

# 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 **Te Aroha Distilling Co Pty Limited** for an **off-licence** pursuant to section 99 of the Act in respect of premises situated at **63 Whitaker Street Te Aroha**.



Licence Number:

**13/OFF/008/2024**

File Number:

162.2024.1932.1

## **BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE**

Chairperson: Councillor Sue Whiting

### **DECISION ON THE PAPERS**

This is an application by Te Aroha Distilling Co Pty Limited for an off-licence in respect of a premises situated at 63 Whitaker Street Te Aroha known as Te Aroha Distilling Co Pty. The premises has not been previously licensed. The general nature of the business is that of a Manufacturer/Distillery.

Off licences can only be issued to premises that qualify in terms of Section 32.

This application is made in relation to s.32 (1)(d) where (in the opinion of the licensing authority or licensing committee concerned) the principal business carried on is the manufacture of alcohol

The application was filed on 5 July 2024 and was advertised in accordance with the Act, in the Waikato Times on 9 and 16 July 2024. No public objections were received

The application has the days and hours as Monday to Saturday from 10am until 8pm. The public notification has the days and hours as Monday to Saturday from 9am until 5pm.

The days and hours of operation have been confirmed as:

**Monday to Saturday from 9.00am until 5.00pm.**

These hours comply with the requirements of Council's Provisional Local Alcohol Policy for this type of premises.

The application was referred to the Police, Medical Officer of Health and Inspector for comment.

The Police have not raised any matters that need consideration in the issuing of this licence.

As of 16 August 2024 a report has not been received from the Health Promotion Officer. The District Licensing Committee can assume they did not have any objections to the applications. The Health Promotion Officer had until the 9<sup>th</sup> of August 2024 to respond.

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, applied for their Manager certificate to manage the sale of alcohol from the premises. The Manager's certificate will be issued at the same time as this licence.

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:*
- (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, Te Aroha Distilling Co Pty 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.

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 on the premises on **Good Friday, Christmas Day, or before 1 pm on Anzac Day**
- b) Alcohol may only be sold under the licence on the following days and during the following hours:  
  

**Monday to Saturday from 9.00am until 5.00pm**
- c) The whole of the premises is undesignated
- d) The holder of a Manager's Certificate or a properly appointed 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
- e) Manager's register (as required by s.232 of the Act) is to be maintained and available onsite
- f) 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
- g) The licence area is described in the plan stamped and received by the District Licensing Committee on the 16<sup>th</sup> of August 2024.

**Dated** 28 Aug, 2024



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Sue Whiting  
Chairperson  
Matamata-Piako District Licensing Committee

