

Decision number: 17/OFF/003/2020

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

AND

IN THE MATTER of an application by **THE
FAMILY GROCERS
LIMITED** pursuant to Section
100 of the Act for the grant of
an OFF Licence in respect of
premises situated at 143
Balmoral Avenue, Tokoroa
known as "**BALMORAL
FOUR SQUARE**"

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

The Application

This is an application by The Family Grocers Limited for the grant of an OFF Licence in respect of premises situated at 143 Balmoral Avenue, Tokoroa known as "Balmoral Four Square.

The applicant has been operating under a Temporary Authority for some time

The general nature of the business is said to be that of a grocery store, and verified annual sales revenue figures have been provided.

The days and hours sought are: **Monday to Sunday 7.00am to 10.00pm**. These are within the default national maximum trading hours for off licences of 7am to 11pm.

The business is a medium-sized, open-plan, Four Square franchised store with rows of shelves holding food products and other household goods. There is a well-defined single alcohol area.

The application was notified in the South Waikato News on the 24th of June and the 8th of July 2020 and no objections were received from members of the public.

The applicant has submitted sales figures for 12 months that indicate that the principal revenue source (35%) is the sale of food products.

Planning and Building certificates have been sought and granted for this activity.

Neither the Police nor the Medical Officer of Health opposes the granting of this licence.

REASONS FOR THE DECISION

The application is complete and contains all the necessary considerations as required under s.100 of the Act. It was duly advertised and no objection, matters in opposition or any notice of desire to be heard has been received.

The agencies appear to be satisfied that this business will continue to be a grocery store.

Two certificated managers are currently attached to the business and others are in training. A certificated manager must be on duty at all times when the store is open for the sale and supply of alcohol.

The Committee is satisfied that the business is a grocery store and has a compliant Single Alcohol Area (SAA).

Accordingly, I am satisfied that the matters to which we must have regard as set out in s.105 & 106 and s.112-114 of the Act.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by **The Family Grocers Limited** for an OFF Licence in respect of premises situated at 143 Balmoral Avenue, Tokoroa known as “Balmoral Four Square” subject to conditions.

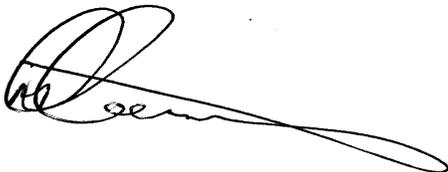
Conditions:

The licence is subject to the following conditions:

1. Alcohol may be sold on the premises for consumption off the premises and supplied free as a sample for consumption on the premises, only on the following days and hours: **Monday to Sunday 7.00am to 10.00pm;**
2. No alcohol is to be sold on or delivered from the premises on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on Anzac Day
3. No alcohol may be sold other than –

- a. beer that complies with the appropriate New Zealand food standard for beer; or
 - b. mead that complies with the appropriate New Zealand food standard for mead; or
 - c. fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - d. grape wine that complies with the appropriate New Zealand food standard for grape wine; or
 - e. a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted;
4. While alcohol is being supplied free as a sample, water is to be provided to patrons at no cost from a water supply prominently situated on the premises;
 5. A properly appointed Certificated, or Acting or Temporary, Manager must be on duty, at or nearby the point of sale, at all times when the premises are open for the sale and supply of alcohol.
 6. The Licensee must display signage as follows:
 - a. At every point of sale signage detailing the restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - b. A copy of the licence attached to the inside of the premises so as to be easily read by people entering each principle entrance to the premises; and
 - c. A sign prominently displayed at the premises, which identifies by name the manager for the time being on duty.
 7. **The “single alcohol area” for the premises is as described on the plan date stamped 16 June 2020.** The licensee must ensure that:
 - a. No alcohol is displayed, promoted or advertised outside the single alcohol area; and
 - b. No products other than alcohol, low-alcohol and non-alcoholic beer, wine or mead are displayed, promoted or advertised inside the single alcohol area.

DATED at TOKOROA this 13th day August 2020



Murray Clearwater
Chairperson/Commissioner
South Waikato District Licensing Committee