

APPLICATION FOR OFF-LICENCE OR RENEWAL OF OFF-LICENCE



Form 4, Sections 100 and 127(2), Sale and Supply of Alcohol Act 2012

Send or deliver your application to:

The Secretary
 District Licensing Committee
 Kāpiti Coast District Council
 Private Bag 60601, Paraparaumu 5254
 175 Rimu Road, Paraparaumu 5032
 Telephone (04) 296 4700 Toll Free: 0800 486 486

For Council use
File #

Once this application is complete you may make an appointment for a pre-lodgement meeting with a Licensing Inspector at the numbers given above.

Application forms cannot be accepted by the District Licensing Committee (DLC) over the counter until they have been signed off as complete by the Inspector and a fee category has been calculated. **Instructions on how to complete this application are attached at the back of the form.**

This application is made in accordance with the particulars set out below:		
1. Application Type		
<input type="checkbox"/> New Off-Licence	<input checked="" type="checkbox"/> Renewal of Off-Licence Licence number: 45/OFF/035/2022	<input type="checkbox"/> Renewal of Off-Licence with variation of conditions Licence number:
2. Endorsements		
Tick the appropriate box if you want an endorsed licence only		
<input type="checkbox"/> Auctioneer	<input checked="" type="checkbox"/> Remote Sales	
3. Details of Applicant		
Full legal name or names to be on licence (if a company, must be a company name):		
ARTIGIANO IMPORTS LIMITED		
Whether licence already held for premises concerned: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No , and if 'Yes', state kind of licence		
4. Applicant Status: by reference to section 28 of Sale and Supply of Alcohol Act 2012		
<input type="checkbox"/> Natural person(s)	<input checked="" type="checkbox"/> Private Company	
<input type="checkbox"/> Body Corporate	<input type="checkbox"/> Public Company	
<input type="checkbox"/> Partnership	<input type="checkbox"/> Other (please specify).....	

5. For Applicant that is a Natural Person(s)

Full legal name:

Any aliases (and/or maiden name):

Usual residential address: Number

Street:

Suburb:

City:

Postcode:

Sex:

Occupation:

Date of birth:

Place of birth:

Telephone:

Mobile:

Email:

Preferred mode of contact:

6. For Applicant that is a Body Corporate, Authority under which Incorporated**7. For Applicant that is Not a Natural Person(s), Details of Contact Person**

Name: BLAIR FRYER

Designation/Position: GENERAL MANAGER

Telephone: 021 0699070

Email: BLAIR@ARTIGIANOIMPORTS.CO.NZ

Mobile:

Preferred mode of contact: PHONE

8. Postal Address for Service

Number/Street/PO Box: 53 PURIRI ROAD

Suburb: WAIKANAE

City: KAPITI

Postcode: 5036

9. Business Details*Describe principal business, any other businesses*

IMPORT OF ITALIAN WINE / NATIONWIDE SALES

10. Criminal Convictions

Does the applicant(s) have any criminal convictions (other than convictions for offences against provisions of the Land Transport Act 1998 not contained in Part 6, and offences to which the Criminal Records (Clean Slate) Act 2004 applies). Yes No, and if "Yes", then please provide nature of the offence, details of conviction, and penalty imposed.

11. For a Company whether Incorporated under the Companies Act 1993 or Equivalent Foreign Legislation**Full Legal Names of Directors:****RICHARD EVAN KLEIN**

12. For a Private Company Incorporated under the Companies Act 1993

Authorised capital: 100 SHARES	Paid up capital: 100 SHARES
Name: ARTIGIANO IMPORTS LTD	Address: Street number 53
Street: PURIRI ROAD	Suburb: WAIKANAЕ
City: WAIKANAЕ	Postcode: 5036
Date of birth:	Place of birth:
Designation:	Face value of shares held:

13. For a Partnership

Full legal name of partner:		
Usual residential address: Number	Street:	
Suburb:	City:	Postcode:
Full legal name of partner:		
Usual residential address: Number	Street:	
Suburb:	City:	Postcode:

14. Details of Premises

Address: Number 53	Street: PURIRI ROAD	
Suburb: WAIKANAЕ	City: KAPITI	Postcode: 5036
Trading Name: ARTIGIANO IMPORTS		
If not Owned by Applicant:		
Tenure: <i>(state whether to be held as leasehold, or under tenancy agreement or licence)</i>		
Full legal name of owner: Richard Evan Klein		
Address: Number 53	Street: Puriri Road	
Suburb: Waikanae	City: Kapiti	Postcode:5036
Type: <i>state whether grocery, hotel, retail shop (other than grocery), or tavern</i>		
Company Office / Remote Sales for Online Retail Orders or Mail Order		
Is the licence conditional on completion of building work: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, and if "Yes", state details:		

15. Details of Duty Manager(s)/Proposed Manager(s) *If more than two certified managers please attach details separately*

Full legal name: Cameron Blair Fryer

Number of manager's certificate: 45/CERT/902/2021

Expiry Date: 16 February 2025 (renewal submitted)

Full legal name

Number of manager's certificate:

Expiry Date:

16. Business Details

Is the sale of alcohol intended to be the principal purpose of business: **Yes** **No**, and advise the intended principal purpose of business (*for example: sale of alcohol, sale of food; entertainment; accommodation*).

