DISTRICT LICENSING COMMITTEE
Komiti Raihana-ā-Rohe

Monday, 27 November 2017
St Paul’s Presbyterian Church,
1 Mulgan Street, Katikati
Commencing at 10.00am
Notice of Meeting No DL6
Te Karere

District Licensing Committee
Komiti Raihana-a-Rohe

Monday, 27 November 2017
St Paul’s Presbyterian Church, 1 Mulgan Street, Katikati

Hearing 1 commencing at 10.00am
Application LL6879 for a new off-Licence - Applicant Telfords Yard Ltd; premise located 41 Main Rd, Katikati; trading as Super Liquor Katikati

Hearing 2 commencing at 1.00pm (or on completion of prior hearing)
Application LL6942 for a new off-Licence – Applicant Jones Liquor Limited - premise located 37 Main Rd, Katikati; trading as Katikati Wines and Spirits

Commissioner: M Jones (Chairperson)
Councillors: D Thwaites (Deputy Chairman)
P Mackay

Community Appointees: J Davison
M Horne

Media
Staff

Miriama Taris
Chief Executive Officer
Western Bay of Plenty District Council
District Licensing Committee Delegations
Mangai o Te Kaunihera

Quorum:

Commissioner and two members from the list (Section 191 – Sale and Supply of Alcohol Act 2012)

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

Chair’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).
Agenda for Meeting No. DL6

Present
In Attendance
Apologies

DL6.1 Conflict of Interest Declarations

Members of the appointed District Licensing Committee to declare whether or not they have any conflicts of interest in relation to the applications before them.

DL6.2 HEARING: Application No. LL6879 for a new Off-Licence under Sections 100 and 127(2), Sale and Supply of Alcohol Act 2012 - Applicant: Telfords Yard Limited - Premise located at 41 Main Road, Katikati, trading as Super Liquor Katikati

The Committee to hear all evidence and consider the attached application and following documentation:

a) Application for new off-licence dated 9 August 2017
b) Supporting Information for Application
c) Submissions Received
d) Reports
   • NZ Police Report
   • Alcohol Licensing Inspector’s Report
   • Medical Officer of Health’s Report

DL6.3 HEARING: Application No. LL6942 for a new Off-Licence under Sections 100 and 127(2), Sale and Supply of Alcohol Act 2012 - Applicant: Jones Liquor Limited - Premise located at 37 Main Road, Katikati, trading as Katikati Wines and Spirits

The Committee to hear all evidence and consider the attached application and following documentation:

a) Application for new off-licence dated 21 August 2017
b) Supporting Information for Application
c) Submissions Received
d) Reports
   • NZ Police Report
   • Alcohol Licensing Inspector’s Report
   • Medical Officer of Health’s Report
Application
Dated 9 August 2017
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

X New Off-Licence  O Renewal Off-Licence

1. Applicant Details

a. X Applicant/Property Owner  O Agent  O Other (provide contact details below)

b. Full name of applicant (legal entity who will receive the proceeds from the sale of liquor)
Telfords Yard Limited

Previous names or other names known by Nil

Postal address 11 Rosemont Road, Waihi, 3610

Occupation Private Company

Date of Birth

Phone: Business (07) 8638923...... Private ( ).................. Mobile (021)862323

Email si.waihi@xtra.co.nz  Fax (07)8638923

Website address Nil

c. Preferred means for formal correspondence
   O Mail  X Email  O Fax

d. Status of applicant
   O Natural Person  O Local Authority  O Body Corporate to which Section 28(1)(b)(f) of the Act applies
   X Private Company  O Trustee  O Manager under the Protection of Personal Property Rights Act 1988
   O Partnership  O Public Company  O Government Department or other instrument of the Crown
   O Club  O Licensing Trust  O Board, organisation, or other body to which section 28(1)(c)(f) of the Act applies

e. Does the premises hold an existing licence?

f. Is there an existing licence held for the premises or conveyance concerned?

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

   g. Have your or any business partners been convicted of any offence?

   ![Yes](Yes) ![No](No)

   h. 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)*

<table>
<thead>
<tr>
<th>Name</th>
<th>Nature of Offence</th>
<th>Date of Conviction</th>
<th>Penalty Suffered</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

   h. Is this the applicant's first licensed premises?

   ![Yes](Yes) ![No](No)

   If yes, has the applicant prepared a financial plan for the business?

   ![Yes](Yes) ![No](No)

**Select one of the following (Numbered 2 - 5):**

2. **Further Details Where Applicant is a Company**


   b. Place of Incorporation: Auckland.

   c. Full details of each Director and the Secretary

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date of Birth</th>
<th>Place of Birth</th>
<th>Position Held</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunil BHIKHA</td>
<td>47a Taunton Terrace, Blockhouse Bay, Auckland</td>
<td>15/6/1979</td>
<td>Fiji</td>
<td>Director</td>
</tr>
<tr>
<td>Mahesh JAMNADAS</td>
<td>11 Rosemont Road Waihi</td>
<td>15/12/1954</td>
<td>Fiji</td>
<td>Director/Secretary</td>
</tr>
<tr>
<td>Neha JAMNADAS</td>
<td>47a Taunton Terrace, Blockhouse Bay, Auckland</td>
<td>15/6/1979</td>
<td>Fiji</td>
<td>Director</td>
</tr>
</tbody>
</table>

