

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 **Diyas Restaurant Limited** for a **temporary authority** pursuant to section 136 of the Act in respect of a premises situated at 50 Broadway Matamata and known as Due South Bar & Eatery.



Licence Number: 13/TEMP/008/2024
Underlying Licence: 13/ON/001/2024
File Number: 162.2024.1960.1

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Sue Whiting

DECISION ON THE PAPERS

This is an application for a temporary authority to carry on the sale and supply of alcohol under an existing On Licence with an expiry date of 9 November 2026.

The reason for the temporary authority is due to the business changing ownership. The takeover date is 30 September 2024. The applicant will be the new owner of the business. There are two directors of Diyas restaurant Limited, Devika Dutt and Dhirend Sharma.

Devika and Dhirend have previously worked in the hospitality industry for a number of years. Both directors applied for their manager certificates, they have been interviewed and they both have a good understanding of the Act. Their manager certificates will be issued in conjunction with this temporary authority. The premises is not a high risk venue and the temporary authority will allow them to prove themselves.

No matters in opposition to this temporary authority have been raised by the Inspector or by the Police.

We are satisfied as to the matters to which we must have regard and we grant the applicant a temporary authority to carry on the sale and supply of alcohol under the existing licence.

Section 136(4) of the Act requires the Committee, on making an order, to impose any conditions that the Act requires an on or off-licence to be issued subject to, may impose any conditions that the Act enables the licence to be issued subject to and may impose

any other reasonable conditions it thinks fit. Sections 112, 116 and 117 of the Act detail compulsory and discretionary conditions of the licence in force.

The temporary authority is subject to the following conditions in addition to the existing conditions of the licence in force:

- a) It is a condition of this Temporary Authority that the holder must comply with all the conditions of the current on-licence, and the provisions of the Sale and Supply of Alcohol Act 2012.
- b) That an application for an on-licence be made within two months of the date of issue.
- c) The temporary authority must be displayed next to the base licence attached to the interior of the premises so as to be easily read by persons entering through the principal entrance.

The applicant's attention is drawn to s.136(5) of the Act which states that the person authorised by this order has the same duties, obligations, and liabilities, as the holder of the underlying on-licence concerned.

Having regard to the information supporting the application, I support the granting of the Temporary Authority for three months.

The certificate can be issued immediately.

Dated 27 Sep, 2024



Sue Whiting
Chairperson
Matamata-Piako District Licensing Committee