

APPLICATION 17/ON/013/2017

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

AND

THE MATTER OF an application by New Flame Restaurant
Limited pursuant to s127 of the Act for an
On-licence Renewal in respect of premises
situated at 92-94 Tirau Street, Putaruru
and known as Putaruru Arms Motel

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING CHAIRPERSON

Quorum: Jeff Gash JP

THE APPLICATION:

New Flame Restaurant Limited has filed an application pursuant to s127 of the Sale and Supply of Alcohol Act 2012 for an On-licence renewal in respect of the premises situated at 92-94 Tirau Street, Putaruru and known as Putaruru Arms Motel.

The applicant is a company incorporated under the Companies Act 1993 on the 1st day of November 2011.

The business is an established Restaurant.

There will be one certified manager employed on the premises full time and a further two that are utilised during busy periods.

The applicant seeks the following hours:

- Sunday to Wednesday 10:30am – 11:30pm
- Thursday to Saturday 10:30am to 1:00am (the following day)

The application was publicly notified in the South Waikato News on 22nd & 29th of March 2017. No objections were received.

REASONS FOR THE DECISION

The application is complete and contains all the supporting documents as required under s127 of the Act.

When considering the criteria for the renewal of licenses as contained within Section 131 of the Act, the Committee must have regard to the following matters:

- I. the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1):
- II. 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:
- III. any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made by virtue of section 129:
- IV. 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.

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

There is nothing in that 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:

- (i) The Inspector has provided a positive report,
- (ii) The relevant agencies have not objected to this application;
- (iii) The application has drawn No Objection from the public,
- (iv) The applicant has managed the Sale and Supply of alcohol appropriately during the currency of the licence.

Overall I am satisfied as to the matters to which we must have regard as set out in s105 and s131 of the Act.

DECISION

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by New Flame Restaurant Limited for an On-licence renewal (17/ON/013/2017) in respect of premises situated at 92-94 Tirau Street, Putaruru and known as Putaruru Arms Motel subject to the following conditions:

CONDITIONS

- 1) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00pm on Anzac Day to any person who is not present on the premises to dine.
- 2) The following days and hours that alcohol can be sold and consumed on the premises are:

Sunday to Wednesday	10:30am – 11:30pm
Thursday to Saturday	10:30am to 1:00am (the following day)
- 3) Drinking water is to be freely available whilst the premises are open for business.
- 4) The following steps must be taken to promote the responsible consumption of alcohol:
 - (i) The licensee must ensure that all staff must comply with the host responsibility information submitted with the application for an on-licence detailing the steps to be taken by the licensee to ensure a safe drinking environment.
- 5) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - (ii) 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.
- 6) There must be a properly certificated manager or duly appointed manager on the premises at all times the premises is open for the sale and supply of alcohol
- 7) The current designations on the premises are as follows:
 - Restricted - The immediate bar area

- Supervised - The area to the right of the beams in the restaurant in front of the fireplace
- Undesignated - All other areas

The licensed areas are more specifically identified on the floor plan submitted and dated the 13th March 2017 by licensing staff.

DATED at TOKOROA this 27th September 2017



Jeff Gash JP

Chairperson

South Waikato District Licensing Committee