3. **Further Details where Applicant is a Private Company**

   a. ![Authorised capital](Yes) Paid-up capital = $100

   b. Full details of each person who holds any shares issued by the company

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date of Birth</th>
<th>Place of Birth</th>
<th>Position Held</th>
<th>Face value of shares (eg 100 x $1 shares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sator Limited</td>
<td>- 70% (Mahesh Jamnadas)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telfords Yard Ltd</td>
<td>– 30% (Sunil BHIKHA and Neha JAMNADAS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sunil BHIKHA</td>
<td>47a Taunton Terrace, Blockhouse Bay, Auckland</td>
<td>15/6/1979 Fiji</td>
<td></td>
<td>Director</td>
<td>$15</td>
</tr>
<tr>
<td>Mahesh JAMNADAS</td>
<td>11 Rosemont Road Waihi</td>
<td>15/12/1954 Fiji</td>
<td></td>
<td>Director</td>
<td>$70</td>
</tr>
<tr>
<td>Neha JAMNADAS</td>
<td>47a Taunton Terrace, Blockhouse Bay, Auckland</td>
<td>15/6/1979 Fiji</td>
<td></td>
<td>Director</td>
<td>$15</td>
</tr>
</tbody>
</table>
4. Further Details where Applicant is a Public Company

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date of Birth</th>
<th>Place of Birth</th>
<th>Position Held</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Further Details Where Applicant is a Partnership

a. Full details of each partner as follows

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Date of Birth</th>
<th>Place of Birth</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6. Premises Details

a. Existing trading name for premises Nil

Proposed trading name for premises Super Liquor Katikati

Address of proposed licensed premises 41 Main Road Katikati

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 Mahesh Jamnadas
   Full address of the owner 11 Rosemont Road Waihi
(ii) What form of tenure of the premises will you have? Lease
   What term of tenure will you have? 3x3x3 with a right of renewal

d. Type of premises

   Hotel or Tavern Supermarket
   Premises on which principal business is manufacture or sale of liquor (Bottle store)
   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 Nil
   (ii) A supervised area All
   (iii) An undesignated area (specify reason) Nil
8. **Business Details**

a. Is the sale of liquor intended to be the principal purpose of the business?  
   - [x] 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  - [x] No

   If yes, what is the nature of those other goods and services?  
   - Note Limited additional goods are to be sold, mainly small food items, chips, ice, almonds, bhujia mix, chocolate, and chewing gum, and soft drinks are also to be sold. A range of non-alcoholic beer, and coke, water, ginger beer, soda water etc will be sold.

   *(Refer to copy of section 32 attached).*

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)*

<table>
<thead>
<tr>
<th>Days</th>
<th>Monday – Sunday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours</td>
<td>From 900am...... To 10pm......</td>
</tr>
</tbody>
</table>

   *(Refer to copy of section 32 attached).*

d. Do you intend to provide complimentary samples of liquor on the premises?  
   - [x] Yes  [ ] No

9. **Conditions**

a. What experience and training has the applicant undertaken:

   9 Years owning / operating bottle stores in Waihi and Katikati  
   Hold managers certificate  
   Access to Super Liquor training programme, attend Super Liquor regional and national conferences which includes training  

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?

   Intoxicated persons and minors will not be served. Minors must be accompanied by parent or guardian. Intoxicated persons will not be permitted on the premises

   *(Refer to copy of section 32 attached).*

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

   Host responsibility policy; training plan; certified managers on site; regular staff meetings *(see attached assessment report for more in depth description)*

   *(Refer to copy of section 32 attached).*

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

   Full training plan in place based on Super Liquor generic training programme. Staff employed who hold managers certificates to manage the premises in accordance with the Act. New staff trained and partnered with experienced manager before sitting their managers certificate. Use Crime Prevention through Environmental Design guidelines for store design.

   *(Refer to copy of section 32 attached).*
9. **Conditions (Continued)**

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

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

- **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?

<table>
<thead>
<tr>
<th>Days</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(ii) What are the changes sought?

<table>
<thead>
<tr>
<th>Days</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

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 **Nishant Bhаратbhai SHAH** ........................................ Certificate number 022/CERT/6780/2017
- Residential address 16A Levely Lane, Katikati ................................ Expire date 10/4/2010.

- Full name **Samuel David MUDDWAY** ........................................ Certificate number 022/CERT/045/2015
- Residential address 75 Union Street, Waihi ................................ Expire date 22/6/2019

- Full name ................................................................. Certificate number ................
- Residential address .......................................................... Expire date ................./........../........
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?


11. Further details where the licence is a club licence

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 .......................................................... Date: 30/06/2017

(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  Owner (70%)  Director  Name  MATHESH KUMAR JAMMADAS

"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.
   - ALL additional documentation as indicated below are attached to the application.

