

DECISION NUMBER

32/ON/4439/2024

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by **T Park
Hotel Limited** for a renewal
of an On-licence pursuant to
section 127 of the Supply of
Alcohol Act 2012.

BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE

The application for renewal of On-licence (032/ON/3702/2021) was publicly advertised in the Tamarunui Bulletin newspaper on the 16 and 23 May 2024, 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 Ruapehu District Licensing Commissioner on the papers contained in the full file provided by the secretary.

Commissioner: Stuart Hylton

DECISION OF THE RUAPEHU DISTRICT LICENSING COMMITTEE

1. Application

On the 1 May 2024, **T Park Hotel Limited** on the prescribed form made application for renewal of an On-licence. This is the fourth renewal application by the current licensee.

The application for renewal of On-licence is in relation to the premises known as '*The Park Hotel*' situated at 2 - 6 Millar Street, National Park.

The general nature of the business is that of a 'Lodge/Hotel Style On-licence'.

The renewal application seeks to renew with varied licensed footprint to include the decked/grassed area next to the road entranceway. The area was shown on the plan date stamped 10 May 2024 and explained well in the Inspectors report. The area has natural delineations and the applicant has agreed to erect two signs stating no alcohol is allowed past this point.

The premise has not come to the notice of authorities in an adverse manner during the renewal period. The Inspector in her report comments – *“Mr and Mrs Sandiford are well experienced in the hospitality industry and have been the owner/operators of the premises named below in the past.*

1999 – 2006 Sunbeam Motel & Lodge, Ohakune

2009 – 2016 Kiwi International Hotel, Queen Street, Auckland

The applicant appeared before ARLA on 29 January 2019 relating to a breach under Section 239 (sale or supply to people under the purchase age) during a controlled purchase operation.

The premise was issued with a three-day suspension order and Samuel Willing’s manager’s certificate was suspended for 28 days. Both respondents willingly accepted the breach. The applicant included details of this with the application.

There have been no further incidents with the operation of the premises since the controlled purchase operation and I believe that the applicant is suitable to operate licensed premises.”

We trust the applicant learnt from this experience.

The complete file included –

- The application
- Fire evacuation compliance statement
- Host Responsibility Plan
- 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 On-licence the licensing committee had regard to the criteria under section 131 and 105 of the Act. Section 105 assessments were made using the inspector’s full report and own assessment. I accept the inspector’s assessment and recommendations.

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

- No public objections received.
- The applicant is a private company who have two directors/shareholders. They are well experienced in the industry.
- The applicant has operated this licence for the past seven years and has named four certified managers for the licence which is viewed as suitable for this type of premises. The premises has a 'medium' risk rating.
- The premise has not come to the notice of authorities in an adverse manner during the renewal period.
- The applicant provided a host responsibility plan 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 neither do I.
- The existing trading hours that are sought to be renewed are:

Monday to Sunday, between 12.00 midday and 1.00am the following day.

These hours fall within the default national maximum trading hours allowable. The applicant has operated within these hours without any apparent issue.

- The floor plan date stamped 10 May 2024, shows the licensed footprint which is open plan and can be viewed from the main bar. The restaurant is on large open plan area with a TV lounge to the rear and a lounge towards the main entrance of the restaurant adjacent to the bar. The Bar service area is designated as a 'supervised area'. The rest of the premises is undesignated.

- No CPTED or amenity or good order issues raised with renewal. 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 Inspector reports that a review of the supporting information demonstrates that the applicant has appropriate systems, staff and training to meet the requirements of the Act and the Ruapehu LAP.
- The application accords with the Ruapehu LAP.

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 20 May 2024, of no opposition.

3.2 Medical Officer of Health – Report received on 5 May 2024, of no opposition.

3.3 Licensing Inspector – Full report dated 24 June 2024. 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 is complete and supports the renewal of the licence with suggested 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 **T Park Hotel Limited** meets the statutory criteria to be granted a renewal of On-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 existing conditions apart from the extended licence footprint as part of this renewal variation.

5 Decision

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

Dated at Ruapehu District this 28th day of June 2024



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Stuart Hylton
Ruapehu District Licensing Commissioner