

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND
IN THE MATTER

of an application by **Schubert Wines Limited** for an on-licence pursuant to s.99 of the Act in respect of premises situated at **57 Cambridge Road, Martinborough** known as "**Schubert Wines**"

BEFORE THE South Wairarapa District Licensing Committee

Chairperson: Julie Riddell

DECISION

This is an application by **Schubert Wines Limited** for an on-licence in respect of premises situated at **57 Cambridge Road, Martinborough**, known as "**Schubert Wines**"

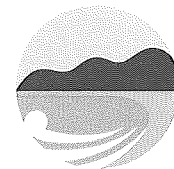
The general nature of the business to be undertaken is that of a **winery cellar door**.

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 on-licence authorising the sale and supply of liquor for consumption on the premises, to any person who is present on the premises, subject to the following conditions:

CONDITIONS:

- (a) Alcohol may only be available for sale, supply or consumption on the following days and during the following hours:
Monday to Sunday 8:00 am to 11:00 pm
- (b) No alcohol may be sold, supplied or consumed on Good Friday, Easter Sunday, Christmas Day or before 1 pm on Anzac Day to any person who is not –
 - present on the premises to dine
- (c) No alcohol is to be sold, supplied or consumed 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) Drinking water is to be freely available at all times when the premises are open for the sale, supply and consumption of alcohol.
- (e) At all times when the premises are open for selling, supplying or consumption of alcohol, there must be a reasonable range of non-alcoholic beverages and low-alcohol drinks available for purchase at reasonable prices.
- (f) Food must be available for consumption at all times the premises are open for the sale, supply and consumption of alcohol. The range must be in accordance with the menu submitted with this application or of a similar range and standard. Food must be actively promoted and available within a reasonable time of ordering.
- (g) A properly appointed certified manager must be on duty at all times when the premises are open for the sale, supply and consumption of alcohol and their name must be prominently displayed.
- (h) 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.
 - 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



SOUTH WAIRARAPA
DISTRICT COUNCIL
Kia Reretahi Tātau

- (i) The following steps must be taken to ensure that the provisions of the Act relating to the sale, supply or consumption 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 complete prohibition on sales to intoxicated persons.
- (j) The whole of the premises is designated as an "undesigned" area.
- (k) 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 each principal entrance so as to be easily read by people using the premises.
- (l) 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 Reporting Agencies, the Licensing Inspector, the Police and the Ministry of Health who do not oppose the issue of the new On Licence. The District Licensing Chair is satisfied that the grant of the On Licence with the appropriate conditions will ensure the safe and responsible supply of alcohol and the minimisation of harm caused by excessive or inappropriate use of alcohol. In addition no objections have been raised. The District Licensing Chair acting pursuant to s.99 of the Act therefore accordingly grants the new On Licence for Schubert Wines subject to conditions (a) – (j) as above.

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

1. At each principal entrance to the premises a sign attached to the inside or outside of the premises, so as to be easily read by people immediately outside the 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.

THE LICENSED PREMISES

The premises, situated at **57 Cambridge Road, Martinborough** are more precisely identified in a plan received by the South Wairarapa District Licensing Committee.

DATED at Martinborough this **20th day of June 2019**

Julie Riddell
Chairperson
South Wairarapa District Licensing Committee



ON-LICENCE
(for premises)

Sections 14 to 16 and 64, Sale and Supply of Alcohol Act 2012

PURSUANT to the Sale and Supply of Alcohol Act 2012 (The Act), **Schubert Wines Limited** is authorised to sell and supply alcohol on the premises situated at **57 Cambridge Road, Martinborough** and known as "**Schubert Wines**", to any person for consumption on the premises and to let people consume alcohol there.

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

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with with subpart 7 of part 2 of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) Alcohol may only be available for sale, supply or consumption on the following days and during the following hours:
Monday to Sunday 8:00 am to 11:00 pm
- (b) No alcohol may be sold, supplied or consumed on Good Friday, Easter Sunday, Christmas Day or before 1 pm on Anzac Day to any person who is not –
- present on the premises to dine
- (c) No alcohol is to be sold, supplied or consumed 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) Drinking water is to be freely available at all times when the premises are open for the sale, supply and consumption of alcohol.
- (e) At all times when the premises are open for selling, supplying or consumption of alcohol, there must be a reasonable range of non-alcoholic beverages and low-alcohol drinks available for purchase at reasonable prices.
- (f) Food must be available for consumption at all times the premises are open for the sale, supply and consumption of alcohol. The range must be in accordance with the menu submitted with this application or of a similar range and standard. Food must be actively promoted and available within a reasonable time of ordering.
- (g) A properly appointed certified manager must be on duty at all times when the premises are open for the sale, supply and consumption of alcohol and their name must be prominently displayed.
- (h) 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.
 - 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.
- (i) The following steps must be taken to ensure that the provisions of the Act relating to the sale, supply or consumption 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 complete prohibition on sales to intoxicated persons.
- (j) The whole of the premises is designated as an "undesignated" area.
- (k) 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 each principal entrance so as to be easily read by people using the premises.
- (l) 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.

THE LICENSED PREMISES

The premises, situated at **57 Cambridge Road, Martinborough**, are more precisely identified as outlined in a plan received by the South Wairarapa District Licensing Committee on 11th October 2018.

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 **Huangarua 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 provision of the Act relating to the suspension and cancellation of licences, this licence continues in force –

(a) Either –

- i. Until the close of the period for which it was last renewed; or
- ii. If it has never been renewed, until the close of the period of 12 months after the day it was issued; but

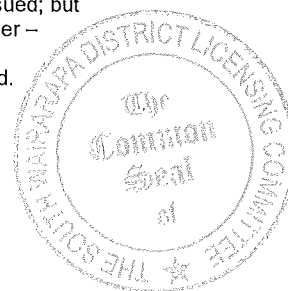
(b) If an application for the renewal of the licence is duly made before the licence would otherwise expire, either –

- i. Until the close of the period of 3 years after the period for which it was last renewed; or
- ii. If it has never been renewed, until the close of the period of 4 years after the day it was issued.

DATED at Martinborough this 20th day of June 2019



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:

20 June 2020