

APPLICATION (17/OFF/07/2016)

IN THE MATTER of the Sale and Supply of Alcohol Act 2012 (The Act)

AND

IN THE MATTER of an application by Jaspreet Singh on behalf of Two Brothers Wholesale Ltd pursuant to s100 of The Act for the grant of an Off-Licence in respect of premises situated at 60 Chambers Street Tokoroa and to be known as Thirsty Liquor Tokoroa.

**BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE**

Quorum: Chairperson: Jenny Shattock QSM JP

**APPLICATION**

I have before me an application by Jaspreet Singh on behalf of Two Brothers Wholesale Ltd (the Applicant), for the grant of an Off-Licence pursuant to s.100 of the Sale and Supply of Alcohol Act 2012 (the Act), in respect of premises situated at 60 Chambers Street Tokoroa.

The general nature of the business to be undertaken for the premises trading as “Thirsty Liquor” is that of an alcohol retail outlet.

The application has resulted from a change in ownership of the business. The premises currently hold a Temporary Authority (17/TA/06/2016)/which expires on 22<sup>nd</sup> July 2016.

The hours sought are Monday to Sunday **9.00am to 10.00pm**

Reports on the application were received from the Inspector, the Medical Officer of Health and the New Zealand Police.

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.

Both the New Zealand Police and the Medical Officer of Health have reported without opposition to the application.

The Fire Service has no objections to the application.

The Territorial Authority Building Department and Planning Department provided certificates stating the application meets the requirements of the Building Code and Resource Management Act.

The application was publicly notified in the South Waikato News on the 4<sup>th</sup> May 2016 and 11<sup>th</sup> May 2016. No public objections were received within the statutory timeframe following the public notification.

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**

When considering the criteria for the issue of licenses as contained within Section 105 of the Act, the Committee must have regard to a number of issues. These will include:

1. the object of this Act.
2. the suitability of the applicant.
3. any relevant local alcohol policy.
4. the days on which and the hours during which the applicant proposes to sell alcohol.
5. the design and layout of the premises.
6. the effect if any on amenity and good order.
7. any matters dealt with in any report from the Police, Inspector, or a Medical Officer of Health made under section 103 of the Act.

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.

There is No Local Alcohol Policy in force in the South Waikato.

The proposed hours of operation of the premises are less than the National Default Hours pursuant to section 43(1)(b) of the Act, for premises for which an Off-Licence is held.

### **DECISION**

I am satisfied as to the matters which I must have regard as set out in s.105 of the Act, and I am satisfied that the application meets the Purpose and Object of the Act. Accordingly, I grant the applicant an Off-Licence for the Sale and Supply of Alcohol from the premises for the consumption off the premises.

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application from Jaspreet Singh on behalf of Two Brothers Wholesale Ltd (the Applicant), for an Off-Licence (17/OFF/07/2016 in respect of premises situated at 60 Chambers Street Tokoroa to be known as Thirsty Liquor.

The licence will be subject to conditions as below. The licence may be issued upon payment of any outstanding fee if any.

## **CONDITIONS**

The following conditions apply:

- 1) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day.
- 2) Alcohol may be sold only on the following days and during the following hours:

**Monday to Sunday 9.00am to 10.00pm**

- 3) Drinking water is to be freely available to customers while alcohol is being supplied free as a sample on the premises and signage directing people to drinking water must be prominently displayed on the premises at that time.
- 4) The whole of the premises are designated as a supervised area.
- 5) A certificated manager must be on duty within the licensed area at all times when the premises are open for the sale and supply of alcohol.
- 6) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
  - a. Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
  - b. Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of liquor to minors and intoxicated persons, at each entry and adjacent to every point of sale.
- 7) This licence may be issued immediately and is valid for one year from the date of issue.

**Dated** at Tokoroa this 25<sup>th</sup> day of June 2016



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Jenny Shattock QSM JP

**Chairperson**

**South Waikato District Licensing Committee**