

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **The Graduates
Wines Limited** for an off-licence
pursuant to s.99 of the Act in respect
of premises situated at **37 Burgundy
Drive, Martinborough** known as **The
Graduates**

BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE

Chairperson: Alistair Plimmer

DECISION

This is an application by **37 Burgundy Drive, Martinborough** for an off-licence in respect of premises situated **37 Burgundy Drive, Martinborough** known as **The Graduates**, more precisely identified as outlined in a plan date received by the **South Wairarapa District Licensing Committee** on **8/08/24**.

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.

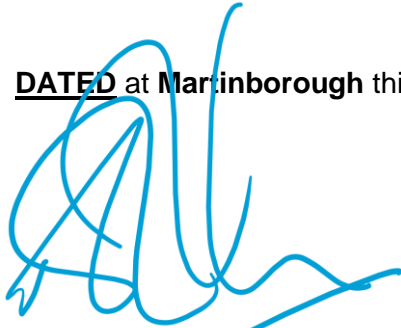
I am satisfied as to the matters to which I must have regard as set out in s.105 of the Act and I grant the applicant an off-licence pursuant to s.17 with the following conditions (a)- .

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

- (f) 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.
- (g) All alcohol must be sold in sealed containers.
- (h) The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age, and that the receiver (where present), is not intoxicated.
- (i) The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age, and that the receiver (where present), is not intoxicated. Alcohol purchases must be signed for by someone who is aged 18 years or older. In order to take the delivery, valid and current identification must be shown to the person/s delivering the goods. This identification must include the following:
 - i. Full name,
 - ii. Date of birth,
 - iii. Photo, and
 - iv. Signature.
- (j) 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.
- (k) 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:
 - i. Until the close of the period of 1 year commencing with the date of its issue; or
 - ii. If an application for the renewal of the licence is duly made, until the application is determined; or
 - iii. If the licence is renewed, until the close of the period for which it is renewed.

- (l) A copy of this licence must be displayed at the principal entrance to the premises.
The entrance from **37 Burgundy Drive, Martinborough 5711**, is designated as the principal entrance

DATED at **Martinborough** this **4th day of October 2024**



Alistair Plimmer
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 **The Graduates Wines Limited** is authorised to sell or deliver alcohol on or from the premises situated at **37 Burgundy Drive, Martinborough**, and known as **The Graduates**, 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) All alcohol must be sold in sealed containers
- (g) The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age, and that the receiver (where present), is not intoxicated.
- (h) The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age, and that the receiver (where present), is not intoxicated. Alcohol purchases must be signed for by someone who is aged 18 years or older. In order to take the delivery, valid and current identification must be shown to the person/s delivering the goods. This identification must include the following:
 - i. Full name
 - ii. Date of birth
 - iii. Photo
 - iv. Signature
- (i) 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 **37 Burgundy Drive, Martinborough** are more precisely identified as outlined in a plan date received by the **South Wairarapa District Licensing Committee** on the 8/08/24.

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 **37 Burgundy Drive, 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 4th day of October 2024.



Janice Smith
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:

4 October 2025