

<b>Decision</b>	19/003/2026
<b><u>IN THE MATTER</u></b>	of the Sale and Supply of Alcohol Act 2012
<b><u>AND</u></b> <b><u>IN THE MATTER</u></b>	of an application by Curry and Tandoor Limited Limited for the renewal of an on-licence in respect of the premises situated at 161 Rora Street, Te Kuiti known as Mint India Restaurant

#### **DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE**

1. The on-licence 019/ON/001/2025 in respect of the premises situated at 161 Rora Street, Te Kuiti known as Mint India Restaurant is renewed for a further period of 3 years subject to evidence of an updated Host Responsibility Policy and updated training materials. 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 restaurant.
  - b) **Alcohol may be sold or supplied from 10.00am to 12midnight, Monday to Sunday.**
  - 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 **19 January 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 Curry and Tandoor Limited for the renewal of an on-licence in respect of the premises situated at 161 Rora Street, Te Kuiti known as Mint India Restaurant.
2. The application was advertised and there have been no objections by members of the public. The Liquor Licensing Inspector, Police and the Medical Officer of Health have provided reports and do not oppose the application. 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). 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?

4. The licensing committee is satisfied that Curry and Tandoor Limited is a suitable applicant to hold an on-licence. The company has demonstrated compliance with the Sale and Supply of Alcohol Act 2012 and the sole director holds a current Manager's Certificate. There are 2 certificated duty managers who are responsible for ensuring compliance with the Act.
5. Curry and Tandoor Limited propose to continue operating as a restaurant from 10.00am to 12midnight, Monday to Sunday. The licensing committee is satisfied that these are appropriate hours of operation.
6. 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 Mint India Restaurant can now choose to open and operate as normal on Good Friday, Easter Sunday, Anzac Day, and Christmas Day. The staff training materials need to be updated to reflect this change. Curry and Tandoor Limited has an adequate Host Responsibility Policy; however, it incorrectly refers to the Sale of Liquor Act, which was replaced by the Sale and Supply of Alcohol Act in 2012. It is appropriate that this is corrected and therefore the decision is conditional upon an updated Host responsibility Policy being provided to the Licensing Inspector. This will ensure that all aspects of the Act are complied with before the licence is issued. Curry and Tandoor Limited has produced evidence of an appropriate staff training programme noting that the Licensing Inspector has recommended more frequent staff training.
7. The Licensing Inspector reports that the application complies with the Waitomo District Local Alcohol Policy.
8. The licensing committee is satisfied that the premises has a suitable design and layout to meet the requirements of the Act. The premises is formed from the kitchen, dining, bathrooms and storage area. There are no proposed changes to the licensed area since the last renewal.
9. 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. The premises is in a business zoned area under the operative Waitomo District Plan. The premises is located within a liquor ban area, and close surrounding businesses include retail shops, food outlets and another on-licensed premises. However, there have been no reports of any nuisance, vandalism or noise problems associated with this premises in the past 12 months.
10. 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

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

Dated at this 24th day of April 2026

  
Tegan McIntyre  
Commissioner  
Waitomo District Licensing Committee