

DLC ref: OF258

3 April 2019

Keillor Vineyard Ltd
Suite 12A
Marinoto Clinic
72 Newington Avenue



1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

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

Dear Sir

Sale and Supply of Alcohol Act 2012
Off-licence for Keillor Vineyard Ltd, 320C Felton Road, Bannockburn, Cromwell

The Off-licence application has been approved by the Central Otago District Licensing Committee.

Please find enclosed the following documents:

- The committee's decision regarding this application.
- The issued Off-licence.
- The licensed premises definition plan as received on the 28 January 2019.
- A copy of the Inspector's and Medical Officer of Health's reports.
- Copies of the Local Authority Compliance Certificates.

I wish to draw your attention to the following:

- The licence that was issued will need to be renewed in one year's time. A renewal application must be submitted at least twenty working days before the expiry date of 3 April 2020.
- The requirement to display signage and a copy of the licence in accordance with the Act.
- The need to notify us of any appointments of managers. This includes any appointments as Acting or Temporary Manager's for a period greater than 48 Hours. A form can be obtained from the council for this.
- As the licensee is a registered company, under section 69 of the Act we need to be advised of any changes in company structure at the time this is registered with the Companies Office i.e. shareholdings or director changes.

Should you require any further information please contact the undersigned.

Yours sincerely

A handwritten signature in black ink, appearing to read "Ray Applegarth".

Ray Applegarth
For the Central Otago District Licensing Committee

Decision to issue of an Off-licence



DLC ref: OF258

Licence number: 67/OFF/15/2019

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

AND

IN THE MATTER of an application by **Keillor Vineyard Ltd** for an off-licence pursuant to Section 100 of the Act in respect of premises situated at 320C Felton Road, Bannockburn, Cromwell trading as Black Quail.

BEFORE THE CENTRAL OTAGO DISTRICT LICENSING COMMITTEE

Robert B McNeil (Chairman)

DECISION

This is an application by Keillor Vineyard Ltd for an off-licence in respect of premises situated at 320C Felton Road, Bannockburn, Cromwell trading as Black Quail.

The application is in respect of premises located on a vineyard in which the principal business is the sale of alcohol.

The application was duly advertised and no objection or notice of desire to be heard have 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 3rd day of April 2019.

A handwritten signature in black ink, appearing to be "R. B. McNeil", written over a horizontal line.

Robert B McNeil
Chairman
Central Otago District Licensing Committee



Off-licence

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

67/OFF/15/2019

Pursuant to the Sale and Supply of Alcohol Act 2012, **Keillor Vineyard Ltd** is authorised to sell or deliver alcohol from the premises situated at 320C Felton Road, Bannockburn, Cromwell trading as Black Quail, to any person for consumption off the premises.

As this licence is endorsed under section 40 of the Act, the licensee is entitled to sell alcohol from (**but not on**) the premises and deliver it to 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; or
- If the licence is renewed, until the close of the period for which it is renewed.

Expiry date being 3 April 2020 unless renewed for a further period.

