

IN THE MATTER

of the Sale and Supply of Alcohol Act  
2012

AND

IN THE MATTER

of an application by J D and J A Smith  
Limited pursuant to s.127 of the Act for  
renewal of an off-licence in respect of  
premises situated at 70-72 Wansbeck  
Street Oamaru 9400 known as "**Oamaru  
New World**"

BEFORE THE WAITAKI DISTRICT LICENSING COMMITTEE

Chairman: Cr Jim Hopkins

DECISION – ON PAPERS

This is an application by J D and J A Smith Limited for renewal of an off licence in respect of premises situated at 70-72 Wansbeck Street Oamaru 9400 known as "**Oamaru New World**".

The application was duly advertised and no objection or notice of desire to be heard has been received.

Reports have been received from The Waitaki District Council Licensing Inspector, The New Zealand Police and The Medical Officer of Health.

Based on the information provided to us on the complete file, we have determined to grant the application on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.131 of the Act. We renew the licence on the following terms and conditions.

The licence is approved and will be subject to the following conditions:

- 1 A Manager must be on duty at all times alcohol is being sold or supplied.
- 2 Alcohol may be sold or delivered from the premises specified in the licence during the following hours: Monday to Sunday 7am to 11pm.
- 3 No alcohol shall be sold or delivered on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day.
- 4 The licensee shall have in place and make available to all staff a host responsibility plan detailing the steps to be taken by the licensee to ensure a safe drinking environment.
- 5 While alcohol is being supplied free as a sample on the premises drinking water is to be freely available to customers.
- 6 The licensee must ensure that the provisions of the Sale and Supply of Alcohol Act 2012 relating to the sale and supply of alcohol to prohibited persons are observed.
- 7 A copy of the licence must be displayed at the principal entrance to the premises.
- 8 No alcohol may be sold other than:
  - i. beer that complies with the appropriate New Zealand food standard for beer; or
  - ii. mead that complies with the appropriate New Zealand food standard for mead; or
  - iii. fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
  - iv. grape wine that complies with the appropriate New Zealand food standard for grape wine; or

**Decision No: 116/2023**

- v. a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
- 9 Signage must be displayed at each point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
  - 10 Only the area delineated on the attached plan, marked "A", is a permitted area for the display and promotion of alcohol.
  - 11 The applicant shall have three months from the date of this decision to make the necessary physical changes to the existing single alcohol area.
  12. The effect of the single-area condition, under Sec 114 (1) is that:
    - (1) Every single area condition takes effect as a condition that the licensee of the premises concerned must ensure that:
      - (a) no display or promotion of, or advertisement for, alcohol occurs on the premises at any place outside the alcohol area; and
      - (b) the premises are not reconfigured or rearranged in a way whose effect (whether intention or not) is that the alcohol area contains-
        - (i) any area of the premises through which the most direct pedestrian route between any entrance to the premises and the main body of the premises passes; or
        - (ii) any area of the premises through which the most direct pedestrian route between the main body of the premises and any general point of sale passes.

**The Licensed Premises:**

In terms of s.105 (e) of the Act the premises, situated at 70-72 Wansbeck Street Oamaru 9400 are more precisely identified in a plan dated as accepted by the District Licensing Committee on 3 July 2023.

The licence may issue immediately and expire on 15 July 2026 that being three years from the most recent date of expiry, unless again renewed.

**DATED** at OAMARU this 3<sup>rd</sup> day of July 2023

  
Chair  
Waitaki District Licensing Committee

