

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by KM
TRADING COMPANY LIMITED
for an off-licence pursuant to
s.100 of the Act in respect of
premises situated at 170
OMOKOROA BEACH ROAD,
OMOKOROA and known as
"OMOKOROA SUPER LIQUOR"

Before the Western Bay of Plenty District Licensing Committee

Commissioner: M Jones
District Licensing Committee Members

Decision

This is an application by KM TRADING COMPANY LIMITED for an off-licence in respect of premises situated at 170 OMOKOROA BEACH ROAD, OMOKOROA, known as "OMOKOROA SUPER LIQUOR".

The application is in respect of premises in which the principal business is the sale of alcohol.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and we grant the applicant an off-licence pursuant to s. 17.

The applicant's attention is drawn to s.57 and 214(3) of the Act obliging the holder of an off-licence to display:-

1. A sign attached to the exterior of the premises, so as to be readily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of alcohol; AND
2. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance; AND
3. A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.

The entrance from 170 Omokoroa Road is designated as the principal entrance.

The licence will be subject to the following conditions:

- (a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on Anzac Day.




- (b) Alcohol may be sold or delivered only on the following days and during the following hours:

Monday to Sunday 9:00am to 10:00pm

- (c) The whole of the premises are designated as a supervised area.
- (d) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restriction on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.

Dated at Tauranga on the 18th day of March 2016



Michael Jones
Commissioner
Western Bay of Plenty District Licensing Committee



Application No: 6357

Off-Licence General

*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**), KM TRADING COMPANY LIMITED is authorised to sell alcohol on the premises situated at 170 OMOKOROA BEACH ROAD, OMOKOROA and known as "OMOKOROA SUPER LIQUOR" to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises.

If this licence is not endorsed under section 40 of the Act, the licensee is also authorised to sell alcohol on or from the premises and deliver it somewhere else.

Conditions

This licence is subject to the following conditions:

- (a) no alcohol is to be sold or delivered on Good Friday, Christmas Day, or before 1 pm on Anzac Day;
- (b) no alcohol is to be sold or delivered on Easter Sunday unless the alcohol is grape wine or fruit or vegetable wine made -
 - (i) on the premises; or
 - (ii) from grapes or fruit harvested from land on which the premises are situated;
- (c) 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.
- (d) alcohol may be sold only on the following days and during the following hours:

Monday to Sunday 9.00am to 10.00pm

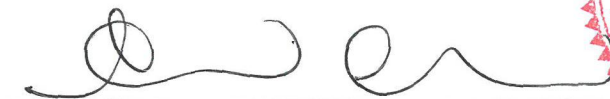
- (e) The whole of the premises is designated as supervised.

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, the licence expires on:

The day 18th day of March 2017

Dated at Tauranga on the 18th day of March 2016



Secretary

Western Bay of Plenty District Licensing Committee

PL_LL_311767



CERTIFICATE OF COMPLIANCE WITH REQUIREMENTS OF RESOURCE MANAGEMENT ACT & BUILDING CODE

Compliance Certificate Number: 239

To the Western Bay of Plenty District Licensing Agency.

This letter serves as a certificate for the purposes of Section 100(F) of the Sale and Supply of Alcohol Act 2012.

This certificate refers to a proposal to conduct the following business on the premises.
(Here set out the general nature of the business to be conducted as set out in the application form).

APPLICANT: KM TRADING COMPANY LIMITED

PREMISES: OMOKOROA SUPER LIQUOR

ADDRESS: 170 OMOKOROA BEACH ROAD, OMOKOROA

NATURE OF BUSINESS: BOTTLE STORE

DETAILS OF LICENCE: OFF LICENCE

The proposed use of the building meets the requirements of the Resource Management Act.

Signed for and on behalf of the Council

Signed

ENVIRONMENTAL CONSENTS MANAGER

Designation

13 / 04 / 2016

Date

18/03

Liquor Licence – SASA 2012

Application No. LL **6357** Land Parcel ID: **P/1207/3179**

Name of Applicant: **KM TRADING COMPANY LIMITED**

Premise: **OMOKOROA SUPER LIQUOR**

Type of Application: New Renewal

Licence Type: **OFF LICENCE**

| REFERRALS | | | |
|----------------------------------|---------------|---------------|-------------|
| | Date Referred | Date Received | Objective # |
| Inspector | 22/02/16 | 07/03/16 | A2613603 |
| Police TGA | 22/02/16 | 08/03/16 | A2614389 |
| MOH | 22/02/16 | 14/03/16 | A2618001 |
| HEALTH PROTECTION OFFICER | N/A | | |
| Planners | 22/02/16 | 16/03/16 | ZA67416 |
| Building | 22/02/16 | 23/02/16 | A2603249 |
| Advertising | 22/02/16 | 4/03/16 | A2616853 |
| Copy to DLC Commissioner | | | |

Any enquires contact Debbie Coulter or Diane Stewart

Lic 318168
Dec 318167