

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Canoe Wines Partnership** for an off-licence pursuant to s.99 of the Act in respect of premises situated at **41 New York Street, Martinborough** known as **Nga Waka Vineyard**

BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE

Chairperson: Vivien Napier

DECISION

This is an application by **Canoe Wines Limited** for an off-licence in respect of premises situated at **41 New York Street, Martinborough** known as **Nga Waka Vineyard**

The application is in respect of premises in which the principal business is the manufacture and sale of alcohol.

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.105 of the Act and we grant the applicant an off-licence subject to the following conditions:

1. No alcohol is to be sold or delivered on Good Friday, Christmas Day, or before 1 pm on Anzac Day:
2. No alcohol is to be sold or delivered on Easter Sunday unless the alcohol is grape wine or fruit or vegetable wine made—
 - (i) on the premises; or
 - (ii) from grapes or fruit harvested from land on which the premises are situated:
1. Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday 9.00 am to 9.00 pm
2. Drinking water is to be freely available to customers while alcohol is being supplied free as a sample:
3. 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 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.

Remote sales

6. A remote sale of alcohol may be made at any time on any day.
7. The holder of this licence 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.
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 from the premises at any time on Easter Sunday unless it is grape wine or fruit or vegetable wine made –
 - (i) On the premises; or
 - (ii) From produce harvested from land on which the premises are situated.

10. The holder of this 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 applicant's attention is drawn to ss.55, 56, 57 and 214 (3) of the Act obliging the holder of an off-licence to display:-

1. A sign attached to the exterior of the premises, so as to be readily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of alcohol; AND
2. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance; AND
3. A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.

DATED at Martinborough this 8th day of May 2015



Vivien Napier
Chairperson
South Wairarapa District Licensing Committee

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 **Canoe Wines Partnership Limited** is authorised to sell or deliver alcohol on or from the premises situated at **41 New York Street, Martinborough**, and known as **Canoe Wines Limited**, 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.

RECOMMENDED CONDITIONS OF LICENCE

The licence is subject to the following conditions

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 - (ii) from grapes or fruit harvested from land on which the premises are situated;
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5. 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 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.

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 - (i) On the premises; or
 - (ii) From produce harvested from land on which the premises are situated.
5. The holder of this 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.

CONCLUSION

The application is complete and appears to meet the criteria for issue off licence.

The Inspector recommends that the application made by Martinborough Grocery Limited for the issue of an off-licence be granted under the provisions of the Sale and supply of Alcohol Act 2012 authorising the sale and supply of liquor for consumption off the premises known as "Martinborough Grocery Limited".

THE LICENCED PREMISES

The premises, situated at **41 New York Street, Martinborough** are more precisely identified as outlined in a plan date stamped as received by the **South Wairarapa District Licensing Committee**.

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 **41 New York Street, 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 **8th day of May 2015**



Paul Crimp
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:

The 8th day of May 2016