

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

AND

IN THE MATTER of an application by **MB & SA Capper Ltd** pursuant to s.14 of the Act for the grant of an on Licence in respect of premises situated at **40 Seddon Street, Waihi**, known as **That Place Est Ltd**.

BEFORE THE HAURAKI DISTRICT LICENSING COMMITTEE

Quorum: Chairperson – Paul Milner

DECISION

Introduction

- 1) I have before me an application for an **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 **That Place Est Ltd** is that of a Café / Restaurant. The hours sought are between **Monday to Sunday 10:00am to 11:00pm**.
- 2) A report on the application was received from an Inspector, Police and FENZ.
- 3) The Inspector, Police AND FENZ do not oppose the application.
- 4) The application was duly advertised on 29 September 2025 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. The applicant appears to have appropriate policies and procedures in place to ensure that staff are aware of their responsibilities around the sale and supply of alcohol..
4. 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.
5. 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.

6. 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

- a) 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 who is not present on the premises to dine.
- b) Alcohol may be sold and supplied only while the premises are being operated as a restaurant/café and only during the following days and hours:

Monday to Sunday 10:00am to 11:00pm

- c) Drinking water must be freely available to customers from the fridge (where customers can help themselves) or provided on tables.
- d) The host responsibility policy that was provided to the Inspector must be complied with.
- e) No intoxicated persons may be allowed to enter or to remain on the premises.
- f) The licensee must ensure that signs stating the restrictions on the supply of alcohol to minors and intoxicated persons are prominently displayed so as to be easily read by people using the premises.

Dated at Paeroa this 17th day of November 2025

Paul Milner
DLC Chairperson