

Decision No: QLDLC 0495/2023

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012
(the Act).

AND

IN THE MATTER

of an application **by RONITA HEENAL
SHARMA** pursuant to s.219 of the Act for a
Managers Certificate.

BEFORE THE QUEENSTOWN LAKES DISTRICT LICENSING COMMITTEE

Chairman: Mr LA Cocks

Members: Mrs NJ Vryenhoek

Mr P Jones

HEARING at Queenstown on the 31st day of May 2023

APPEARANCES

Ms RH Sharma - the Applicant

Ms K Burns - Queenstown Lakes Licensing Inspector – to assist

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. Before the Committee is an application by Ronita Heenal Sharma for a Manager's Certificate. The application was received on 28th October 2022. Ms Sharma provided a reference from DFS New Zealand dated 26th October 2022 stating that Ms Sharma had previously been employed for four years in a full-time position as a duty manager based in the Auckland store, and was re-employed at the Queenstown T Galleria as a Product Sales Manager for beauty, food, liquor, and gift department from 15th August 2022 until the present time.
2. Ms Sharma obtained the Licence Controller Qualification (LCQ) on 10th October 2022, and there is no opposition to the application from the Police.
3. The Inspector questioned the applicant's suitability due to her inability to pass the knowledge test conducted by council staff. Ms Sharma attempted to pass the test on three occasions between 17th and 30th November 2022, but was unsuccessful on each attempt. A review of the applicant's responses for each attempt revealed she did not have a basic understanding of the following:

- a. The Object of the Act;
 - b. The three designations that can be imposed on a licensed premises;
 - c. The minimum number of substantial food options which must be available when an on- licence premises is open for the sale and supply of alcohol; and
 - d. Responsibilities of a duty manager.
4. The applicant told us she has considerable experience in the type of shop she is now working. Her only explanation for not passing the tests was that her Aunty had passed away at the time and she was not in a good state of mind. She acknowledged she has a copy of the test and was confident she would pass the test if given another opportunity. She advised she was redoing the LCQ online.
5. The applicant has completed the relevant training, has adequate experience and apart from not passing the knowledge test, is considered suitable to hold a Manager's Certificate, but with conditions to address her failure to pass the Council interviews. Accordingly, the Committee rules pursuant to s.222 of the Act, that the above application for a new Manager's Certificate is approved on two conditions as follows:
- a. *That prior to issuing the certificate the applicant must sit and pass in one more attempt the Council's Duty Manager's assessment at a time and place to be nominated by an Inspector.*
 - b. *That the applicant signs an undertaking to only use the certificate while managing the premises known as 'Queenstown T Galleria' in Queenstown, for at least 12 months.*
6. Should condition 5.a above not be met, the matter is to be referred back to the licensing committee.

DATED at Queenstown this 16th day of June 2023.



LA Cocks
Commissioner
Queenstown Lakes District Licensing Committee

