

DECISION NUMBER

OFF/001/2026

**IN THE MATTER
AND**

of the Sale and Supply of Alcohol Act 2012

IN THE MATTER

of an application by **Christopher Hayton** for an Off- Licence pursuant to section 100 of the Sale and Supply of Alcohol Act 2012, in respect of the premises situated at 40 Drews Avenue, Whanganui and known as "Brews on Drews".

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

The application for a new Off-Licence was publicly advertised on 14 and 24 February 2026; together with statutory signage on the building. No objections were received, and no s.103 reports noting any opposition.

Therefore, the matter is 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 application was made on the 12 February 2026 on the prescribed form. The application seeks to establish a new Off-licence within a renovated premises. The application has arisen as the owner seeks to establish a new off-licence at the premises, which are currently operating under an on-licence and known as Teal Lounge. The proposed trading name for the new operation is 'Brews on Drews'. The premises are expanded and divided into two demarcated and separate spaces, within which the applicant proposes to operate and manage dual On and Off-licence areas.

The principal entrance is accessed off Drews Ave.

(2) The general nature of the business will be a 'over the counter' style Off-licence. The entire Off-licensed area will measure 2 m x 2.5 m and will be located within a small space between the on-licensed areas of the premises. All off-licence sales will be made exclusively within this designated 2 m x 2.5 m area.

(3) The proposed off-licence activity is small-scale and focused on producing their boutique brand of craft-style brewed beer. The applicant intends to sell their own products manufactured on site, as well as Tahu Gin, a brand produced by Backdoor Limited. The applicant has advised that tastings will not be provided as part of the operation; rather, the off-licence is intended to allow customers to purchase alcohol as they leave the premises. The applicant has advised that the price point for products will be elevated to reflect the boutique brewery theme, placing the operation in a different category from a typical retail off-licence.

(4) The premises is suitably leased by the applicant. The floor plan provided with the application clearly shows these areas to be licensed which will be '**Supervised**'. The defined area is more precisely identified on the plan date stamped as received by the Whanganui District Council on 12 February 2026. The premises is categorised as '**low risk**'.

(5) The complete file that the District Licensing Committee received included evidence that the following was provided as part of the application –

- The application
- Certificate of incorporation
- Floor plan
- A s. 100(f) RMA/ Building Act compliance letter from Council
- Letter from applicant's landlord agreeing to the application to be licensed.
- Letter from landlord representative as having the necessary evacuation scheme
- Copy of public notice on the building
- Host Responsibility Policy
- Full menu
- Public Advert wording
- Reports from Police, Medical Officer of Health and Inspector

Decision Making

(6) In considering this application for Off-Licence the District licensing Committee (here in after referred to as the 'Committee') had regard to the criteria specified under s. 105 of the Act.

(7) the object of this Act:

This is a new licence within an existing recently extended On-licensed premise by an experienced trade operator. Previous licences held by the operators have always been well managed with no known issues noted. The risk profile is "low". The applicant provided a Host Responsibility Policy that shows how alcohol will be sold in a responsible manner under the licence. If followed this should ensure the object of the Act continues to be complied with. The application appears to meet the criteria for an application to be made and is eligible for the issue of an off-licence, as they meet the definition set out in section 32(1)(d) of the Act.

(8) the suitability of the applicant:

The applicant, **Christopher Hayton**, is a private individual who currently also holds an On-licence for another business on the extended property in question. The applicant has an interest to ensure the licence is a success and the statutory responsibilities are adhered to.

Given the operating hours, the proposed level of certified management (2) is sufficient to support licence compliance and service management. Based on the applicants experience in the licensed hospitality industry, the Inspector has no concerns regarding their ability to meet the requirements of the licence. The Inspector considers that a licence issued in this circumstance would be professionally managed by the applicant.

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

(10) any relevant local alcohol policy:

The Whanganui LAP 2025 has been adopted. The LAP states that *"no further new off-licences shall be granted for bottle stores if the grant of that off-licence would bring the total number of bottle stores in the district to more than 10... For the purposes of this Policy, a bottle store is a standalone retail outlet that holds an off-licence, with its primary business being the sale of alcohol for consumption off the premises. Bottle stores offer a broad range of alcohol products, including but not limited to beer, cider, ready-to drink beverages, and spirits. This is distinct from boutique breweries, distilleries or wineries, which are primarily production-focused, selling only their own products as part of a broader hospitality experience."* DLC's underlining.

