

Decision N° **ON0072**

In the Matter

of the Sale and Supply of Alcohol Act 2012

And

In the Matter

of an application by **Nicola Madeline Deveraux** for the renewal and variation of an On licence pursuant to ss.100, 120 and 127 of the Act in respect of premises situated **367 King Road, Mangawhai, Kaipara District** known as the “**Te Whai Bay Wines**”

**Before the Kaipara District Licensing Committee**

Chair: Mr Peter Winder  
In Attendance: Governance Services Manager: Sean Mahoney  
Regulatory Manager: Dean Nuralli  
Chief Licensing Inspector: Rachel Sheppard

**Decision (On the Papers)**

This is for an application for the renewal and variation of an On licence to Nicola Madeline Deveraux situated at 367 King Road, Mangawhai, Kaipara District known as the “Te Whai Bay Wines”.

The applicant seeks a variation to the current trading hours. The premises is currently licensed from Monday to Sunday from 11.00am to 10.00pm. The new trading hours sought are from Monday to Sunday from 11.00am to 11.45pm.

The application was made under ss.120 and 127 of the Sale and Supply of Alcohol Act 2012 and determined by the District Licencing Committee under ss.104 and 130 of the Act.

No objections to the application nor notice of desire to be heard have been received by the Police, the Medical Officer Health nor the Licensing Inspector.



The application was filed with the Territorial Authority on 26 May 2016. Public notification took place on 28 May 2016 which satisfies ss.120 and 127 of the Act.

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 renewal and variation of the On licence under s.202(1).

We renew the On licence until 13 October 2019 pursuant to s.135(1) of the Act, that being the anniversary date of the licence and three years from the most current date of expiry and authorise the issue of a replacement licence and a notice of renewal.

The licensee's attention is also drawn to condition (d) of replacement licence 03/ON/005/2016 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.

The licensee's attention is drawn to s.56 and s.57 of the Act obliging the holder of the on-licence to display:

- (i) A sign to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of alcohol; and
- (ii) A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance; and
- (iii) A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.

The licensee is reminded of their responsibilities with regard to the object of the Sale and Supply of Alcohol Act 2012.

**DATED** at Dargaville this 12<sup>th</sup> day of July 2016.



**Peter Winder**

**Chair**

**Kaipara District Licensing Committee**