Remote sales of wine through our website - www.artigianoimports.co.nz

Is the applicant engaged, or intending to be engaged, in the sale or supply of any goods other than alcohol, non-alcoholic refreshments and food, or in the provision of any services other than those directly related to the sale or supply of alcohol and non-alcoholic refreshments, and food: **Yes** **No** - and if "Yes", advise the nature of other goods or services. This is to assess whether other goods and services provided are compatible with the sale of alcohol.

State the days and hours proposed for sale of alcohol (this is your current licensed hours not trading hours):

24 hours 7 Days a week - online sales only

Deliveries Monday to Sunday 6am to 11pm (using freightways couriers)

17. Conditions

- Write answer below or attach relevant documents that demonstrate compliance.
- When including attachments please number the hard copies, and in the first column circle 'Yes box and write the document number on '#.....'

**Doc attached?
Number.**

Describe experience and training of applicant:

Blair Fryer - 20 years experience in hospitality in Wellington City
Owned and Managed Vivo Enoteca Cucina Ltd from 2006 – 2014
Managed and consulted to Noble Rot Wine Bar / Mediterranean Foods Newtown.
LCQ Held
Held previous GM Certificate with Wellington City Council

Previously trained managers and staff, implemented host responsibility policies, on the job mentoring and training

Yes / No
#.....

<p>Describe the steps proposed to be taken to prevent the sale and supply of alcohol to prohibited people:</p> <p>*Via Internet - Ask the buyer to tick an on screen box declaring that they are of 18 years of age or over when they first enter the internet site. And ask the buyer to tick an on screen box declaring that they are of 18 years of age or over immediately before the sale of any alcohol is completed.</p> <p>*Via Telephone - Ask the buyer to declare orally that they are of 18 years of age or over when the conversation begins. And ask the buyer to declare orally that they are of 18 years of age or over immediately before the conversation is completed.</p> <p>*Via Mail Order - Ensure that the form requires the buyer to sign the form at a place or near its end. And have two requests on the form (tick boxes), to declare that they are of 18 years of age or over, one at the beginning and one immediately before the buyer is required to sign.</p> <p>*We will not encourage excessive consumption of alcohol</p> <p>*Our wine will be delivered by our courier provider Freightways (Castle Parcel and Post Haste), they are under instructions to not leave packages and all deliveries must be signed by someone who must prove they are over the age of 18</p>	<p>Yes / No #.....</p>
<p>Describe any other steps the applicant proposes to promote the responsible consumption of alcohol (for instance host responsibility practices):</p> <p>We do not...</p> <p>*promote or advertise alcohol that is free of charge</p> <p>*promote alcohol in a way that is aimed at or is likely to have special appeal to minors.</p> <p>*offer any goods or services, or the opportunity to obtain or win such goods or services, on the condition that alcohol is bought</p> <p>Artigiano is a high end importer of Italian wine, our target market is older customers and we will not be targeting minors.</p> <p>All orders will be dispatched from our 3PL warehouse - (Managed Storage Solutions) in Seaview, between the hours of 9-5 Mon to Fri. And will take at least 24hrs to be delivered by courier</p>	<p>Yes / No #.....</p>
<p>Describe any other systems (including training systems), and staff in place (or to be in place) for compliance with the Act:</p> <p>We are a very small company of 2 people who both have 20 plus years experience in selling wine.</p> <p>Richard Klein & Blair Fryer.</p> <p>Blair will be overseeing the online sales side of the business.</p> <p>Blair will keep his licence valid and we will both continue to retrain and keep up with all aspects of the Sale of Alcohol Act and make sure any advertising and promotions are in compliance with the act.</p> <p>Our host responsibility policy will continue to be reviewed</p>	<p>Yes / No #.....</p>

