

# 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 **A & A Phimester** for a **temporary authority** pursuant to section 136 of the Act in respect of a premises situated at 122-126 Whitaker Street, Te Aroha and known as Te Aroha Four Square.

Licence Number: **13/TEMP/002/2019**  
Underlying Licence **13/OFF/010/2018**  
File number: **162.2019.1436.1**



## **BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE**

### **Committee**

Chairperson: Councillor Teena Cornes

Members: Neil Goodger  
Denis Taylor

## **DECISION ON THE PAPERS**

This is an application for a further temporary authority to carry on the sale and supply of alcohol under an existing off-licence in respect of a premises situated at 122-126 Whitaker Street, Te Aroha and known as Te Aroha Four Square. The premises is a grocery store and has a current off-licence with an expiry date of 27 October 2021.

The applicant is A & A Phimester, they currently have a temporary authority that will expire 28 February 2019. The applicant has applied for their new off-licence but due to a delay in advertising this will not be issued by the expiry date on the first temporary authority meaning a second temporary was required. The issues with the advertising have been sorted and the new off-licence will be advertised over the next two weeks.

The applicant is A & A Phimester Limited, there will be one director Adam Phimester. Adam holds a current managers certificate and has 14 year's experience in the supermarket industry.

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) The holder is to immediately display this Temporary Authority next to the substantive off-licence.

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 on-licence concerned.

The certificate can be issued immediately.

**Dated** at Te Aroha this 28<sup>th</sup> day of February 2019.



Teena Cornes  
Chairperson  
Matamata-Piako Licensing Committee

