

# MEETING – AGENDA –

Ngā Take



# DISTRICT LICENSING COMMITTEE

Komiti Raihana-ā-Rohe

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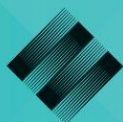
**DL21-1**

**Wednesday, 27 October 2021**

**Council Chambers**

**Barkes Corner, Tauranga**

**9.30am**



***Western Bay of Plenty  
District Council***

# District Licensing Committee

## Membership

<b>Chairperson</b>	Commissioner/Chairperson from the District Licensing Committee Members List ('the List')
<b>Deputy Chairperson</b>	Councillor Don Thwaites
<b>Members</b>	Murray Clearwater (Licensing Commissioner) James Davison (Licensing Commissioner) Beverley Edlin (Licensing Commissioner) Arthur Wilkinson (Licensing Commissioner) Steve Williams (Licensing Commissioner)
<b>Quorum</b>	Commissioner and two members from the List (Section 191 – Sale and Supply of Alcohol Act 2012)
<b>Frequency</b>	As required

## Role:

As conferred under the Sale and Supply of Alcohol Act 2012:

- To consider and determine applications for licences and manager's certificates.
- To consider and determine applications for renewal of licences and manager's certificates.
- 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.
- To consider and determine applications for the variation, suspension, or cancellation of special licences.
- 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.
- With the leave of the Chairperson for the licensing authority, to refer applications to the licensing authority.
- 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.
- Any other functions conferred on licensing committees by or under the Sale and Supply of Alcohol Act 2012 or any other enactment.

## Chairperson's Delegation:

Where no objection to the application has been received within the timeframes as prescribed under the Act the authority to decide on the papers and issue decisions on such applications (Section 191 (2) Sale and Supply of Alcohol Act 2012).

Notice is hereby given that a District Licensing Committee Meeting will be held in the Council Chambers, Barks Corner, Tauranga on:  
Wednesday, 27 October 2021 at 9.30am

## Order Of Business

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<b>3</b>	<b>Apologies .....</b>	<b>4</b>
<b>4</b>	<b>Declarations of Interest .....</b>	<b>4</b>
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**1 PRESENT****2 IN ATTENDANCE****3 APOLOGIES****4 DECLARATIONS OF INTEREST**

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest that they may have.

**5 PUBLIC EXCLUDED ITEMS****6 PUBLIC FORUM**

A period of up to 30 minutes is set aside for a public forum. Members of the public may attend to address the Board for up to five minutes on items that fall within the delegations of the Board provided the matters are not subject to legal proceedings, or to a process providing for the hearing of submissions. Speakers may be questioned through the Chairperson by members, but questions must be confined to obtaining information or clarification on matters raised by the speaker. The Chairperson has discretion in regard to time extensions.

Such presentations do not form part of the formal business of the meeting, a brief record will be kept of matters raised during any public forum section of the meeting with matters for action to be referred through the customer contact centre request system, while those requiring further investigation will be referred to the Chief Executive.

## 7 REPORTS

### 7.1 DISTRICT LICENSING COMMITTEE HEARING - LL8071 - TE PUNA LIQUOR - APPLICATION FOR AN OFF LICENCE

**File Number:** A4345277

**Author:** Carolyn Irvin, Senior Governance Advisor

**Authoriser:** Barbara Whitton, Customer Services and Governance Manager

#### EXECUTIVE SUMMARY

The District Licensing Committee Hearing, set for 27 October 2021, is to hear an application from Angelin Enterprises Limited (trading as Te Puna Liquor Store) for an Off Licence pursuant to section 100 of the Sale and Supply of Alcohol Act 2012, in respect of licensed premises situated at 15 Minden Road, Te Puna, known as 'Te Puna Liquor' (**Attachment 1**).

#### ATTACHMENTS

1. Application for an Off Licence - Te Puna Liquor [!\[\]\(5950fde355bafc747b20583b30242b59\_img.jpg\) !\[\]\(2ba4b990a9f2ed1d09a614c2477547e9\_img.jpg\)](#)

PEOPLE • PLAN • PROGRESS

Western Bay of Plenty District Council

## Application for New or Renewal of Off-Licence

(Including Club Off-Licence Renewals)  
Sections 100 and 127(2), Sale and Supply of Alcohol Act 2012

Fill this form out with the assistance of the guide attached

☒ New Off-Licence    ☐ Renewal Off-Licence

**1. Applicant Details**

a. ☒ Applicant/Property Owner    ☐ Agent    ☐ Other (provide contact details below)

b. Full name of applicant (legal entity who will receive the proceeds from the sale of liquor)  
ANGELIN ENTERPRISES LIMITED

Previous names or other names known by N/A

Postal address 18B APPLIN LANE, PYES PA, TAURANGA-3112

Occupation COMPANY    Date of Birth ...../...../.....

Phone: Business (.....)    Private (.....)    Mobile (022) 1763902

Email BARINDER90@GMAIL.COM    Fax (.....)

Website address .....

c. Preferred means for formal correspondence    ☐ Mail    ☒ Email    ☐ Fax

d. Status of applicant

☐ Natural Person    ☐ Local Authority    ☐ Body Corporate to which Section 28(1)(b)(f) of the Act applies

☒ Private Company    ☐ Trustee    ☐ Manager under the Protection of Personal Property Rights Act 1988

☐ Partnership    ☐ Public Company    ☐ Government Department or other instrument of the Crown

☐ Club    ☐ Licensing Trust    ☐ Board, organisation, or other body to which section 28(1)(c)(f) of the Act applies

e. Does the premises hold an existing licence?    ☐ Yes    ☒ No

f. Is there an existing licence held for the premises or conveyance concerned?    ☐ Yes    ☒ No

State type of licence .....    Number 022/ .....

**Deposit Fee: \$350.00**

**Note:** This is a deposit only. An invoice for the outstanding balance will be sent to the applicant once the correct weighting category has been selected. The outstanding balance is required to be paid prior to the licence being issued.

(for office use)

RECEIVED

27 OCT 2020

WESTERN BOP DISTRICT COUNCIL

Application 8071    Premise No .....

Receipt 21178244    Contact ID 198356

LTQL

**1. Applicant Details** *(Continued)*

- g. Have you or any business partners been convicted of any offence? ☐ Yes ☒ No

If Yes, what are the details of each offence?

*(NOTE: You are entitled to protection under the Criminal Records (Clean Slate) Act. Disclose only convictions not eligible for concealment under the Clean Slate Act)*

Name	Nature of Offence	Date of Conviction	Penalty Suffered
.....	.....	...../...../.....	.....
.....	.....	...../...../.....	.....
.....	.....	...../...../.....	.....
.....	.....	...../...../.....	.....

*(NOTE: Continue on a separate page if necessary and attach to this application)*

- h. Is this the applicant's first licensed premises? ☒ Yes ☐ No  
 If yes, has the applicant prepared a financial plan for the business? ☒ Yes ☐ No

**Select one of the following (Numbered 2 - 5):****2. Further Details Where Applicant is a Company**

- a. Date of Incorporation 28 / 07 / 2020      b. Place of Incorporation TAURANGA  
 c. Full details of each Director and the Secretary

Name	Address	Date of Birth	Place of Birth	Position Held
BARINDERPAL SINGH	18B APPLIN LANE, PYES PA, TAURANGA-3112	30 / 12 / 1990	PUNJAB, INDIA	DIRECTOR
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....

**3. Further Details where Applicant is a Private Company** N/A

- a. ☐ Authorised capital      ☐ Paid-up capital  
 b. Full details of each person who holds any shares issued by the company

Name	Address	Date of Birth	Place of Birth	Position Held	Face value of shares (eg 100 x \$1 shares)
.....	.....	...../...../.....	.....	.....	.....
.....	.....	...../...../.....	.....	.....	.....
.....	.....	...../...../.....	.....	.....	.....
.....	.....	...../...../.....	.....	.....	.....
.....	.....	...../...../.....	.....	.....	.....

**4. Further Details where Applicant is a Public Company** N/A

- a. Full details of each person who holds 20% or more of the shares, or any particular class of shares, issued by the company

Name	Address	Date of Birth	Place of Birth	Position Held
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....

**5. Further Details Where Applicant is a Partnership** N/A

- a. Full details of each partner as follows

Name	Address	Date of Birth	Place of Birth	Signature
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....
.....	.....	...../...../.....	.....	.....

**6. Premises Details**

- a. Existing trading name for premises NO EXISTING NAME/LICENCE  
 Proposed trading name for premises TE PUNA LIQUOR  
 Address of proposed licensed premises 15C MINDEN ROAD, TE PUNA  
 .....
- b. Is a licence sought conditional upon construction or completion of building work? ☐ Yes ☒ No
- c. Do you own the proposed licensed premises? ☐ Yes ☒ No

**If no:**

- (i) Full name of the owner COMMONS HOLDINGS LIMITED  
 • Full address of the owner 7B COMMONS AVE, MOUNT MAUNGANUI, TAURANGA-3116  
 .....
- (ii) What form of tenure of the premises will you have? LEASE  
 • What term of tenure will you have? FINAL EXPIRY 01/11/2038  
 .....
- d. Type of premises
- ☐ Hotel or Tavern ☐ Supermarket ☒ Premises on which principal business is manufacture or sale of liquor  
☐ Club ☐ Grocery store ☐ Internet based  
☐ Other, please state .....

**7. Designated Areas**

- a.. What part (if any) as indicated on the attached floor plan, of the premises do you intend should be designated as
- (i) A restricted area N/A  
 .....
- (ii) A supervised area THE ENTIRE PREMISES  
 .....
- (iii) An undesignated area (specify reason) N/A  
 .....



**8. Business Details**

- a.. Is the sale of liquor intended to be the principal purpose of the business? ☒ Yes ☐ No

**If no:**

- (i) What is intended to be the principal purpose of the business? .....

- (ii) What part of section 32 of the Sale of and Supply of Alcohol Act is applicable to this application? (Refer to copy of section 32 attached).

- b.. Are you engaged, or intending to be engaged, in the sale or supply of any goods other than liquor or food, or in the provision of any services other than those directly related to the sale or supply of liquor and food? ☒ Yes ☐ No

**If yes,** what is the nature of those other goods and services? SALE OF TOBACCO PRODUCTS

- c.. What days and hours do you intend to sell liquor under the licence? (The days and hours should reflect the entire hours you intend to operate your business and should be no greater than what was applied for on your Certificate of Compliance)

**Days** MONDAY TO SUNDAY **Hours** From 9AM To 10PM

- d.. Do you intend to provide complimentary samples of liquor on the premises? ☐ Yes ☒ No

**9. Conditions**

- a. What experience and training has the applicant undertaken:

LCQ training completed in 2014, I am holding a current Managers Certificate since 2014. I have been working in Liquor industry since 2014. I have been working as Store Manager from 2015 to 2019 at various stores in Tauranga, Te Puke, Katikati. I have also completed Diploma in Business Management (Attached as 1) (Employer name is Jaspal Singh his contact number is 02102344984. Attached as 2 are my employment certificates)

- b. What steps do you propose to take to ensure that the requirements of the Act in relation to the sale of liquor to prohibited persons are observed?

Signage for prohibited person will be displayed at both entrance and checkout. Every staff will be required to complete a LCQ course and other courses

(attached as 3) at start of the employment.

Staff will be given on going training every month. Strict trespass policy will be implemented at the store and everyone working at the store will be required to comply with the policy. No obligation to serve to anyone and everyone working at the store will be confident at it.

- c. What other steps does the applicant propose to promote the responsible consumption of alcohol?

2-drinks per day policy will be implemented at the store, Responsible drinking slogans will be displayed in the premises.

Staff training on product use and knowledge will help promoting responsible and safe consumption of alcohol.

Staff will be required to complete the courses (Attached as 3)

- d. What other systems (including training systems), and staff in place (or to be in place) for compliance with the Act?

Minimum 3 Duty Managers will be hired. Monthly training be done by the Director (myself and training plan is attached as 4 to this application) and also everyone will be required to do online training on ServeWise. High resolution CCTV cameras will be installed both inside and outside the premises and CCTV Footage will be available for Police whenever required. Bright lighting will be installed both inside and outside the premises. Trespass policy is formulated and will be implemented strictly by everyone working at the premises.

**9. Conditions** *(Continued)* N/A

e. Are any changes sought to the present conditions of the licence (ie days or hours)?

- **IF NO** – Go straight to Section 11

☐ Yes ☐ No

- **IF YES** – Continue

Changes relating to the days and hours of the liquor licence

(i) What are the days and hours shown on the licence at present?

(ii) What are the changes sought?

Days	Hours	Days	Hours
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

f. Changes relating to other conditions of the liquor licence

(i) What are the conditions of the licence at present?

(ii) What are the changes sought?

.....	.....
.....	.....
.....	.....

What are the full reasons for the changes sought? .....

.....

