

Thursday, 14 May 2026

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: Hastings District Licensing Committee Meeting

Evidence Agenda

Te Rā Hui:
Meeting date: **Thursday, 14 May 2026**

Te Wā:
Time: **9.00am Woolworths Flaxmere (General distributors Ltd) -
Evidence**

Te Wāhi:
Venue: **Landmarks Room
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Te Hoapā:
Contact: **Democracy and Governance services
P: 06 871 5000 | E: democracy@hdc.govt.nz**

Te Āpiha Matua:
Responsible
Officer: **Team Leader Environmental Health/Liquor - Tony Stothart**

Hastings District Licensing Committee – Terms of Reference

A statutory Committee under the Sale and Supply of Alcohol Act 2012.

Fields of Activity

1. To consider and determine applications for Licences and Manager's Certificates.
2. To consider and determine applications for renewal of Licences and Manager's certificates.
3. To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Sale and Supply of Alcohol Act 2012.
4. To consider and determine applications for the variation, suspension, or cancellation of special licences.
5. To consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280 of the Sale and Supply of Alcohol Act 2012.
6. With the leave of the Chair for the Licensing Authority, to refer applications to the Alcohol Regulatory Licensing Authority.
7. To conduct inquiries and to make reports as may be required of it by the Licensing Authority under section 175 of the Sale and Supply of Alcohol Act 2012.
8. Any other functions conferred on licensing committees by or under this Act or any other enactment.

Membership

- Chair appointed by Council.
- Deputy Chair appointed by Council.
- Commissioner appointed by Chief Executive on recommendation of Council
- 2 members selected by the Chair from a list developed and maintained by Council.

Quorum

For uncontested applications only the Chair, Commissioner, or Deputy Chair in the Chair's absence, is required.

For contested applications 3 list members including the Chair or Commissioner, or the Deputy Chair in the Chair's absence.

STATUTORY POWERS

A licensing committee has all the powers conferred on it by or under this Act or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.

Committee Secretary

The Chief Executive is the Secretary of the Hastings District Licensing Committee.

Kaupapataka

Evidence Agenda

Nga mema o te Komiti

Committee

Members:

Heamana

Chair: Tania Kerr (*Commissioner*)

Rostered on: George Lyons (*Commissioner*), Sally Butler

Tokamatua:

Quorum:

3 list members for contested applications – including the Chair or Commissioner or Deputy Chair in the Chair's absence

Nga mema o te Komiti

Committee

Members:

Chair: Tania Kerr (*Commissioner*) or

Commissioner or Deputy Chair in the Chair's absence

(*Quorum = 1 for uncontested applications*)

Te Rōpū Manapori me te

Kāwanatanga

Democracy &

Governance Services

Caitlyn Dine (Ext 5636)

Te Rārangī Take

Order of Business

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Thursday, 14 May 2026

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: Hastings District Licensing Committee Meeting

Te Rārangi Take

Report to Hastings District Licensing Committee

Nā:
From: Caitlyn Dine, Democracy & Governance Advisor

Te Take:
Subject: Evidence - Off Licence Application - General Distributors Limited

1.0 Purpose and summary - Te Kaupapa Me Te Whakarāpopototanga

- 1.1 Evidence received from applicant on 10 April 2026 (Attachment 1).
- 1.2 Evidence received from Police on 23 April 2026 (Attachment 2).
- 1.3 Evidence received from Health NZ on 24 April 2026 (Attachment 3).

2.0 Recommendations - Ngā Tūtohunga

That the Hastings District Licensing Committee receive the report titled Evidence - Off Licence Application - General Distributors Limited dated 14 May 2026.

Attachments:

- | | | |
|----|---|----------------|
| 1↓ | Statement of Evidence of Paul Radich on behalf of GDL - Woolworths Flaxmere | CG-18-09-00030 |
| 2↓ | Police Evidence GDL_2026-04-23_11-37-32-643_dpx309 | CG-18-09-00028 |
| 3↓ | Health NZ Evidence Woolworths Flaxmere BOE_MOoH | CG-18-09-00029 |

**BEFORE THE HASTINGS
DISTRICT LICENSING COMMITTEE**

UNDER the Sale and Supply of Alcohol Act 2012 ("**Act**")

AND

IN THE MATTER of an application by General Distributors Limited ("**GDL**") under section 100 of the Act for an off-licence in respect of the premises situated at 4 Swansea Road, Flaxmere, known as **Woolworths Flaxmere**

**EVIDENCE OF PAUL ANTHONY RADICH
ON BEHALF OF GENERAL DISTRIBUTORS LIMITED**

10 APRIL 2026

**Russell
McVeagh**

A A Arthur-Young | C L Gibson
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E: cara.gibson@russellmcveagh.com
PO Box 8
DX CX10085
Auckland

3437-4832-0330

1. INTRODUCTION

- 1.1 My full name is Paul Anthony Radich. I am the National Alcohol Responsibility Manager for Woolworths New Zealand Limited ("**Woolworths**").
- 1.2 GDL is a wholly owned subsidiary of Woolworths and is responsible for operating Woolworths stores nationwide. On 4 February 2026, GDL applied for an off-licence for Woolworths Flaxmere located at 4 Swansea Road, Flaxmere, Hastings ("**Application**").
- 1.3 I am familiar with the Application and am authorised to give evidence on GDL's behalf.

Experience

- 1.4 As the National Alcohol Responsibility Manager, I provide national oversight of GDL's stores, with a direct focus on the responsible sale and supply of alcohol. As well as ensuring GDL's stores across the country comply with the Act and licence conditions, I develop (and oversee the implementation of) operational policy and procedure for GDL's stores, and our internal training programmes.
- 1.5 I have worked for Woolworths since 2016. Previously, I was a Senior Advisor in the Alcohol Licensing Department at Auckland Council. In that role, I was responsible for policy and procedural matters related to the Council's operational delivery of the Act. I held that role for approximately 6 years. Before that, I was an Alcohol Licensing Inspector for approximately 9 years.
- 1.6 In total, I have over 24 years' experience in the regulation of the sale of alcohol.

2. GDL

- 2.1 As the operator for Woolworths stores nationwide, GDL has long been responsible for providing local communities with groceries, health and beauty products, household items, meat and alcohol. As one of New Zealand's leading supermarket brands, GDL is responsible for serving approximately 1.2 million New Zealanders a week.
- 2.2 GDL manages over 180 licences around New Zealand, in a range of communities. GDL is a responsible licensee, and is innovative in terms of its approach ensuring the safe and responsible sale of alcohol. For example, in 2022, GDL kicked off a nationwide policy to no longer stock single cans of mainstream, high-strength beer at Woolworths supermarkets.

