

Decision number: 17/OFF/001/2021

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

AND

IN THE MATTER of an application by
**GENERAL DISTRIBUTORS
LIMITED** pursuant to Section
127 of the Act for the renewal
of an OFF Licence in respect
of premises situated at 39-47
Torphin Crescent, Tokoroa
known as '**COUNTDOWN
TOKOROA**'

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

The Application

GENERAL DISTRIBUTORS LIMITED pursuant to Section 127 of the Act for the renewal of an OFF Licence in respect of premises situated at 39-47 Torphin Crescent, Tokoroa known as '**COUNTDOWN TOKOROA**'.

The general nature of the business is that of a Countdown franchised store of over 1000 square metres with aisles, trolleys and carry baskets. It stocks a full range of food products and other household goods.

The current hours are **Monday to Sunday 7.00am to 10.00pm**. No changes are sought.

The application was notified in the South Waikato News on the 31st of March 2021 and 7 April 2021 and no objections were received from members of the public.

The alcohol is displayed in a single alcohol area (SAA) in part of the store away from main thoroughfares and away from direct access to the checkouts. The SAA is identified in the refreshed plan dated the 13th of April 2021.

Neither the report of the Police nor that of the Medical Officer of Health oppose the renewal of this licence.

REASONS FOR THE DECISION

The application is complete and contains all the necessary documentary evidence as required under s.127 of the Act and its regulations. It was duly advertised, and no public objection or opposition was received.

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

The Committee is satisfied that the business is that of a supermarket and now has a well-defined Single Alcohol Area. We are satisfied that this SAA limits exposure of alcohol to shoppers as far as reasonably practicable.

Overall, I am satisfied as to the matters to which we must have regard as set out in s.112-115, 131 of the Act.

We apologise for the delays in bringing this renewal to completion.

Accordingly, I deal with the matter on the papers.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by **GENERAL DISTRIBUTORS LIMITED** for the renewal of an OFF Licence in respect of premises situated at 39-47 Torphin Crescent, Tokoroa known as '**COUNTDOWN TOKOROA**' subject to conditions.

Conditions:

The licence is subject to the following conditions:

1. Alcohol may be sold on, or delivered from, 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 –

- i. beer that complies with the appropriate New Zealand food standard for beer; or
 - ii. mead that complies with the appropriate New Zealand food standard for mead; or
 - iii. fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - iv. grape wine that complies with the appropriate New Zealand food standard for grape wine;
 - v. or 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. The Licensee must have available for purchase on 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 or nearby the point of sale, at all times when the premises are open for the sale and supply of alcohol.
7. The Licensee must display signage as follows:
 - i. At every point of sale detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - ii. 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
 - iii. A sign prominently displayed at the premises, which identifies by name the manager for the time being on duty.
8. The “single alcohol area” for the premises is as described on the plan attached at Appendix 'A' to this decision. The licensee must ensure that:
 - i. No alcohol is displayed, promoted or advertised outside the single alcohol area; and
 - ii. No products other than alcohol, low-alcohol and non-alcoholic beer, wine or mead are displayed, promoted or advertised inside the single alcohol area.

A renewal will be for three (3) years from the expiry date of the current licence and a replacement Licence is to issue.

DATED at TOKOROA this 13th day of July 2023

A handwritten signature in black ink, appearing to read 'Murray Clearwater', with a long, sweeping tail.

Murray Clearwater
Chairperson/Commissioner
South Waikato District Licensing Committee