Where **changes to the days and/or hours** of the licence are sought, has the applicant:

- Contacted the Western Bay Duty Planner Consents on 571 8008 prior to submitting this application to obtain advice as to whether the changes comply with planning requirements and or any resource consents relevant to the premises?
- Filed for a Certificate of Compliance with the renewal application? The Certificate of Compliance provides the required official confirmation the changes comply with all planning requirements

☐ Yes ☐ No☐ Yes ☐ No**10. Management of Premise**

At all times when liquor is being sold or supplied to the public, a manager (appointed under Section 217 of the Sale and Supply of Alcohol Act) must be on duty (except where section 215 of the Act applies to Club's).

a. Details of **ALL** managers currently employed:

- |  |  |
|--|--|
| • Full name <u>BARINDERPAL SINGH</u>         | • Certificate number <u>21/CERT/22901/2018</u> |
| • Residential address <u>18B APPLIN LANE</u> | • Expiry date <u>17 / 07 / 2021</u>            |
| <u>PYES PA, TAURANGA - 3112</u>              |  |
| • Full name <u>RAVNEET KAUR</u>              | • Certificate number <u>21/CERT/24949/2020</u> |
| • Residential address <u>18B APPLIN LANE</u> | • Expiry date <u>23 / 01 / 2021</u>            |
| <u>PYES PA, TAURANGA - 3112</u>              |  |
| • Full name .....                            | • Certificate number .....                     |
| • Residential address .....                  | • Expiry date ...../...../.....                |

(Continue on separate sheet if necessary)

- b. If no managers have yet been appointed, what is your proposal relating to Section 214 of the Sale and Supply of Alcohol Act requiring a manager to be present at all times?

MORE DUTY MANAGERS WILL BE HIRED UPON APPROVAL OF THIS LICENCE APPLICATION

**11. Further details where the licence is a club licence N/A**

**It is a requirement to have in place a written host responsibility policy outlining the establishment's commitment to providing a safe drinking environment.** This policy should be prominently displayed in the premises. Examples of draft host responsibility policies are provided at the back of the attached Pacific Health questionnaire for your reference. If you have any questions concerning this, please contact Pacific Health on 571 8975.

Copy of the host responsibility policy is attached

☐ Yes ☐ No

**12. Signature of Applicant**

- a. **Before signing the application, please refer to and complete the check list at the end of this form.**

b. Applicant's signature ..... Barinderpal Singh ..... Date 27, 10, 2020  
(must be signed by the Licensee personally)

- **Please note – If applying as a company, please indicate your relationship to the company, eg Director, Secretary**

Relationship DIRECTOR ..... Name BARINDERPAL SINGH .....

**"Pursuant to the Privacy Act 1993 the following is brought to your attention:** The personal information contained in this form is being collected to assist Council and other agencies in processing your application and may be made available to the public as part of the process. You do have the right of access to, and correction of, this information subject to the provisions of the Privacy Act 1993"

**13. Check List – Please Tick ✓**

- a. **IMPORTANT** – The application will not be accepted by the District Licensing Committee until:
- **ALL questions on the application form have been answered in full.** ☒ Yes ☐ No
  - **ALL additional documentation as indicated below are attached to the application.** ☒ Yes ☐ No
- Please note that if any of the documents below have been filed with a previous application, you are required to file them again with this application.
- b. **FOR RENEWAL APPLICATIONS Have You Included:**
1. **Where changes to days/hours are being sought**, the completed 100(f) Sale and Supply of Alcohol Certificate application form? ☐ Yes ☐ No
  2. **Where the licence is an off-licence or club licence**, a copy of your host responsibility policy? ☐ Yes ☐ No
  3. **Where the licence is an off-licence or club licence**, the completed Pacific Health questionnaire? ☐ Yes ☐ No
  4. **The completed Fire Service Data Sheet** ☐ Yes ☐ No
- c. **Additional Documents Required**
1. **Original Certificate of Compliance under Section 100(f) of the Sale and Supply of Alcohol Act.** You should have already applied for and been issued this document prior to filing this application. ☒ Yes ☐ No
  2. **Photograph** or artist's impression of the exterior of the premises. ☒ Yes ☐ No
  3. **Map** indicating where the premises is located. ☒ Yes ☐ No
  4. **Scale Plan** of entire premises showing the layout of the premises including where any tables and chairs will be located and outlining:
    - The inside area for sale and supply of liquor, including any cool store areas the customer may have access to.
    - Principal entrance/s.☒ Yes ☐ No
  5. **Host Responsibility Policy** ☐ Yes ☐ No
  6. **Where changes to days/hours are being sought, the completed Certificate of Compliance application form?** ☐ Yes ☐ No
  7. **Manager's certificate** of person/persons intending to be the manager of the premises, or if this document has not been issued at the time of filing this application, the date the manager's certificate application was filed with the District Licensing Committee ☒ Yes ☐ No
  8. **Where the applicant is not the owner of the building**, a written statement from the owner to the effect that the owner has no objection to the grant of the licence. ☒ Yes ☐ No
  9. **Where the applicant is a company**, a copy of the Certificate of Incorporation. ☒ Yes ☐ No
  10. **Where the applicant is a partnership of more than two persons**, evidence of formal partnership. Where the applicant is a Body Corporate, a copy of Certificate of Incorporation (or equivalent document). ☐ Yes ☐ No
  11. **Where the application relates to a supermarket**, particulars of the floor area, including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items. ☐ Yes ☐ No
  12. **Where the application relates to a grocery store**, certified accounts showing the annual sales revenue percentage of turnover that is derived from the sale of main order household foodstuffs as required by Regulation 12 or 13 (as the case requires) of the Sale and Supply of Alcohol Regulations 2013.. ☐ Yes ☐ No
  13. **Deposit Fee of \$350.00** (includes GST) ☒ Yes ☐ No
- d. **Have you completed the attached Toi Te Ora Public Health Questionnaire?** ☒ Yes ☐ No
- e. **Have you completed the Amenity and Good Order Questionnaire?** ☒ Yes ☐ No
- f. **Have you signed and dated the form personally?** ☒ Yes ☐ No

**Sale and Supply of Alcohol Act 2012****Sections 32-36****Section 32 - Kinds of premises in respect of which off-licences may be issued:**

1. An off-licence may be issued only:
  - (a) to the holder of an on-licence issued for a hotel or tavern, for the premises (or part of the premises) for which the on-licence is held; or
  - (b) for retail premises where (in the opinion of the licensing authority or licensing committee concerned) at least 85% of the annual sales revenue is expected to be earned from the sale of alcohol for consumption somewhere else; or
  - (c) if:
    - i) the premises for which it is to be issued are not retail premises; and
    - ii) at least 85% of the annual income of the person to whom it is to be issued is (in the opinion of the licensing authority or licensing committee concerned) expected to be earned from the remote sale of alcohol; or
  - (d) for premises where (in the opinion of the licensing authority or licensing committee concerned) the principal business carried on is the manufacture of alcohol; or
  - (d) for premises that (in the opinion of the licensing authority or licensing committee concerned) are a supermarket with a floor area of at least 1,000 m<sup>2</sup> (including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items); or
  - (f) for premises that (in the opinion of the licensing authority or licensing committee concerned) are a grocery store.
2. Premises for which (by virtue of [Section 350\(b\)\(i\)](#)) an off-licence must not be issued except to a licensing trust can still be premises for which (by virtue of subsection(1)) an off-licence may be issued.
3. [Section 36](#) overrides subsection(1).

**Section 33 - Determining whether premises are a grocery store**

1. In this section:

**Food product**

- (a) does not include
  - i) alcohol, confectionery, ready-to-eat prepared food, or snack food; or
  - ii) a drink (other than milk) sold in a container with a capacity of 1 litre or less; but
- (b) includes delicatessen items that are not ready-to-eat prepared food or snack food.

**Grocery store** means a shop that

- (a) has the characteristics normally associated with shops of the kind commonly thought of as grocery shops; and
- (b) comprises premises where -
  - i) a range of food products and other household items is sold; but
  - ii) the principal business carried on is or will be the sale of food products.

**Ready-to-eat prepared food**

- (a) includes food for the time being declared by regulations under this Act to be ready-to-eat prepared food; and
- (b) does not include food for the time being declared by regulations under this Act not to be ready-to-eat prepared food

**Snack food**

- (a) includes food for the time being declared by regulations under this Act to be snack food; and
- (b) does not include food for the time being declared by regulations under this Act not to be snack food.



**Western Bay of Plenty**  
District Council

Head Office Bakes Corner, 1484 Cameron Rd, Greerton, Tauranga  
Private Bag 12803, Tauranga Mail Centre, Tauranga 3143  
Ph 07 571 8008 (24 hours) • F 07 577 0620  
Freephone 0800 WBOPDC • 0800 926 732  
E [customerservice@westernbay.govt.nz](mailto:customerservice@westernbay.govt.nz)  
[www.westernbay.govt.nz](http://www.westernbay.govt.nz)

## New Zealand Fire Service Data Sheet (all applications)

### Section 76 of the Fire and Emergency New Zealand Act 2017

In accordance with s.100 and s.127 of the Sale and Supply of Alcohol Act 2012, an application for an On, Off, or Club Licence, respectively, must be accompanied by a statement regarding the need for, or provision of, an Evacuation Scheme as required by section 76 of the Fire and Emergency New Zealand Act 2017

*If you have any questions regarding an Evacuation Scheme for your premises please contact Luke Burgess (Fire Risk Manager, NZ Fire Service) at [luke.burgess@fireandemergency.nz](mailto:luke.burgess@fireandemergency.nz) or Jon Rewi (Te Puke area) at [jon.rewi@fireandemergency.nz](mailto:jon.rewi@fireandemergency.nz)*

### Please complete and then tick which statement applies:

The building, located at:

.....15C MINDEN ROAD, TE PUNA.....  
.....(address)

in which the premises known as

.....TE PUNA LIQUOR.....  
.....(name of premises)

☒ has a current Fire Evacuation Scheme.

☐ does not require (by reason of its current use) an Evacuation Scheme.

☐ is exempt from having to meet the requirements for an Evacuation Scheme.

Signed: Barinderpal Singh Date: 27/10/2020

Name: BARINDERPAL SINGH

*Please note, section 286 of the Sale and Supply of Alcohol Act 2012 outlines the provision for suspension of a licence for non-compliance with public health or fire precaution requirements.*

A2622843





Other .....

By Director - Barinderpal Singh

Courses, provided by? Training plan attached

### Intoxicated Patrons

- a. How do you prevent intoxicated people from entering your premises?
- 'No service to Intoxicated' signage will be displayed at the entrance and checkout. Anyone identified to be intoxicated will be requested to leave the premises. A female Duty Manager will always be accompanied by a male staff member. On-going training on dealing with intoxicated persons will be provided every month.
- b. How do you identify if a person is intoxicated?
- SCAB (Speech is impaired, Coordination is impaired, Appearance is affected, Behaviour is impaired) will be used to identify intoxicated patrons. If two or more of these combination are identified in a patron then he/she will not be served alcohol from the premises.
- c. What process do you have to deal with intoxicated patrons?
- Anyone identified intoxicated will be requested to leave the premises by a male staff, referring to the signage displayed stating 'No service to Intoxicated'. Incident will be recorded in the Incident register so that at shift change-over next staff would know about the intoxicated person not to be served.
- d. Do you display signage stating that intoxicated patrons will not be served alcohol? Yes ☒ No ☐  
(This signage can be provided by the Public Health Service)

### Minors

- a. What forms of identification do your staff accept?
- |   |   |                             |
|---|---|-----------------------------|
| NZ photographic driver's license            | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| NZ or overseas passports                    | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| HANZ 18+ card                               | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Other forms of I.D – <i>please describe</i> |   |                             |
| Kiwi Access Card                            |   |                             |
- b. Do you display signage stating alcohol will not be sold to minors? Yes ☒ No ☐
- c. Are staff aware of their responsibilities under the Sale and Supply of Alcohol Act regarding supply of alcohol to minors? Yes ☒ No ☐
- d. What process do you have in place to prevent minors from entering your premises?  
Anyone looking under the age of 25years is asked to show an ID upon entering the premises. Staff will be well trained at checking for acceptable ID, details are mentioned in the training plan attached.
- e. Do you have on-line sales? Yes ☐ No ☒

If yes, what steps do you take to ensure alcohol is not sold to minors?

### Alcohol Promotion

Do you run alcohol promotions (e.g. free products/services, competitions, 2 for 1 deals, etc) Yes ☐  
No ☒

Give recent examples



Do you have exterior advertising?

Yes ☒ No ☐

Building ads,

Yes ☒ No ☐

Sandwich boards,

Yes ☐ No ☒

Billboards

Yes ☐ No ☒

What percentage of your front window is covered in alcohol advertising?

No alcohol advertisement on front window.

What alcohol brands and products are you currently advertising in your windows? Give examples.

#### FOR SUPERMARKETS AND GROCERY STORES ONLY

In which area of the store is your alcohol located?

Please attach a floor plan.

