

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by **SHOKER ENTERPRISES LIMITED** for the renewal of an **OFF LICENCE** pursuant to s.127 of the Act in respect of premises situated at **1101 STATE HIGHWAY 2, TAURANGA** and known as **WHAKAMĀRAMA SUPERETTE.**

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

This is an application by **Shoker Enterprises Limited** for the renewal of an **OFF LICENCE** in respect of premises situated at **1101 State Highway 2, Tauranga** known as **Whakamārama Superette.**

The general nature of the business undertaken is that of an Off Licence grocery store and meets the criteria of section 32(1)(f) of the Act. The applicant has provided verified annual sales revenue figures that indicate that the principal purpose of the business is the sale of food products.

The Inspector reports that the applicant company and has been trading for a number of years with no known issues and that this is their third renewal application.

The entire premises is one large rectangular shaped room and has four aisles that extend to the rear of the store. Products line the shelves and fridges on the surrounding walls. The Single Alcohol Area (SAA) is situated on the back wall and is observable from the checkout area.

The current days and hours of operation are **Monday to Sunday 7.00am to 8.00pm.** These hours are within the operative Local Alcohol Policy as it pertains to off-licensed grocery stores.

No changes to the existing authorised days and hours are being sought.

Public Notification

The application was notified in the Weekend Sun on the 1st and again on the 8th of September 2024. No objections from the public were received by the secretariat.



REASONS FOR THE DECISION

The Inspector reports that the applicant has operated this premises compliantly during the last period of renewal. Annual sales figures for the business indicate that food products are the principal income of the business.

The Inspector also advises that there is no evidence to question the applicant's suitability and is satisfied that the premises are compliant with the Act. There are no concerns with the design and layout of the premises and the single alcohol area has not changed from the last renewal.

The Police did not report on the application therefore as per section 103(4) it can be assumed that the Police have no matters in opposition. The representative of the Medical Officer of Health (MOoH) opposed the application in a report dated 20 September 2023 and have stated that the opposition would be satisfied if the renewal had the following condition added:

"There is to be no single sales of mainstream beers, wines and ciders under 500mls and/or those not designed by the manufacturer to be sold as single serves. Any single sales are to be sold at a minimum price of \$6.00".

Due to the opposition from the MOoH, a Minute was issued on 21 December 2023 requiring the application to be set down for a public hearing. This would then determine whether on the evidence, such a condition was necessary and/or desirable. The date for the Hearing has been tentatively set down for 22 March 2024.

On 6 March 2024, the MOoH contacted the Secretariat and withdrew their opposition stating that the applicant through their consultant, now agrees to this condition.

Given that the applicant has now satisfied the concerns of the MOoH, we now need to turn our mind to whether the condition is still necessary and/or desirable? While there is no direct evidence as to the premises involved, I believe that a broader view is required for the following reasons:

- It will keep the applicant honest in case there is a temptation to sell these items contrary to the condition, and
- The premises are located on a main road and such a condition, as succinctly put by the representative of the MOoH, 'would discourage the urge to purchase a cold 'roadie' for the trip'.

I do not believe that the time and effort to bring the matter before a public hearing will have a different result. The condition is a pragmatic one and lines up with the object of the Act under section 4.

Overall, I am satisfied as to the matters to which we must have regard as set out in s.131 of the Act.

We also refresh the licence conditions to reflect best practice.



DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 approves an application by **Shoker Enterprises Limited** for a renewal of an OFF Licence in respect of premises situated at **1101 State Highway 2, Tauranga** known as "**Whakamārama Superette**" subject to conditions.

Conditions

The licence is subject to the conditions listed below:

1. Alcohol may be sold on, or delivered from, the premises for consumption off the premises, or supplied free as a sample for consumption on the premises, only on the following days and hours:

Monday to Sunday - 7:00 am to 8:00 pm

2. No alcohol is to be sold on, or delivered from, the premises on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on Anzac Day.
3. While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being supplied.
4. A properly appointed Certificated or Acting or Temporary Manager must be on duty, **at or nearby the point of sale**, at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises.
5. The licensee must display:
 - (i) At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - (ii) At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol.
 - (iii) A copy of the licence attached to the premises so as to be easily read by people entering each principal entrance.
6. No alcohol may be sold other than:
 - (i) beer that complies with the appropriate New Zealand food standard for beer; or
 - (ii) mead that complies with the appropriate New Zealand food standard for mead; or
 - (iii) fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - (iv) grape wine that complies with the appropriate New Zealand food standard for grape wine; or
 - (v) a food flavouring, prepared for culinary purposes, that is suitable for drinking undiluted.



7. There is to be no single sales of mainstream beers, wines and ciders, (excluding low alcohol products and craft beers) under 500mls and/or those not designed by the manufacturer to be sold as single serves. Any single sales are to be sold at a minimum price of \$6.00.
8. The "single alcohol area" for the premises is as described on the plan dated **29 August 2023** and attached at Appendix 'A' to the licence. The licensee must ensure that:
 - a. No alcohol is displayed, promoted, or advertised outside the single alcohol area; and
 - b. No products other than alcohol, low-alcohol and non-alcoholic beer, wine or mead are displayed, promoted, or advertised inside the single alcohol area.

Dated at Tauranga on the 8th day of March 2024



Arthur Wilkinson
Commissioner
Western Bay of Plenty District Licensing Committee

Application No: 8990

Off Licence Renewal

Sections 17 to 20, and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012 (the **Act**), **SHOKER ENTERPRISES LIMITED** (the licensee) is authorised to sell alcohol on the premises situated at **1101 STATE HIGHWAY 2, TAURANGA** and known as **WHAKAMARAMA SUPERETTE**, to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises. The licensee is also authorised to sell alcohol on or from the premises and deliver it somewhere else.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Act.

