



**Western Bay of Plenty  
District Council**

Head Office Barks Corner, 1484 Cameron Rd, Greerton, Tauranga  
Private Bag 12803, Tauranga Mail Centre, Tauranga 3143  
Ph 07 571 8008 (24 hours) • F 07 577 9820  
Freephone 0800 WBOPDC • 0800 926 732  
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www.westernbay.govt.nz

**Certificate No. 022/CERT/7852/2020**

## **MANAGER'S CERTIFICATE**

*Section 217, Sale and Supply of Alcohol Act 2012*

**Pursuant** to the Sale and Supply of Alcohol Act 2012

### **SUBODH SINGH**

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.

**This certificate expires at the close of 13 May 2021**

Dated at Tauranga on the 12<sup>th</sup> day of May 2020



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



Decision number: 22/CERT/7852/2020

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application  
by **Subodh Singh**  
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 **Subodh Singh** for a manager's certificate to manage licensed premises known as **Smart India Restaurant & Bar**.

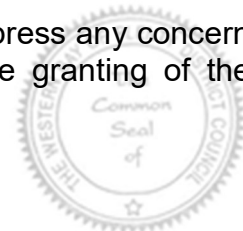
**REASONS FOR THE DECISION**

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

The licensing inspector has provided a report outlining the applicant's experience of working in, and managing, licensed premises. He has also tested the applicant's understanding of the Act and the responsibility of performing 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.

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



## **DECISION**

The application, and the supporting information it contains, satisfies the Committee that the criteria to which we must have regard to, 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 **Subodh Singh** 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 11<sup>th</sup> day of May 2020



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

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



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**Certificate No. 022/CERT/7879/2020**

## **MANAGER'S CERTIFICATE**

*Section 217, Sale and Supply of Alcohol Act 2012*

**Pursuant** to the Sale and Supply of Alcohol Act 2012

### **NEVADA LEE WAKELIN-KELLY**

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.

**This certificate expires at the close of 13 May 2021**

Dated at Tauranga on the 12<sup>th</sup> day of May 2020

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





Decision number: 22/CERT/7879/2020

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application  
by **Nevada Lee Wakelin-  
Kelly**  
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 **Nevada Lee Wakelin-Kelly** for a manager's certificate to manage licensed premises known as **The Orchard House Katikati**.

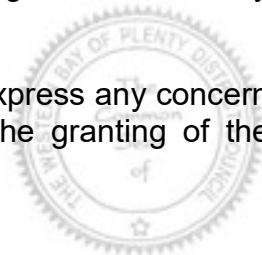
**REASONS FOR THE DECISION**

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

The licensing inspector has provided a report outlining the applicant's experience of working in, and managing, licensed premises. He has also tested the applicant's understanding of the Act and the responsibility of performing 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.

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



## **DECISION**

The application, and the supporting information it contains, satisfies the Committee that the criteria to which we must have regard to, 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 **Nevada Lee Wakelin-Kelly** 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 11<sup>th</sup> day of May 2020



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



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**Certificate No. 022/CERT/7889/2020**

## **MANAGER'S CERTIFICATE**

*Section 217, Sale and Supply of Alcohol Act 2012*

**Pursuant** to the Sale and Supply of Alcohol Act 2012

### **DENIS MAURICE COTTER**

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.

**This certificate expires at the close of 13 May 2021**

Dated at Tauranga on the 12<sup>th</sup> day of May 2020

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



Decision number: 22/CERT/7889/2020

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application  
by **Denis Cotter**  
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 **Denis Cotter** for a manager's certificate to manage licensed premises known as **Katikati Bowling Club**.

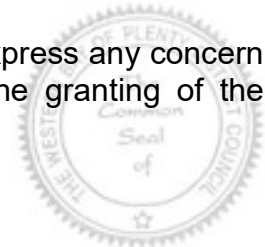
**REASONS FOR THE DECISION**

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

The licensing inspector has provided a report outlining the applicant's experience of working in, and managing, licensed premises. He has also tested the applicant's understanding of the Act and the responsibility of performing 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.

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



## **DECISION**

The application, and the supporting information it contains, satisfies the Committee that the criteria to which we must have regard to, 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 **Denis Cotter** 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 11<sup>th</sup> day of May 2020



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



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**Certificate No. 022/CERT/7890/2020**

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

To: **SALLY ELIZABETH GIBBS**

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

**12 April 2023**

unless again renewed.

