

Matamata-Piako District Licensing Committee



IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Paul and Kym Samuels Limited** for an **off-licence** pursuant to section 99 of the Act in respect of premises situated at 79 Thames Street, Morrinsville known as Morrinsville New World.



Licence Number: **13/OFF/016/2020**
File Number: 162.2020.1603.1

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Adrienne Wilcock

DECISION ON THE PAPERS

This is an application by Paul and Kym Samuels Limited for an off-licence in respect of a premises situated at 79 Thames Street, Morrinsville known as Morrinsville New World. The general nature of the business is that of a Supermarket.

The application was filed on 13 October 2020 and was advertised in accordance with the Act, in the Piako Post on 9 & 16 December 2020. No public objections were received

The days and hours of operation set out in the application are:

Monday to Sunday from 7.00 am until 9.00 pm

These hours comply with the requirements of the Local Alcohol Policy, as it applies to the premises type.

The application was referred to the Police, Medical Officer of Health and Inspector for comment. No matters in opposition have been raised in respect of the application by those reporting bodies. The certificates required by s.100(d) and (f) have been received. Accordingly the application is determined on the papers.

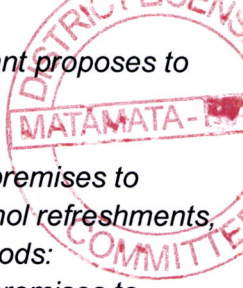
The applicant, in accordance with s.212 of the Act, has named ten managers with current certificates to manage the sale of alcohol from the premises.

In deciding whether to grant an off-licence the committee must have regard to the matters set out in s.105 of the Act. These are:

Section 105

- (a) *the object of this Act:*
- (b) *the suitability of the applicant:*

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- (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:
 - (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

The object of the Act is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol should be minimised.


The Inspector reporting on the application has noted that he considers the applicant, Paul and Kym Samuels Limited, has the necessary experience and is suitable to operate a licensed premises. He has also noted that in his opinion the amenity and good order of the locality would not be likely to reduce by more than a minor extent if the licence is issued. His recommendation is for the application to be granted subject to conditions.

I am satisfied as to those matters to which I must have regard and grant the applicant an off-licence for a period of one year from the date of issue pursuant to s.104.

The applicant must comply with all conditions specified on the licence.

The licence will be subject to the following conditions:

Conditions

- (a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day:
 - (b) No alcohol may be sold other than—
 - (i) beer that complies with the appropriate New Zealand food standard for beer; or
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- (ii) mead that complies with the appropriate New Zealand food standard for mead; or
 - (iii) fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - (iv) grape wine that complies with the appropriate New Zealand food standard for grape wine; or
 - (v) a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
- (c) Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday from 7.00 am to 9.00 pm
- (d) The only area delineated on the attached plan **(06-G1 18 December 2020)** is a permitted area for the display and promotion of alcohol.
- (e) While alcohol is being provided free as a sample drinking water to be provided free from the same location.
- (f) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (g) The holder of a Manager's Certificate or a properly notified manager shall 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 advertising the public of this fact.
The licensee must ensure the following are displayed:
- (i) A sign to be seen from outside the principle entrance stating the ordinary hours of business during which the premise 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.

Dated at Te Aroha this 15th day of January 2021



A handwritten signature in blue ink, appearing to read "Adrienne Wilcock".

Adrienne Wilcock
Chairperson
Matamata-Piako District Licensing Committee