

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **ASHAPURA MAA ENTERPRISE LIMITED** for a renewal of an Off-licence pursuant to section 127 of the Sale and Supply of Alcohol Act 2012, in respect of the premises situated at 47 Abbot Street, Whanganui and known as "Fresh Choice Whanganui".

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

The application for renewal of Off-Licence was advertised in the Rivercity Press on 13 and 20 November 2025 with no objections received. No matters of opposition were raised under section 128 and 129 reports; therefore, the matter was considered by the Whanganui District Licensing Commissioner on the papers contained in the full file provided by the secretary in accordance with the provisions of s.202 (1) and 191(2) of the Sale and Supply of Alcohol Act 2012.

Commissioner: Stuart Hylton

RESERVED DECISION OF THE WHANGANUI DISTRICT LICENSING COMMITTEE

Application

(1) The premises at 47 Abbot Street, Whanganui is currently operating as an Off-licence 'Grocery Store' (036/OFF/003/2024.1) and this application is the first renewal of the licence which has a 'medium' risk rating.

(2) The application to renew was made on 10 November 2025 on the prescribed form. The application seeks to renew with a minor change to conditions to vary their licensed footprint relating to their single alcohol area. The general nature of the business will continue to be that of a 'Grocery Store Style off-licence'. This is the first renewal of the licence with no incidents of non-compliance noted by the agencies.

(3) The inspectors report contained a thorough examination of the applicant's status as a grocery store within the definitions contained within sections 32 and 33 of the Act and Regulation 12 of the Sale and Supply of Alcohol Regulations 2013 (including evidence provided by the applicant's accountants to show principal activity by way of sales revenue from food products). I accept the inspector's analysis and agree with the inspector's conclusion that the premises is a grocery store commonly recognized throughout New Zealand and therefore constitutes a premises for which Off-licences may be issued in terms of s. 32(f) of the Act.

- (4) The complete file that I received included –
- The application
 - Floor plan showing single alcohol display area
 - Sales revenue notice from applicants accountant
 - Draft renewal advertisement
 - Fire evacuation scheme declaration from owner
 - Permission letter from owner
 - Photos from interior of shop taken by the inspector
 - Reports from Police, Medical Officer of Health and Inspector

Decision Making

(5) In considering this application for renewal of Off-Licence the District licensing Committee (here in after referred to as; the Committee) had regard to the criteria specified under s. 131 of the Act.

(6) The Committee must also have regard to the stores' display and promotion of alcohol and set a condition in relation to 'single alcohol area/s' in accordance with s. 112 of the Act. That section is copied for clarity:

s. 112 Compulsory conditions relating to display and promotion of alcohol in single area in supermarkets and grocery stores

(1)The purpose of this section and [sections 113](#) and [114](#) is to limit (so far as is reasonably practicable) the exposure of shoppers in supermarkets and grocery stores to displays and promotions of alcohol, and advertisements for alcohol.

(2)The licensing authority or licensing committee concerned must ensure that, when it issues or renews an off-licence for premises that are a supermarket or grocery store, it imposes on the licence a condition describing one area within the premises as a permitted area for the display and promotion of alcohol.

(3) On the renewal of an off-licence for premises that are a supermarket or grocery store, any single-area condition imposed when the licence was issued (or was last renewed) expires.

(4) Subsection (3) is subject to [section 115\(4\)](#).

(7) Sections 113 to 115 go on to further describe the requirements when determining 'single alcohol area/s'.

(8) The purpose of a single alcohol area under the Act is to limit (so far as is reasonably practicable) the exposure of shoppers in supermarkets and grocery stores to displays and promotions of alcohol.

(9) The application wishes to vary the single alcohol area with the single alcohol area being moved to a new location within the store. This area will reduce exposure of alcohol to the public by providing a walk in beer chiller and wine on aisle shelves at the southern end of the premises.

(10) The applicant has supplied a floor plan showing the revised marked 'alcohol area'. The grocery store is small and economic in its use of the available space.