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3. WOOLWORTHS FLAXMERE

3.1 Woolworths is excited to bring a new state-of-the-art \$25m supermarket to Flaxmere and sees it as an important step towards providing an enhanced amenity for the Flaxmere community. Woolworths has been working closely with the Council and Flaxmere community to bring this supermarket to life and to ensure it meets the needs of local residents.

3.2 Located at the rear of the Flaxmere shopping precinct, the full-service supermarket is supported with a separate retail space and 171 customer car parks. All manner of household grocery and convenience items will be made available at the new supermarket.

3.3 As with all of our supermarkets, when planning this store the team took great care when considering the design of the premises. The store's single alcohol area ("**SAA**"):

- (a) is an in-aisle configuration and not located within any of the Act's prohibited areas;
- (b) is compliant with all relevant legislation and case law;
- (c) features a bespoke "cut through" to enable customers to move from the back of the produce department through to aisle 2, entirely bypassing the single alcohol area; and
- (d) does not include any end of aisle displays.

The proposed SAA

3.4 I consider that the SAA as designed, constructed, and sought in the Application is compliant with the Act. It is a single area and not located within any of the Act's prohibited areas, including any area through which the most direct pedestrian route between the main entrance and the main body of the premises passes, or any area through which the most direct pedestrian route between the main body of the premises and any general point of sale passes.

3.5 I also consider that the SAA limits exposure of shoppers to displays, promotions and advertisements of alcohol so far as reasonably practicable. The Act does not prohibit the display, promotion or advertisement of alcohol -

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it requires only that exposure be limited so far as reasonably practicable. The location and design of the SAA limits exposure so far as reasonably practicable because:

- (a) the SAA is configured as an in-aisle design within the body of the store. It features a "cut through" to enable customers to move from the back of the produce department through to aisle 2 entirely without entering the SAA;
- (b) customers can complete their entire shop without entering the SAA;
- (c) the SAA is small in comparison to the rest of the premises;
- (d) customers, as they traverse through a significant portion of the store, will not be exposed to any displays of alcohol; and
- (e) the SAA does not include any end of aisle displays. As such, alcohol within the SAA is visible only from within the aisles in which the SAA is situated, or from limited areas directly in front of those aisles.

4. KEY ELEMENTS FOR CONSIDERATION

Suitability

- 4.1 GDL is suitable to hold a licence. GDL has extensive experience with licensed premises and has had its suitability acknowledged and endorsed by DLCs and ARLA on many occasions. GDL understands the significance of its responsibility to the Flaxmere community and is committed to ensuring compliance. GDL works hard to ensure it is a responsible licensee by maintaining appropriate systems, staff, and training to comply with the Act, and regularly reviews these. As a major off-licence holder in New Zealand, GDL is regularly tested through controlled purchase operations and mystery shopper tests.

Local alcohol policy

- 4.2 The Hastings District Council Local Alcohol Policy came into force on 30 July 2025 ("**LAP**"). The Application complies with the LAP.

Days and hours

- 4.3 GDL seeks licensed hours of 9:00 am to 9:00 pm, seven days a week. These are consistent with the LAP. The hours sought are below the maximum trading hours permitted under the Act.

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Design and layout

- 4.4 As outlined above, the supermarket layout and design of Woolworths Flaxmere appropriately minimizes so far as practical shoppers' exposure to alcohol. When entering the supermarket through the shark's teeth, the SAA is located on the left-hand side in an in-aisle configuration. It is small in proportion to the rest of the store and excludes end of aisle displays. Customers can complete their shopping without having to enter the SAA at all.

Amenity and good order

- 4.5 GDL takes pride in the proposed appearance of Woolworths Flaxmere and will ensure the area is kept tidy, as it does with its stores nationwide. A new full-service supermarket in Flaxmere will, in GDL's view, positively contribute to the amenity and good order of the locality. The Woolworths Flaxmere team will comprise individuals who understand and are proud to support the local community.
- 4.6 I do not consider that refusing to grant the Application would increase the amenity and good order of the locality by more than a minor extent. Indeed, refusing the Application would deprive the Flaxmere community of the benefit of a responsible, well-regulated supermarket.

Staff, systems and training

- 4.7 GDL invests considerably in frequent training for its staff and management to ensure our teams fully understand their responsibilities in respect of the sale and supply of alcohol and are capable of complying with all applicable rules and regulations. GDL works hard to ensure that it is a responsible licensee by ensuring there are appropriate systems, staff and training in place to comply with the Act. GDL regularly reviews these.
- 4.8 Regular training sessions for all operators and supervisors are undertaken. At the start of each shift, a checkout operator is required to refresh themselves regarding the requirements under the Act and the store's conditions. In addition, at the commencement of shifts, the store teams have a "Liquor Huddle". Liquor Huddles involve the use of flash cards to refresh the team on requirements for when asking for ID. Liquor Huddles are also used to remind the team of licence specific conditions and general trends we have noticed regarding the sale and supply of alcohol.
- 4.9 As a major off-licence holder in New Zealand, GDL is also thoroughly tested through controlled purchase operations and mystery shopper tests.

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Single sales

- 4.10 As is its position nationally, GDL will not sell single cans of high-strength, mainstream beer at Woolworths Flaxmere. These products have been removed as part of GDL's nationwide initiative across all Woolworths stores over the past many years. To do this, we have worked directly with manufacturers on their packaging solutions, meaning that these products are no longer sold singularly and instead are in four and six packs. GDL is always looking at ways in which it can continuously refine our approach in a proactive and pragmatic manner.

5. OBJECT

- 5.1 I consider the Application meets the object of the Act. It will ensure the sale and supply of alcohol are undertaken safely and responsibly.

6. CONCLUSION

- 6.1 I consider that granting the Application on the conditions sought by GDL (attached at **Annexure A**) will meet the object of the Act. GDL is a suitable applicant with extensive experience operating off-licences responsibly across New Zealand. The SAA as designed satisfies the requirements of ss 112 - 114 of the Act. The conditions sought are appropriate and the Application is consistent with the LAP. I consider the Committee should grant the off-licence on the conditions sought.

