

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

AND

IN THE MATTER of an application by **Basraz Liquor Limited** pursuant to s.17 of the Act for the renewal of an **OFF Licence** in respect of premises situated at **125-127 Normanby Road Paeroa**, known as "**Liquor Station Paeroa**".

BEFORE THE HAURAKI DISTRICT LICENSING COMMITTEE

Quorum: Chairperson – Paul Milner

DECISION

Introduction

1. I have before me an application by **Basraz Liquor Limited** for the renewal of the **OFF Licence** in respect of premises situated at **125-127 Normanby Road Paeroa**. The general nature of the business to be undertaken for the premises trading as **Liquor Station Paeroa**, is that of an **OFF Licence**. The hours sought are between **Monday to Sunday 10.00am to 9.00pm each day**
2. A report on the application was received from the District Licensing Inspector, the Police and FENZ. ***There has been no reply nor response from the Medical Office of Health in regards to this application.***
3. The Inspector, the Police and FENZ do not oppose the application. There has been no response at all from the Medical Officer or Health.
4. The application was duly advertised and did not attract any public objection.
5. I note that the premises have not been in compliance with condition (f) of the current license (advertising material at the front window) for a period of time. This can be seen in the pictures that accompanied the application and confirmed by the Inspector. It was reported to me that when the Inspector reminded the applicant of this condition that immediate steps were taken to rectify the situation.
6. This highlights the need for the licence holder to ensure that all staff are made aware of current licence conditions and that it makes up part of on-going training.
7. Any increase in trading hours must be carefully considered. While the change sought is "only" one hour more than what was agreed to by all parties during the hearing for the NEW license, it is at the time of day when alcohol related harm is more likely to occur.
8. The committee notes that the MOH has failed to report on the application which is especially disappointing as that was the agency that gave very compelling evidence around opening hours that persuaded the committee and applicant to agree 8.00pm closing for nine months of the year. (March to November)
9. The failure of the MOH to file a report cannot be counted against this applicant in seeking to extend their opening hours.

10. The option still exists for the committee to schedule a hearing to explore this topic, however in this instance; I see it as an unfair imposition on the applicant given that the MOH has not bothered to file a report.
11. Other than a minor slip up as noted above (5) this applicant appears to have good systems in place. Added to this, a willingness to work with the Inspector when matters are raised shows good intent which leads me to believe the applicant is a good operator.
12. After considering the criteria in s.105 and other relevant information provided, I believe the granting of this license is consistent with the object of the Act.

Committee's Decision and Reasons

- a) Alcohol may only be on the following days during the following hours:
Monday to Sunday 10:00am to 9:00pm
- b) The front windows of the premises must be free from all posters and advertising material other than what is required by law. A plain transfer (one or two colours) may be placed at the bottom of the glass frontage and shall be no higher than 300mm. No fridges or alcohol displays are to be placed in such a way that they would obstruct the clear view into the premises.
- c) No single sales of Beer or ready to drink spirits in bottles, cans or containers of 500mls or less in volume except craft beer, shots or premixed shots. As consistent with the wording in 'Thirsty Liquor Wordsworth' (2023) NZARLA 79
- d) No alcohol may be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00pm on ANZAC Day.
- e) Condition (b) may be removed from the current license condition as it was included in error and relates to cellar door sales.
- f) There is to be no external advertising of alcohol products.
- g) A properly appointed certificated, acting or temporary manager must always be on duty and on the premises when the premises is open for the sale and supply of alcohol.
- h) A manager's register (as required by s.232 of the Act) is maintained and available on site.
- i) There must be no sale or supply of alcohol to minors or intoxicated persons and appropriate signs must be displayed detailing these restrictions.
- j) Drinking water must be freely available and displayed whenever alcohol is being supplied during complimentary tastings.
- k) The Licensee must ensure the following are displayed:
 - i. A sign visible from outside the principal entrance stating the ordinary hours of business when the premises will be open for the sale of alcohol.
 - ii. A copy of the original licence with all conditions located just inside the principal entrance where persons entering can read it.
 - iii. A sign in a prominent place identifying the duty manager's name.

Conditions

The hours sought have changed to now be closing at **9.00pm all year round.**

Dated at Paeroa this 4th day of April 2025

Paul Milner
DLC Chairperson