

**Decision Number: 19/020/2016**

**IN THE MATTER** of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER** of an application by **Innaminka Enterprises Limited** pursuant to s.100 of the Act for an On Licence Renewal

**BEFORE THE WAITOMO DISTRICT LICENSING COMMITTEE**

Chairperson: Diane Sharpe

**MEETING** at Te Awamutu / Cambridge on the 1<sup>st</sup> day of April 2016

**INTRODUCTION**

The Waitomo District Licensing Committee has before it an application by **Innaminka Enterprises Limited** pursuant to section 100 of the Act for an **On Licence Renewal**.

Reports have been received from the Police, Medical Officer of Health and a Licensing Inspector. The application has been publically notified in accordance with the Act.

There are no objections to this application by reporting agencies or the public in respect to this application, and it is therefore determined on the papers by the Chairperson alone in accordance with section 191(2) of the Act.

**THE APPLICATION**

Application for the renewal of on licence number 019/ON/5/2010 was received by the Waitomo District Licensing Committee on 3 February 2016 pursuant to section 127 of the Sale and Supply of Alcohol Act 2012.

The application was on time, and in the correct form as detailed by section 127 of the Act, and was accompanied by the correct fee. The application includes a statement in regard to fire safety and evacuation schemes as required by section 127(e).

The application was publicly notified in the Waitomo News on 11 February 2016 and 18 February 2016.

**DECISIONS AND REASONS**

The criteria to which this committee must have regard are detailed in section 105 of the Act.

**"105 Criteria for issue of licences**

*(1) In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:*

- (a) the object of this Act;*
- (b) the suitability of the applicant;*
- (c) any relevant local alcohol policy;*
- (d) the days on which and the hours during which the applicant proposes to sell alcohol;*
- (e) the design and layout of any proposed premises;*

Waitomo District  
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- (f) *whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:*
- (g) *whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:*
- (h) *whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence:*
- (i) *whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—*
  - (i) *they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but*
  - (ii) *it is nevertheless desirable not to issue any further licences:*
- (j) *whether the applicant has appropriate systems, staff, and training to comply with the law:*
- (k) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103.*

*(2)The authority or committee must not take into account any prejudicial effect that the issue of the licence may have on the business conducted pursuant to any other licence"*

#### **SUITABILITY OF THE APPLICANT**

Company Directors: Peter Robert Jones and Sandra Fay Jones.

There are no concerns with the suitability of the company directors.

#### **LOCAL ALCOHOL POLICY**

The Waitomo District Local Alcohol Policy is not yet in force. The policy states:

*No on-licence shall be issued or renewed for any hotel or tavern premises with hours that exceed the following (subject to sections 46 and 47 of the Act):*

- a) Monday to Sunday 9.00am to 2.00am the following day.*

With hours applied for of 08.00am to 1.00am the following day the application would therefore comply with this requirement.

#### **DAYS AND HOURS**

The applicant proposes no changes to the hours of Monday to Sunday 8.00am to 1.00am the following day.

#### **DESIGN AND LAYOUT OF THE PREMISE**

The premises are located on the site at 1 Riverside Lane, Te Kuiti. The premises is formed from a bar with a pool/function room and gaming (TAB) room, an outdoor area and a dining area as illustrated in the plans provided with the original licence application. There are no proposed changes.

#### **SALE OF GOODS AND SERVICES OTHER THAN THOSE RELATED TO ALCOHOL**

No other goods are sold.  
A gaming room is provided for patrons to utilise.



## **REDUCTION OF AMENITY AND GOOD ORDER**

The premises are situated on Riverside Lane in Te Kuiti. There is no through traffic. An early childhood education centre is located next to the applicant's premises but a high fence separates these premises. A church is located approximately 100 metres from the applicant's premises. No complaints have been received by Waitomo District Council concerning noise or anti-social behaviour. Security lighting is provided to the car parks and there are 9 internal CCTV cameras. There are no concerns that the amenity and disorder of the neighbourhood would be likely to be increased, by more than a minor extent, by the issue of the licence.

## **SYSTEMS, STAFF AND TRAINING**

The applicant has provided evidence of the systems, staff and training of those staff that are in place to ensure compliance with the Act. These include systems for checking ID, promoting food throughout the premises, having a large range of low alcohol beers and mid strength wines. There is evidence that training materials are available and promoted to bar staff. The applicants have a detailed host responsibility implementation plan.

## **ISSUES RAISED BY REPORTING AGENCIES**

Police report dated 18 February 2016 presents no objections to the application. Report from the office of the Medical Officer of Health dated 17 February 2016 presents no objections to the application.

## **THE PUBLIC**

The application was duly advertised in accordance with the Act. No public objections were received.

## **CONCLUSION**

Being satisfied as to the matters to which the Committee must have regard in s.105 of the Act the application is granted. ***The licence can be renewed and issued immediately for a three year period***, subject to the following conditions:

The present conditions on the licence shall continue to apply as well as the following compulsory additional conditions:

s110(1)

- a) Each of the following parts of the premises is designated as:
- |                      |  |
|----------------------|--|
| <b>Supervised:</b>   | Bar Areas, Decks, Pool / Function Room |
| <b>Restricted:</b>   | Gaming Room                            |
| <b>Undesignated:</b> | Dining Area                            |
- b) Water must be freely available at all times from the bar and provided in jugs at all occupied tables in the dining area.

**DATED** at Te Awamutu / Cambridge this 1st day of April 2016



Diane Sharpe  
**Chairperson**  
**Waitomo District Licensing Committee**



Waitomo District  
**licensing committee**

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