CONDITIONS

This licence is subject to the following conditions:

1. Alcohol may be sold on, or delivered from, the premises for consumption off the premises, or supplied free as a sample for consumption on the premises, only on the following days and hours: **Monday to Sunday - 7:00 am to 8:00 pm**
2. No alcohol is to be sold on, or delivered from, the premises on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on Anzac Day.
3. While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being supplied.
4. A properly appointed Certificated or Acting or Temporary Manager must be on duty, **at or nearby the point of sale**, at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises.
5. The Licensee must display:
 - (i) At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - (ii) At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol.
 - (iii) A copy of the licence attached to the premises so as to be easily read by people entering each principal entrance.
6. No alcohol may be sold other than:
 - (i) beer that complies with the appropriate New Zealand food standard for beer; or
 - (ii) mead that complies with the appropriate New Zealand food standard for mead; or
 - (iii) fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - (iv) grape wine that complies with the appropriate New Zealand food standard for grape wine; or
 - (v) a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
7. There is to be no single sales of mainstream beers, wines and ciders, (excluding low alcohol products and craft beers) under 500mls and/or those not designed by the manufacturer to be sold as single serves. Any single sales are to be sold at a minimum price of \$6.00.
8. The "single alcohol area" for the premises is as described on the plan dated **29 August 2023** and attached at Appendix 'A' to the licence. The licensee must ensure that:
 - a. No alcohol is displayed, promoted, or advertised outside the single alcohol area; and
 - b. No products other than alcohol, low-alcohol and non-alcoholic beer, wine or mead are displayed, promoted, or advertised inside the single alcohol area.

DURATION

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 licences, this licence continues in force—

- (a) until the close of the period for which it was last renewed; or
- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, until the close of the period of 3 years after the period for which it was last renewed.

This licence replaces licence no. 022/OFF/09/2016 and this licence continues in force until 26 Sep 2026 unless again renewed.

Dated at Tauranga on the 1st day of March 2024


Secretary
District Licensing Committee
Western Bay of Plenty District Council



Decision number: 022/CERT/9158/2024

IN THE MATTER of the Sale and Supply of
Alcohol Act 2012(the Act)

AND

IN THE MATTER of an application
by **Sonam Sarav JOSHI**
pursuant to s.219 of Act for a
manager's certificate.

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

This is an application by **Sonam Sarav JOSHI** for a manager's certificate to manage licensed premises known as **Four Square Katikati**.

REASONS FOR THE DECISION

The applicant holds the prescribed Licence Controller Qualification/s and works in licensed premises.

The licensing inspector has provided a report outlining the applicant's **limited** recent experience of working in, and managing, licensed premises. She has also tested the applicant's understanding of the Act and the responsibility of performing in the role of duty manager.

Neither the New Zealand Police nor the Licensing Inspector express any concern about the suitability of the applicant, nor do they oppose the granting of the application.

However, the applicant has agreed to have the certificate tagged for use only in off licensed premises.



Accordingly, the application can be dealt with on the papers.

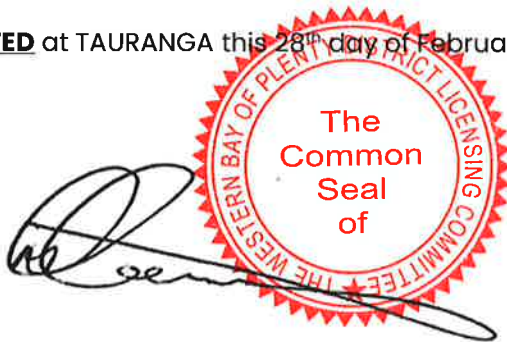
DECISION

The application, and the supporting information it contains, satisfies the Committee of the criteria to which we must have regard, as set out in s.222 of the Act, has been met.

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by **Sonam Sarav JOSHI** for a Manager's Certificate.

The certificate is granted for a period of twelve months from the date the certificate is issued.

DATED at TAURANGA this 28th day of February 2024

A handwritten signature in black ink is written over a red circular seal. The seal has a serrated outer edge and contains the text "The Common Seal of" in the center. The outer ring of the seal contains the text "THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE" in a circular arrangement.

Murray Clearwater
Chairperson/Commissioner
Western Bay of Plenty District Licensing Committee

Undertaking Given

The applicant has agreed to have the certificate tagged for use only in off-licensed premises.

MANAGER'S CERTIFICATE

Section 217, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012

SONAM SARAV JOSHI

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 managers' 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 licence is duly made before the licence would otherwise expire, either—
 - (i) until the close of the period of 3 years after the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Undertaking Given

The applicant has agreed to have the certificate tagged for use only in off-licensed premises.

This certificate expires at the close of 01 March 2025

Dated at Tauranga on the 1st day of March 2024


Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision number: **022/CERT/9089/2024**

IN THE MATTER of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER of an application by
BHAVJOT SINGH DHILLON
pursuant to s.224 of the
Act for the renewal of a
manager's certificate

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

This is an application by **Bhavjot Singh DHILLON** for the renewal of a manager's certificate.

Licensed premises: **The Boohai**

REASONS FOR THE DECISION

The applicant holds the prescribed Licence Controller Qualification/s, has recently been working in licensed premises namely **The Boohai** and has suitable experience in managing licensed premises. This is this applicant's fourth application lodged in the Western Bay of Plenty.

The Police have not opposed the application. The Licensing Inspector has not expressed any recent concern about the suitability of the applicant or the way he has managed licensed premises.

The application and supporting information satisfy all the matters to which we must have regard as set out in s.227 of the Act.

No opposition, or notice of desire to be heard, has been received in relation to this application.

Accordingly, the application can be determined on the papers pursuant to s.191(3) and 202(1) of the Act.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 approves the application by **Bhavjot Singh DHILLON** for the renewal of a Manager's Certificate.



DATED at Tauranga on the 7th day of March 2024



Arthur Wilkinson
Commissioner
Western Bay of Plenty District Licensing Committee



Application No: 9089

Certificate No. 022/CERT/9089/2024

Notice of Renewal of Manager's Certificate
Section 226, Sale and Supply of Alcohol Act 2012

To: **BHAVJOT SINGH DHILLON**

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 managers' certificates, this certificate expires on

31 October 2026

unless again renewed.

DATED at Tauranga on the 8th day of March 2024



Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision number: **022/CERT/9191/2024**

IN THE MATTER of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER of an application by **ADAM
PHIMESTER** pursuant to
s.224 of the Act for the
renewal of a manager's
certificate

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

This is an application by **Adam PHIMESTER** for the renewal of a manager's certificate.

Licensed premises: **Four Square Katikati**

REASONS FOR THE DECISION

The applicant holds the prescribed Licence Controller Qualification/s, has recently been working in licensed premises namely **Four Square Katikati** and has suitable experience in managing licensed premises. This is this applicant's first application lodged in the Western Bay of Plenty.

The Police have not opposed the application. The Licensing Inspector has not expressed any recent concern about the suitability of the applicant or the way he has managed licensed premises.

The application and supporting information satisfy all the matters to which we must have regard as set out in s.227 of the Act.

