

IN THE MATTER
AND

of the Sale and Supply of Alcohol Act 2012

IN THE MATTER

of an application by **YGNZ Investment Limited** for an off-licence pursuant to s.99 of the Act in respect of premises situated at **109 Main Street, Greytown** known as **The White Swan**

BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE

Chairperson: Julie Riddell

DECISION

This is an application by **YGNZ Investment Limited** for an off-licence in respect of premises situated at **109 Main Street, Greytown** known as **The White Swan**.

The application is in respect of premises in which the principal business is that of a bottle store.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, I deal with the matter on the papers.

I am satisfied as to the matters to which I must have regard as set out in s.105 of the Act and I grant the applicant an off-licence pursuant to s.17. The remote sales endorsement is pursuant to s.40 of the Act and applies to this licence; and the licensee is authorised to sell alcohol from (but not on) the premises and deliver it somewhere else.

CONDITIONS OF LICENCE

1. Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday, 7.00 am to 10.00 pm
2. No alcohol is to be sold or delivered on Good Friday, Christmas Day, or before 1:00 pm on Anzac Day.
3. No alcohol is to be sold or delivered on Easter Sunday unless the alcohol is grape wine or fruit or vegetable wine made:
 - a. on the premises; or
 - b. from grapes or fruit harvested from land on which the premises are situated.
4. The holder of the off-licence must ensure that no alcohol is sold on or from the premises unless it contains no more than 25% ethanol by volume measured at 20°C and is:
 - a. beer that complies with the appropriate New Zealand food standard for beer; or
 - b. fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - c. grape wine that complies with the appropriate New Zealand food standard for grape wine.
5. Drinking water is to be freely available to customers while alcohol is being supplied free as a sample.
6. The licensee must display:
 - a. At each principal entrance to the premises, the ordinary operating hours during which the sale of alcohol is permitted.
 - b. A copy of the licence and all conditions subject to which it is issued, to the inside of the premises so to be easily read by all people entering at each principal entrance.
 - c. At every point of sale for alcohol, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
7. The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display 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.

Remote sales

8. A remote sale of alcohol may be made at any time on any day.
9. No alcohol is to be delivered from the premises on Good Friday, or Christmas Day, or before 1.00 pm on Anzac Day.
10. No alcohol is to be delivered on Easter Sunday unless the alcohol is grape wine or fruit or vegetable wine made:
 - a. on the premises; or
 - b. from grapes or fruit harvested from land on which the premises are situated.
11. The licensee must ensure that any alcohol sold by remote sale is not delivered to the buyer (or to any other person on the buyer's behalf) at any time after 11.00 pm on any day or before 6.00 am on the next day.
12. Condition 11 applies whether the alcohol is delivered by the seller or by some other person.
13. The licensee must take reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale (and, if a person other than the buyer is to receive it, to verify that the receiver) is not under the purchase age.
14. The licensee complies with condition 13 if they comply with a procedure declared by regulation made under the Sale and Supply of Alcohol Act 2012 to be a reasonable procedure for that purpose.

15. The licensee when selling alcohol by remote sale via the Internet must comply with any regulations made under the Sale and Supply of Alcohol Act 2012 requiring information to be visible on the holder's website when people browse, enter, or otherwise access it.
16. The licensee when selling alcohol by remote sale by mail order must comply with any regulations made under the Sale and Supply of Alcohol Act 2012 requiring information to be published in the holder's catalogues.
17. The licensee when selling alcohol by remote sale by telephone must comply with any regulations made under the Sale and Supply of Alcohol Act 2012 requiring information to be given to callers.

THE LICENSED PREMISES

The premises, situated at **109 Main Street, Greytown**, are more precisely identified as outlined in a plan date stamped as received by the **South Wairarapa District Licensing Committee** on **17 July 2017**.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence must be displayed at the principal entrance to the premises. The entrance from **109 Main Street, Greytown** is designated as the principal entrance.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

DATED at **Martinborough** this **1st day of December 2017**



Julie Riddell
Chairperson
South Wairarapa District Licensing Committee