   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
26 June 2017

The Administrator
Western Bay of Plenty District Licencing Agency
Western Bay of Plenty District Council
Private Bag 12803
Tauranga 3143

Dear Sir /Madam

APPLICATION FOR OFF LICENCE – BOTTLE STORE 41 MAIN ROAD, KATIKATI

I wish to lodge an application on behalf of Telfords Yard Limited for a new off-licence under section 100 of the Sale and Supply of Alcohol Act 2014. The premises to which the application relates are located at 41 Main Road, Katikati. The reason for this application is because the existing Super Liquor store two doors down the road will be relocating into the premises at 41 Main Road.

This application is organised in the following way:

Section A: The Application – this provides the context to the application and general background;
Section B: The APPLICATION FOR A NEW OFF-LICENCE form, section 100 of the Sale and Supply of Alcohol Act 2012;
Section C: Additional Information as requested in the application form;
Section D: Assessment of criteria Section 105 of the Sale and Supply of Alcohol Act 2012 including risk assessment;

The application deposit fee of $350 will be paid at the time of lodging this application.

If there is any further information needed to process this application, I am happy to supply it on request.

Yours faithfully,

[Signature]

Manesh Jamnadas,
Director,
Telfords Yard Limited,
11 Rosemont Road,
Waihi, 3610
SECTION A: THE APPLICATION

1. Details of the Application
   This application is by Telfords Yard Limited for a new off-licence under section 100 of the Sale and Supply of Alcohol Act 2014. The reason for this application is to enable the existing Super Liquor store two doors down the road to relocate into the premises at 41 Main Road. The proposed opening hours for the business are those that apply at the existing store which are 9.00am – 10.00pm Monday to Sunday. These hours are less than the default hours set out in section 43 of the Sale and Supply of Alcohol Act 2012.

2. Background
   The proposed store is located in the existing established commercial area of Katikati and has operated successfully two doors down from the proposed store for the last six years.

   The land is zoned Commercial in the operative district plan. A bottle store is a permitted activity within this zone. A planning certificate and a building certificate are being applied for concurrently with this application. The applicant company is Telfords Yard Limited. The directors and owners of the company are Sunil BHIKHA, Mahesh JAMNADAS and Neha JAMNADAS. The applicants have been involved in the retail of alcohol for 9 years through the ownership and management of Super Liquor Katikati and Super Liquor Waihi. They have never failed a CPO or been subject of any enforcement action at the Katikati store. Two failed CPO’s in 2009 and 2010 are addressed further in this report.

   Overall the owners collectively have a long and successful history of experience in the alcohol industry.

3. The Environment
   The existing store is located within the commercial precinct of buildings located on the eastern side of Main Road. The store is part of the existing strip shopping environment of Katikati. To the east of the site separated by a car park and another commercial property is the start of the residential zone. There are no sensitive sites in view of the proposed premises. The existing store as far as the applicant is aware have not been an issue for sensitive sites in the community.

4. Off-licences held in vicinity of proposed store
   The following stores are located within the locality of the area – distances from the store are indicated against each site:
   - Countdown Katikati, 123 Main Road, Katikati – 550 metres
   - Liquorland Katikati, 76 Main Road, Katikati – 200 metres
   - Finer Wines, 8 Main Road, Katikati – 260 metres
   - Talisman Hotel (including off licence), Main Road, Katikati – 250 metres
   - Four Square, 33 Main Road, Katikati – 50 metres

   The issue of density is discussed in section 2 (2) later in this assessment report.
SECTION B: APPLICATION FOR OFF-LICENCE FORM

Refer separate application form as required by the Council
### SECTION C: ADDITIONAL INFORMATION

1. Artists impression of the exterior of the store:

<table>
<thead>
<tr>
<th>Project</th>
<th>Signage</th>
<th>Client Signature</th>
<th>APPROV</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Super Liquor</td>
<td>Katikati’s bottle store</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>with something more</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Project Completion Date:** 2017

**Client Name:**

**Rep:** BL

08/05/2017

Please note that for any errors:
2. Map showing location of premises and map of sensitive sites;
3. Floor and site plans;
Super Liquor

Super Liquor Host Responsibility Policy

Introduction
Super Liquor takes its host responsibility duties seriously. This document sets a detailed plan in respect of implementation of our Host Responsibility Policy.

Customer Statement
As good hosts our expectation is that you will enjoy your visit to our premises. We will make every effort to ensure your visit to our store is pleasant and enjoyable, and we will provide you with excellent service. You are requested to act in a responsible manner whilst on the premises and not disrupt or cause offence to other patrons and staff.

Refusal of service should be viewed as an indication we are concerned for your welfare. It is pointed out that staff must comply with their legal obligations under the Supply of Alcohol Act 2012 (SASAA 2012).

Training
Super Liquor start all staff with a comprehensive induction on commencing employment and all staff have alcohol service responsibilities included as terms in their employment agreements.

We also maintain an ongoing training and management policy to give our staff the skills and support they need to do their job responsibly. We employ experienced managers who as part of their duties have responsibilities for ensuring that all staff know the responsibilities of alcohol service. Management reviews training needs and consults on this regularly and makes appropriate adjustments to ensure that training is current, relevant and appropriate.

Minors
Signage is displayed on the premises stating minors will not be served.