Are your in-store alcohol promotions confined to the designated alcohol area? Yes ☐ No ☐

Please identify the categories of products your store sells (tick all appropriate actions)

Fresh meat (not including processed and cured meats eg bacon, salami, ham sausages etc)

Fresh produce (fruit, vegetables)

Frozen meat

Dairy products

Breads, cereals, rice, pasta

Staples – flour, spices, sugar and other items used for baking

Health and beauty

Tinned foods

Household – non grocery items that are needed for household maintenance – detergent, rubbish bags, cleaning supplies, etc.

Approximately what percentage of your store do the above products occupy?

#### Smoke-free Environments Act 1990

Do you sell tobacco?

Yes ☒ No ☐

Are tobacco products visible to the public?

Yes ☐ No ☒

Barinderpal Singh

(Full name), the licensee\* for

Angelin Enterprises Limited (T/A Te Puna Liquor)

I have read and understood each of the above questions and I agree to comply with the measures outlined here throughout this next licensing period.

Signed: *Barinderpal Singh*

Dated: 27/10/2020

Position/Title: Director

*A Public Health Alcohol Regulatory Officer, on behalf of the Medical Officer of Health, may visit your premises, from time to time, in order to undertake a Sale and Supply of Alcohol Act 2012 compliance visit.*

**All applications filed after 18 June 2013 require the Agency to take into account the criteria of the Sale and Supply of Alcohol Act 2012 (section 105).**

**To support your application, please supply the information required and answer the questions listed in this form.**

#### Scale Floor Plan

Provide a scale floor plan which also shows the design and layout of the premises.

This should include: (identifying your principal entrance)

- Seating and tables
- A list of facilities, ie bar, toilets, stage, etc.
- CCTV placement
- Security lighting

Also, for Off-Licences:

- A description of your product types, where they are displayed and stored.

#### **1. The reporting agencies must consider any effects the issue of the licence will have on amenity and good order - please answer the following:**

**For all licences:**

- a) Advise proximity of all childcare centres, schools and churches within 500m - a site plan would assist.  
Te Puna School- 2.3km    St Joseph's Church- 3.6km    Above and Beyond child care- 78m  
Te Puna Kindergarten- within 50m    (Attached as 5)
- b) How many residential neighbours would you have within 50 metres?  
No resident neighbours within 50m, one backpackers building within 50m (attached as 6 is a letter from the landlord)
- c) Security - what security systems do you have and state location (outdoor lighting, indoor/outdoor CCTV, other)?  
Bright lighting both inside and outside, High definition CCTV in place both inside and outside, Night monitoring with a local security company
- d) Internal layout - can the entire premises be seen by the cashier? Is there good visibility in the cool store areas (Off-Licence)? Where there are blind spots, are mirrors or CCTV installed? Is the internal lighting inside the premises suitable?  
Yes the entire premises will be seen by cashier and where there will be blind-spots mirrors and CCTV will be installed to discourage theft/shoplifting. Bright lighting inside the premises will be installed.
- e) Windows - is there good visibility into and from the premises and the street?  
Yes, window will be kept clear for good visibility.
- f) Lighting - does the lighting outside the premises discourage loitering? Does the lighting allow staff to check ID's, etc?  
Yes bright lighting outside the premises will discourage any such activity and will also have night vision CCTV cameras installed outside the premises. And bright lighting inside the premises will allow staff to check for ID's and clearly see faces.
- g) Security - will you employ security staff and when will they be used?  
Yes security will be hired whenever required such as on busy eves, they will be certified crowd controllers.
- h) Security staff - how many security staff hold a Certificate of Approval and formal registration or qualification? If so wh  
No security staff at this stage.

<b>Additional Information required for On-Licence and Club Licences.</b>	
<b>Noise</b>	
i)	Explain clearly all types* of entertainment you will be providing and when (* amplified music or large crowd noise related)  
j)	Noise management - do you have a noise management plan or an acoustic report prepared by a suitably qualified and experienced Acoustic Engineer?  
k)	Noise mitigation - what mitigation will/is be/being undertaken (include any details regarding noise monitoring)?  
<b>What outside / off premise advertising involving liquor will you be doing?</b>	
l)	Newspaper/Magazine Both Newspaper and Magazine Ads.
m)	Shop windows? No alcohol advertisement on shop windows.
n)	On your premises - roof/other? Store name signage and other promotional signage on exterior walls and roof, but it will not be pictorial alcohol advertisement
o)	Street/Footpath signs? Store name signage as street/foot path signage
p)	Social Media Sites i.e. Twitter/Facebook, Online Magazines, Websites, etc? Yes social media promotion will be done for the store.
A copy or sample of your advertising would be of assistance	
<b>Systems and Staff Training</b>	
q)	Are you involved in any mystery shopper type programmes? Not involved in mystery shopper programmes.
r)	What till prompt systems do you have regarding age checks? POS perfect system will be installed, which have compulsory age check prompts at each transaction.
s)	What staff training is provided with regard to Sale of Alcohol compliance and Host Responsibility practices - explain content, duration and how often this training is provided. Staff training Attached
t)	Please provide copies of any written material you supply to staff regarding staff training (attach to this form). Attached
<b>2. Marketing and Promotions</b>	
a)	What percentage of the front windows will be clear and transparent? 80% of front window
b)	What is the target market for the business? Local Te Puna residents, Local farmers and their workers, local businesses and their customers.

c)	What is your policy regarding pricing and promotions? Pricing strategy is 25% profit margin at shelf price and when it comes to promotion minimum 20% profit margin No irresponsible alcohol promotion will be done
d)	Will there be single sales (Off-Licence)? Yes there will be single sales of alcohol.
<b>Renewals Only</b>	
e)	Have you had any complaints from the neighbours (including confirmed noise complaints) that you are aware of?
f)	Has your business been subject to a Police controlled Purchase Operation (CPO)? If so, what were the results?
g)	Have you or your business ever appeared before the Alcohol Regulatory and Licensing Authority? If so, for what reason?
<b>3. The granting, or renewal, of this application will contribute to the Object of the Act by:</b>	
•	Steps taken to ensure the sale, supply and consumption of alcohol will be undertaken safely and responsibly: A certified Duty Manager will be always be on duty when alcohol is sold, appropriate signage of intoxicated and prohibited persons will be displayed at entrance and checkout. Alcohol will not be sold to minor and intoxicated persons. No irresponsible alcohol promotion will ever be done. On going staff training will be provided. Social responsibility will be displayed and will be always adhered to.
•	The harm caused by the excessive or inappropriate consumption of alcohol will be minimised by: 2 drinks per day policy will be followed where sale of alcohol may be seen to contribute to alcohol harm and strictly no service to intoxicated persons.
<b>Any other comments you wish to make to support your application being determined:</b> I am proposing this new Off-Licence and as to be owner operated store because I believe with active involvement of Licensee in the store results in better way achieving the objects of the Act.	

27<sup>th</sup> October 2020

The Secretary  
Western Bay of Plenty District Licensing Committee

Dear Sir/Madam

**APPLICATION FOR A NEW OFF-LICENCE:  
Te Puna Liquor**

Enclosed please find an application for the grant of a new off-licence in the name of Angelin Enterprises Limited. The premises to which this application relates is located at 15C Minden Road, Te Puna, and is to be known as Te Puna Liquor.

The premises are currently unlicensed, and I seek urgency with the processing of this application.

**Term of licence Sought**

I seek the issues of a licence in terms of section 17 of the Act, authorising the sale and delivery of liquor from the premises. I qualify to hold such a licence pursuant to section 32(1)(b) of the Act.

**Request for Urgency**

The application is for a new liquor store. There is no existing licence in force and thus I am unable to trade on a temporary authority.

Once the licence is granted, the premises will undergo fit out. Proposed opening date is anticipated for the mid of January 2021.

Any assistance the Committee, Licensing Inspector, Police and Public Health can offer in the speedy processing of this application would be enormously appreciated.

**The Applicant**

The applicant is a private company incorporated on 28<sup>th</sup> July 2020. The company have one director and one shareholder. Their personal details are as follows:

Name:	Barinderpal Singh
Address:	18B Applin Lane, Pyes Pa Tauranga 3112
Date of Birth:	30 <sup>th</sup> December 1990
Place of Birth:	India
Status:	New Zealand Permanent Resident

Designation: Director  
Value of Shares Held: 100%  
Drivers Licence no. DP818150

I, the Director has no criminal convictions.

I have been working in Liquor industry since January 2014. Initially started as a Team Member and completed LCQ course and gained a Managers Certificate in July 2014. From 2015 to 2019, I have managed many liquor retail stores in Tauranga, Te Puke, Katikati under the employer Jaspal Singh, contact number 02102344984.

There is no reason to believe that the applicant is not a suitable entity to hold a liquor licence.

#### **Planning / Building Matters**

The applicant has been issued with a Compliance Certificate for the activity.

#### **Environment**

As the business is that of a retail store, it is deemed to be "low risk" in terms of noise, however vandalism and nuisance levels resulting from the issue of this licence has the potential to be an increased risk. The following is offered for completeness:

##### Neighboring land use:

The premises are located in the middle of a commercial area of Te Puna shopping complex. In the same building is a Sports bar and Backpackers. Neighboring businesses are Naked Meat butchery, Te Puna Deli, Te Puna Takeaways, White House café, Share The Point Digital training, Te Puna Kindergartens.

There are two other alcohol outlets in the locality, one is 'Liquor Centre Te Puna' within 50m and other is 'Four Square Te Puna' within 100m.

#### **Te Puna Population**

Attached is an Official information requested from Western Bay of Plenty Council, showing the current population of Te Puna to be 2712 (taken in 2018).

Projected population:

In year 2023 - 2910

In year 2028 - 2960

Locality in relation to perceived sensitive premises

Within a 500m radius of the subject site, the following premises have been identified:

Name	Address
Above and Beyond Education & Care Centre	4 Te Puna Road, Te Puna - 3176
Te Puna Kindergarten	17c Minden Road Te Puna

The issue of a licence for the proposed premises will have little or no impact on the above listed premises. There are no schools in the immediate surrounding environment. Te Puna school is 2.3km walk from the proposed store.

Current and potential noise levels

The nature of the business means that the potential noise effects are minimal.

Security Plan

It is anticipated that there will be no need to have dedicated security on a day to day basis but security staff will be engaged for busy Christmas and New Year periods. Security staff will have the required qualifications and will be crowd controllers. There will be sufficient lighting at the front of the store, and adequate visibility into the store.

Should any incident occur that is beyond the control of the manager, the Police will be called.

Closed Circuit (CC) Cameras will be installed to assist staff and Police in regard to any investigation. Footage will be freely available to Police, should any request be made. We also intend to make sure there are no blind spots, so that all areas of the store are viewable, either by line-of-sight or by Camera viewing screen, from the point of the cashier's counter.

If indoor/outdoor insufficient lighting exists when we outfit the store, we intend to rectify this problem for security reasons. Good lighting also helps staff to properly check identifications when necessary.

Current and Potential levels of nuisance and Vandalism

Any person creating nuisance or vandalism in or around the premises, will be trespassed. The incident will be recorded in the incident register and will be reported to the Police.

There is no reason to believe that the issue of this licence will negatively impact on the neighboring environment amenity and good order.

If there are any issues presented by the public to the store, we intend to provide our contact details to assist in a solution being found.

#### Visual Amenity

The store exterior walls will contain no pictorial promotional signage. Photos are not available at this stage, as fit out will not commence until there is certainty that the licence will issue.

#### **Premises**

##### Neighbour within the Same Building

The store that is situated in the same building premises as the proposed store is a Sports Bar and a TAB and also a Backpackers. The owner has provided me with a letter of no objection to open "a wholesale liquor outlet only". This letter is attached.

##### Landlord consent

We will hold a lease for the premises that has a final expiry date of 1<sup>st</sup> November 2038, if all rights of renewal are exercised. The owner of the building, Commons Holding Limited, has no objection to a licence being held on the premises. A letter to that effect is attached with this application, from the owner and copy of schedule one from the lease is attached to this application. This clearly show the permitted use being that of a liquor store.

##### Principal Entrance

The principal entrance of the premises precisely shown on the attached photographs.

#### **Conduct of Licence**

##### Management of the proposal

I, Barinderpal Singh, am responsible for the overall management of the business. I hold a current Managers Certificate numbered 21/CERT/22901/2018.

Best practice will be for four certificated duty managers to be employed at the premises. This will ensure that at all times the premises are open for the sale and supply of liquor; the requirements of the Act are adhered to.



The duty manager will take control of any situation that may lead to a breach in the provisions of the Act.

Evidence of age documents will be requested when deemed necessary. All appropriate signage will be displayed.

The front window will contain no promotional signage. This will ensure that the duty manager has sufficient visibility into the street and surrounding properties.

#### Staff Training

The Director will also ensure that all staff will be fully trained in their requirements and responsibilities under the Act. Particular attention will be paid to the identification of minors and signs of intoxication. Staff training plan is attached.

