

Decision N° **SP1772**

In the Matter

of the Sale and Supply of Alcohol Act 2012

and

In the Matter

of an application by **Millar's Vineyard Limited** for a Special Licence pursuant to s.142 of the Act in respect of premises situated at **45 Moir Street, Mangawhai, Kaipara District** known as "**Mangawhai Public Library and Community Hall**"

Before the Kaipara District Licensing Committee

Chair: Mr Peter Winder

In Attendance: Governance Support Officer: Sean Mahoney

General Manager Planning and Regulatory: Fran Mikulicic

Regulatory Manager: Dean Nuralli

Chief Licensing Inspector: Rachel Sheppard

Decision (On the Papers)

This is for an application by Millar's Vineyard Limited for a special licence in respect of premises situated at 45 Moir Street, Mangawhai, Kaipara District and known as the Mangawhai Public Library and Community Hall. The application is made in respect of a series of events described as a Village Markets to be held every Saturday between 05 November 2016 and 22 April 2017, from 9.00 am to 1:00 pm each day.

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

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.



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Ross Millar & Jennifer Millar shall be appointed to manage the event in accordance with section 213 (1) of the Act.

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.

The licence will be subject to the following conditions:

- a) Alcohol may be sold under the licence only on the following days and during the following hours:


Every Saturday between 05 November 2016 and 22 April 2017, from 9.00 am to 1.00 pm each day.

- b) 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.
- 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) Potable drinking water is to 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:
- i. A certificated manager must be on duty at all times.
 - ii. Host responsibility techniques to be applied to ensure no intoxication.
 - iii. 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:
 - i. Wine may be sold in 750 ml bottles only.
- k) Only alcohol manufactured, distributed, imported, or wholesaled by the applicant may be sold or supplied.
- l) Alcohol must not be supplied free, as a sample, for consumption on the premises, at a time when the premises are not open for the sale of the licensee's alcohol for consumption somewhere else.
- m) Alcohol must not be sold for consumption on the premises at any time when the licensee does not also hold for the premises a special licence designated as an on-site special licence.
- n) Alcohol may be served in the following containers:
 - Tastings shall be provided in a 20ml serve with a maximum of five tastings per customer.
 - All sales shall be by way of unopened bottles in sealed containers

DATED at Dargaville this 27th day of September 2016.



Peter Winder

Chair

Kaipara District Licensing Committee