<p>Describe any actions that have been taken to ensure the good order and amenity of the locality would not be likely to be:</p> <ul style="list-style-type: none"> reduced, by more than a minimal extent, by granting the licence; or increased, by more than a minimal extent, by the refusal to renew the licence. <p>As we will be selling remotely. The majority of our sales would not be within the locality.</p> <p>* No alcohol will be sold on-site</p> <p>* All sales will be from orders placed online, via the telephone or by mail order.</p> <p>* Those sales will be dispatched from 3rd Party Logistics Warehouse</p> <p>* Our principle business is supplying restaurants and fine wine stores, so our policy is to not undercut our trade customers. So our intention is to price our products above market price as to not compete with said customers</p> <p>*Current retail price list attached</p>	<p>Yes / No— #.....</p>
<p>For Licence Renewal Only: Describe any conditions of the licence the applicant seeks to vary or cancel: <i>To be filled in for each condition the applicant seeks to vary or cancel – attach additional pages as necessary</i></p> <p>No change of conditions sought.</p> <p>Terms of condition at present:</p> <p>Action sought: <input type="checkbox"/> Variation <input type="checkbox"/> Cancellation. If Variation, in what respect does the applicant seek to vary the condition?</p> <p>Full reasons for variation or cancellation:</p>	<p>Yes / No— #..... #..... #..... #.....</p>
<p>18. Attachments</p> <ul style="list-style-type: none"> When including attachments please number the hard copies, and in the first column circle 'Yes box and write the document number on '#.....') 	<p>Doc attached? Number.</p>
<p>A statement, or signed declaration, regarding the premises need for an evacuation scheme, as set out in section 100(d) of the Act for new applications, or section 127(e) of the Act for renewals. A copy of the 'Evacuation of Declaration Scheme' is available on the website.</p>	<p>Yes / No #.....</p>
<p>Please attach certificate to show that proposed use meets the requirements of the Resource Management Act 1991. Not required for renewal unless the business activity or type has changed since the last version.</p>	<p>Yes / No #.....</p>
<p>Copy of Building Compliance Certificate. Please attach certificate to show that the premises meet the requirements of Building Code 2004. Not required for renewal unless structural changes have been undertaken since the last issue or renewal.</p>	<p>Yes / No #.....</p>

Where the premises are a grocery store, the statement of annual sales revenue required by regulation 12 or 13 (as the case requires) of the Sale and Supply of Alcohol Regulations 2013.	Yes / No #.....
Where the premises are a grocery store or supermarket, a scale floor plan must be provided clearly defining the single alcohol area, or sub-area, and layout of the premises including entry/exit and checkouts.	Yes / No #.....
Where the premises are a bottle store or tavern off licence, a plan must be provided showing designations and the principal entrance.	Yes / No #.....
For body corporate applicant, please attach a copy of certificate of incorporation (or equivalent document). <i>Not required for renewal unless there have been changes since the last issue or renewal.</i>	Yes / No #.....
Advise if a Crime Prevention Through Environmental Design (CPTED) assessment has been undertaken or any improvements to the design and layout in accordance with CPTED. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, and if 'Yes' attach a copy. If 'No', discuss with the Licensing Inspector if you need to complete a CPTED checklist for this application (see HPA and the Ministry of Justice websites for more information).	Yes / No #.....
If premises owned by another party, please attach an owner's statement or copy of lease to show there is no objection from the owner to the issue of licence to this premise. Not required for a renewal unless the lease or ownership arrangements have changed.	Yes / No #.....

19. Further Details where Applicant is a Company

Include full details of each person who holds 20% or more of the shares, or of any particular class of shares, issued by the company.

Name: Richard Evan Klein	Address: 53 Puriri Road
Suburb: Waikanae	City: Waikanae
Postcode: 5036	Date of birth: 16 September, 1957
Place of birth: United States of America	Designation: 100% Shareholder
Name:	Address:
Suburb:	City:
Postcode:	Date of birth:
Place of birth:	Designation:
Name:	Address:
Suburb:	City:
Postcode:	Date of birth:
Place of birth:	Designation:
Are additional sheets attached? Yes No - Doc number #.....	

20. Further Details where Applicant is a Partnership

Name:	Address:
Suburb:	City:
Postcode:	Date of birth:

Place of birth:	Date:	Signature:
Name:	Address:	
Suburb:	City:	
Postcode:	Date of birth:	
Place of birth:	Date:	Signature:
Name:	Address:	
Suburb:	City:	
Postcode:	Date of birth:	
Place of birth:	Date:	Signature:
Are additional sheets attached? Yes / No - Doc number #.....		

21. Signature of Applicant (this must be signed by applicant not their agent)

I authorise New Zealand Police to disclose any personal information it considers relevant to my application to the Medical Officer of Health and/or the Licensing Inspector for the purpose of assessing my suitability.

Name: Cameron Blair Fryer, General Manager Artigiano Imports

Date: 10 February, 2025

Signature:



Dated at location: 1 Dominica Crescent, Grenada Village Wellington.

