



AGENDA

District Licensing Committee meeting

I hereby give notice that a District Licensing Committee meeting will be held on:

Date: Wednesday, 27 July 2022
(Postponed from Thursday, 19 August 2021)

Time: 09:30 am

Location: Tauranga City Council
306 Cameron Road, Ground Floor Rm 1 & 1b

Business: For the District Licensing Committee to consider an application by GURNAAZ ENTERPRISES LIMITED for a **RENEWAL & VARIATION OFF LICENCE** in respect of premises at **405 FRASER STREET, TAURANGA** to be known as **MERIVALE LIQUOR CENTRE**

For the purposes of this hearing the Committee will be made up of the following:

Commissioner: Murray Clearwater

Committee members: Mary Dillon
Bev Edlin

Marty Grenfell
Chief Executive

Terms of reference – District Licensing Committee(s)

Common responsibilities and delegations

The following common responsibilities and delegations apply to all standing committees.

Responsibilities of standing committees

- Establish priorities and guidance on programmes relevant to the Role and Scope of the committee.
- Provide guidance to staff on the development of investment options to inform the Long Term Plan and Annual Plans.
- Report to Council on matters of strategic importance.
- Recommend to Council investment priorities and lead Council considerations of relevant strategic and high significance decisions.
- Provide guidance to staff on levels of service relevant to the role and scope of the committee.
- Establish and participate in relevant task forces and working groups.
- Engage in dialogue with strategic partners, such as Smart Growth partners, to ensure alignment of objectives and implementation of agreed actions.
- Confirmation of committee minutes.

Delegations to standing committees

- To make recommendations to Council outside of the delegated responsibility as agreed by Council relevant to the role and scope of the Committee.
- To make all decisions necessary to fulfil the role and scope of the Committee subject to the delegations/limitations imposed.
- To develop and consider, receive submissions on and adopt strategies, policies and plans relevant to the role and scope of the committee, except where these may only be legally adopted by Council.
- To consider, consult on, hear and make determinations on relevant strategies, policies and bylaws (including adoption of drafts), making recommendations to Council on adoption, rescinding and modification, where these must be legally adopted by Council,
- To approve relevant submissions to central government, its agencies and other bodies beyond any specific delegation to any particular committee.
- To appoint a non-voting Tangata Whenua representative to the Committee.
- Engage external parties as required.

Terms of reference – District Licensing Committee(s)

Membership

Commissioners	DLC 1 – Commissioner: Murray Clearwater DLC 2 – Commissioner: Mary Dillon DLC 3 – Commissioner: David Stewart DLC 4 – Commissioner: Beverley Edlin
Members	Murray Clearwater (Commissioner) Mary Dillon (Commissioner) David Stewart (Commissioner) Beverley Edlin (Commissioner)
Quorum	Commissioner plus two members (for a Hearing) Commissioner (where no objection to an application has been filed and no matters of opposition raised in respect of an application for a licence or manager's certificate or renewal of a licence or a manager's certificate).

Role

- To consider applications and matters as set out in the Sale and Supply of Alcohol Act 2012.

Scope

- Hear and/or determine matters of a quasi-judicial nature in accordance with the Sale and Supply of Alcohol Act 2012.
- Undertake all functions, duties and obligations as set out in the Sale and Supply of Alcohol Act 2012 relevant to the District Licensing Committee.

Power to Act

- Conduct hearings and make decisions on behalf of the Council in a quasi-judicial manner pursuant to the Sale and Supply of Alcohol Act 2012.
- Exercise the powers of a Commission of Inquiry under the Commissions of Inquiry Act 1908.
- All responsibilities, duties and powers of a District Licensing Committee conferred by the Sale and Supply of Alcohol Act 2012.

NB: The Council will appoint and maintain a sufficient pool of members on the District Licensing Committee Members List to enable applications relating to alcohol licensing under the Sale and Supply of Alcohol Act 2012 to be heard within the statutory timeframes wherever possible. This may include running three District Licensing Committees concurrently.

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- 1 **WELCOME AND INTRODUCTION**
- 2 **APOLOGIES**
- 3 **DECLARATION OF CONFLICTS OF INTEREST**
- 4 **OVERVIEW OF PROCEEDINGS**
- 5 **BUSINESS**

- 5.1 The following papers are provided in relation to a **RENEWAL AND VARIATION OFF LICENCE** application by **GURNAAZ ENTERPRISES LIMITED** for premises situated at **405 FRASER STREET, TAURANGA** to trade as **MERIVALE LIQUOR CENTRE**.