No opposition, or notice of desire to be heard, has been received in relation to this application.

Accordingly, the application can be determined on the papers pursuant to s.191(3) and 202(1) of the Act.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 approves the application by **Adam PHIMESTER** for the renewal of a Manager's Certificate.



DATED at Tauranga on the 7th day of March 2024



Arthur Wilkinson
Commissioner
Western Bay of Plenty District Licensing Committee

Application No: 9191

Certificate No. 022/CERT/9191/2024

Notice of Renewal of Manager's Certificate

Section 226, Sale and Supply of Alcohol Act 2012

To: **ADAM PHIMESTER**

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 managers' certificates, this certificate expires on

24 February 2027

unless again renewed.

DATED at Tauranga on the 8th day of March 2024



Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision number: 022/CERT/9197/2024

IN THE MATTER of the Sale and Supply of
Alcohol Act 2012 (the Act)

AND

IN THE MATTER of an application by **Sandy
Nicole BOULTON** pursuant to
s224 of the Act for the renewal
of a manager's certificate.

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

This is an application by **Sandy Nicole BOULTON** for the renewal of a manager's certificate.

No reports containing matters in opposition have been received in relation to this application.

Accordingly, the application can be determined on the papers pursuant to s.191 (3) and 202 (1) of the Act.

REASONS FOR THE DECISION

The applicant holds the prescribed Licence Controller Qualification/s and is currently working in licensed premises, namely **Countdown Te Puke**.

Neither the New Zealand Police nor the Licensing Inspector has expressed any recent concerns about the suitability of the applicant or the manner in which they have managed licensed premises.

The application and supporting information satisfy all the matters to which we must have regard as set out in s.227 of the Act.



DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 **approves** the application by **Sandy Nicole BOULTON** for a renewal of a Manager's Certificate.

The renewal is valid for three years from the expiry of the current certificate.

DATED at TAURANGA this 29th day of February 2024.



Murray Clearwater
Chairperson/Commissioner
Western Bay of Plenty District Licensing Committee

Certificate No. 022/CERT/9197/2024

Notice of Renewal of Manager's Certificate
Section 226, Sale and Supply of Alcohol Act 2012

To: **SANDY NICOLE BOULTON**

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 managers' certificates, this certificate expires on

19 February 2027

unless again renewed.

DATED at Tauranga on the 4th day of March 2024



Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision number:

022/SL/9185/2024

IN THE MATTER of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER of an application by **KAIMAI
SCHOOL BOARD OF TRUSTEES**
pursuant to s.138 of the Act for an
on-site Special Licence in respect
of premises situated at **167
SOLDIERS ROAD & 41 PENMORAL
LANE, KAIMAI** and known as
MIDSON FARMS.

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

Kaimai School Board of Trustees applies for an on-site Special Licence in respect of premises situated at the **167 Soldiers Road & 41 Penmoral Lane, Kaimai** and known as "**Midson Farms**".

The following days and hours are sought:

Golf Fundraiser for Kaimai School:

Friday 22 March 2024	11:00 am	to	6:00 pm
Saturday 23 March 2024	9:00 am	to	6:00 pm

THE REASONS FOR THE DECISION

This application is for a two day event to be held at Midson Farms in Kaimai. The location is a combined area and is accessed from two different parts of the site. The event on the first day is of medium size, not open to the public, invitation only and ticketed. The event on the second day is of medium size, open to the public by ticket admission.

The Inspector has provided a report and believes that the application meets the criteria for issue. For the purpose of the event, **Kane FRASER** has been appointed to manage the conduct of the sale of alcohol and ensure compliance with the Act. The Police and Medical Officer of Health has raised no matters in opposition.

I am satisfied as to the matters to which we must have regard as set out in s.142 of the Act.

DECISION

The District Licensing Committee, pursuant to the Sale and Supply of Alcohol Act 2012 grants the application to the **Kaimai School Board of Trustees** for an on-site Special Licence in respect of premises situated at **167 Soldiers Road & 41 Penmoral Lane, Kaimai** subject to the following conditions:



Conditions

The Licence is subject to the following conditions:

(a) **Free drinking water** is to be available to customers from every bar that alcohol is sold and supplied.

(b) Alcohol may be sold under the licence only on the following days and during the following hours:

Golf Fundraiser for Kaimai School:

Friday 22 March 2024 – Hours: 11:00 am to 6:00 pm

Saturday 23 March 2024 – Hours: 9:00 am to 6:00 pm

(c) The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of non-alcoholic refreshments, low alcoholic beverages (<2.5%) and food specified in the application.

(d) Information regarding and assistance with alternative forms of transport must be available.

(e) For the purposes of the licence, **Kane Fraser** must be appointed to manage the sale and consumption of alcohol, and to ensure the compliance with the provisions of Sale and Supply of Alcohol Act 2012.

(f) Drinks per person per transaction is limited to one.

(g) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:

- (i) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
- (ii) Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of alcohol to minors and intoxicated persons adjacent to every point of sale.
- (iii) A sign prominently displayed at the premises that identifies by name the certificated manager on duty.

(h) No BYO permitted.

DATED at Tauranga on the 7th day of March 2024



Arthur Wilkinson
Commissioner
Western Bay of Plenty District Licensing Committee



Application No: 9185

Special Licence

Section 22 and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **KAIMAI SCHOOL BOARD OF TRUSTEES** is authorised to sell and supply alcohol on the premises situated at **167 SOLDIERS ROAD & 41 PENMORAL LANE, KAIMAI** and known as **MIDSON FARM**, to any person attending the following occasion or event (or series of occasions or events):

GOLF EVENT FUNDRAISING FOR KAIMAI SCHOOL – 22nd March 2024
GOLF EVENT FUNDRAISING FOR KAIMAI SCHOOL – 23rd March 2024

Conditions

This licence is subject to the following conditions:

1. **Free drinking water** is to be available to customers from every bar that alcohol is sold and supplied.
2. Alcohol may be sold under the licence only on the following days and during the following hours:
3. **Golf Fundraiser for Kaimai School:**
Friday 22 March 2024 – Hours: 11:00 am to 6:00 pm
Saturday 23 March 2024 – Hours: 9:00 am to 6:00 pm
4. The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of non-alcoholic refreshments, low alcoholic beverages (<2.5%) and food specified in the application.
5. Information regarding and assistance with alternative forms of transport must be available.
6. For the purposes of the licence, **Kane Fraser** must be appointed to manage the sale and consumption of alcohol, and to ensure the compliance with the provisions of Sale and Supply of Alcohol Act 2012.
7. Drinks per person per transaction is limited to one.
8. The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (a) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - (b) Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of alcohol to minors and intoxicated persons adjacent to every point of sale.
 - (c) A sign prominently displayed at the premises that identifies by name the certificated manager on duty.
9. No BYO permitted.

