

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

**AND**

**IN THE MATTER** of an application by Porteous Enterprises Limited for a new OFF licence pursuant to Section 100 of the Sale and Supply of Alcohol Act 2012 in respect of the premises situated at 5/74 Birch Street, Taupo and known as "BoxedNZ"

**THE APPLICATION:**

This is an application by Porteous Enterprises Limited for an Off Licence in respect of premises situated at 5/74 Birch Street, Taupo, known as "BoxedNZ". It was formally received by the Taupō District Licensing Committee on 4th May 2022. The general nature of the business to be undertaken is that of on-line gift box activity with the sale of alcohol complementary to other goods sold.

The application was duly advertised in Taupo Times newspaper on 6 May 2022 and on 13 May 2022 and no objection or notice of desire to be heard has been received. Display of the public notice has been carried out in the terms of the Sale and Supply of Alcohol Act 2012 by the licensee and no objections were lodged by any members of the public.

**REASONS FOR THE DECISION:**

The applicant appears to be a suitable entity to hold and off licence for their on-line gift box business. The alcohol products will be complementary to the other goods sold. A Section 40 endorsement is not appropriate as alcohol will not be more than 85% of the company's annual sales revenue. All off licence holders are able to sell alcohol 'on-line.'

The Police and Medical Officer of Health reports raise no matters in opposition.

**THE DECISION:**

We are satisfied as to the matters to which we must have regard as set out in the Act and we grant the applicant an Off Licence authorising to sell or deliver alcohol from the premises situated at 5/74 Birch Street, Taupo, and known as BoxedNZ, to any person for consumption off the premises.

The licence shall be subjected to specific conditions as detailed in the attached licence.

Dated at Taupo this 16<sup>th</sup> day of June 2022



Murray Clearwater

**Commissioner  
Taupō District Licensing Committee**

**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, Porteous Enterprises Limited is authorised to sell alcohol from (but not on) the premises situated at 5/74 Birch Street, Taupo, and known as BoxedNZ, to any person for consumption off the premises.**

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:

1. Alcohol may be sold from the premises at any time on any day and delivered somewhere else for consumption off the premises, only on the following days: **Monday to Sunday 9.00am to 5.00pm**;
2. No alcohol is to be delivered from the premises on Good Friday, Easter Sunday or Christmas Day or before 1.00 pm on Anzac Day;
3. No alcohol is to be delivered to the buyer (or to any other person on the buyer's behalf) at any time between 11:00pm and 6:00am the following day, on any day of the week;
4. There must be a certificated manager properly appointed to the business by the licensee.
5. The Licensee must follow the procedures set out in Regulation 14 of the Sale and Supply of Alcohol Regulations 2013 to ensure that neither the purchaser, nor the person to whom alcohol is delivered, is a minor.
6. The Licensee must display on its website and/or in its catalogue and on every receipt issued for alcohol sold remotely:
  - a. the licence holder's name and licence number;
  - b. the date on which the licence expires;
  - c. a legible image of the licence, or a clearly identified link to such an image.

**THE LICENSED PREMISES**

The sale, supply or consumption of alcohol is authorised in the premises generally. The premises situated at 5/74 Birch Street, Taupo, are more precisely identified as outlined in a plan date stamped as received by the Taupo District Licensing Committee on 4 May 2022.

**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) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period of 3 years after the period for which it was renewed.

**This licence expires on 16 June 2023 unless further renewed**

DATED at TAUPO on this 16<sup>th</sup> day of June 2022



Murray Clearwater

**Commissioner for Taupō District Licensing Committee**