

Decision number: 17/ON/007/2023

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

AND

IN THE MATTER of an application by **THE
BLACK OVEN TIRAU
LIMITED** pursuant to s.100 of
the Act for grant of an ON
Licence in respect of
premises situated at 46 Main
Road, Tirau to be known as
'THE BLACK OVEN TIRAU'

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

The Application

THE BLACK OVEN TIRAU LIMITED applies for grant of an ON Licence in respect of premises situated at 46 Main Road, Tirau to be known as **'THE BLACK OVEN TIRAU'**.

The business is a Class 3 low risk Pizza restaurant and takeaway in the township of Tirau.

The application was publicly notified in the South Waikato Times on the 19th and 26th of July 2023 and no objections were received from members of the public.

The days and hours sought are: **Monday to Sunday 11.00am to 11.00pm.**

The applicant has provided a detailed menu of the food options they sell and the low alcohol and non-alcoholic refreshments that are available.

The food is prepared on site and the inspector advises that it is of an acceptable variety and can be provided within a reasonable time of placing an order.

REASONS FOR THE DECISION

The applicant appears to be an experienced operator and neither the Police nor the Medical Officer of Health has raised any matters in opposition.

There is no need for the condition sought by the MOoH banning off sales of alcohol. An OFF Licence would be required to do so and this kind of licence is not permitted to be held by a restaurant. The on-site consumption of alcohol is already adequately covered in condition 1 of the standard licence conditions.

The licensee must ensure that a properly appointed manager is on duty whenever the premises is open for the sale and supply of alcohol.

By consent the outdoor area will not be used after 10.00pm at night.

Overall, I am satisfied as to the matters to which we must have regard as set out in s.105 & 106 of the Act.

Accordingly, 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 **THE BLACK OVEN TIRAU LIMITED** for an ON Licence in respect of premises situated at 46 Main Road, Tirau to be known as **'THE BLACK OVEN TIRAU'** subject to conditions.

Conditions:

The licence is subject to the following conditions:

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

Indoor Area: Monday to Sunday 11.00am to 11.00pm

Outdoor area: Monday to Sunday 11.00am to 10.00pm;

2. No alcohol is to be sold or supplied on the 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. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.

4. 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.
5. Food must be available for consumption on the premises at all times the premises is 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;
6. **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;**
7. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises;
8. 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 30th day of November 2023



Murray Clearwater
Chairperson/Commissioner
South Waikato District Licensing Committee