



OTOROHANGA LICENSING COMMITTEE

DecisionNumber: 018/CLUB/001/14

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by Kawhia Golf Club for the renewal of a club licence.

**BEFORE THE OTOROHANGA DISTRICT LICENSING COMMITTEE**

Chairperson: Diane Sharpe

**MEETING** at <sup>Cambridge</sup> Otorohanga on 9<sup>th</sup> day of May 2014

**INTRODUCTION**

The Otorohanga District Licensing Committee has before it an application by for the renewal of CLUB licence in respect to premises situated at 181 Pearl Avenue, Kawhia and known as Kawhia Golf Club .

Reports have been received from the Police and a Licensing Inspector. The application has been publically notified in accordance with the Act.

There are no objections to this application by reporting agencies or the public, and it is therefore determined on the papers by the Chairperson alone in accordance with section 191(2) of the Act.

**THE APPLICATION:**

**DECISIONS AND REASONS**

The criteria to which this committee must have regard are detailed in section 131 of the Act.

***"131 Criteria for renewal***

*(1) In deciding whether to renew a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:*

*(a) the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1);*

*(b) whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:*

*(c) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made by virtue of section 129:*

*(d) the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.*

*(2) The authority or committee must not take into account any prejudicial effect that the renewal of the licence may have on the business conducted pursuant to any other licence."*

The provisions of section 105 referred to above are highlighted in bold as follows:

***"105 Criteria for issue of licences***

*(1) In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:*

- (a) the object of this Act:*
- (b) the suitability of the applicant:*
- (c) any relevant local alcohol policy:*
- (d) the days on which and the hours during which the applicant proposes to sell alcohol:*
- (e) the design and layout of any proposed premises:*
- (f) whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:*
- (g) whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:*
- (h) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence:*
- (i) whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—*
  - (i) they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but*
  - (ii) it is nevertheless desirable not to issue any further licences:*
- (j) whether the applicant has appropriate systems, staff, and training to comply with the law:*
- (k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103.*

*(2) The authority or committee must not take into account any prejudicial effect that the issue of the licence may have on the business conducted pursuant to any other licence"*

**Suitability of the applicant:**

Unaware of any breaches of the Sale and Supply of Alcohol Act having occurred on the premises during the renewal period.

**Local Alcohol Policy:** Not Applicable

Days and hours: Monday to Thursday 10.00am to 10.00pm (extended to 11.00pm during daylight savings) and Friday to Sunday and Public Holidays 10.00am to 1.00am the following day.

Design and Layout of the premise: The premises is formed from a small club house as illustrated in the plans provided with the original licence application.

Sale of Goods and Services other than those related to alcohol

Golf equipment and food.

Reduction of amenity and good order

The amenity and good order will not be affected.

Systems, staff and training

Two members hold current managers certificates who train other staff.

Manner in which the premises have been operated

The premises have been operated in a suitable manner.

Issues raised by reporting agencies

Nil

The public

Nil

**CONCLUSION**

Having been satisfied as to the matters to which the Committee must have regard in s.131 of the Act as detailed above, the application is **granted**.

A replacement licence and renewal notice can be issued immediately containing the compulsory conditions of section 110(2) clubs and the conditions to which the existing licence is subject (reworded as appropriate), namely:

- 1) No alcohol is to be sold on the premises on Good Friday, Christmas Day, or before 1.00pm on ANZAC day to any person who is not-
  - a. Residing on the premises; or
  - b. Present on the premises to dine.
- 2) Alcohol may be sold under the licence only on the following days and during the following hours: Monday to Thursday 10.00am to 10.00pm (extended to

11.00pm during daylight savings) and Friday to Sunday and Public Holidays  
10.00am to 1.00am the following day.

- 3) Alcohol shall be sold or supplied only to Club members and affiliated members.
- 4) The following steps must be taken to promote the responsible consumption of alcohol:
  - a. Non-alcoholic beverages shall be available in accordance with section 51 of the Act;
  - b. Low alcoholic beverages shall be available in accordance with section 52 of the Act
  - c. Food must be available in accordance with section 53 of the Act
  - d. Transport information must be available in accordance with section 54 of the Act
- 5) The following steps must be taken to ensure that the provisions of the Act relating to the sales of alcohol to prohibited persons are observed:
  - a. Signage shall be installed advising that minors and intoxicated persons shall not be served.
- 6) The premises situated at are more precisely identified as outlined in a plan date stamped as received by the Otorohanga District Licensing Committee on 02/02/01.
- 7) The entire premises are to be undesignated.
- 8) Drinking water must be freely available in the following places to customers at all times the premises are open for business:  
On the bar

The holder of an a club-licence must ensure that at all times a copy of the licence, together with a statement of all conditions subject to which it is issued, is displayed—  
(a) attached to the inside of the premises concerned; and  
(b) so as to be easily read by people entering each principal entrance.

**DATED AT Otorohanga THIS 9th DAY OF May 2014**  
*Cambridge*



Chairperson  
**OTOROHANGA DISTRICT LICENCING COMMITTEE**