

**DECISION NUMBER**

**0004/2022**

**IN THE MATTER**

of the Sale and Supply of  
Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by  
**Sideline Investment  
Limited** for a renewal of an  
Off-licence pursuant to  
section 127 of the Supply of  
Alcohol Act 2012.

**BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE**

The application for renewal of Off-licence (030/OFF/0004/2019) was publically advertised in the Hawkes Bay Today on 23 and 30 May 2022 along with a display notice attached to the premise in accordance with the Regulations, with no objections received.

As no matters of opposition were raised under section 102 and 103 reports; therefore the matter was considered by the Napier District Licensing Commissioner on the papers contained in the full file provided by the secretary.

**Commissioner:Stuart Hylton**

**RESERVED DECISION OF THE NAPIER DISTRICT LICENSING COMMITTEE**

**1. Application**

On the 4 May 2022, **Sideline Investment Limited** on the prescribed form made application for renewal of an Off-licence. This is the seventh renewal application by the licensee.

The application for renewal of Off-licence is in relation to the premises known as '*Onekawa Liquorland*' situated at 110 Taradale Road, Onekawa, Napier.

The general nature of the business is that of a 'Bottle Store/Over the Counter Style Off-licence'.

The renewal application seeks to renew with the same existing conditions. The premise has not come to the notice of authorities in an adverse manner during the renewal period. The license has been in existence since at least 1999.

The complete file included –

- The application
- Fire evacuation compliance statement
- Host Responsibility Plan
- Owner permission letter
- Food/Drinks list
- Floor plan
- Photo's
- Copy of draft public notice and public display
- Existing Licence
- Reports from Police, Medical Officer of Health and Inspector

## **2. Decision Making**

In considering this application for Off-licence the licensing committee had regard to the criteria under section 131 and 105 of the Act.

Section 105 assessments were made referencing the inspector's full report and own assessment. I accept the inspector's assessment and recommendations.

Key matters raised in the application including the inspector's report were –

- The applicant is a registered private company with no changes to structure.
- The applicant named three managers to manage the licence, which for this type of premises should be adequate.
- The premise has not come to the notice of authorities in an adverse manner during the renewal period. This is the seventh renewal application.
- The applicant provided a host responsibility policy that if followed should ensure the object of the act is met.
- The applicant appears to have appropriate systems, staff and training to comply with the law.
- There were no reports questioning suitability and therefore neither do I.
- The current hours wanting to be renewed have operated without incident i.e.

### **Monday to Sunday, between 9.00am to 10.00pm,**

- Floor plan provided works well for the general nature of the business held on the premises. The bottle store is to be designated 'supervised' and the tavern over the counter off sales area 'restricted'.
- An environmental scan of the area suggests there is no reason to believe the amenity and good order of the locality would likely to be increased, more than a minor extent, by the effects of a refusal to renew the licence.
- The applicant has satisfactory systems for staff training and performance.

## **3 Reporting Agencies**

The following reports were received under section 103 of the Act and taken into account during the decision.

**3.1 Police** – Report received on 22 May 2022, of no opposition.

**3.2 Medical Officer of Health** – Report received on 11 May 2022, of no opposition.

**3.3 Licensing Inspector** – Full report dated 14 June 2022. The inspector has no opposition to the application and assessed the application against s. 105 matters with no matters of opposition raised. The inspector concludes that the application meets the criteria for renewal of the licence with existing conditions.

**4 Conclusion**

Based on the evidence provided to me within the complete file, my assessment above of section 105 matters and the past operation of the premise/licensee, I conclude that the application by **Sideline Investment Limited** meets the statutory criteria to be granted a renewal of Off-licence under the Act for a period of three (3) years, from the expiry date of the previous licence.

The licence will be subject to the exiting conditions on the licence.

**5 Decision**

Accordingly the application is **Approved** for issue immediately.

**Dated at Napier District this 7 day of July 2022.**

**Signed**



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**Stuart Hylton**  
**Napier District Licensing Commissioner**