Duration

This licence is in force for the days and hours specified in condition 1.

Dated at Tauranga on the 8th day of March 2024


Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision number:

022/SL/9201/2024

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by **TEAM
TARGETT LIMITED**
pursuant to s.138 of the Act for
an on-site Special Licence in
respect of premises situated at
1200 MANIATUTU ROAD, TE PUKE
and known as the **FOX & PONY
ESTATE.**

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

Team Targett Limited applies for an on-site Special Licence in respect of premises situated at the **1200 Maniatutu Road, Te Puke** and known as the "**Fox & Pony Estate**".

The following days and hours are sought:

Wine & Food Match Dinner:

Friday 22 March 2024	6:30 pm	to	11:00 pm
Saturday 23 March 2024	6:30 pm	to	11:00 pm

THE REASONS FOR THE DECISION

This application is for a two day degustation and wine tasting event to be held at the Fox & Pony Estate in Te Puke. The small sized event is open to the public via ticket sales. The applicant expects around 40 persons to attend each day with an age range between 35 and 65 years.

The Inspector has provided a report and believes that the application meets the criteria for issue. For the purpose of the event, **a certificated duty manager** has been appointed to manage the conduct of the sale of alcohol and ensure compliance with the Act. The Police and Medical Officer of Health has raised no matters in opposition.

I am satisfied as to the matters to which we must have regard as set out in s.142 of the Act.

DECISION

The District Licensing Committee, pursuant to the Sale and Supply of Alcohol Act 2012 grants the application to the **Team Targett Limited** for an on-site Special Licence in respect of premises situated at **1200 Maniatutu Road, Te Puke** subject to the following conditions:

Conditions



The Licence is subject to the following conditions:

- (a) **Free drinking water** is to be available to customers from the bar.
- (b) Alcohol may be sold under the licence only on the following days and during the following hours:

Wine & Food Match Dinner:

Friday 22 March 2024 – Hours: 6:30 pm to 11:00 pm

Saturday 23 March 2024 – Hours: 6:30 pm to 11:00 pm

Note: the sale of alcohol to cease at 10:30 pm on both days

- (c) The licensee shall have available for consumption on the premises, **at all times when alcohol may be sold and supplied** under the licence, a reasonable range of non-alcoholic refreshments, low alcoholic beverages (<2.5%) and food specified in the application.
- (d) Information regarding and assistance with alternative forms of transport must be available.
- (e) For the purposes of the licence, **a certificated duty manager** must be appointed to manage the sale and consumption of alcohol, and to ensure the compliance with the provisions of Sale and Supply of Alcohol Act 2012.
- (f) Drinks per person per transaction is limited to two.
- (g) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - (ii) Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of alcohol to minors and intoxicated persons adjacent to every point of sale.
 - (iii) A sign prominently displayed at the premises that identifies by name the certificated manager on duty.
- (h) No BYO permitted.

DATED at Tauranga on the 20th day of March 2024



Arthur Wilkinson
Commissioner
Western Bay of Plenty District Licensing Committee



Application No: 9201



Special Licence

Section 22 and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **TEAM TARGETT LIMITED** is authorised to sell and supply alcohol on the premises situated at **1200 MANIATUTU ROAD, TE PUKE** and known as **FOX AND PONY ESTATE**, to any person attending the following occasion or event (or series of occasions or events):

WINE AND FOOD MATCH DINNER

Conditions

This licence is subject to the following conditions:

1. **Free drinking water** is to be available to customers from the bar.
2. Alcohol may be sold under the licence only on the following days and during the following hours:

Wine & Food Match Dinner:

Friday 22 March 2024 – Hours: 6:30 pm to 11:00 pm

Saturday 23 March 2024 – Hours: 6:30 pm to 11:00 pm

Note: the sale of alcohol to cease at 10:30 pm on both days

3. The licensee shall have available for consumption on the premises, **at all times when alcohol may be sold and supplied** under the licence, a reasonable range of non-alcoholic refreshments, low alcoholic beverages (<2.5%) and food specified in the application.
4. Information regarding and assistance with alternative forms of transport must be available.
5. For the purposes of the licence, **a certificated duty manager** must be appointed to manage the sale and consumption of alcohol, and to ensure the compliance with the provisions of Sale and Supply of Alcohol Act 2012.
6. Drinks per person per transaction is limited to two.
7. The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
8. Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - a. Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of alcohol to minors and intoxicated persons adjacent to every point of sale.
 - b. A sign prominently displayed at the premises that identifies by name the certificated manager on duty.
9. No BYO permitted.

Duration

This licence is in force for the days and hours specified in condition 1.

Dated at Tauranga on the 21st day of March 2024

Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision Number:

022/SL/9204/2024

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application submitted by
**PUKEHINA SURF RESCUE
LIFEGUARD SERVICE
INCORPORATED**
pursuant to s138 of the Act for
an on-site Special Licence in
respect of premises situated at
Dotterel Point Carpark.

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

PUKEHINA SURF RESCUE LIFEGUARD SERVICE INCORPORATED is seeking a Class 1 On-Site Special Licence in respect of premises situated at **Dotterel Point Carpark, Pukehina Parade, RD 9, Te Puke.**

This fundraising street event is to be held on 30th March 2024, between 03.00p.m. to 9.30p.m.

The event will be open to the public as opposed to being by invitation or ticketed. It is expected that a large size (approximately 500 people) will attend. There will be music, food trucks and alcohol will be available from the bar. The licensed area will be fenced off to prevent any BYO or alcohol being removed from the licensed area.

A local security officer has been employed and will work alongside a member of the Te Puke Police. Club volunteers will also be on duty as part of the event's security.

The applicant is providing local taxi information for those seeking it. The applicant has also confirmed that a sober driver will be available to safely transport attendees within the Pukehina area.

The application indicates that event will be controlled by a certified manager – Shelley Maree McCarthy (25A/Cert/1370/2023 with an expiry date 31 October 2024).

REASONS FOR THE DECISION

The event has been held in the past and there have been no reported complaints or concerning feedback regarding how the event is held.