#### Signage

I will ensure that the following required signage is displayed:

Copy of licence	At the principal entrance
Licensed hours	At the principal entrance
Name of duty manager	At the principal entrance
Social Responsibility Policy	At point of sale
Prohibited Persons	At point of sale

#### **Conditions of licence**

##### Days and hours of sale of liquor

I seek the authority to sell or deliver liquor from the premises on the following days and during the following hours:

<b>Monday to Sunday</b>	<b>9am to 10pm</b>
-------------------------	--------------------

These hours are in line with the Local Alcohol Policy.

##### Designation of the premises

As the principal purpose of the business is that of a bottle store, it would be appropriate for the entire premises to be designated as a supervised area.

#### **Application processing and reporting**

Should the Police, Public Health or Licensing Inspector have any concerns in relation to this application, all communication thereon must be directed to myself.

**Conclusion**

This is an application for a new Off-Licence for premises that have not previously held a licence. Urgency is sought with the processing of this application.

This is a private company with One director and one shareholder. There is no reason to believe that this entity is no longer suitable entity to hold a liquor licence.

Granting this application will not be contrary to the provisions or to the object of the Sale and Supply of Alcohol Act 2012.

The application is commended to the Committee for its positive recommendation.

Yours faithfully,  
**Barinderpal Singh**



**Director**  
**Angelin Enterprises Limited**



### STAFF TRAINING MANUAL

#### Index

1. The Sale and Supply of Alcohol Act 2012
2. Our License type
3. License conditions
4. Management of Licensed Premises
5. Offences and Penalties
6. Suspension or Cancellation of License or Manager's Certificate
7. ServeWise training
8. Store Policies:
  - a) Incident Logbook
  - b) Trespass policy
  - c) Amenity and good order of the locality
  - d) Knowledge about store's core products- Craft beers, wines and spirits
  - e) Reporting of faults
  - f) CCTV and monitoring exterior of the premises and also nearby sensitive sites
  - g) Always keep shop display area clear of unwanted boxes

1. The Sale and Supply of Alcohol Act 2012
  - Purpose of Act- The purpose of the Act is to put in a place a system of control over the sale and supply of alcohol that it is reasonable and helps to achieve the Object of this Act, for the benefit of the community as a whole.
  - Object of the Sale and Supply of Alcohol Act- what act is designed to achieve
    - a) The sale, supply, and consumption of alcohol should be undertaken safely and responsibly;
    - b) The harm caused by excessive or inappropriate consumption of alcohol should be minimised, harm includes any crime, damage, death, disorderly behaviour, illness or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol and any harm to society generally or the community.
2. Our License type
  - Off-License- it allows the sale and supply of alcohol for consumption somewhere else – so to take off the premises.
  - The licensee of an off-license can supply free samples, for consumption on the premises e.g. beer and wine tastings to promote new products.
  - Beer and wine tasting will often be organised at this premises and staff is required to follow the instructions of Duty Manager or the person organising the tasting, to assist them perform the tasting. Duty Manager and the Staff always make sure that free water to be provided at the place where the tasting samples are being supplied.
3. License conditions
  - The store licence will be attached to this training manual.

- Display of Signs and Notices

<u>Sign</u>	<u>Location</u>
Licence and Conditions	Principal entrance (main door)
Ordinary Hours of Trade	Principal entrance (main door)
Manager on Duty	Easily seen
Prohibited Persons	At every point of sale (cash register)

#### 4. Management of Licensed Premises

- Manager must be on duty at all times when alcohol is available to be sold or supplied to the public
- Manager is responsible for:
  - The compliance with and enforcement of the provisions of the Act
  - The compliance with and enforcement of the conditions of the licence
  - Conducting the premises with the aim of minimising alcohol related harm
- Manager must hold a current managers certificate.
- Temporary and Acting Manager
  - In the event of a genuine emergency, these are two helpful provisions build in the Act.
  - Notice of Management change- whenever there is a change in Manager (i.e. a new Manager starting or an existing Manager leaving), or the appointment of a Temporary manager or Acting manager, the Licensee must notify both the DLC and local Police, within 2 working days of the appointment or change taking place.
  - Manager Register: must be maintained with full legal name, date of birth, gender, managers' certificate number and expiry, date of appointment as a Manager for the premises, date that employment as a Manager was terminated, for each period that someone serves as an acting Manager, the date of appointment and the date that the appointment ceased, the reason for the appointment as Acting or Temporary Manager including the name of the Manager whose absence the appointment was intended to cover, the date that the Licensee notified the relevant DLC and the Police of the appointment, cancellation or termination of the Manager, Acting or Temporary Manager, the date that application for a manager's certificate was made for a Temporary Manager
  - This register must be kept for atleast 2years, after it is recorded, even if the premises ceases trading during that time.

#### 5. Offences and Penalties

- All alcohol sales must be done by the Duty Manager, it is an offence otherwise.
- Duty Manager make sure store is not doing any irresponsible promotion of alcohol, such as selling alcohol at 25% or more below the ordinary price,

promoting alcohol free of charge, except for complimentary tasting or promotions that are held within the licensed premises that cannot be seen or heard from outside the premises.

- Duty Manager must make sure to ask for a valid acceptable ID from any person looking 25years old or under. Acceptable IDs are a current NZ driver's licence, a current passport, HNZ 18+ ID card, Kiwi Access card.
- Duty Manager must make sure he is not selling alcohol to any intoxicated person, he should follow applicable steps to identify intoxication such as SCAB (speech, coordination, appearance, behaviour).
- People who are suspected of buying alcohol for homeless or any person under the age of 18years, must be trespassed and reported in the incident book and to the Police.
- The Manager must not allow a minor to enter or remain unaccompanied in a supervised area
- Manager or an employee must not be intoxicated while on duty
- Manager must not allow intoxicated person to remain on the premises
- Manager must not allow any violent, quarrelsome, insulting or disorderly conduct to take place on the premises
- The manager must take all reasonably practicable steps to ensure that the Licensee does not sell or supply alcohol on or from the premises contrary to the requirements of the Act or the licence conditions

6. Suspension or Cancellation of License or Manager's Certificate

- A constable or an inspector may at any reasonable time enter and inspect the premises, to ascertain whether the Licensee is complying with the provisions of the Act and the conditions of the licence.
- They can require the production of any licence or any book, notice, list or other document that is required by the Act to be kept.
- Failure to comply with their requests in a timely manner is an offence.

7. ServeWise training

- The staff is required to complete online training at ServeWise every 2 months. <https://servewise.alcohol.org.nz/login/index.php>

8. **Store Policies:**

- a) Incident Logbook- Every incident must be recorded in the incident book and according reported to the Management and the Police. If required trespass notice must be issued.
- b) Trespass policy is attached to this training manual.
- c) Amenity and good order of the locality- At all times staff must make sure any litter in or around the premises must be cleared immediately, staff must keep an eye on the CCTV.

- d) Knowledge about store's core products- Craft beers, wines and spirits, Training will be provided by Barinderpal about these core products. This will be helpful assisting the shoppers.
- e) Reporting of faults- Whenever a fault is noticed it should be brought in the attention of the Duty Manager and Barinderpal. Faults including (but not limited to) CCTV, lighting, TILL system, refrigeration.
- f) CCTV and monitoring exterior of the premises and nearby sensitive sites- when two staff are on duty, one of them must monitor the exterior of the premises and also the car park and other neighbouring sensitive sites
- g) Always keep shop display area clear of unwanted boxes

6

**MINDEN BACKPACKERS**

**15C/1 Minden Road**

**RD 6**

**TePuna**

**Tauranga 3176**

**19<sup>th</sup> October 2020**

**Western Bay of Plenty District Council**

**Private Bag 12803**

**Tauranga mail centre**

**Tauranga 3143**

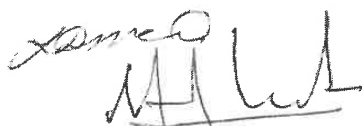
**Attn: District Licensing Committee**

**To whom it may concern**

**As the owners of the Minden Backpackers situated at 15c/1 Minden Road  
Te Puna we are writing to inform you we have no objections regarding  
the application for a liquor licence at 15c/3 Minden Road TePuna**

**Regards**

**Lynne and Lindsay Mack**

Handwritten signatures of Lynne and Lindsay Mack in black ink.

**Minden Backpackers**

**Owners/ Directors**



**Western Bay of Plenty**  
District Council

Head Office Bakes Corner, 1484 Cameron Rd, Greerton, Tauranga  
Private Bag 12803, Tauranga Mail Centre, Tauranga 3145  
Ph 07 371 8008 (24 hours) • F 07 377 9820  
Freephone 0800 WBOPDC • 0800 726 732  
E [customer.service@westernbay.govt.nz](mailto:customer.service@westernbay.govt.nz)  
[www.westernbay.govt.nz](http://www.westernbay.govt.nz)

RC 12531\*  
P/1301/131  
12 October 2020

**Western Bay of Plenty District Council  
Certificate of Compliance Pursuant to Section 139  
Resource Management Act 1991**

- |    |                         |   |
|----|-------------------------|---|
| 1. | Applicant               | Barinderpal Singh   |
| 2. | Location of Property    | 15C Minden Rd, Minden   |
| 3. | Legal Description       | Lot 2 Deposited Plan 382077   |
| 4. | Zone                    | Commercial  |
| 5. | District Plan           | Western Bay of Plenty Operative District Plan   |
| 6. | Description of Activity | To sell liquor as Off Licence application under Sale and Supply of Alcohol Act 2002 for the premises known as "Angelin Enterprises Ltd". The hours of operation:<br>Monday to Sunday 9:00am to 10:00pm. |
| 7. | Statement of Compliance |   |

On 1st September 2020, the day this application was received, the activity described above is a permitted activity under the Western Bay of Plenty Operative District Plan (Rule 19.3.1(d)), the relevant provisions of which are beyond the stage they can be affected by submission or appeal.

Jody Schuurman  
Resource Management Technical Advisor  
Date: 13 October 2020

Approved under delegated authority.

Chris Watt  
Environmental Consents Manager  
Date: 13/10/2020





**CERTIFICATE OF COMPLIANCE**  
WITH REQUIREMENTS OF RESOURCE MANAGEMENT ACT AND  
BUILDING CODE

**Western Bay of Plenty District Council**

PHONE: (07) 571 5008 FREE PHONE: 0800 928 73  
EMAIL: Customer.Service@westernbay.govt.nz

155 CAMERON RD  
GREERTON  
TAUANGA 312  
NEW ZEALAND

**RECEIVED**  
01 SEP 2020  
WESTERN BOP  
DISTRICT COUNCIL

**ALCOHOL LICENCE APPLICATION NUMBER:**

Full name of applicant(s)

BARINDERPAL SINGH

Premise Name

ANGELIN ENTERPRISES LIMITED

Address

15C/3 MINDEN ROAD, TE PUNA

Legal Description

DP 382077 LOT-2

Details/Type of Licence

OFF-LICENCE

The building is

- ☐ a new building for the intended use, or  
☐ an existing building that will not have a change of use, or  
☒ an existing building that will have a change of use.

Signature of Applicant

Barinderpal Singh

Agent Date

01/09/2020

**Office Use Only:****To the Western Bay of Plenty District Licensing Committee**

This letter serves as a certificate for the purpose of Section 100(f) of the Sale & Supply of Alcohol Act 2012  
 This certificate refers to a proposal as detailed above.

The proposed use of the building meets the requirements of the Resource Management Act, subject to the following:

- ☐ Compliance with District Plan performance standards  
☐ Compliance with land use consent (LU \_\_\_\_\_) issued \_\_\_\_\_ (copy attached).  
☐ Hours of Operation \_\_\_\_\_

Signed:

Chris Watt  
 Environmental Consents  
 Manager  
 Date: 13/10/2020

The proposed use of the building meets the requirements of the NZ Building Code to the extent required by the Building Act 2004.

