

# APPLICATION FOR ON-LICENCE OR RENEWAL OF ON-LICENCE



## Form 3, Sections 100 and 127(2), Sale and Supply of Alcohol Act 2012

Send or deliver your application to:

The Secretary  
District Licensing Committee  
Kāpiti Coast District Council  
Private Bag 60601, Paraparaumu 5254  
175 Rimu Road, Paraparaumu 5032  
Telephone (04) 296 4700 Toll Free: 0800 486 486

Received by  
Kapiti Coast District Council  
at Waikanae

10 APR 2025

By Jessica Time 1:40

For Council use

File #

Once this application is complete you may make an appointment for a pre-lodgement meeting with a Licensing Inspector at the numbers given above.

Application forms cannot be accepted by the District Licensing Committee (DLC) over the counter until they have been signed off as complete by the Inspector and a fee category has been calculated. **Instructions on how to complete this application are attached at the back of the form.**

This application is made in accordance with the particular set out below:

### 1. Application Type

☐ New On-Licence

☒ Renewal of On-Licence

☐ Renewal of On-Licence with variation of conditions

Licence number: 45/ON/069/2022

Licence number:

### 2. Endorsements

Tick the appropriate box if you want an endorsed licence only

☐ Allow BYO

☒ On-Licence plus Caterer's On-Licence

☐ BYO Licence only

☐ Caterer's On-Licence only (no restaurant)

### 3. Details of Applicant

Full legal name or names to be on licence (if a company, must be company name):

Ian David Williams

Whether licence already held for premises or conveyance concerned: ☐ Yes ☐ No, and if 'Yes' state kind of licence

### 4. Applicant Status: by reference to section 28 of Sale and Supply of Alcohol Act 2012

☒ Natural person(s)

☐ Private Company

☐ Body Corporate

☐ Public Company

☐ Partnership

☐ Other (please specify).....

**5. For Applicant that is a Natural Person(s):**Full legal name: Ian David Williams

Any aliases (and/or maiden name):

Usual residential address: Number 171 AStreet: Langdale Ave

Suburb:

City: ParaparaumuPostcode: 5032

Sex:

Occupation: Cafe OwnerDate of birth: 2/6/61Place of birth: Palmerston North

Telephone:

Mobile: 021 491199Email: Relishcafe@waikaree@gmail.comPreferred mode of contact: email**6. For Applicant that is a Body Corporate, Authority under which Incorporated:****7. For Applicant that is Not a Natural Person(s), Details of Contact Person:**

Name:

Designation/Position:

Telephone:

Email:

Mobile:

Preferred mode of contact:

**8. Postal Address for Service:**Number/Street/PO Box: 12 Elizabeth St

Suburb:

City: WaikareePostcode: 5036**9. Business Details:**

Describe principal business, any other businesses

Cafe**10. Criminal Convictions:**

Does the applicant(s) have any criminal convictions (other than convictions for offences against provisions of the Land Transport Act 1998 not contained in Part 6, and offences to which the Criminal Records (Clean Slate) Act 2004 applies). ☒ Yes ☐ No, and if "Yes", then please provide nature of the offence, details of conviction, and penalty imposed.

Tax evasion 2015. Home detention**11. For a Company: whether Incorporated under the Companies Act 1993 or Equivalent Foreign Legislation**

Full Legal Names of Directors:



<b>12. For a Private Company Incorporated under the Companies Act 1993:</b>		
Authorised capital:	Paid up capital:	
Name:	Address: Street number	
Street:	Suburb:	
City:	Postcode:	
Date of birth:	Place of birth:	
Designation:	Face value of shares held:	
<b>13. For a Partnership:</b>		
Full legal name of partner:		
Usual residential address: Number	Street:	
Suburb:	City:	Postcode:
Full legal name of partner:		
Usual residential address: Number	Street:	
Suburb:	City:	Postcode:
<b>14. Details of Premises (if not a Conveyance)</b>		
Address: Number <i>12 Elizabeth St</i>	Street:	
Suburb: <i>Waukanga</i>	City:	Postcode:
Trading Name: <i>Relish Cafe and Catering</i>		
<b>If not Owned by Applicant:</b>		
Tenure: (state whether to be held as leasehold, or under tenancy agreement or licence) <i>Tenancy agreement</i>		
Full legal name of owner: <i>DNS Investments Ltd</i>		
Address: Number <i>10 Elizabeth St</i>	Street:	
Suburb: <i>Waukanga</i>	City:	Postcode:
Is the licence conditional on completion of building work: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, and if "Yes", state details:		
<b>15. Details of Conveyance</b>		
Kind: (eg, ship, railway carriage, bus, etc)		
Tenure: (state whether owned by applicant, or to be operated under charter, lease, or licence)		

