

APPLICANT 17/ON/012/2014

IN THE MATTER of the Sale and Supply of Alcohol Act 2012 (The Act)

AND

IN THE MATTER of an application by Kuranui New Zealand Ltd for a licence to sell and supply alcohol (On License) pursuant to Section 127 of the Act in respect to premises situated at 1420 SH5 RD3 Tirau 3485 and known as Kuranui Lodge.

**BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE**

**QUORUM:** Jenny Shattock QSM JP Chairperson

**THE APPLICATION**

Pursuant to Section 127 of the Sale and Supply of Alcohol Act 2012 Kuranui New Zealand Ltd has filed an application for the renewal of On Licence number 17/ON/012/2014. This application relates to premises located at 1420 SH5 RD3 Tirau 3485 and known as Kuranui Lodge.

The general nature of the business is that of a luxury lodge providing accommodation, big game hunting and food and other functions.

Hours sought in the application are Monday to Sunday 10:00am – 1:00am (the following day)

A report on the application was received from an Inspector and the Police. Neither the Inspector nor the Police oppose the application.

The Medical Officer of Health does not oppose the application.

The application was publically notified in the South Waikato News on 29<sup>th</sup> October 2014 and 5<sup>th</sup> November 2014 and no objections were received from members of the public.

The premise has been operating under a licence for the previous eight (8) years with no issues or concerns raised with any of the reporting agencies.

The applicant has provided detailed menus of the food options they prepare on site and the non-alcoholic refreshments that are available.

The applicant has made provision for the supply of free water during table service and at the bar.

The premise is zoned “Rural” in the South Waikato District Council Operative District Plan and therefore a licensed premises is not deemed a permitted activity. A Resource Consent was granted in 2007.

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

In deciding whether to renew a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:

- (1) the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1):
- (2) 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:
- (3) any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made by virtue of section 129:
- (4) the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.

The Inspectors report is both comprehensive and positive. It does not need to be restated, it covers the matters required including Amenity and Good Order. The Inspector reports that there is no reason to believe that the amenity and good order of the locality would be likely to be increased, to more than a minor extent, by the effects of a refusal to renew the licence.

There is no question as to the suitability of the applicant.

There is nothing in the Inspectors report to suggest that the applicant has managed the Sale and Supply of Alcohol in an inappropriate manner during the currency of the On-Licence.

In this matter I believe that the criteria under Section 131 of the Act have generally been met given that:

- (1) The Inspector has provided a positive report
- (2) The relevant Agencies have reported without opposition,
- (3) The application has drawn No Objection from the public.
- (4) The Applicant has managed the Sale and Supply of alcohol appropriately during the currency of the licence.

The South Waikato District Council does not currently have a Local Alcohol Policy.

I am satisfied as to the matters which I must have regard as set out in s.105 of the Act, and I am satisfied that the application meets the purpose and object of the Act. Accordingly, I grant the applicant a renewal of the underlying on licence 17/ON/012/2014 in respect of the premises situated at 1420 SH5 RD3 Tirau 3485 and known as Kuranui Lodge for a further period of 3 years. The licence may be issued upon payment of the annual fee with the following conditions:

## **CONDITIONS**

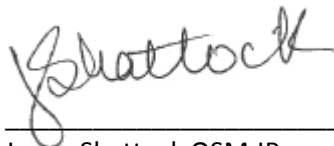
Pursuant to s.131 the licence is subject to the conditions listed below:

1. Alcohol may only be sold or supplied on the following days and during the following hours  
**10:00am – 1:00am (the following day)**
2. No alcohol may be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day (except in the case of a licence endorsed under s.38 of the Act or when the Licensee holds a Special Licence for the premises).
3. The whole of the premise is undesignated.
4. A range of food as per the menus supplied shall be available at all times when alcohol may be sold or supplied under the licence.
5. The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of non-alcoholic refreshments and low alcoholic beverages including free access to water.
6. The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons and responsible consumption of alcohol are observed:
  - a) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
  - b) Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of liquor to minors and intoxicated persons adjacent to every point of sale.
  - c) Ensure that appropriate signs are prominently displayed detailing information about alternative forms of transport from the premises
  - d) The licensee must ensure that all staff comply with a host responsibility plan detailing the steps to be taken by the licensee to ensure a safe drinking environment
7. A holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold.
8. Drinking water must be freely available and this must be clear to customers, while the premises are open for the sale and supply of alcohol.
9. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
10. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.

**CONCLUSION**

Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012, I am satisfied that a new on-licence (17/ON/012/2014) should be granted pursuant to the conditions set out above.

**DATED** at TOKOROA this 24<sup>th</sup> day of June 2016

A handwritten signature in cursive script, appearing to read 'J Shattock', written in black ink.

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Jenny Shattock QSM JP  
Chairperson  
South Waikato District Licensing Committee