As part of the training and induction programme staff are made aware that it's against the law to serve minors on premises. Staff are made aware of the acceptable forms of proof of age.

- NZ photo drivers' license,
- the HANZ 18+ card
- or a current passport.

Staff are also made aware of the requirements and consequences as set out in the Sale and Supply of Alcohol Act 2012 (SASAA 2012) in respect of sale or supply to minors and the presence of minors on premises.

Super Liquor has a "sales to groups" policy. Signage of this policy is displayed in store. All staff must follow this policy.

If we are in any doubt as to a person's age, we will ask for identification. Any person considered to be 25 years old or younger will be required to produce identification. If a patron is not able to provide one of the
accepted forms of identification that can be closely inspected for authenticity, the person is not served and asked to leave. This requirement is also included as an essential term of all employment agreements.

**Intoxication**
Signage is displayed on the premises stating intoxicated persons will not be served.

Low and non-alcoholic beverages are available for sale.

It is an offence to serve anybody who is intoxicated.

Staff have been trained to identify signs of and assess intoxication through the Intoxication Assessment Tool.

However, assessing intoxication can be difficult and because of this we regularly refresh staff in the signs to watch for as well as the consequences of intoxicated persons on premises. Staff are also made aware of the consequences in respect of Sale and Supply of Alcohol Act 2012 (SASAA 2012).

Assistance will be offered by the Manager to anyone on the premises who is intoxicated. This may include access to safe transport, coffee, or other means to ensure their safety.

**Promotions**
From time to time there may be promotions on premises. Where promotions are offered, staff are trained to ensure that any such promotions do not encourage or are not likely to encourage consumption of alcohol to an excessive extent. Water will be provided for all complementary tastings.
Sale and Supply of Alcohol Act 2012
Public Health Questionnaire for Off-Licence Applications

This questionnaire helps ensure that licensees meet the requirements of the Sale and Supply of Alcohol Act 2012 in relation to the public health consequences of alcohol use, such as alcohol-related health problems and preventable death or disability from alcohol-related motor vehicle crashes.

This questionnaire will enable the completion of the Medical Officer of Health report on your license application. Your license application cannot be processed without completion of this questionnaire.

Name of Licensed Premises: Super Liquor Katikati

Name of applicant: Telfords Yard Limited

Type of application: New Renewal

Premises type: Bottle store Supermarket

Amenity and Good Order

What steps will you take to ensure your business does not impact negatively on your neighbour’s? E.g. noise, nuisance and vandalism?

Noise - There is minimal noise generated from the existing liquor store which this store is replacing two doors up the road. Main Road Katikati is a noisy highway. Noise generated from the store will be minimal and not noticed compared to the traffic on the road.

Nuisance and vandalism - These are minimised by regular checks of the carpark by staff to remove litter, by removing graffiti as soon as practicable (which has not been an issue for the existing store), and by regularly checking the carpark and the area in front of the store, especially at night, to ensure there is no loitering or pre-loading of alcohol occurring. There is no experience with nuisance of vandalism increasing as a result of the current location of the store and this is unlikely to be reduced by declining this application.
Staff Training

a. Do you provide training to staff on the SaSA 2012?  

Yes  ☒  No ☐

If yes: In-house training, bywhom?

In house by managers using the Super Liquor training programme that covers:

- Overview of the Sale and Supply of Alcohol Act 2012
- Appointment and functions of duty managers
- Minors
- Controlled purchase operations
- Hours of operation
- Intoxicated persons
- Restricted and supervised areas
- Standards
- Armed robbery information
- Glossary of terms.
Intoxicated Patrons

a. How do you prevent intoxicated people from entering your premises?

Signage to indicate intoxicated persons not permitted on premises, counter located closes to main entrance so staff can observe customers. Anyone appearing to be intoxicated refused entry.

b. How do you identify if a person is intoxicated?

Speech, coordination, appearance, behaviour.

c. What process do you have to deal with intoxicated patrons?

Politely ask them to move on. If so intoxicated they appear to be a danger to themselves or others the police are called. These points are noted in the incident register.

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* No
NZ or overseas passports Yes* No
HANZ 18+ card Yes* No

Other forms of I.D – please describe

Nil

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?

Signage to indicate minors are not permitted on premises unless accompanied by parent or legal guardian. Counter located closes to main entrance so staff can observe customers. Anyone appearing to be under 25 is age checked. Anyone identified under 18 not permitted to remain on the premises unless accompanied by parent or legal guardian. Group sales policy in place to ensure that persons under 18 are not being supplied by persons over 18 that are not parent or legal guardian. School person in uniform over 18 are not permitted to buy products from the store.

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

NA........................................................................................................................................................................
Do you have exterior advertising?

Building ads, Yes ☑ No ☒
Sandwich boards, Yes ☑ No ☒
Billboards Yes ☑ No ☒

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

5%. The Super Liquor A1 posters or smaller are displayed on the front to the building with product information.

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

No alcohol brands are displayed externally except for the posters referred to above.