Signed:

For building section  
 Date:

**An application fee of \$200 must accompany your application (LO/RCON)**

Date paid:

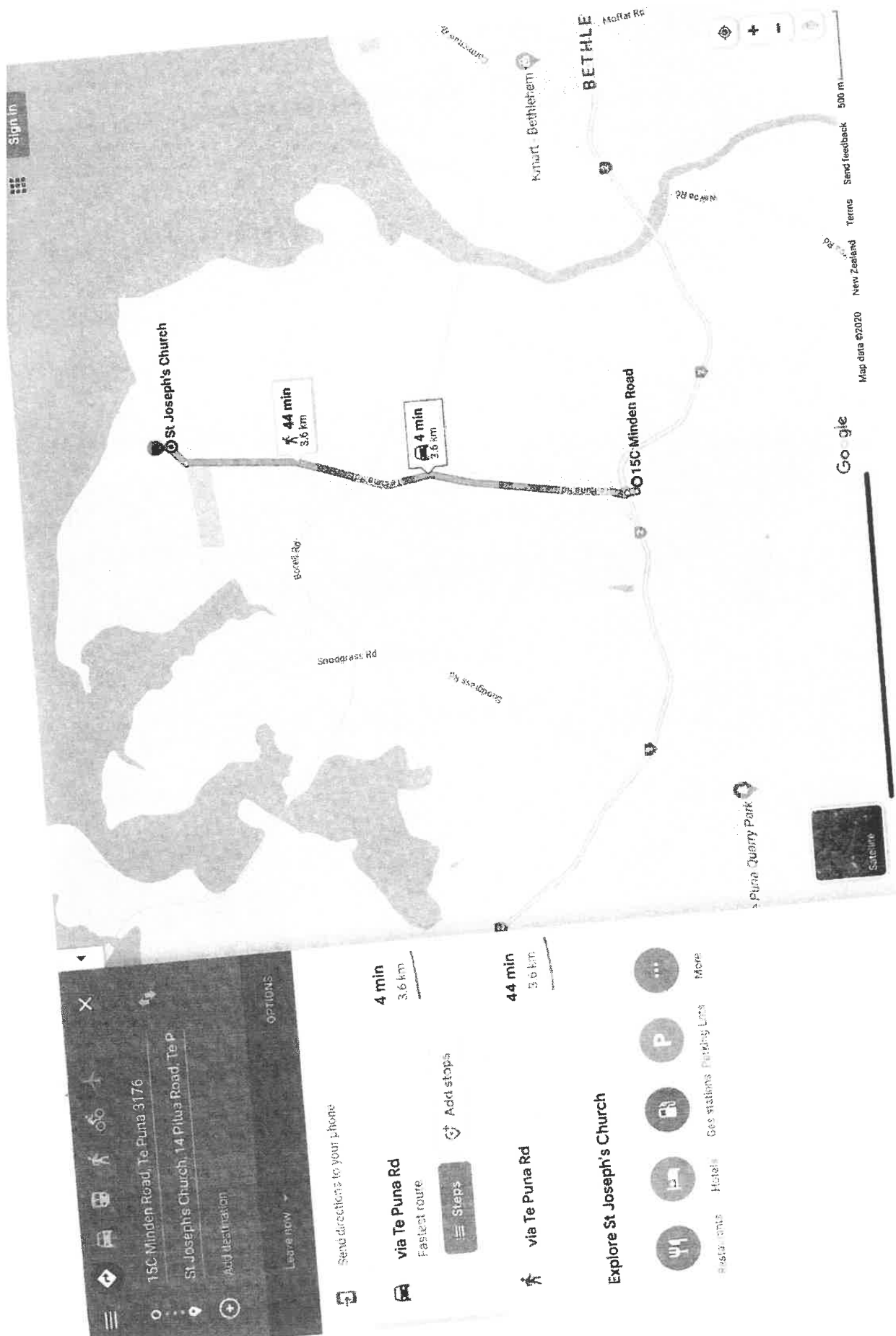
Receipt Number:

Exterior of Premises

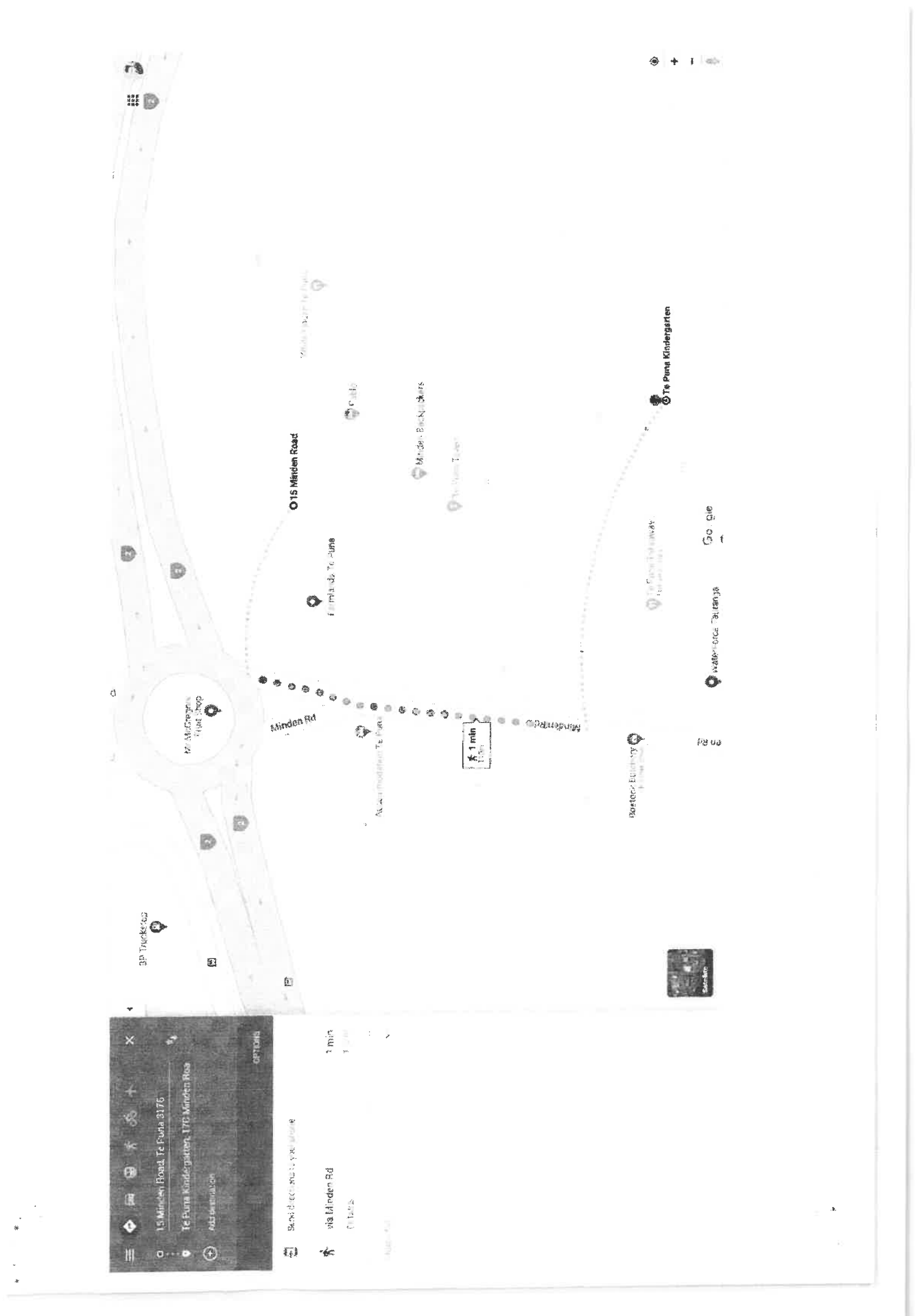


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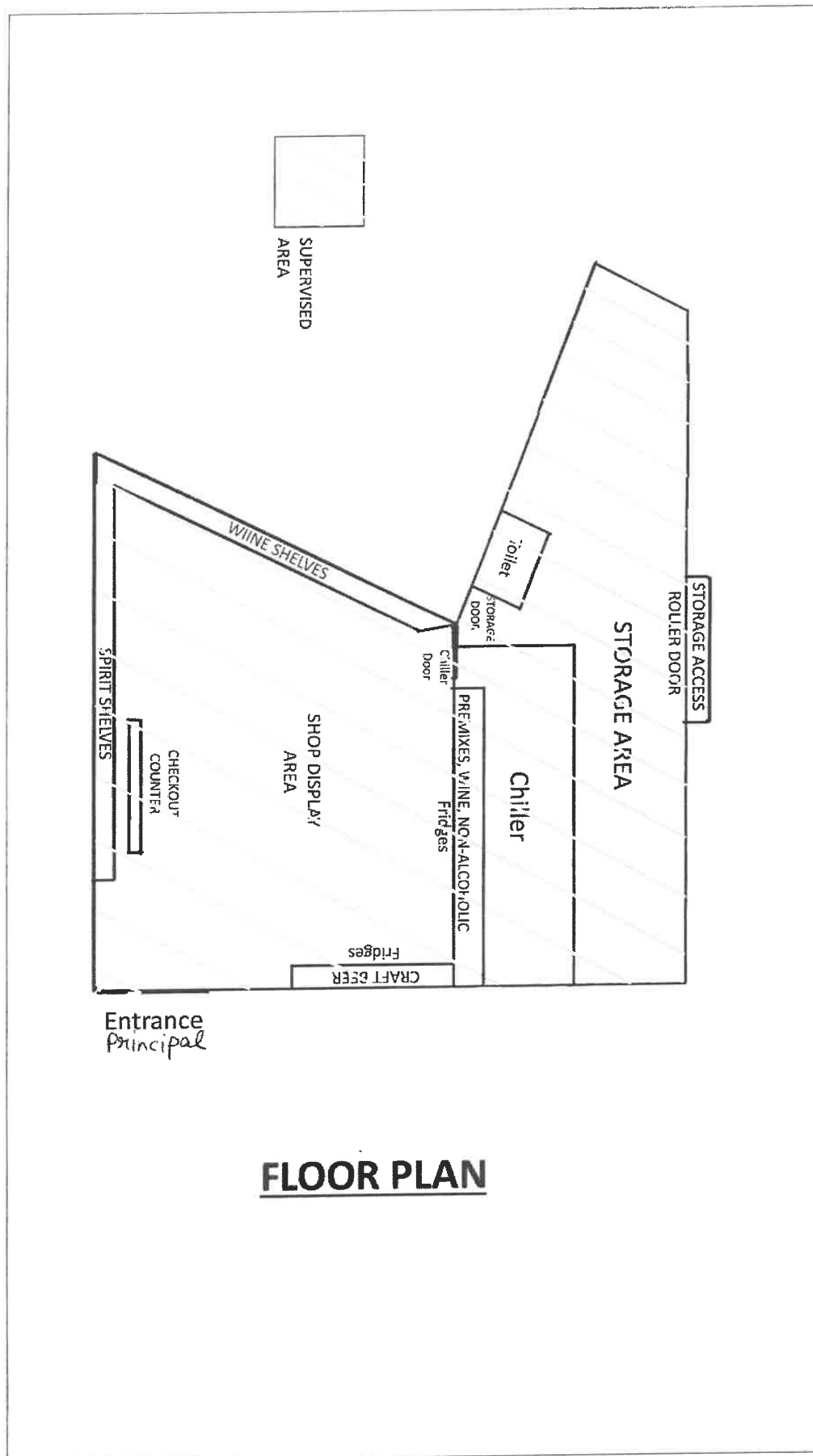




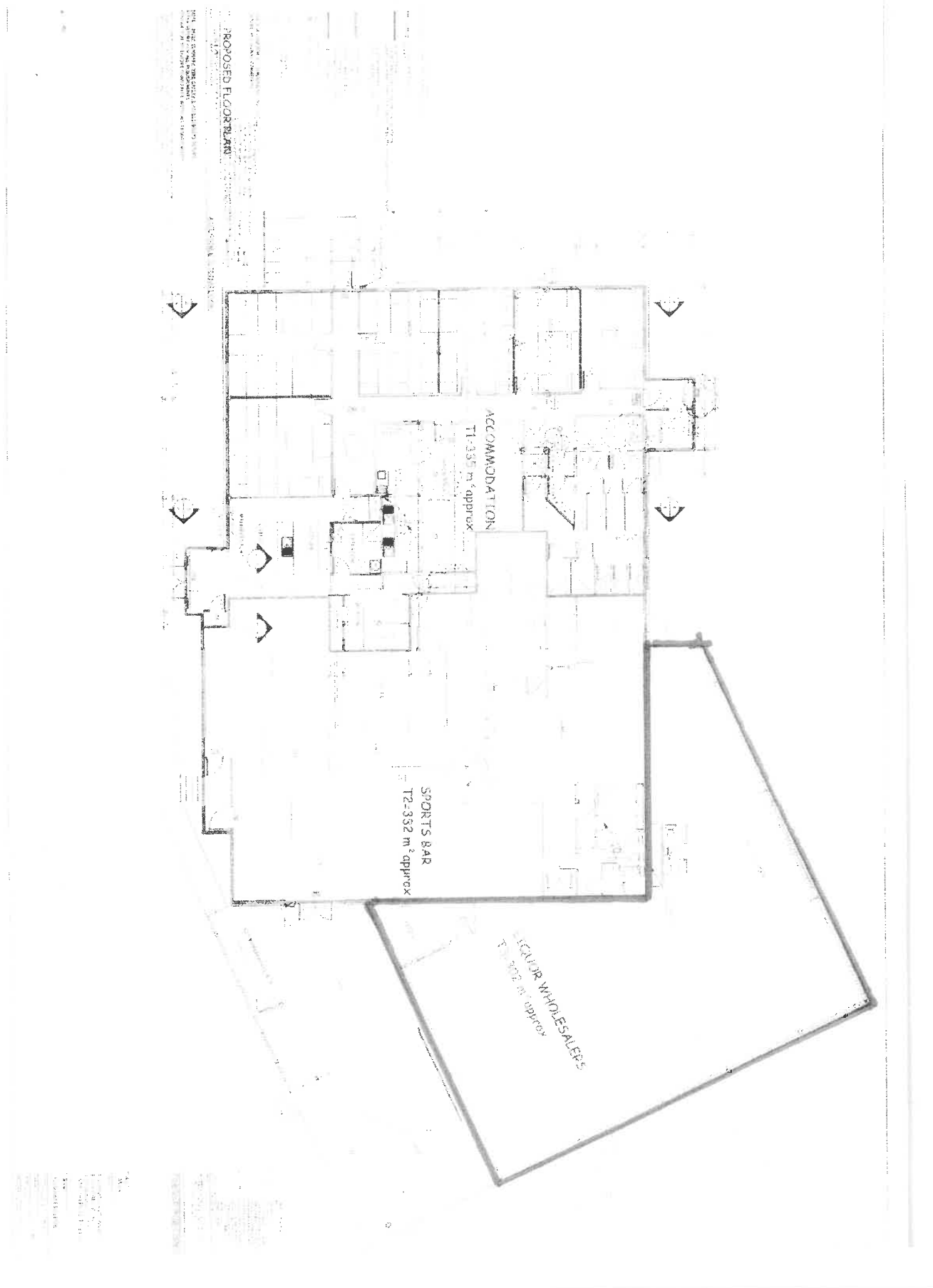


Google Location of Premises











# Tauranga District Licensing Committee

## SALE AND SUPPLY OF ALCOHOL ACT 2012

Certificate No. 21/CERT/22901/2018

### NOTICE OF RENEWAL OF MANAGER'S CERTIFICATE

Section 226, Sale and Supply of Alcohol Act 2012

## BARINDERPAL SINGH

Your manager's certificate is renewed.

