

Decision No. GREYDLC 061/2023

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012 (the Act)

AND

IN THE MATTER

of an application by **HIGH STREET GROCER LIMITED** pursuant to s.100 & s.127 of the Act for the renewal of an Off-Licence in respect of premises situated at 128 High Street, Greymouth known as "Greymouth New World"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

This is an application by High Street Grocer Ltd for the renewal of an Off-Licence in respect of premises situated at 128 High Street, Greymouth and known as "Greymouth New World".

The applicant is a limited company incorporated on 26 April 2010, number 9429031559591. The directors are Leon Rennick Anderson and Victoria Alice Boyes.

The general nature of the business is that of a supermarket.

The premise is zoned as commercial in the Grey District Plan and this activity is permitted within this zone.

The principal entrance is from 128 High Street, Greymouth.

The applicant holds a current off-licence No. 055/OFF/41/2017, with trading hours of Monday to Sunday 7am to 9.15pm.

DECISION

The Grey District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by High Street Grocer Limited for the renewal of an Off-Licence pursuant to s.100 & s.127 of the Sale and Supply of Alcohol Act 2012 in respect of premises situated at 128 High Street, Greymouth and known as "Greymouth New World", subject to the following conditions:

CONDITIONS:

1. Alcohol may be sold on the premises for consumption off the premises and supplied free as a sample for consumption on the premises seven days per week, only between 7.00am and 9.15pm.
2. No alcohol is to be sold on or delivered from the premises on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day.

3. While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being supplied.
4. No alcohol may be sold other than -
 - a. Beer that complies with the applicable New Zealand food standard for beer; or
 - b. Mead that complies with the applicable New Zealand food standard for mead; or
 - c. Fruit or vegetable wine that complies with the applicable New Zealand food standard for fruit or vegetable wine; or
 - d. Grape wine that complies with the applicable New Zealand food standard for grape wine; or
 - e. A food flavouring, prepared for culinary purposes that is unsuitable for drinking undiluted.
5. A properly appointed certificated or acting or temporary manager must be on duty, at or nearby the point of sale, at all times when the premises are open for the sale and supply of alcohol.
6. The licensee must display signage as follows:
 - a. At every point of sale detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - b. A copy of the licence attached to the inside of the premises so as to be easily read by people entering each principle entrance to the premises; and
 - c. A sign prominently displayed at the premises, which identifies by name the manager for the time being on duty.
7. The “single alcohol area” for the premises is as described and marked ‘S’ on the plan date stamped 2 May 2023. A note to this effect is to be made on the licence.
8. The “single alcohol area” for the premises is as shown on the plan submitted by the applicant. In terms of that “single alcohol area”, the licensee must ensure that:
 - a. No alcohol is displayed, promoted or advertised outside the single alcohol area; and
 - b. No products that are not alcohol are displayed, promoted or advertised inside the single alcohol area.
9. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

The premise licensed area is set out on the plan submitted with the application and date stamped 2 May 2023. A note to this effect is to be made on the licence.

REASONS FOR THE DECISION

The applicant has operated their off licence without incident or cause for concern for a number of years.

The Licensing Inspector's report indicates that the amenity and good order of the locality will not be adversely affected by more than a minor extent should this application be granted, and that the applicant is suitable to hold this licence.

The Licensing Inspector reports that the applicant is going the extra mile to support harm reduction in our community and that they have the appropriate systems, staff and training to comply with the law. He does not oppose the application.

Greymouth High school is located directly across the road to the applicant's premises. The school has reported to the licensing inspector that they are not aware of any issues relating to the operation of the applicant's off-licence.

There are 15 qualified duty managers employed by the applicant.

Police and the Medical Officer of Health do not oppose the application.

The application was duly advertised and no objection, opposition or notice of desire to be heard has been received.

Accordingly, I deal with the matter on the papers.

There is no evidence before the Committee which would suggest that the applicant would manage the premises in any way which would contravene the requirements or intention of the Act.

Overall I am satisfied as to the matters to which we must have regard as set out in s.131 and s.132 of the Act.

DATED at GREYMOUTH this 29th day of May 2023.



Rachel M Van der Geest
Chairperson/Commissioner