

ŌTOROHANGA DISTRICT LICENSING COMMITTEE

Decision	018-0550
<u>IN THE MATTER</u>	of the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by ASR Hospitality Limited for an on-licence in respect of the premises situated at 57 Maniapoto Street, Ōtorohanga known as Thirsty Weta Bar and Eatery

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The application for an on-licence authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises is granted. The licence may issue upon payment of the annual fee.
2. This licence continues in force until the close of the period of 12 months after the day it is issued.
3. The licence is subject to the following conditions:
 - a. Alcohol may be sold or supplied on the following days and during the following hours:
Interior of the premises
Monday to Sunday, from 9.00am to 2.00am the following day.

Outdoor dining area
Monday to Sunday, from 9.00am to 11.00pm.
 - b. No alcohol may be sold on the premises from midnight on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not on the premises to dine.
 - c. The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the District Licensing Committee on 12 February 2025 and

no alcohol is to be taken out of this area. The licensee must maintain a valid outdoor dining permit.

- d. The bar area is designated as supervised at all times. The remainder of the interior is undesignated until 9.00pm when it then becomes a supervised area. The outdoor dining area is undesignated.
- e. A holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold. If a duty manager is not present then there must be no alcohol sales and a notice displayed advising the public of this fact.
- f. A manager's register (as required by s.232 of the Act) is to be maintained and available on site.
- g. A Host Responsibility Policy must be maintained and displayed and the Licensee must ensure all staff receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- h. There must be no sale or supply of alcohol to minors or intoxicated persons and there must be appropriate signs detailing these restrictions at every point of sale.
- i. Drinking water must be freely available and this must be clear to customers, while the premises is open for the sale and supply of alcohol.
- j. Food must be available for consumption on the premises at all times when open for the sale of alcohol in accordance with the restaurant menu submitted with the application for this licence, or variations of a similar range and standard.
- k. A range of low-alcohol and non-alcoholic drinks must be available at all times when the premises are open for the sale of alcohol.
- l. A telephone must be freely available for customers to call for transport and staff must assist if required. Telephone numbers for alternative forms of transport from the premises must be displayed.
- m. The Licensee must ensure the following are displayed;
 - i) A sign to be seen from outside the principal entrance stating the ordinary hours of business during which the premises will be open for the sale of alcohol.
 - ii) A copy of the original licence with all the conditions, just inside the principal entrance so persons entering can read it.
 - iii) A sign in a prominent place identifying the duty manager.

Reasons

1. This is an application by ASR Hospitality Limited for an on-licence in respect of premises situated at 57 Maniapoto Street, Ōtorohanga known as the Thirsty Weta Bar and Eatery. This venue has operated as a licensed restaurant in the past. ASR Hospitality Limited has been operating this business by way of a temporary authority which expires 20 April 2025. Planning certificate and building code of compliance having been received
2. The application was advertised and there have been no objections by members of the public. The Liquor Licensing Inspector, Police and the Medical Officer of Health have

provided reports and do not oppose the application. Accordingly, the matter is decided on the papers (202).

3. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4). In deciding whether to issue a licence the District Licensing Committee must have regard to the criteria in s 105 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a. Is the applicant suitable?
 - b. Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - c. Is the design and layout of the premises suitable?
 - d. Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food?
 - e. Will the amenity and good order of the locality be reduced to more than a minor extent by the effects of the issue of licence? Is the amenity and good order of the locality already so badly affected by the effects of the existing licenses that it is unlikely to be reduced further by the effects of the issue of the licence or is it desirable not to issue any further licenses?
 - f. Does the applicant have appropriate systems, staff and training to comply with the law?
 - g. Have the Police, Inspector and Medical Officer of Health raised any relevant considerations?
 - h. Does the application comply with the Ōtorohanga District Local Alcohol Policy?

Is the applicant suitable? Does the applicant have appropriate systems, staff and training to comply with the law? Does the application comply with the Local Alcohol Policy?

4. The licensing committee is satisfied that ASR Hospitality Limited is a suitable entity to hold an on-licence. The company has experience managing licensed premises and is retaining the current staff who are knowledgeable in the premises and locality.
5. The licensing committee is satisfied that ASR Hospitality Limited has an appropriate Host Responsibility Policy and staff training programme. There are 3 Duty Managers employed to ensure compliance with the Act.
6. The Licensing Inspector reports that the application does comply with the Ōtorohanga District Local Alcohol Policy.

Are the days and hours during which the applicant proposes to sell alcohol reasonable?

7. ASR Hospitality Limited proposes to operate as a tavern styled restaurant from 9.00am to 2.00am the following day, Monday to Sunday. The hours of the outdoor dining area are 9.00am to 11.00pm in accordance with the Local Alcohol Policy. The licensing committee is satisfied that these are appropriate hours of operation.

Is the design and layout of the premises suitable?

8. The licensing committee is satisfied that ASR Hospitality Limited has a suitable design and layout to meet the requirements of the Act. The premises consists of an open plan dining room area with a bar and a substantial outdoor dining area on the footpath on the left side of the premises. There are no bar leaners at the bar. The bar provides excellent views for

entrance and indoor dining area. There are some obstructions for viewing the outdoor dining area, but the duty manager can view this area through CCTV monitor and with the assistance of front of house staff who frequently check customers. The bar area is a supervised area and the remainder of the tavern is undesignated until 9.00pm when it changes to supervised.

Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food?

9. ASR Hospitality Limited does not engage in the sale of goods or service other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food.


Will the amenity and good order of the locality be reduced to more than a minor extent by the effects of the issue of the licence?

10. The licensing committee is satisfied that the grant of an on-licence to ASR Hospitality Limited will not have a negative effect on the good order of the locality. There have been no reports of any nuisance, vandalism or noise problems associated with this premises.

Conclusion

11. The licensing committee is satisfied that the grant of the on-licence with the appropriate conditions will ensure the safe and responsible supply of alcohol and the minimisation of harm caused by excessive or inappropriate use of alcohol.

Dated at this 31st day of March 2025



Tegan McIntyre
Commissioner
Ōtorohanga District Licensing Committee