

Decision number: 17/TA/001/2019

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

**AND**

**IN THE MATTER** of an application  
by **KKS HOLDINGS  
LIMITED** pursuant to  
s.136(1) of the Act for a  
Temporary Authority for  
premises situated at 79  
Princes Street, Putaruru and  
currently known as "**THE  
PUTARURU HOTEL  
PUBLIC BAR**"

**BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE**

This is an application by **KKS HOLDINGS LIMITED** for a Temporary Authority for premises situated at 79 Princes Street, Putaruru and currently known as "**THE PUTARURU HOTEL PUBLIC BAR.**"

The business is a high-risk tavern and an ON Licence, 17/ON/001/2017, is operative at the premises and expires on 27 February 2020. **A renewal application will have to be lodged to keep the base licence 'live' for this transition process if the new ON Licence is not determined before that date.**

The application contains supporting documentary evidence showing a sale and purchase agreement and there are reports from the Police and the Inspector that do not raise any matters in opposition.

**REASONS FOR THE DECISION**

Neither the New Zealand Police nor the Licensing Inspector oppose the granting of the order.

However, the Inspector hold concerns about the experience of the directors of the applicant company who intend to run this business.

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She asks that the DLC consider the following conditions for the term of this Temporary Authority.

- That there is a CERTIFICATED manager on site at all times the premises is open
- That neither Mr or Mrs SEGHAL can be appointed either temporary or acting managers until they have both worked at the premises for 6 months and at least 20 hours per week or more and not just an hour here or there – they must work under the guidance of a CERTIFICATED manager for a minimum of at least 20 hours per week
- That the applicant sends to me, that each week a schedule of the manager on duty for the following week – and this must be emailed to alcohol@southwaikato.govt.nz each Monday morning
- That an application for an On-Licence, with all the required documentation is lodged with Council on or before 15 January 2020 and that the first advertisement is lodged in the newspaper the first Wednesday after 15 January 2020 in the South Waikato Times and the second advert a week later as well as a notice onsite
- That the food requirements are adhered to in accordance with the direction of our Technical Officer
- That should it look like this may not be granted before the expiry of the base licence – 27 February 2020, then the previous owner must lodge a paper application renewal to keep the temporary authority (base licence) alive
- That should there not be a CERTIFICATED manager available for whatever reason – then the premises must not open.

We see merit in much of what the Inspector seeks as this is a high-risk activity and requires experienced certificated managers on duty from day one.

Subject to the above, the application will be dealt with by the committee on the papers.

### **DECISION**

The application and supporting information satisfies us that the criteria we must have regard to, as set out in s.136 of the Act, has been met.

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The District Licensing Committee, acting pursuant to the Sale and Supply of Alcohol Act 2012 makes an order for a Temporary Authority to **KKS HOLDINGS LIMITED** and it can be issued immediately.

**The conditions attached to ON LICENCE 17/ON/001/2017 shall continue to apply with the following additions/modifications:**

1. An experienced certificated manager must be on duty at all times when the premises is open for the sale and supply of alcohol.
2. Mr or Mrs SEGHAL are NOT be appointed either temporary or acting managers until they have both worked at the premises for 3 months on a regular basis.
3. A schedule of the manager on duty for the following week is to be emailed to alcohol@southwaikato.govt.nz each Monday morning
4. The substantive ON Licence application must be lodged on or before 16 January 2020
5. If the new licence is not able to be considered by the DLC before 27 February 2020 a renewal application of the base licence, and a second Temporary Authority application, must be lodge with council by 21 February 2020

**The Order is to run for 3 months from 23 December 2019**

DATED at Tokoroa 23 December 2019.

A handwritten signature in black ink, appearing to read 'Murray Clearwater', is written over a light grey rectangular background.

Murray Clearwater  
**Chairperson/Commissioner**  
**For South Waikato District Licensing Committee**

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