

**Decision**

19/074/2024

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**  
**IN THE MATTER**

of an application by  
Piopio Rugby Football Club Inc for the  
renewal of a club licence pursuant to  
section 127 in respect of the premises  
at 31 Aria Road, Piopio and known as Piopio  
Rugby Football Club

**DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE**

1. Piopio Rugby Football Club Inc is authorised to sell and supply alcohol on the premises situated at 31 Aria Road, Piopio and known as the Piopio Rugby Football Club for consumption on the premises to any authorised customer or visitor as described in the licence conditions.
2. The club-licence 19/CL/002/2022 is renewed for a further period of 3 years. The licence may issue upon payment of the annual fee.
3. The present conditions of the licence are replaced as follows:
  - (a) Alcohol may only be sold and supplied to:
    - (i) a member of the club,
    - (ii) any member of any other club where this club has an arrangement for reciprocal visiting rights,
    - (iii) a person who is invited and accompanied by the members listed in (i) or (ii) above.
  - (b) Alcohol may be sold or supplied only on the following days and during the following hours:  
Monday to Thursday, from 7.30pm to 10.00pm  
Friday, from 6.00pm to 12midnight  
Saturday and Public Holidays, from 2.30pm to 12midnight  
Sunday, from 2.30pm to 9.00pm
  - (c) The club must always have a secretary.

- (d) The club must inform the District Licensing Committee of the name of a new secretary within 10 working days of their appointment.
- (e) All proceeds from the sale of alcohol belong to the club.
- (f) 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 29 August 2025 and no alcohol is to be taken out of this area.
- (g) The entire premises is undesignated (persons under 18 can be in the area).
- (h) A holder of a manager's certificate must be on duty and on the **premises at all times alcohol is sold**. If a duty manager is not present, then there must be no alcohol sales and a notice displayed advising the public of this fact.
- (i) A manager's register (as required by s.232 of the Act) is to be maintained and available on site.
- (j) The licensee must maintain and display a Host Responsibility Policy and ensure all staff and committee members receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- (k) 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.
- (l) Drinking water must be freely available and this must be clear to customers while the premises are open for the sale and supply of alcohol.
- (m) A range of non-alcoholic and low-alcohol drinks must be available at all times when the premises is open for the sale of alcohol.
- (n) Food must be available for consumption on the premises at all times the premises is open for the sale of alcohol in accordance with the menu submitted with the application for this licence, or variations of a similar range and standard.
- (o) A telephone must be readily available for customers to arrange transport, and staff must assist if required. Contact details for alternative transport options from the premises and the availability of a courtesy vehicle or sober driver services must be clearly displayed for customers.
- (p) No BYO alcohol is permitted on the premises while alcohol is available for sale.
- (q) 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 Piopio Rugby Football Club Inc. for the renewal of a club licence in respect of premises located at 31 Aria Road, Piopio.
2. The application was received late, on 9 August 2024. Accordingly, the applicant has sought a waiver under section 127(2) of the Act. The reason provided for the delay is that, due to a change in committee membership, the renewal process was not identified and actioned within the required timeframe. Section 208 of the Act allows the licensing committee to grant a waiver if a person fails to meet a deadline, provided the failure was not intentional. In this case, the renewal application was filed before the licence expired, so a waiver is possible. We are satisfied that the mistake was genuine and not deliberate. Therefore, the waiver for late filing is granted, and the renewal application is accepted as if received on time.
3. The application was advertised, and no objections have been received from 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 (s 134).
4. 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 (s 4). In deciding whether to renew a club 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?
5. Section 132 provides that the licensing committee may vary or cancel any conditions applying to the licence before its renewal.

### **Should the licence be renewed?**

6. The licensing committee is satisfied that Piopio Rugby Football Club Inc is a suitable applicant to hold a club licence. The club has demonstrated compliance with the Sale and Supply of Alcohol Act 2012.
7. Piopio Rugby Football Club Inc proposes to continue operating as a club with no changes to the licensed hours. The licensing committee is satisfied that these are appropriate hours of operation.
8. The Licensing Inspector reports that the application does comply 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 licensed area consists of the kitchen, bar and main hall area as well

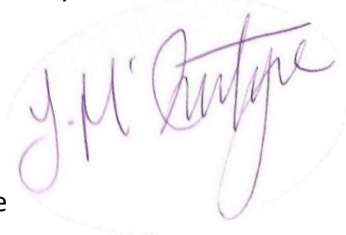
as an outdoor area which is well demarcated by a fence. The bar area provides a view of the club room. The premises is well appointed and able to be monitored effectively by the staff of the premises.

10. An inspection of the premises was undertaken on 30 September 2024 by the Waitomo District Licensing Inspector. The inspection revealed a number of compliance issues and breaches of licence conditions. These included:
  - No manager's register was available on site, a requirement of condition (i) of the licence.
  - Training records were not up to date. The last recorded training was in 2022, breaching condition (j), which requires ongoing staff and committee training. This is of particular concern given recent changes in committee membership.
  - The club failed to notify the Committee of the appointment of a new secretary within 10 working days as required under condition (d). Notification was only provided after this obligation was raised during the inspection.
  - Inconsistencies were identified regarding the date of appointment of the secretary.
11. Taken together, these matters suggest more than just occasional oversights. They indicate a pattern where the club has sometimes struggled to fully understand or consistently meet its obligations under the Act and the conditions of the licence, particularly in relation to systems and staff training. To support the club in strengthening these areas, additional information was requested, including an annual training plan and an up-to-date training register. The Licensing Committee also wishes to remind the club of the importance of carrying out regular training and keeping clear records of when training occurred, what it covered, and who attended. This documentation will be important for any future renewals. Overall, the issues identified by the licensing inspector show that a more consistent attention is needed to ensure these obligations are well understood and reliably met in practice.
12. The licensing committee is satisfied that the club has an appropriate Host Responsibility Policy which demonstrates suitable measures will be undertaken about responsible sale and supply of alcohol and that harm will be reduced and that the club has sufficient Duty Managers who serve on these premises to ensure the responsible sale and supply of alcohol. It is now a requirement that a duty manager be on duty and on the premises at all times alcohol is sold. If a duty manager is not present, then there must be no alcohol sales and a notice displayed advising the public of this fact.
13. The licensing committee is satisfied that the renewal of the club 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 previous licensing period.

### Conclusion

14. Therefore, the application for the renewal of the club licence is granted.

Dated at this 8th day of December 2025



Tegan McIntyre  
Commissioner  
Waitomo District Licensing Committee