**Paul Radich
10 April 2026**

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ANNEXURE A

6

Proposed Conditions - Woolworths Flaxmere Off-Licence (29/OFF/002/26)

Conditions

This licence is subject to the following conditions:

- (a) No alcohol is to be sold on or delivered from the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day.
- (b) Alcohol may be sold only on the following days and during the following hours:

Monday to Sunday, 9.00 am to 9.00 pm
- (c) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (d) No intoxicated persons may be allowed to enter or to remain on the premises.
- (e) Drinking water is to be freely available and free of charge to customers in each area where free alcohol samples are being supplied.
- (f) No alcohol may be sold other than:
 - (i) beer that complies with the appropriate New Zealand food standard for beer; or
 - (ii) mead that complies with the appropriate New Zealand food standard for mead; or
 - (iii) fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - (iv) grape wine that complies with the appropriate New Zealand food standard for grape wine; or
 - (v) a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
- (g) The only area delineated on the attached plan date stamped **[insert date]** and entitled 'Single Alcohol Area' is the permitted area for the display and promotion of alcohol. A copy of the plan must be either displayed alongside this licence, or available for viewing at the premises upon request.
- (h) The whole of the premises is undesignated.
- (i) The licensed premises are more precisely identified as outlined in the plan date stamped as received by the Hastings District Licensing Committee on **[insert date]**.
- (j) The licensee must record alcohol-related incidents using existing systems, ensuring flexibility to avoid duplicative processes.
- (k) The licensee must have a CCTV system operating on the premises.

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New Zealand Police
STATEMENT

POL 2150 A 08/16

Section 82 Criminal Procedure Act 2011

Statement of: David Power Age (if under 18): _____

Date statement taken: 21/04/2026 Time: 1200 pm

Location: Napier

I, David Power, state:

I am an Alcohol Harm Prevention Officer based in Hawkes Bay.

My duties include the processing and vetting of liquor licence applications and managers certificates.

On the 11th of February 2026, Police received an application for an Off Licence by General Distributors Limited.

Police inquired into the application and reported on it pursuant to s103(3).

On the 3rd of March 2026 Police filed matters in opposition with the Hastings DLC.

The matters raised in opposition are:

The company Directors and Shareholders do not reside locally, and no certified duty managers are listed on the application, which raises concerns pursuant to s105(1)(j) as to whether the applicant has appropriate systems, staff and training to comply with the law.

The location of the single sales area in Aisle 1 near the self-checkouts increases exposure to shoppers. The layout prioritises convenience over public safety and is unsuitable for this location pursuant to s105(1)(e) The design and layout of any proposed premises (s112-114).

The application does not take into account that Flaxmere is a high deprivation community vulnerable to alcohol related harm. Alcohol is readily available from two off licence liquor outlets near this supermarket.

D.P. witness initials



New Zealand Police
STATEMENT CONTINUED
Section 82 Criminal Procedure Act 2011

Statement of: David Power Age (if under 18): _____

Police accept that an Off-Licence Supermarket is permitted, however the Local Alcohol Policy does not allow any further Off-Licence bottle stores in Flaxmere, indicating the community desire to reduce the availability of alcohol.

Despite this, the applicant has stated that the granting of a licence will deliver a much needed amenity that will service the Flaxmere community.

For these reasons the application does not meet the criteria pursuant to s105(1)(a) The object of the Act- the sale, supply and consumption of alcohol should be undertaken safely and responsibly and the harm caused by excessive or inappropriate consumption should be minimised.

I confirm the truth and accuracy of this statement. I make the statement with the knowledge that it is to be used in court proceedings. I am aware that it is an offence to make a statement that is known by me to be false or intended by me to mislead.

DP
Signature

21/04/2026
Date

DP
..... witness initials

Date: 24 April 2026

BEFORE THE HASTINGS DISTRICT LICENSING COMMITTEE

IN THE MATTER

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

AND

IN THE MATTER

of an application by **General Distributors Limited**
for a new off-licence pursuant to s 127 of the Act.
The application relates to the premises situated at
4 Swansea Road, FLAXMERE, trading as “Woolworths
Flaxmere”.

Brief of Evidence of Dr Matthew Radford

Executive Summary

Application & role

1. The Hastings District Licensing Committee has referred (11 February 2026) a new off-licence application by General Distributors Limited (GDL) for Woolworths Flaxmere, 4 Swansea Road, Flaxmere. This evidence is filed under s 103(3)(b) and opposes the application.

Context (why strict harm minimisation matters here)

2. Flaxmere is a high-deprivation community with indicators of elevated vulnerability to alcohol harm, and Hawke's Bay has higher drinking/hazardous drinking indicators than nationally.

Primary reason for opposition — Single alcohol area non-compliance (ss 112–114)

3. **Statutory test:** whether the proposed Single Alcohol Area (SAA) limits shopper exposure to alcohol so far as reasonably practicable (s 112(1)) and is not on the most direct pedestrian routes between the main body of the premises and any general point of sale (s 113(5)(b)).
4. **Why it fails (as proposed):** the SAA is in Aisle 1 adjacent to self-checkout, creating:
 - o a “thoroughfare” effect, between the main body of the premises and the points of sale
 - o is readily accessible and creates a “dwell zone” effect (queuing at self-checkout alongside the SAA), leading to routine and repeated exposure for shoppers, including children.
5. **Practicable alternatives exist:** the premises is a new build still under construction, and the Brief identifies an alternative SAA location that would materially reduce exposure.

Secondary reason for opposition — Suitability (s 105(1)(b))

6. I do not allege poor character or a lack of corporate systems; rather, I am concerned that the application for this site is generic and not sufficiently site-specific for a highly vulnerable locality.
7. Consideration of the community is asserted, but there is limited evidence of meaningful, premises-specific community engagement or tailored mitigation to Flaxmere's context.

Relief sought / resolution pathway

8. **Primary relief:** decline the application as lodged.
9. **Alternative (if granted):** require an SAA configuration that complies with ss 112–114 and impose appropriate harm-minimisation conditions.
10. **Withdrawal pathway:** I would consider withdrawing my opposition if: a materially lower-exposure SAA is adopted; and the applicant provides credible, premises-specific evidence of genuine community engagement and context-based planning beyond generic statements.

Position

11. On 11 February 2026, the Hastings District Licensing Committee (DLC) referred to the Medical Officer of Health (MOoH) a new off-licence application by General Distributors Limited (GDL) for the premises at 4 Swansea Road, Flaxmere, trading as “Woolworths Flaxmere”.
12. Following inquiry and assessment, I oppose the application and raise matters in accordance with s103(3)(b) of the Sale and Supply of Alcohol Act 2012 (the Act).