<b>If not Owned by Applicant:</b>		
Full legal name of owner:		
Address: Number	Street:	
Suburb:	City:	Postcode:
Any registration number:		
Any home base address:		
Any name used or proposed for conveyance:		
Is the licence conditional on completion of construction work: <input type="checkbox"/> Yes <input type="checkbox"/> No, and if "Yes", state details:		
<b>16. Details of Duty Manager(s)/Proposed Manager(s) <i>If more than two certified managers please attach details separately</i></b>		
Full legal name: <u>Ian Williams</u>		
Number of manager's certificate: <u>45/cert/630/2020</u>	Expiry Date: <u>16/11/25</u>	
Full legal name: <u>Annette Natalia Smith</u>		
Number of manager's certificate: <u>45/cert/11147/2023</u>	Expiry Date: <u>8/11/27</u>	
<b>17. Business Details</b>		
State the general nature of the business to be conducted by applicant in the premises if licence granted: <i>(for example, hotel, tavern, restaurant, entertainment/nightclub)</i>		
<u>Cafe</u>		
Is the sale of alcohol intended to be the principal purpose of business: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, and advise the intended principal purpose of business <i>(for example: sale of alcohol, sale of food; entertainment; accommodation)</i> .		
<u>Sale of food</u>		
Is the applicant engaged, or intending to be engaged, in the sale or supply of any goods other than alcohol, non-alcoholic refreshments and food, or in the provision of any services other than those directly related to the sale or supply of alcohol and non-alcoholic refreshments, and food: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - and if "Yes", advise the nature of other goods or services. This is to assess whether other goods and services provided are compatible with the sale of alcohol.		



State the days and hours proposed for sale of alcohol (this is your current licensed hours not trading hours):

Monday to Sunday 8am to 10pm

Do you have an encroachment licence to consume alcohol on footpath: ☐ Yes ☒ No If 'Yes', please attach and number #.....

18. Conditions

Doc attached?  
Number.

- Write answer below or attach relevant documents that demonstrate compliance.
- When including attachments please number the hard copies, and in the first column circle 'Yes' box and write the document number on '#.....'

Describe experience and training of applicant:

50 years Hospo experience. Has held a on Licence for 7 years

Yes / No  
#.....

Describe the type and range of food intended to be available for purchase:

Cabinet food and full cooked menu.

Yes / No  
#.....

Describe the type and range of non-alcoholic beverages intended to be available for purchase:

Orange juice, apple juice, Lemonade, Cotte, Ganga Beer, Tea Coffee.

Yes / No  
#.....

Describe the type and range of low-alcohol beverages intended to be available for purchase:

Hein 0° - Coopers light

Yes / No  
#.....

Describe to what extent, and where, drinking water is intended to be freely available to patrons (if no access to mains water supply, also advise the potability of water intended to be available):

Water is on every table.

Yes / No  
#.....

...Conditions contd-

...Conditions contd

...Conditions contd-	...Conditions contd-
Describe the steps proposed to be taken to prevent the sale and supply of alcohol to prohibited people: <i>ID asked for. Shift check not intoxicated.</i>	Yes / No #.....
Describe any other steps the applicant proposes to promote the responsible consumption of alcohol (for instance host responsibility practices): <i>Water offered to each table on arrival. Non alcohol &amp; Low alcohol drinks offered</i>	Yes / No #.....
Describe any other systems (including training systems), and staff in place (or to be in place) for compliance with the Act: <i>All staff are trained. i.e. checking I.D., Prohibiting non alcohol. Serving water.</i>	Yes / No #.....
Describe any actions that have been taken to ensure the good order and amenity of the locality would not be likely to be: <ul style="list-style-type: none"> <li>reduced, by more than a minimal extent, by granting the licence; or</li> <li>increased, by more than a minimal extent, by the refusal to renew the licence.</li> </ul> <i>This includes issues such as noise (including amplified music, people in outdoor areas or arriving or leaving premises), the effects on sensitive users within locality such as pre-schools, schools and medical centres:</i> <i>No music Played</i>	Yes / No #.....
<b>For Licence Renewal Only:</b> Describe any conditions of the licence the applicant seeks to vary or cancel: <i>To be filled in for each condition the applicant seeks to vary or cancel – attach additional pages as necessary</i> Terms of condition at present:  Action sought: <input type="checkbox"/> Variation <input type="checkbox"/> Cancellation. If Variation, in what respect does the applicant seek to vary the condition?	Yes / <u>No</u> #..... #..... #..... #.....

