

Application	19/002/2023
<u>IN THE MATTER</u>	of the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by Brothers 2022 Limited for a temporary authority in respect of the premises situated at 1 Riverside Lane, Te Kuiti trading as Riverside Lodge pursuant to section 136 of the Act

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The application for a temporary authority to carry on the sale and supply of alcohol pursuant to on-licence 19/ON/003/2020 authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises is granted subject to the following conditions:
 - a) 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.
2. The temporary authority may issue 16 February 2023.
3. The temporary authority is granted for a maximum period of 3 months.

Reasons

1. This is an application by Brothers 2022 Limited for a temporary authority in respect of the premises situated at 1 Riverside Lane, Te Kuiti pending the issue of a new on-licence. Brothers 2022 Limited has purchased this business and has been operating on a 2nd temporary authority which expires 16 February 2023. There is a current on-licence in force under the previous owner.

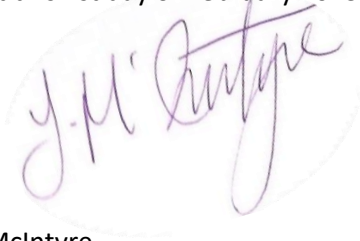
Should the temporary authority be granted?

2. Section 136 provides that a temporary authority to carry on the sale and supply of alcohol can be granted to any person who has an interest in the premises where an on-licence is in force for a period of up to 3 months. The purpose of this section is to give a new owner time

to apply for a new on-licence. Brothers 2022 Limited applied for a new on-licence on 26 October 2022 and has applied for a third temporary authority to allow time for processing of the substantive licence application. Extra time has been deemed necessary as the Office of the Medical Officer of Health (MOH) and Fire & Emergency (FENZ) initially opposed the substantive application. The Committee notes that FENZ has now withdrawn their opposition.

3. The Liquor Licensing Inspector and Police have assessed the suitability of the applicant to hold a temporary authority and have no objection to the application.
4. The Licensing Committee is satisfied that Brothers 2022 Limited has sufficient certificated Duty Managers to ensure compliance with the Sale and Supply of Alcohol Act 2012.
5. Clause 7.2 of the Waitomo District Local Alcohol Policy states that every temporary authority will be subject to a condition that no second or subsequent temporary authorities will be issued in respect to the same premises and licensee unless a full licence application has already been filed, or, in exceptional circumstances, with the prior approval of the Secretary of the Licensing Committee.
6. Therefore, the temporary authority is granted for a maximum period of 3 months pursuant to section 136(1) of the Sale and Supply of Alcohol Act 2012 subject to the above condition and subject to the condition that the temporary authority must be displayed next to the base licence.

Dated at this 1st day of February 2023



Tegan McIntyre
Commissioner
Waitomo District Licensing Committee