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 ☒

MAHESH KUMAR JAMNADAS (Full name), the Licensee* for
TELFORDS YARD LTD

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: Dated: 30/06/2017

Position/Title: OWNER (70%) 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:
- 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. Beer, Wine, Spirits, Cider, RTD’s (displayed at rear of shop)

### 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:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>Advise proximity of all childcare centres, schools and churches within 500m - a site plan would assist. Katikati Primary, Katikati College, Pukeko Corner Kindergarten, Beach Kids Preschool, Katikati Kindergarten</td>
</tr>
<tr>
<td>b)</td>
<td>How many residential neighbours would you have within 50 metres? One</td>
</tr>
<tr>
<td>c)</td>
<td>Security - what security systems do you have and state location (outdoor lighting, indoor/outdoor CCTV, other)? Indoor and outdoor CCTV, exterior lighting in front of store and in rear car park</td>
</tr>
<tr>
<td>d)</td>
<td>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 and the store will have internal CCTV to provide additional visibility</td>
</tr>
<tr>
<td>e)</td>
<td>Windows - is there good visibility into and from the premises and the street? Yes</td>
</tr>
<tr>
<td>f)</td>
<td>Lighting - does the lighting outside the premises discourage loitering? Does the lighting allow staff to check ID’s, etc? Yes</td>
</tr>
<tr>
<td>g)</td>
<td>Security - will you employ security staff and when will they be used? No – the current Super Liquor Store next door has not required security. Staff are trained to identify persons of concern e.g. intoxicated persons and to ensure they do not wait around the area (which rarely happens at the existing store)</td>
</tr>
<tr>
<td>h)</td>
<td>Security staff - how many security staff hold a Certificate of Approval and formal registration or qualification? If so which</td>
</tr>
</tbody>
</table>

Not applicable
### Additional Information required for On-Licence and Club Licences.

#### Noise

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 1) | Explain clearly all types* of entertainment you will be providing and when (* amplified music or large crowd noise related)  
   | Nil |
| 2) | Noise management - do you have a noise management plan or an acoustic report prepared by a suitably qualified and experienced Acoustic Engineer?  
   | Not required |
| 3) | Noise mitigation - what mitigation will/is being undertaken (include any details regarding noise monitoring)?  
   | Not required |

#### What outside / off premise advertising involving liquor will you be doing?

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 1) | Newspaper/Magazine  
   | Only those run by Super Liquor Holdings in mail outs nationally |
| 2) | Shop windows? Limited to one AO poster |
| 3) | On your premises - roof/other? Only Super Liquor branding - no product branding |
| 4) | Street/Footpath signs? Nil |
| 5) | Social Media Sites i.e. Twitter/Facebook, Online Magazines, Websites, etc? Only through Super Liquor Holdings corporate systems |

A copy or sample of your advertising would be of assistance

#### Systems and Staff Training

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 1) | Are you involved in any mystery shopper type programmes?  
   | Quarterly audit by Super Liquor Holdings to check all systems. No formal mystery shopper programme |
| 2) | What till prompt systems do you have regarding age checks? Point of sale system where over / under 25 years of age prompts second command for under 25 where date of birth has to be entered |
| 3) | What staff training is provided with regard to the Sale of Alcohol compliance and Host Responsibility practices - explain content, duration and how often this training is provided. Annual Super liquor regional meeting for managers and licence holders which includes training on licensing requirements. Super Liquor training plan in place where staff are trained a range of licensing issues and other matters e.g. armed robbery processes |
| 4) | Please provide copies of any written material you supply to staff regarding staff training (attach to this form).  
   | Attached |

#### 2. Marketing and Promotions

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
| 1) | What percentage of the front windows will be clear and transparent?  
   | 75% |
| 2) | What is the target market for the business? Over 25’s generally local people in vehicles. Well established client base already |
c) What is your policy regarding pricing and promotions? In line with Super Liquor Holdings Policy. The Super Liquor consumer offer is based on convenience, service and choice. As our competitors are Australian multi-national chains of supermarkets, grocery stores and bottle stores our price offers must be competitive, but we do not differentiate on price – we do not set out to be cheapest.

d) Will there be single sales (Off-Licence)? Yes

Renewals Only

e) Have you had any complaints from the neighbour’s (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?

3. The granting, or renewal, of this application will contribute to the Object of the Act by:

   • Steps taken to ensure the sale, supply and consumption of alcohol will be undertaken safely and responsibly: Design and layout of the store ensures very good lighting to be able to serve customers responsibly including ensuring no prohibited persons are on the site (intoxicated or underage persons without a parent or guardian); use of Crime Prevention through Environmental Design guidelines in store design; training of staff; use of CCTV cameras to assist staff monitor inside and outside the store

   • The harm caused by the excessive or inappropriate consumption of alcohol will be minimised by: No sales to minors or intoxicated persons; intoxicated persons not permitted in the store; limited exterior advertising

Any other comments you wish to make to support your application being determined: See attached assessment report
Certificate No. 022/CERT/6780/2017

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

NISHANT BHARATBHAI SHAH

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 shall expire on 10 April 2020 unless again renewed.

DATED at Tauranga on the 5th day of April 2017.

[Signature]
Secretary
Western Bay of Plenty District Licensing Committee
Certificate No. 022/CERT/045/2015

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

SAMUEL DAVID MUDGWAY

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 shall expire on 22 June 2019 unless again renewed.