<b>19. Attachments (if Not a Conveyance)</b> • When including attachments please number the hard copies, and in the first column circle 'Yes' box and write the document number on '#.....'	<b>Doc attached? Number.</b>
A statement, or signed declaration, regarding the premises need for an evacuation scheme, as set out in section 100(d) of the Act for new applications, or section 127(e) of the Act for renewals. A copy of the 'Evacuation of Declaration Scheme' is available on the website.	Yes / No #.....
Copy of planning consent: Please attach certificate that proposed use meets the requirements of the Resource Management Act 1991. <i>Not required for renewal unless the business activity or type has changed since the last version.</i>	Yes / No #.....
Copies of all relevant building certificates consents: Please attach certificates that show the premises meet the requirements of Building Code 2004. <i>Not required for renewal unless structural changes have been undertaken since the last issue or renewal.</i>	Yes / No #.....
A scale floor plan showing each area to be designated as a supervised area or restricted area, and indicating whether supervised or restricted area; and the principal entrance. <i>Not required for renewal unless changes have been made since the last issue or renewal.</i>	Yes / No #.....
For body corporate applicant, please attach a copy of certificate of incorporation (or equivalent document). <i>Not required for renewal unless changes have occurred since the last issue or renewal.</i>	Yes / No #.....
Advise if a Crime Prevention Through Environmental Design (CPTED) assessment has been undertaken or any improvements to the design and layout in accordance with CPTED. <input type="checkbox"/> Yes <input type="checkbox"/> No, and if 'Yes' attach a copy, and if 'No' complete a CPTED checklist (see HPA and the Ministry of Justice websites for more information).	Yes / No #.....
Please attach a photograph or artist's impression of the exterior of the premises or proposed premises. <i>Not required for renewal unless major changes have been undertaken since the last issue or renewal.</i>	Yes / No #.....
Please attach a map showing the location of the premises. <i>Not required for renewal.</i>	Yes / No #.....
For the following documents, if they are already attached in response to a previous section you do not need to provide twice. Just circle the Yes and repeat the document number you have given it.	
Please attach a copy of your Host Responsibility Policy. <i>Not required for a renewal unless there have been significant changes since the last issue or renewal.</i>	Yes / No #.....
Please attach a copy of a sample menu. <i>Not required for a renewal unless there has been a significant change in the range and nature of the food offered since the last issue or renewal.</i>	Yes / No #.....
If the premises are owned by another party, please attach an owner's statement or copy of lease to show there is no objection from the owner to the issue of licence to this premise. <i>Not required for a renewal unless the lease or ownership arrangements have changed.</i>	Yes / No #.....

20. Attachments (Conveyance)		Doc attached? Number.
<ul style="list-style-type: none"> <li>When including attachments please number the hard copies, and in the first column circle 'Yes box and write the document number on '#.....'</li> <li>For renewal applications you only need to attach copies if there have been changes from the last version you provided to the DLC</li> </ul>		
Floor plan showing each area to be designated as a supervised area or restricted area, and indicating whether supervised or restricted area. <i>Not required for renewal unless changes have occurred since the last issue or renewal.</i>	Yes / No #.....	
For body corporate applicant, copy of certificate of incorporation (or equivalent document). <i>Not required for renewal unless changes have occurred since the last issue or renewal.</i>	Yes / No #.....	
Please attach a photograph or artist's impression of the exterior of the conveyance. <i>Not required for renewal unless major changes have been undertaken since the last issue or renewal.</i>	Yes / No #.....	
For the following documents, if they are already attached in response to a previous section you do not need to provide twice. Just circle the Yes and repeat the document number you have given it.		
Please attach a copy of your Host Responsibility Policy. <i>Not required for a renewal unless there have been significant changes since the last issue or renewal.</i>	Yes / No #.....	
Please attach a copy of a sample menu. <i>Not required for a renewal unless there has been a significant change in the range and nature of the food offered since the last issue or renewal.</i>	Yes / No #.....	
If the conveyance is owned by another party, please attach an owner's statement or copy of lease to show there is no objection from the owner to the issue of licence to this conveyance. <i>Not required for a renewal unless the previous lease has expired.</i>	Yes / No #.....	
<b>21. Further Details where Applicant is a Company</b> <i>Include full details of each person who holds 20% or more of the shares, or of any particular class of shares, issued by the company.</i>		
Name:	Address:	
Suburb:	City:	
Postcode:	Date of birth:	
Place of birth:	Designation:	
Name:	Address:	
Suburb:	City:	
Postcode:	Date of birth:	
Place of birth:	Designation:	
Name:	Address:	
Suburb:	City:	
Postcode:	Date of birth:	
Place of birth:	Designation:	
Are additional sheets attached? Yes / No - Doc number #.....		



