

Matamata-Piako District Licensing Committee



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



IN THE MATTER of an application by **A & A Phimester Limited** for the renewal of an **off-licence** pursuant to section 127 of the Sale and Supply of Alcohol Act 2012.

Licence Number: **13/OFF/005/2020**
Original Licence Number: **13/OFF/002/2019**
File Number: **162.2019.1430.2**

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Adrienne Wilcock

DECISION ON THE PAPERS

This is an application by A & A Phimester Limited for renewal of an off-licence in respect of premises situated at 122 Whitaker Street, Te Aroha known as Te Aroha Four Square. The general nature of the business is that of a Grocery Store.

This application was lodged on 11 February 2020 and was advertised in accordance with s.101 of the Act, in the Piako Post on 19 & 26 February 2020. No 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 are the same as the existing licenced hours of operation and comply with the requirements of the provisional Local Alcohol Policy.

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. Accordingly the application is determined on the papers.

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

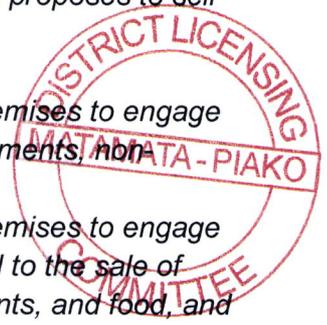
In deciding whether to renew an off-licence the committee must have regard to the matters set out in s.105 and 131 of the Act. These are:

Section 105

- (a) *the object of this Act:*
- (b) *the suitability of the applicant:*
- (c) *any relevant local alcohol policy:*

A handwritten signature in black ink, located in the bottom right corner of the page.

- (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:*
- (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*



Section 131

- (b) *whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:*
- (c) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made by virtue of section 129:*
- (d) *the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.*

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 has noted that he considers the applicant to be a suitable body to hold an off-licence. He has also noted that in his opinion the amenity and good order of the locality would be unlikely to be increased by more than a minor extent by the effects of a refusal to renew the licence.

I am satisfied as to those matters to which I must have regard and grant the renewal of the off-licence for a further three years.

The renewal certificate can be issued immediately.

Conditions

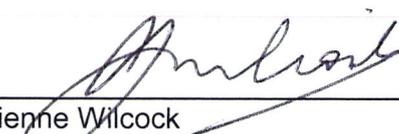
- (a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day:
- (b) No alcohol may be sold other than—
 - (i) beer that complies with the appropriate New Zealand food standard for beer; or
 - (ii) mead that complies with the appropriate New Zealand 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 7.00am to 9.00pm

- (d) The "single alcohol area" for the premises is as shown on the plan received 1 March 2019.
 - (i) No alcohol is to be displayed, promoted or advertised outside the single alcohol area.
 - (ii) No products other than alcohol, low-alcohol and non-alcoholic beer, wine or mead are displayed, promoted or advertised inside the single alcohol area.
- (e) While alcohol is being provided free as a sample drinking water to be provided free from the same location
- (f) The licensee shall take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:
 - i) All staff will be trained in their responsibilities under the Act.
 - ii) Evidence of age documents will be requested from any person appearing to be under the age of 25.
 - iii) A sign shall be prominently displayed inside the premises which identifies the name of the manager on duty or the person responsible for the management of the sale and supply of alcohol under the licence.
 - iv) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition of sales to intoxicated persons.

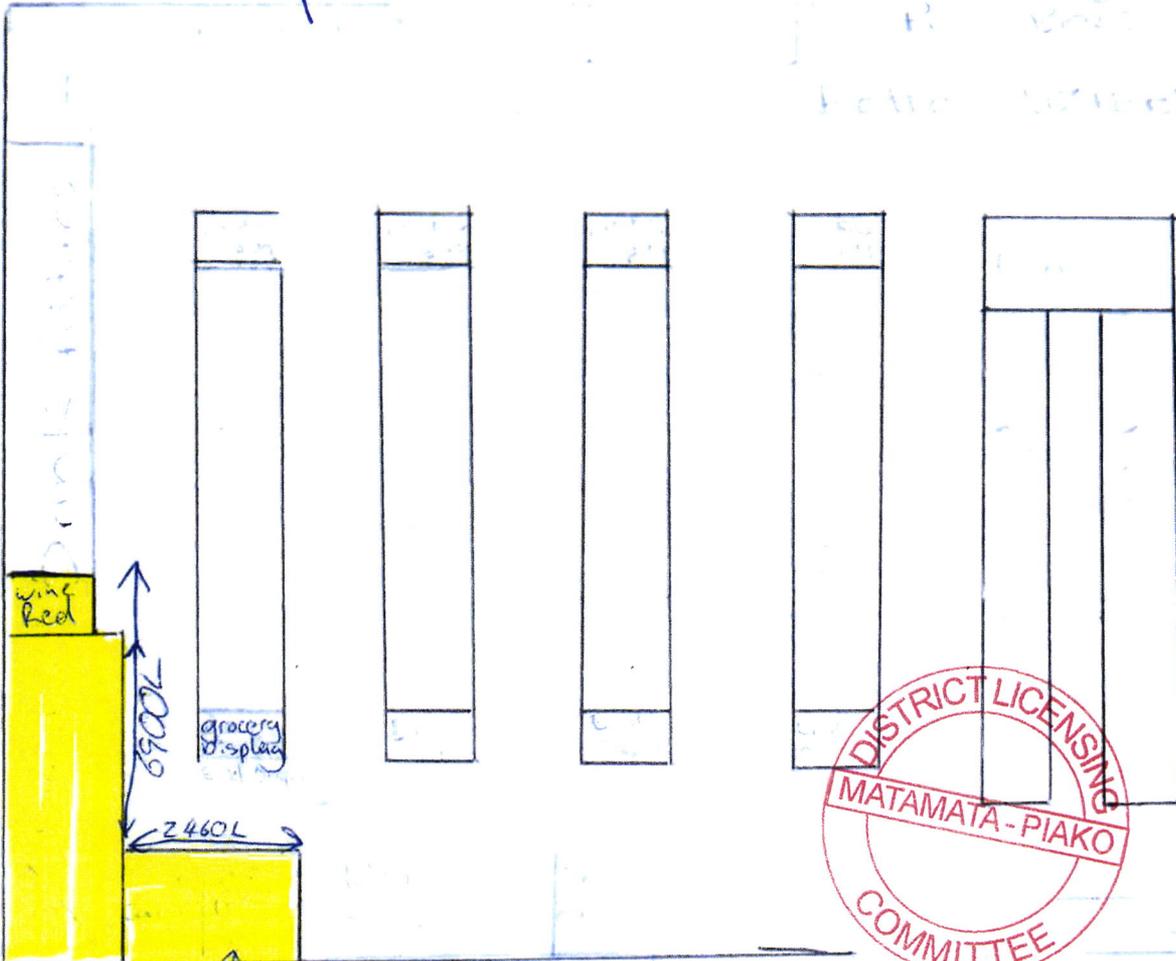
Dated at Te Aroha this 18th day of March 2020



Adrienne Wilcock
Chairperson
Matamata-Piako District Licensing Committee



Footpath



DISTRICT LICENSING
MATAMATA-PIAKO
COMMITTEE

RECEIVED
12 MAR 2020
Matamata Piako District Council

Barbecue