

ŌTOROHANGA DISTRICT LICENSING COMMITTEE

Decision	018/0592
<u>IN THE MATTER</u>	of the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by JKD 2024 Limited for renewal of an off- licence in respect of the premises at 144 Maniapoto Street, Ōtorohanga known as Thirsty Liquor pursuant to section 127 of the Act

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The off-licence 018/OFF/004/24 in respect of the premises situated at 144 Maniapoto Street, Ōtorohanga, and known as Thirsty Liquor is renewed for a further period of 3 years. The licence may issue upon payment of the annual fee.
2. The present conditions of the licence are replaced as follows:
 - a) Alcohol may be sold only from 9.00am to 10.00pm, Monday to Sunday.
 - b) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day.
 - c) The area where alcohol is to be sold is described in the plan date stamped as received by District Licensing Committee **13 October 2025**.
 - d) The entire premises is designated as a supervised area (no persons under 18 can be in the area unless with their parent or legal guardian).
 - e) Single sales of alcoholic products priced at less than \$6.00 per unit are prohibited.
 - f) The display or sale of games, toys or accessories promoting excessive or inappropriate consumption of alcohol is prohibited.
 - g) A properly appointed certificated, acting or temporary manager must be on duty and on the premises at all times when the premises is open for the sale and supply of alcohol.

- h) A manager's register (as required by s.232 of the Act) is to be maintained and available on site.
- i) The licensee must ensure all staff receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- j) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be appropriate signs detailing these restrictions at every point of sale.
- k) Drinking water must be freely available and displayed whenever alcohol is being supplied by way of complimentary tastings.
- l) The Licensee must ensure the following are displayed;
 - i. A sign to be seen from outside the principal entrance stating the ordinary hours of business during which the premises will be open for the sale of alcohol.
 - ii. A copy of the original licence with all the conditions, just inside the principal entrance so persons entering can read it.
 - iii. A sign in a prominent place identifying the duty manager.

Remote Sale Conditions

- m) Alcohol may be sold remotely at any time, on any day.
- n) Alcohol must not be delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day, or between 11:00pm and 6:00am the following day.
- o) The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age, and that the receiver (where present) is not intoxicated.
- p) The outside of the delivery package must contain a label with the following words:
CONTAINS ALCOHOL
 - Do not leave at destination without proof of delivery.
 - Do not deliver to intoxicated persons or persons under 18 years of age.
- q) A copy of the licence must be displayed on the Thirsty Liquor internet site in a prominent place.

REASONS

1. This is an application by JKD 2024 Limited for renewal of an off-licence in respect of the premises situated at 144 Maniapoto Street, Ōtorohanga known as Thirsty Liquor Ōtorohanga.
2. The application was advertised, and no objections were received from members of the public. The Licensing Inspector, Police and the Medical Officer of Health have provided reports and do not oppose the application. Accordingly, the matter is decided on the papers (s 134).
3. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4). In deciding whether to renew an off-licence the licensing committee must have regard to sections 105 and 131 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) Is the applicant suitable?

- b) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - c) Is the design and layout of the premises suitable?
 - d) Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?
 - e) Does the applicant have appropriate systems, staff and training to comply with the law?
 - f) Have the police, inspector and medical officer of health raised any relevant considerations?
 - g) Will the amenity and good order of the locality be increased by more than a minor extent by the effects of a refusal to renew the licence?
 - h) Has the applicant sold, displayed, advertised or promoted alcohol in a responsible manner?
 - i) Does the application comply with the Ōtorohanga District Local Alcohol Policy?
4. Section 132 provides that the licensing committee may vary or cancel any conditions applying to the licence before its renewal.

Should the licence be renewed?

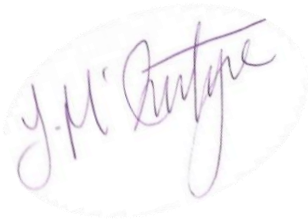
5. While JKD 2024 Limited is a separate legal entity, it shares common directorship and shareholding with JD 2023 Limited. As a result, the compliance history and operational conduct of JD 2023 Limited is considered relevant to this application. JD 2023 Limited failed a Controlled Purchase Operation (CPO) conducted on 15 March 2025 at another local bottle store, Kiwitown Liquor Centre. Following the failed CPO, the off-licence was suspended for 48 hours, from 14 to 16 June 2025, and a hearing was held in July 2025. That licensing committee determined that a single failed CPO, in the absence of any aggravating circumstances, did not warrant refusal of the renewal application, and the licence was renewed for a truncated period of 18 months. Therefore, the licensing committee is satisfied that JKD 2024 Limited is a suitable applicant to hold an off-licence.
6. JKD 2024 Limited has an appropriate Host Responsibility Policy and staff training programme in place. Five Duty Managers are employed to ensure compliance with the Act, with two dedicated to this premises.
7. The premises has a suitable design and layout to meet the requirements of the Act. It is well appointed and able to be monitored effectively by the staff of the premises and 8 CCTV cameras. It has adequate street lighting for the safety of both patrons and staff.
8. The Licensing Inspector reports that the application does comply with the Ōtorohanga District Local Alcohol Policy.
9. The licensing committee is satisfied that the renewal of the off-licence will not reduce the amenity and good order of the locality by more than a minor extent. There have been no reports of any nuisance, vandalism or noise problems associated with this premises in the past three years. Alcohol is sold, displayed and promoted in a responsible manner and in accordance with the requirements of the Act.
10. Alcohol is sold, displayed and promoted in a responsible manner and in accordance with the requirements of the Act. The additional conditions relating to pricing and product display continue to be imposed in recognition of the vulnerable nature of the surrounding area and to support the object of the Act by minimising alcohol-related harm. Prohibiting the single sale of alcoholic products priced below \$6.00 per unit reduces the availability of very cheap alcohol, which is associated with higher-risk consumption in vulnerable communities. The prohibition on the

display or sale of games, toys, or accessories that promote excessive or inappropriate alcohol consumption further ensures that the premises does not normalise harmful drinking behaviours or appeal to vulnerable populations, including young people.

Conclusion

11. Therefore, the application for the renewal of the off-licence is granted.

Dated at this 28th day of January 2026



Tegan McIntyre
Commissioner
Ōtorohanga District Licensing Committee