Neither of the two reporting agencies have opposed the application.



Having considered the application, the supporting documentation and made enquiries where appropriate, the Inspector is satisfied that the appropriate matters have been addressed and reasonable steps have been outlined to ensure compliance with the Act; therefore, has no opposition to the granting of this application.

Thereby I am satisfied that this application complies with the matters to which we must have regard are set out in s.142 of the Act.

THE DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **grants a Class 1 Special On-Site Licence to Pukehina Surf Rescue Lifeguard Incorporated**, to enable it to facilitate a fundraising event on Saturday 30th March from 3.00p.m to 9.30p.m. subject to the following conditions.

The Conditions:

1. Alcohol may be sold under the licence only on the following days and during the following hours:
Pukehina Surf Rescue Lifeguard Service Fundraising Event to be held:
Saturday 30 March 2024 from 3:00 pm to 9:30 pm.
2. **Free drinking water** is to be available to customers from the bar.
3. The licensee shall have available for consumption on the premises, **at all times when alcohol may be sold and supplied** under the licence, a reasonable range of low-alcoholic ($\leq 2.5\%$ abv) and non-alcoholic refreshments, and food appropriate to the occasion.
4. Information regarding and assistance with alternative forms of transport must be available, as what has been proposed by the applicant.
5. For the purposes of the licence a **certified duty manager** must be appointed to manage the sale, supply and consumption of alcohol at all times during the event.
6. Drinks per person per transaction is limited to two.
7. The following step must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
8. The licensee must display:
 - a. At every point of sale, signage detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - b. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.
 - c. A sign prominently displayed at the premises that identifies by name the certified manager on duty.



9. No BYO permitted.

DATED at Tauranga on the 19th March 2024

B. E. E. E.



Commissioner
Western Bay of Plenty District Licensing Committee

Application No: 9204

Special Licence

Section 22 and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **PUKEHINA SURF RESCUE LIFEGUARD SERVICE INCORPORATED** is authorised to sell and supply alcohol on the premises situated at **Dotteral Point Carpark** to any person attending the following occasion or event (or series of occasions or events):

PUKEHINA SURF RESCUE LIFEGUARD SERVICE FUNDRAISING EVENT

Conditions

This licence is subject to the following conditions:

1. Alcohol may be sold under the licence only on the following days and during the following hours:


Pukehina Surf Rescue Lifeguard Service Fundraising Event to be held:
Saturday 30 March 2024 from 3:00 pm to 9:30 pm.

2. **Free drinking water** is to be available to customers from the bar.
3. The licensee shall have available for consumption on the premises, **at all times when alcohol may be sold and supplied** under the licence, a reasonable range of low-alcoholic ($\leq 2.5\%$ abv) and non-alcoholic refreshments, and food appropriate to the occasion.
4. Information regarding and assistance with alternative forms of transport must be available, as what has been proposed by the applicant.
5. For the purposes of the licence a **certified duty manager** must be appointed to manage the sale, supply and consumption of alcohol at all times during the event.
6. Drinks per person per transaction is limited to two.
7. The following step must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
8. The licensee must display:
 - a. At every point of sale, signage detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - b. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.
 - c. A sign prominently displayed at the premises that identifies by name the certified manager on duty.
9. No BYO permitted.

Duration

This licence is in force for the days and hours specified in condition 1.

Dated at Tauranga on the 21st day of March 2024


Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision number:

022/SL/9207/2024

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by **BRENT
STEWART MAHAREY**
pursuant to s.138 of the Act for
an on-site Special Licence in
respect of premises situated at
130 JELlicOE STREET, TE PUKE
and known as the **TE PUKE WAR
MEMORIAL HALL.**

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

Brent Stewart MAHAREY applies for an on-site Special Licence in respect of premises situated at the **130 Jellicoe Street, Te Puke** and known as the "**Te Puke War Memorial Hall**".

The following days and hours are sought:

Kickboxing Tournament Event:

Saturday 23 March 2024 5:00 pm to 11:00 pm

THE REASONS FOR THE DECISION

This application is for an event to be held at the Te Puke War Memorial Hall in Te Puke. The medium sized event is open to the public via ticket sales. The applicant expects around 400 persons to attend with an age range between 15 and 50 years. Six security personnel have been employed to manage the event. The Inspector reports that similar events in years past have not caused any problems.

The Inspector has provided a report and believes that the application meets the criteria for issue. For the purpose of the event, **a certificated duty manager** has been appointed to manage the conduct of the sale of alcohol and ensure compliance with the Act. The Police and Medical Officer of Health has raised no matters in opposition.

I am satisfied as to the matters to which we must have regard as set out in s.142 of the Act.

DECISION

The District Licensing Committee, pursuant to the Sale and Supply of Alcohol Act 2012 grants the



application to the **Brent Stewart MAHAREY** for an on-site Special Licence in respect of premises situated at **130 Jellicoe Street, Te Puke** subject to the following conditions:

Conditions

The Licence is subject to the following conditions:

- (a) **Free drinking water** is to be available to customers from the bar.
- (b) Alcohol may be sold under the licence only on the following days and during the following hours:

Kickboxing Tournament Event:

Saturday 23 March 2024 – Hours: 5:00 pm to 11:00 pm

- (c) The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of non-alcoholic refreshments, low alcoholic beverages (<2.5%) and food specified in the application.
- (d) Information regarding and assistance with alternative forms of transport must be available.
- (e) For the purposes of the licence, **a certificated duty manager** must be appointed to manage the sale and consumption of alcohol, and to ensure the compliance with the provisions of Sale and Supply of Alcohol Act 2012.
- (f) Drinks per person per transaction is limited to two.
- (g) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - (ii) Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of alcohol to minors and intoxicated persons adjacent to every point of sale.
 - (iii) A sign prominently displayed at the premises that identifies by name the certificated manager on duty.
- (h) No BYO permitted.