	Pages
Application	5 - 39
Report by Licensing Inspector	40 - 47
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6 **PUBLIC EXCLUDED ITEMS**

6.1 Deliberations

The public are excluded from this part of the Hearing pursuant to Section 203(4) of the Sale & Supply of Alcohol Act 2012.

Information sheet for renewal of Off-licence

SECTION 127(2) OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012



This is an application form to renew your existing off-licence.

To complete this application, you will need to answer all the questions, supply all required documentation and pay the prescribed fee. This application must be lodged at least 20 working days before the licence expires.

This information sheet must be included with your application.

A. WHAT TO INCLUDE (PLEASE TICK):

- ☒ A completed and signed application form
- ☒ A copy of the Certificate of Incorporation (if applying in a company name)
- ☒ A copy of the floor plans of the premises, highlighting restricted or supervised areas
- ☒ A photo of the principal entrance
- ☒ A copy of your existing off-licence
- ☒ A copy of a current manager's certificate for the premises
- ☐ A letter of authorisation for the consultant, if you use an alcohol licensing consultant
- ☐ A statement of gross annual sales revenue, from a Chartered Accountant only, if you are a Grocery Store.

B. FEE ASSESSMENT:

Your application must be accompanied by a fee. This is not refundable or transferable.

A fee calculator is provided at www.tauranga.govt.nz/alcohol to assist you in the process.

Tick the appropriate box that relates to the information from your renewal notice.

Or, you can use the table overleaf to calculate your risk rating and application fee and then tick the appropriate box below.

Please ensure you have accurately assessed your fee. Incorrect application need to be resubmitted, which may incur additional fees. Your licence will not be issued until payment is received.

If you need help completing this form, contact Alcohol Licensing on 07 577 7000 for advice or visit www.tauranga.govt.nz/alcohol for more information.

Risk Category (based on Weighting)	Application Fee (including GST)	Annual Fee (including GST)	Total Fee (including GST)
Very low (0-2)	\$388.00	\$161.00	\$529.00
Low (3-5)	\$609.50	\$391.00	\$1,000.50
Medium (6-15)	\$816.50	\$632.50	\$1,449.00
High (16-25)	\$1,023.50	\$1,035.00	\$2,058.50
Very high (26 plus)	\$1,207.50	\$1,437.50	\$2,645.00

To ensure your risk category is correct please use the risk category assessment tool in Section C.

C. RISK CATEGORY ASSESSMENT TOOL

Enter your points for:

P Your type of licenced premises

15 Weighting

Type of licenced premises	Weighting points
Supermarket, grocery store, bottle store	15
Off-licence in a hotel or tavern	10
Remote sale premises and premises not otherwise specified	5
Winery cellar doors	2

T Your latest trading time

0 Weighting

Type of premises	Latest trading time allowed by licence (during 24-hour period from 6am to 6am) - T	Points
Premises for which an off licence is held or sought (other than remote sales premises)	10pm or earlier	0
	Any time after 10pm	3
Remote sales premises	Not applicable	0

P + **T** = Total points

15 + **0** = **15**

Tick the risk rating that matches your total points to find your associated fee:

Total points	Risk rating	Application fee (including GST)
<input type="checkbox"/> 0-2	Very low	\$368.00
<input type="checkbox"/> 3-5	Low	\$609.50
<input checked="" type="checkbox"/> 6-15	Medium	\$816.50
<input type="checkbox"/> 16-25	High	\$1,023.50
<input type="checkbox"/> 26+	Very high	\$1,207.50

D. PAYING YOUR ANNUAL FEE

You will need to pay an annual fee for your licence. You must pay the fee within 30 days of your licence anniversary date or your licence may be suspended.

The table to the right shows the annual fee for each risk rating.

Visit [tauranga.govt.nz/alcohol](https://www.tauranga.govt.nz/alcohol) for more information.

Total points	Risk rating	Annual fee (including GST)
<input type="checkbox"/> 0-2	Very low	\$161.00
<input type="checkbox"/> 3-5	Low	\$391.00
<input checked="" type="checkbox"/> 6-15	Medium	\$632.50
<input type="checkbox"/> 16-25	High	\$1035.00
<input type="checkbox"/> 26+	Very high	\$1437.50

E. ADVERTISING YOUR PUBLIC NOTICES (TICK ONE OPTION)

Advertise through the Tauranga City Council Website.

