

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

AND

IN THE MATTER of an application by **Sharie Ann
Capper** pursuant to s.14 of the Act for the
granting of an ON Licence in respect of
premises situated at **40 Seddon Street
Waihi** known as **Kava Café**

BEFORE THE HAURAKI DISTRICT LICENSING COMMITTEE

Quorum: Chairperson – Paul Milner

DECISION

Introduction

1. I have before me an application by Sharie Ann Capper for ON Licence in respect of premises situated at 40 Seddon Street Waihi. The general nature of the business to be undertaken for the premises trading as Kava Cafe is that of a Café and Bar. The hours sought are between Sunday to Wednesday 10:00am to 6:00pm, and Thursday to Saturday 10:00am to 10:00pm.
2. A report on the application was received from an Inspector, the Medical Officer of Health and the Police.
3. The Inspector, and the Police do not oppose the application.
4. The Medical Officer of Health did oppose in respect of one manager being employed, beverage menu to include low-alcoholic drinks and training documents. These have since been provided and the Medical Officer of Health is satisfied and has withdrawn their opposition.
5. The Inspector has no issue of one manager based on the size and hours of the business.
6. The Medical Officer of Health has recommended that an additional be employed
7. The application was duly advertised on the 17th June and did not attract any public objection.

Committee's Decision and Reasons

1. There are no objections to the goods and/or services that the applicant is engaged in with relation to the principal activity of the business and there is no reason to believe that the applicant is not suitable to continue to hold a liquor licence.
2. The applicant has the appropriate systems, staff, and training to comply with the law. A certificated manager is employed at the licensed premises.
3. The applicant is advised that it is desirable to have an additional manager employed to cover the full complement of opening hours comfortably as well as illness or other leave.
4. Additionally the applicant should have policies and procedures in place to ensure that staff is aware that alcohol must not be sold if a duty manager is not present on site.
5. There has been no reported nuisance, loitering, nor vandalism over the previous 12 months that could be attributed to the activities of the premises. There is no evidence to suggest that the amenity and good order of the locality has been reduced to more than a minor extent by the effects of the existing licence.
6. I am satisfied as to the matters which I must have regard as set out in s.105 of the Act, and I am satisfied that the application meets the purpose and object of the Act. Accordingly, I grant the applicant an ON Licence with immediate effect.
7. I refer any party who wishes to appeal this decision or part of this decision to sections 154 through to 158 of the Act.

Dated at Paeroa this 22nd day of February 2024

Paul Milner
DLC Chairperson