DATED at Tauranga on the 29th day of April 2016.

Secretary
Western Bay of Plenty District Licensing Committee
Approval from owner to lease the building:

25 May 2017

To Whom it May Concern

This letter is to confirm that Telfords Yards LTD trading as Super Liquor Katikati are the proposed tenants 41 main road Katikati.

I confirm that I own the building.

I am aware that they are applying for a new liquor licence for these premises and consent as owner to the continued use of the premises as a bottle store.

Yours sincerely

[Signature]

Dipan Jamnadas
021862323
Certificate of incorporation
TELFORDS YARD LIMITED
3192071
NZBN: 942903135135

This is to certify that TELFORDS YARD LIMITED was incorporated under the Companies Act 1993 on the 10th day of November 2010.
SECTION D. ASSESSMENT OF CRITERIA SECTION 105 OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012 INCLUDING RISK ASSESSMENT

1. Introduction

The Sale and Supply of Alcohol Act 2012 sets out in section 105 the criteria that a District Licencing Committee must have regard to when considering an application for a new off-licence.

This section of the application addresses those matters and others in detail to support the application as detailed in the Council's form referred to in section B of this document.

Section 3 of the Sale and Supply of Alcohol Act 2012 is the Purpose of the Act, and is for the benefit of the community as a whole, to put in place a new system for the control of the sale, supply and consumption of alcohol that is reasonable and helps achieve the object of the Act.

Section 4, the Object of the Act, is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly and the harm caused by excessive or inappropriate consumption of alcohol should be minimised.

Harm includes (a) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and (b) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).

Section 5 of the Act includes the Interpretation section of the Act.

Section 105 sets out the criteria for the issue of licences. There is a list of criteria which the licencing committee or authority must have regard to. These are set out in the assessment in the following sections.

Section 106 covers the consideration of effects on amenity and good order of the locality. Again, these are not elaborated on here but are set out in the assessment in the following section of this document.

Section 116 enables the licencing committee to impose conditions.

The following assessment deals in the order following with sections 105, 106, 35, 4 and finally 3 of the Act.

2. Section 105 Criteria for Licence

(1) The matters set out in paragraphs (a) to (k) of section 105(1):

(a) The object of this Act – see section 4 below.

(b) The suitability of the applicant

The applicants are experienced professional retailers who have owned and managed Super liquor Waihi and Super Liquor Katikati for nine years and six years respectively. The applicants and their staff have not been subject to any prosecutions, enforcement orders etc. at the Katikati Store. There has been no refusal of any licences to the applicant. The Waihi Store failed a CPO in 2009 and 2010. Since that time there
have been no failed CPO’s. A complete review of systems was undertaken in 2010 to address the issue with staff.

The applicants are currently operating the business at 37 Main Road, Katikati but need to relocate to this site which requires a new licence application.

The applicants undertake training with their staff (see section j below) and use a “Ready Kit” which details processes and systems that the applicant has put in place to ensure compliance with the Sale and Supply of Alcohol Act and the conditions of the licence. These standards also demonstrate the suitability of the applicant to hold a license.

The Super Liquor brand is attached to approximately 132 stores throughout New Zealand. Being part of a large franchise company provides the applicants access to best practice provided by the Super Liquor Group in owning and operating a store. Standards are set out in the “Ready Kit” referred to above.

No official complaints have been made regarding the applicant’s management of the two premises identified above to the best of the applicant’s knowledge.

Overall, the years of experience in the industry, and the excellent record of the applicant in managing an off-licence makes them a suitable applicant for an off licence at 41 Main Road, Katikati.

(c) Any relevant local alcohol policy

There is a joint Western Bay / Tauranga LAP that is operative.

The following elements from the LAP are relevant

5.1.1 Maximum licensed hours

• Maximum licensed hours for off-licences shall be 7am to 10pm

The applicant has applied for hours of 9:00am – 10:00pm seven days per week which is within the approved LAP hours

(d) the days on which and the hours during which the applicant proposes to sell alcohol

It is proposed to sell alcohol from 9.00am to 10.00pm, Monday to Sunday as set out in (c) above. These hours are less than permitted under section 43 of the Sale and Supply of Alcohol Act 2012 (SSAA).

(e) the design and layout of any proposed premises:

The design and layout of the premises will minimise potential harm and ensure a safe environment for patrons by adopting many of the Crime Prevention through Environmental Design guidelines (CPTED) produced by Heath Promotion Agency as follows:

• Lighting: there is excellent lighting inside the premises; lighting allows customers to be seen as they enter the premises, and identification can easily be read; good lighting in the car park discourages loitering, and the loading areas are well lit; street lighting outside the premises works well;
- **Security:** The cash register is placed on the counter in a way to discourage opportunistic attempts to open it; stock displays are generally no higher than waist/chest height thereby enabling excellent viewing across the store; there is good visibility into the cold store and an integrated CCTV system has been installed that all internal areas of the store can be recorded; the entrance way is recorded on CCTV camera; the car parks will be covered by external CCTV; the entire internal premises can be seen from the cashier areas;

- **Staff:** There are two staff working at the store at the known busy times. This is especially important for security of staff and other customers during the most vulnerable times. At times when there is only one staff member, that person holds a manager's certificate. When customers enter the store they can easily be seen by staff, including being able to screen customers for age verification or intoxication. A buzzer also notifies staff of customers as they enter the store.

