

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

**AND**

**IN THE MATTER** of an application by 5 Mile Distilling 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 557 Palmer Mill Road, Oruanui and known as "5 Mile Distilling"

**THE APPLICATION:**

This is an application by 5 Mile Distilling Limited for an Off Licence in respect of premises situated at 557 Palmer Mill Road, Oruanui, known as "5 Mile Distilling". It was formally received by the Taupō District Licensing Committee on 6th February 2024. The general nature of the business to be undertaken is that of Spirit Distillery Off Sales.

The application was duly advertised in the Taupo & Turangi Herald newspaper on 15 February 2024 and on 22 February 2024 and one objection from a member of the public was 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.

**Reasons for the Decision:**

Neither the Police nor the Medical Officer of Health raise any matters in opposition.

The applicant advises that "we are not opening as a bar or restaurant. Only as a cellar Door and Tours with Tastings. For the tours customers will be given a small sample of selected products from our range (currently we only have 3 products). There is no ability for the customer to purchase additional drinks. We intend to have small cold platters available for the tasting sessions as although they only get 3 small samples of our product, the tour and storytelling will take approx. 1 to 2 hours".

There was one public objection from a nearby neighbour citing mainly amenity and good order issues.

By email dated 17 June 2024 that objection is now withdrawn.

We note the areas of concern for the public objector and thank them for raising their concerns. This activity is purported to be a low risk operation and we intend to hold the applicant to that.

The licence is issued for one year and will be reviewed in full at that time. We can also rehear any matter we have determined at any time for any reason, and we would not be slow to do so should this activity come to notice in an adverse way.

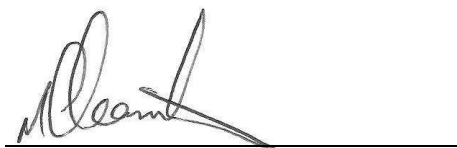
**THE DECISION:**

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 the sale and supply of alcohol for consumption off the premises.

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

The applicant also agrees to surrender the OFF Licence 20/OFF/0114/2022 based at his previous address as soon as they begin business at the new address.

Dated at Taupō on 17 June 2024



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, **5 Mile Distilling Limited** is authorised to sell or deliver alcohol on or from the premises situated at 557 Palmer Mill Road, Oruanui, and known as 5 Mile Distilling, 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**

This licence is subject to the following conditions:

1. Alcohol may be sold on, or delivered from, the premises for consumption off the premises, or supplied free as a sample for consumption on the premises, only on the following days and hours: Monday to Sunday 8.00am to 7.00pm.
2. No alcohol is to be sold on, or delivered from, the premises on Good Friday, Easter Sunday or Christmas Day or before 1.00pm on Anzac Day.
3. While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being supplied.
4. The whole of the premises is designated as a Supervised Area.
5. The Licensee must have available for consumption off the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages.
6. A properly appointed certificated or Acting or Temporary Manager must be on duty at all times, within the licensed area, when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises.
7. The Licensee must display:
  - a) At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
  - b) At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol;
  - c) A copy of the licence attached to the inside of the premises so as to be easily read by people entering each principal entrance.

**THE LICENSED PREMISES**

The sale or delivery of alcohol is authorised in or from the premises generally. The premises situated at 557 Palmer Mill Road, Oruanui are more precisely identified as outlined in a plan date stamped as received by the Taupo District Licensing Committee on 6th February 2024

**DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE**

A copy of this licence must be displayed at the principal entrance to the premises. The entrance is designated as the principal entrance.

**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 17 June 2025 unless further renewed**

DATED at TAUPO on 17 June 2024



Murray Clearwater  
Commissioner for Taupō District Licensing Committee

**PLEASE DISPLAY THIS LICENCE IN THE MAIN ENTRANCE OF THE PREMISES**