

**APPLICATION** 17/CL/012/2017

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

**AND**

**THE MATTER OF** an application by Upper Atiamuri Sports Club Incorporated pursuant to s127 of the Act for a Club licence Renewal in respect of premises situated at 141 SH30, Upper Atiamuri and known as Upper Atiamuri Sports Club.

**BEFORE THE SOUTH WAIKATO DISTRICT LICENSING CHAIRPERSON**

**Quorum:** Jeff Gash JP

**THE APPLICATION:**

Upper Atiamuri Sports Club Incorporated has filed an application pursuant to s127 of the Sale and Supply of Alcohol Act 2012 for a Club licence renewal in respect of the premises situated at 141 SH30 Upper Atiamuri and known as Upper Atiamuri Sports Club.

The applicant is incorporated under the Incorporated Societies Act 1908 on the 26<sup>th</sup> April 2010.

The business is an established Club.

There will be four certified managers employed on the premises.

The applicant seeks the following hours:

Monday to Sunday 12pm to 12am

The application was publicly notified in the South Waikato News on 2<sup>nd</sup> August 2017. No objections were received.

**REASONS FOR THE DECISION**

The application is complete and contains all the supporting documents as required under s127 of the Act.

When considering the criteria for the renewal of licenses as contained within Section 131 of the Act, the Committee must have regard to the following matters:

1. the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1):
2. 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:
3. any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made by virtue of section 129:
4. the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.

The Inspectors report is both comprehensive and positive.

There is no question as to the suitability of the applicant.

There is nothing in that 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.

In this matter I believe that the criteria under Section 131 of the Act have generally been met given that:

- The Licensing Inspector does not oppose this application;

- Neither the Police nor the Medical Officer of Health have objected to this application;
- The Fire Risk Management Officer does not oppose this application;
- The premises meets the requirements of the Resource Management Act 1991;
- The premises meets the requirements of the Building Code;
- The entire premises are currently "Undesignated".
- Currently the South Waikato does not have a Local Alcohol Policy.

Overall I am satisfied as to the matters to which we must have regard as set out in s105 and s131 of the Act.

### **DECISION**

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application Upper Atiamuri Sports Club Incorporated for a Club licence renewal (17/CL/012/2017) in respect of premises situated at 141 SH30, Upper Atiamuri and known Upper Atiamuri Sports Club subject to the following conditions:

### **CONDITIONS**

- 1) The following days and hours that alcohol can be sold and consumed on the premises are:  
  
Monday to Sunday 12pm to 12am (midnight)
- 2) Drinking water is to be freely available whilst the premises are open for business.
- 3) Management must ensure that there is no BYO.
- 4) 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 adjacent to every point of sale.
- 5) A Duty Manager Register pursuant to section 232 must be maintained and kept on the premises at all times.
- 6) The entire licensed area is "Undesignated" and is clearly defined on the floor plan submitted with the application and date stamped 24<sup>th</sup> July 2017.

**DATED** at TOKOROA this 25<sup>th</sup> day of September 2017



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Jeff Gash JP  
**Chairperson**  
**South Waikato District Licensing Committee**