

Decision No. **52/ON/023/2016**
Record No. **1770453**

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Kotare Café & Catering Limited for an on licence pursuant to s.100 of the Act in respect of premises situated at 131 Middle Renwick Road, Blenheim, Marlborough District known as "Kotare Café"

BEFORE THE MARLBOROUGH DISTRICT LICENSING COMMITTEE

Chairperson: Graeme Barsanti

Members: Hamish Beard, Margaret McHugh

HEARING at Blenheim on 19 April 2017

APPEARANCES

Ms Rebecca Hill - applicant - Kotare Café & Catering Limited

Rachel Mercer - Marlborough District Licensing Inspector- to assist

DECISION

[1] On 18 May 2016 the applicant, Kotare Cafe & Catering Limited applied for an on licence in respect of premises situated at 131 Middle Renwick Road Blenheim, Marlborough District known as "Kotare Cafe".

[2] None of the reporting agencies opposed the application

[3] The application was publicly advertised on 1 June 2016 and 8 June 2016 which attracted 2 public objections.

[4] It was noted when filing the application the applicant required a Resource Consent *to establish a new café (replace existing) and function venue for hire with liquor licence on Lot 1 DP 401660*. The applicant lodged her application for resource consent on 18 May 2016. This application required affected parties approval and attracted submissions from affected parties including the same 2 objectors to the licence and therefore required a hearing for the Resource Consent. Therefore the application for the on licence was pending the outcome of the Resource Consent decision.

[5] The Resource Consent hearing was held on 30 November 2016 and granted on 22 December 2016 consent number; U160576. No appeal was lodged to the Resource Consent decision

[6] The objectors were contacted following the resource consent appeal date in regards to their objection to the alcohol licence. Confirmation was received 20 February 2017 by Wayne and Leigh-Anne Palatchie that their objection still stands. The remaining objector has not responded.

[7] At this DLC hearing none of the objectors appeared. It is axiomatic that if objectors fail to support their objections at a hearing then it is unlikely that the Committee will give much, if any, weight to the objection.

[8] A number of questions were answered by the applicant Ms Hill especially in relation to the restriction of parking (under the Resource Consent) to minimise the disruption to adjoining properties. No patrons (attending evening functions) shall park in the staff car parking area behind the Kotare Café. The placement of road traffic cones shall take place prior to the expected arrival of patrons and collected no later than 0100 hours.

[9] The committee conducted a site visit and noted the parking restriction as indicated in [8] above.

[10] We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and we grant the applicant an on licence authorising the sale and supply of liquor for consumption on the premises, to any person who is present on the premises.

DATED at Blenheim this 3rd May 2017

A handwritten signature in black ink, appearing to be 'M. Hill', written over a horizontal line.

Secretary

Marlborough District Licensing Committee