**DATED** at Tauranga on the 6<sup>th</sup> day of April 2020



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



Decision number: 22/CERT/7890/2020

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

**AND**

**IN THE MATTER** of an application by **Sally  
Elizabeth Gibbs** 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 **Sally Elizabeth Gibbs** for the renewal of a manager's certificate.

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

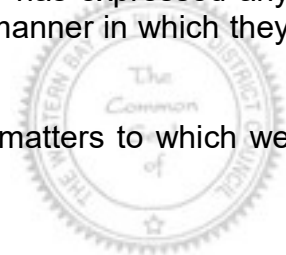
Accordingly, the application can be determined on the papers pursuant to s.191 (3) and 202 (1) of the Act.

**REASONS FOR THE DECISION**

The applicant holds the prescribed Licence Controller Qualification/s and is currently working in licensed premises, namely **Katikati Four Square**.

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 satisfies 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 **Sally Elizabeth Gibbs** 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 6<sup>th</sup> day of May 2020



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

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[www.westernbay.govt.nz](http://www.westernbay.govt.nz)

**Certificate No. 022/CERT/7892/2020**

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

To: **LOREN ADELE POTTER**

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

**16 May 2023**

unless again renewed.

**DATED** at Tauranga on the 7<sup>th</sup> day of May 2020



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



Decision number: 22/CERT/7892/2020

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

**AND**

**IN THE MATTER** of an application by **Loren  
Adele Potter** 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 **Loren Adele Potter** for the renewal of a manager's certificate.

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

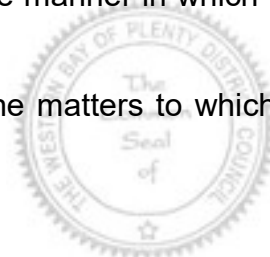
Accordingly, the application can be determined on the papers pursuant to s.191 (3) and 202 (1) of the Act.

**REASONS FOR THE DECISION**

The applicant holds the prescribed Licence Controller Qualification/s and is currently working in licensed premises, namely **The Orchard House, Katikati**.

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 satisfies 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 **Loren Adele Potter** for a renewal of a Manager's Certificate.

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

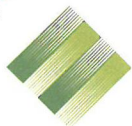
**DATED** at TAURANGA this 6<sup>th</sup> day of May 2020



A handwritten signature in black ink, appearing to read 'Murray Clearwater', enclosed in a thin black rectangular box.



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



# MANAGER'S CERTIFICATE

*Section 217, Sale and Supply of Alcohol Act 2012*

**Pursuant** to the Sale and Supply of Alcohol Act 2012

## FIONA ANNE LYNCH

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.

**This certificate expires at the close of 25 May 2021**

Dated at Tauranga on the 27<sup>th</sup> day of May 2020



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



Decision number: **022/CERT/7895/2020**

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

**AND**

**IN THE MATTER** of an application by **FIONA  
ANNE LYNCH**. pursuant to  
s224 of the Act for the issue  
of a manager's certificate

**BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING  
COMMITTEE**

This is an application by **FIONA ANNE LYNCH** for the issue of a manager's certificate.

Licensed premises: **OMOKOROA BOAT CLUB**

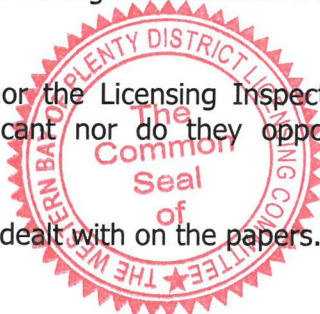
**REASONS FOR THE DECISION**

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

The Licensing Inspector has provided a report outlining the applicant's experience of working in licensed premises. The Inspector has tested the applicant's understanding of the Act and the responsibility of performing as a duty manager. The applicant has previously held a manager's certificate but this expired during the Covid-19 lockdown.

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.

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



**DECISION**

The application, and the supporting information it contains, satisfies the Committee that the criteria to which we must have regard to, 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** the application by **Fiona Anne LYNCH** 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 on the 23<sup>rd</sup> day of May 2020

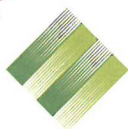


Arthur Wilkinson  
**Commissioner**  
**Western Bay of Plenty District Licensing**  
**Committee**



Application No: 7895





Certificate No. 022/CERT/7896/2020

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

To: **BEVERLEY SUSAN SAVAGE**

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

**03 May 2023**

unless again renewed.