Privacy Statement

Information contained in your application and any supporting information will be held by Kapiti Coast District Council to enable your application to be processed under the Sale and Supply of Alcohol Act 2012. This information will be made available to the public on request. The information will be provided to the Kapiti Coast District Licensing Committee, the NZ Police, the Medical Officer of Health and Council's Licensing Inspectors. This information may form part of a public hearing of your application before the Kapiti Coast District Licensing Committee and may be used in the Committee's decision for your application. Decisions will be made publically available.

Council is required to keep a statutory register of all applications and the District Licensing Committee's decisions on them. Council is required to report statistics about applications to the Alcohol Regulatory and Licensing Authority. Any member of the public may request access to this information under the Local Government Official Information and Meetings Act 1987. This information may also be used under the Privacy Act 1993. You have the right to see and correct personal information that Council holds about you.

Method of payment (must be made at time of application)

- I have paid at a Kāpiti Coast District Council Service Centre when I delivered this application.
- I have paid by electronic transfer (Council Bank Account Number: 03-0732-0306101-00) and quoted my name and "alcohol" in the reference fields; and
 - I have included proof of electronic payment with this application.
- I have enclosed a cheque with this form.

How I would like to receive my alcohol licence (please select one only)

- I will collect my alcohol licence – please contact me when it is ready by Phone or Email
- OR
- Please post my alcohol licence to me.

Next Step: Once your application is complete, if you would like to make an appointment for an optional pre-lodgement meeting with the Licensing Inspector then please Telephone (04) 296 4700 or Toll Free: 0800 486 486.

- 1 This form must be accompanied by the prescribed fee.
- 2 This form must be accompanied by the required attachments (refer Points 19 or 20).
- 3 Within 20 working days after filing your application with the District Licensing Committee (or 10 working days if it is an application for renewal), the application must be publically notified. The public notice template will be provided on receipt of your application by the Alcohol Licensing Team.

For Office Use: Application Fee Risk Categories

Very Low

High

Low

Very High

Medium

Application Fee Payable: \$ _____ Signature of Licensing Inspector _____

Name of Licensing Inspector _____ Date: _____

Guidance for Completing Off-Licence Application/Renewal Form

Background

The object of the Sale and Supply of Alcohol Act 2012 is that the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

It is a legal requirement of the Sale and Supply of Alcohol Act 2012 that you must have a licence before you can sell or supply alcohol.

Before lodging application

Once this application is complete then you must ring and make an appointment for a pre-lodgement meeting with the Licensing Inspector. Please Telephone (04) 296 4700 or Toll Free: 0800 486 486. The application forms cannot be accepted by the DLC over the counter until they have been signed off as complete by the Inspector and a fee category has been calculated.

You should also apply for certificate of compliance with the Resource Management Act and the Building Act from the Kapiti Coast District Council.

Completing your application		Who should complete which fields
1	Type of Application	All applicants to complete.
2	Endorsements	Only complete if you are <u>only</u> seeking a licence for use as an Auctioneer, or for remote sales (the 'sale for delivery', or 'sales from a distance').
3	Details of Applicant	All applicants to complete. If a company takes profits must apply in company name.
4	Applicant Status	All applicants to complete.
5	For Applicant that is Natural Person(s)	Only complete if applicant is a natural person. A natural person is an individual.
6	For Applicant that is Body Corporate	Only complete if applicant is a body corporate.
7	For Applicant that is <u>not</u> a Natural Person(s)	Only complete if applicant is a body corporate, partnership, private company or public company.
8	Postal Address for Service	All applicants to complete.
9	Business Details	What is your principal business? For example supermarket/ bottlestore/grocery store.
10	Criminal Convictions	All applicants to complete.
11	For a Company full legal names of directors	Only complete if applicant is a public or private company.
12	For a Private Company	Only complete if applicant is a private company incorporated under the Companies Act 1983.
13	For a Partnership	Only complete if applicant is a partnership.
14	Details of Premises	All applicants to complete.
15	Details of Duty Manager(s)/Proposed Managers	All applicants to complete. If more than two, please attach separately.
16	Business Details	All applicants to complete.

17	Conditions	All applicants to complete.
18	Attachments	All applicants to complete.
19	Further Details where Applicant is a Company	Only complete if private or public company.
20	Further Details where Applicant is a Partnership	Only complete if a partnership.
21	Signature of Applicant	All applicants to complete.

After your Application is Lodged

Public Notices

You are responsible for giving notice in the Kapiti Observer or Kapiti News within 20 working days of the Council formally accepting your application (or 10 working days if it is an application for renewal) and the Council will send you a template to complete this, along with further information. Unless notified otherwise by a Licensing Inspector, the notice must be published twice and there must not be less than five days and not more than 10 days between the two dates of publication. The notices must be worded according to Form 7 (and in compliance with regulations 36, 37 and 38 of the Sale and Supply of Alcohol Regulations 2013). A Form 7 notice must also be displayed in a conspicuous place on the premises or conveyance to which this application relates for 10 days from the first newspaper notification.

