

APPLICATION	17/CL/010/2015
IN THE MATTER	of the Sale and Supply of Alcohol Act 2012 (The Act)
AND	
IN THE MATTER	of an application by Barbara Kay Shailer on behalf of Tokoroa Cosmopolitan Club Incorporated pursuant to s127 of The Act for the grant of a Club Licence in respect of premises situated at 275 Balmoral Drive Tokoroa and known as Tokoroa Cosmopolitan Club.

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

Quorum: Chairperson: Jenny Shattock QSM JP

APPLICATION

- 1) I have before me an application by Barbara Kay Shailer on behalf of Tokoroa Cosmopolitan Club Incorporated (the Applicant), pursuant to s. 127 of the Sale and Supply of Alcohol Act 2012, (the Act) for the renewal of **Club-Licence** number 17/CL/010/2015, for premises located at 275 Balmoral Drive, Tokoroa known as Tokoroa Cosmopolitan Club.
- 2) The hours sought are:

Sunday to Thursday 9:00am – 1:00am (the following day)out in a minute

Friday - Saturday & New Year's Eve 9:00am – 2:00am (the following day)
- 3) The applicant has sought no change to the current designation that being "Supervised" for all areas within the premises apart from the gaming room which is designated "Restricted".
- 4) Reports on the application have been received from the Inspector, Medical Officer of Health and the New Zealand Police.
- 5) The Inspector has provided a positive report and does not oppose the renewal of the **Club-Licence**
- 6) The Inspector has filed a comprehensive report pursuant to Section 103 (2) of the Act. The report is clear and covers off the provisions of Section 106 of the Act which relate to Amenity and Good Order.
- 7) Both the New Zealand Police and the Medical Officer of Health have reported without opposition to the application.
- 8) The Fire Service has no objections to the application.

- 9) The Territorial Authority Building Department and Planning Department provided certificates stating the application meets the requirements of the Building Code and Resource Management Act 1991.
- 10) The application was publicly notified in the South Waikato News on the 13th May 2015 and 20th May 2015. No public objections were received within the statutory timeframe following the public notification.
- 11) I am satisfied as to the matters to which I must have regard and I am satisfied that the application meets the Purpose and Object of the Act.

REASONS FOR THE DECISION

- 12) In deciding whether to renew a licence, the licensing committee must have regard to the following matters:
 - (a) the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1):
 - (b) whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:
 - (c) any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made by virtue of section 129:
 - (d) the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol
- 13) In assessing the application against the criteria found in s.105 of the Act; I find that there is no question as to the suitability of the applicant.
- 14) There is No Local Alcohol Policy in force in the South Waikato.
- 15) The Inspectors report is both comprehensive and positive. It covers the matters required including Amenity and Good Order. The Inspector reports that there is no reason to believe that the amenity and good order of the locality would be likely to be increased, to more than a minor extent, by the effects of a refusal to renew the licence.
- 16) There is nothing in the Inspectors report to suggest that the applicant has managed the Sale and Supply of Alcohol in an inappropriate manner during the currency of the **Club-Licence**.
- 17) In this matter I believe that the criteria under Section 131 of the Act have generally been met given that:
 - (i) The Inspector has provided a positive report,
and;
 - (ii) The relevant Agencies have reported without opposition,
and that;
 - (iii) The application has drawn No Objection from the public.
and that;
 - (iv) The Applicant has managed the Sale and Supply of alcohol appropriately during the currency of the licence.

DECISION

I am satisfied as to the matters which I must have regard as set out in s.131 of the Act, and I am satisfied that the application meets the Purpose and the Object of the Act. Accordingly, I renew the

