

**FORM 10  
OFF-LICENCE**

Sections 17 to 20 and 64, Sale and Supply of Alcohol Act 2012

**PURSUANT** to the Sale and Supply of Alcohol Act 2012 (the Act), **CONSTELLATION BRANDS NEW ZEALAND LIMITED** (the licensee) is authorised to sell alcohol on the premises situated at 237 Hammerichs Road Rapaura, Marlborough District and known as “**Kim Crawford Winery Cellar Door**”, to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises.

If this licence is not endorsed under section 40 of the Act, the licensee is also authorised to sell alcohol on or from 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**

- (a) **No alcohol is to be sold or delivered on Good Friday, Christmas Day or before 1.00 pm on Anzac Day.**
- (b) **No alcohol is to be sold or 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.**
- (c) Alcohol may be sold or delivered on the following days and during the following hours:  
**Cellar Door- Monday to Sunday 8.00 am to 4.30 pm**  
**Remote Sales- at any time on any day however the days and hours within which alcohol that has been sold may be delivered is restricted:**  
**No alcohol sold is to be delivered on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day, or at any time after 11.00 pm on any day and before 6.00 am on the next day.**
- (d) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons
- (e) The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol.
- (f) The licensee, when conducting phone, mail, internet sales (remote sales) must ensure that all the requirements under Section 59 of the Act relating to remote sales are complied with.

**DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S**

A copy of this licence must be displayed at the principal entrance to the premises. The entrance into the cellar door is designated as the principal entrance. A copy of the licence must also be displayed on any website where remote sales are conducted from.

**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) either-
  - (i) Until the close of the period for which it was last renewed; or
  - (ii) If it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either-
  - (i) until the close of the period of 3 years after the period for which it was last renewed; or
  - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

DATED at Blenheim this

20<sup>th</sup>

day of

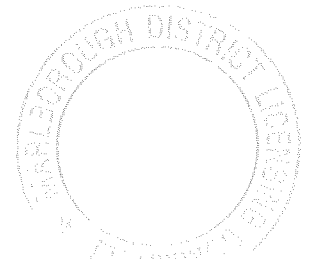
January

2022



Secretary

Marlborough 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 this licence expires on -

**14 NOVEMBER 2024**

This licence replaces licence number 52/OFF/043/2018 issued by Marlborough District Licensing Committee

FORM 15

## Marlborough District Licensing Committee

### Notice of Renewal of Licence

Section 135, Sale and Supply of Alcohol Act 2012

To: **Constellation Brands New Zealand Limited**

Licence 52/OFF/040/2021 replacing licence 52/OFF/043/2018

The off licence in respect of the premises situated at 237 Hammerichs Road Rapaura, Marlborough District and known as **Kim Crawford Winery Cellar Door** is renewed.

The present conditions of the licence continue to apply subject to the following changes:

**New days and hours:**

**Monday to Friday 8.00 am to 4.30 pm**

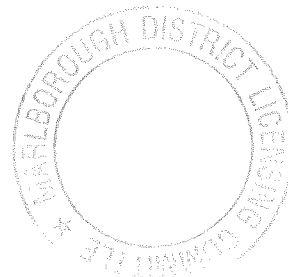
Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force-

- Until the close of the period for which it is renewed;or
- If an application for the renewal of the licence is duly made before it would otherwise expire, until the close of the period of 3 years after the date for which it is renewed.

The period for which the licence is renewed is 3 years expiring on **14 November 2024**

Dated at Blenheim this *20<sup>th</sup>* day of *January* 2022

**SECRETARY  
MARLBOROUGH DISTRICT LICENSING COMMITTEE**





Record No: **21268321**  
File Ref: PN527439  
Licence ID: OFF/040/2021

ISO9001  
Document Number  
SCF0016.1-CI1974

12 January 2022

## **Inspector's Report - Off Licence - Renewal**

*Section 103(2) of the Sale and Supply of Alcohol Act 2012*

**Applicant:** Constellation Brands New Zealand Limited  
**Premises:** Kim Crawford Winery Cellar Door  
**Location:** 237 Hammerichs Road Rapaura  
**Type of Licence:** Off Licence

### **Executive Summary**

An application for renewal of an Off Licence was received by the Marlborough District Licensing Committee on 1 October 2021. The criteria found in Section 131 of the Sale and Supply of Alcohol Act 2012 will apply to this application for renewal.

