

Decision number:

064-2023

**IN THE MATTER**

of the Sale and Supply of  
Alcohol Act 2012 (the Act)

**AND**

**IN THE MATTER**

of an application by  
**Trinity Foods Limited**  
pursuant to Section 100 of  
the Act for the grant of an  
OFF Licence in respect of  
premises situated at 24 Main  
Road, Franz Josef Glacier  
known as "Four Square  
Franz Josef"

**BEFORE THE WESTLAND DISTRICT LICENSING COMMITTEE**

**The Application**

This is an application by **Trinity Foods Limited** for the grant of an OFF Licence in respect of premises situated at 24 Main Road, Franz Josef Glacier known as "**Four Square Franz Josef**".

The business is that of a large grocery with aisles and carry baskets. It stocks a full range of food products and other household goods. The applicant has been trading under Temporary Authority for several months.

The days & hours sought are **Monday to Sunday 7.00am to 11.00pm**.

Recent sales figures have been provided that indicate that 61% of revenue is derived from the sale of food products.

Building and planning certificates have been sought and issued for this activity.

The application was publicly notified on council's website from the 2<sup>nd</sup> of May 2023 and no objections were received from members of the public.

**REASONS FOR THE DECISION**

The application is complete and contained all the necessary information and notifications as required under s.105-106 of the Act and its regulations. It was duly advertised, and no public objections were received.

There is to be a change to the layout of the Single Alcohol Area in October 2023. In our opinion the exposure of alcohol to shoppers will continue to be limited as far as is reasonably practicable and the revised layout is depicted in the new plan dated 12 April 2023.

The reports from the Police and the Medical Officer of Health carry no matters in opposition.

We grant a waiver for the late public notification that should have been notified within 20 working days of filing the application.

No designation is required as the principal activity is other than the sale, supply and consumption of alcohol.

Overall, we are satisfied as to the matters to which we must have regard as set out in s.112-114, and 105-106 of the Act.

Accordingly, we deal with the matter on the papers.

### **DECISION**

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by **Trinity Foods Limited for an OFF Licence in respect of premises situated at 24 Main Road, Franz Josef Glacier known as "Four Square Franz Josef"** 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 11:00PM;***
2. No alcohol is to be sold on or delivered from the premises on Good Friday, Easter Sunday or Christmas Day or before 1.00 pm on Anzac Day

3. 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
4. No alcohol may be sold other than alcohol that contains no more than 15% ethanol by volume measured at 20°C and is –
  - a. beer that complies with the applicable New Zealand food standard for beer; or
  - b. mead that complies with the applicable New Zealand food standard for mead; or
  - c. fruit or vegetable wine that complies with the applicable New Zealand food standard for fruit or vegetable wine; or
  - d. grape wine that complies with the applicable New Zealand food standard for grape wine; or
  - e. a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
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 detailing 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 dated 12 April 2023. 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.

The licence is valid for 12 months from the date of issue.

**DATED** at HOKITIKA this 1<sup>ST</sup> day of June 2023



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**Murray Clearwater**  
**Chairperson/Commissioner**  
**Westland District Licensing Committee**

