

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by SUSAN PATRICIA McCOURT for an off-licence pursuant to s.29 of the Act in respect of premises situated at 6 Seaway Road, Clarks Beach, Franklin District, known as "Harbour View Liquor"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley

Members: Mr R J S Munro

Mr J W Thompson

DECISION

Public notification of the application did not attract any objections or notices of desire to be heard. We deal with the matter on the papers.

The application is in respect of premises in which the principal business will be the sale of liquor.

The applicant presently holds an off-licence in respect of an adjoining grocery store and is establishing a separate bottle store facility. There is no shared customer or staff access between the grocery store and the proposed bottle store.

We are satisfied as to the matters to which we must have regard as set out in s.35 of the Act, and we grant the applicant an off-licence. A copy of the licence setting out the conditions to which it is subject is attached to this decision.

The licence may issue immediately.

The applicants' attention is drawn to s.48 of the Act obliging the holder of an off-licence to display:-

1. A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of liquor AND
2. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance.

DATED at WELLINGTON this 16th day of August

1996



R Barber  
Deputy Secretary



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## OFF-LICENCE

Sections 29 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, SUSAN PATRICIA McCOURT is authorised to sell or deliver liquor on or from the premises situated at 6 Seaway Road, Clarks Beach, Franklin District, and known as "HARBOUR VIEW LIQUOR", to any person for consumption off the premises.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

### CONDITIONS

This licence is subject to the following conditions:


- (a) No liquor shall be sold or delivered on any Sunday or on Good Friday or Christmas Day.
- (b) Liquor may be sold or delivered only on the following days and during the following hours:  
  
Monday to Saturday      10.00 am to 8.00 pm
- (c) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
  - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
  - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

### 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 shall continue 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 WELLINGTON this *16th* day of *August* 1996

  
.....  
R Barber  
Deputy Secretary  
LIQUOR LICENSING AUTHORITY



- NOTE:
- (i) In terms of Reg.10 of the Sale of Liquor Regulations 1990 the sale or delivery of liquor is authorised in or from the specified part of the premises. The premises, located at 6 Seaway Road, Clarks Beach, Franklin District are more precisely identified in a plan date stamped as received by Tribunals Division on 2 August 1996. A scale plan is attached to this licence.
  - (ii) The entrance from Seaway Road is designated as the principal entrance.