

Decision	19/030/2023
<u>IN THE MATTER</u>	of the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by Gurtaj Properties Limited for a temporary authority in respect of the premises situated at the 249 Rora Street, Te Kuiti trading as Te Kuiti Liquorland pursuant to section 136 of the Act

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The application for a temporary authority to carry on the sale and supply of alcohol pursuant to off-licence 19/OFF/01/2022 authorising the sale and supply of alcohol for consumption off the premises is granted subject to the following conditions:
 - a) The temporary authority must be displayed next to the base licence attached to the interior of the premises so as to be easily read by persons entering through the principal entrance.
2. The temporary authority may issue 31 May 2023.
3. The temporary authority is granted for a maximum period of 3 months.

Reasons

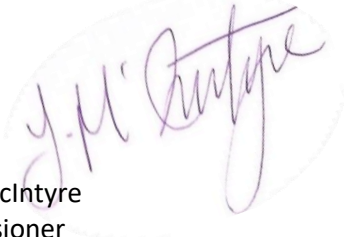
1. This is an application by Gurtaj Properties Limited for a temporary authority in respect of the premises situated at 249 Rora Street, Te Kuiti trading as Te Kuiti Liquorland pending the issue of a new off-licence. Gurtaj Properties Limited has recently purchased the business and takes possession on 31 May 2023. There is a current off-licence in force under the name of the previous owner KCL Group Limited and it is due to expire on 30 September 2024.

Should the temporary authority be granted?

2. Section 136 provides that a temporary authority to carry on the sale and supply of alcohol can be granted to any person who has an interest in the premises where an off-licence is in force for a period of up to 3 months. The purpose of this section is to give a new owner time to apply for a new off-licence.
3. The Liquor Licensing Inspector and Police have assessed the suitability of the applicant to hold a temporary authority and have no objection to the application.

4. The Licensing Committee is satisfied that Gurtaj Properties Limited has sufficient certificated Duty Managers to ensure compliance with the Sale and Supply of Alcohol Act 2012.
5. Therefore, the temporary authority is granted for a maximum period of 3 months pursuant to section 136(1) of the Sale and Supply of Alcohol Act 2012.
6. It is important that a new off-licence application be made promptly. This will allow the District Licensing Committee to fully assess the business of the new owner and ensure that it complies with the Sale and Supply of Alcohol Act 2012.
7. Clause 7.2 of the Waitomo District Local Alcohol Policy states that every temporary authority will be subject to a condition that no second or subsequent temporary authorities will be issued in respect to the same premises and licensee unless a full licence application has already been filed, or, in exceptional circumstances. If a second temporary authority has been applied for, but a substantive licence has not been filed, the Licensing Committee will make the decision about whether there are exceptional circumstances that prevented a licence application from being filed. This will be based on information provided by the Licensing Inspector.

Dated at this 24th day of May 2023



Tegan McIntyre
Commissioner
Waitomo District Licensing Committee