

On Licence

Sections 14 to 16, and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012 (the **Act**), **Katch Katikati Incorporated** (the licensee) is authorised to sell and supply alcohol on the premises situated at **36 Main Road, Katikati** and known as **The Arts Junction**, to any person for consumption on the premises and to let people consume alcohol there.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with subpart 7 of Part 2 of the Act.

CONDITIONS

This licence is subject to the following conditions:

- Alcohol may only be sold or supplied for consumption on the premises on the following days and during the following hours:
Monday to Sunday: Hours: 10.00 am to 12.00am midnight.
- No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person other than a person who is on the premises to dine;
- Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises;
- The licensee must have available for consumption on the premises, at all time when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages;
- Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted;
- A properly appointed certificated or Acting or Temporary Manager must be on duty at all times when the premises are open for the sale and supply of alcohol, and their full name must be on a sign prominently displayed in the premises;
- The Licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises;
- The Licensee must display:
 - At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol;
 - A copy of the licence attached to the premises so as to be easily read by persons attending the premises.
- The licence must not issue until the applicant has confirmed that a qualified duty manager is employed at the premises.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force—

- either—
 - until the close of the period for which it was last renewed; or
 - if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—
 - until the close of the period of 3 years after the period for which it was last renewed; or
 - if it has never been renewed, until the close of the period of 4 years after the day it was issued.

This licence continues in force until 26 January 2024 unless renewed.

Dated at Tauranga on the 26th day of January 2023.


Secretary
**District Licensing Committee
Western Bay of Plenty District Council**



IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Katch Katikati Incorporated** for an **ON LICENCE** pursuant to s.100 of the Act in respect of premises situated at **34 Main Road, Katikati** and known as **The Arts Junction**.

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

This application, received from **Katch Katikati Incorporated**, seeks an **ON LICENCE** in respect of premises situated at **34 Main Road, Katikati**; and known as **The Arts Junction**.

The premises is set back from the main footpath with its principal entrance from the public footpath immediately in front of the premises. There is considerable public parking in front of these premises. The area is zoned as commercial under the district plan and is subject to an alcohol ban by-law.

As the applicant, Katch Katikati Incorporated, is a Body Corporate, incorporated under the Incorporated Societies Act 1908 on the 26 July 2006, s.28(1)(b) of the Act applies as does the need to report under the Act each year. The applicant has nine society officers including Jacqui Knight: its promotional manager who has applied for a Manager's Certificate.

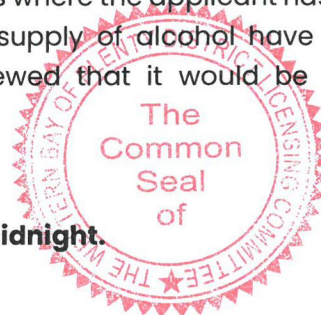
The premises is not currently licensed but has been opened to the public and operating in the capacity as the Arts Junction. The applicant originally applied for this On Licence in May 2021 but issues with the Building Code has delayed the reporting on the applicant. The applicant is now able to start operating as a function centre. The general nature of the business to be undertaken is that of a **ON LICENCE - OTHER PREMISES NOT OTHERWISE SPECIFIED**.

The applicant has a 30-year lease agreement.

The premises is broken up into a number of separate spaces where the applicant has held a wide range events. Such events requiring the sale or supply of alcohol have been functioned as special licenced events. Whereas it is viewed that it would be more appropriate for an on licence to be issued.

The applicant seeks the following days and hours:

Monday to Sunday: Hours: 10.00 am to 12.00 am midnight.



The criteria found at section 105 of the Sale and Supply of Alcohol Act 2012 (the Act) applies to this application.

REASONS FOR THE DECISION

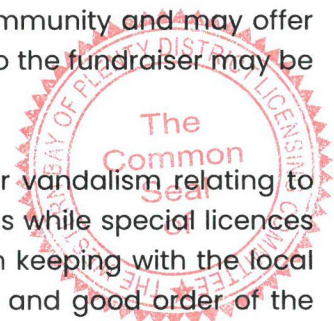
Police when reporting on the application on 18th October 2022 did not oppose the application.

The Medical Officer of Health when reporting on 9th November 2022 did not oppose the application.

The application was publicly notified in the Katikati Advertiser on 18th and 20th October 2022 with no objections received by expiry date.

