 7 & 14 May 2019. No objections were received.

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

Monday to Sunday from 9.00 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 form had the operating hours of Monday to Sunday 9.00am until 11.00pm. The advertised days and hours were Monday to Sunday from 9.00am until 1.00am the following day.

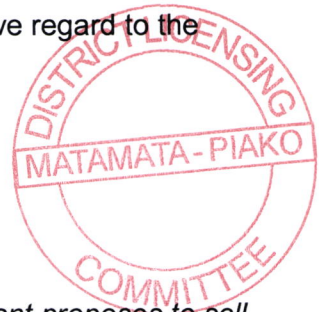
This was discussed with the applicant and the correct days and hours are Monday to Sunday from 9.00am until 9.00pm.

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 two managers with current certificates to manage the sale of alcohol from the premises.

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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:*
- (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.

The renewal certificate can be issued immediately.

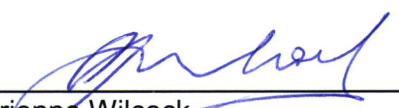
Conditions

- 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 is to be sold or supplied only to –
 - (i) Any member of the club; or
 - (ii) Any member of any other club with which the holder of the licence has an arrangement for reciprocal visiting rights for members of the club; or
 - (iii) Is on the premises at the invitation of, and is accompanied by, a member of the club
- c) Alcohol may be sold or delivered only on the following days and during the following hours:

Monday to Sunday from 9.00 am until 9.00 pm

- d) 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.
- 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 24th day of July 2019



Adrienne Wilcock
Chairperson
Matamata-Piako District Licensing Committee

