

OFF-LICENCE

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

PURSUANT to the Sale and Supply of Alcohol Act 2012 **Coney Wines Limited** is authorised to sell or deliver alcohol on or from the premises situated at **107 Dry River Road, Martinborough**, and known as **Coney Wines**, to any person for consumption off the premises and to supply complimentary samples of alcohol on the premises.

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 OF LICENCE

The following conditions are consistent with the style of off-licence sought:

- 1.1 It is recommended that the licence be issued subject to following conditions:
- a. Alcohol may be sold on, or delivered from the premises for consumption off the premises, or supplied free as a sample for consumption on the premises, only on the following days and hours
Monday to Sunday 11:00 am to 10:00 pm
 - b. No alcohol is to be sold on, or delivered from, the premises on Good Friday, Easter Sunday or Christmas Day or before 1:00 pm on ANZAC Day.
 3. No alcohol is to be sold or delivered on Easter Sunday unless the alcohol is grape wine, or fruit, or vegetable wine made:
 - on the premises; or
 - from grapes or fruit harvested from land on which the premises are situated.
 4. Drinking water is to be freely available to customers while alcohol is being supplied free as a sample, from the location at which the sampling occurs.
 5. A properly appointed certified manager must be on duty at all times, within the licensed area, when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises.
 6. The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display:
 - At each principal entrance to the premises, the ordinary operating hours during which the sale of alcohol is permitted.
 - A copy of the licence and all conditions subject to which it is issued, to the inside of the premises so to be easily read by all people entering at each principal entrance.
 - At every point of sale for alcohol, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.

Remote Sales

- g. A remote sale of alcohol may be made at any time on any day
8. No alcohol is to be delivered from the premises on Good Friday, or Christmas Day or before 1:00 pm on ANZAC Day.
9. No alcohol is to be delivered on Easter Sunday unless the alcohol is grape wine or fruit, or vegetable wine made:
 - on the premises; or
 - from grapes or fruit harvested from land on which the premises are situated.
10. The licensee must ensure that any alcohol sold by remote sale is not delivered to the buyer (or to any other person on the buyer's behalf) at any time after 11:00 pm on any day or before 6:00 am on the next day. Whether the alcohol is delivered by the seller or by some other person.
11. The licensee must follow the procedures set out in Regulations 14 of the Sale and Supply of Alcohol Regulation 2013 to ensure that neither the purchaser nor the person to whom alcohol is delivered is a minor.
12. The licensee must display on its website and/or catalogues and on every receipt issued for alcohol sold remotely;
 - i. The licence holder's name and licence number;
 - ii. The date on which the licence expires;
 - iii. A legible image of the licence or a clearly identified link to such an image.

THE LICENSED PREMISES

The premises, situated at **107 Dry River Road, Martinborough** are more precisely identified as outlined in a plan date received by the **South Wairarapa District Licensing Committee** on the 7/10/19.

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 **107 Dry River Road, Martinborough** 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 3 years 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 Martinborough this **2 March 2020**.



Harry Wilson
Secretary
South Wairarapa District Licensing Committee



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, the licence expires on:

17 November 2022



IN THE MATTER
AND

of the Sale and Supply of Alcohol Act 2012

IN THE MATTER

of an application by **Coney Wines Ltd** for a renewal on-licence pursuant to s.127 of the Act in respect of premises situated at **107 Dry River Road, Martinborough** and known as "**Coney Wines**".

BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE

Chairperson: Julie Riddell

DECISION

This is an application by **Coney Wines Ltd** for a renewal on-licence in respect of premises situated **107 Dry River Road, Martinborough** known as "**Coney Wines**

The general nature of the business conducted under the licence is a **winery cellar door and restaurant**.

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.131 of the Act and we grant the applicant a renewal on-licence authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises.

CONDITIONS

The licence may issue with the following conditions:

1.1 It is recommended that the licence be issued subject to following conditions:

- (a) No alcohol is to be sold, supplied or consumed on Good Friday, Easter Sunday, Christmas Day or before 1:00 pm on Anzac Day to any person unless:
 - they are people who are present on the premises to dine
- (b) Alcohol may only be available for sale, supply or consumption on the following days and during the following hours:

Monday to Sunday between 11:00am to 12:00am midnight
- (c) Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises at all times that alcohol is available for sale, supply and consumption.
- (d) Food must be available for consumption on the premises at all times the premises are open for the sale, supply and consumption of alcohol, in accordance with the menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted.
- (e) The following steps must be taken to promote the responsible consumption of alcohol:
 - Implement and maintain the Host Responsibility Policy submitted with the application for the licence.
 - At all times when the premises are open for the sale, supply or consumption of alcohol, a reasonable range of non-alcoholic refreshments and low-alcohol options are available.
 - The Licensee must ensure that signs are prominently displayed within the licensed premises detailing the availability of assistance and information regarding alternative forms of transport from the premises.
 - The licensee must implement and maintain steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol.

- (f) the following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
- A restriction of sale or supply of alcohol to persons under the age of 18 years of age.
 - Display of appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (g) The premises is to be **undesignated**
- (h) The licensee must ensure that at all times a copy of the licence, together with a statement of all conditions subject to which it is issued, is displayed at the principal entrance so as to be easily read by people using the premises.
- (i) The holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is available for sale, supply and consumption.
- (j) A telephone must be freely available for customers to call for transport & staff must assist if required. Telephone numbers for alternative forms of transport from the premises must be displayed.

REASON FOR DECISION

I have considered this application on the basis of the reports received from the Licensing Inspector, the Police and the Medical Officer of Health, who do not oppose the issue of the licence. In addition no public objections have been received.

The South Wairarapa District Licensing Committee Chair, acting pursuant to s.127 of the Act, therefore accordingly grants the On Licence renewal to Coney Wines, subject to the above Conditions a – j.

DATED at Martinborough this 28th day of February 2020



Julie Riddell
Chairperson
South Wairarapa District Licensing Committee