

APPLICATION 17/SP/095/2017  
IN THE MATTER of the Sale and Supply of Alcohol Act 2012 (The Act)

AND

IN THE MATTER of an application from Tokoroa Cosmopolitan Club Incorporated pursuant to s138 of the Act for an On-site Special Licence in respect of premises situated at 275 Balmoral Drive, Tokoroa and known as Tokoroa Cosmopolitan Club.

**BEFORE THE SOUTH WAIKATO DISTRICT LICENSING CHAIRPERSON**

**QUORUM:** Jeff Gash JP

**THE APPLICATION**

I have before me an application from the Tokoroa Cosmopolitan Club Incorporated for the grant of a Special Licence pursuant to s.138 of the Sale and Supply of Alcohol for the premises situated at 275 Balmoral Drive and known as Tokoroa Cosmopolitan Club.

The application is for a special licence for 2 events as follows:

	Venue	Date	Event	Ages	Numbers Attending	Start Time	Finish Time
1	Tokoroa Cosmopolitan Club	16 <sup>th</sup> September 2017	Creedence Clearwater Revival	Predominantly 18+ but there may be minors accompanied by a parent or legal guardian.	300	7:30pm	1:30am (the following day)
2	Tokoroa Cosmopolitan Club	14 <sup>th</sup> October 2017	Eagles Show	Predominantly 18+ but there may be minors accompanied by a parent or legal guardian.	300	7:30pm	1:30am (the following day)

The Inspector has filed a positive report and recommends the grant of the Special Licence subject to conditions.

The New Zealand Police and Medical Officer of Health have not raised any matters of opposition.

**DECISION**

I am satisfied as to the matters to which I must have regard in s.105 and s.142 of the Act, and I am satisfied that this application meets the Purpose and Object of the Act. Accordingly, I grant the

special licence (17/SP/095/2017) which may be issued immediately. Conditions will apply to the licence.

### **REASONS FOR THE DECISION**

The applicant has previously operated Special Licences without incident.

Substantive food and free water will be available throughout the event.

The comprehensive report of the Inspector indicates that the amenity and good order of the locality will not be adversely affected by more than a minor extent.

The application was not required to be publicly notified.

Neither the Police nor the Medical Officer of Health raises any matters in opposition, however the Fire Safety Officer raised concerns regarding the applicant's failure to maintain their Fire Evacuation Scheme, it is necessary to consider whether or not to issue a special licence if an event is expected to attract more than 100 attendees and the building/premises does not have an Approved and maintained Fire Evacuation Scheme.

On the 14<sup>th</sup> of September 2017 the Tokoroa Cosmopolitan Club remedied their failure to maintain their Approved Fire Evacuation Scheme by conducting a Trial Evacuation resulting in their Fire Evacuation Scheme being updated. Notification was received from the Fire Safety Officer on the 15<sup>th</sup> of September 2017 stating that the Fire Service have no objections to the issue of this licence.

The South Waikato District Council does not currently have a Local Alcohol Policy.

There is nothing in the application which would suggest that the Applicant will supply alcohol in any way which would be inconsistent with the intention of the Act, or any other relevant legal requirement, nor does the application have any matters of opposition remaining, accordingly I have dealt with the application on the papers.

I am satisfied as to the matters to which we must have regard as set out in s.105 & 142 of the Act.

### **CONDITIONS**

- 1) Alcohol may be sold and supplied under the licence only on the following days and during the following hours:
- 2) The entire premises is designated "Supervised" for both of the proposed events.
- 3) Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
- 4) The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages.
- 5) Food must be available for consumption on the premises at all times the premises is open for the sale and supply of alcohol. Food should be actively promoted.
- 6) The licensee must ensure that the special licence is visible to patrons and displayed at the principal entrance on the licensed area.
- 7) The licensee must provide an alternative form of safe transport for the attendees.

- 8) No sale of alcohol is to take place after the designated bar closing time.
- 9) The entire licensed area is to be vacated within 30 minutes of the bar closing as stated on the table above, unless that persons presence is justified, such as restocking and cleaning.

**DATED** at TOKOROA this 15<sup>th</sup> September 2017



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Jeff Gash JP

**Chairperson**

**South Waikato District Licensing Committee**