This application for renewal seeks the same terms and conditions as the licence currently in force on the premises.

I consider that the sale and supply of alcohol under the conditions sought is consistent with the purpose of the Act and meets the criteria at Section 131 of the Sale and Supply of Alcohol Act 2012.

No opposition or concerns have been raised by any of the reporting agencies.

### **Application**

This is an application for renewal of an Off Licence received on 1 October 2021.

The general nature of the business conducted under this licence is a cellar door. Remote sales are also conducted from this site. The applicant is seeking a reduction in the days and hours of the cellar door.

The building owner's consent has previously been provided in support of the application.

### **Criteria for Renewal of Licence**

#### **a) Object of the Act**

The applicant proposes to continue to conduct the sale, supply and consumption of alcohol in a safe and responsible manner.

## **h) Applicant's Systems, Staff and Training**

Staff are fully trained and there are systems in place at the point of sale. Identification is requested for all customers under the age of 25.

The following certificated managers are employed at the licensed premises:

- Teresa Ann Thiel                      52/CERT/118/2017                      26/09/2024

***The applicant appears to have appropriate systems, staff and training to comply with the law.***

## **i) Reports from Police and Medical Officer of Health**

Police advised on 13 October 2021 that they had no opposition to the renewal of this licence.

The Medical Officer of Health provided a report on 17 December 2021 pursuant to section 103(3) of the Sale and Supply of Alcohol Act 2012. That report offered no opposition to the renewal of this licence.

## **j) Conduct of Licensee**

There is no relevant history that I am aware of which would need to be detailed in this report.

I visited the premises on 11 January 2022. The visit found that all required signage is clearly displayed.

## **Objections**

As required under Section 101 of the Sale and Supply of Alcohol Act 2012, the application was publicly notified on the Council website [www.marlborough.govt.nz](http://www.marlborough.govt.nz) on 12 October 2021 and a notice of application in the prescribed form was appropriately displayed on or adjacent to the site.

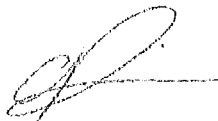
***No objections have been received following the public notification.***

## **Cost/Risk Rating Assessment**

This application has been made for a cellar door/remote seller. This type of premises receives a weighting of 5. The latest closing time for this licence is 4.30 pm and this adds no further weighting. As there have been no enforcement holdings in the last 18 months the total weighting for this licence is 5 resulting in a risk rating assessment of low.

## **Conclusion**

Having regard to the application and the supporting information, it is considered that the sale and supply of alcohol proposed under these conditions meets the criteria detailed in Section 131 of the Sale and Supply of Alcohol Act 2012 and is consistent with the purpose of the Act.



GEORGIA MURRIN  
LICENSING INSPECTOR



Nelson Marlborough  
District Health Board

**Public Health Service  
Nelson / Wairau**

**P O Box 46, Blenheim**  
Ph (03) 520 9914 Fax (03) 578 9517

**P O Box 647, Nelson**  
Ph (03) 546 1537 Fax (03) 546 1542

9 December 2021

District Licensing Committee  
Marlborough District Council  
P.O. Box 443  
**BLLENHEIM 7240**

COPY FOR YOUR  
INFORMATION

Dear Sir/Madam,

I refer to an email received 12 October 2021, requesting a report on an application to renew an OFF licence.

**Our Ref:** DLC ref: OFF/040/2021  
**Applicant:** Constellation Brands NZ Ltd  
**Premises Name:** Kim Crawford Winery Cellar Door  
**Address:** 237 Hammerichs Road, Rapaura

I note this licence is for the cellar door/remote sales with operational days and hours of Monday to Sunday from 8am to 4.30pm for the cellar door (stated in the application) and at any time on any day for remote sales.