Qualifications and expertise

13. My full name is Matthew Francis Radford. I am a MOoH employed by Health New Zealand | Te Whatu Ora (HNZ). Within HNZ, I work in the National Public Health Service (NPHS) directorate in Hawke’s Bay.
14. I am a registered medical practitioner. I graduated with a Bachelor of Medicine and Bachelor of Surgery (MB ChB) from the University of Otago in 2014. I hold Fellowship of the Royal New Zealand College of General Practitioners (FRNZCGP, 2020) and Fellowship of the New Zealand College of Public Health Medicine (FNZCPHM, May 2025).
15. I have 14 months’ experience as a MOoH in Hawke’s Bay, including portfolio responsibility for matters arising under the Act. I am a designated MOoH, as evidenced by my designation letter (Appendix A).

Scope of evidence

16. This evidence addresses:
 - the statutory framework relevant to supermarket single alcohol areas (SAA) (ss 112–114)
 - relevant public health context for Flaxmere and Hawke’s Bay, insofar as it relates to the object of the Act and the s 105 criteria
 - the physical configuration of the proposed SAA, including why it increases exposure
 - the practicability of alternative SAA locations, particularly given the premises is still under construction
 - the applicant’s suitability under s 105(1)(b)

Statutory framework

17. Sections 3 and 4 of the Act establish that the purpose and object of the Act are to achieve a system of control over alcohol that benefits the community as a whole, and that alcohol-related harm should be minimised.
18. Sections 112–114 require that, if the Committee grants an off-licence for supermarket premises, the licence must contain a SAA condition. The purpose of ss 112–114 is to limit (so far as reasonably practicable) shoppers' exposure to displays and promotions of alcohol and advertisements for alcohol.
19. In particular, this evidence focuses on whether the proposed SAA limits shopper exposure to alcohol so far as reasonably practicable (s 112(1)), and whether the SAA is configured so it does not contain any part of the most direct pedestrian routes between the main body of the premises and any general point of sale (s 113(5)(b)).
20. Section 105(1)(b) requires the Committee to be satisfied the applicant is a suitable person to hold an off-licence.

Background

Alcohol health harms

21. The World Health Organization (WHO) reports that there is no level of alcohol consumption that is harm-free.¹
22. Alcohol is New Zealand's most harmful drug, with it ranked most harmful to both those who drink and to others.²
23. New Zealand data attributes 901 deaths per annum due to alcohol and close to 30,000 hospitalisations (Appendix B).³

¹ World Health Organisation, 'No Level of Alcohol Consumption Is Safe for Our Health' <<https://www.who.int/europe/news/item/04-01-2023-no-level-of-alcohol-consumption-is-safe-for-our-health>>.

² Rose Crossin et al, 'The New Zealand Drug Harms Ranking Study: A Multi-Criteria Decision Analysis' (2023) 37(9) *Journal of Psychopharmacology* 891 ('The New Zealand Drug Harms Ranking Study').

³ Tim Chambers et al, *Estimated Alcohol-Attributable Health Burden in Aotearoa New Zealand* (Health New Zealand, 19 August 2024) <https://healthnz.figshare.com/articles/report/Estimated_alcohol-attributable_health_burden_in_Aotearoa_New_Zealand/27048892/1>.

24. The above highlights strongly that alcohol is not an ordinary supermarket product and hence must be treated differently with appropriate regulations in place.

Community context and vulnerability

25. The supermarket is in the suburb of Flaxmere which, given the size of the store, its separation from other residential neighbourhoods and the lack of another large supermarket nearby, is likely to draw customers from across the suburb. Accordingly, I consider that the most appropriate level at which to assess community impact is Flaxmere as a whole.
26. StatsNZ provides demographic data for Flaxmere.⁴ Its population was 12,200 people as of 30 June 2025. The population is made up of 58.3% of people who identify as Māori, which is higher than 17.8% nationally. Pacific peoples make up 25.7% of the population, again higher than 8.9% nationally.
27. This population makes the community more vulnerable to alcohol harm as, among those who consumed alcohol in the last year, Māori are 66% more likely (95% confidence interval 46%-188%) to be hazardous drinking compared to non-Māori.⁵ This is after adjusting for age and gender.
28. The proposed premises is in a vulnerable community with high deprivation. The New Zealand index of deprivation uses census data to determine how deprived an area is.⁶ Decile 1 represents areas with the least deprivation, while decile 10 represents areas with the highest deprivation.
29. The premises is situated in decile 9 at the statistical area 2 level (see map Appendix C).⁷ Overall 63% of the population in Flaxmere lives in decile 10 and 26% in decile 9.⁸ These make up the highest 20% of most deprived areas in New Zealand, indicating significant social and economic challenges.

⁴ StatsNZ, 'Flaxmere: Place and Ethnic Group Summaries' <<https://tools.summaries.stats.govt.nz/places/SA3/flaxmere>>.

⁵ Ministry of Health, 'New Zealand Health Survey Annual Data Explorer' <https://minhealthnz.shinyapps.io/nz-health-survey-2023-24-annual-data-explorer/_w_6fbb9f019d474095a59f72f330f9c109/#!/explore-indicators>.

⁶ StatsNZ, 'New Zealand Index of Socioeconomic Deprivation: 2023 Census' <<https://www.stats.govt.nz/information-releases/new-zealand-index-of-socioeconomic-deprivation-2023-census/>>.

⁷ EHINZ, 'Socioeconomic Deprivation Profile' <<https://www.ehinz.ac.nz/indicators/population-vulnerability/socioeconomic-deprivation-profile/#nzdep-for-2023-nzdep2023>>.

⁸ StatsNZ, *Flaxmere: Place and Ethnic Group Summaries* (n 4).

30. While not statistically significant, the New Zealand Health Survey shows a general trend of an association between deprivation and alcohol use.⁹ Among people who consumed alcohol in the last year, those in the most deprived neighbourhoods (deciles 9 and 10) were 26% more likely (95% confidence interval -2% to 61%) to drink hazardously than those in the least deprived neighbourhoods (deciles 1 and 2). This estimate was adjusted for differences in age, gender and ethnicity between groups.

Hawke's Bay alcohol indicators

31. Regional data from the New Zealand Annual Health Survey shows the Hawke's Bay region has higher rates of people who drink alcohol compared to nationally.¹⁰ In Hawke's Bay, 84.7% (95% confidence interval 80.3%-88.4%) of people drank alcohol in the last year compared to 77.1% nationally (76.2%-78.0%).

