

17/TA/010/2017

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012 (The Act)

**AND**

**IN THE MATTER**

of an application by **Two Brothers Wholesale Limited** pursuant to Section 136 of the Act in respect of an application for a Temporary Authority to conduct an Off-licence operation for premises situated at 1-5 Balmoral Drive, Tokoroa and known as "**TREES TAVERN**"

**BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE**

Quorum: Jeff Gash JP

Members: Adrienne Bell

Bill Machen

**THE APPLICATION**

1) We have before us an application by Two Brothers Wholesale Limited (the Applicant), for the grant of a Temporary Authority to conduct an Off-licence operation pursuant to s.136 of the Sale and Supply of Alcohol Act 2012 (the Act), in respect of premises situated at 1-5 Balmoral Drive, Tokoroa and known as Trees Tavern.

2) The application for the 3<sup>rd</sup> Temporary Authority was filed with the South Waikato District Licensing Committee on the 23<sup>rd</sup> of February 2018.

3) The Inspector has filed a positive report on the application and recommends the grant of the Temporary Authority.

4) The Police have reported on the application without opposition.

**THE DECISION**

5) Accordingly, we are satisfied as to the matters to which we must have regard, and we are satisfied that the application meets the Purpose and Object of the Act, and we grant the application. The Temporary Authority 17/TA/010/2017 authorises the applicant to conduct the Sale and Supply of alcohol of Off-licence number; 17/OFF/003/2016 subject to the conditions contained on that licence.

**REASONS FOR THE DECISION**

6) This is the applicant's third application for a Temporary Authority for this premises requested to allow the continued sale and supply of alcohol following the purchase of the business, from an earlier licensed owner.

7) The Licensing Inspector has enquired into the suitability of the applicant and found the applicant to be of suitable character and reputation.

8) The applicant has sufficient staff numbers and the appropriate systems and staff training.

9) There was no opposition to the grant of a Temporary Authority from the Police.

10) The Licensing Inspector is supportive of the Temporary Authority being granted.

11) The Applicant will need to obtain his own Off-licence, and that should be completed prior to the expiry of this Temporary Authority.

13) Section 136 of the Act provides the Committee with the ability to set any conditions that should apply to the premises operating under a Temporary Authority. In this case the Committee has determined that the conditions found on the base licence are to be retained.

14) It is noted that the applicant will not be requesting an extension of hours on the Off-licence application.

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

16) The Temporary Authority is granted for a maximum period of 3 months pursuant to section 136(1) of the Sale and Supply of Alcohol Act 2012 with the expiry date being the 3<sup>rd</sup> of June 2018.

**DATED** at TOKOROA this 8<sup>th</sup> day of March 2018



Jeff Gash JP  
Chairperson  
South Waikato District Licensing Committee