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of Manager's Certificates, this certificate.

**expires on 17 July 2021**

unless again renewed.

Renewed at Tauranga 19 July 2018

A handwritten signature in black ink, appearing to read 'Darrienne Daubney'.

Darrienne Daubney  
**SECRETARY**  
TAURANGA DISTRICT LICENSING COMMITTEE



Scanned with CamScanner

**COMMONS HOLDINGS LTD**

**7B Commons Ave  
Mount Maunganui  
Tauranga 3116**

**19<sup>th</sup> October 2020**

**Western Bay of Plenty District Council  
Private Bag 12803  
Tauranga mail centre  
Tauranga 3143**

**Attn: District Licensing Committee**

**To whom it may concern**

**As the building landlords/owners we are writing to inform you we have no objections regarding the application for a liquor licence at our property situated at 15c/3 Minden Road TePuna**

**Regards**

Handwritten signatures of Lynne and Lindsay Mack in black ink.

**Lynne and Lindsay Mack  
Directors  
Commons Holdings Ltd**



## Certificate of Incorporation

ANGELIN ENTERPRISES LIMITED

8066458

NZBN: 9429048490979

This is to certify that ANGELIN ENTERPRISES LIMITED was incorporated under the Companies Act 1993  
on the 28th day of July 2020.

Registrar of Companies  
19th day of October 2020



Certificate generated 19 October 2020 05:28 PM NZDT

**TE PUNA LIQUOR  
SOCIAL RESPONSIBILITY POLICY**

The management and staff of Te Puna Liquor have a responsibility to provide an environment where alcohol is sold responsibly. Because of this, we have implemented the following Social Host Responsibility policy.

- We are committed to encouraging the responsible sale and supply of alcohol.
- It is against the law to serve anyone who is intoxicated. Intoxicated persons will be asked to leave the premises.
- It is against the law to serve alcohol to minors. If we are in doubt about your age, we will ask for identification.
- We operate an ID25 programme. If you look 25 years of age or under, you will be asked to produce one of the following:
  - A current New Zealand or overseas passport
  - A current New Zealand driver's licence
  - A Kiwi Access Card
  - A Hospitality NZ 18+ Card.
- We cannot sell alcohol to an adult who intends to supply a minor unless they are their parent or legal guardian.
- We cannot sell alcohol to people in school uniform, regardless of proof of age.
- Alcohol will only be promoted and sold in a responsible manner.
- Our policy is zero tolerance for aggressive, coercive or violent behaviour. Customers behaving in a disorderly manner will be asked to leave the premises.
- We maintain a training and management policy to give our staff the skills and support they need to do their job responsibly.
- We pride ourselves on being socially responsible hosts

**Director  
Angelin Enterprises Limited  
Te Puna Liquor**

### Social Host Responsibility Implementation Plan

A socially responsible host:

1. is well trained and fully understands their legal and social obligations
2. does not serve alcohol to minors and does not sell alcohol to an adult who intends to on-supply to a minor
3. does not serve alcohol to intoxicated customers
4. serves alcohol responsibly or not at all
5. promotes and encourages responsible drinking practices
6. does not allow violent, insulting, disorderly or quarrelsome behaviour on the premises

1. A socially responsible host is well trained- A socially responsible host is well trained and fully understands both their legal obligations and their role in reducing alcohol-related harm. Training helps provide staff with clear roles and responsibilities, and models service and interventions that ensure premises meet their legal obligations.

Staff Training Manual- Attached.

2. A socially responsible host does not serve alcohol to minors-

- Guide to checking ID

- Ask to see the customer's ID if they look 25 or under.
- The customer must remove the ID from their wallet.
- Check the date of birth (know the cut-off birth date at which you must deny customers access to your premises).
- DO NOT look at the picture first; look at the picture last.
- Feel the surface and edges of the card with your thumb, checking for blemishes or tampering.
- FIRST, while talking to the customer, look for distinguishing features on their face, nose, chin and jaw.
- SECOND, look at the picture on the card – ensure this has the same features as the face.
- Shine a torch from behind the photo and the date of birth.
- If further validation is required, check their signature against the card (get them to sign).
- Can you PROVE to Police you have ID-ed them?  
(Cameras/Notebook/Stamp)

- Fake and fraudulent ID Every effort must be made to prevent the use of fake or fraudulently presented ID to purchase alcohol. Note any incidents of suspected presentation of fraudulent ID in the INCIDENT LOG.

If you are suspicious that ID has been tampered with or is fraudulently presented, follow the steps outlined below:

- Ask the person if they have another form of identification (in many instances a person will only have one form of fake ID and if they produce another form of ID it may help to verify their identity).

- If the presented ID has a signature, invite the person who has presented the ID to sign a blank piece of paper and compare the signature to the one on the ID.
  - Record the details of the suspected fake ID and any other ID that may be produced in the INCIDENT LOG. Record the particulars of the person presenting the ID and their next-of-kin (home address and phone number(s)).
  - Tell the person who has presented the ID that it appears to be fraudulently presented and: – note their explanation – ask them if they are willing to wait until the Police arrive to inspect the ID – deny service.
  - Wait with the person until Police arrive. If the person will not wait for Police but agrees to
  - abandon the ID, follow the steps below: – Record the details of the ID in the INCIDENT LOG. – Arrange to drop the ID to the Police Station or Alcohol Harm Reduction Officer. – Insist the person obtains an authentic ID before any future entry into the venue and service will be considered.
  - If the person demands the return of the ID: – you should return the ID to the person, as you have no statutory power to seize the ID – make contact with other licensed premises in your area and alert them to the suspected fake or fraudulently presented ID and give them a description of the person – record the circumstances and person's description and forward these to the Police (Alcohol Harm Reduction Officer).
  - Note: Do not use force to retain the ID.
  - If the person presenting the ID leaves the licensed premises, leaving the document with you or one of your staff members, you must:
    - secure the ID (for handover to the Police)
    - record the time, date and circumstances surrounding the abandonment of the ID
- On-supply to minors: A socially responsible host does not serve alcohol to adults who intend supplying this alcohol to minors. This is called social supply and most minors obtain their alcohol this way. Suspected person should be refused and trespassed.

3. A socially responsible host does not sell alcohol to intoxicated customers

The Act prohibits any licensee or manager from:

- allowing an intoxicated person to enter the premises
- selling or supplying alcohol to an intoxicated person
- allowing an intoxicated person to be or remain on licensed premises
- allowing disorderly conduct on premises.

If an intoxicated person enters the premises, they must be removed immediately.

The Act states that a person is intoxicated when he or she is observably affected by alcohol, other drugs, or other substances (or a combination of two or all of those things) to such a degree that two or more of the following are evident:

- Speech is impaired.
- Coordination is impaired.
- Appearance is affected.
- Behaviour is impaired.

4. A socially responsible host sells alcohol responsibly or not at all

Off-licensed premises are under no compulsion to sell alcohol to a potential customer who enters the store. Sellers must be able to satisfy themselves that by serving alcohol they will not further contribute to the levels of alcohol-related harm in the community. Refusal of service should be viewed as an indication you are concerned your customers' welfare. Staff must comply with their legal obligations under the Act.

If a customer is visiting a bottle store more than once a day, best practice premises will take extra care to determine whether the customer is intoxicated or requires support of any kind.

**2 Drinks per day policy-** should be applied at all times, should not be served 3<sup>rd</sup> time in a day.

5. A socially responsible host promotes responsible drinking practices

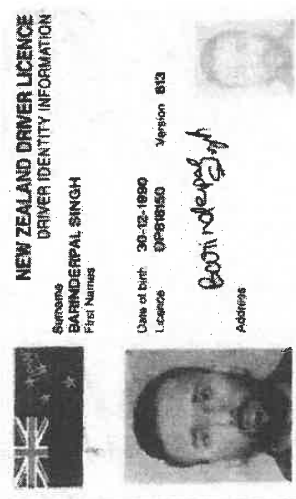
**Alcohol promotions**

- The Act creates offences and penalties for certain irresponsible alcohol promotions or activities. These can result in fines and licence suspensions, could have a negative impact on the licence or Manager's Certificate (e.g. at renewal), and can also damage the reputation and prospects of a business. It is an offence to:
  - encourage excessive consumption of alcohol
  - promote or advertise discounts on alcohol of 25% or more, anywhere that can be seen or heard from outside the licensed premises
  - promote or advertise free alcohol (unless the promotion/advertisement cannot be seen or heard from outside the premises)
  - offer goods, services or prizes on the condition that alcohol is bought (unless the offer is made on the premises about buying alcohol on the premises)
  - promote alcohol in a way that has special appeal to minors.

6. A socially responsible host does not allow disorderly conduct

Any customer displaying disorderly behaviour, such as arguments, fighting, damage or theft, should be removed from the premises. Any incident that happens on your premises, whether significant or not, should be recorded in an INCIDENT LOG.





Barinderpal Singh



# Tauranga District Licensing Committee

## SALE AND SUPPLY OF ALCOHOL ACT 2012

Certificate No. 21/CERT/24949/2020

### **MANAGER'S CERTIFICATE**

Section 217, Sale and Supply of Alcohol Act 2012

## **RAVNEET KAUR**

Pursuant to the Sale and Supply of Alcohol Act 2012 RAVNEET KAUR is authorised to manage any licensed premises in respect of which a licence is in force.

Subject to the requirements of the Act relating to fees, and to the provisions of the Act relating to the suspension and cancellation of manager's certificates, this certificate continues in force

- (a) either –
- (i) until the close of the period for which it was last renewed; or
  - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the certificate is duly made before the certificate would otherwise expire, either –
- (i) until the close of the period of 3 years after the period for which it was renewed; or
  - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

**This certificate EXPIRES on 23 January 2021 unless again renewed**

**DATED at Tauranga** 23 January 2020

A handwritten signature in black ink, appearing to read 'Darrienne Daubney', written over a horizontal line.

**Darrienne Daubney**  
**SECRETARY**  
**TAURANGA DISTRICT LICENSING COMMITTEE**



# Licence Controller Qualification

This is to certify that on  
17 July 2019

**Ravneet Kaur**

was issued the Licence Controller Qualification recognised by ServiceIQ,  
incorporating the following NZQA unit standards

NZQA ID

- 4646 Demonstrate knowledge of the Sale and Supply of Alcohol Act 2012  
and its implications for licensed premises
- 16705 Demonstrate knowledge of host responsibility requirements  
as a duty manager of licensed premises



**Andrew McSweeney**  
CEO  
ServiceIQ (Service Skills Institute)

**Service IQ**  
SMARTER PEOPLE FOR  
SMARTER BUSINESSES

## 7.2 DISTRICT LICENSING COMMITTEE HEARING - LL8071 - TE PUNA LIQUOR - INSPECTOR'S REPORT

**File Number:** A4350182

**Author:** Dougal Elvin, Liquor Licensing Inspector

**Authoriser:** Rachael Davie, Group Manager Policy Planning And Regulatory Services

### 1. APPLICATION DESCRIPTION

#### 1.1 Application and Property Details

**Applicant's Name:** Angelin Enterprises Limited.

**Site address:** 15C Minden Road, Te Puna.

**Trading Name:** Te Puna Liquor

**Type of premises:** Bottle Store

**Risk Rating:** Medium risk

**Application Number:** LL8071

**Date Received by Council:** 27 October 2020

### 2. EXECUTIVE SUMMARY

1. This is a report on an application for an off-licence in the Te Puna commercial area. The criteria found at section 105 of the Sale and Supply of Alcohol Act 2012 (the Act) applies to this application.
2. The applicant is seeking an off-licence for a bottle store.
3. Based on the information provided in the application and a meeting with the applicant, I consider the applicants proposal for the sale and supply of alcohol is not consistent with the purpose of the Act and I have concerns that the proposal does not meet the criteria under section 105 of the Act.
4. Four public objections have been submitted. New Zealand Police and I have opposed this application. The Medical Officer of Health has not opposed this application.