(11). The display is not large or unnecessarily extravagant and blends in reasonably well with other displays.

(12) This area, in my view, is outside –

- the most direct pedestrian route between the entrance to the premises and the general point of sale.
- the most direct pedestrian route between the main body of the premises and the general point of sale.

This is a requirement of s.113 (5)(b).

(13) Being a small store, no positioning of the Alcohol Display is going to be well hidden from general users. The reporting agencies have all enquired into the application, offered no opposition to the Single Alcohol Area or the substantive licence. Therefore, on balance based on the information supplied within the complete file and my site inspection, I am of the opinion that the proposed Single Alcohol Area as shown on the revised 'file' floor plan, is compliant with s. 112 – 115 requirements.

Sections 105/131 Analyses:

(14) the object of this Act:

Both the Inspector and Medical Officer of Health inquired into the application seeking evidence that the object of the Act will be complied with under this licence. It is noted that the premise has not come to the notice of the authorities in an adverse way during the renewal period and it was good to see that a Controlled Purchase Operation, undertaken in November 2025, resulted in the duty manager not selling alcohol to the minor. The applicant's Host Responsibility Policy, if followed correctly, should ensure that the object of the act is complied with.

(15) the suitability of the applicant:

The applicant is a private company incorporated in 2024 and has operated the licence on the site since 2024. The company has one director and four shareholders. The applicant supplied five names of certified managers to be employed on the premises, which is seen as adequate for this type of licensed premise.

The inspector and reporting agencies do not challenge suitability of the applicant and neither do I.

(16) any relevant local alcohol policy:

The application is made in general accordance with the Local Alcohol Policy (LAP). A condition to maintain a register of significant alcohol related incidents is recommended.

(17) the days on which and the hours during which the applicant proposes to sell alcohol:

Applicant has applied for the existing hours:

Monday to Sunday 7.00am to 9.00 pm.

These hours are within the national trading hours and same as the hours contained in the current licence. These are considered fit for purpose and have operated without incident in the past.

(18) the design and layout of any proposed premises:

No CPTED assessment received with the application but as it's an existing licence with no issues reported. I see no issue with design and layout. Single Alcohol Area layout is discussed earlier in this report and is being moved to a new location within the store. This area will reduce exposure of alcohol to the public by providing a walk in beer chiller and wine on aisle shelves at the southern end of the premises.

(19) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence:

I accept the inspector's assessment that there have been no complaints about nuisance type offences in the area in the past and that if managed well this should continue.

(20) **whether the applicant has appropriate systems, staff, and training to comply with the law:**

The applicant has nominated three managers of varied experience and skills. The inspector notes the applicant maintains excellent levels of staff training and performance, adhering to training, systems and audits.

Reporting Agencies

(21) The following reports were received under section 103/129 of the Act.

(22) **Police** – Report received on 13 November 2025, of no opposition.

(23) **Medical Officer of Health** - Report received on 27 January 2026, of no opposition although had reported in opposition earlier until matters were sorted.

(24) **Licensing Inspector**

Full report dated 11 February 2026. The inspector provided, amongst other things, an assessment of the application in relation to the Act. The inspector also assessed the application against s105 criteria. This assessment has been referred to in this report.

The inspector concluded that the application is complete and will likely meet the criteria for renewal on the conditions presently attached to the licence and presented in the report.

Committee's Decision and Reason

(25) Based on the evidence provided to me within the complete file, lack of opposition from the relevant agencies, my site inspection and my assessment above, I conclude that the application generally meets the s. 105/131 criteria under the Act to be granted renewal of an Off-licence for the premise situated at 47 Abbot Street, Whanganui, to be known as 'Fresh Choice Whanganui'.

(26) Accordingly, the application is **approved** for renewal for three years subject to the conditions recommended in the Inspectors report.

Dated at Whanganui District this 15th day of February 2026.

Signed



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Stuart Hylton
Whanganui District Licensing Commissioner

