



**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by **Equilibrium Makers Limited** for an off-licence pursuant to s.99 of the Act in respect of premises situated at **248 Te Muna Road, Martinborough** known as **Equilibrium Makers Limited**

**BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE**

Chairperson: Julie Riddell

**DECISION**

This is an application by **248 Te Muna Road, Martinborough** for an off-licence in respect of premises situated **248 Te Muna Road, Martinborough** known as **Equilibrium Makers Limited**

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 Licensing Inspector, the Police and the Medical Officer of Health, who do not oppose the issue of the licence. In addition no public objections have been received by the District Licensing Committee.

The South Wairarapa District Licensing Committee Chair, acting pursuant to s.99 of the Act, therefore accordingly grants the New Off Licence to Equilibrium Makers Limited, subject to the following Conditions (a) – (f).

**CONDITIONS OF LICENCE**

It is recommended that the licence be issued subject to following conditions:

**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

- (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 **248 Te Muna Road, Martinborough**, are more precisely identified as outlined in a plan date received by the **South Wairarapa District Licensing Committee** on **17/07/20**.

#### 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 **248 Te Muna Road, Martinborough 5741**, 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 19th day of August 2020**




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Julie Riddell  
Chairperson  
**South Wairarapa District Licensing Committee**

Licence number: 44/OFF/021/2020  
Reference number: OF1155  
Decision number: 2020-126

### 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 **Equilibrium Makers Limited** is authorised to sell or deliver alcohol on or from the premises situated at **248 Te Muna Road, Martinborough**, and known as **Equilibrium Makers 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.

### 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 **248 Te Muna Road, Martinborough** are more precisely identified as outlined in a plan date received by the **South Wairarapa District Licensing Committee** on the **17/07/20**.

### 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 **248 Te Muna 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 **19 August 2020**.



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:

**19 August 2021**