**22. Further Details where Applicant is a Partnership**

Name:	Address:	
Suburb:	City:	
Postcode:	Date of birth:	
Place of birth:	Date:	Signature:
Name:	Address:	
Suburb:	City:	
Postcode:	Date of birth:	
Place of birth:	Date:	Signature:
Name:	Address:	
Suburb:	City:	
Postcode:	Date of birth:	
Place of birth:	Date:	Signature:

Are additional sheets attached? Yes / No - Doc number #.....

**23. Signature of Applicant (this must be signed by applicant not their agent):**

**I authorise New Zealand Police to disclose any personal information it considers relevant to my application to the Medical Officer of Health and/or the Licensing Inspector for the purpose of assessing my suitability.**

Name: *Ken Williams*

Date: *06-04-25*

Signature: *[Signature]*

Dated at location:

**Privacy Statement**

Information contained in your application and any supporting information will be held by Kapiti Coast District Council to enable your application to be processed under the Sale and Supply of Alcohol Act 2012. This information will be made available to the public on request. The information will be provided to the Kapiti Coast District Licensing Committee, the NZ Police, the Medical Officer of Health and Council's Licensing Inspectors. This information may form part of a public hearing of your application before the Kapiti Coast District Licensing Committee and may be used in the Committee's decision for your application. Decisions will be made publically available.

Council is required to keep a statutory register of all applications and the District Licensing Committee's decisions on them. Council is required to report statistics about applications to the Alcohol Regulatory and Licensing Authority. Any member of the public may request access to this information under the Local Government Official Information and Meetings Act 1987. This information may also be used under the Privacy Act 1993. You have the right to see and correct personal information that Council holds about you.

**Method of payment (must be made at time of application)**

☐ I have paid at a Kāpiti Coast District Council Service Centre when I delivered this application.

☐ I have paid by electronic transfer (Council Bank Account Number: 03-0732-0306101-00) and quoted my name and "alcohol" in the reference fields; and

☐ I have included proof of electronic payment with this application.

☐ I have enclosed a cheque with this form.

**How I would like to receive my alcohol licence (please select one only)**

☒ I will collect my alcohol licence – please contact me when it is ready by ☐ Phone or ☒ Email

OR

☐ Please post my alcohol licence to me.

**Next Step:** Once your application is complete, if you would like to make an appointment for an optional pre-lodgement meeting with the Licensing Inspector then please Telephone (04) 296 4700 or Toll Free: 0800 486 486.

- 1 This form must be accompanied by the prescribed fee.
- 2 This form must be accompanied by the required attachments (refer Points 19 or 20).
- 3 Within 20 working days after filing your application with the District Licensing Committee (or 10 working days if it is an application for renewal), the application must be publically notified. The public notice template will be provided on receipt of your application by the Alcohol Licensing Team.