### 3. APPLICANT

#### 3.1 Background and Suitability

5. The applicant is a private limited company, incorporated on 28 July 2020.
6. The Director, Barinderpal Singh, of Angelin Enterprises Limited was invited into the Council offices on 10 November 2020 to discuss and elaborate further on the application. The premises situated at 15C Minden Road, Te Puna is an empty store, and the Director has stated he will not progress the store fit-out until such time he is granted a licence.
7. This is the first solo venture for the applicant and the Director has obtained his experience in the liquor industry from working under the wing of the companies operated by Jaspal Singh, such as the Bottle-O Te Puke and Merivale Liquor Centre, Merivale. The applicant also informed me he was responsible for turning

around the Orchard Thieves Pizza business next door to the Bottle-O Te Puke, so it was making a profit.

8. Barinderpal Singh and his wife will be the directors of the business. Both directors have General Manager's Certificates.

### 3.2 Eligibility

9. The premises is currently un-licensed and has been loaned out by the landlord to house a Charity Shop to raise funds through the COVID-19 pandemic. This application is for an off-licence under section 32(1)b, a retail premises where at least 85% of the sales revenue is generated through the sale of alcoholic beverages to be consumed off site. The application also states that the premises would sell tobacco products such as cigarettes.

### 3.3 Comments

10. No information has come to light to question the applicant's suitability. There are no concerns with the goods and/or services the applicant intends to provide at this point.

## 4. OBJECTIONS AND EXTERNAL REPORTS

### 4.1 Public Notice

11. The application was publicly notified in the following paper:

#### **Bay of Plenty Times**

- First Notice: 31 October 2020
- Second Notice: 7 November 2020
- Objection period expiry: 20 November 2020

### 4.2 Objections

12. There have been four public objections to the application:

1. **Kent and Birgitte Clark – received 15 November 2020.**

Local residents who do not see how another bottle store will benefit the local area and that by increasing the availability of alcohol in the local area will only lead to excessive consumption. They also have concerns with the potential risks of increasing the alcohol supply so close to State Highway 2, where there are already too many accidents.

2. **Robyn Mitchell – received 16 November 2020.**

States there is no justification for another bottle store in the local area. Robyn owns and operates a sandwich business next door to the current liquor store (Te Puna Liquor Centre). Although I cannot confirm at this point, I suspect Robyn leases her premises from a company linked to the Te Puna Liquor Centre.

**3. Joanne O’Keeffe – received 16 November 2020.**

Joanne states that it is ‘absolutely ridiculous’ to have another liquor outlet. Joanne and her partner own and operate the White House restaurant in Te Puna.

**4. Scott Crook – received 19 November 2020.**

Scott states that there is no need for another off-licence in the little village of Te Puna as there are enough already.

13. All four objectors were contacted via email with reference to Section 102 (objections to applications) and the criteria under Section 105, and asked to respond by the end of business, Friday, 20 November 2020. No objectors responded.

14. The objections were forwarded onto the applicant.

**4.3 Police Report**

15. New Zealand Police provided a report on the application on 19 January 2021. Their report opposes the application.

**4.4 Medical Officer of Health Report**

16. The Medical Officer of Health provided a report on the application on 28 June 2021. Their report does not oppose the application.

**5. PREMISES****5.1 Principal Entrance**

17. The principal entrance would be accessed from allocated car parking outside the front of 15C Minden Road, Te Puna.

**5.2 Kind of Premises****Main Premises**

18. The plan of the premises primarily consists of a large room with a serving counter on the left-hand side. On the right-hand side of the room is access to a chiller room. The room will contain wall shelving to house wine, spirits, and craft beer. The main floor area will be reserved for floor displays.
19. The entire premises has been planned to be designated as a supervised area.

**Licensed area**

20. The licensed area will be the entire premises.
21. The licensed area is more precisely defined on the plan included with the application as received by Western Bay of Plenty District Council on 27 October 2020.

**Designated area**

22. The entire premises is planned to be designated as supervised as the planned principal business is to be the sale of alcoholic beverages.

**Identified risks**

23. Without actually seeing the premises set up as a bottle store it is rather difficult to envisage what issues the design and layout may have.
24. Looking at the plans, the design is essentially open plan. Therefore, the duty manager working behind the counter should be able to oversee the entire floor.
25. Not serving or allowing intoxicated people into the premises should be managed by a good duty manager. Checking for identification should be also managed by the duty manager.
26. Should any person be identified as intoxicated I do not expect the duty manager just to ask them to leave if they are driving, but to either arrange safe transportation home or contact the Police. State Highway 2 is notorious for traffic related accidents and sending someone back to their car to drive back onto State Highway 2 in a drunken state is not benefiting the community in any way shape or form.
27. The car park out the front of the store should be visible from the serving counter for this reason alone, therefore I do not expect the windows to be covered in advertising.
28. On another note, I would suggest CCTV cameras are installed that also allow voice pick-up.

**Conclusion**

29. I have no concerns with the design and layout of the premises, other than ensuring the windows are clear to allow a clear field of vision into the car parking area.

**5.3 Other Goods and Services**

30. Apart from alcohol, the applicant intends to sell cigarettes.

**5.4 Amenity and Good Order of the Locality****The locality**

31. Te Puna is regarded by the locals as a village. It is a small community that extends out into the Minden Hills and in the opposite direction, towards the harbour. The central point of Te Puna is the main roundabout where State-Highway 2 segments the village onto either side of the road.
32. The proposed bottle store would be situated within the current commercial area and sits within the building on the current tavern.
33. The commercial area has the following alcohol related business within close proximity to the proposed bottle store:
  - Te Puna Liquor Centre – bottle store (56 metres from the proposed bottle store)
  - Te Puna Tavern
  - Top Shot Bar
  - The White House restaurant

34. On the opposite side of State-Highway 2 are the following alcohol related businesses:
- Four Square grocery store
  - Nourish Café
35. Also located in and around Te Puna:
- A distillery with a remote sale off-licence
  - A specialist importer of Belgium beer with a remote sale off-licence
  - The Cider Factorie, that holds an off and on-licence
  - Persimmon Lane café
  - Te Puna Rugby Club
36. The commercial area also comprises of a veterinary practice, butcher, bakery, clothing retailers, lumber yard, Farmland's store, backpacker accommodation that forms part of the tavern, a real estate agency, motel, and an irrigation equipment supplier. The commercial area services the needs of the local community.

### **Visual amenity**

37. I cannot provide any further information as to how it would look, aesthetically. My assumption based on where the director has worked in the past would suggest it could possibly follow a similar format to the Bottle O Te Puke or Merivale liquor, which I would describe as generic liquor stores.

### **Comment**

38. I am concerned that the opening of another bottle store could reduce the amenity and good order of the local landscape. The potential impact of another bottle store trying to establish its presence within a small market and appropriate market share from its competitors, could have a negative impact on the local community with respect to alcohol related harm. In addition, the risk of selling to minors may increase in the face of such competition.

## **5.5 Planning and Building Matters**

39. A Planning and Building certificate is attached, as required, under section 100(f) of the Sale and Supply of Alcohol Act 2012.
40. The certificate shows that the proposed use of the premises meets the requirements of the Resource Management Act 1991 and building code.

## **5.6 Previous History**

41. There is no previous application / liquor store history with this application.

## **5.7 Site Inspection**

42. The premises is not ready to be inspected. The Director was invited to the Council offices at Barkes Corner to talk through the application.
43. The application is well thought out and I believe the applicant has good intentions.
44. My expectations regarding signage and operations were communicated clearly and I have no doubt the applicant will deliver with respect to ensuring the store



complies with the requirements under the act with respect to not serving minors, intoxicated people and making sure a qualified duty manager is always on the premises to oversee the sale of alcohol.

45. What was apparent from the meeting was the Director has commercial experience. It was asked of the Director, what business strategy will the applicant be incorporating to compete against another bottle store, approximately 56 meters away?
46. The director claimed his differentiating strategy would be based on providing a better quality of customer service than his competitor. This is where I foresee a potential problem.
47. I am not convinced that customers in the local market of Te Puna will be swayed by the better customer service provided by the applicant. What I suspect will happen is that the initial pricing strategy of the applicant's offering will be like Te Puna Liquor Centre, with the hope that a smile and helpful advice will sway customers to the applicant's store.
48. What I haven't seen is any research into what the residents of Te Puna need or want from a bottle store. The need for better customer service seems to be nothing more than an assumption, which I am not entirely sure will increase the market share of the applicant.
49. This new bottle store would be selling identical products to its competitors. I am not of the opinion that customers would visit another bottle store unless they sell products of a different nature, or their prices are less than that of their competitors.
50. For customers to purchase their alcoholic beverages at the new bottle store, I believe there needs to be valid reason to do so and bearing in mind both bottle stores will be selling products that are identical. The only differentiating factor could be price.
51. Therefore, for the applicant to gain market share and be successful, I believe they will need to price their products lower than the competition.
52. I do not believe customers are loyal to their retailers, but they are loyal to their brands and if those brands can be purchased at a cheaper price, I fail to see why they wouldn't purchase elsewhere to save money.
53. I anticipate that the Te Puna Liquor Centre will retaliate, and a price war will commence with an overarching focus on commercial gain, rather than consideration for the impact on community.

**Comment:**

54. The applicant appears, on paper, to have the appropriate systems, staff, and training to comply with the law, but of a greater concern is where the new proposed bottle store is located.

## **6. ENVIRONMENTAL SCAN**

### **6.1 Current and Potential Levels of Noise, Nuisance and Vandalism**

55. There is no information to suggest the local area is affected by crime or associated with criminal activity. Although, recent unsubstantiated information has come to light to indicate some residents have reported suspicious behaviour on their properties in recent months.

## 7. CONCLUSION

### 7.1 Conclusion

- 56. I have inquired into the application, and based on the information provided, I have concerns on the impact of this bottle store proposal in such close proximity to the current bottle store that serves the local community.
- 57. I feel this matter needs to be explored further and not enough information is presented within the application to convince me that needs of the community have truly been considered.
- 58. Therefore, I oppose this application as I feel these matters need to be addressed in front of the committee.

### 7.3 DISTRICT LICENSING COMMITTEE HEARING - LL8071 - TE PUNA LIQUOR - EXTERNAL REPORTS

**File Number:** A4345311

**Author:** Carolyn Irvin, Senior Governance Advisor

**Authoriser:** Barbara Whitton, Customer Services and Governance Manager

#### EXECUTIVE SUMMARY

The District Licensing Committee Hearing, set for 27 October 2021, is to hear an application from Angelin Enterprises Limited (trading as Te Puna Liquor Store) for an Off Licence pursuant to section 100 of the Sale and Supply of Alcohol Act 2012, in respect of licensed premises situated at 15 Minden Road, Te Puna, known as 'Te Puna Liquor'.

#### REPORTS

The following reports have been provided:

1. Police Report (**Attachment 1**); and
2. Ministry of Health Report (**Attachment 2**).

#### ATTACHMENTS

1. Police Report [↓](#) 
2. Ministry of Health Report [↓](#) 



**REPORT ON APPLICATION FOR 'OFF' LICENCE  
SALE AND SUPPLY OF ALCOHOL ACT 2012**

19 January 2021

The Secretary  
District Licensing Committee  
WBOP District Council  
TAURANGA

Dear Sir/Madam,

**APPLICANT:** Angelin

**APPLICATION NUMBER:** LL8071

**TRADING AS:** Te Puna Liquor

**ADDRESS:** 15C Minden Rd, Tauranga

**TYPE OF APPLICATION:** New OFF

**STATUS:** OPPOSED

An application for the issuing of an Off Licence for the above named applicant and premises was received by the New Zealand Police at the Western Bay of Plenty Liquor Licensing Unit.

Following a review of the application Police are opposed.

The applicant is affiliated with the new owner of the Te Puna Tavern and seeks to establish an OFF licenced store attached to the tavern building.

Police oppose the issuance of an Off licence on the basis that there is already an existing off licenced premises within 50 meters of the proposed site, being Te Puna Liquor Centre.

Police believe that the Te Puna community is serviced sufficiently by the one existing store given the population density of this rural area and that the existence of a second store is likely to prompt a price war leading to lower prices. Availability and price are two of the recognised factors that can lead to the inappropriate and excessive consumption of alcohol.