32. Hawke's Bay also has higher rates of hazardous drinking. Among past-year drinkers, 28.6% (23.2%-34.4%) drank hazardously compared to 23.7% (22.4%-24.9%) nationally.

33. Both total drinking and hazardous drinking in Hawke's Bay are trending upwards in comparison to a gradual decline seen nationally (Appendix D).

34. The Hawke's Bay Fallen Soldiers' Memorial Hospital Emergency Department (ED) records presentations due to alcohol.¹¹ This requires coding by the triaging nurse. In discussion with ED management, they report that alcohol presentations are likely under-reported, as clinicians may not always be initially aware a presentation is due to alcohol and patients may not always disclose this.

35. This data uses different geographic boundaries from the StatsNZ data above and is reported by Census Area Units (CAU). Overall, there are 90 CAU in Hawke's Bay. The supermarket is in the CAU of Flaxmere East, with Kingsley-Chatham and Lochain CAUs also being located in Flaxmere (Appendix E).

⁹ Ministry of Health (n 5).

¹⁰ Ministry of Health, 'Regional Data Release 2011/12-2023/24: New Zealand Health Survey' <<https://www.health.govt.nz/publications/regional-data-release-201112-202324-new-zealand-health-survey>> ('*Regional Data Release 2011/12-2023/24*').

¹¹ Te Whatu Ora: Te Matau-a-Māui, *Emergency Department Admissions Data (Unpublished)*, Unpublished, 13 October 2024.

36. The three Flaxmere CAU are all in the top 10 for ED alcohol presentation in Hawke's Bay with a combined 67 presentations reported due to alcohol across a 13-month period from October 2024 to 2025 (Appendix F).
37. These indicators support the need to minimise routine exposure to alcohol in this locality

Sensitive sites

38. The premises is located close to several sensitive community sites as shown in Appendix G, including directly opposite a church and a Kōhanga Reo, and near schools, places of worship and other community facilities.
39. The premises is within approximately 100 -200 metres of three existing off-licence premises: Thirsty Liquor Flaxmere, Flaxmere supermarket and the Flaxmere Tavern.
40. The premises is within the current Heretaunga | Hastings District Council liquor ban area (see Appendix H). This indicates that the locality has been identified for additional controls on public drinking in response to alcohol-related harm concerns.

Primary opposition: proposed Single Alcohol Area

41. My primary opposition relates to the proposed location and configuration of the SAA as shown on the applicant's plan (Appendix I). In my view the proposed SAA acts as a thoroughfare and does not meet the statutory purpose of limiting exposure so far as reasonably practicable.

The SAA functions as a thoroughfare and increases exposure (s 113(5)(b)(ii))

42. The proposed SAA is located in Aisle 1 and sits adjacent to the self-checkout zone (Appendix I). In practice, Aisle 1 forms part of the most direct pedestrian route for shoppers moving between the main body of the premises and the points of sale (including self-checkout). As a result, ordinary shopper movement is likely to involve passing through, or immediately alongside, the SAA, creating routine and repeated exposure to alcohol displays that is inconsistent with the exposure-limiting intent of the single-area regime.

Section 112(1): exposure minimised so far as reasonably practicable

43. Section 112(1) is about limiting exposure, and it is important to keep in mind that customers do not necessarily need to enter the SAA to be exposed.
44. While there is the ability to bypass the SAA, this is not the statutory test. Bypassing requires a conscious decision, and people will often default to the most direct path.

45. The proposed SAA is immediately adjacent to the self-checkout area, which comprises the majority of checkouts (9 of 14). During peak periods, queues are likely to form alongside the SAA (Appendix J). This will result in prolonged proximity to, and visual exposure from, alcohol displays while customers wait. Exposure during dwell time is particularly significant because it is involuntary and repeated for regular shoppers.
46. On the plan, the SAA sits beside high-turnover everyday grocery items (including chilled and convenience foods). These categories generate frequent, routine foot traffic and are purchased by a wide range of shoppers. Locating alcohol immediately adjacent increases incidental exposure for customers who are not intending to purchase alcohol, including children accompanying adults.
47. The proposed SAA is positioned in a prominent early-store location and is readily accessible from the entrance and checkout areas (Appendix K). This reduces the “destination purchase” effect that the single-area regime is designed to achieve and increases the likelihood of unplanned or impulse purchasing triggered by routine exposure.
48. The proposed SAA occupies a substantial footprint (including long runs of shelving). The size and visual mass elevate alcohol as a focal offering within the store environment. This is inconsistent with the intent of ss 112–114, which is to reduce—not amplify—visibility and exposure to alcohol during ordinary grocery shopping.

Practicable alternatives exist

49. Many practical alternatives exist, but one location that I consider would limit alcohol exposure is on the periphery of the store as illustrated in Appendix L. This is one of the most common locations used by supermarkets and, in my view, mitigates the current concerns about limiting exposure to alcohol.
50. The premises is a new build still under construction. In that context, re-location or re-configuration of the SAA is generally more practicable than retrofitting an operating supermarket.

51. If the applicant relies on cost as a barrier to re-location, information that would assist the Committee includes transparent and reliable costing material. For example, estimates could usefully be:
- (a) itemised (labour, materials, fixtures, services, and contractor preliminaries)
 - (b) clear about assumptions (what is already ordered, what can be re-used, and what is sunk)
 - (c) explicit about what is excluded (for example, broader fit-out upgrades not strictly required to move the SAA)
 - (d) supported by an appropriately independent estimate (for example, from a quantity surveyor or other independent cost consultant)
52. Alcohol is generally shelf-stable and the Australia New Zealand Food-Safety Framework does not require refrigeration for safety or compliance.¹² Accordingly, the extent of refrigeration is primarily a matter of commercial preference and presentation, rather than a statutory necessity.
53. It is important to consider relevant comparators. For example, New World Albany, an existing store, has provided for a DLC hearing a quote for approximately \$500,000 for the cost of relocating its SAA to a less prominent area.¹³ While site-specific differences exist, this comparison highlights potential costs and for a new build this cost is potentially lower.
54. Proportionality matters, the applicant describes this as a \$25 million supermarket development.¹⁴ In my view, when considering what is “reasonably practicable” under ss 112–114, it is relevant to consider the scale of the overall project against the nature of the design change proposed.