**DATED** at Tauranga on the 22<sup>nd</sup> day of May 2020

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



Decision number: **022/CERT/7896/2020**

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

**AND**

**IN THE MATTER** of an application by  
**BEVERLEY SUSAN SAVAGE**.  
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 **BEVERLEY SUSAN SAVAGE** for the renewal of a manager's certificate.

Licensed premises: **THE HIPPY PIPI**

**REASONS FOR THE DECISION**

The applicant holds the prescribed Licence Controller Qualification/s, has recently been working in licensed premises namely the **Hippy Pipi** in Pukehina and has suitable experience in managing licensed premises.

Neither the New Zealand Police nor the Licensing Inspector has expressed any recent concern about the suitability of the applicant or the way she has managed licensed premises.

The application and supporting information satisfies 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 **Beverley Susan SAVAGE** for the renewal of a Manager's Certificate.

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

**DATED** at Tauranga on the 21<sup>st</sup> day of May 2020

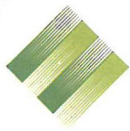


Arthur Wilkinson  
**Commissioner**  
**Western Bay of Plenty District Licensing Committee**



Application No: 7896





Certificate No. 022/CERT/7897/2020

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

To: **JUDITH ANNETTE CUTHBERT**

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

**03 May 2023**

unless again renewed.

**DATED** at Tauranga on the 27<sup>th</sup> day of May 2020



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



Decision number: **022/CERT/7897/2020**

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

**AND**

**IN THE MATTER** of an application by **JUDITH  
ANNETTE CUTHBERT.**  
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 **JUDITH ANNETTE CUTHBERT** for the renewal of a manager's certificate.

Licensed premises: **THE HIPPY PIPI**

**REASONS FOR THE DECISION**

The applicant holds the prescribed Licence Controller Qualification/s, has recently been working in licensed premises namely the **Hippy Pipi** in Pukehina and has suitable experience in managing licensed premises.

Neither the New Zealand Police nor the Licensing Inspector has expressed any recent concern about the suitability of the applicant or the way she has managed licensed premises.

The application and supporting information satisfies 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 **Judith Annette CUTHBERT** for the renewal of a Manager's Certificate.

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

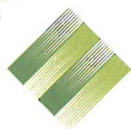
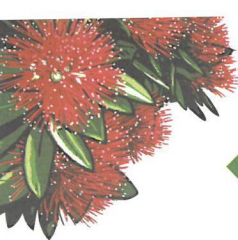
**DATED** at Tauranga on the 23<sup>rd</sup> day of May 2020



Arthur Wilkinson  
**Commissioner**  
**Western Bay of Plenty District Licensing Committee**



Application No: 7897



Certificate No. 022/CERT/7901/2020

## Notice of Renewal of Manager's Certificate

Section 226, Sale and Supply of Alcohol Act 2012

To: **SHANNEKE MARIE VAZEY**

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

**17 May 2023**

unless again renewed.

**DATED** at Tauranga on the 27<sup>th</sup> day of May 2020



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





Decision number: **022/CERT/7901/2020**

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

**AND**

**IN THE MATTER** of an application by  
**SHANNEKE MARIE VAZEY**,  
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 **SHANNEKE MARIE VAZEY** for the renewal of a manager's certificate.

Licensed premises: **THE LOCAL BAR & EATERY**

**REASONS FOR THE DECISION**

The applicant holds the prescribed Licence Controller Qualification/s, has recently been working in licensed premises namely the **Local Bar & Eatery** in Omokoroa and has suitable experience in managing licensed premises.

Neither the New Zealand Police nor the Licensing Inspector has expressed any recent concern about the suitability of the applicant or the way she has managed licensed premises.

The application and supporting information satisfies 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 **Shanneke Marie VAZEY** for the renewal of a Manager's Certificate.

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

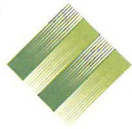
**DATED** at Tauranga on the 23<sup>rd</sup> day of May 2020



Arthur Wilkinson  
**Commissioner**  
**Western Bay of Plenty District Licensing Committee**



Application No: 7901



Certificate No. 022/CERT/7902/2020

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

To: **TERINA PETERA THOMPSON**

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 May 2023**

unless again renewed.

**DATED** at Tauranga on the 27<sup>th</sup> day of May 2020



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



Decision number: **022/CERT/7902/2020**

**IN THE MATTER**

of the Sale and Supply of  
Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by **TERINA  
PETERA THOMPSON.**  
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 **TERINA PETERA THOMPSON** for the renewal of a manager's certificate.