- **Windows:** There are large windows at the front of the premises which enable observation of the car park at the front of the premises. The windows provide an external view into the store. Staff regularly walk around the car park to ensure that there is no nuisance or noise being generated.

- **RTDs and other drinks that young people drink are not located near the front of the store and are not visible to young people from the road.**

- **Car parking for the use of the bottle store are provided on site. A loading bay is provided on the site.**

(f) whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:

Limited additional goods are to be sold, mainly small food items, chips, ice, almonds, bhuja mix, chocolate, and chewing gum, and soft drinks are also to be sold. A range of non-alcoholic beer, and coke, water, ginger beer, soda water etc. will be sold.

(g) whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:

No other services are to be provided.

(h) Whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence;

Amenity and good order is defined in the Act as meaning the extent to which, and ways in which, the locality in which the premises concerned are situated is pleasant and agreeable.

Section 2 below further addresses these criteria in regard to amenity and good order.

(i) whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—

(i) they would be 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; but

(ii) it is nevertheless desirable not to issue any further licences:
The applicant has considered the effect on amenity and good order in regard to the locality. Having operated the Super Liquor Katikati store for the last six years the applicant is very familiar with the town and the locality of the existing and the proposed store. The applicant does not believe that the amenity and good order are so badly affected in the area in which it proposes to operate its store that any further licences should not be issued. Implementing quality systems and processes can address the effects on amenity and good order that may arise.

There appear to be no significant issues that the applicant is aware of that would prevent this licence being granted.

(j) whether the applicant has appropriate systems, staff, and training to comply with the law:

The majority of staff that will work at the store will hold a managers certificate. Training is undertaken via the local technical institute day courses for staff who will work long term at the store. At times temporary staff are employed who are supervised all the time while on duty by a qualified manager. The applicant will meet with their staff regularly to discuss the conditions of the licence and the requirements to run a complying and effective business. Internal ideas exchanges and learning are also encouraged among staff. A training manual has been developed to take staff through the relevant sections of the Sale and Supply of Alcohol Act 2012. Training in customer service and legal responsibilities will be delivered to staff using the staff training manual. The key elements of the manual include:

- Overview of the Sale and Supply of Alcohol Act 2012
- Appointment and functions of duty managers
- Minors
- Controlled purchase operations
- Hours of operation
- Intoxicated persons
- Restricted and supervised areas
- Standards
- Armed robbery information
- Glossary of terms

In respect of other steps taken to promote the responsible consumption of alcohol, the store will use Health Promotion Agency (HPA)/Hospitality NZ promotional material to advise customers of their social responsibilities. This material comprises posters for customers and staff, and flyers which can be inserted into customers' shopping bags.

A sign will be installed advising students over the age of 18 in school uniform that they will not be served whilst in school uniform. Students in uniform will only be permitted in the store if accompanied by a parent or legal guardian.

In respect of pricing, the store is restricted by law to discounts of less than 25% for external advertising. Liquor stores are not able to compete on pricing with the supermarkets and the marketing approach is to compete on customer service and loyalty as opposed to attracting customers based on price.
any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103.

There are no known issues particular to the applicant’s suitability or the operation of the existing business.

(2) Section 106 Matters – amenity and good order. In forming for the purposes of section 105(1)(h) an opinion on whether the amenity and good order of a locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of a licence, the committee must have regard to a number of matters set out below with the applicants comments noted against each element:

Current and possible future noise levels: There is minimal noise generated from the existing liquor store. The most obvious noise is vehicles driving in and out of the parking area. Customers drive into the site and away from it via the entrance / exit off Main Road. This road is a well-established commercial hub with high traffic usage.

There is a small car park at the rear of the store. It is not expected that noise will be an issue from this area as customers arrive and leave the site quickly. Staff will monitor this car park using CCTV and it will be well lit to ensure it is not used for long term parking.

The effects of traffic noise on the surrounding neighbourhood when considered in the context of overall traffic use on Main Road will be less than minor. Part of the store policy is that customers are encouraged to leave the parking area after their purchase has been made, thus minimising the potential for creating noise by people who are loitering. Internal noise generated from the general operation of the business is not audible from outside the premises. As noise generation is minimal, declining of the application will not lead to a further reduction in noise.

Current and possible future, levels of nuisance and vandalism: These are minimised by regular checks of the car park by staff to remove litter, by removing graffiti as soon as practicable (which has not been an issue for the existing store), and by regularly checking the car park and the adjoining access road, especially at night, to ensure there is no loitering or pre-loading of alcohol occurring. There is no experience with nuisance of vandalism increasing as a result of the current location of the store and this is unlikely to be reduced by declining this application.

The location of the store in the commercial area of Katikati means it is compatible with commercial and retail operations that are near it. The residential uses at the rear of the store to the site have had no known impacts from the existing store in the past. The directors of the applicant company recognise the value of feedback from neighbouring businesses and landowners and will deal with any issues they have if they consider there are incompatibility issues.

