

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Local Gateway Limited** for an off-licence pursuant to s.99 of the Act in respect of premises situated at **43 Fitzherbert Street, Featherston** known as **The Bottle-O**

BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE

Chairperson: Julie Riddell

DECISION

This is an application by **43 Fitzherbert Street, Featherston** for an off-licence in respect of premises situated **43 Fitzherbert Street, Featherston** known as **The Bottle-O**

The application is in respect of premises in which the principal business is that of remote sales only.

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.

REASON FOR DECISION

I have considered this Application on the basis of the report from the Inspector and Reporting Agencies who do not oppose the issue of an Off- Licence to Local Gateway Limited. In addition no objections have been raised and the District Licensing Chair acting pursuant to the Sale & Supply Alcohol of Act 2012, therefore accordingly grants the Off Licence subject to the following conditions 1 – 7.

CONDITIONS OF LICENCE

1. Alcohol may be sold only on the following days and during the following hours:
 - a. Monday to Sunday 7.00 am to 10.00 pm.
2. The premises is designated 'supervised'.
3. No alcohol is to be sold or delivered on Good Friday, Christmas Day, or before 1.00 pm on Anzac Day.
4. 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.
5. Drinking water is to be freely available to customers while alcohol is being supplied free as a sample, from the location at which the sampling occurs.
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.

THE LICENSED PREMISES

The premises, situated at **43 Fitzherbert Street, Featherston**, are more precisely identified as outlined in a plan date received by the **South Wairarapa District Licensing Committee** on **18/01/19**.

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 **43 Fitzherbert Street, Featherston 5710**, 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 **12th day of February 2019**



Julie Riddell
Chairperson
South Wairarapa District Licensing Committee

OFF-LICENCE

Sections 17 to 20 and Section 64, Sale and Supply of Alcohol Act 2012

PURSUANT to the Sale and Supply of Alcohol Act 2012 **Local Gateway Limited** is authorised to sell or deliver alcohol on or from the premises situated at **43 Fitzherbert Street, Featherston**, and known as **The Bottle-O**, to any person for consumption off the premises and to supply complimentary samples of alcohol on the premises.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with subpart 7 of Part 2 of the Act.

CONDITIONS OF LICENCE

The following conditions are consistent with the style of off-licence sought:

1. Alcohol may be sold only on the following days and during the following hours:
 - a. Monday to Sunday 7.00 am to 10.00 pm.
2. The premises is designated 'supervised'.
3. No alcohol is to be sold or delivered on Good Friday, Christmas Day, or before 1.00 pm on Anzac Day.
4. 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.
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 - 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.

THE LICENSED PREMISES

The premises, situated at **43 Fitzherbert Street, Featherston** are more precisely identified as outlined in a plan date received by the **South Wairarapa District Licensing Committee**.

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 **43 Fitzherbert Street, Featherston** is designated as the principal entrance.

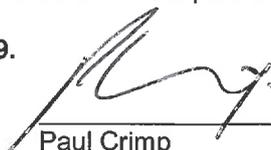
DURATION

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) Either –
 - i. Until the close of the period for which it was last renewed; or
 - ii. If it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) If an application for the renewal of the licence is duly made before the licence would otherwise expire, either –
 - i. Until the close of the period of 3 years after the period for which it was last renewed; or
 - ii. If it has never been renewed, until the close of the period of 4 years after the day it was issued.

DATED at Martinborough this **12 February 2019**.




 Paul Crimp
 Secretary
 South Wairarapa District Licensing Committee

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, the licence expires on:

12 February 2020