

Decision N° **SP1735**

In the Matter

of the Sale and Supply of Alcohol Act 2012

and

In the Matter

of an application by **Nicola Madeleine Deveraux on behalf of Te Whai Bay Wines, Millars Vineyard, Lochiel Estate and Schippers Brewing Company** for a Special Licence pursuant to s.142 of the Act in respect of premises situated at **Moir Street, Mangawhai, Kaipara District** known as "**Mangawhai Domain**"

Before the Kaipara District Licensing Committee

Chair: Mr Peter Winder

In Attendance: Governance Services Manager: Sean Mahoney
General Manager Planning and Regulatory: Fran Mikulicic
Chief Licensing Inspector: Rachel Sheppard

Decision (On the Papers)

This is for an application by Nicola Madeleine Deveraux on behalf of Te Whai Bay Wines, Millars Vineyard, Lochiel Estate and Schippers Brewing Company for a Special licence in respect of premises situated at Moir Street, Mangawhai, Kaipara District and known as the Mangawhai Domain. The application is for the Mangawhai Domain Gala to be held on Saturday 02 January 2016. The application is to include beer and wine tastings with sales of alcohol both on and off the premises. The Gala Day event is to take place between 9.00am and 3.00pm with onsite sales of alcohol being restricted to a maximum trading hours of between 11.00am and 3.00pm.

This application was made under section 138 of the Sale and Supply of Alcohol Act 2012 and is being determined by the District Licensing Committee under section 191(2).



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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.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the applicant a Special Licence.

Alcohol tastings and on and off sales may only take place from the premises on the following day and during the following hours:

- **Saturday 02 January 2016**
- **On sales from 11.00am to 3.00pm**
- **Off sales from 9.00am to 3.00pm**

The licence will be subject to the following conditions:

- a) The licensee shall have available for consumption on the premises, at all times when alcohol may be sold under the licence, a reasonable range of non-alcoholic refreshments.
- b) A variety of substantial foods shall be available as detailed by the applicant for consumption on the premises at all times when the premises are authorised to be open for the sale and supply of alcohol. The range of food will include a selection of sandwiches, filled rolls, hot dogs, BBQ, hamburgers, sausages, pies and cakes.
- c) Low-alcohol beverages of the nature stated on the application form, must be available for sale and supply on the premises at all times when the premises are authorised to be open for the sale of alcohol.
- d) Drinking water be freely available to all customers at all times that the premises are open for the sale and supply of alcohol. 'Freely available' to customers, in relation to water, means -
 - (i) *Supplied free in clean drinking vessels on request; or*
 - (ii) *Available free in larger containers from which it may be easily poured or drawn by customers, together with clean drinking vessels that are also available free nearby; or*
 - (iii) *Available free from a tap to which customers have easy access, together with clean drinking vessels that are also available free nearby.*
- e) The steps detailed in the application form must be taken by the licensee to provide assistance with or information about alternative forms of transport from the licensed premises.
- f) The steps as detailed in the application form must be taken by the licensee to promote the responsible consumption of alcohol.



- g) The following steps shall be taken by the licensee to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
- The named Managers to be on duty at all times.
 - Host responsibility techniques to be applied to ensure no intoxication.
 - No sale of alcohol to minors or intoxicated persons allowed.
- h) Members of the public shall be excluded from the premises in the following circumstances:
- If an intoxicated or otherwise prohibited person under the Act.
- i) Alcohol may only be served in the following containers:
- Beer shall be by way of 360ml plastic cups, 330ml cans or 500ml bottles
 - Wine shall be by way of 150ml plastic cups or 750ml bottles.
 - Tastings shall be provided in a 30ml serve with a maximum of five tastings per customer.
 - All sales for alcohol consumption off the premises shall be by way of unopened bottles in sealed containers.

DATED at Dargaville this **14th** day of **December** 2015.



Peter Winder
Chair
Kaipara District Licensing Committee

