

AND

IN THE MATTER

of an application by Kang Food Warehouse Limited for renewal of an off-licence pursuant to s.127 of the Act in respect of premises situated at 561 Horotiu Road TE KOWHAI known as “Four Square Te Kowhai”.

BEFORE THE WAIKATO DISTRICT LICENSING COMMITTEE

Commissioner: Andrew Baker

DECISION

[1] I have before me an application by Kang Food Warehouse Limited for a renewal of an off licence in respect of premises situated at 561 Horotiu Road, Te Kowhai known as “Four Square Te Kowhai”.

[2] The general nature of the business to be undertaken for the premises is that of a grocery store.

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

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

[5] 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 on 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 as the single alcohol area in the plan, dated 20 April 2023, is the only area permitted for the display and promotion of alcohol.
- (e) Drinking water must be freely available to customers within the designated single alcohol area and immediately adjacent to where the samples are being provided.
- (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 Unit 7, 561 Horotiu Road, Te Kowhai, are more precisely identified in a plan date stamped as received by the Waikato District Licensing Committee on 20 April 2023.
- (i) The whole of the premises is undesignated.

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

[7] 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 24th day of July 2024



Andrew Baker
Commissioner
Waikato District Licensing
Committee