Dated at Alexandra this 3rd day of April 2019

Lee Webster
For the Secretary
Central Otago District Licensing Committee



Off-licence

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

67/OFF/15/2019

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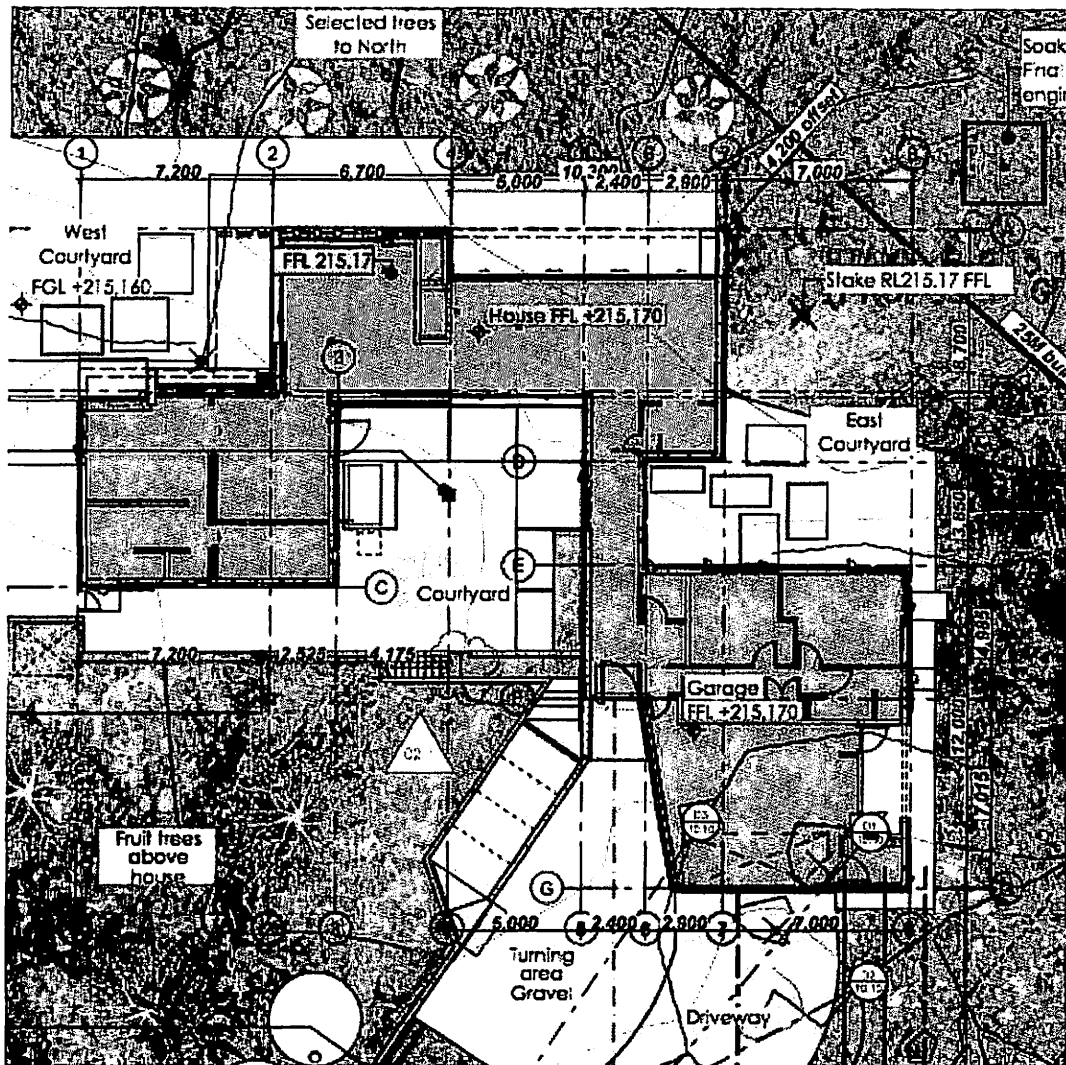
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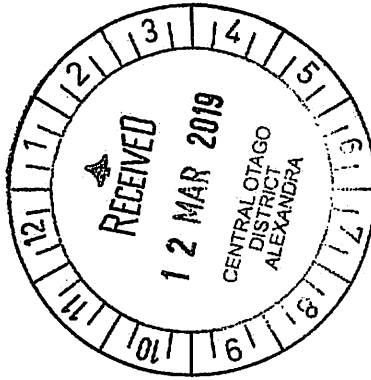
Dated at Alexandra this 3rd day of April 2019

Lee Webster
For the Secretary
Central Otago District Licensing Committee



Licensed premises.





Licensing Inspector's Report Application for Off-licence



Pursuant to Section 103 of the Sale and Supply of Alcohol Act 2012

1 April 2019

Licence: Off-licence (OF258)
Applicant: Keillor Vineyard Ltd
Trading Name: Black Quail
Premises Address: 320C Felton Road, Bannockburn, Cromwell

Background

The premises are the applicants dwelling which will be designated as the licensed premises for the purposes of this licence application.

The application was filed with the committee on 29 January 2019.

Applicant

Keillor Vineyard Ltd is a duly incorporated company with two shareholder/directors:

- Mirani Roshana Keillor
- Rodney Bert Keillor

Previous experience

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

Premises / Operation

The premises will operate pursuant to a remote sales Off-licence.

The number of staff holding current manager's certificates as noted on the application form is adequate for this type of operation.

Trading days and hours

The hours applied for are at any time on any day.

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

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.

Public Notification

The public notification statement received from the applicant notes the following public notification was performed:

Council Website: From 7 February 2019 to 28 February 2019

Site Notice: From 25 February 2019 to 11 March 2019

The process was carried out correctly and no objections were lodged with the District Licensing Committee.

Local Authority Compliance

A Local Authority Compliance Certificate for the Building was issued on 30 January 2019. 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.

A Local Authority Compliance Certificate for planning compliance was issued on 29 March 2019. The proposed use by the application meets the requirements of the District Plan and Resource Management Act 1991.

Reporting Agencies

The New Zealand Police have confirmed by e-mail on 31 January 2019 that they have received the application and that no further police report is required.

The Medical Officer of Health, Public Health South has reported by letter dated 11 February 2019 that she has no opposition to the issue of this licence.

Other Approvals

The premises have been registered in accordance with the Food Act 2014.

Recommendation

I recommend that the Central Otago District Licensing Committee approve the application by Keillor Vineyard Ltd trading as Black Quail for an off-licence.