Licensed premises: **FRESH CHOICE SUPERETTE OMOKOROA**

**REASONS FOR THE DECISION**

The applicant holds the prescribed Licence Controller Qualification/s, has recently been working in licensed premises namely the **Fresh Choice Superette** in Omokoroa and has suitable experience in managing licensed premises.

Neither the New Zealand Police nor the Licensing Inspector has expressed any recent concern about the suitability of the applicant or the way she has managed licensed premises.

The application and supporting information satisfies 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 **Terina Petera THOMPSON** for the renewal of a Manager's Certificate.

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

**DATED** at Tauranga on the 23<sup>rd</sup> day of May 2020

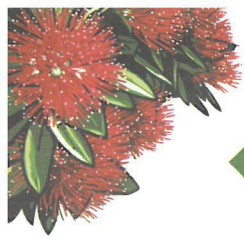


Arthur Wilkinson  
**Commissioner**  
**Western Bay of Plenty District Licensing Committee**



Application No: 7902





**Renewal of On Licence**

*Sections 14 to 16, and 64, Sale and Supply of Alcohol Act 2012*

**Pursuant** to the Sale and Supply of Alcohol Act 2012 (the **Act**), **BEVIN LIMITED** (the licensee) is authorised to sell and supply alcohol on the premises situated at **22 WILSON ROAD, WAIHI BEACH** and known as **LA VIE EN ROSE WAIHI BEACH**, to any person for consumption on the premises and to let people consume alcohol there.

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 or supplied for consumption on the premises only on the following days and hours:  
**Monday to Sunday from 9:00am to 1.00am the following day;**
2. No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day to any person other than a person **who is on the premises to dine;**
3. **A person is lawfully present on licensed premises to dine ONLY if he or she is there at a time – (i) less than an hour before he or she starts (or is due to start) eating a meal; or (ii) up to an hour after he or she finishes eating a meal.**
4. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
5. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages.
6. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted;
7. A properly appointed certificated, or Acting or Temporary, manager must be on duty 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;
8. The licensee must provide information, advice, and assistance about alternative forms of transport available to patrons from the licensed premises;
9. The Licensee must display:
  - (a) At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
  - (b) 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.
  - (c) A copy of the licence attached to the premises so as to be easily read by persons attending the premises.

**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/ON/7488/2019 and this licence continues in force until 13 February 2023 unless again renewed.**

**Dated** at Tauranga on the 19<sup>th</sup> day of May 2020

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



Decision number: 022/RENON/7826/2020

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

**AND**

**IN THE MATTER** of an application by **Bevin Limited** pursuant to s127 of the Act for the renewal of the ON Licence in respect of premises situated at 22 Wilson Road, Waihi Beach known as "La Vie en Rose Waihi Beach"

**BEFORE THE WESTERN BAY OF PLENTY DISTRICT LICENSING COMMITTEE**

**The Application**

Bevin Limited applies for the renewal of the ON Licence in respect of premises situated at 22 Wilson Road, Waihi Beach, known as "La Vie en Rose Waihi Beach."

The business is said to be a low-risk restaurant/café. The current licensed hours are **Monday to Sunday 9.00am to 1.00am the following day**. No changes are now sought.

These hours fit within both the default national maximum trading hours for ON Licences, and the Tauranga and Western Bay of Plenty Local Alcohol Policy.

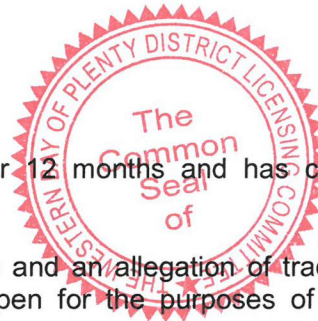
The application was publically notified in the BOP Times on the 24<sup>th</sup> and 31<sup>st</sup> of October 2019 and no objections were received by the DLC Secretariat from members of the public. As a matter of completeness, I grant a waiver for the technically erroneous timing for the first public notification.

The applicant has provided a comprehensive tapas menu and low and non-alcoholic beverages available on the premises.

**Reasons for the Decision**

The applicant has operated this licence for just over 12 months and has come to adverse notice over a number of matters.

There has been two unsubstantiated noise complaints and an allegation of trading on Good Friday in breach of the requirement to only open for the purposes of dining.