(Tauranga City Council will arrange the public notification on your behalf)

☒ Yes \$159.00 (GST inclusive)

I will arrange my own Advertising with either The Bay of Plenty Times or The Weekend Sun.

☐ Yes (I will arrange for payment to be made to either the BOP Times or The Weekend Sun).

Please note Tauranga City Council will send you the draft notices once your application is processed.

F. PUBLIC HEALTH QUESTIONNAIRE

The Medical Officer of Health must inquire into your alcohol application. To assist these enquiries please ensure that the Toi Te Ora Public Health Service questionnaire is completed. Go to <https://tophs.govt.nz/alcohol-hospitality> and follow the instructions.

G. TOTAL AMOUNT PAYABLE:

Total points		Amount payable
Application Fee (based on your Risk Category)		\$ 816.50
Annual Fee (based on your Risk Category)		\$ 632.50
Advertising with Tauranga City Council (optional)	<input type="checkbox"/> \$159	\$ 159.00
Total Amount		\$ 1608.00

H. PAYMENTS MAY BE MADE:

Electronically to: ANZ Tauranga

Account Number: 08 0433 0213474 00

Reference: Alcohol Form 9

Code: Applicant Name

In Person:

At Tauranga City Council, 91 Willow Street, Tauranga

Or posted to:

Tauranga City Council, Private Bag 12022, Tauranga 3143

All fees are payable at the time of submitting your application

(for office use)		LIQL	
CUSTOMER SERVICE - 8 JAN 2021 CASHIER TAURANGA CITY COUNCIL		Application <u>26226</u> Receipt <u>438121</u>	Premise No5114. Contact ID 566379
Date received			

Application for Renewal of Off-licence

SECTION 100 OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012



To the Secretary

District Licensing Committee Tauranga

Application for a renewal off licence is made in accordance with the details set out below:

Premises name: MERIVALE LIQUOR CENTRE

Licence number: 21/0FF/24553/2019

Expiry date: 04 Feb 2021

APPLICANT DETAILS

1. Full legal name to go on licence (individual or organisation)? GURNAAZ ENTERPRISES LIMITED

2. Mailing Address: 118 PUHIRAKE CRESCENT, PYES PA
TAURANGA

Postcode: 3173

3. Email address: [REDACTED]

4. Daytime contact – Name: SHARANJIT KAUR SINGH

Phone number [REDACTED]

5. How would you like us to contact you? ☒ Phone ☒ Email

6. Are you applying as an individual? ☐ Yes ☒ No (skip to question 10)

7. Occupation:

8. Date of birth:

Place of birth:

9. Gender: ☐ Male ☐ Female

CRIMINAL CONVICTION DETAILS

10. Have you (the applicant) been convicted of any offences?

☐ Yes (supply details below) ☒ No (go to question 11)

(attach offence details on a separate sheet of paper if you need more space)

Nature of offence	Conviction date	Sentence

MANAGERS DETAILS

11. Do you have at least one manager who has a manager's certificate?

☒ Yes (supply details below)

☐ No (you need to have a manager with a manager's certificate before you can apply)

Full name of manager(s)	Date of Birth	Certificate number(s) and expiry date(s)
HARKAWAL SINGH		21/CERT/25590/2020 (EXP-29 AUG 2023)
RANDEEP KAUR		21/CERT/25926/2020 (EXP-21 NOV 23)
SHIVAM SANO TRA		21/CERT/25008/2020 (EXP-16 JAN 2021)

APPLICANT STATUS DETAILS

12. What is your status?

☒ Private Company (go to question 13)

☐ Partnership (go to question 25)

☐ Public Company (go to question 20)

(If you are applying under the following, go to question 26)

☐ Person 20 years and over

☐ Trustee

☐ Local authority

☐ Body corporate

☐ Government department or other instrument of the Crown

☐ Board, organisation or other body authorised by an Act other than the Sale and Supply of Alcohol Act to sell alcohol or hold a licence

PRIVATE COMPANY DETAILS

13. Name of company: GURNAAZ ENTERPRISES LIMITED

14. Date the company was incorporated: 16th APRIL 2019

15. Where the company was incorporated: TAURANGA

16. Full details of each director and the secretary:

	Name	Address	Date of birth	Place of birth
Director	BIRINDER PAL SINGH			
Director	SHARANJIT KAUR SINGH			
Secretary				