The Inspector considers the applicant's proposal for the sale and supply of alcohol is consistent with the purpose of the Act and meets the criteria under section 105 of the Act reporting:

- At this point in time there are no grounds to question the applicant's suitability based on the information provided in the application and an inspection of the premises.
- The events the applicant has held in The Arts Junction; after obtaining a special licence, have not created any reported issues for the reporting agencies.
- A planning and building certificate were attached to the application. The proposed use of the premises meets the requirements of the Resource Management Act 1991 and the Building Code.
- There are no concerns with the design, layout, and facilities within the premises. The licensed area included all of the premises open to and used by the public.
- As a low risk On Licensed the premises does not require a designation. The licensed area is more precisely defined on the plan date stamped as received by Western Bay of Plenty District Council on 20 May 2021.
- The applicant appears to have appropriate systems, staff, and training to comply with the law. Currently there are no qualified duty managers employed at the premises and this will need to be addressed prior to an on licence being issued.
- An inspection is planned to be made as soon as possible to ensure that the systems and signage are in place as required by the Act.
- The venue will offer a number of different services to the community and may offer gifts or if a fundraiser is being held other items appropriate to the fundraiser may be sold.
- There are no known concerns relating to noise, nuisance or vandalism relating to licensed premises in the area or in relation to these premises while special licences have been held. The premises are clean, presentable and in keeping with the local area. Therefore, there is no reason to believe the amenity and good order of the



locality would likely to be increased, by more than a minor extent, by the effects of a refusal to grant this on licence.

- FENZ has reported that an approved evacuation scheme is installed in the premises.

The inspector after carrying out due diligence on the application reports that there is nothing to suggest that the granting of this application would not achieve the object of the Act.

The Local Alcohol Policy stipulates the maximum hours for an On-licence are: 9.00 am to 1.00 am the following day.

The hours sought are within the hours permitted under the local alcohol policy.

Thereby I am satisfied that this application complies with the matters to which we must have regard are set out in s.142 of the Act.

THE DECISION

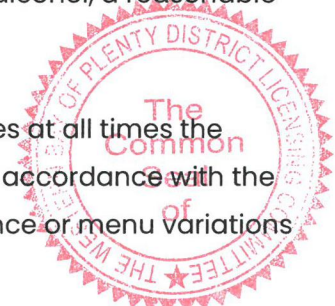
The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **grants** an **On Licence** to **Katch Katikati Incorporated** operating from 34 Main Road Katikati, subject to the following conditions:

The Conditions:

- (a) Alcohol may only be sold or supplied for consumption on the premises on the following days and during the following hours:

Monday to Sunday: Hours: 10.00 am to 12.00am midnight.

- (b) No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person other than a person who is on the premises to dine;
- (c) Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises;
- (d) The Licensee must have available for consumption on the premises, at all time when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages;
- (e) Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations



of a similar range and standard. Menus must be visible, and food should be actively promoted;

- (f) A properly appointed certificated or Acting or Temporary Manager must be on duty at all times when the premises are open for the sale and supply of alcohol, and their full name must be on a sign prominently displayed in the premises;
- (g) The Licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises;
- (h) The Licensee must display:
 - (a) At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - (b) At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol;
 - (c) A copy of the licence attached to the premises so as to be easily read by persons attending the premises.
- (i) The licence must not issue until the applicant has confirmed that a qualified duty manager is employed at the premises.

Dated at Tauranga on the 25th January 2023.

B. E. E. E.



Commissioner
Western Bay of Plenty District Licensing Committee

Application No: 8273

On Licence

Sections 14 to 16, and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012 (the **Act**), **JJS ENTERPRISES LIMITED** (the licensee) is authorised to sell and supply alcohol on the premises situated at **UNIT 5, 76 MAIN ROAD, KATIKATI** and known as **THE ORCHARD THIEVES PIZZA RESTAURANT AND BAR**, to any person for consumption on the premises and to let people consume alcohol there.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with subpart 7 of Part 2 of the Act.

CONDITIONS

This licence is subject to the following conditions:

1. 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 present on the premises to dine.
2. Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday: Hours – 11:00 am to 1:00 am the following day
3. Drinking water must be provided to patrons free of charge from a water supply prominently situated on the premises.
4. The licensee must have available for consumption on the premises at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low alcoholic beverages.
5. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food must be actively promoted.
6. A properly appointed certificated, acting or temporary manager must be on duty at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed on the premises.
7. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
8. The licensee must display:
 - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for the sale of alcohol.
 - c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.


DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force—

- a. either—
 - i. until the close of the period for which it was last renewed; or
 - ii. if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- b. if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—
 - i. until the close of the period of 3 years after the period for which it was last renewed; or
 - ii. if it has never been renewed, until the close of the period of 4 years after the day it was issued.

This licence continues in force until 18 January 2024 unless renewed.

Dated at Tauranga on the 18th day of January 2023.



Secretary

District Licensing Committee

Western Bay of Plenty District Council

Te Kaunihera a rohe mai i ngā Kuri-a-Whārei ki Otamarakau ki te Uru



Decision No. 022/ON/8489/2023

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **JJS ENTERPRISES LIMITED** for an **ON LICENCE** pursuant to s.100 of the Act in respect of premises situated at Unit 5, 76 Main Road, Katikati and known as "**The Orchard Thieves Pizza Restaurant and Bar**".

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

This is an application by **JJS ENTERPRISES LIMITED** for an **ON LICENCE** in respect of premises situated at Unit 5, 76 Main Road, Katikati, known as "**The Orchard Thieves Pizza Restaurant and Bar**".