DATED at Tauranga on the 8th day of March 2024



Arthur Wilkinson
Commissioner
Western Bay of Plenty District Licensing Committee



Special Licence

Section 22 and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **BRENT STEWART MAHAREY** is authorised to sell and supply alcohol on the premises situated at **130 Jellicoe Street, Te Puke** and known as **TE PUKE WAR MEMORIAL HALL**, to any person attending the following occasion or event (or series of occasions or events):

KICKBOXING TOURNAMENT

Conditions

This licence is subject to the following conditions:

1. **Free drinking water** is to be available to customers from the bar.
2. Alcohol may be sold under the licence only on the following days and during the following hours:

Kickboxing Tournament Event:

Saturday 23 March 2024 – Hours: 5:00 pm to 11:00 pm

3. The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of non-alcoholic refreshments, low alcoholic beverages (<2.5%) and food specified in the application.
4. Information regarding and assistance with alternative forms of transport must be available.
5. For the purposes of the licence, **a certificated duty manager** must be appointed to manage the sale and consumption of alcohol, and to ensure the compliance with the provisions of Sale and Supply of Alcohol Act 2012.
6. Drinks per person per transaction is limited to two.
7. The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (a) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - (b) Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of alcohol to minors and intoxicated persons adjacent to every point of sale.
 - (c) A sign prominently displayed at the premises that identifies by name the certificated manager on duty.
8. No BYO permitted.

Duration

This licence is in force for the days and hours specified in condition 1.

Dated at Tauranga on the 11th day of March 2024


.....
Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision Number:

022/SL/ LL9212 /2024

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by
**ŌMOKOROĀ BOAT CLUB
INCORPORATED**
pursuant to s.138 of the Act for
an on-site Special Licence in
respect of premises situated at
The Esplanade Ōmokoroa.

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

The Ōmokoroa Boat Club Incorporated seeks a Class 2 Special Licence to enable the Club to facilitate three events of which each are to be of a medium size, open to the public, and not by invitation only or ticketed.

The first event is an Easter Sunday Jazz Event – Kokomo to be held on Sunday 31 March 2024 from 4:00pm to 8:00pm. The second is a Kings Birthday Weekend Live Jam Session Event to be held Sunday 02 June 2024 from 4:00pm to 10:00pm., and the third is to be a Labour Weekend Live Jam Session Event, to be held on Sunday 27 October 2024 from 4:00pm to 10:00pm.

Drinks per person per transaction has been limited to two.

The applicant is providing local taxi information, and a courtesy vehicle will be available to ensure people can get home safely from the events.

THE REASONS FOR THE DECISION

Neither of the Reporting Agencies have opposed this application.

The Inspector having considered the application, the supporting documentation, made the appropriate enquires and has not received any negative information or complaints regarding similar events held by this applicant at this premises reports that she do not oppose the events.

Thereby I am satisfied that this application complies with the matters to which we must have regard are set out in s.142 of the Act.



THE DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **grants a Class 2 On-Site Special Licence** to the **Ōmokoroa Boat Club Incorporated** in respect of premises situated at **The Esplanade, Ōmokoroa**, to enable the supply and sell alcohol from premises to take place at the following events: Easter Sunday Jazz Event – Kokomo, Sunday 31 March 2024 from 4:00 pm to 8:00 pm; Kings Birthday Weekend Live Jam Session Event on Sunday 02 June 2024 from 4:00 pm to 10:00 pm, and Labour Weekend Live Jam Session Event, Sunday 27 October 2024 from 4:00 pm to 10:00 pm; subject to the following conditions.

The Conditions:

1. Alcohol may be sold under the licence only on the following days and during the following hours:

Easter Sunday Jazz Event – Kokomo.

Sunday 31 March 2024 from 4:00 pm to 8:00 pm.

Kings Birthday Weekend Live Jam Session Event.

Sunday 02 June 2024 from 4:00 pm to 10:00 pm.

Labour Weekend Live Jam Session Event.

Sunday 27 October 2024 from 4:00 pm to 10:00 pm.

2. **Free drinking water** is to be available to customers from the bar.
3. The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of low-alcoholic (<2.5% abv) and non-alcoholic refreshments, and food appropriate to the occasion.
4. Information regarding and assistance with alternative forms of transport must be available, as what has been proposed by the applicant.
5. For the purposes of the licence a **certified duty manager** must be appointed to manage the sale, supply and consumption of alcohol.
6. Drinks per person per transaction is limited to two.
7. The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - a. Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
8. The licensee must display:
 - a. At every point of sale, signage detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - b. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.
 - c. A sign prominently displayed at the premises that identifies by name the certified manager on duty.
9. No BYO permitted.

DATED at Tauranga on the 20th March 2024

B. E. E. E.



Commissioner
Western Bay of Plenty District Licensing Committee

Special Licence

Section 22 and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **ŌMOKOROĀ BOAT CLUB INCORPORATED** is authorised to sell and supply alcohol on the premises situated at **The Esplanade, Ōmokoroā, Tauranga 3114** and known as **ŌMOKOROĀ BOAT CLUB**, to any person attending the following occasion or event (or series of occasions or events):

LIVE BAND KOKOMO - EASTER SUNDAY JAZZ
KINGS BIRTHDAY LIVE MUSIC - JAM SESSION
LABOUR DAY WEEKEND JAM SESSION - LIVE MUSIC

Conditions

This licence is subject to the following conditions:

- Alcohol may be sold under the licence only on the following days and during the following hours:
 - Easter Sunday Jazz Event – Kokomo.**
Sunday 31 March 2024 from 4:00 pm to 8:00 pm.
 - Kings Birthday Weekend Live Jam Session Event.**
Sunday 02 June 2024 from 4:00 pm to 10:00 pm.
 - Labour Weekend Live Jam Session Event.**
Sunday 27 October 2024 from 4:00 pm to 10:00 pm.
- Free drinking water** is to be available to customers from the bar.
- The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of low-alcoholic ($\leq 2.5\%$ abv) and non-alcoholic refreshments, and food appropriate to the occasion.
- Information regarding and assistance with alternative forms of transport must be available, as what has been proposed by the applicant.
- For the purposes of the licence a **certified duty manager** must be appointed to manage the sale, supply and consumption of alcohol.
- Drinks per person per transaction is limited to two.
- The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
- The licensee must display:
 - At every point of sale, signage detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - A copy of the licence attached to the premises so as to be easily read by persons attending the premises.
 - A sign prominently displayed at the premises that identifies by name the certified manager on duty.
- No BYO permitted.

Duration

This licence is in force for the days and hours specified in condition 1.

Dated at Tauranga on the 20th day of March 2024


Secretary, District Licensing Committee
Western Bay of Plenty District Council



Decision number: 022/TAOFF/9198/2024

IN THE MATTER of the Sale and Supply of
Alcohol Act 2012 (the Act)

AND

IN THE MATTER of an application by **A & A
Phimester Limited** pursuant to
s.136(1) of the Act for a
Temporary Authority for
premises situated at **37-41
Main Road, Katikati** known as
"Katikati Four Square"

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

Chairperson: Murray Clearwater

This is an application by **A & A Phimester Limited for a Temporary Authority for premises situated at 37-41 Main Road, Katikati known as "Katikati Four Square"**.