17. What are the full details of each person who holds more than 20% of any shares issued by the company?

If there are more than three shareholders, attach their names and details separately

	Name	Address	Date of birth	Place of birth	Designation	Face value of shares held
Person 1	BIRINDER PAL SINGH				DIRECTOR / SHAREHOLDER	250
Person 2	PARDIP SINGH				SHAREHOLDER	250
Person 3	TARLOCHAN SINGH				SHAREHOLDER	250
Person 4	HARAWAL SINGH				SHAREHOLDER	250

Now go to question 24.

PUBLIC COMPANY DETAILS

18. Name of company:

N/A

19. Date the company was incorporated:

20. Where the company was incorporated:

21. Full details of each director and the secretary:

	Name	Address	Date of birth	Place of birth
Director				
Director				
Secretary				

22. What are the full details of each person who holds 20% or more of shares, or of any particular class of shares, issued by the company?

	Name	Address	Date of birth	Place of birth	Designation
Person 1					
Person 2					
Person 3					

Now go to question 24.

PARTNERSHIP DETAILS

23. What are the full details of each partner?

	Name	Address	Date of birth	Place of birth	Signature
Person 1					
Person 2					
Person 3					

REMISES DETAILS

24. Address of premises:

405 FRASER STREET, PARKVALE
TAURANGA

Postcode: 3112

25. Trading name of premises:

MERIVALE LIQUOR CENTRE

26. What type of premises is it?

☐ Hotel or tavern☒ Retail bottle store☐ Grocery (please include a Statement of gross annual sales revenue from a Chartered Accountant)☐ Supermarket☐ Club☐ Other27. Is the premises under construction? ☐ Yes ☒ No28. Do you (the applicant) own the premises? ☐ Yes (go to question 31) ☒ No (go to question 29)

29. Full name of the owner:

BHUPINDER SINGH & RANJODH SINGH

Full address of the owner:

30. Type of lease:

LONG TERM LEASE WITH 2X10 YEARS RIGHTS OF RENEWAL

Lease expiry date:

30 APRIL 2039

31. What parts (if any) of the premises do you intend to designate as restricted or supervised areas?

Restricted area(s) – for those 18 years or older:

NIL

Supervised area(s) – where minors must be accompanied by a legal guardian

ENTIRE PREMISES

32. Does the applicant seek a change to any conditions on their current licence?



Yes



No

If yes, what changes are requested?

could we Request no Security Guard as we work three to four persons on weekends.**BUSINESS DETAILS**

33. Do you (the applicant) already hold a licence for the premises?



Yes



No

34. Is the sale of alcohol the purpose of the business?



Yes (go to question 36)



No (go to question 35)

35. What do you intend to be the main purpose of the business?

TO OPERATE AN OFF-LICENCE PREMISE AS A RETAIL BOTTLE STORE

36. Do you sell or supply (or intend to sell or supply) any goods other than alcohol or food?



Yes (supply details of those goods below)



No (go to question 38)

TABACCO

37. Do you provide (or intend to provide) any services other than those directly related to the sale or supply of alcohol and food?



Yes (supply details of those goods below)



No (go to question 38)

TABACCO

38. Are you an auctioneer?



Yes



No (go to question 39)

39. Do you wish to have the licence endorsed under section 39 of the Act?



Yes



No

40. Are you a remote seller?



Yes



No (go to question 41)

41. Do you wish to have the licence endorsed under section 40 of the Act?



Yes



No

42. On which days and during which hours do you intend to sell alcohol under the licence?



7 days/week

Hours: MONDAY to SUNDAY 9:30am to 10:00 PM

or tick and enter various days and hours below:



Monday



Tuesday



Wednesday



Thursday



Friday



Saturday



Sunday

Monday hours	Tuesday hours	Wednesday hours	Thursday hours	Friday hours	Saturday hours	Sunday hours

CONDITIONS – STEPS YOU WILL TAKE TO MINIMISE HARM FROM ALCOHOL

The Sale and Supply of Alcohol Act 2012 aims to minimise harm from alcohol by managing the way it's sold, supplied and consumed. Please answer each section thoroughly.

