

Decision	19/007/2024
<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 Samdhyan Liquor Limited for a temporary authority in respect of the premises situated at the 3/35 Carroll Street, Te Kuiti trading as Blackbull Liquor Te Kuiti 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 off-licence 19/OFF/006/2020 authorising the sale and supply of alcohol for consumption off the premises is granted subject to the following condition:
 - 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 27 February 2024.
3. The temporary authority is granted for a maximum period of 3 months.

Reasons

1. This is an application by Samdhyan Liquor Limited for a second temporary authority in respect of the premises situated at 3/35 Carroll Street, Te Kuiti pending the issue of a new off-licence. Samdhyan Liquor Limited took possession of the business 5 December 2023 and has been operating under a temporary authority which expires 27 February 2024.

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 off-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 off-licence.
3. The Waitomo District Local Alcohol Policy states 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. The Licensing Inspector confirms that Samdhyan Liquor

Limited has applied for a new off-licence. The reason for this second temporary authority is to allow the applicant to sell alcohol whilst the new off-licence application is being processed.

4. 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.
5. The Licensing Committee is satisfied that Samdhyan Liquor Limited has sufficient certificated Duty Managers to ensure compliance with the Sale and Supply of Alcohol Act 2012.
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 condition that the temporary authority must be displayed next to the base licence.

Dated at this 16th day of February 2024



Tegan McIntyre
Commissioner
Waitomo District Licensing Committee