The number of premises for which licences of the kind concerned are already held: the following stores hold current off licences in the vicinity of the site:

- Countdown Katikati, 123 Main Road, Katikati – 550 metres
- Liquorland Katikati, 76 Main Road, Katikati – 200 metres
- Finer Wines, 8 Main Road, Katikati – 260 metres
- Talisman Hotel (including off licence), Main Road, Katikati – 250 metres
- Four Square, 33 Main Road, Katikati – 50 metres
The proposed store is intended to serve local residents along with workers in the commercial sites near to the store location. Traffic travelling along Main Road finds it convenient to turn into and exit the store.

Super Liquor stores are known for not being the cheapest in the market to buy alcohol. Super Liquor has developed a brand and customer base that enjoys the experience and choice of products provided at a Super Liquor store. The applicant intends to continue to target that market. Typically the age group of shoppers at a Super Liquor store is persons over 30 years of age. The location of other stores relative to this site do not provide a density concern because of the population base of the Katikati community and because of the high traffic volume in and around Main Road.

The compatibility with land near the premises concerned is used, and the compatibility with how the land is used if the licence is granted; the liquor store has operated from the adjacent site for approximately six years.

Land to the north, south and west is all commercially zoned land. The use of the site for a retail alcohol store meets the planning provisions of the Councils District Plan as a permitted activity. There is a high degree of compatibility with adjacent commercial uses.

The applicant is not aware of the operation of the existing store causing any concerns to residential or commercial uses in the locality.

The directors of the applicant company recognise the value of feedback from neighbouring businesses and landowners and will deal with any issues they have if they consider there are incompatibility issues.

How will you minimise the impact on other premises such as schools, churches, or other facilities within the locality?

The following are those sites that may be considered sensitive in the vicinity of 500 metres (need to confirm if there are any others Dipan) of the existing bottle store:

- Katikati Primary
- Katikati College
- Pukeko Corner Kindergarten
- Beach Kids Preschool
- Katikati Kindergarten
- Anglican Church

Due to the commercial uses of this part of the business district, the heavy traffic use of the main road and the lack of known issues with the existing Super Liquor Store, the impact of the store on these sites is considered minimal. The applicant is not aware of any complaints or concerns from the local churches or schools in regard to the operation of the existing bottle store.

The overall conclusion after assessing the matters required by section 106(1) and (2) of the Sale and Supply of Alcohol Act 2012 is that the amenity and good order of the locality would not be reduced by more than a minor extent by the effects of issuing a licence.

(3) Matters to be dealt with in any report by the Police, an inspector, or a Medical Officer of Health.

The Police, Inspector and Medical Officer of Health have yet to report on the application.
(4) The manner in which the applicant intends to advertised, or promoted alcohol.

This is not a criterion that the applicant must address but the applicant wants to be clear about how they will advertise on the front of the building. Product advertising on the external area of the store is limited to one A0 size poster and there are no alcohol brands displayed externally. Advertising will be aimed at promoting the responsible use of alcohol inside the store. Alcohol which is particularly attractive to young drinkers is not be advertised outside the premises. The primary place of advertising is newspapers and the website. The applicant will not use more than 50% of the front windows of the building for advertising.

3. Section 4 - The Object of the Act

In summary, after undertaking the assessment above, it is concluded that on balance the object of the Act will be achieved for the following reasons:
• the sale, supply, and consumption of alcohol will be undertaken safely and responsibly; and
• the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

4. Section 3 – The Purpose of the Act

Overall it is concluded that the purpose of the Act will be achieved because by issuing this licence the sale, supply and consumption of alcohol in this locality will continue to be reasonable and help achieve the object of the Act.
## Western Bay of Plenty District Council
### Confirmation of Compliance Pursuant to Section 139 of Resource Management Act 1991

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.</strong> Applicant</td>
<td>Telfords Yard Ltd</td>
</tr>
<tr>
<td><strong>2.</strong> Location of Property</td>
<td>41 Main Road, Katikati</td>
</tr>
<tr>
<td><strong>3.</strong> Legal Description</td>
<td>Lot 65 DP 36389</td>
</tr>
<tr>
<td><strong>4.</strong> Zone</td>
<td>Commercial</td>
</tr>
<tr>
<td><strong>5.</strong> District Plan</td>
<td>Western Bay of Plenty Operative District Plan 2012</td>
</tr>
<tr>
<td><strong>6.</strong> Description of Activity</td>
<td>To sell liquor known as a Off Licence application under Section 100 of the Sale &amp; Supply of Alcohol Act 2012 Liquor Act 1989 for &quot;Super Liquor Katikati&quot;. The hours of operation: Monday to Sunday from 9am - 10pm.</td>
</tr>
</tbody>
</table>

**7. Statement of Compliance**

On 30 June 2017, 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), the relevant provisions of which are beyond the stage they can be affected by submission or appeal.

**Approved under Delegated Authority**

[Signature]

Chris Watt  
Environmental Consents Manager

**Date:** 18 October 2017

**Parcel:** 1099/1/2  
**ID:** 10738