

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **GUNNER FOODS LIMITED** for a renewal of Off-licence pursuant to section 127 of the Sale and Supply of Alcohol Act 2012, in respect of the premises situated at 374 Victoria Avenue, Whanganui and known as "New World Whanganui".

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

The application for renewal of Off-licence was advertised on the 21 March 2026 and 30 March 2026 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 374 Victoria Avenue, Whanganui are currently operating as an Off-licence 'Supermarket' (036/OFF/001/2022.2) and this application is to renew the licence. This is this licensee's second renewal.

(2) The application to renew was made on 10 March 2026 on the prescribed form. The application seeks to renew with varied conditions to extend the licensed footprint i.e. single alcohol area, to accommodate a new chiller. The general nature of the business will continue to be that of a 'Supermarket Style Off-licence'.

(3) The inspectors report contained an examination of the applicant's status as a supermarket within the definitions contained within section 32 of the Act. I accept the inspector's analysis and agree with the inspector's conclusion that the premises are a supermarket for which Off-licences may be issued in terms of s. 32 of the Act.

- (4) The complete file that I received included –
- The application
 - Floor plan showing single alcohol display area
 - Sales revenue notice from applicant's 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 contained the following information to assist the Committee to make its decision on the s.112 matter:

- A copy of the revised premise floor plan indicating the larger single alcohol area.
- Photo of the new single alcohol area.
- The Inspectors report noted the single alcohol area's changed footprint, and as marked on the plan, complies with the s. 112 to 114 requirements and that "*the current position of the single alcohol area is close to check outs and would be easy to monitor*".

(10) The premise is a reasonably large supermarket within a box type construction arrangement with the full range of supermarket and convenience-shopping products for sale.

(11) The location of the Single Alcohol Area is within the southwest side of the store in an area to the front left of the checkout area. The display is relatively separate from other goods and not within the main area of the store.

(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) 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 believe the proposed Single Alcohol Area as shown on the 'revised' 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. 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. The applicant supplied ten names of certified managers to be employed on the premises, which is seen as adequate for this type of licensed premise. There are no reports of non-compliance with this licensee or their supermarket.

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

(16) any relevant local alcohol policy:

Application and recommended conditions accords with LAP.

(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. The licensed area is more precisely identified on the plan date stamped as received by Whanganui District Council on 11 March 2026

A new area has been constructed in the eastern corner of the site, consisting of a walk-in chiller measuring 8000 mm by 3950 mm. This space was previously used as a general storage room. The chiller will primarily be used for the storage and display of beer products. In the Inspector's assessment, the new chiller integrates discreetly into the existing layout and will effectively blend into the current licensed footprint.

Single Alcohol Area layout is discussed earlier in this report.

(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 ten managers of varied experience and skills. The inspector notes the applicant maintains excellent levels of staff training and performance.

Reporting Agencies

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

(22) **Police** – No opposition within report dated 23 March 2026.

(23) **Medical Officer of Health** - Report received on 9 April 2026, of no opposition.

(24) **Licensing Inspector**

Full report dated 1 May 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 conducted a recent inspection with no issues of non-compliance reported.

The inspector concluded that the application is complete and will likely meet the criteria for renewal of the conditions presently attached to the licence, including the varied licensed area.

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 by **Gunner Foods Limited** generally meets the s. 105/131 criteria under the Act to be granted renewal of an Off-licence for the premise situated at 374 Victoria Avenue, Whanganui, to be known as 'New World Whanganui'.

(26) Accordingly, the application is **approved** for renewal for three years subject to the conditions detailed in the Inspectors report and payment of any outstanding fees, if any.

Dated at Whanganui District this 11th day of May 2026.

Signed



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Stuart Hylton
Whanganui District Licensing Commissioner

