



## Off-licence

### Sections 18, 19, 59 and 64, Sale and Supply of Alcohol Act 2012

67/OFF/37/2016

Pursuant to the Sale and Supply of Alcohol Act 2012, **Connell Phelps Limited**, is authorised to sell or deliver alcohol from the premises situated at 46 Ray Street, Cromwell and known as Matt Connell Wines, to any person for consumption of alcohol off the premises.

#### Endorsement

The licensee is authorised to sell alcohol from (but not on) the premises and deliver it somewhere else.

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

This licence is subject to the following conditions:

- (a) The remote sale of alcohol may be made at any time on any day.
- (b) No alcohol is to be delivered on Good Friday, Christmas Day or before 1.00pm 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:
  - i. On the premises; or
  - ii. From grapes or fruit harvested from land on which the premises are situated.
- (d) Alcohol may only be delivered Monday to Sunday between the hours of 6.00am and 11.00pm.
- (e) Order forms for mail or internet orders must require the buyer and the prospective receiver to declare that they are 18 years of age or over.
- (f) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed.

#### 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-

- Until the close of the period of 1 year commencing with the date of its issue; or
- If an application for the renewal of the licence is duly made, until the application is determined;

Expiry date being 2 November 2017 unless renewed for a further period.

Dated at Alexandra this 2nd day of November 2016

A handwritten signature in blue ink, appearing to be "L A van der Voort".

L A van der Voort  
For the Secretary  
Central Otago District Licensing Committee

DLC ref: OF227  
Licence Number: 67/OFF/37/2016



1 Dunorling Street  
PO Box 122, Alexandra 9340  
New Zealand

+64 3 440 0056  
info@codc.govt.nz  
www.codc.govt.nz

## Decision for Off-licence

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

**AND**

**IN THE MATTER** of an application by **Connell Phelps Limited** for an off-licence pursuant to Section 100 of the Act in respect of premises situated at 46 Ray Street, Cromwell known as Matt Connell Wines.

### **BEFORE THE CENTRAL OTAGO DISTRICT LICENSING COMMITTEE**

Neil J Gillespie (Acting Chairman)

### **DECISION**

This is an application by Connell Phelps Limited for an off-licence in respect of premises situated at 46 Ray Street, Cromwell, and known as Matt Connell Wines.

The application is in respect of premises in which the principal business is the remote sale of alcohol

The application was duly advertised and no objection or notice of desire to be heard has been received. No opposition to granting of the application has been received from the Police, Medical Officer of Health or Licensing Inspector.

I am satisfied as to the matters to which I must have regard as set out in section 105 of the Act and grant the applicant an off-licence. A copy of the licence setting out the conditions to which it is subject is attached to this decision.

The licence may issue immediately.

Dated at Alexandra this 2<sup>nd</sup> November 2016.

A handwritten signature in black ink, appearing to read "Neil J Gillespie".

Neil J Gillespie  
Acting Chairman  
Central Otago District Licensing Committee



## Off-licence

### Sections 18, 19, 59 and 64, Sale and Supply of Alcohol Act 2012

67/OFF/37/2016

Pursuant to the Sale and Supply of Alcohol Act 2012, **Connell Phelps Limited**, is authorised to sell or deliver alcohol from the premises situated at 46 Ray Street, Cromwell and known as Matt Connell Wines, to any person for consumption of alcohol off the premises.

#### Endorsement

The licensee is authorised to sell alcohol from (but not on) the premises and deliver it somewhere else.

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

This licence is subject to the following conditions:

- (a) The remote sale of alcohol may be made at any time on any day.
- (b) No alcohol is to be delivered on Good Friday, Christmas Day or before 1.00pm 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:
  - i. On the premises; or
  - ii. From grapes or fruit harvested from land on which the premises are situated.
- (d) Alcohol may only be delivered Monday to Sunday between the hours of 6.00am and 11.00pm.
- (e) Order forms for mail or internet orders must require the buyer and the prospective receiver to declare that they are 18 years of age or over.
- (f) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed.

#### 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-

- Until the close of the period of 1 year commencing with the date of its issue; or
- If an application for the renewal of the licence is duly made, until the application is determined;

Expiry date being 2 November 2017 unless renewed for a further period.

Dated at Alexandra this 2nd day of November 2016

L A van der Voort  
For the Secretary  
Central Otago District Licensing Committee

A handwritten signature in black ink, appearing to be "L A van der Voort", is located in the bottom right corner of the page.



1 November 2016

## Licensing Inspector Report

### Sale and Supply of Alcohol Act 2012

The following is a report pursuant to Section 103 of the Sale and Supply of Alcohol Act 2012.

**Licence:** Off-licence (OF227)  
**Applicant:** Connell Phelps Limited  
**Trading Name:** Matt Connell Wines  
**Premises Address:** 46 Ray Street, Cromwell

#### Background

The premises are an existing family dwelling from which remote wine sale orders will be taken. The application was filed with the Committee on 25 October 2016

#### Applicant

Connell Phelps Limited is a duly incorporated company with two shareholder/directors:

- Mathew Patrick Connell
- Beth Phelps

#### Previous experience

I am satisfied that the applicant partnership is a suitable entity to be involved in the operation of licensed premises.

#### Premises / Operation

The premises will operate pursuant to remote sales (mail-order/internet) style off-licence. There will be no other goods sold.

#### Trading days and hours

The hours being sought by the applicant are as follows:

Remote sales: - At any time on any day

These hours are within the default hours of the Sale and Supply of Alcohol Act 2012.

#### Amenity and Good Order

I don't believe this licence will cause any adverse effects on the area as the licence is for remote sales only.

#### Designation of Areas

No designation is sought in respect of the premises, nor is one required for a remote sales off-licence.

#### Host Responsibility

The applicant is aware of the provisions of the Act regarding the sale of alcohol to minors and intoxicated persons and has included a Host Responsibility Policy in the application.

## **Public Notification**

A public notification has been received from the applicant. Public notification of the application occurred by:

Website: Public notice was placed on the Council Website 6 October 2016

Site notice was placed on the gateway from 6/10/16 until 27/10/16

The process was carried out correctly and no objections were lodged.

## **The Building**

The applicant company owns the premises.

## **Local Authority Compliance**

Local Authority Compliance Certificate for Building was issued on 25 October 2016, and Planning was issued on 26 October 2016.

The proposed use by the applicant meets the requirements of the Resource Management Act 1991. The building is an existing building that does not have a change of use and so meets the requirements of the New Zealand Building Code to the extent required by the Building Act 2004.

## **Reporting Agencies**

The New Zealand Police have confirmed, by e-mail on 12 October 2016, that they have received the application and they do not have any matters in opposition to this application.

The Medical Officer of Health, Public Health South has reported, by letter dated 17 October 2016 that he has no opposition to the issue of this off-licence.

## **Conclusion**

In conclusion, based on discussions held with the management of the premises, and the other reporting agencies I consider the applicant, Connell Phelps Limited, to be a suitable entity to hold an off-licence under the Sale and Supply of Alcohol Act 2012.

I recommend that the Central Otago District Licensing Committee approve the application for a one-year period.



Suzanne M Naylor  
Licensing Inspector