¹² Food standards Australia and New Zealand, *Safe Food Australia: A Guide to the Food Safety Standards — Standard 3.2.2 Food Safety Practices and General Requirements (4th Ed.)* (Food Standards Australia New Zealand., 2023) <https://www.foodstandards.gov.au/sites/default/files/publications/SiteAssets/Pages/safefoodaustralia3rd16/Standard%203.2.2%20Food%20Safety%20Practices%20and%20General%20Requirements.pdf?utm_source=chatgpt.com>.

¹³ Auckland District Licensing Committee, *Application for New off Licence by Highway Supplies Limited at 219 Don Mckinnon Drive, Albany to Trade as New World Albany*.

¹⁴ Paul Radich, *Statement of Evidence of Paul Anothny Radich on Behalf of General Distributions Limited*.

55. The Committee may also consider proportionality in light of the applicant's scale of operations. The applicant operates a large national supermarket network and holds 170 off-licences. It routinely undertakes refits and layout changes as part of ordinary business activity as evident by the recent \$400million spent on rebranding from Countdown to Woolworths and store and systems upgrades.¹⁵
56. Finally, the Committee is entitled to consider the cost to the applicant compared to the cost to the community from alcohol. Recent New Zealand Institute of Economic Research (NZIER) work estimates the total societal cost of alcohol harms in 2024 at approximately \$9.1 billion.¹⁶ While that national figure does not attribute harm to any one premise, it underscores the cost to society.

Secondary opposition: Suitability of the applicant s105(1)(b)

57. Section 105(1)(b) requires the Committee to be satisfied that the applicant is a suitable person to hold an off-licence.
58. I do not allege that GDL is unsuitable in the sense of poor character or an absence of corporate systems. Rather, my concern is that the application does not demonstrate a sufficiently site-specific, harm-minimisation approach in a highly vulnerable locality, which is relevant to the Committee's evaluative assessment of suitability.

Generic / non-bespoke nature of the application

59. The general policies are extensive, but the application materials lack local specificity and do not clearly demonstrate how the applicant has considered the particular context of Flaxmere or tailored controls accordingly. The Inspector records that the application appears "virtually identical" to standard Woolworths/Countdown applications for other catchments, and does not clearly demonstrate how the business model will adapt to meet harm-minimisation obligations in a locality with high deprivation and indicators of elevated vulnerability to alcohol harm.

¹⁵ RNZ, 'Countdown to Become Woolworths in \$400 Million Rebrand', *RNZ* (18 July 2023) <<https://www.rnz.co.nz/news/business/493925/countdown-to-become-woolworths-in-400-million-rebrand>>.

¹⁶ New Zealand Institute of Economic Research (NZIER), *Costs of Alcohol Harms in New Zealand: Updating the Evidence with Recent Research* (NZIER, 2024) <<https://www.health.govt.nz/publications/costs-of-alcohol-harms-in-new-zealand-updating-the-evidence-with-recent-research#:~:text=The%20NZIER%20report%20is%20the%20first%20estimate%20of,and%20how%20these%20costs%20are%20distributed%20across%20society.>>>.

60. The Inspector also notes factual inaccuracies in the applicant's description of the existing licensed environment (for example, the applicant stating there are "two bottle shops" in the vicinity, which the Inspector says is incorrect based on-site assessment). This supports the concern that the application was not informed by a robust, site-specific investigation of the locality.

"Role in the community" — asserted, but thin evidence of active local engagement or mitigation

61. The applicant's evidence emphasises community benefit and engagement. For example, the applicant states Woolworths has been "working closely with the Council and Flaxmere community to bring the supermarket to life". Separately, the applicant's internal policy materials also claim a broad "role in the community", including that store managers are encouraged to participate in local liquor accords and forums.

62. However, I have seen no evidence in the application or other documents of meaningful, premises-specific engagement with the local community or tailored harm-mitigation measures commensurate with the known vulnerability and harm profile of Flaxmere.

Suitability and harm minimisation are reflected in design choices

63. Suitability under the Act is an evaluative assessment for the specific premises, not only a general assessment of corporate capability. The applicant's continued support for a high-exposure SAA configuration in a new-build context is, in my view, an indicator that the harm-minimisation response for this premises has not been sufficiently tailored to Flaxmere's vulnerability.

Resolution pathway

64. I would consider withdrawing my opposition if the applicant provides the following, in sufficient time for the reporting agencies to review:

65. **Amended SAA:** An amended SAA plan showing a materially lower-exposure location/configuration that reduces routine exposure (including around self-checkout and primary pedestrian routes) and better gives effect to ss 112–114.

66. **Engagement and site-specific planning:** Credible, premises-specific material demonstrating genuine engagement with the Flaxmere community and that the applicant has considered the local context (beyond generic statements in application materials). This should include a site-specific harm-minimisation plan that identifies local risks and sets out concrete mitigation commitments.

67. Any withdrawal would depend on the above being documented, specific to this premises and locality, and capable of being relied upon (including, where appropriate, through enforceable licence conditions and/or the approved SAA plan).

Conclusion

68. For the reasons set out in this evidence, I consider that the application as currently lodged is inconsistent with the exposure-limiting purpose of ss 112–114 and does not adequately minimise shopper exposure to alcohol so far as is reasonably practicable. In the context of Flaxmere’s vulnerability and documented alcohol-related harm, giving effect to the harm-minimisation intent of the Act is particularly important.

69. Further, for the reasons set out in the suitability section above, I consider the generic and non-bespoke nature of the application materials, and the limited evidence of premises-specific engagement and mitigation in Flaxmere, are relevant to the Committee’s assessment under s 105(1)(b).

70. Accordingly, I respectfully ask the Committee to decline the application as lodged. Alternatively, if the Committee is minded to grant the licence, I ask that it do so only on the basis of an alternative, materially lower-exposure SAA that better gives effect to ss 112–114, together with any appropriate and enforceable conditions to support harm minimisation in this locality.

71. Consistent with the Resolution pathway above, I remain open to withdrawing my opposition if the applicant adopts a materially lower-exposure SAA and provides credible, premises-specific evidence of genuine engagement with the Flaxmere community and context-based planning that goes beyond generic statements in application materials.

Ngā mihi nui



Dr Matthew Radford

Medical Officer of Health
Health New Zealand | Te Whatu Ora
National Public Health Service (NPHS) directorate
Te Matau a Māui | Hawke’s Bay

Appendix A: Designation as Medical Officer of Health



HEALTH ACT 1956
DESIGNATION OF MEDICAL OFFICER OF HEALTH

Pursuant to section 7A(1) of the Health Act 1956, I, Audrey Sonerson, Director-General of Health, designate

Dr Matthew Radford of Hawkes Bay

as a Medical Officer of Health, from and including the date of this instrument.

