

Off Licence

Section 17 to 20, 64 and 135, Sale and Supply of Alcohol Act 2012



007/OFF/7/2017

Section 40 of the Act applies to this licence.

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **Kudu Imports Limited** (the licensee) is authorised to sell alcohol from (but not on) the premises situated at **19 Powrie Street Glenfield 0629**, and known as **KUDU IMPORTS LIMITED**, and deliver it somewhere else.

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

This licence is subject to the following conditions:

- (a) No alcohol sold is to be delivered on Good Friday, Easter Sunday, Christmas Day, or before 1pm on Anzac Day; or at any time after 11pm on any day and before 6am on the next day.
- (b) **The remote sale of alcohol may be made at any time on any day, however the days and hours within which alcohol that has been sold may be delivered is restricted, as set out in condition (a), above.**
- (c) The licensed area of the premises is shown on the plan dated as received by the Auckland District Licensing Committee on 10 January 2017.
- (d) The whole of the premises are **Undesignated**.

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 licenses, this licence continues in force—

- (a) until the close of the period for which it was last renewed; or
- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, until the close of the period of 3 years after the period for which it was last renewed.

This licence expires the close of 18 February 2020 unless renewed.

Originally dated at Auckland on 18 February 2016

.....
Secretary, Auckland District Licensing Committee



NOTE: The requirements of the Act found at sections 51 to 54, 56 and 57, in relation to the provision of food, low and non-alcoholic beverages, transport and signage must be adhered to.

This licence replaces licence no. 007/OFF/2/2016 and the licence continues in force until the 18 February 2020 unless again renewed.

52090001523

[2017] 8220003726

IN THE MATTER of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER of an application by **KUDU IMPORTS LIMITED** pursuant to s. 127 of the Act for the renewal of an Off licence for Remote Sales under s 40 of the Act in respect of premises situated at 19 POWRIE STREET, GLENFIELD, AUCKLAND known as "KUDU IMPORTS"

BEFORE THE AUCKLAND DISTRICT LICENSING COMMITTEE

Quorum: Chairperson MARY DAVENPORT

DECISION

Introduction

[1] I have before me an application by **KUDU IMPORTS LIMITED** for the renewal of an OFF licence in respect of premises situated at 19 POWRIE STREET, GLENFIELD, AUCKLAND. The general nature of the business to be undertaken for the premises trading as KUDU IMPORTS, is that of a REMOTE SELLER. No changes are sought to the current licence.

[2] A report on the application was received from an Inspector, the Medical Officer of Health and the Police.

[3] The Inspector, the Medical Officer of Health and the Police do not oppose the application.

[4] The application was duly advertised on www.alcoholnotices.co.nz and in the North Shore Times on 19 January 2017. Only one notice was required as it is a low-risk premises for the purpose of this renewal under the Regulations. The notices did not attract any public objection.

Committee's Decision and Reasons

[5] This decision is made by the Chair on behalf of the Committee, in accordance with s134 of the Sale and Supply of Alcohol Act 2012 (the Act).

[6] In coming to a decision, I must have regard to the criteria for renewal under s131 of the Act, which includes information contained in the corresponding reports prepared by the licensing inspector, Police, and Medical Officer of Health, the purpose and object of the Act, and the suitability of the Applicant.

[7] I am satisfied as to the matters which I must have regard as set out in s.131 of the Act including the suitability of the applicant, amenity and good order of the surrounding locality, and the manner in which the premises is being operated. I am satisfied that the premises may be granted an off licence in accordance with s32(1)(c) of the Act.

[8] The inspector has provided a comprehensive report that covers all matters, including environmental and amenity matters, relevant to this application. The Inspector undertook a site visit on 9 February 2017. The premises are a residential home, and there was no alcohol promotion on the site. The Inspector also visited the website and confirmed that all of the mechanisms for ensuring safe and responsible sale of alcohol were on the site, including a disclaimer for age, copy of the off licence, and information including safe and responsible consumption. There is a second age disclaimer at the purchase stage. The Inspector is satisfied that the licensee is operating the website in a compliant manner.

[9] Otherwise, I am satisfied that the application meets the purpose and object of Act. Accordingly, I renew the applicants OFF-LICENCE for a term of 3 years from the date of expiry, or until **18 February 2020**.

[10] The licence shall issue subject to the following conditions:

- (a) No alcohol sold is to be delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day; or at any time after 11pm or on any day and before 8am on the next day.
- (b) **The remote sale of alcohol may be made at any time on any day, however the days and hours within which alcohol that has been sold may be delivered is restricted as set out in condition (a) above.**
- (c) The whole of the premises are UNDESIGNATED.
- (d) The licensed premises is more precisely identified as outlined in a plan date stamped as received by the Auckland District Licensing Committee on 10 January 2017.

[11] I refer any party who wishes to appeal this decision or part of this decision to sections 154 through to 158 of the Act.

Dated at Auckland this 8th day of March 2017



MARY DAVENPORT

Chairperson