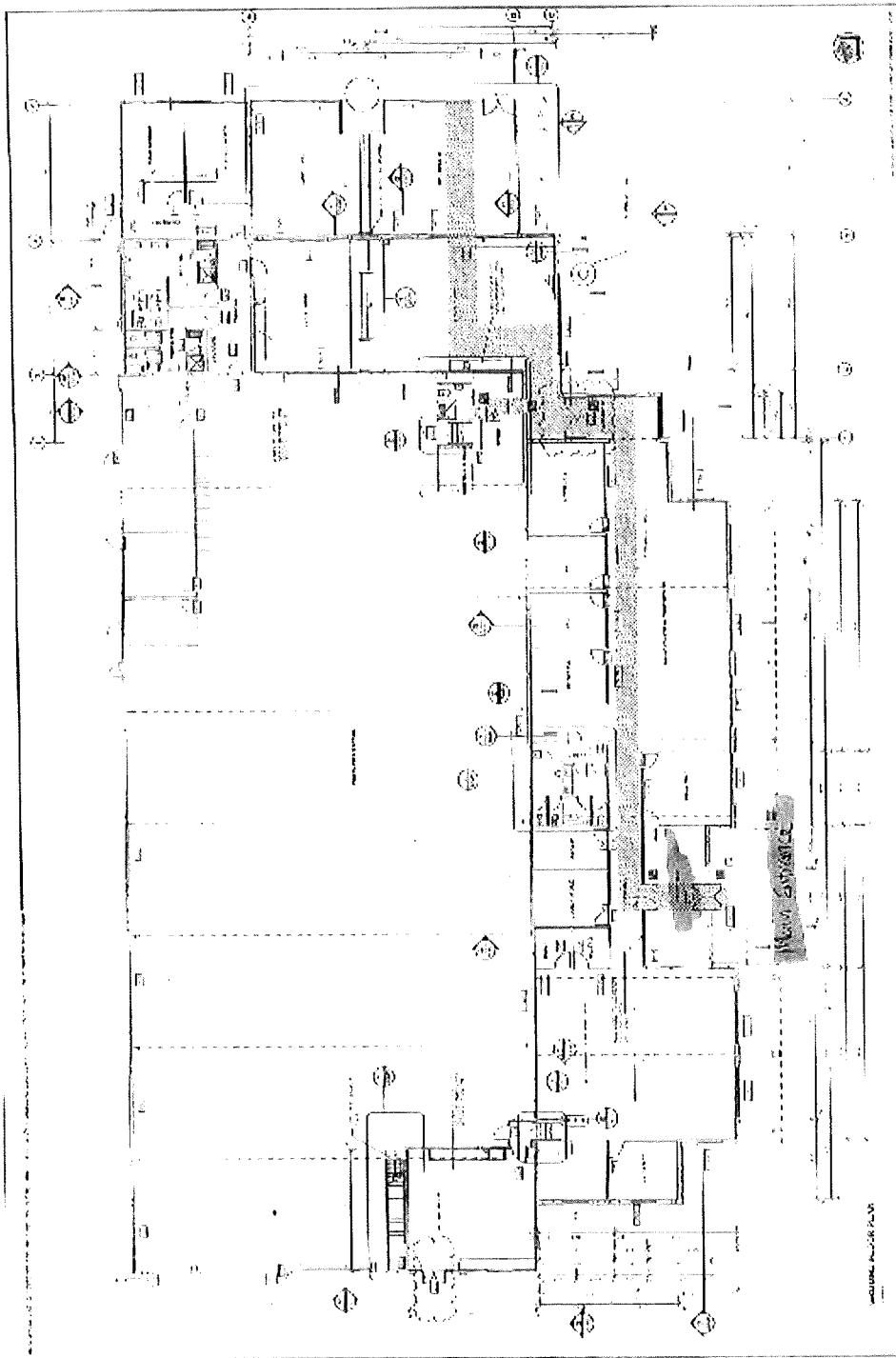
Based on the floor plan that was submitted by the applicant (as attached), and the information detailed in the application, I have inquired into the application based on the papers only.


