

## ŌTOROHANGA DISTRICT LICENSING COMMITTEE

**Decision** 018/0566

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

**AND**  
**IN THE MATTER** of an application by  
Fen and Field Distillery Limited  
for the renewal of an off-licence in respect of the  
premises at 756 Te Kawa Road, Ōtorohanga  
known as Fen and Field Distillery

### DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The off-licence 018/OFF/003/24 endorsed for the remote sale of alcohol by using an internet site (pursuant to section 40) in respect of the premises situated at 756 Te Kawa Road, Ōtorohanga and trading as Fen and Field Distillery is renewed for a further period of 3 years.
2. The present conditions of the licence are replaced as follows:
  - (a) Alcohol may be sold at any time, on any day, while trading solely as a remote seller.
  - (b) Alcohol must not be delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day, or between 11:00pm and 6:00am the following day.
  - (c) Alcohol sales are limited to only those manufactured by Fen and Field Distillery Limited.
  - (d) The licensed premises is described in the plan date stamped as received by the District Licensing Committee on 3 June 2025.
  - (e) The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age, and that the receiver (where present) is not intoxicated.
  - (f) The outside of the delivery package must contain a label with the following words:  
CONTAINS ALCOHOL - Do not leave at destination without proof of delivery.
  - (g) A copy of the licence must be displayed on the Fen and Field Distillery Limited internet site in a prominent place.
  - (h) Every receipt for the sale of alcohol by remote sale must contain the licence holder's name, licence number and the date on which the licence expires.

## **REASONS**

1. This is an application by Fen and Field Distillery Limited for the renewal of an off-licence endorsed for the remote sale of alcohol by using an internet site in respect of the premises situated at 756 Te Kawa Road, Ōtorohanga known as Fen and Field Distillery. Fen and Field Distillery Limited sell gin via the Fen and Field Distillery Limited website.
2. The application was publicly advertised, and no objections were received. The Licensing Inspector, Police and Medical Officer of Health have provided reports and do not oppose the application. Accordingly, the matter is decided on the papers (s 134).
3. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4).
4. In deciding to renew an off-licence endorsed for the remote sale of alcohol by using an internet site, the licensing committee must have regard to sections 40, 49, 59, 105 and 131 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
  - a) Is the applicant suitable?
  - b) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
  - c) Is the design and layout of the premises suitable?
  - d) Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?
  - e) Does the applicant have appropriate systems, staff and training to comply with the law?
  - f) Have the police, inspector and medical officer of health raised any relevant considerations?
  - g) Will the amenity and good order of the locality be increased by more than a minor extent by the effects of a refusal to renew the licence?
  - h) Has the applicant sold, displayed, advertised, or promoted alcohol in a responsible manner?
  - i) Does the application comply with the Ōtorohanga District Local Alcohol Policy?

### **Should the licence be renewed?**

5. The licensing committee is satisfied that Fen and Field Distillery Limited is a suitable applicant to hold an off-licence endorsed for the remote sale of alcohol by using an internet site. The company is owned by a married couple with Emily De Visser working full time in the business and managing all the on-line sales. Emily is the sole director and holds a Manager's Certificate.
6. Under the Act the holder of a licence endorsed for remote sales can sell alcohol at any time (section 49). However, alcohol cannot be delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day, or between 11.00pm and 6.00am the following day.
7. The licensing committee is satisfied that Fen and Field Distillery Limited employs a certificated duty manager who is qualified to ensure that all remote sales of alcohol comply with the Act. The distillation process and alcohol products will be stored at the premises and in the shed. This is a rural property and there is no signage advertising alcohol on site. The licensing committee is satisfied that the design and layout of the premises is suitable for a remote sale operation.

8. The application complies with the Ōtorohanga District Local Alcohol Policy.
9. Under Section 18(1) of the Act, the holder of an off licence is entitled to sell alcohol on or from the premises the licence is issued for and deliver it somewhere else. The remote sale conditions reiterate the provisions in sections 18 and 49 of the Sale and Supply of Alcohol Act 2012 and regulations 14 and 15 of the Sale and Supply of Alcohol Regulations 2013 in a general sense. Remote sale conditions are included in the licence as a reminder about general obligations when providing this service.

**Conclusion**

10. Therefore, the application for an off-licence is granted.

Dated this 4th day of July 2025



Tegan McIntyre  
Commissioner  
Ōtorohanga District Licensing Committee