43. What steps will you take to ensure that you observe the requirements of the Act relating to the sale of alcohol to prohibited persons, such as minors and intoxicated people?

The manager takes control of any situation that could lead to a breach in provisions of the Act or condition of licence. Staff are trained in identification of prohibited persons - particular attention in the identification of minors, permitted form of ID and signs of intoxication. Appropriate signage is displayed, no discounts offered.

44. What other systems (including training), and staff are in place (or to be in place) to make sure you comply with the Act?

The Manager ensures that staff are trained in their responsibilities and requirements under the Act. All staff are trained in identification of minors, and prohibited persons - permitted forms of ID, and signs of intoxication. CCTV cameras throughout premises provide good surveillance of premises and selfPOS controls in place check for ID prior to sale.

45. What relevant experience and training do you have?

The DIRECTOR/ SHAREHOLDER has been operating the business under a off-licence and there have been no breaches of the Act or conditions of licence. They also have hospitality experience and are fully aware of their responsibilities and legal obligations.

SIGNATURE OF APPLICANT

Applicant's signature:

[Handwritten signature]

Date:

07/01/2021

"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"



Certificate of Incorporation

GURNAAZ ENTERPRISES LIMITED

7409770

NZBN: 9429047402676

This is to certify that GURNAAZ ENTERPRISES LIMITED was incorporated under the Companies Act 1993 on the 16th day of April 2019.

A handwritten signature in black ink, appearing to be 'D. H. H.', positioned above the printed name of the Registrar.

Registrar of Companies
16th day of April 2019





Company Extract
GURNAAZ ENTERPRISES LIMITED
7409770
NZBN: 9429047402676

Entity Type:	NZ Limited Company
Incorporated:	16 Apr 2019
Current Status:	Registered
Constitution Filed:	No
Annual Return Filing Month:	November

Ultimate holding company: No

Company Addresses

Registered Office

Unit 28 2 Bishop Dunn Place, Botany South, Auckland, 2013, NZ

Address for Service

118 Puhirake Crescent, Pyes Pa, Tauranga, 3173, NZ

Directors

SINGH, Birinderpal

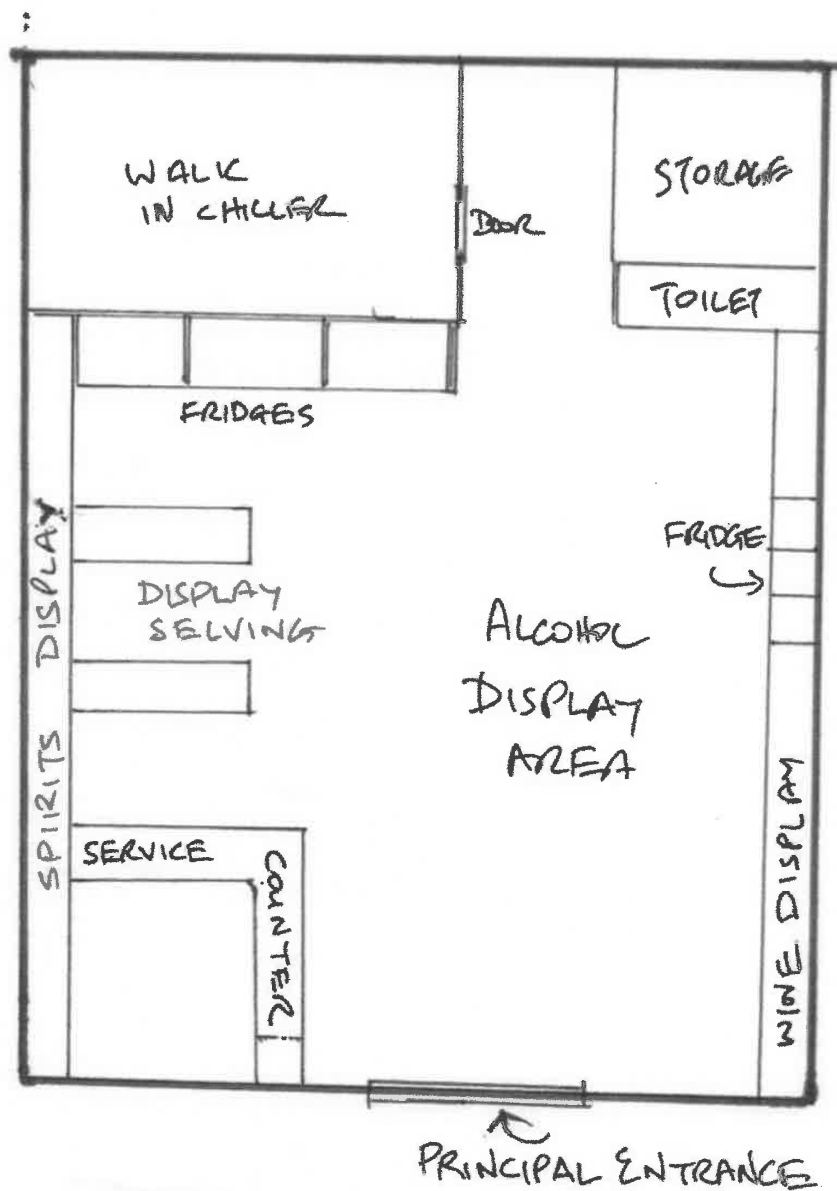
118 Puhirake Crescent, Pyes Pa, Tauranga, 3173, NZ