**For Office Use: Application Fee Risk Categories**

☐ Very Low

☐ High

☐ Low

☐ Very High

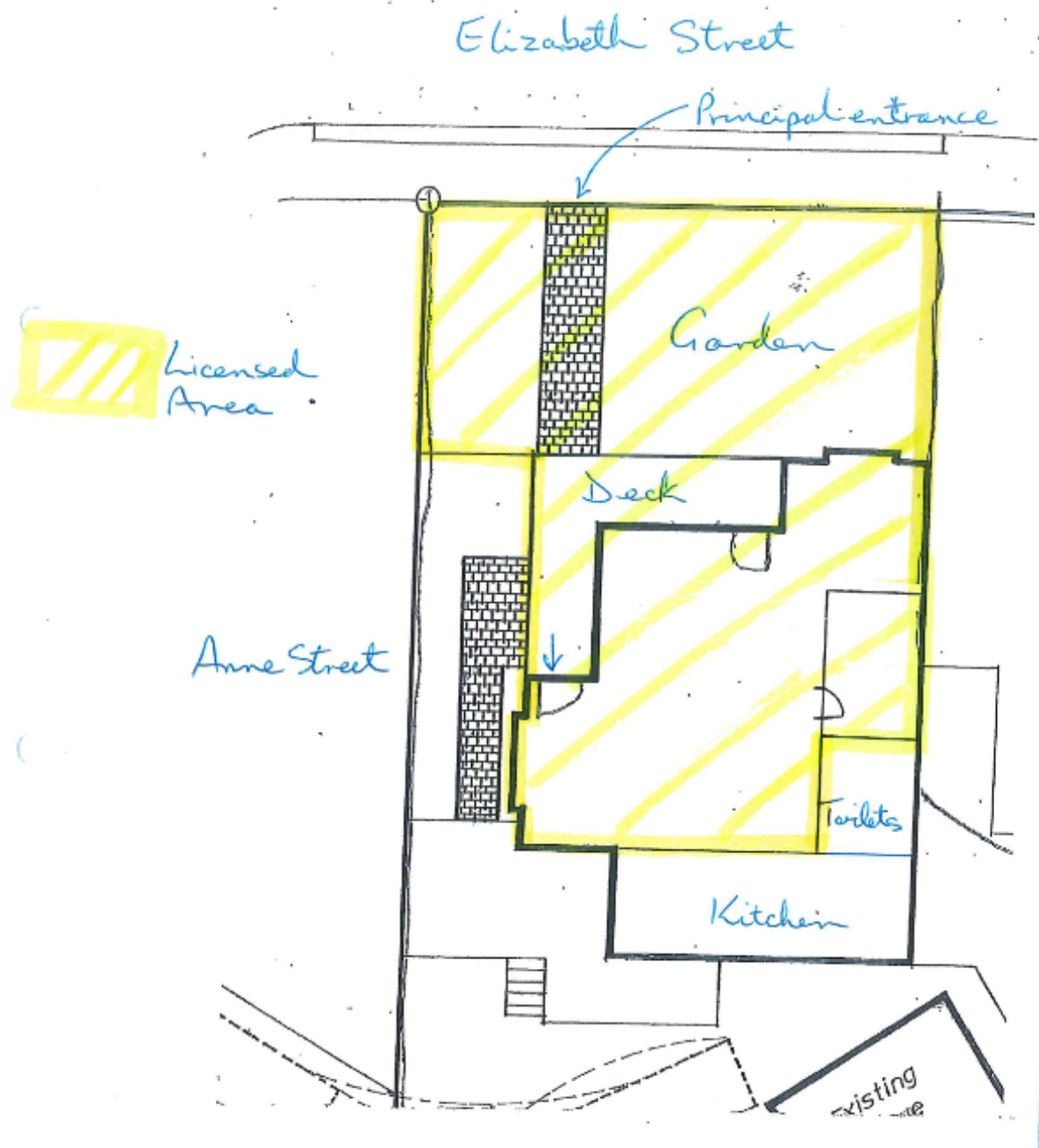
☐ Medium

Application Fee Payable: \$ \_\_\_\_\_ Signature of Licensing Inspector \_\_\_\_\_

Name of Licensing Inspector \_\_\_\_\_ Date: \_\_\_\_\_



# Relish Cafe







---

Walk-ins Welcome

Reservations are available on 04 293 1470

Tables are reserved for 1.5 hours unless previously arranged

---

### **Blackboard Menu**

(available until 2.30pm)

