

Decision number: 17/TEMP/007/2022

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

AND

IN THE MATTER of an application
by **Twenty Nine Founders
Limited**
pursuant to s.136(1) of the
Act for a Temporary Authority
for premises situated at 38
Bridge Street, Tokoroa and
currently known as "**Nexus
Wine & Cafe**"

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

Murray Clearwater Chairperson

This is an application by **Twenty Nine Founders Limited for a Temporary Authority for premises situated at 38 Bridge Street, Tokoroa and currently known as "Nexus Wine & Cafe."**

The business is a tavern and gaming venue and an ON Licence, 17/ON/014/2020, is operative at the premises and expired on the 26th of November 2020. **A renewal application has been lodged to keep the base licence 'live' for this transition process.**

The original application contained supporting documentary evidence showing a sale and purchase agreement and the Police and the Inspector did not raise any matters in opposition.

REASONS FOR THE DECISION

The substantive ON Licence application has been lodged and has been set down for a substantive hearing on 7 June 2022.

The Police have reported in opposition to a further extension by way of Temporary Authority due to a recent incident where it appears intoxicated persons from Nexus Wine & Café were involved in a fight outside the premises at around midnight on the 23rd of April 2022.

It is alleged the duty manager and a staff member locked themselves inside the premises and did not appear to take responsibility for the incident.

The allegations are serious and involves alcohol abuse and alcohol related harm.

Under Section 136 (3) & (4) of the Act:

(3) The committee may hear and determine the application without notice, or direct that notice of the application and the time and place fixed for any hearing be served on any persons and in any manner the committee specifies.

(4) On making an order, the committee or the chair (as the case may be)—

(a) must impose any conditions that this Act requires an on-licence or off-licence (as the case requires) to be issued subject to; and

(b) may impose any conditions that this Act enables an on-licence or off-licence (as the case requires) to be issued subject to; and

(c) may impose any other reasonable conditions it thinks fit.

We intend to set this matter down for hearing as soon as practicably possible.

Meantime a truncated Temporary Authority will be issued with a reduction in the hours of operation.

DECISION

Without prejudice and subject to the above, 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.

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

The conditions attached to ON LICENCE 17/ON/014/2020 shall continue to apply with the following variation.

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

MONDAY TO SUNDAY 09:00am to 10.00pm

The Order is to run for one month from the 14th day of May 2022 or until the substantive application is determined.

DATED at Tokoroa this 13th day of May 2022.

A handwritten signature in black ink, appearing to read 'Murray Clearwater', enclosed in a thin black rectangular box.

Murray Clearwater
Chairperson/Commissioner
For South Waikato District Licensing Committee
