



te kaunihera ā-rohe o
matamata-piako
district council

Matamata-Piako District Licensing Committee

IN THE MATTER of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER of an application by **Annah Stretton Wines Limited** for the renewal of an **off-licence** pursuant to section 127 of the Sale and Supply of Alcohol Act 2012.

Licence Number:	13/OFF/002/2023
Original Licence Number:	13/OFF/004/2022
File Number:	162.2021.1696.2

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Sue Whiting

DECISION ON THE PAPERS

This is an application by Annah Stretton Wines Limited for renewal of an off-licence in respect of premises situated at 2 Marshall Street, Morrinsville known as the Stretton Clothing Company. The general nature of the business is that of a Remote Seller of Wine.

This application was lodged on 20 January 2023 and was advertised in accordance with s.101 of the Act, in the Piako Post on 8 February and 15 February 2023. No objections were received.

The days and hours of operation set out in the application are:

Dispatch Times:

Monday to Friday from 8.00am until 5.00pm

Online Sales:

Monday to Sunday 24 hours a day

The Local Alcohol Policy did not consider remote sales when it was written, however the dispatch times will be Monday to Friday 8.00am until 5.00pm, this is consistent with off licenses. The premises is undesignated. This is appropriate for remote sales.

This premises qualifies under s. 32(b) in that it is a retail premises where at least 85% of the annual sales revenue is expected to be earned from the sale of alcohol to be consumed somewhere else.

The application was referred to the Police, Medical Officer of Health and Inspector for comment. No matters in opposition have been raised in respect of the application. Fire Service have said an Evacuation Scheme is not required for this premises.

The applicant, in accordance with s. 212 of the Act, has named a manager with a current certificate to manage the sale of alcohol from the premises.

In deciding whether to renew an off-licence the committee must have regard to the matters set out in s.105 and 131 of the Act. These are:

Section 105

- (a) *the object of this Act:*
- (b) *the suitability of the applicant:*
- (c) *any relevant local alcohol policy:*
- (d) *the days on which and the hours during which the applicant proposes to sell alcohol:*
- (e) *the design and layout of any proposed premises:*
- (f) *whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:*
- (g) *whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:*
- (h) *whether the applicant has appropriate systems, staff, and training to comply with the law:*
- (i) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103*

Section 131

- (a) *whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:*
- (b) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made by virtue of section 129:*
- (c) *the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.*

The object of the Act is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol should be minimised.

The Inspector has noted that he considers the applicant, Annah Stretton Wines Limited to be a suitable body to hold an off-licence. He has also noted that in his opinion the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of a license.

I am satisfied as to those matters to which I must have regard and grant the renewal of the off-licence for a further three years.

When renewing an off-licence, section 132 allows the committee to impose conditions as set out in section 116 or to vary or cancel any conditions applying to the licence before its renewal.

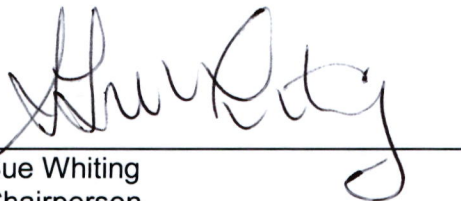
The renewal certificate can be issued immediately.



Conditions

- (a) Alcohol may be sold or supplied at any time, on any day, while always trading as a remote seller.
- (b) No alcohol is to be delivered on **Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day or between 11:00pm and 6:00am the following day.**
- (c) The area where alcohol is to be sold and consumed is described in the plan stamped and received by the District Licensing Committee on 7 February 2023.
- (d) The licensee must take reasonable steps to verify that the buyer (and if applicable, the receiver) is not under the purchase age. The licensee must ensure that the sale will not be made unless the buyer (and if applicable, the receiver) completes a declaration that they are 18 years of age or over.
- (e) There must be no delivery of alcohol to minors or intoxicated persons and there must be displayed on the Annah Stretton Wines Limited internet site in a prominent place appropriate signs detailing these restrictions.
- (f) The outside of every delivery package made by remote sale must contain the following words:
 - COURIER WARNING:
 - (i) Do not leave at destination without proof of delivery
 - (ii) Do not leave with persons under 18 years of age. If the receiver appears to be under the age of 25 years, check valid identification such as a current passport, driver license or Hospitality NZ 18+ Card Evidence of Age document to ensure the receiver is 18 years of age or over.
 - (iii) Do not leave with intoxicated persons
 - (iv) Contains alcoholic product
- (g) A copy of the license must be displayed on the Annah Stretton Wines Limited Remote Sales internet site in a prominent place.
- (h) Every receipt for the sale of alcohol by remote sale must contain the license holder's name, license number and the date on which the license expires.

Dated at Te Aroha this 8th day of March 2023



Sue Whiting
Chairperson
Matamata-Piako District Licensing Committee

