

Decision No: 2021-214  
Licence No: 44/OFF/030/2021  
Record No: OF1171

IN THE MATTER

of the Sale and Supply of Alcohol Act  
2012

AND

IN THE MATTER

of an application by **Terroir Wines Ltd**  
for an off-licence (remote sales) pursuant  
to s.99 of the Act in respect of premises  
situated at **672 Dry River Road,**  
**Martinborough** known as **Terroir Wines  
Ltd**

BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE

Commissioner: Angela Yeoman

DECISION

This is an application by **Terroir Wines Ltd** for an off-licence in respect of premises situated **672 Dry River Road, Martinborough** known as **Terroir Wines Ltd**.

The application is in respect of premises in which the principal business is that of remote sales only.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly I deal with the matter on the papers.

I am satisfied as to the matters to which I must have regard as set out in s.105 of the Act and I grant the applicant an off-licence pursuant to s.17.

REASON FOR DECISION:

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

The District Licensing Committee Chair, acting pursuant to s99 of the Act, is satisfied all criteria has been met and therefore accordingly grants **Terrior Wines Ltd** the remotes sales off-licence, subject to the following Conditions of Licence (a) to (f).

CONDITIONS OF REMOTE SALES LICENCE:

It is recommended that the off-licence be issued subject to following remote sales conditions:

- (a) A remote sale of alcohol may be made at any time on any day.
- (b) No alcohol is to be delivered from the premises on Good Friday, or Christmas Day or before 1:00 pm on ANZAC Day.
- (c) 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.

- (d) 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.
- (e) 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.
- (f) 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 **672 Dry River Road, Martinborough**, are more precisely identified as outlined in a plan date received by the **South Wairarapa District Licensing Committee** on **3/11/21**.

#### 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 **672 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 1 year 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 29th day of November 2021**



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Angela Yeoman  
Commissioner  
**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 **Terroir Wines Ltd** is authorised to sell or deliver alcohol on or from the premises situated at **672 Dry River Road, Martinborough**, and known as **Terroir Wines Ltd**, 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:

#### Remote Sales

- (a) A remote sale of alcohol may be made at any time on any day
- (b) No alcohol is to be delivered from the premises on Good Friday, or Christmas Day or before 1:00 pm on ANZAC Day.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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 **672 Dry River Road, Martinborough** are more precisely identified as outlined in a plan date received by the **South Wairarapa District Licensing Committee** on the **3/11/21**.

### 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 **672 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 **26 November 2021**.



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:

**26 November 2022**