The general nature of the business to be undertaken is that of an **ON LICENCE - CLASS 1 RESTAURANT**. The business is a new venture, and the provision of food will be the principal source of sales revenue.

The days and hours sought are:

Monday to Sunday 11:00am to 1:00am the following day

These hours are in line with those permitted in the Tauranga and Western Bay of Plenty Local Alcohol Policy.

The application was notified in the Katikati Advertiser on the 20th and again on the 27th of January 2022. There have been no objections to the application received by the Secretariat,

The applicant has provided a comprehensive menu of the food options that they intend to sell and the low alcohol and non-alcoholic refreshments that are available.

The planning certificate has been issued. The code of compliance certificate has only recently been issued which does explain why this application has taken some time to determine.



REASONS FOR THE DECISION

The application has received supportive reports from the Inspector and the Police. The Medical officer of Health also has no matters in opposition.

The Inspector reports that the amenity and good order of the locality is unlikely to be adversely affected by more than a minor extent by the effects of the issue of the licence.

Given that this is an application for a new on-licence, it is important that the applicant understands that the first year is often called the 'probationary year' and that the regulatory agencies will be monitoring how the licence is being operated.

Overall, I am satisfied as to the matters to which we must have regard as set out in s.105 & 106 of the Act.

The application is considered on the papers.

DECISION

The District Licensing Committee, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by **JJS Enterprises Limited ("the licensee")** for a new ON Licence in respect of premises situated at Unit 5, 76 Main Road, Katikati to be known as **"The Orchard Thieves Pizza Restaurant and Bar"** subject to conditions.

The premises are as set out on the plan submitted with the application and date stamped **17 December 2021**. A note to this effect is to be made on the licence.

Conditions

The licence is subject to the conditions listed below:

1. 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 present on the premises to dine.
2. Alcohol may be sold only on the following days and during the following hours:

Monday to Sunday: Hours – 11:00 am to 1:00 am the following day

3. Drinking water must be provided to patrons free of charge from a water supply prominently situated on the premises.
4. The licensee must have available for consumption on the premises at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low alcoholic beverages.
5. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu



supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food must be actively promoted.

6. A properly appointed certificated, acting or temporary manager must be on duty at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed on the premises.
7. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
8. The licensee must display:
 - (i) At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - (ii) At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for the sale of alcohol.
 - (iii) A copy of the licence attached to the premises so as to be easily read by persons attending the premises.

The licence is granted and will be valid for 12 months from the date of issue.

Dated at Tauranga on the 16th day of January, 2023



Arthur Wilkinson

Commissioner

Western Bay of Plenty District Licensing Committee



Application No: 8489

MANAGER'S CERTIFICATE

Section 217, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012

JACQUELINE KNIGHT

is authorised to manage any licensed premises in respect of which a licence is in force.

Subject to the requirements of the Act relating to fees, and to the provisions of the Act relating to the suspension and cancellation of managers' certificates, this certificate continues in force—

- (a) either—
 - (i) until the close of the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but

- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—
 - (i) until the close of the period of 3 years after the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

This certificate expires at the close of 26 January 2024

Dated at Tauranga on the 26th day of January 2023.



Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision Number: **022/CERT/8768/2023**
IN THE MATTER of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER of an application by
JACQUELINE KNIGHT,
pursuant to s219 of the
Act for the issue of a
manager's certificate

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

This application, submitted by **JACQUELINE KNIGHT** seeks the issue of a manager's certificate. The applicant, often known as Jacqui, is currently employed at **The Arts Junction**, 36 Main Road, Katikati in the capacity of its Promotions Manager.

The premise owner is the Western Bay of Plenty District Council.

REASONS FOR THE DECISION

The applicant holds the prescribed Licence Controller Qualification and is employed in licensed premises.

Neither the New Zealand Police nor the Licensing Inspector express any concern as to the suitability of the applicant nor do they oppose the granting of the application.

The Licensing Inspector has provided a report outlining the applicant's experience in controlling licensed premises and in an interview with her assessed her understanding of the responsibilities a manager/supervisor carry.

Accordingly, the application is dealt with on the papers.

THE DECISION

The application and supporting information satisfy the committee that the criteria we must have regard to as set out in s.222 of the Act have been met.

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 grants **JACQUELINE KNIGHT** a Manager's Certificate.



Thereby pursuant to the Sale and Supply of Alcohol Act 2012 **Jacqueline Knight** is authorised to manage any licensed premises in respect of which a licence is in force.

Subject to the requirements of the Act relating to fees, and to the provisions of the Act relating to the suspension and cancellation of manager's certificates, this certificate continues in force:

- (a) either –
 - (i) until the close of the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the certificate is duly made before the certificate would otherwise expire, either –
 - (i) until the close of the period of 3 years after the period for which it was renewed; or
 - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Note: The certificate is valid for twelve months from the date the certificate is issued.

DATED at TAURANGA this 25th day of January 2023.

B. J. Eddowes

Commissioner
Western Bay of Plenty District Licensing Committee



Application No: 8768