

Decision: (Off-Licence New)

Decision No: 271/2023

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Verve Enterprises
Limited pursuant to s.99 and s100 of the
Act for an off-licence in respect of
premises situated at 51 Humber Street
Oamaru 9400 known as “**Thirsty Liquor
Oamaru**”

BEFORE THE WAITAKI DISTRICT LICENSING COMMITTEE

Chairman: Cr Jim Hopkins

DECISION – ON PAPERS

This is an application by Verve Enterprises Limited for an off-licence in respect of premises situated at 51 Humber Street Oamaru 9400 known as “**Thirsty Liquor Oamaru**”.

The application is in respect of premises in which *the principal business is the sale of alcohol.

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.105 of the Act and we grant the applicant an off-licence pursuant to s.17 to s.20 of the Act.

The applicant’s attention is drawn to:

1. Section 56 of the Act - Display of signs:

The holder of an on-licence issued for the premises or an off-licence (other than an off-licence issued for premises for which a club licence is held) must ensure that for each principal entrance to the premises there is displayed at all times a sign attached to the inside or outside of the premises, so as to be easily read by people immediately outside the entrance, stating the ordinary hours of business during which the premises are open for the sale of alcohol (or, in the case of an on-licence endorsed under section 37, open for the consumption of alcohol).

2. Section 57(1) of the Act – Display of licence:

The holder of an on-licence or an off-licence (other than an off-licence issued for premises for which a club licence is held or a remote-sale off-licence) must ensure that at all times a copy of the licence, together with a statement of all conditions subject to which it is issued, is displayed:

- a) attached to the inside of the premises concerned; and
- b) so as to be easily read by people entering each principal entrance.

The entrance from 51 Humber Street, Oamaru is designated as the principal entrance.

3. Section 214(3) of the Act – Manager to be on duty at all times and responsible for compliance:
At all times while a manager is on duty on any licensed premises, the full name of the manager must be prominently displayed inside the premises so as to be easily read by people using the premises; and the person named as manager at any time is to be treated for the purposes of this Act as the manager at that time.

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

- a. Alcohol may only be sold or delivered on the following days and during the following hours:
Monday to Sunday 9.00am to 10.00pm.
- b. No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day.
- c. Water must be freely available to customers, while alcohol is being supplied free as a sample on the premises.
- d. The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - i) Display of appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- e. The following steps must be taken to ensure that the provisions of the Act relating to the management of the premises concerned are observed:
 - i) Alcohol must only be sold and supplied on the premises in accordance with the premises plan submitted with the application.
- f. The following steps must be taken to promote responsible consumption of alcohol:
 - i) The licensee must implement and maintain proposed in their Host Responsibility Policy.
- g. The whole of the premises is designated as a **supervised area**.

OTHER RESTRICTIONS AND REQUIREMENTS TO BE NOTED ON THE LICENCE

Section 56 – Display of signs; Section 57 – Display of licences; Section 59 - Requirements relating to remote sales by holders of off-licences; Section 214 – Manager to be on duty at all times and responsible for compliance

The Licensed Premises:

In terms of s.105 (e) of the Act the premises, situated at 51 Humber Street Oamaru 9400 are more precisely identified in a plan dated as accepted by the District Licensing Committee on 5 December 2023.

The licence may issue immediately and expire on 5 December 2024 that being one year from the date of issue, unless again renewed.

DATED at OAMARU this 5th day of December 2023


Chair
Waitaki District Licensing Committee