An OFF Licence, 22/RENOFF/8504/2022 is attached to the premises and expires on the 17 March 2025.

The original application contains supporting documentary evidence for the change of ownership including a signed Sale and Purchase and lease agreement.

The substantive OFF licence application has been lodged and is set down for a hearing due to opposition from the MOoH.

REASONS FOR THE DECISION

Neither the New Zealand Police, nor the Licensing Inspector, oppose the granting of the order.



DECISION

The application and supporting information satisfy us that the criteria we must have regard to as set out in s.136 of the Act has been met.

The District Licensing Committee, acting pursuant to the Sale and Supply of Alcohol Act 2012 makes an order for a Temporary Authority to **A & A Phimester Limited** with the following conditions.

Conditions

1. The conditions relating to OFF LICENCE (22/RENOFF/8504/2022) remain unchanged.
2. **Experienced certificated managers must be on duty at all times when the premises is open for the sale and supply of alcohol.**

The Order is to run for 3 months from the 11th of March 2024, or an earlier date should the substantive application be determined.

DATED at TAURANGA this 29th day of February 2024.



Murray Clearwater
Chairperson/Commissioner
Western Bay of Plenty District Licensing Committee

Western Bay of Plenty District Licensing Committee

TEMPORARY AUTHORITY

Section 136 Sale and Supply of Alcohol Act 2012

Pursuant to Sections 136 Sale and Supply of Alcohol Act 2012 the Western Bay of Plenty District Council in its capacity as District Licensing Committee has made an order authorising:

A & A PHIMESTER LTD

to allow the sale and supply of alcohol for consumption off the premises known as:

KATIKATI FOUR SQUARE

and situated at:

37-41 MAIN ROAD, KATIKATI

This Temporary Authority shall be valid from the **11 March 2024**, until the substantive Licence Application lodged by **A & A PHIMESTER LTD** is determined, or until **11 June 2024**, whichever is sooner.

This Licence is to be displayed beside and subject to the conditions imposed on **022/RENOFF/8504/2022** and is subject to the following conditions:

Conditions

1. The conditions relating to OFF LICENCE (022/RENOFF/8504/2022) remain unchanged.
2. **Experienced certificated managers must be on duty at all times when the premises is open for the sale and supply of alcohol.**

The Order is to run for 3 months from the 11th of March 2024, or an earlier date should the substantive application be determined.

issued to:

DATED at Tauranga on the 4th day of March 2023



Secretary
District Licensing Committee
Western Bay of Plenty District Council



IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by **Hair
Affair Enterprises Limited** for
a **Temporary ON Authority**
pursuant to section 136 of the
Act in respect of premises
situated at situated at **60
Wilson Road, Waihi Beach**
and known as **WAIHI BEACH
HOTEL**.

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

This is the first application submitted by **HAIR AFFAIR ENTERPRISES LIMITED** for a **TEMPORARY AUTHORITY** pursuant to Section 136 of the Sale and Supply of Alcohol Act 2012 in respect of premises situated at **60 Wilson Road, Waihi Beach**, known as **WAIHI BEACH HOTEL**; for an ON Licence.

The two directors of Hair Affair Enterprises Limited (NZ Incorporated Company No. 8880389) are Hardeep Singh Khosa and Jatinder Singh; both holding equal shareholders of the applicant company and have recently acquired the business; seeking both an On and Off-licence held for the premises (022/OFF/8848/2023 and 022/ON/8846/2023). This is their first venture in the industry.

There are two leases held for the premises, both leases are to be assigned to the applicant.

The purchase will be finalised when both Temporary Authorities sought have been granted. While the applicant intends to continue to sell alcohol and allow the consumption of alcohol on the premises it also seeking to operate an Off-licence by reopening a bottle store immediately adjacent to the left of the bar within the first three months of taking over.

It is recognised that the Waihi Beach Hotel is one of our highest-risk premises with a rocky history regarding compliance with the Act. However, the Inspector reports that the directors plan to take a very active role in the operation of the premises and appear to have a good level of support in starting this venture. Frequent monitoring would be required to ensure the applicant is maintaining compliance under the Act.



A meeting between the Police, Applicant and Inspector was held and addressed both Temporary Authority applications that are sought. It is reported that at that meeting the applicant was aware of the additional conditions required and had made arrangements to comply with conditions eight and nine of the ON-licence.

As the base licence application is yet to be lodged with Council the applicant is yet to apply for the building and planning compliance certificate (100f certificate). Once the application for the 100f certificate is lodged the applicant can then apply for their substantive ON licence.

A plan has been developed to ensure that at least one of the director's will be present at the premises every day it is open and both directors of the applicant company will play an active role in the business's operation.

For the first two weeks after takeover, Naveen Chhabra (the current licensee) is to continue to work at the premises and aid the applicant in the takeover process. After this initial period Naveen will be employed in managerial role and remain actively involved in work, training, and assisting with the transition for the next two to three months.

The directors of the company; Hardeep Singh Khosa and Jatinder Singh are not certified manager's but currently hold LCQ Certificates. Sandeep Singh has been appointed to manage the licensed premises. Sandeep holds a manager's certificate issued by Auckland DLC (007/Cert3125/2018 with an 25th March 2025 expiry date). The applicant has also confirmed the following list of managers and their experience in the industry who will continue to work on the premises:

- Rachel Pride - 7 years' experience
- Naveen Chhabra - 15 months experience
- Parwinder Singh - 8 years' experience
- Dipan Jamandas - 1 year experience
- Sandeep Singh - 4 years' experience.

REASONS FOR THE DECISION

The Police have not raised any matters in opposition to the application.

The Inspector does not oppose this application reporting that the applicant has a good level of staff and support from family and friends, some of whom hold alcohol licences.

The current hours of trading comply with the default national maximum trading hours for ON Licences and the operative Tauranga and Western Bay of Plenty Local Alcohol Policy. Thereby the application and supporting information received satisfy us that the criteria we must have regard to as set out in s.136 of the Act, has been met.