Breads	\$15.80
<i>grilled Pita Bread, with Hummus and Pesto</i>	
French Toast	\$25.00
<i>with Bacon, Maple Syrup and either Banana or Peaches</i>	
B.L.T	\$17.50
<i>Bacon, Lettuce, Tomato in a toasted Pita Pocket</i>	
Corn Fritters	\$25.90
<i>with Bacon, sliced Tomato, Sour Cream and Tomato Relish</i>	
Lambs Fry & Bacon	\$25.90
<i>tender Lambs Fry sautéed in a spicy Tomato and Red Wine reduction</i>	
Poached Eggs	\$22.50
<i>with Bacon and Grain Rye Toast</i>	
Relish Big Breakfast	\$26.00
<i>Eggs, Bacon, Hash Browns, Mushrooms, Cumberland Sausage and grilled Tomato</i>	
Seafood Chowder	\$22.00
<i>a delicious medley of Fresh Fish, Prawns, Mussels and Surimi</i>	
Black Pudding	\$26.00
<i>with Bacon, Mushrooms and grilled Tomato</i>	
Toasted Fruit Loaf	\$14.00
<i>with Fruit Conserve</i>	
Kedgerree	\$26.00
<i>mildly spiced Rice, with Smoked Salmon, Egg and Parsley</i>	
Relish Pâté	\$18.80
<i>Chicken liver with Tomato Relish and café-made Crostini</i>	
Waffles	\$24.90
<i>with Banana and Salted Caramel or Fruit Mix</i>	
Eggs Benedict (with Bacon)	\$22.90
Eggs Florentine (with Spinach)	\$22.90
Eggs Montreal (with Salmon)	\$24.90
Tomato and Basil Soup	\$16.80
<i>homemade Soup, with Wholemeal Toast</i>	

## Salads

(available until 2.30pm)

Warm Bacon Salad with Avocado and Cashews	\$22.80
Prawn Salad with Avocado and Cashews	\$24.80
Smoked Chicken Salad with Avocado and Cashews	\$22.80
Small Crispy Garden Salad	\$6.00

## Cabinet Menu

Bacon & Egg Pie	\$8.50
Mini Bacon & Egg Pie	\$5.10
Potato Top Savoury	\$5.20
Gourmet Sausage Roll	\$8.50
Chicken & Cranberry Filo	\$10.90
Macaroni Cheese & Bacon ( <i>w/salad</i> )	\$12.90
Stuffed Potato	\$8.50
Zucchini & Bacon Slice	\$9.90
Salmon Roulade	\$9.90
Salmon & Asparagus Quiche ( <i>GF</i> )	\$9.90
Vegetable Frittata ( <i>GF</i> )	\$9.90
Pumpkin & Feta Tart	\$9.90
Club Sandwich	\$5.00

## Sweets

Chocolate Brownie ( <i>GF</i> )	\$5.20
Chocolate Caramel Slice ( <i>GF</i> )	\$5.20
Coffee & Walnut Slice	\$5.20
Citrus Slice	\$5.20
Vanilla Slice	\$6.90
Eccles Cake	\$5.60
Carrot Cake	\$8.50
Cheese Scone	\$5.00
Ginger Gem	\$5.20
Bumble Bee	\$3.10
Short Bread	\$3.00

## Barista Made

Flat White, Latte, Cappuccino ( <i>Regular</i> )	\$6.00
Flat White, Latte, Cappuccino ( <i>Large</i> )	\$6.50
Flat White, Latte, Cappuccino ( <i>Bowl</i> )	\$7.50
Hot Chocolate, Chai Late ( <i>Large</i> )	\$6.60
Iced Coffee/Chocolate	\$9.00
Long Black, Short Black	\$4.80
Lemon Honey & Ginger	\$6.00
Tea ( <i>selection of teas available</i> )	\$5.50
Kids Fluffy ( <i>with chocolate sprinkle</i> )	\$2.20

***Ask about our selection of Beer, Wine and Cold Drinks***

(*GF*) Gluten Free

# Fire Evacuation Statement

This statement must be accompanied with all new or renewal applications for on-licence (including BYO licences), off-licence, special and club licences in accordance with section 100 and 127 of the Sale and Supply of Alcohol Act 2012.

## 1. Applicant details

Premises name:

*Relish Cafe and Catering*

Applicants name:  
(Individual or Company)

*Ian David Williams*

Premises address:

*12 Elizabeth Street  
Warkanae*

Contact phone:

Home: *021 491199*

Mobile:

Contact email:

*Relishcafe@warkanae@gmail.com*

## 2. Fire evacuation scheme

Most commonly a building requires an evacuation scheme because it is used for the following purposes:

- The gathering together, for any purpose of 100 or more persons:
- Providing employment facilities for 10 or more persons:
- Providing accommodation for more than 5 persons (other than in 3 or fewer household units);
- Storing or preserving hazardous substances in quantities exceeding the minimum amounts prescribed in Schedule 3 of the Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018.