Fire Evacuation Statement

This statement must be accompanied with all new or renewal applications for on-licence (including BYO licences), off-licence, special and club licences in accordance with section 100 and 127 of the Sale and Supply of Alcohol Act 2012.

1. Applicant details

Premises name: *Artigiano Imports Ltd, 53 Puriri Road Waikanae, 5036*

Applicants name:
(Individual or Company) *Artigiano Imports Limited*

Premises address: *53 Puriri Road Waikanae, 5036*

Contact phone: Home: Mobile: 021 0699070

Contact email: *blair@artigianoimports.co.nz*

2. Fire evacuation scheme

Most commonly a building requires an evacuation scheme because it is used for the following purposes:

- The gathering together, for **any purpose of 100 or more persons:**
- Providing **employment facilities for 10 or more persons:**
- Providing **accommodation for more than 5 persons** (other than in 3 or fewer household units):
- **Storing or processing hazardous substances in quantities exceeding the minimum amounts** prescribed in Schedule 3 of the Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018.

See Fire and Emergency New Zealand Act 2017 section 75 and 76 for further information.

*If you are unsure that the building has or requires an approved evacuation scheme, check with the **building owner**. For the requirements of an evacuation scheme or to apply for an evacuation*

scheme, refer to Fire and Emergency New Zealand web site. www.fireandemergency.nz or Contact Fire and Emergency New Zealand, wellingtondistrict-rteams@fireandemergency.nz.

Statement

I hereby state that (tick one):

the **owner** of the building in which the premises are situated provides and maintains an evacuation scheme as required by section 76 of the Fire and Emergency New Zealand Act 2017;

OR

because of the building's current use, its owner is not required to provide and maintain such a scheme;

OR

because of the nature of the building, its owner is exempt from the requirement to provide and maintain such a scheme.

NOTE:

If an approved evacuation scheme is not required, the building must have evacuation procedures that meet Part 1 of the Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018 – this does not require approval by Fire and Emergency New Zealand.

Name: Blair Fryer

Signature:



Date: 10 February, 2025

Submitting applications

Email completed forms to: licence.application@kapiticoast.govt.nz

Post to:

Alcohol Licensing Team

Kāpiti Coast District Council

Private Bag 60601

Paraparaumu 5254

or deliver to:

Kāpiti Coast District Council

175 Rimu Road

Paraparaumu

OFF-LICENCE

Sections 17 to 20, 40 and 64, Sale and Supply of Alcohol Act 2012

Artigiano Imports Limited Licence Number 45/OFF/035/2022

Pursuant to the Sale and Supply of Alcohol Act 2012 (the **Act**), Artigiano Imports Limited (the licensee) is authorised to sell alcohol from the premises situated at 53 Puriri Road, Waikanae and known as Artigiano Imports, to any person for consumption off the premises.

Endorsement

Section 40 of the Act applies to this licence; and 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:

1. The remote sale of alcohol may be made at any time on any day.
2. Alcohol may only be delivered Monday to Sunday between the hours of 6am and 11pm.
3. No alcohol is to be delivered on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day.
4. All deliveries of alcohol must be signed for by a person aged 18 years or over.
5. Internet ordering of alcohol must require the buyer to declare in two places that they and the recipient of the alcohol are both over 18 years of age.
6. The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed.
7. The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the safe and responsible consumption of alcohol, and minimising alcohol related harm.
8. A copy of, or a link to, the licence must be prominently displayed on the website.

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 Paraparaumu on 12 October 2022



Secretary
Kapiti Coast 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, the licence expires on:

9 March 2025

Note: This Licence replaces licence number 45/OFF/019/2021 issued by Kapiti Coast District Licensing Committee

Decision No: 45/035/2022

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012
(the Act)

AND

IN THE MATTER

of an application by Artigiano Imports Limited
for renewal of an Off Licence pursuant to
section 127 of the Act in respect of premises
situated at 53 Puriri Road, Waikanae known
as Artigiano Imports.

BEFORE THE KAPITI COAST DISTRICT LICENSING COMMITTEE

Chairperson: Rob McCann

DECISION (ON THE PAPERS)

This is an application by Artigiano Imports Limited for the renewal of an Off Licence endorsed under section 40 of the Act in respect of premises situated at 53 Puriri Road, Waikanae, known as Artigiano Imports.

The general nature of the business to be undertaken is that of a remote seller. This application relates to the renewal of the licence first issued on 9 March 2021.

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

I am satisfied as to the matters to which we must have regard as set out in section 131 of the Sale and Supply of Alcohol Act 2012. Accordingly I deal with the matter on the papers.

