

DECISION NUMBER

4472/2024

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Taumarunui & Districts Returned Services Association Inc.** for a renewal of Club Licence pursuant to section 127 of the Supply of Alcohol Act 2012.

BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE

The application for renewal of Club Licence (032/CLUB/3739/2024) was publically advertised in the Taumarunui Bulletin on the 30 May and 6 June 2024. A notice was also placed on the premise door as required. No objections were received.

No matters of opposition were raised under section 128 and 129 reports; therefore the matter is considered by the Ruapehu District Licensing Commissioner on the papers contained in the full file provided by the secretary.

Commissioner: Stuart Hylton

DECISION OF THE RUAPEHU DISTRICT LICENSING COMMITTEE

1. Application

Taumarunui & District RSA Club Inc. made the application on the prescribed form received on 20 May 2024. The application for renewal of Club Licence is in relation to the club's premises situated at 10 Marae Street, Taumarunui.

The general nature of the business is that of a RSA style club. The Club has been incorporated and operating as a Club for a number of years. This is the clubs thirteenth renewal period applied for. The club has 1,200 members.

The renewal seeks to keep the same conditions as the current licence and the premise has not come to the notice of officials during the renewal period. Monitoring inspections conducted in the renewal phase found compliance with licence conditions.

- The complete file included –
- The application
- Floor plan
- Reports from Police, Medical Officer of Health and Inspector
- Host Responsibility Policy
- Fire Evacuation Scheme statement of compliance
- Food menu
- Supporting letter from landlord
- Copy of current licence
- Notice of renewal
- Copy of public advertisement

2. Decision Making

In considering this application for Club-Licence, the licensing committee had regard to the criteria under section 131 and 105 of the Act.

Section 105/131 assessments:

(a) The object of this Act:

The file contains and the inspector notes the applicant has a Host Responsibility Policy stating the measures to be undertaken to ensure the responsible sale and supply of alcohol. There have been no issues raised concerning previous operations so if the policy is followed then compliance with the object of the Act should be able to be achieved.

(b) The suitability of the applicant:

The applicant is an incorporated society and located on the current site for some time.

The applicant has supplied the name of four certified managers for the licence which is considered to be adequate to manage the licence. Only four club members have access to the bar.

The inspector notes that the current licence has been monitored by authorities with no issues noted. The suitability of the applicant is not challenged.

(c) Any relevant local alcohol policy:

Accords with local LAP.

(d) The days on which and the hours during which the applicant proposes to sell alcohol:

The applicant has applied for the following same days and hours.

Monday to Sunday 9.00am until 1.00am the following day

(e) The design and layout of any proposed premises:

The premises is formed from a two-story building located at 10 Marae Street, Taumarunui. The main bar, restaurant, snooker tables and separate gaming machine room are located on the ground floor. The majority of the ground floor can be seen from the point of sale.

The second floor is a large open plan space and is often used for private functions and meetings. The licensed area also includes an enclosed and covered smokers' area. The applicant has provided the floor plans date stamped 19 August 2015 with the application as there are no proposed changes to the current licensed area.

(g) Whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:
Normal club ancillary services.

(j) Whether the applicant has appropriate systems, staff, and training to comply with the law:

The Inspector notes in this regard –

“The applicant attended a hearing before the DLC on 15 May 2024. The reasons for the hearing centered on issues with staff training. The Club was required to produce a training

plan, which was done and subsequently accepted by the DLC...As long as the programme is followed and the Club Manger is proactive in ensuring the training is maintained and a culture of open communication continues to develop, there should be no impediment to the premises meeting the requirements of section 105(j)."

(k) Any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under [section 103](#). (see 3 below)

(s.131(1)(b)) 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:

No issues raised within the file and in the Committee's opinion the amenity and good order of the locality should not be compromised by the issue of the renewal licence.

(s.131(1)(d)) the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.

No issues raised within file.

3. Reporting Agencies

The following reports were received under section 103 and 129 of the Act and taken into account during the decision.

3.1 Police – Report received on 27 May 2024 of no opposition.

3.2 Medical Officer of Health - Report received on 17 June 2024 of no opposition with some recommended records and signage matters for the applicant to maintain.

3.2 Licensing Inspector – Full report dated 9 July 2024. The inspector was satisfied the application met the relevant criteria and therefore supported the renewal of a club licence to **Taumarunui & District RSA Club Inc.**, subject to existing conditions.

4. Conclusion

Based on the evidence provided to me within the complete file, my assessment above of section 105/131 matters and the past operation of the premise/licensee, I conclude that the application meets the statutory criteria to be granted a renewal of Club-Licence under the Act for a period of three (3) years.

5. Decision

The licence can be issued immediately subject to the existing licence conditions.

Dated at Ruapehu District this 14th day of July 2024



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Stuart Hylton
Ruapehu District Licensing Commissioner