THE DECISION

Pursuant to the Sale and Supply of Alcohol Act 2012, the District Licensing Committee makes an order in favour of **Hair Affair Enterprises Limited** for a **Temporary ON Licence** for 8 weeks from 27 March 2024 to 24 May 2024 (the expiry date for both the underlying On and Off licences held for the premises). Should the determination of either licence application for Hair Affair Enterprises Limited be delayed for any reason, renewal licence applications could be lodged or if during the processes of the TA an additional condition to allow the temporary authorities was to be sought, the process could be extended for the entire permissible three months, thereby until 27 June 2024.

THE CONDITION:

All the conditions of the Temporary Authority are to be the same as those of the underlying licence – 21/ON/8846/2023.

It should be noted that the underlying licence has a 24th May 2024 expiry date.

Dated at Tauranga 27th March 2024



Commissioner
Western Bay of Plenty District Licensing Committee

Application No: LL9199

Western Bay of Plenty District Licensing Committee

TEMPORARY AUTHORITY

Section 136 Sale and Supply of Alcohol Act 2012

Pursuant to Sections 136 Sale and Supply of Alcohol Act 2012 the Western Bay of Plenty District Council in its capacity as District Licensing Committee has made an order authorising:

HAIR AFFAIR ENTERPRISES LIMITED

to allow the sale and supply of alcohol for consumption on the premises known as:

WAIHI BEACH HOTEL

and situated at:

60 Wilson Road, Waihi Beach

This Temporary Authority shall be valid from the **27 March 2024**, until the substantive Licence Application lodged by **HAIR AFFAIR ENTERPRISES LIMITED** is determined, or until the **24 May 2024** (the expiry date for both the underlying On and Off licences held for the premises), whichever is sooner.

Conditions:

All the conditions of the Temporary Authority are to be the same as those of the underlying licence – 021/ON/8846/2023.

This Licence is to be displayed beside and subject to the conditions imposed on:

Licence – 021/ON/8846/2023

issued to:

DATED at Tauranga on the 28th day of March 2024



Secretary

District Licensing Committee

Western Bay of Plenty District Council



IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by **Hair
Affair Enterprises Limited** for
a **Temporary Authority**
pursuant to section 136 of the
Act in respect of premises
situated at situated at **60
Wilson Road, Waihi Beach**
and known as **WAIHI BEACH
HOTEL**.

BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE

THE APPLICATION

This is the first application submitted by **HAIR AFFAIR ENTERPRISES LIMITED** for a **TEMPORARY AUTHORITY** pursuant to Section 136 of the Sale and Supply of Alcohol Act 2012 in respect of premises situated at **60 Wilson Road, Waihi Beach**, known as **WAIHI BEACH HOTEL** for an Off Licence.

The applicant has recently acquired the business and seeks both an On and Off-licence held for the premises (022/OFF/8848/2023 and 022/ON/8846/2023). The two directors of Hair Affair Enterprises Limited (NZ Incorporated Company No. 8880389) are Hardeep Singh Khosa and Jatinder Singh; both holding equal shareholders of the applicant company This is their first venture in the industry.

There are two leases held for the premises, both leases are to be assigned to the applicant.

The purchase will be finalised when both Temporary Authorities sought have been granted. While the applicant intends to continue to sell alcohol and allow the consumption of alcohol on the premises it also wants to operate an Off-licence by reopening the bottle store immediately adjacent to the left of the bar within the first three months of taking over.

It is recognised that the Waihi Beach Hotel is one of our highest-risk premises with a rocky history regarding compliance with the Act. However, the Inspector reports that the directors plan to take a very active role in the operation of the premises and appear to have a good level of support in starting this venture. Frequent monitoring would be required to ensure the applicant is maintaining compliance under the Act.



As the base licence application is yet to be lodged with Council the applicant is yet to apply for the building and planning compliance certificate (100f certificate). Once the application for the 100f certificate is lodged the applicant can then apply for a substantive Off licence.

A meeting between the Police, Applicant and Inspector has been held and addressed both the Temporary Authority applications sought. It is reported that at that meeting the applicant was aware of the additional conditions required.

The directors of the company; Hardeep Singh Khosa and Jatinder Singh are not certified managers but currently hold LCQ Certificates. Sandeep Singh has been appointed to manage the licensed premises. Sandeep holds a manager's certificate issued by Auckland DLC (007/Cert3125/2018 with an 25th March 2025 expiry date). The applicant has also confirmed the following list of managers and their experience in the industry who will continue to work on the premises:

- Rachel Pride - 7 years' experience
- Naveen Chhabra - 15 months experience
- Parwinder Singh - 8 years' experience
- Dipan Jamandas - 1 year experience
- Sandeep Singh - 4 years' experience.

The applicant has agreed that an additional duty manager will be required to be on duty within the bottle store area when the bottle store is reopened.

REASONS FOR THE DECISION

The Police have not raised any matters in opposition to the application.

The Inspector does not oppose this application reporting that the applicant has a good level of support from family and friends, some of whom hold alcohol licences.

The current hours of trading comply with the default national maximum trading hours for OFF Licences and the operative Tauranga and Western Bay of Plenty Local Alcohol Policy.

Both directors of the applicant company will play an active role in the business's operation and a plan has been developed to ensure that at least one of the director's will be present at the premises every day it is open. For the first two weeks after takeover, Naveen Chhabra (the current licensee) will continue to work at the premises and aid the applicant in the takeover process. After this initial period



Western Bay of Plenty District Licensing Committee

TEMPORARY AUTHORITY

Section 136 Sale and Supply of Alcohol Act 2012

Pursuant to Sections 136 Sale and Supply of Alcohol Act 2012 the Western Bay of Plenty District Council in its capacity as District Licensing Committee has made an order authorising:

HAIR AFFAIR ENTERPRISES LIMITED

to allow the sale and supply of alcohol for consumption off the premises known as:

WAIHI BEACH HOTEL

and situated at:

60 Wilson Road, Waihi Beach

This Temporary Authority shall be valid from the **27 March 2024**, until the substantive Licence Application lodged by **HAIR AFFAIR ENTERPRISES LIMITED** is determined, or until the **24 May 2024** (the expiry date for both the underlying On and Off licences held for the premises), whichever is sooner.

Conditions:

All the conditions of the Temporary Authority are to be the same as those of the underlying licence – 021/OFF/8848/2023.

This Licence is to be displayed beside and subject to the conditions imposed on:

Licence - 021/OFF/8848/2023

issued to:

DATED at Tauranga on the 28th day of March 2024



Secretary

**District Licensing Committee
Western Bay of Plenty District Council**