DECISION

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012, approves the application by Artigiano Imports Limited for the renewal of the Off Licence endorsed under section 40 of the Act for premises situated at 53 Puriri Road, Waikanae, trading as Artigiano Imports. This licence will issue for the period of three years from the date of expiry of the last issue or renewal of this licence and is subject to standard conditions.

The licence may issue immediately.

DATED at Paraparaumu on 10 October 2022.



Rob McCann
Chairperson
Kapiti Coast District Licensing Committee

Sale and Supply of Alcohol Act 2012

INSPECTOR'S REPORT

File Reference: OFF878

INSPECTOR: Antoinette Bliss
DATE: 2 October 2022

Application Type:	OFF Licence
Section of Act:	Section 100, Sale and Supply of Alcohol Act 2012
Date of Application:	12th January 2021
Applicant:	Artigiano Imports Limited
Address:	53 Puriri Road, Waikanae
Premises Trading Name:	Artigiano Imports Limited
Principal Purpose:	Remote Sales

APPLICATION

Artigiano Imports Limited has made an application under section 100 of the Sale and Supply of Alcohol Act 2012 (the Act), for an Off Licence pursuant to section 100 of the Act, to sell alcohol for consumption off the premises, situated at 53 Puriri Road, Waikanae, and known as Artigiano Imports.

The applicant proposes to undertake remote sales only and, therefore, seeks an endorsement of the licence under section 40 of the Act.

PREMISES DESCRIPTION/BACKGROUND

The applicant imports Italian wines directly from the winegrowers in Italy, which will be sold direct to the public via online ordering. The applicant currently supplies wholesale to restaurants and fine wine stores.

The premises meet the criteria under sections 32 to 36 of the Act for the kinds of premises that can hold an Off Licence, as the general nature of the premises is that of a non-retail premises where a minimum of 85% of the revenue is from remote sales of alcohol, the principal business being the sale of wine.

The premises are owned by the director/shareholder of the applicant company and no alcohol will be stored on the premises. The wine is imported from Europe, stored in a

warehouse in Seaview, Lower Hutt and will be distributed direct to customers who have placed an order through the website www.artigianoimports.co.nz.

The application falls within the low cost/risk rating under sections 5 to 7 of the Sale and Supply of Alcohol (Fees) Regulations 2013, in that it is an Off licence for remote sales. The corresponding fee for the application was \$609.50 and the annual fee payable before issue of the licence is \$391.00.

BUILDING AND PLANNING MATTERS

Pursuant to section 100(d) of the Act, the application is accompanied by a statement by the applicant (dated 21 December 2020 and confirmed by an Authorised Fire Safety officer) that because of the nature of the building, its owner is exempt from the requirement to provide and maintain such a scheme as per section 76 of the Fire and Emergency New Zealand Act 2017.

Pursuant to section 100(f) of the Act, a certificate is attached to the application, dated 9 November 2020, stating that the proposed use of the premises meets the requirements of the Resource Management Act 1991.

Pursuant to section 100(f) of the Act, a certificate is attached to the application, dated 8 September 2020, stating that the proposed use of the premises meets the requirements of the Building Code.

NOTIFICATION

The application was publicly notified twice in the Kapiti Observer on 4 February 2021 and 11 February 2021 respectively.

Copies of these notices have been perused, are accurate, and are held on file. A notice of application was placed on the site in accordance with section 101(a) of the Act.

OBJECTIONS

The District Licensing Committee Secretariat did not receive any objections to the application in accordance with section 102 of the Sale and Supply of Alcohol Act 2012.

STATUTORY CRITERIA

THE OBJECT OF THE ACT

- *The sale, supply and consumption of alcohol should be undertaken safely and responsibly*
- *The harm caused by the excessive or inappropriate consumption of alcohol should be minimised*

HOST RESPONSIBILITY

The premises have a comprehensive host responsibility policy (a copy is attached to the application).

Signage

- The requirement to display the licence and prohibited persons signage on the premises (sections 56 and 57) does not apply to Off licences endorsed under section 40.
- The requirements to display the licence under Sale and Supply of Alcohol Regulations 2013 15(1) will be met when the internet site is live.

Alcohol to be sold

- The applicant imports Italian Wines, the intention of the online sales is not to undercut current trade customers.
- Tastings of alcohol are not offered on the premises.

Promotion

- Promotion will be done through social media, internet and word of mouth.
- The applicant advises the premises will not engage in unacceptable promotions.

Mechanism of selling alcohol

- The applicant will conduct online sales in accordance with the requirements for remote sales.
- Phone enquiries are handled in accordance with the requirements for remote sales.
- Mail orders are handled in accordance with the requirements for remote sales.

Delivery

- Via a courier company during hours outlined.
- Signature required from a person 18+ and the courier company are under instruction not to not leave packages.

