

Decision number: 17/OFF/005/2024

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
127 of the Act for the renewal
of an OFF Licence in respect
of premises situated at 143
Balmoral Drive, Tokoroa
known as '**FOUR SQUARE
BALMORAL DRIVE**'.

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

The Application

This is an application by **THE FAMILY GROCERS LIMITED** for the renewal of an OFF Licence in respect of premises situated at 143 Balmoral Drive, Tokoroa known as '**FOUR SQUARE BALMORAL DRIVE**'.

The applicant has been operating for 4 years now under this licence.

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

The current days and hours 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.

No changes are sought.

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 Waikato times and council's website from the 24th of July 2024 and no objections were received from members of the public.

The applicant has submitted sales figures for last 12 months that show that the sale of food products, at more than 44%, was the principal source of the store's revenue.

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.127 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 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.131 and s.112-114 of the Act.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by **THE FAMILY GROCERS LIMITED** for the renewal of the OFF Licence in respect of premises situated at 143 Balmoral Drive, Tokoroa known as **'FOUR SQUARE BALMORAL DRIVE'** 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 free of charge at the place where the samples are being supplied;
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 principal 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 11 July 2024.** 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 30th day September 2024



Murray Clearwater
Chairperson/Commissioner
South Waikato District Licensing Committee