

APPLICATION

19/044/2022

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND
IN THE MATTER

of an application by
Tourism Holdings Limited for the renewal
of an on-licence pursuant to section
127 of the Act in respect of the
premises at 584 State Highway 3,
Otorohanga known as Waitomo
Homestead

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The on-licence 019/ON/008/2019 in respect of the premises situated at 584 State Highway 3, Otorohanga and known as Waitomo Homestead 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 continue to apply, with the exception of condition (d) which is replaced as follows:

The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the Waitomo District Licensing Committee on 6 December 2022 and no alcohol is to be taken out of this area.

Reasons

1. This is an application by Tourism Holdings Limited for the renewal of an on-licence in respect of the premises situated at 584 State Highway 3, Otorohanga and known as Waitomo Homestead.
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).

4. In deciding whether to renew and vary an on-licence the licensing committee must have regard to sections 105, 120 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? Is the design and layout of the premises suitable?
 - c) 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?
 - d) Does the applicant have appropriate systems, staff and training to comply with the law?
 - e) Have the police, inspector and medical officer of health raised any relevant considerations?
 - f) 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?
 - g) Has the applicant sold, displayed, advertised or promoted alcohol in a responsible manner?
 - h) Does the application comply with the Waitomo District Local Alcohol Policy?

Should the licence be varied and renewed?

5. The licensing committee is satisfied that Tourism 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. The company has an appropriate Host Responsibility Policy and staff training programme and complies with the Waitomo District Local Alcohol Policy. There are four certificated duty managers who are responsible for ensuring compliance with the Act. The Licensing Committee reminds Tourism Holdings Limited of the importance of undertaking training and maintaining records that document when the training occurred, what it was about and who attended. This evidence will be critical for any further renewals.
6. The licensed hours remain the same.
7. The licensing committee is satisfied that suitable measures will be taken to ensure that alcohol is sold and supplied responsibly and that harm caused by inappropriate or excessive consumption of alcohol is minimised.
8. The licensing committee is satisfied that the premises has a suitable design and layout to meet the requirements of the Act. Tourism Holdings Limited have not applied to vary the licence, however the plan of the licensed area dated 6 December 2022 shows a wall that has been added since the last renewal which separates two small areas into two meeting rooms. The actual licenced area remains the same. Condition (d) is replaced to reflect the new layout.
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. 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.

Conclusion

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

Dated this 15th day of December 2022

A handwritten signature in black ink, appearing to be 'S.G.', written in a cursive style.

Sara Grayson
Commissioner
Waitomo District Licensing Committee