Shareholdings

Total Number of Shares: 1,000

Extensive Shareholdings: No

250	SINGH, Birinderpal 118 Puhirake Crescent, Pyes Pa, Tauranga, 3173, NZ
250	SINGH, Pardip 326 Macdonald Road, Rd 2, Whakatane, 3192, NZ
250	SINGH, Tariochan 326 Macdonald Road, Rd 2, Whakatane, 3192, NZ
250	SINGH, Harkawal 118 Puhirake Crescent, Pyes Pa, Tauranga, 3112, NZ



PREMISE FLOOR PLAN

MERIVALE LIQUOR CENTRE





Tauranga District Licensing Committee

SALE AND SUPPLY OF ALCOHOL ACT 2012

21/OFF/24553/2019

OFF-LICENCE

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

PURSUANT to the Sale and Supply of Alcohol Act 2012 (the Act), **GURNAAZ ENTERPRISES LIMITED** is authorised to sell or deliver alcohol on or from the premises situated at **405 FRASER STREET, TAURANGA** and known as **"MERIVALE LIQUOR CENTRE"**, to any person for consumption off the premises and to supply complimentary samples of alcohol on the premises.

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

CONDITIONS

This licence is subject to the following conditions:

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

MONDAY TO SUNDAY 09:30am to 10:00pm

2. No alcohol is to be sold on, or delivered from, the premises on Good Friday, Easter Sunday or Christmas Day or before 1.00 pm on Anzac Day;
3. While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being supplied;
4. The whole of the premises is designated as a Supervised Area;
5. The Licensee must have available for purchase 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. A properly appointed Certificated, or Acting or Temporary, Manager must be on duty at all times, within the licensed area, 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.
7. There shall be no external advertising of RTD products on the store.
8. There shall be no further external advertising on or outside the store other than that currently displayed.
9. There shall be no single sales of RTDs or main-stream beers under 500mls.
10. There shall be no single sales of shots or miniature bottles.
11. A security guard shall be stationed at the entrance to the premises when open for business on the following days and hours;

Thursday to Saturday from 5.00pm to 10.00pm

12. 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 sign prominently displayed at the premises, which identifies by name the manager for the time being on duty.

THE LICENSED PREMISES

The sale or delivery of alcohol is authorised in or from the premises generally. The premises, situated at 405 FRASER STREET, TAURANGA, is more precisely identified as outlined in a plan date stamped as received by the Tauranga District Licensing Committee on 2 September 2019.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

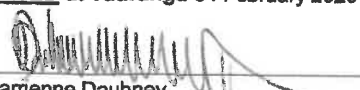
A copy of this licence must be displayed at the principal entrance to the premises. The entrance from the front entrance adjacent to Fraser Street, Tauranga is designated as the principal entrance.

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 of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined.

