

APPLICATION 17/ON/004/2015

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

AND

THE MATTER OF an application by H2O Group of Bars Limited pursuant to s127 of the Act for an On-licence Renewal in respect of premises situated at 233 Leith Place, Tokoroa and known as H2O Gaming & Sports Bar

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING CHAIRPERSON

Quorum: Jeff Gash JP

THE APPLICATION:

H2O Group of Bars Limited has filed an application pursuant to s127 of the Sale and Supply of Alcohol Act 2012 for an On-licence renewal in respect of the premises situated at 233 Leith Place, Tokoroa and known as H2O Gaming and Sports bar.

The applicant is a company incorporated under the Companies Act 1993 on the 5th March 2015.

The business is an established Tavern.

There will be two certified managers employed on the premises full time.

The applicant seeks the following hours:

Tuesday to Saturday 9:00am - 2am (the following day) the business is not open Sunday or Monday.

The application was publicly notified in the South Waikato News on 8th & 15th February 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:

- I. the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1):
- II. 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:
- III. any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made by virtue of section 129:
- IV. 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 On-licence.

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,
- (ii) The relevant agencies have not objected to this application;
- (iii) The application has drawn No Objection from the public,
- (iv) The applicant has managed the Sale and Supply of alcohol appropriately during the currency of the licence.

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 by H2O Group of Bars Limited for an On-licence renewal (17/ON/004/2015) in respect of premises situated at 233 Leith Place, Tokoroa and known as H2O Gaming & Sports Bar subject to the following conditions:

CONDITIONS

- 1) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00pm on Anzac Day to any person who is not present on the premises to dine.
- 2) The following days and hours that alcohol can be sold and consumed on the premises are:
Tuesday to Saturday 9am to 2am (the following day)
- 3) Drinking water is to be freely available whilst the premises are open for business.
- 4) The following steps must be taken to promote the responsible consumption of alcohol:
 - (i) The licensee must ensure that all staff must comply with the host responsibility information submitted with the application for an on-licence detailing the steps to be taken by the licensee to ensure a safe drinking environment.
- 5) 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:
 - (i) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - (ii) 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.
- 6) There must be a properly certificated manager or duly appointed manager on the premises at all times the premises is open for the sale and supply of alcohol
- 7) The entire premises is designated "Restricted".

The licensed areas are more specifically identified on the floor plan submitted and dated the 25th January 2017 by licensing staff.

DATED at TOKOROA this 27th September 2017



Jeff Gash JP
Chairperson
South Waikato District Licensing Committee