Dr Matthew Radford is authorised to perform the powers and duties of a Medical Officer of Health in all Health Districts in New Zealand.

This designation is valid until the earlier of:

1. **Dr Matthew Radford** ceases employment or resigns their position with National Public Health Service, Health New Zealand
2. **Revocation** by notice in writing by the Director-General of Health.

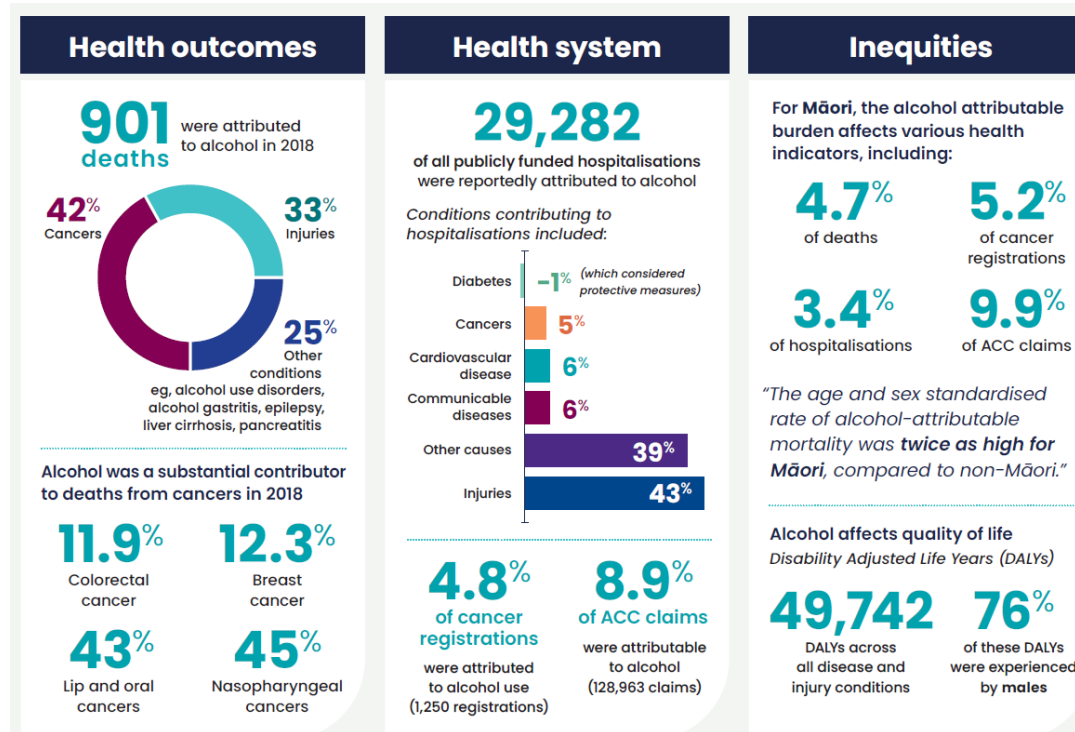
Dated at Wellington this 6th day of October 2025.

A handwritten signature in blue ink, appearing to read 'Audrey Sonerson'.

Audrey Sonerson
Director-General of Health
Te Tumu Whakarae mō te Hauroa

Health New Zealand
 Te Whatu Ora

Appendix B: Estimated alcohol-attributable health burden in Aotearoa New Zealand¹⁷



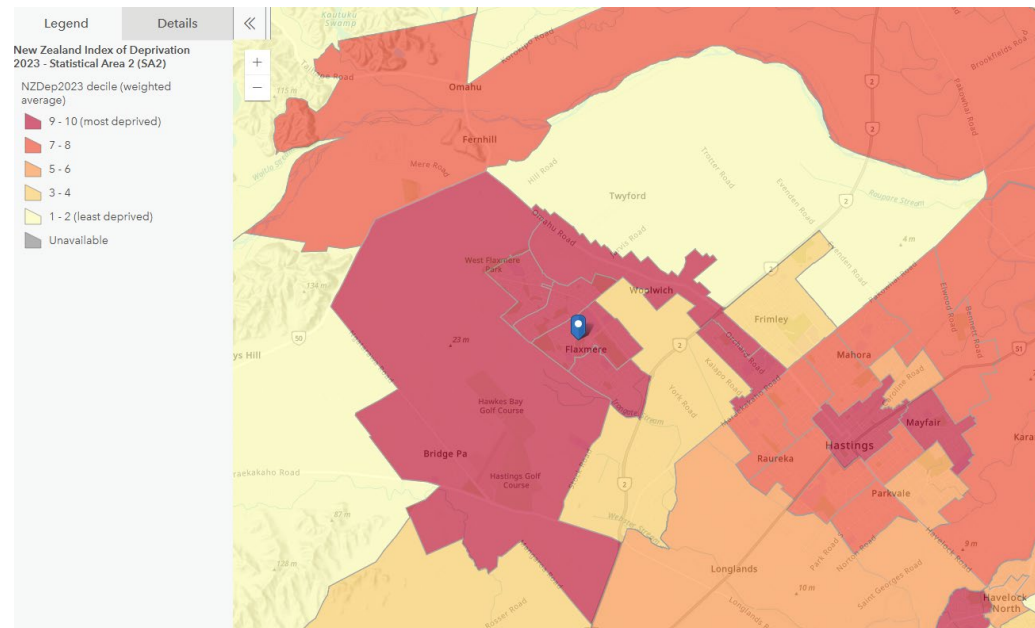
¹⁷ Chambers et al (n 3).

