

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of appeals under s.81 of the Act

**BETWEEN**

**PROGRESSIVE ENTERPRISES LIMITED, FOODSTUFFS NORTH ISLAND LIMITED and SUPER LIQUOR HOLDINGS LIMITED**

Appellants

**AND**

**THAMES-COROMANDEL DISTRICT COUNCIL**

Respondent

**BEFORE THE ALCOHOL REGULATORY AND LICENSING AUTHORITY**

Chairman: District Court Judge J J Weir  
Member: Ms J D Moorhead

**FINAL DECISION OF THE AUTHORITY (ON THE PAPERS)**

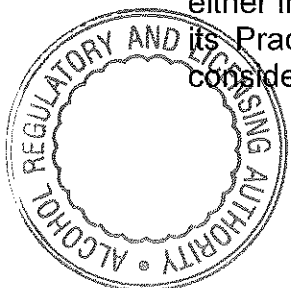
[1] In decision number [2015] NZARLA PH 129-131 dated 5 March 2015, following a hearing at Auckland on 2 and 3 February 2015, the Authority asked that the Thames-Coromandel District Council (the Council) reconsider certain elements relating to discretionary conditions contained in clause 4.1 of the Council's Provisional Local Alcohol Policy (PLAP).

[2] The Council has reconsidered and amended those elements, and resubmitted the amended PLAP to the Authority for approval pursuant to s.84(1)(b) of the Act.

[3] The Authority is satisfied that, in accordance with its Practice Note dated 19 March 2015, the Council has informed all those who made submissions on the original elements in its draft PLAP:

- (a) Of the terms of the proposed elements; and
- (b) Of their rights under s.205(2)(d) of the Act.

[4] No persons have entered an appearance opposing the proposed elements either in terms of s.205(2)(d) or (e) of the Act. On that basis, and in accordance with its Practice Note dated 19 March 2015 and s.86(2) of the Act, the Authority has considered the proposed elements without a public hearing.



[5] The Authority is satisfied that, in accordance with s.87(3) of the Act, every element that it asked the Council to reconsider in its decision dated 5 March 2015 has been replaced by a new or amended element that is not unreasonable in light of the object of the Act.

[6] This decision resolves all outstanding issues raised in the appeals by Progressive Enterprises Limited, Foodstuffs North Island Limited and Super Liquor Holdings Limited, which are now disposed of on the entirety.

DATED at WELLINGTON this 2nd day of November 2015

*Manaffer*

M Galvin  
Deputy Secretary