**Conclusion**

Based on the information provided in the application, I do not oppose the renewal of this OFF licence.

Yours sincerely

Coral Hedley  
**Public Health Service Alcohol Licensing Officer**  
(Under delegation from the Medical Officer of Health in accordance with section 151 of the Sale and Supply of Alcohol Act 2012)  
[coral.hedley@nmdhb.govt.nz](mailto:coral.hedley@nmdhb.govt.nz)




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 CONSULTANTS  
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PRYLANDS ESTATE ALTERATIONS  
 MAIN FLOOR (04.01)

B1039 (A1) 01



20 January 2022

File Ref: OFF/040/2021  
Record No: 2210791

Constellation Brands New Zealand Limited  
PO Box 260  
Blenheim 7240

Dear Sir/Madam

## Application for Renewal of Off Licence

The Marlborough District Licensing Committee has granted your application in respect of the premise situated at 237 Hammerichs Road Rapaura, Marlborough District.

Please find enclosed the licence, renewal certificate and reports associated with it.

I wish to draw your attention to the following:

1. The licence will need to be renewed in accordance with the relevant provisions of the Act. The licence will expire on the 14 November 2024. We do endeavour to send out renewal notices from this office prior to the expiry date, please advise this office of any change in your postal address.
2. The requirement to display signage and a copy of the licence in terms of the Act. A copy of the licence should be displayed at the main entrance to the cellar door and a copy or link to the licence should be displayed on the website where remote sales are conducted from. An electronic version of the licence will be emailed to you to upload to your website.
3. Your obligations under the Act that at all times liquor is being sold to the public from a licensed premises a **manager** must be on **duty** and responsible for compliance with the Act and the conditions of the licence. The "**duty manager**" must be certified under Section 216 of the Act and must also have his or her name prominently displayed inside the premise at all times while on duty.
4. **Evacuation Scheme-** If your building is required to have a current evacuation scheme, you will need to follow this through to completion with the fire service. The fire service can apply to the District Licensing Committee to have a licence suspended if they have reason to believe that the licensee is failing to comply with any requirements of Section 76 of the Fire and Emergency New Zealand 2017 Act relating to the safety of persons using the licensed premises. Contact Fire and Emergency New Zealand [www.fireandemergency.nz](http://www.fireandemergency.nz) phone 04 496 3600.

If you have any queries please do not hesitate to give us a call.

Yours faithfully

Lynette Newport  
Alcohol Licensing Administrator  
Marlborough District Licensing Committee

Decision No: **52/OFF/040/2021**  
Record number: **225146**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012.

**AND**

**IN THE MATTER**

of an application by Constellation Brands  
New Zealand Limited pursuant to s.127  
of the Act for renewal of an off licence in  
respect of premises situated at 237  
Hammerichs Road Rapaura,  
Marlborough District known as "Kim  
Crawford Winery Cellar Door"

**BEFORE THE MARLBOROUGH DISTRICT LICENSING COMMITTEE**

Chairman: John Leggett

**DECISION**

This is an application by Constellation Brands New Zealand Limited or renewal of an off licence in respect of premises situated at 237 Hammerichs Road Rapaura, Marlborough District known as "Kim Crawford Winery Cellar Door".

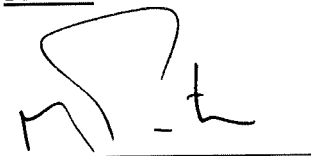
The general nature of the business conducted from the premises is cellar door and remote sales. There is currently no cellar door open for tastings, only collection of orders for staff.

The applicant has requested a change in cellar door hours to the previous licence which were Monday to Sunday 9.00 am to 10.00 pm, with new days and hours Monday to Friday 8.00 am to 4.30 pm.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.131 of the Act. We renew the licence on the existing terms and conditions until 14 November 2024, that being the anniversary date of the licence and three years from the most recent date of expiry and authorise the issue of a replacement licence and a notice of renewal.

**DATED** at Blenheim this 30<sup>th</sup> day of January 2022

  
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**Secretary  
Marlborough District Licensing Committee**

