

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Lorraine Sabrina Gawith pursuant to s.127 of the Act for the renewal of an On-Licence in respect of premises situated at Forgotten World Highway 43, 1381 River Road, RD 1, Tamarunui known as "Laurens Lavender Farm".

BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE

Commissioner: Ross Murphy

DECISION

1. This is an application by Lorraine Sabrina Gawith pursuant to s.127 of the Act for the renewal of an On-Licence in respect of premises situated at Forgotten World Highway 43, 1381 River Road, RD 1, Tamarunui known as "Laurens Lavender Farm".
2. The application was required to be notified in accordance with s.127 of the Act. No objection has been received under s.128 of the Act.
3. Reports from the Police, Medical Officer of Health and an Inspector do not raise any matters in opposition to the application. Accordingly, the application is determined on the papers.
4. **In deciding whether to renew the licence the District Licensing Committee must have regard to the criteria in s.105 and 131 of the Act.** Therefore, this committee must consider the following questions within the framework of the purposes and object of the Act:
 - Is the object of the Act met or likely to be met?
 - Is the applicant suitable?
 - Are the requirements of any relevant local alcohol policy met?
 - Are the days on which and the hours during which the applicant proposes to sell alcohol reasonable?
 - Is the design and layout of the premises suitable?
 - Does the applicant engage in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services?
 - Is the amenity and good order of the locality likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence?
 - Does the applicant have appropriate systems, staff and training to comply with the law?
 - Is the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol appropriate?
 - Have the Police, the Medical Officer of Health or an Inspector raised any relevant considerations?

5. Is the object of the Act met or likely to be met?

There is no opposition from the agencies and all documentation convinces the committee there are no concerns regarding the potential for alcohol related harm.

6. Is the applicant suitable?

The licensing committee is satisfied that Lorraine Sabrina Gawith is suitable to hold this licence. The applicant is of good character and has demonstrated ability to comply with the Sale and Supply of Alcohol Act 2012.

7. Are the requirements of any relevant local alcohol policy met?

The licensing committee is satisfied there are not matters contrary to the Ruapehu local alcohol policy.

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

Lorraine Sabrina Gawith operates the café during the hours of 9.00 am and 12 midnight. The committee is satisfied that these hours are appropriate for this operation.

9. Is the design and layout of the premises suitable?

The licensing committee is satisfied that Laurens Lavender Farm has a suitable design and layout to meet the requirements of the act. It is well appointed and able to be monitored by the staff on duty. The entire premises is undesignated.

10. Does the applicant engage in, (or proposes on the premises to engage in), the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services?

Lorraine Sabrina Gawith mainly sells Lavender products and merchandise, otherwise they do not engage in the sale of goods or services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food.

11. Is the amenity and good order of the locality likely to improve if we refuse to renew the licence?

This is a residential rural property and there are no issues with neighbours and the amenity and good order of the locality.

12. Does the applicant have appropriate systems, staff and training to comply with the law?

The licencing committee is satisfied that Lorraine Sabrina Gawith has an appropriate Host Responsibility Policy. There are only two customer facing staff, being the applicant and her daughter. The Inspector advises there is a monthly refresher over the season when they are open to the public and she is satisfied the supporting documentation demonstrates the applicant has appropriate systems, staff and training in place.

There is just the one manager appointed being the applicant. They do not use all the hours on a daily basis and alcohol is only sold when Ms Gawith is present. For this style and size of the business this is deemed acceptable.

13. Is the manner in which the applicant sold, supplied, displayed, advertised and promoted alcohol been appropriate?

The licensing committee is satisfied that there are no issues regarding compliance.

14. **Have the Police, the Medical Officer of Health or an Inspector raised any relevant considerations?**
The Police, Inspector or MOH have raised no issues regarding any of the above criteria and the Committee has no concerns.
15. **The Licensing Committee is satisfied as to the matters to which must be regarded as set out in the Act and grant the renewal application for three years on the existing conditions;**

DATED this 11th day of February 2024

A handwritten signature in black ink, appearing to read 'Ross Murphy', with a large, stylized flourish underneath.

Ross Murphy
Commissioner
Ruapehu District Licensing Committee