

Decision number: 17/ON/001/2022

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

AND

IN THE MATTER of an application
by **AKU CATERING
LIMITED**
pursuant to s.100 of the Act
for an ON Licence for
premises situated at 47
Bridge Street, Tokoroa
known as **'MY PLACE CAFÉ
EATERY & BAR'**

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

The Application

AKU CATERING LIMITED applies for an ON Licence for premises situated at 47 Bridge Street, Tokoroa known as **'MY PLACE CAFÉ EATERY & BAR'**.

The application come about following a change of ownership and the applicant currently trades under a Temporary Authority.

The applicant seeks the following days and hours: **Monday to Sunday 9.00am to 1.00am the following day.**

The hours are within the default national maximum trading hours prescribed under the Act for on licensed premises.

The application was publicly notified in the South Waikato News on the 3rd and 10th of June 2022. No public objections were received by the DLC secretariat.

Planning and Building Certificates have been sought and issued for this activity.

Reasons for the Decision

The Inspector reports that the applicant and its alter ego is an experienced operators of licensed premises and the business has traded compliantly under Temporary Authority.

Neither the final reports of the Police and the Medical Officer of Health have raised any matters in opposition, but both have expressed concerns about the involvement of Lennard Tamarapa in the on-site operation of the premises.

They have discussed this with Tikitikiorangi Tamarapa, and she has agreed that he will not play an active role in the business. We agree that it is appropriate for the first year of this licence and it will be reviewed at renewal time in 12 months.

We will record it as an undertaking and not make it a condition of licence. Obviously, a breach of the undertaking would count against Mrs. Tamarapa's suitability should she breach it.

The whole of the premises is to be designated as a Supervised Area.

Taverns are high risk venues, and we are sure the regulatory agencies will conduct compliance inspections from time to time during the first 'probationary year'.

Sufficient experienced certificated managers **MUST** be on duty at all times when the bar is open for the sale and supply of alcohol.

We agree with the Inspector's call that a comprehensive training programme needs to be implemented as a matter of urgency. Failure to do so could well see this application back before the Committee for re-hearing.

Subject to the above, I deal with the matter on the papers.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by **AKU CATERING LIMITED** for an ON Licence for premises situated at 47 Bridge Street, Tokoroa known as **'MY PLACE CAFÉ EATERY & BAR'** subject to conditions.

Conditions:

The licence is subject to the conditions listed as follows:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours:

MONDAY TO SUNDAY 09:00am to 01:00am the following day.

2. No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day to any person other than a person who is on the premises to dine.
 3. The whole of the premises is designated as a **Supervised Area**;
 4. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
 5. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages.
 6. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted.
 7. A properly appointed certificated, or Acting or Temporary, manager must be on duty at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises;
 8. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
 9. The Licensee must display:
 - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol.
 - c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.
-

The licence is granted for 12 months from the date of issue.

DATED at TOKOROA this 2nd day of December 2022

A handwritten signature in black ink, appearing to read 'Murray Clearwater', with a long, sweeping underline.

Murray Clearwater
Chairperson/Commissioner
South Waikato District Licensing Committee
