

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

AND

IN THE MATTER of an application by KK Neel Limited pursuant to s.120 and s. 127 of the Act for a variation and renewal of an off licence in respect of premises situated at 150 Great South Road NGARUAWAHIA known as “Supervalue Ngaruawahia”.

BEFORE THE WAIKATO DISTRICT LICENSING COMMITTEE

Commissioner: Andrew Baker

DECISION

[1] I have before me an application by KK Neel Limited for the variation and renewal of an off licence in respect of premises situated at 150 Great South Road NGARUAWAHIA known as “Supervalue Ngaruawahia”.

[2] The application was made prior to the expiry of the underlying off licence.

[3] The nature of the business is that of a grocery store.

[4] The variation sought is to reduce the single alcohol area.

[5] Reports on the application were received from an Inspector, the Medical Officer of Health and the Police and offer no opposition.

[6] The application was duly advertised and did not attract any public objection.

[7] I am satisfied as to the matters which I must have regard as set out in s.105 of the Act, and I am satisfied that the application meets the purpose and object of the Act. Accordingly, I grant the applicant a renewal of the underlying off licence with the following conditions:

- (a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day.
- (b) 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 that complies with the appropriate New Zealand food standard for grape wine; or

- (v) a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
- (c) Alcohol may be sold while the premises are operating as a grocery store, but only on the following days and during the following hours:
Monday to Sunday 7.00am to 10.00pm
- (d) The area delineated on the attached plan, dated 28 February 2023, is the only area permitted for the display and promotion of alcohol.
- (e) Drinking water is to be freely available to customers immediately adjacent to any alcohol that is being supplied free as a sample on the premises.
- (f) The licensee must take the following steps to ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed:
- (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (g) The licensee must take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:
- (i) All staff will be trained in their responsibilities under the Act.
 - (ii) A sign shall be prominently displayed inside the premises, which identifies by name the manager on duty responsible for the management of the sale and supply of alcohol under the licence.
- (h) The sale or delivery of alcohol is authorised on the premises generally. The premises situated at 150 Great South Road, Ngaruawahia, are more precisely identified in a plan date stamped as received by the Waikato District Licensing Committee on 28 February 2023.

[8] The licence may issue for a period of three (3) years upon payment of any outstanding fee.

[9] I refer any party who wishes to appeal this decision or part of this decision to sections 154 through to 158 of the Act.

DATED at Auckland this 20th day of April 2023



A handwritten signature in black ink, appearing to read "A Baker".

Andrew Baker
Commissioner
Waikato District Licensing Committee