



te kaunihera ā-rohe o
matamata-piako
district council

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 **HDG Holdings 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/004/2024**
Original Licence Number: **13/OFF/002/2021**
File Number: **162.2019.1526.3**

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Sue Whiting

DECISION ON THE PAPERS

This is an application by HDG Holdings Limited for renewal of an off-licence in respect of premises situated at 2618 State Highway 26 RD 2 Morrinsville known as The Top Pub and Eatery. The business have been previously licensed. The general nature of the business is that of a Tavern.

Section 125 of the Act states that an off-licence must not be renewed unless the premises qualify pursuant to the relevant section.

Section 32 Kinds of premises for which off-licences may be issued

- (1) An off-licence may be issued only –
 - (a) To the holder of an on-licence issued for a hotel or tavern, for the premises (or part of the premises) for which the on-licence is held;

Section 105 of the Act sets out the matters that must be considered in renewing an off-licence.

This application was lodged on 23 January 2024 and was advertised in accordance with s.101 of the Act, in the Morrinsville News on 8 and 15 February 2024. No objections were received.

An On-licence is also being sought which is located in the same premises.

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

Monday to Sunday from 9.00am until 9.00pm

These hours of operation 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.

The Fire Service report initially objected to the application as a trial evacuation had not been done for some time. Their objection has now been withdrawn. 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:*
- (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 the applicant has appropriate systems, staff, and training to comply with the law:*
- (i) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103*

Section 131

- (a) *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:*
- (b) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made by virtue of section 129:*
- (c) *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.

When renewing an off-licence, section 132 allows the committee to impose conditions as set out in section 116 or to vary or cancel any conditions applying to the licence before its renewal.

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) Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday from 9.00am until 9.00pm
- (c) The off-licenced area is designated supervised
- (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.

Dated 14 May, 2024



Sue Whiting
Chairperson
Matamata-Piako District Licensing Committee



THE TOP PUB + EATERY
MORRINSVILLE



State Highway 26

10 MAY 2024
Matamata Piako District Council

↑
Main Entrance + Carpark.

I, Darinder Kumar being venue operator/person
authorised representative of HOG Holdings Ltd
(Company/Partnership name)
venue operator at The Top Pub + Eatery
at 2618 State Highway 26
Morrinsville

(address)
Declare that this is a true and correct floor plan of this venue and of
the proposed location of the gaming machines at this venue.
Mr W Signed 31st May Date 2021

Key

- X - Cameras
- - ATM
- - DVR

1:100 at A3

Gaming Room 90m²

Name: Martin John Bradley
Designation: Chairman
Society: Grassroots Trust Ltd
I support the above declaration.
Signed: [Signature] Date: 1/6/21