Conditions and Undertakings

- The applicant agreed to the following condition be added to their licence and undertaking in an email dated 22 February 2022 (held on file)

Additional condition

- All deliveries of alcohol must be signed for by a person aged 18 years or over.

Undertaking

- That you have read and understood The Sale and Supply of Alcohol Act 2012 and The Sale and Supply of Alcohol Regulations 2013 requirements that need to be met to sell alcohol remotely. Remote sellers use the internet (includes social media), telephone, mail or other means to sell and deliver alcohol to a person who is not at the premises.
- That you will undertake to implement the systems required for remote sellers as outlined below in regards to the "internet" and advise Alcohol Licensing Inspector when complete, prior to undertaking any sale of alcohol by this method. The Alcohol Licensing Inspector will complete a check.

Inspection:

While an inspection of the premises was not considered necessary as no direct sales take place on the premises, an inspection of the website and social media was conducted and ongoing discussions have been held with the applicant around the following:

- **Internet site**
 - *Reasonable steps to verify that minors are not purchasing alcohol*
 - Section 14(a) and (b) comply (refer attachments with application material).
 - *Information to be provided by remote sellers*
 - Section 15(1) and (3) comply (refer attachments with application material).
- **Telephone order**
 - The applicant confirmed that procedure in section 14(3) is complied with.
- **Physical order form**
 - The Applicant advised they do not use physical order form for ordering, customers are directed to website.

Given the nature and price of the products available for sale, in my opinion, the risk of minors attempting to make a purchase is low.

Conclusion:

The applicant has provided adequate information and documentation to demonstrate that suitable measures are being undertaken to ensure the responsible sale of alcohol, and that harm will be minimised.

SUITABILITY OF THE APPLICANT

The applicant is a private company, duly incorporated under the Companies Act 1993 on 1 February 2001 (reference no. 1111916).

The company has one director and shareholder, Richard Evan Klein.

Richard Klein has a long experience in hospitality, he co-owned and ran Maria Pia's Trattoria in Wellington from 2001 through to 2011, during which time he held a General Managers Certificate from the Wellington City Council. Artigiano Imports was founded in 2004 by Mr Klein. He initially began importing Italian wine for his restaurant. Since he sold the restaurant he has continued to build the business and now has customers across New Zealand. The majority of the customers are restaurants and wine bars. Artigiano Imports has become the leading importer for high quality Italian wines with a speciality in organic & natural wines.

Artigiano Imports is a team of just two people. In 2020 Richard hired Blair Fryer as Operations Manager. Richard is the owner and director of Artigiano Imports. His day to day role is sales management, marketing and directing the strategic development of the company. Blair Fryer's role as Operations Manager is administration, accounts, sales support and logistics.

Based on my discussions with the applicant, my inspection of the premises, the supplementary documentation accompanying the application, and the reports filed, it is my

opinion that the applicant is aware of their responsibilities under the Act, and is suitable to operate under the licence.

LOCAL ALCOHOL POLICY

The Kapiti Coast District does not have an adopted and operative Local Alcohol Policy at the present time.

DAYS AND HOURS DURING WHICH THE APPLICANT PROPOSES TO SELL ALCOHOL

Holders of licences endorsed under section 40 are exempt from the restrictions as to trading hours contained in sections 46 and 48 of the Act. Therefore, the applicant proposes to sell alcohol on the following days and during the following hours:

- At any time on any day

However, in relation to delivery of alcohol by holders of licences endorsed under this section, delivery is subject to the restrictions contained in section 48 which relate to the sacrosanct days and those set out in section 59 with regard to times.

Therefore, deliveries must not be made:

- Between 11pm and 6am
- Anytime on Good Friday, Easter Sunday, Christmas Day
- Before 1pm on Anzac Day

The premises are zoned Residential and rules and standards around 'home occupation' under the Kapiti Coast Proposed District Plan Appeals Version 2018 apply. The applicant advises that all deliveries take place from a warehouse in Seaview, Lower Hutt.

DESIGN AND LAYOUT OF THE PREMISES

The premises are a residential dwelling, owned and inhabited by Mr Klein who conducts the online sales business.

No Crime Prevention through Environmental Design (CPTED) assessment of the premises has been undertaken by the applicant. Such an assessment is not considered necessary as no alcohol is kept on the premises and no customers visit the premises.

DESIGNATIONS

No designation is required as customers do not visit the premises.

THE SALE OF GOODS AND THE PROVISION OF OTHER SERVICES

The applicant is not engaged in, and does not propose to engage in, the sale of goods or the provision of services other than those directly related to the sale of alcohol.

AMENITY AND GOOD ORDER OF THE LOCALITY

The following areas have been considered with respect to the amenity and good order of the locality and the effect of the licensed premises:

Current and possible future levels of noise, nuisance and vandalism:

Customers do not visit the premises as no alcohol is kept on the premises. Therefore, there is no potential for noise, nuisance or vandalism issues to arise.

