

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by Beard
Trading Limited for an off-
licence pursuant to s.100 of the
Act in respect of premises
situated at 4 Main Road TE
KAUWHATA known as "New
World Te Kauwhata".

DECISION OF THE WAIKATO DISTRICT LICENSING COMMITTEE

1] This is an application by Beard Trading Limited for an off-licence in respect of premises situated at 4 Main Road TE KAUWHATA, known as "New World Te Kauwhata".

2] The general nature of the business to be undertaken is that of a Supermarket. The application results from a change of licensee. The premises are currently operating under a temporary authority.

3] The application was advertised, and no objections have been received from members of the public. The Liquor Licensing Inspector, Police and the Medical Officer of Health have provided reports and do not oppose the application. Accordingly, the application is decided on the papers (s 202(1)).

4] 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). In deciding whether to issue a licence the District Licensing Committee must have regard to the criteria in s 105 of the Act. Therefore, the following questions within the framework of the purpose and object of the Act must be considered:

- 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) Will the amenity and good order of the locality be reduced to more than a minor extent by the effects of the issue of licence? Is the amenity and good order of the locality already so badly affected by the effects of the existing licenses that it is unlikely to be reduced further by the effects of the issue of the licence or is it desirable not to issue any further licenses?
- f) Does the applicant have appropriate systems, staff and training to comply with the law?
- g) Have the Police, Inspector and Medical Officer of Health raised any relevant considerations?

h) Does the application comply with the Waikato Local Alcohol Policy (LAP)?

Does Beard Trading Limited meet the criteria in section 105?

5] Having inquired into this application the Inspector is satisfied that the application complies with the Waikato LAP and is in keeping with the object and the requirements of the Act.

6] I am satisfied that Beard Trading Limited is a suitable entity to hold an off-licence. The director has extensive experience operating grocery stores around the Waikato region and is the holder of a Manager's Certificate. The proposed hours of operation are reasonable. The premises has a suitable design and layout to meet the requirements of the Act. It is well appointed and able to be monitored effectively by the staff of the premises and CCTV cameras.

7] I am satisfied that the grant of an off-licence to Beard Trading Limited will not have a negative effect on the good order of the locality. The business is an established operation and has operated as a supermarket from the current site since 2022. There have been no reports of noise or vandalism issues associated with the premises.

8] Beard Trading Limited has appropriate staff training procedures in place to ensure compliance with the Act. There is a pool of 10 duty managers listed with the application therefore there are sufficient Duty Managers responsible for ensuring compliance with the Act. The licensing committee will expect to see copies of staff training records with each renewal application.

Does the application contain an appropriate single alcohol area?

9] When issuing an off-licence for a supermarket, the Licensing Committee must impose a condition on the licence describing one area within the premises "as a permitted area for the display and promotion of alcohol" (section 112(2)). The single alcohol area must (so far as is reasonably practicable) "limit the exposure of shoppers in supermarkets ... to displays and promotions of alcohol" (section 112(1)). It may not be situated in an area "through which the most direct pedestrian route between the entrance to the premises and main body of the premises" or an area "through which the most direct pedestrian route between the main body of the premises and any general point of sale passes" (section 113(5)). No display or promotion of alcohol is permitted outside the alcohol area (section 114(1)(a)).

10] The Inspector reports that the single alcohol area is a u shaped area at the rear middle of the store. The central three aisles are partially closed off at the rear to form a single alcohol area (SAA) adjacent to the seafood and deli counters. The SAA is configured in a "U" shape, comprising three aisles and two shelving units. The end-of-aisle sections of the two shelving units are outside the SAA, which further limits the exposure of the alcohol displays to shoppers. The SAA can only be accessed from the rear of the supermarket concourse, adjacent to the seafood and deli counters.

11] I am satisfied that the single alcohol area is not in a prohibited area, and the location does limit the exposure of shoppers to displays of alcohol. Therefore, the application does contain an appropriate single alcohol area.

Remote sales

12] 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. Beard Trading Limited are reminded that, pursuant to regulation 14 of the Sale and Supply of Alcohol Regulations 2013, procedures must be put in place in any ordering process to ensure that persons purchasing alcohol are over the minimum purchase age and that any prospective receiver of alcohol (if sent to another person) is also over the minimum purchase age, once when first entering the site and again immediately before the sale of any alcohol is completed. In terms of regulation 15, Beard Trading Limited must also include on the internet site a legible image of the licence or a clearly identified link to such an image. On every receipt or in every catalogue the licence holder's name, the licence number and the expiry date of the licence must be printed.

Conclusion

13] I am satisfied as to the matters to which I must have regard as set out in s.105 and I grant the applicant an off-licence authorising the sale of alcohol, for consumption somewhere else, to deliver it somewhere else, and to supply alcohol free, as a sample, for consumption on the premises.

Conditions

14] The licence is subject to the following conditions:

- a) Alcohol may only be sold or supplied while trading as a supermarket on the following days and during the following hours:
Monday to Sunday, from 7.00am to 9.00pm.
- b) No alcohol may be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00pm on Anzac Day.
- c) 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; or
 - v. a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
- d) The area delineated on the attached plan is the only area permitted for the display and promotion of alcohol pursuant to section 112. A copy of the plan must be either displayed alongside this licence or available for viewing at the premises upon request.
- e) The entire premises is undesignated.

- f) Drinking water must be freely available to customers at the following places while alcohol is being supplied free as a sample on the premises:
 - In the body of the premises near where the samples are being provided.
- g) 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:
 - 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.
- h) The licensee must take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:
 - All staff will be trained in their responsibilities under the Act.
 - A sign shall be prominently displayed inside the premises, which identifies by name the manager on duty or of the person responsible for the management of the sale and supply of alcohol under the licence.
- i) The sale or delivery of alcohol is authorised on the premises generally. The premises situated at 6 Main Road, Te Kauwhata, are more precisely identified in a plan dated and stamped as received by the Waikato District Licensing Committee on **8 October 2026**.

DATED at Ngaaruawaahia on 09 October 2026



Tegan McIntyre
Commissioner
Waikato District Licensing Committee