

Reference no: OFF728 and OFF729

IN THE MATTER

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

AND

IN THE MATTER

of applications OFF728 and OFF729
pursuant to s127 of the Act for the
renewal of General Distributors Limited's
(GDL) off-licences 45/OFF/006/2022 and
45/OFF/005/2022 in respect of the
premises respectively situated at 6 Ngaio
Rd, Waikanae, known as Woolworths
Waikanae, and Coastlands
Shoppingtown, Paraparaumu, known as
Woolworths Paraparaumu.

MINUTE (No2) OF THE KAPITI COAST DISTRICT LICENSING COMMITTEE

Deferral of hearing dates

1. By memorandum dated 17 July 2026, GDL sought to vacate the hearings set down for 29 and 30 July 2026 on the ground that its witness was affected by a medical issue. Counsel has since advised details of the medical issue the witness has suffered and confirmed that the witness is unable to attend.
2. The medical issue described is a serious acute condition. I accept that the witness is genuinely unable to attend hearings later this month, and that the position was not of GDL's making. On that basis the hearings will be deferred.
3. I record that the documentary material remains incomplete. GDL has not produced a medical certificate, nor any estimate of the period of incapacity or recovery. Nevertheless, counsel has now identified the nature of the condition, which is sufficiently serious to establish that the witness is genuinely unable to attend the hearings later this month. In those circumstances, I am satisfied that the interests of justice favour a short deferral notwithstanding the absence of the usual supporting material.
4. The Committee is not presently in a position to allocate alternative hearing dates. The hearings will be rescheduled, and the parties advised of the new fixture as soon as one can be allocated.

5. The rescheduling addresses the practical difficulty identified in my earlier minute. GDL is a corporate applicant. The principal evidence relevant to these renewal applications concerns the operation of the licensed premises, their compliance history, and GDL's systems for ensuring compliance with the Act. The rescheduling is likely to provide GDL with a substantial period before the hearings. That should allow sufficient time for GDL to consider whether it should call additional or alternative witnesses if its nominated representative has not recovered before the rescheduled hearing.
6. I expect the rescheduled hearings to proceed on the dates allocated. GDL should prepare on the basis that, if its nominated representative remains unavailable, it will call such other witnesses as it is able to. Any further application for an adjournment on the ground of that witness' unavailability will be determined on its own merits and in light of the circumstances then existing. Having now granted one adjournment on that basis, GDL should not assume that a further application will succeed. Any such application would ordinarily be expected to be supported by a medical certificate addressing the nature and expected duration of the incapacity as well as an explanation as to why no other witness, including those directly responsible for the operation of the licensed premises, is able to give the necessary evidence.
7. The following directions apply.
 - (a) The hearing dates of 29 and 30 July 2026 are vacated. The applications will be rescheduled to the next available fixture, and the parties will be advised of the new dates.
 - (b) Any rebuttal evidence from GDL is to be filed and served no later than 20 working days before the rescheduled hearings. GDL is not obliged to file rebuttal evidence. If it does not, the hearings will proceed on the evidence exchanged. Any changes in witnesses should be notified at that stage.

Dated at Paraparaumu this 23rd day of July 2026



Cr. Bede Laracy
Chairperson
Kapiti Coast District Licensing Committee