

Decision No. 762/2000

IN THE MATTER

of the Sale of Liquor Act 1989

AND

IN THE MATTER

of an application by **MELODY HOLDINGS (N.P.) LIMITED** pursuant to s.39 of the Act for variation of the conditions of an off-licence in respect of premises situated on the Third Floor, Centre City, 2-14 Molesworth Street, New Plymouth, known as "Pak 'N' Save New Plymouth"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley
Members: Mr R J S Munro
Mr J W Thompson

DECISION

This is an application by Melody Holdings (N.P.) Limited for variation of the conditions of an off-licence in respect of premises situated on the Third Floor, Centre City, 2-14 Molesworth Street, New Plymouth, known as "Pak 'N' Save New Plymouth".

The applicant seeks to extend the hours during which the sale of liquor is authorised.

The trading hours currently authorised are:

Monday to Saturday 7.00 am to 12.00 midnight
Sunday 9.00 am to 10.00 pm.

The applicant now seeks:

Monday to Sunday 7.00 am to 12.00 midnight.

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

We are satisfied as to the matters to which we must have regard as set out in s.35 of the Act. We grant the application and authorise the issue of a replacement licence. A copy of the licence setting out the conditions to which it is subject is attached to this decision.

DATED at WELLINGTON this 17th day of May 2000

R Barber
Deputy Secretary



COPY

OFF-LICENCE

Sections 29 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, **MELODY HOLDINGS (N.P.) LIMITED** is authorised to sell or deliver liquor or from the premises situated on the Third Floor, Centre City, 2-14 Molesworth Street, New Plymouth and known as "Pak 'N' Save New Plymouth", to any person for consumption off the premises.

The authority conferred by this licence must be exercised 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 is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on ANZAC Day;
- (b) No liquor is to be sold other than:
- (i) Wine that conforms to the standard prescribed by Regulation 219 of the Food Regulations 1984 (SR 1984/262), or any other standard that may be prescribed pursuant to the Food Act 1981 in substitution for that standard; and
 - (ii) Sparkling wine that conforms to the standard prescribed by Regulation 220 of those Regulations, or any other standard that may be prescribed pursuant to the Food Act 1981 in substitution for that standard; and
 - (iii) Fruit wine that conforms to the standard prescribed by Regulation 226 of those Regulations, or any other standard that may be prescribed pursuant to the Food Act 1981 in substitution for that standard; and
 - (iv) Sparkling fruit wine that conforms to the standard prescribed by Regulation 227 of those Regulations, or any other standard that may be prescribed pursuant to the Food Act 1981 in substitution for that standard; and
 - (v) Mead that conforms to the standard prescribed by Regulation 226 of those Regulations, or any other standard that may be prescribed pursuant to the Food Act 1981 in substitution for that standard; and
 - (vi) Beer that conforms to the standard prescribed by Regulation 218 of those Regulations, or any other standards that may be set by Regulations made under the Food Act 1981 or by food standards issued under that Act, in substitution for that standard.
- (c) Liquor may be sold or delivered only on the following days and during the following hours:
Monday to Sunday 7.00 am to 12.00 midnight
- (d) The licensee must ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of liquor to minors and the complete prohibition on sales to intoxicated persons.

THE LICENSED PREMISES

In terms of Regulation 10 of the Sale of Liquor Regulations 1990 the sale or delivery of liquor is authorised in or from the premises generally. The premises are situated on the Third Floor, Centre City, 2-14 Molesworth Street, New Plymouth.

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 Molesworth Street 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 WELLINGTON this 12th day of August 1994


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R Barber
Deputy Secretary
Liquor Licensing Authority



NOTE: This licence replaces licence no. 033/OFF/9/94.
This licence expires on the same expiry date (or anniversary) as that of the licence it replaces or, if renewed, of the most recent renewal certificate.