

Decision

19/030/2026

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by
Yellowstone Holdings Limited
for the renewal of an on-licence in
respect of the premises situated at 579
Fullerton Road, Waitomo known as
Roselands Resort

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The on-licence 019/ON/003/2023 in respect of the premises situated at 579 Fullerton Road, Waitomo known as Roselands Resort is renewed for a further period of 3 years. The licence may issue upon payment of the annual fee.
2. The present conditions of the licence are replaced with the following conditions:
 - a) Alcohol may only be sold or supplied while trading as a **café/restaurant or functions centre**.
 - b) **Alcohol may be sold or supplied on the following days and during the following hours:**

Restaurant, function rooms, adjacent outdoor area (yellow zone on the plan)
Sunday to Wednesday, from 10:00am to 11:00pm
Thursday to Saturday, from 10:00am to 12midnight

Remainder of premises including gardens (red zone on the plan)
Monday to Sunday 10:00am to 9:00pm
 - d) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the District Licensing Committee on **3 June 2026** and no alcohol is to be taken out of this area.
 - e) The entire premises is undesignated.
 - f) A properly appointed certificated, acting or temporary manager must be on duty and on the premises at all times when the premises is open for the sale and supply of alcohol. If a duty manager is not present, then there must be no alcohol sales and a notice displayed advising the public of this fact.

- g) A Manager's Register (as required by s.232 of the Act) is to be maintained and available on site.
- h) A Host Responsibility Policy must be maintained and displayed, and the Licensee must ensure all staff receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- i) There must be no sale or supply of alcohol to minors or intoxicated persons. Appropriate signage outlining these restrictions must be clearly displayed at every point of sale.
- j) Drinking water must be freely available and this must be clear to customers, while the premises is open for the sale and supply of alcohol.
- k) Food must be always available for consumption on the premises when open for the sale of alcohol in accordance with the restaurant menu submitted with the application for this licence, or variations of a similar range and standard.
- l) A range of low-alcohol and non-alcoholic drinks must be always available when the premises are open for the sale of alcohol.
- m) A telephone must be readily available for customers to arrange transport, and staff must help if needed. Contact details for alternative transport options must be clearly displayed.
- n) The Licensee must ensure the following are displayed.
 - i. A sign to be seen from outside the principal entrance stating the ordinary hours of business during which the premises 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.

Reasons

1. This is an application by Yellowstone Holdings Limited for the renewal of an on-licence in respect of the premises situated at 579 Fullerton Road, Waitomo, and known as Roselands Resort. Roselands Resort has been operating for a number of years under the current ownership. The core patronage is tourists.
2. The application was advertised, and no public objections have been received. The Licensing Inspector and Police have provided reports and do not oppose the application. The Medical Officer of Health has not reported, and it is assumed that they have no concerns. Accordingly, the matter is decided on the papers (section 134).
3. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (section 4).
4. In deciding whether to renew an on-licence, the Licensing Committee must have regard to sections 105 and 131 of the Act. Therefore, this Committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) Is the applicant suitable?
 - b) Are the days and hours during which the applicant proposes to sell alcohol reasonable?

- c) Is the design and layout of the premises suitable?
- d) Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?
- e) Does the applicant have appropriate systems, staff and training to comply with the law?
- f) Have the police, inspector and medical officer of health raised any relevant considerations?
- g) Will the amenity and good order of the locality be increased by more than a minor extent by the effects of a refusal to renew the licence?
- h) Has the applicant sold, displayed, advertised or promoted alcohol in a responsible manner?
- i) Does the application comply with the Waitomo District Local Alcohol Policy?

Should the licence be renewed?

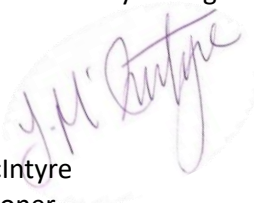
5. The Licensing Committee is satisfied that Yellowstone Holdings Limited is a suitable applicant to hold an on-licence. The company has demonstrated compliance with the Sale and Supply of Alcohol Act 2012, has an appropriate Host Responsibility Policy and has produced evidence of appropriate staff training. There are two certificated duty managers who are responsible for ensuring compliance with the Act. The number of certificated managers is considered sufficient having regard to the nature of the business. Alcohol sales form only a small part of the operation, with most visitors remaining on site for around one hour. Where no duty manager is present during normal trading, the bar is closed, and signage is displayed accordingly. This is considered acceptable given the limited day-to-day alcohol service, while all pre-booked functions are supervised by a duty manager. The site manager also intends to apply for a manager's certificate, which would further increase the availability of a duty manager on site.
6. Yellowstone Holdings Limited proposes to continue operating as a café/restaurant/functions centre. The licensed hours are based on two distinct zones: the interior of the premises and immediately adjacent outdoor dining area (yellow zone) and the remainder of the external garden area (red zone). The licensed hours for the yellow zone are Sunday to Wednesday, from 10.00am to 11.00pm and Thursday to Saturday, from 10.00am to 12midnight. The red zone can operate Monday to Sunday, from 10.00am to 9.00pm. The licensing committee is satisfied that these are appropriate hours of operation.
7. An amendment to the Act, which came into force 3 April 2026, now allows on-licence premises to sell alcohol for on-site consumption on any day of the year, and customers no longer need to be dining or staying to be served. This means Yellowstone Holdings Limited can now choose to open and operate as normal on Good Friday, Easter Sunday, Anzac Day, and Christmas Day.
8. The Licensing Inspector reports that the application complies with the Waitomo District Local Alcohol Policy.
9. The Licensing Committee is satisfied that the premises has a suitable design and layout to meet the requirements of the Act. The premises is located on a rural 7.2-hectare hillside site and is reached by a long driveway approximately 500m from the main road. The main building consists of a large dining area, an associated bar, a lounge area with a second bar and a servery and conference area. The licensed area also includes an area immediately adjacent to the building for outdoor dining. This area comprises of a large deck, a paved area with tables and chairs. The licensed area extends to the entire property which consists of extensive gardens, bush trails and a tennis court area used for weddings. The premises can be monitored by staff and 22 CCTV cameras. The farm stay accommodation located on the property is excluded from the licensed area. There are no proposed changes to the layout of the licensed area since the last renewal.

10. The Licensing Committee is satisfied that the renewal of the on-licence will not reduce the amenity and good order of the locality by more than a minor extent. There have been no reports of any nuisance, vandalism or noise problems associated with this premises in the past 12 months. An Alcohol Management Plan and Noise Management Plan, accepted during the original application process, remain current. The key management measure is that the licensed area will reduce to the restaurant, outdoor deck and courtyard from 9.00pm, allowing flexibility for daytime wedding activities while improving supervision of alcohol consumption in the evening by preventing patrons from taking drinks beyond the reduced licensed area.
11. The Licensing Committee is satisfied that alcohol is sold, displayed, and promoted in a responsible manner and in accordance with the requirements of the Act, and that suitable measures are in place to ensure any harm caused by inappropriate or excessive consumption is minimised.

Conclusion

12. Therefore, the application for the renewal of the on-licence is granted.

Dated at this 6th day of August 2026



Tegan McIntyre
Commissioner
Waitomo District Licensing Committee