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

AND

IN THE MATTER of an application by KATHY POTTER ON BEHALF OF TACO TACO WHAKATĀNE LIMITED for a new On-Licence pursuant to s.14 of the Act in respect of premises situated at 19 POHUTUKAWA AVENUE, OHOPE and known as “CADERA”

BEFORE THE WHAKATANE DISTRICT LICENSING COMMITTEE

Teleconference 12.00pm 1st November 2016

Commissioner: Russell Orr

Committee: Jenny Mahoney
             Michelle Heath

Secretary: Kara Dowthwaite

In attendance: Roger McQuilkan, Licensing Inspector

BACKGROUND

This is an application by KATHY POTTER ON BEHALF OF TACO TACO WHAKATĀNE LIMITED for a new On-Licence pursuant to s.14 of the Act in respect of premises situated at 19 POHUTUKAWA AVENUE, OHOPE and known as “CADERA”

The general nature of the business to be undertaken is that of a licensed restaurant.

The applicant has requested that the license be issued for the following days and hours:

Monday to Sunday 10:00am to 12:00am (midnight).

The committee received the following papers:
1. Licensing Inspector report
2. New Zealand Police report
3. Medical Officer of Health report
4. Fire evacuation scheme statement
5. Planning and Building Certificate from Whakatane District Council
6. Copy of public notices
7. Copy of original application and supporting documents
The reporting agencies have raised no matters in opposition to the application. The application was duly advertised, no objection or notice of desire to be heard was received.

The contents of the documents received were considered sufficient to inform the decision; accordingly the matter is dealt with on the papers.

**DECISION**

The Committee is satisfied as to the matters to which we must have regard as set out in s.105 of the Act and we grant the applicant an On-licence authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises for the hours authorised in the licence.

*The licence will be issued immediately and will be valid for the period of 12 months from the date of issue.*

A copy of the licence, and of the conditions of the licence, must be attached to the interior of the premises so as to be easily read by persons entering through the principal entrance;

The entrance from **POHUTUKAWA AVENUE, OHOPE** is designated as the principal entrance.

**Conditions**

This licence is subject to the following conditions:

(a) Except in the case when the licensee also holds a special licence for the premises no alcohol is to be sold on the premises on Good Friday, Easter Sunday, 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 10:00AM TO 12:00AM (MIDNIGHT)**

   (c) The following steps must be taken to promote the responsible consumption of alcohol:
      (i) The premises Host Responsibility Policy must be on display and being implemented at all times when alcohol is available for purchase.
      (ii) Substantial food must be available for consumption on the premises, and promoted by way of appropriate notices throughout the premises at all times.
      (iii) A reasonable range of low-alcohol (2.5% or less) and non-alcoholic refreshments must be available and promoted from each point of service.
      (iv) Safe transport options must be actively promoted, and assistance with arranging safe transport freely provided.

(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:
   (v) Staff must be trained in their responsibility to prevent intoxication on licenced premises.
(vi) Signs must be clearly displayed indicating that alcohol will not be served to minors or intoxicated people
(e) The whole of the premises is to be designated neither supervised, nor restricted; that is the premises is undesignated
(f) Drinking water must be freely available while the premises are open for business.
PRINCIPAL ENTRANCE

A copy of this licence must be displayed at the principal entrance to the premises. The entrance from POHUTUKAWA AVENUE, ŌHOPE is designated as the principal entrance.

DURATION

The licence will be issued for a one year period to expire on 1 NOVEMBER 2017

ADVICE TO APPLICANTS

It is the licence holder’s responsibility to note the expiry date for this licence and to ensure any renewal application is lodged prior to the expiry date.

DATED at Whakatāne this 04 day of November 2016

R Orr
COMMISSIONER
WHAKATĀNE DISTRICT LICENSING COMMITTEE