Te Kāwanatanga o Aotearoa
 New Zealand Government



Health New Zealand
Te Whatu Ora

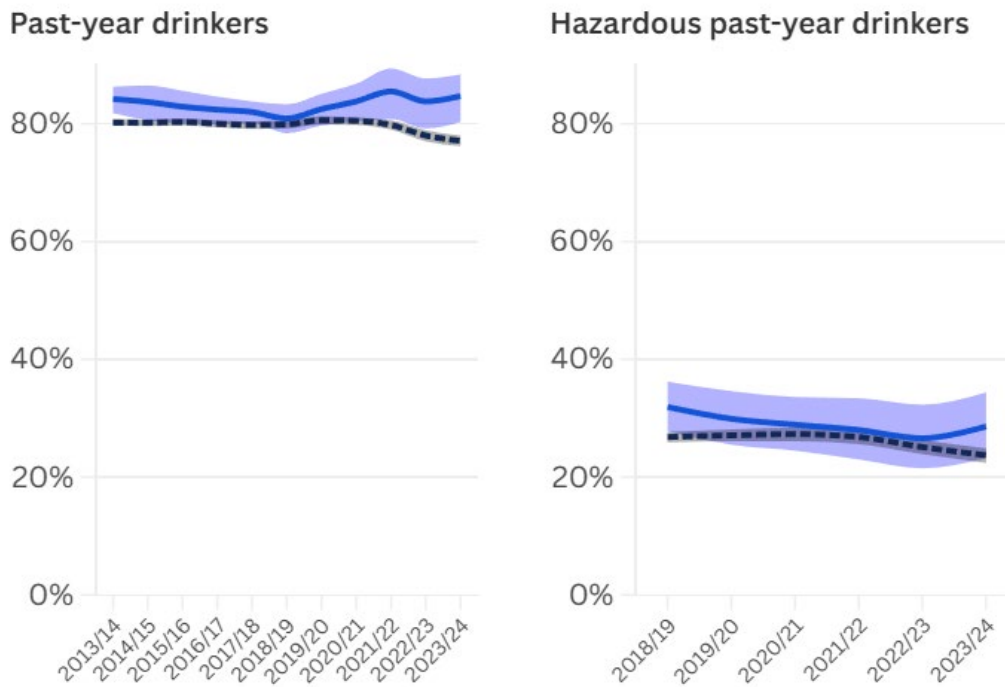
Appendix C: Map of socioeconomic deprivation of Flaxmere (census 2023) at statistical area 1



- Source: EHINZ¹⁸
- The blue icon is the location of Woolworths Flaxmere

¹⁸ EHINZ (n 7).

Appendix D: Alcohol drinking in Hawke’s Bay for adults (15 years and over)



- Source: Regional data release 2011/12-2023/24: New Zealand Health Survey¹⁹
- Hawke’s Bay is the blue line with New Zealand overall in the black dashed line
- The shaded areas around the lines represent 95% confidence intervals
- Age standardised rates presented
- Data shown are final year of 3-year rolling average
- Hazardous drinking is measured using the 10 question Alcohol Use Disorders Identification Test (AUDIT). This covers three aspects of alcohol use: consumption, dependence and adverse consequences. Hazardous drinking is defined as an AUDIT score of 8 or more. Full details on methodology can be found on the Annual Health Survey website.²⁰

¹⁹ Ministry of Health (n 10).

²⁰ Ministry of Health (n 5).

Appendix E: Map of Census Area Units in Flaxmere



- Source: Datafinder StatsNZ²¹

²¹ StatsNZ, 'Area Unit 2017' <<https://datafinder.stats.govt.nz/data/>>.



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Appendix F: Top 10 Census Area Units for presentations at Hawke’s Bay Fallen Soldiers’ Memorial Hospital Emergency Department, Oct 2024-Oct 2025

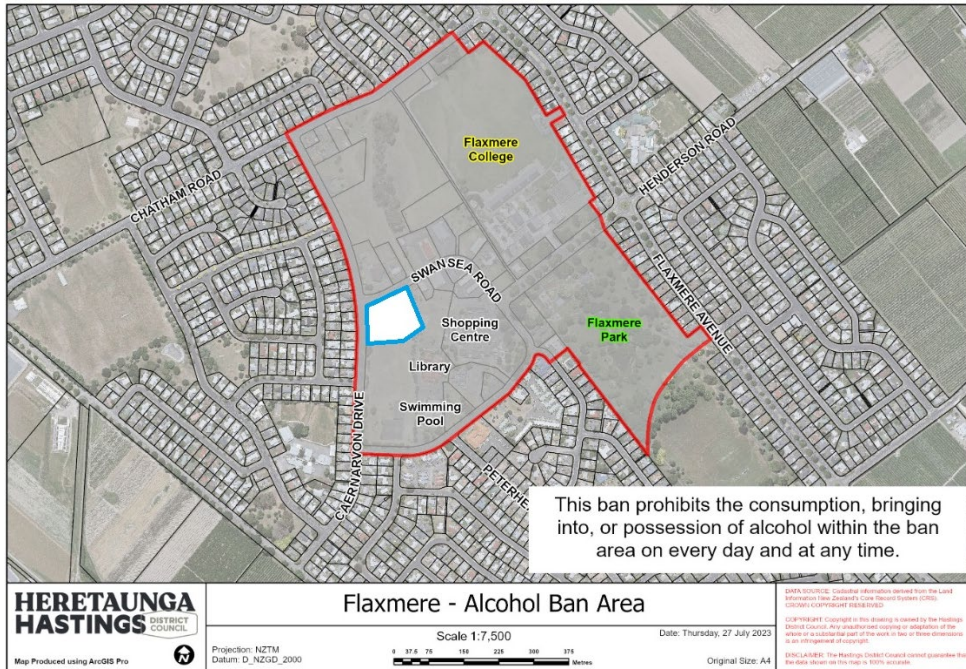
CAU	Number of visits for all causes	Alcohol presentations			Proportion of total presentations due to alcohol
		Due to other person's drinking	Due to patient's drinking	Total presentations	
Wairoa	2,530	9	27	36	1.4%
Onekawa South	1,629	2	31	33	2.0%
Marewa	1,696	4	23	27	1.6%
Mayfair	2,209	7	20	27	1.2%
Raureka	2,037	7	20	27	1.3%
Flaxmere East	2,345	4	21	25	1.1%
Kingsley-Chatham	2,183	3	21	24	1.1%
Camberley	1,376	1	21	22	1.6%
Mahora	1,914	4	18	22	1.1%
Lochain	1,506	4	17	21	1.4%

- CAUs in Flaxmere are highlighted in yellow

Appendix G: Location of sensitive sites near Woolworths Flaxmere



Appendix H: Flaxmere Liquor Ban Area



- Source: Heretaunga | Hastings District Council website²²
- The approximate position of Flaxmere Woolworths has been added and is outlined by the blue square
- Liquor ban outlined in red

²² Heretaunga | Hastings District Council, 'Flaxmere | Hastings Alcohol Ban Areas'
<<https://experience.arcgis.com/experience/64b15789fb7e45aabfc20e60bacdfa64/page/FLAXMERE/>>.

Appendix I: Proposed SAA

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(Not for Construction Issue - Merchandise purposes only)



