

<b>Application</b>	19/06/2023
<b><u>IN THE MATTER</u></b>	of the Sale and Supply of Alcohol Act 2012
<b><u>AND</u></b> <b><u>IN THE MATTER</u></b>	of an application by Taharoa Social Sports and Welfare Club (2009) Incorporated for the renewal of a club off licence pursuant to section 127 in respect of the premises at Kiwi Street, RD 8, Taharoa and known as Taharoa Social Sports and Welfare Club

#### **DECISION OF THE DISTRICT LICENSING COMMITTEE**

1. Taharoa Social Sports and Welfare Club (2009) Incorporated is authorised to sell and supply alcohol on the premises situated at Kiwi Street, Taharoa and known as Taharoa Social Sports and Welfare Club for consumption off the premises to any authorised customer as described in the licence conditions.
2. The off-licence 19/OFF/0003/2020 is renewed for a further period of 3 years. The licence may issue upon payment of the annual fee.
3. The present conditions of the licence are replaced as follows:
  - a) Alcohol may only be sold and supplied to:
    - (i) a member of the club,
    - (ii) any member of any other club where this club has an arrangement for reciprocal visiting rights,
    - (iii) a person who is invited and accompanied by the members listed in (i) or (ii) above.
  - b) The club must always have a secretary.
  - c) Within 10 working days of the appointment of a new secretary, the secretary of the licensing committee is told the name of the new secretary.
  - d) All proceeds from the sale of alcohol belong to the club.
  - e) Alcohol may be sold only on the following days and during the following hours:  
Monday to Friday, from 5.00pm to 10.00pm  
Saturday and Sunday, from 11.00am to 10.00pm.

- f) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day.
- g) The entire premises is undesignated.
- h) The area where alcohol is to be sold is described in the plan date stamped as received by the District Licensing Committee on 5 August 2023.
- i) A properly appointed certificated, acting or temporary manager must be on duty and on the premises at all times when the premises is open for the sale and supply of alcohol. If a duty manager is not present, then there must be no alcohol sales and a notice displayed advising the public of this fact.
- j) A manager's register (as required by s.232 of the Act) is to be maintained and available on site.
- k) A Host Responsibility Policy must be maintained and displayed in a prominent place that can be seen by customers and the Licensee must ensure all staff and committee members receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- l) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be appropriate signs detailing these restrictions at every point of sale.
- m) Drinking water must be freely available and displayed whenever alcohol is being supplied by way of complimentary tastings.
- n) The Licensee must ensure the following are displayed;
  - i) A copy of the original licence with all the conditions, displayed prominently in the premises.
  - iii) A sign in a prominent place identifying the duty manager or responsible bar person

## Reasons

1. This is an application by Taharoa Social Sports and Welfare Club (2009) Incorporated for renewal of an off-licence in respect of the premises situated at Kiwi Street, Taharoa known as the Taharoa Social Sports and Welfare Club (. The club has been operating for a number of years and off-licence sales can be made over the bar.
2. The application was advertised, and no objections have been received from members of the public. The Liquor Licensing Inspector, Police and the Medical Officer of Health have provided reports and do not oppose the application. Accordingly, the matter is decided on the papers (s 134).
3. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4). In deciding whether to renew an off-licence the licensing committee must have regard to sections 131 and 105 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
  - a) Is the applicant suitable?
  - b) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
  - c) Is the design and layout of the premises suitable?

- d) Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?
  - e) Does the applicant have appropriate systems, staff and training to comply with the law?
  - f) Have the police, inspector and medical officer of health raised any relevant considerations?
  - g) Will the amenity and good order of the locality be increased by more than a minor extent by the effects of a refusal to renew the licence?
  - h) Has the applicant sold, displayed, advertised or promoted alcohol in a responsible manner?
  - i) Does the application comply with the Waitomo District Local Alcohol Policy?
4. Section 132 provides that the licensing committee may vary or cancel any conditions applying to the licence before its renewal.

**Should the licence be renewed?**

5. The licensing committee is satisfied that Taharoa Social Sports and Welfare Club (2009) Incorporated is a suitable applicant to hold an off-licence. The club has demonstrated compliance with the Sale and Supply of Alcohol Act 2012. The premises has a suitable design and layout to meet the requirements of the Act. It is well appointed and able to be monitored effectively by the staff of the premises. Taharoa Social Sports and Welfare Club (2009) Incorporated has an appropriate Host Responsibility Policy and staff training programme and sufficient Duty Managers employed to ensure compliance with the Act.
6. The Licensing Inspector reports that the application does comply with the Waitomo District Local Alcohol Policy.
7. The licensing committee is satisfied that the renewal of the off-licence will not reduce the amenity and good order of the locality by more than a minor extent. Alcohol is sold, displayed and promoted in a responsible manner and in accordance with the requirements of the Act.

**Conclusion**

8. Therefore, the application for the renewal of the off-licence is granted.

Dated at this 6th day of May 2024



Tegan McIntyre  
Commissioner  
Hamilton District Licensing Committee