See Fire and Emergency New Zealand Act 2017 section 75 and 76 for further information.

If you are unsure that the building has or requires an approved evacuation scheme, check with the **building owner**. For the requirements of an evacuation scheme or to apply for an evacuation scheme, refer to Fire and Emergency New Zealand web site. [www.fireandemergency.nz](http://www.fireandemergency.nz) or Contact Fire and Emergency New Zealand, [wellingtondistrict-rrteams@fireandemergency.nz](mailto:wellingtondistrict-rrteams@fireandemergency.nz).



## Statement

I hereby state that (tick one):

☐ the **owner** of the building in which the premises are situated provides and maintains an evacuation scheme as required by section 76 of the Fire and Emergency New Zealand Act 2017;

OR

☒ because of the building's current use, its owner is not required to provide and maintain such a scheme;

OR

☐ because of the nature of the building, its owner is exempt from the requirement to provide and maintain such a scheme.

### NOTE:

*If an approved evacuation scheme is not required, the building must have evacuation procedures that meet Part 1 of the Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018 – this does not require approval by Fire and Emergency New Zealand.*

Name:

Ian Williams

Signature:

*[Signature]*

Date:

01 April 2025

## Submitting applications

Email completed forms to: [licence.application@kapiticoast.govt.nz](mailto:licence.application@kapiticoast.govt.nz)

### Post to:

Alcohol Licensing Team  
Kāpiti Coast District Council  
Private Bag 60601  
Paraparaumu 5254

### or deliver to:

Kāpiti Coast District Council  
175 Rimu Road  
Paraparaumu

**THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application for a waiver by **Ian David Williams** pursuant to section 208 of the Sale and Supply of Alcohol Act 2012 (the Act) for the **renewal of an On Licence** in respect of premises situated at **12 Elizabeth Street, Waikanae**, known as “**Relish Cafe**”.

## **BEFORE THE KAPITI COAST DISTRICT LICENSING COMMITTEE**

### **DECISION**

#### **Introduction**

- 1 I have before me an application by **Ian David Williams** for a waiver pursuant to section 208 of the Act. The applicant filed an application for the renewal of an On licence on **10 April 2025**, with expiry **8 May 2025**.
- 2 Section 127 of the Act provides that an application for the renewal of a licence must be made no later than 20 working days before expiry of the licence or by such later date as the licensing committee may allow. In the present circumstances an incomplete application was filed **on the 20 working day deadline**. Accordingly, section 127 has not been complied with.
- 3 Section 111 of the Sale of Liquor Act 1989 (the old Act) was the previous section that allowed the District Licensing Agency to waive certain non-compliance where someone had neglected or omitted to do something in the precise manner required by the Act.
- 4 Section 208 of the Act states: Where any person has neglected or omitted to do any act or thing in the precise manner or within the precise time prescribed by this Act, the licensing authority or (as the case may require) the licensing committee or the chairperson, if satisfied that the neglect or omission was not wilful, may waive the same on such terms as they think equitable.
- 5 This is almost identical wording to the previous section 111 of the previous Sale of Liquor Act 1989.
- 6 The lead case on section 111 of the old Act, and still has some application for section 208 of the Act, is *Sara v Johns*, High Court at Auckland, CIV 2008-404-7746. In that case, Heath J gave guidance that:  
...the discretion will no doubt be exercised (whether conditionally or unconditionally) having regard (among other things) to such factors as the delay in making the application, the seriousness of the neglect or omission, the consequences of granting a waiver, any prejudice that might be caused to third parties and any relevant public interest factors.

7. I believe it is clear that the applicant's conduct in this matter has not been wilful.
- 8 I do not consider that any person will be prejudiced if the waiver is granted.
- 9 I am satisfied as to the matters to which I must have regard in section 208 of the Act, and I **grant** the waiver.

**Dated** at Paraparaumu 2 May 2025.

A handwritten signature in black ink, appearing to read 'Nigel Wilson', with a stylized, cursive script.

Nigel Wilson  
Chairperson  
**Kapiti Coast District Licensing Committee**