The current LAP Off-licence bottle store limit, by definition, clearly does not cover boutique breweries and distilleries such as this proposed premises. Nor was it intended to by Council.

In other respects, the applicant is generally consistent with the Whanganui Local Alcohol Policy. The licensee is required and has agreed to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours.

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

The applicant has applied for the following days and hours including designations which are supported by the inspector –

Monday to Sunday –

- **10.30am to 9.00pm,**

These hours best reflect the anticipated operation, reflect the off-licence hours and they accord with the national default maximum trading hours and LAP. The applicant and inspector have one year to monitor whether the hours are suitable before possible renewal.

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

The entire off-licensed area will measure 2m x 2.5m and will be located within a small space between the on-licensed areas of the premises. The defined area is more precisely identified on the plan date stamped as received by the Whanganui District Council on 12 February 2026. A **'Supervised'** designation is requested.

The Principal Entrance is accessed from Drews Avenue. Owner's consent has been obtained and was included in the Off Licence application.

(13) whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:

No services will be provided other than those associated with the distilling, sale, and supply of alcohol from the premises.

(14) 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:

Within the agency reports there are no concerns about the possible reduction in amenity and good order from any licence issue. The premises are located within an alcohol ban area. The nearest residential buildings are situated directly next door, with several additional upstairs accommodation suites in the immediate vicinity. The applicant is aware of this. Despite the proximity of residential properties, no complaints have been recorded or received from the public regarding noise associated with this premises. This area is saturated with several new and established on and off licensed premises. Given the nature of the premises, a new off-licence of this style is unlikely to make the area worse.

There is no reason to believe that the amenity and good order of the locality would be likely to decrease, beyond a minor extent, if the licence were to be granted.

(15) whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—

(i) they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but

(ii) it is nevertheless desirable not to issue any further licences:

No concerns raised.

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

If the host responsibility policy is followed the licence holder should have no problems with compliance. The applicant has taken their licensing responsibilities seriously previously and there is no reason to suggest this will not continue. The applicant advised that the Serweise platform will be utilised in regard to staff training.

Reporting Agencies

(17) The following reports were received under section 103 of the Act.

(18) **Police** – Report received on 11 March 2026, offering no opposition.

(19) **Medical Officer of Health** - Report received on 4 March 2026, offering no opposition.

(20) **Licensing Inspector**

Full report dated 30 March 2026. The inspector provided a comprehensive report into the application, has met the applicant and concluded that the application is complete, appears to meet the criteria for a new Off-licence and therefore has no opposition to the application. The inspector has suggested conditions which are supported.

Committees Decision and Reason

(21) Based on the evidence provided to me within the complete file, lack of opposition from the relevant agencies, my assessment above, I conclude that the application meets the s. 105 criteria under the Act to be granted an 'over the counter' style Off-licence for the premise situated at 40 Drews Avenue, Whanganui and will be known as "Brews on Drews".

(22) Accordingly, the application is **approved** for issue. The licence will be issued for one year subject to the following conditions.

- a. Pursuant to the Sale and Supply of Alcohol Act 2012, **Christopher Hayton** (the licensee) is authorised to sell alcohol, over the counter from the premises situated at 40 Drews Avenue, Whanganui and will be known as "**Brews on Drews**", to any person for consumption off the premises.
- b. Alcohol may be sold:
Monday – Sunday 10.30am – 9.00pm,
- c. No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1pm on Anzac Day.
- d. The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
Display of appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of liquor to minors and the complete prohibition on sales to intoxicated persons
- e. Drinking water is to be freely available and free of charge to customers at any area where free alcohol samples are being supplied.
- f. The holder of this licence must take reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale (and, if a person other than the buyer is to receive it, to verify that the receiver) is not under the purchase age.
- g. The whole of the premises is designated as a **supervised** area.
- h. The licensee must maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours.
- i. The following steps must be taken to promote the responsible consumption of alcohol:
The licensee must implement and maintain the steps proposed in their host responsibility policy.
- j. The premises for the sale and delivery of alcohol and the principal entrance for the display of signs and the licence, are more precisely identified as outlined in a plan date stamped as received by the Whanganui District Council on **12 February 2026**.

3 Decision

Accordingly, the application is **Approved** for issue from this date.

Dated at Whanganui District this 13th day of April 2026.

Signed



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Stuart Hylton
Whanganui District Licensing Committee

