

Decision N° **CL0006**

In the Matter

of the Sale and Supply of Alcohol Act 2012

And

In the Matter

of an application by **Kaihu Valley Rugby Football Club Incorporated** for the renewal of a club licence pursuant to s. 127 of the Act in respect of premises situated at **Rima Haira Domain, Kaihu Wood Road, Kaihu, Kaipara District** known as “**Kaihu Valley Rugby Football Club**”

**Before the Kaipara District Licensing Committee**

Chair: Mr Mark Farnsworth  
In Attendance: Governance Services Manager: Sean Mahoney  
General Manager Planning and Regulatory: Fran Mikulicic  
Regulatory Manager: Dean Nuralli  
Chief Licensing Inspector: Rachel Sheppard

**Decision (On the Papers)**

This is an application for the renewal of a club licence to Kaihu Valley Rugby Football Club Incorporated in respect of premises situated at Rima Haira Domain, Kaihu Wood Road, Kaihu, Kaipara District known as “Kaihu Valley Rugby Football Club”.

This application has been made under s.127 of the Sale and Supply of Alcohol Act 2012 and is determined by the District Licensing Committee under s.130 of the Act.

There are no changes sought to the conditions of the existing licence.

A copy of the application was provided to the Licensing Inspector, Police and the Medical Officer of Health for reporting in accordance with s.129 of the Act. No matters in opposition have been raised in reports supplied by the agencies.



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We are satisfied as to the matters to which we must have regard as set out in ss.105 and 131 of the Act and we grant the application for renewal of a club licence under s.202 (1).

The existing licence is deemed to be current under s.122 of the Act.

The applications were filed with the Territorial Authority on 28 July 2016, however public notification did not take place until 23 August 2016, which does not satisfy the requirement of Section 127 of the Act.

Section 208 of the Act allows the licensing committee or chairperson to waive certain omissions if satisfied that the neglect or omission was not wilful; a waiver may be applied on such terms as are considered equitable.

As no objection or notice of desire to be heard has been received with regard to these applications, we are prepared to waive the errors in advertising pursuant to section 208 of the Act. In my opinion no one has been disadvantaged by the error in the public notification. Accordingly I deal with the matter on the papers.

We renew the licence until 03 August 2019 pursuant to s.135 (1) of the Act, that being the anniversary date of the licence and three years from the most recent expiry and authorise the issue of a replacement licence and a notice of renewal.

The licensee's attention is drawn to condition (c) of replacement licence 03/CL/007/2016 to ensure that potable drinking water is readily available and free of charge to customers at all times that the licensed premises are open for business. Signage directing people to drinking water must be prominently displayed on the premises at that time.

**DATED** at Mangawhai this 1st day of November 2016.



**Mark Farnsworth**  
Chair

**Kaipara District Licensing Committee**