It is difficult for any licensee to monitor the use of alcohol sold from an off licence as a considerable amount of the alcohol consumed in New Zealand is done so at private residences having been purchased from Off licenced premises.

Sergeant Dan ROSER - Licensing and Alcohol Harm Prevention Co-ordinator  
Western Bay of Plenty Police - 11 Monmouth Street OR P O Box 144, TAURANGA  
E-mail: [Daniel.Roser@police.govt.nz](mailto:Daniel.Roser@police.govt.nz)

The Te Puna area is also service by the Te Puna 4 Square store, situated approximately 196 meters away from the proposed site. Granted that the store offers a restricted line of products.

The Bethlehem township is but a short drive along State Highway 2, approximately 4.1Km to access further off licenced premises, which include bottle stores and supermarkets.

Police consider that the issue of the licence would have a negative effect on the amenity and good order of the locality and the DLC, in forming an opinion under section 105(1)(h) must have regard to section 106(1)(a)(iii): the number of premises for which licences of the kind concerned are already held.

Police submit that even if the amenity and good order of the locality are assessed as 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, it would still be undesirable to issue any further licence considering the existing store is but a stone's throw away.

Police are in the process of examining 'Police calls for service data' in relation to the Te Puna area likely to be serviced by the proposed store. I can unequivocally state that there are incidents of alcohol related harm in the area, mainly alcohol fuelled family harm events.

As recently as 28 December 2020 Police responded to an incident involving a 16-year-old youth from Minden road who had consumed approximately 80 beers over a couple of days. He was taken to hospital by ambulance and became exceptionally violent requiring to be detained by Police. He explained that he had purchased the alcohol from the Te Puna store and when asked for age identification he told the staff he was 18. He further stated that the staff told him to remember his identification the next time and proceeded with the sale. The youth's caregiver (grandmother) attended the store and challenged the staff about the sale.

Police believe that a second Off licenced store in the same location would not support the Object of the Act of minimising the harm caused by excessive and inappropriate consumption of alcohol.

Police would like the DLC to note that the applicant's suitability is not the subject of this opposition. I have met the applicant and observed him in an unrelated hearing and found him to be quite knowledgeable of the Act and the obligations and responsibilities imposed.

Should you require any further information in relation to this application, please contact the writer on the email or numbers listed below.

Yours faithfully,



Dan ROSER  
Sergeant (DRI941)  
Alcohol Harm Prevention Co-ordinator  
**WESTERN BAY OF PLENTY**

Sergeant Dan ROSER - Licensing and Alcohol Harm Prevention Co-ordinator  
Western Bay of Plenty Police - 11 Monmouth Street OR P O Box 144, TAURANGA  
E-mail: [Daniel.Roser@police.govt.nz](mailto:Daniel.Roser@police.govt.nz)

**Micaela Turner**

---

**From:** Liquor <Liquor@bopdhb.govt.nz>  
**Sent:** Monday, 28 June 2021 9:58 am  
**To:** Liquor Licence; Daniel Roser (Police); Liquor; Jon Rewi (Fire); Burgess, Luke  
**Subject:** RE: LL8071 - New Off Licence Application - Te Puna Liquor

Hi all

The Medical Officer of Health has inquired into this application, although there are issues that are concerning, there is no opposition.

Kind regards

Dawn

---

**From:** Liquor Licence <Liquor.Licence@westernbay.govt.nz>  
**Sent:** Friday, 30 October 2020 11:20 am  
**To:** Daniel Roser (Police) <Daniel.Roser@police.govt.nz>; Liquor <Liquor@bopdhb.govt.nz>; Jon Rewi (Fire) <Jon.Rewi@fireandemergency.nz>; Burgess, Luke <Luke.Burgess@fireandemergency.nz>  
**Subject:** LL8071 - New Off Licence Application - Te Puna Liquor

Good morning everyone,

New off licence for your consideration.

Kind regards,

**Micaela Turner**

Technical Support Officer – Alcohol and Compliance | Āpiha Tautoko Hangarau  
P 07 571 8008 | FP 0800 926 732

1484 Cameron Road, Barks Corner, Greerton, Tauranga  
Private Bag 12803, Tauranga Mail Centre, Tauranga 3143  
[westernbay.govt.nz](http://westernbay.govt.nz) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)



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## 7.4 DISTRICT LICENSING COMMITTEE HEARING - LL8071 - TE PUNA LIQUOR - OBJECTORS

**File Number:** A4345329

**Author:** Carolyn Irvin, Senior Governance Advisor

**Authoriser:** Barbara Whitton, Customer Services and Governance Manager

### EXECUTIVE SUMMARY






The District Licensing Committee Hearing, set for 27 October 2021, is to hear an application from Angelin Enterprises Limited (trading as Te Puna Liquor Store) for an Off Licence pursuant to section 100 of the Sale and Supply of Alcohol Act 2012, in respect of licensed premises situated at 15 Minden Road, Te Puna, known as 'Te Puna Liquor'.

### OBJECTIONS

The following objections have been received:

1. Ken and Birgitte Clark (**Attachment 1**);
2. Joanne O'Keefe (**Attachment 2**);
3. Robyn Mitchell (**Attachment 3**);
4. Scott Crook (**Attachment 4**); and
5. Anonymous (**Attachment 5**).

### ATTACHMENTS

1. Objection - CLARK, Kent and Birgitte [↓](#) 
2. Objection - O'KEEFE, Joanne [↓](#) 
3. Objection - MITCHELL, Robyn [↓](#) 
4. Objection - CROOK, Scott [↓](#) 
5. Objection - Anonymous [↓](#) 

**From:** [Birgitte Clark](#)  
**To:** [Customer Service](#); [Dougal Elvin](#)  
**Subject:** Objection to an alcohol license application  
**Date:** Sunday, 15 November 2020 9:39:39 am

---

Dear Sir/Madam

We wish to object to the alcohol license application by Angelia Enterprises Ltd, 15C Minden Road, Te Puna.

We are local residents who do not see the need for an increase in the already prolific availability of alcohol in the area. In the immediate area there is already alcohol available in the existing bottle store, the public bar, Top Shelf Bar and probably even in the 4 Square on the Main Road and Nourish cafe. Within a 10 minute drive you also have bottle stores and supermarkets selling alcohol in Bethlehem and Omokoroa. Surely further alcohol outlets will not benefit our area and will only lead to an increase in excessive consumption. There are many families with young children in the area who do not benefit in anyway from excessive alcohol consumption by family, friends and neighbours.

State Highway 2 already has too many accidents and Minden Road is a place where 'boy racers' with fast cars like to test their vehicles and do burnouts. Increasing the availability of alcohol surely only increases the risks to things going terribly wrong in the event of excessive consumption.

We'd prefer to see a good variety of businesses that enhance family life and sociability.

Thank you for considering our concerns.

Our contact details are as follows:  
Kent and Birgitte Clark  
142 Munro Road, RD 7, Whakamarama 3179  
Ph 021397171

Kind regards  
Kent and Birgitte



**From:** [Joanne O'Keeffe](#)  
**To:** [Dougal Elvin](#)  
**Subject:** Objection letter  
**Date:** Monday, 16 November 2020 11:48:42 am  
**Attachments:** [20201116\\_114735.jpg](#)

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Hi Dougal

Attached my objection to another liquor outlet in Te puna. We have spent an incredible amount of time and money to clean up the te puna village and it is absolutely ridiculous to have another liquor outlet.

Many thanks

Jo

# objection to an alcohol licence application

[Insert date]

16th November 2020

Alcohol Licensing Team

Name of council

Address of council

Dear Sir/Madam

Angelia Enterprises LTD

I wish to object to the alcohol licence application by premises' name, premises' address.

I have an interest in this application that is greater than the general public's because +.

Examples: I live less than one kilometre from the location. I work for/represent ABC Primary School, which is situated less than 500 metres from the proposed premises.

I object to the application on the following grounds:

## Objection 1:

Grounds for objection – state grounds for objection

Reasons for objections:

1. State concerns
2. State concerns

Do not need another liquor  
outlet at Te Puna Village

## Objection 2:

Grounds for objection – state grounds for objection

Reasons for objections:

1. State concerns
2. State concerns

Not enough car parking

## Objection 3:

Grounds for objection – state grounds for objection

Reasons for objections:

1. State concerns
2. State concerns

I wish to appear should a formal hearing of this application be held.

My contact details are:

Name

Joanne O'Keefe

Postal address

16 Minden Hills Lane

Suburb

Te Puna 3176

City/Postcode

Yours sincerely

Signature

Name

Joanne O'Keefe

**From:** [Robyn Mitchell](#)  
**To:** [Dougal Elvin](#)  
**Subject:** Anjelia Enterprises Ltd Alcohol License Application  
**Date:** Monday, 16 November 2020 12:11:15 pm

---

Dear Dougal Elvin,

I wish to oppose the application made by the above named company situated at 15c Minden Road, re Te Puna Tavern and the intention of the new owners of the premises to establish another wholesale liquor outlet in the area.

The area has a liquor wholesale and bottle store which has been in the area for a long time and which the owner - Samra Holdings has spent a lot of money building and establishing. There is no justification for having a second bottle shop in the proposed area. The area around the direct vicinity is busy with trucks and vehicles in and out delivering goods and shoppers and having another bottle shop would add more traffic and hazards in the area which isn't a big area for parking and traffic. I have my own shop within 500 meters of the proposed shop location and it is next door to the existing wholesaler.

Robyn Mitchell  
Te Puna Takeaways Ltd  
17 Minden Road  
Te Puna  
Tauranga.

Postal Address  
74 Prole Road,  
Omokoroa  
Tauranga.

**From:** [Scott Crook](#)  
**To:** [Dougal Elvin](#)  
**Subject:** Off Licence  
**Date:** Thursday, 19 November 2020 5:42:40 pm  
**Attachments:** [image003.jpg](#)  
[image002.jpg](#)  
[image005.png](#)

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Hi Dougal

I would like to lodge my “objection” to an off licence application being applied for another bottle shop in Te Puna. (15c Minden Road)  
As you are aware there are already two off licence premises within close proximity of each other, The Te Puna bottle shop beside Farmlands and the 4 Square.  
There are also three on license premises in the same proximity.

As a local of Te Puna for the past 8 years It’s been great to see our little township grow with some great businesses like the Te Puna Deli,  
The White House restaurant, the pre-school and the new kindergarten. As a business owner I understand the need for growth and competition but,  
There is no need for another off licence in our little village.

I do hope the council understands and is listening to the residents of Te Puna.

Regards

**Scott Crook** | director

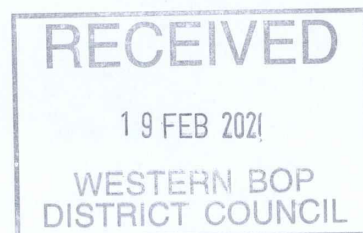
**Construction One Ltd**

021 929 458  
PO Box 16415  
Bethlehem  
Tauranga 3147  
[scott@constructionone.co.nz](mailto:scott@constructionone.co.nz)  
[www.constructionone.co.nz](http://www.constructionone.co.nz)



To

The Alcohol Regulatory licensing Authority,  
Wellington New Zealand, 7/2/21



Sub;- Regarding granting the new OFF liquor license

Sir If you not mind I want to explain you that one side nz government not happy to grant a new liquor license Because if more liquor outlet comes in the market, so it can be more crime or crime can be increase due to competition. Because every store try to sell cheap liquor, so customer drink more and more if they got cheap liquor

Now I am going to bring your notice regarding new off license which is DLC western bay of plenty Tauranga going to grant at 15 Minden road te puna Tauranga its corner of Minden road and state high way 2, next to bethlehem shopping center, round 3 kilometer from bethlehem .

Te puna shopping block very small area close to the Bethlehem. In this block there is already (existing) Liquor store, 2 bars, four square ,rugby club, daily product shop , butchery, kidney garden, restaurant, vets, and petrol station.

Some body apply<sup>ed</sup> for grant a new off license in front of exiting liquor store same block at te puna . The liquor related agencies not oppose the new liquor off license application. But Due to public objection the case is going to hearing. I think Respected liquor inspector, police officer and medical health officer should be oppose the application because if any small area or small block have already one exiting liquor store so no need other liquor store that area, moreover bethlehem town center very close to this site, and there is a couple of bars, countdown, 2 liquor store and fore square

The liquor related agencies and DLC are very hard to renew the exiting off and on license they are always trying to close or cut down the number of exiting off and on license at the time of renewal. And other side they are going to grant a new off license at te puna shopping block that is not good so in this case they need to think seriously before grant the new off license I think no need 2<sup>nd</sup> liquor off license in this small area and block this is for your kind information.

Thanks

COPY TO

- ✓ 1. DISTRICT LICENSING COMMITTEE, TAURANGA
2. LIQUOR POLICE OFFICER, TAURANGA
3. MEDICAL HEALTH OFFICER



**8        INFORMATION FOR RECEIPT**