Another concern is that the business may be operating as a tavern more than a tapas café/bar.

Neither the Police, nor the Medical Officer of Health, has raised any matters in opposition.

In his very comprehensive report, the inspector reports that overall, the amenity and good order of the area has not been reduced by more than a minor extent, but he is concerned that the business does not trade as a low risk cafe.

The owner of the adjacent accommodation business and the Inspector have raised their concerns with Mr Bevin. The Inspector has had a number of conversations and communications with Mr Bevin.

Mr Bevin's responses have, at times, been unhelpful and confrontational. This is disappointing as Section 131 (1)(c) says we **must have regard** to the reports from the agencies and 131(1)(d) says we **must have regard** to "***the manner in which the applicant has sold.... or promoted alcohol.***"

When asked by the Inspector if he traded as a tavern without food on Good Friday, he challenged the Inspector and invited him to prove that La Vie en Rose had traded in that manner.

We expect licensees to operate within the spirit of the law, and to develop cordial working relationships with the agencies and their neighbours.

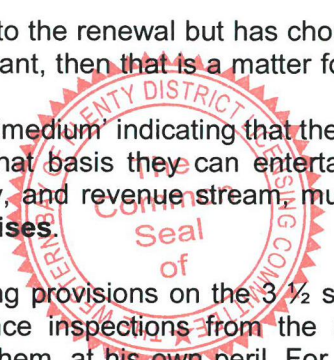
This is even more appropriate in semi-remote locations where there is minimal oversight by the agencies.

Mr Bevin also has a problem with his landlords ongoing permission to operate from the premises. In the 'permission letter' dated 23 October 2019 the landlord, Andrew Morrison, has clearly stated the standard maximum closing time must be 11pm in the evening and music levels kept to a reasonable level from 10pm. Any events outside of these hours must be by arrangement (i.e. Special Licences).

The landlord has a right to make a public objection to the renewal but has chosen not to do so. If there is an issue between landlord and tenant, then that is a matter for another tribunal in another jurisdiction.

We also note that the fees paid for this renewal are 'medium' indicating that the business is deemed to be a Class 1 or 2 restaurant. On that basis they can entertain casual drinkers from time to time, but the principal activity, and revenue stream, must be **the provision of meals for consumption on the premises.**

We expect Mr Bevin to be very mindful of the dining provisions on the 3 ½ sacrosanct days and he is surely to be subject to compliance inspections from the regulatory agencies. He ignores them, or tries to get around them, at his own peril. For clarity we have imposed a condition based on what dining is, as defined in Section 47(3)(b) of the Act.



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Similarly, with noise emanating from the premises. We are satisfied that there was a noise nuisance created in March 2019 but believe Mr Bevin has taken that issue on board and there should be no repeat offending.

Subject to the above matters, I am satisfied as to the matters to which we must have regard as set out in s131 of the Act.

Accordingly, I will determine the matter on the papers.

### **DECISION**

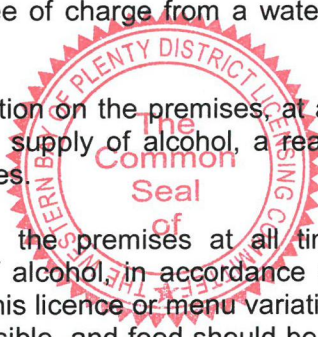
The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by **Bevin Limited** for the renewal of the ON Licence in respect of premises situated at 22 Wilson Road, Waihi Beach known as “**La Vie en Rose Waihi Beach**” subject to conditions.

We also refresh the licence conditions to reflect best practice.

### **Conditions:**

The ON licence is subject to the conditions listed below:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours: **Monday to Sunday from 9:00am to 1.00am the following day;**
2. No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day to any person other than a person **who is on the premises to dine;**
3. **A person is lawfully present on licensed premises to dine ONLY if he or she is there at a time – (i) less than an hour before he or she starts (or is due to start) eating a meal; or (ii) up to an hour after he or she finishes eating a meal.**
4. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
5. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages.
6. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted;



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7. A properly appointed certificated, or Acting or Temporary, manager must be on duty 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;
8. The licensee must provide information, advice, and assistance about alternative forms of transport available to patrons from the licensed premises;
9. The Licensee must display:
  - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
  - b. 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.
  - c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.

The renewal will be for three (3) years from the expiry of the current licence and a replacement licence is to be issued.

**DATED** at Tauranga this 19<sup>th</sup> day of May 2020



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

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