

Decision N° **OF0057**

**In the Matter**

of the Sale and Supply of Alcohol Act 2012

**And**

**In the Matter**

of an application by **Katie Louise Douglas** for an off-licence pursuant to s.100 of the Act in respect of premises situated at **20 Coates Avenue, Baylys Beach, Kaipara District** known as "**Gift Box Boutique**".

**Before the Kaipara District Licensing Committee**

Chair: Mr Mark Farnsworth  
In Attendance: Governance Services Manager: Sean Mahoney  
General Manager Planning and Regulatory: Fran Mikulicic  
Regulatory Manager: Dean Nuralli  
Chief Licensing Inspector: Rachel Sheppard

**Decision (On the papers)**

This is for an application by Katie Louise Douglas for an off-licence in respect of premises situated at 20 Coates Avenue, Baylys Beach, Kaipara District, known as "Gift Box Boutique".

The principal business proposed to be conducted under the licence is the operation of a remote sales business.

The hours of trade sought in respect of this application are from Monday to Sunday (7 days) 24 hours

This application was made under s.100 of the Sale and Supply of Alcohol Act 2012 and determined by the District Licencing Committee under s.104 of the Act.

The application was referred to the Police, the Medical Officer of Health and Inspector for comment. Objections from the Medical Officer of Health were received on 05 August 2016 and 06 September 2016, however on 17 October 2016 the Medical Officer of Health formerly withdrew the opposition.



We are satisfied as to the matters to which we must have regard as set out in ss.105 and 106 of the Act and we grant the off-licence pursuant to s.202(1).

The licence may issue immediately.

The licensee's attention is drawn to condition (b) of licence 03/OFF/011/2016 to ensure that under s.59(1) of the Act that the holder of an off licence must ensure that any alcohol sold by remote sale is not delivered to the buyer (or to any person on the buyer's behalf) at any time after 11.00pm on any day and before 6.00am on the next day.

The licensee's attention is also drawn to the note on licence 03/OFF/011/2016 that;

- (i) Under s.59(3) of the Act that the holder of an off licence must take reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale (and, if a person other than the buyer is to receive it, to verify that the receiver) is not under the purchase age.

The licensee is reminded of their responsibilities with regard to the object of the Sale and Supply of Alcohol Act 2012.

**DATED** at Mangawhai this 1<sup>st</sup> day of November 2016



**Mark Farnsworth**

**Chair**

**Kaipara District Licensing Committee**