Ray Applegarth
Licensing Inspector

Report for Remote Sales Licence Applications (s40 endorsements)

GENERAL INFORMATION			
Licensing Agency	Central Otago District Council	Application/licence number	OF258
Date application received	29/01/2019	Date of phone interview	4/02/2019
Type of application	New	If variation, what is being varied?	
Name of person interviewed	Rodney Keillor	PHS Staff Member	Stephanie Bekhuis-Pay
DETAILS OF PREMISES			
Name of premises	Black Quail		
Address of premises	320C Felton Road, Bannockburn, Cromwell		
Web site address			
Contact person if different from above	Ron Keillor		
Name of applicant/licensee	Keillor Vineyard Limited		
Method/s of sale	<input checked="" type="checkbox"/> website <input type="checkbox"/> mail <input type="checkbox"/> telephone		
Duty Manager	1 s212, s215	Managers Register	No s232
Licensed hours	Any day any time	Usual trading hours	Any day any time
Comments			
OBSERVATION OF WEBSITE s59(5)			
Legible copy of licence (or link to one) present on home page	No r15(1)	Licensee name, licence number and licence expiry date present on home page	No r15(1&4)
Comments			
AGE VERIFICATION s59(3)			
Website	Yes	<input checked="" type="checkbox"/> On entry to website <input type="checkbox"/> Immediately prior to payment r14(2)	
Mail orders	NA	<input type="checkbox"/> Signature required at or near end of form <input type="checkbox"/> Beginning of form <input type="checkbox"/> Immediately before signature r14(4)	
Phone orders	Yes	<input type="checkbox"/> Start of conversation <input type="checkbox"/> End of conversation r14(3)	
Checks in place for prospective receiver as well (if different to buyer)	Yes r14(2-4)	Refuse to sell if declarations do not indicate both are 18 years or older	Choose an item. r14(2-4)

Comments			
RECEIPTS		r15(3&4)	CATALOGUES
Licensee name, licence number and licence expiry date printed on receipt		No	Licensee name, licence number and licence expiry date printed in catalogue
Choose an item.			
Comments			
DELIVERY		s59(1&2)	
Applicant aware of restriction on delivery times		Yes	Delivery company aware of restriction on delivery times
Yes			
Comments			
INTOXICATION		s248	
Appropriate control systems stated to be in place		Yes	
Comments		Rodney stated he would not sell to anyone who he believes is intoxicated.	
STAFF TRAINING - RELEVANT TO THE SALE AND SUPPLY OF ALCOHOL ACT 2012		s105, 120, 131	
Appropriate systems in place		Yes	
Comments		Certified manager	
ALCOHOL PROMOTIONS		s237	
Any promotions that are likely to encourage people to consume alcohol to an excessive extent?		No	Any promotions/ advertisements of free alcohol?
No			
Any offers of any goods or services, or the opportunity to obtain any goods or services, or the opportunity to win a prize, on the condition that alcohol is bought?		No	Any promotion aimed at or likely to have special appeal to minors?
No			
Comments			
SOCIAL RESPONSIBILITY POLICY			
Does the applicant have a social responsibility policy?		Yes	
Comments			
RECOMMENDATION			
No opposition			
Click here to enter text.			

RESOURCES PROVIDED	
<input type="checkbox"/>	Managers Guide
<input type="checkbox"/>	The Bar Code
<input type="checkbox"/>	DOB Chart
<input type="checkbox"/>	SCAB – Intoxication Assessment Tool
<input type="checkbox"/>	Servewise coaster
<input type="checkbox"/>	Managers Register template



Local Authority Compliance Certificate Building

DLC ref: OF258

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

Alcohol Application details:

Applicant: Keillor Vineyard Ltd
Licence type: Off-licence
Premise location: 320C Felton Road, Bannockburn, Cromwell
Trading name: Black Quail
Business Type: Remote sales only

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This certificate refers to the above application for the purposes of section 100(f) of the Sale and Supply of Alcohol Act 2012.

The described internet sales from an existing residence does not constitute a change of use and as such the building will meet the requirements of the New Zealand Building Code to the extent required by the Building Act 2004.

Add for off-licence mail order

If at any future date sales are made on site direct to the public then this is a change of use under the NZ Building Act 2004 and the owner/ licensee will be required to apply to Council for a change of use of the building. This may require upgrading of the building, particularly in relation to: means of escape from fire, protection of other property, sanitary facilities, structural performance and access for people with disabilities.

Add for off-licence if on site small scale

Council reserves the right to review the scale of the operation at any time to ensure the operation approved at this time has not been exceeded. Any significant increase in the scale may result in a change of use under the NZ Building Act 2004 and the owner/ licensee will be required to apply to Council for a change of use of the building. This may require upgrading of the building, particularly in relation to: means of escape from fire, protection of other property, sanitary facilities, structural performance and access for people with disabilities.

Kevin O'Connor
Senior Building Control Officer

30 January 2019

Local Authority Compliance Certificate Resource Management

DLC ref:OF258

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

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Alcohol Application Details:

Applicant: R B Keillor
Licence type: Off-licence
Premise location: 320C Felton Road, Bannockburn, Cromwell
Trading name: Black Quail
Business Type: Remote sales only
Hours: At any time on any day

Licensed area: premises generally as shown on plan submitted.

This certificate refers to the above application for the purposes of Section 100 (f) of the Sale and Supply of Alcohol Act 2012.

The proposed use of the premises by the applicant meets the requirements of the Resource Management Act 1991 and is a permitted activity under the Operative Central Otago District Plan.

However if direct sales to the public were to occur on site then a resource consent would be required. It is recommended that the applicant contact this office should they require any further information about this process.



Sarah Davidson
Planning Officer

29 March 2019