Sensitive uses/activities:

There are no sensitive uses or activities located within 500 metres of the premises which could be impacted by the granting of the licence.

The number of premises for which the same kind of licences are already held:

There are no other licensed premises within 500 metres of the premises.

Conclusion:

Considering all of the above, in my opinion, the amenity and good order of the locality would not be likely to be reduced, by more than a minor extent, by the granting of this licence.

SYSTEMS, STAFF AND TRAINING

The applicant has provided the following supporting information:

Staff training and development plan:

Under section 212 of the Act, every holder of an Off licence must appoint a manager. However, under section 215(1)(c), the requirement to have a manager on duty at all times when alcohol is being sold does not apply to premises for which an Off licence endorsed under section 40 is held.

One employee has formal manager's qualifications and training:

Manager's Name	Certificate Number	Expiry Date
Cameron Blair Fryer	45/CERT/902/2021	16 February 2022

There are no additional staff involved in the sale of alcohol.

Monitoring systems:

To comply with section 59 and regulation 14 of the Act, the applicant is taking reasonable steps to verify that the buyer of any alcohol via the site, and the receiver of the alcohol, is at least 18 years of age (as discussed earlier in this report).

Sections 56 and 57 of the Act regarding the display of licence and signage on the premises do not apply to Off licences endorsed under section 40.

A review of the supporting information demonstrates that the applicant has appropriate systems, staff and training to meet the requirements of the Act.

REPORTS FROM OTHER AGENCIES

The NZ Police have inquired into the application, and do not oppose the granting of the licence. A copy of the report, dated 4 February 2021, is attached to the application.

The reporting Officer for the Medical Officer of Health has inquired into the application, and does not oppose the granting of the licence. A copy of the report, dated 18 February 2021, is attached to the application.

RECOMMENDATION

Having regard to the particulars of the application and the relevant statutory criteria under the Act, I do not oppose the application, and recommend that the licence be renewed for a period of three years.

I do not recommend any additional discretionary conditions be imposed on the licence.



Antoinette Bliss
Licensing Inspector
Kāpiti Coast District Council

Attachment 1: Plan of licensed area

Attachment 1: Plan of licensed area



Donna Want

From: Blair Fryer <sales@artigianoimports.co.nz>
Sent: Wednesday, 12 February 2025 10:32 pm
To: Mailbox - Licence Application
Subject: Re: Artigiano Imports Liquor Licence Renewal

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Donna,

Thanks for bringing this up, we aren't seeking any changes. I wrote that as that was is when the couriers normally deliver as they go by business hours. But there is no variation needed.

Please keep it as per the current licence.

*The remote sale of alcohol may be made at any time on any day.
Alcohol may only be delivered Monday to Sunday between the hours of 6am and 11pm.*

Kind regards,

Blair Fryer
General Manager
Artigiano Imports

0210699070
blair@artigianoimports.co.nz



On 12 Feb 2025, at 12:11 PM, Mailbox - Licence Application <licence.application@kapiticoast.govt.nz> wrote:

Hi Blair,

Thank you for your application to renew your Off-licence. Would you please clarify your Delivery hours as your application differs from the current licence, which allows the following for remote sales:

- Online sales only - 24 Hours 7 Days a week
- Delivery only - Monday to Sunday 6am to 11pm – you have shown “Deliveries Monday to Friday 9am – 6pm (using Freightways couriers)”

Would you please advise if you wish to change the current licenced hours; as if so, you will need to apply for a variation.

Kind regards

Donna Want
Regulatory Services Support Officer
Te Kai Maangai Whakaanga Kiritaki

Tel 04 296 4700

From: Blair Fryer <sales@artigianoimports.co.nz>
Sent: Tuesday, 11 February 2025 4:31 pm
To: Mailbox - Licence Application <licence.application@kapiticoast.govt.nz>
Cc: Antoinette Bliss <Antoinette.Bliss@kapiticoast.govt.nz>; Richard Klein <info@artigianoimports.co.nz>
Subject: Artigiano Imports Liquor Licence Renewal

Kia Ora,

Please find attached our application for the renewal of our Remote Sales Off Licence and Fire Evacuation form.

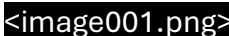
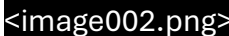
We were invoiced twice (Inv. 191552 & Inv191545) for the renewal and as a result payment was made twice. This was confirmed by Donna Want and she has said that a refund for one of the payments will be made (I have attached both payments).

Please advise if we are missing anything.

Kind Regards,

Blair Fryer

General
Manager
Artigiano
Imports

 0210699070
 blair@artigianoimports.co.nz

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