

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

AND

IN THE MATTER of an application by Green & Co 2023 Ltd pursuant to s.14 of the Act for the grant of an ON licence in respect of premises situated at 441 Pukekauri Road Waihi, known as "The Waterlily Gardens"

BEFORE THE HAURAKI DISTRICT LICENSING COMMITTEE

Quorum: Chairperson – Paul Milner

DECISION

Introduction

- 1) I have before me an application by Green & Co 2023 Ltd for an ON Licence in respect of premises situated at 441 Pukekauri Road Waihi. The general nature of the business to be undertaken for the premises trading as The Waterlily Gardens is that of an event/function centre. The hours sought are between Monday and Sunday, 10:00am until 12:00am (Midnight).
- 2) A report on the application was received from an Inspector, the Medical Officer of Health, the Police and FENZ.
- 3) The Inspector, the Medical Officer of Health, the Police and FENZ do not oppose the application.
- 4) The application was duly advertised 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. Certificated managers are employed at the licensed premises

3. 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.
4. 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 off licence.
5. I refer any party who wishes to appeal this decision or part of this decision to sections 154 through to 158 of the Act.

Conditions

The conditions to be attached to the licence are as follows:

- (a) no alcohol is to be sold on the premises on Good Friday, Christmas Day, or before 1 pm on Anzac Day to any person who is not—
 - (i) residing or lodging on the premises; or
 - (ii) present on the premises to dine.
- (b) alcohol may be sold only on the following days and during the following hours: Monday to Sunday from 10:00am until 12:00pm midnight
- (c) the following steps must be taken to promote the responsible consumption of alcohol:
 - (i) drinking water must be freely available while the premises are open for business
 - (ii) food must be available for consumption on the premises
 - (iii) low-alcohol & non-alcohol beverages must be available for sale and supply on the premises
- (d) the following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - (ii) ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of liquor to minors and intoxicated persons adjacent to every point of sale.
- (e) the whole of the premises is supervised

Dated at Paeroa this 19th day of January 2024

Paul Milner
DLC Chairperson