DATED at Tauranga 04 February 2020


 Damien Daubney
 SECRETARY
 TAURANGA DISTRICT LICENSING COMMITTEE

Rating: MEDIUM

This licence expires on: 04 February 2021



21/OFF/24553/2019

IN THE MATTERof the Sale and Supply of Alcohol Act
2012 ('the Act')**AND****IN THE MATTER**of an application by **Gurnaaz**
Enterprises Limited for an off-
licence pursuant to s.100 of the Act in
respect of premises situated at **405**
Fraser Street, Tauranga and known
as "**Merivale Liquor Centre**"**BEFORE THE TAURANGA DISTRICT LICENSING COMMITTEE**

Chairperson: David Stewart
Member: Murray Clearwater
Member: Bev Edlin

HEARING at Tauranga on 13 December 2019 at 9:30am.**APPEARANCES**

Ms. Pervinder Kaur	Counsel for the applicant
Mrs. Sharanjit Kaur Singh	Representing the applicant
Mr. Gareth Young	Tauranga Licensing Inspector – to assist
Sergeant Trevor Brown	Police Alcohol Harm Reduction Officer – to assist
Ms. Dawn Meertens	Representing the Medical Officer of Health (MOH) - opposed

Objectors

Ms. Tiria Maunder	Governance of Kohanga Reo o Tutarawananga
Ms. Sibylle Steppat	Merivale Resident Group
Mr. Tom Paekau	Principal Merivale School Community
MS. Sophie Rapson	GM Merivale Community Centre



Tauranga District Licensing Committee

SALE AND SUPPLY OF ALCOHOL ACT 2012

Certificate No. 21/CERT/25590/2020

NOTICE OF RENEWAL OF MANAGER'S CERTIFICATE

Section 226, Sale and Supply of Alcohol Act 2012

HARKAWAL SINGH

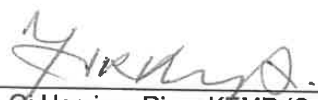
Your manager's certificate is renewed.

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

expires on 29 August 2023

unless again renewed.

Renewed at Tauranga 20 August 2020


Te O'i Hamiora Rima KEMP (Sam)
SECRETARY
TAURANGA DISTRICT LICENSING COMMITTEE





Tauranga District Licensing Committee

SALE AND SUPPLY OF ALCOHOL ACT 2012

Certificate No. 21/CERT/25926/2020

NOTICE OF RENEWAL OF MANAGER'S CERTIFICATE

Section 226, Sale and Supply of Alcohol Act 2012

RANDEEP KAUR


Your manager's certificate is renewed.

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

expires on 21 November 2023

unless again renewed.

Renewed at Tauranga 03 December 2020


Te Oī Hamiora Rima KEMP (Sam)
SECRETARY
TAURANGA DISTRICT LICENSING COMMITTEE





Tauranga District Licensing Committee

SALE AND SUPPLY OF ALCOHOL ACT 2012

Certificate No. 21/CERT/25008/2020

MANAGER'S CERTIFICATE

Section 217, Sale and Supply of Alcohol Act 2012

SHIVAM SANOTRA

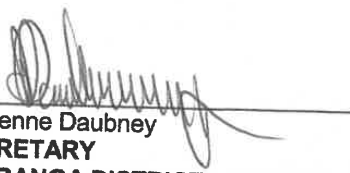
Pursuant to the Sale and Supply of Alcohol Act 2012 SHIVAM SANOTRA is authorised to manage any licensed premises in respect of which a licence is in force.

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

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

This certificate EXPIRES on 16 January 2021 unless again renewed

DATED at Tauranga 16 January 2020


Darrienne Daubney
SECRETARY
TAURANGA DISTRICT LICENSING COMMITTEE



11. She told us that normal operational hours are Sunday to Monday from 9.30am to 9.00pm and Tuesday to Saturday 9.30am to 10pm with the busy periods being Thursday to Saturday evenings. There is usually 2 staff (1 manager and 1 assistant) working in the shop during trading hours and at peak times they have 3 – 4 staff working in the store. They have a policy to position a staff member outside the store in the afternoon, after school (2.50pm to 3.30pm) to ensure children do not congregate around the store.
12. Mrs. Kaur Singh said that after discussions with the Medical Officer of Health (MOH) the applicant had agreed not to sell:
 - (a) Single sales of RTDs;
 - (b) Mainstream beer under 500mls;
 - (c) Single shots.
13. She told us that her family own and operate a superette-like business in the same block of shops as the bottle shop and has been part of the community for the past 6 years.
14. Mrs. Kaur Singh agreed that alcohol was a problem in Merivale.

The Inspector

15. Mr. Gareth Young presented his opening submission noting no opposition to the application and that the applicant has sought the same conditions as the existing licence.
16. In his opening submission he told us that the objectors had been asked if they would like a meeting arranged with the applicant to discuss their concerns with a view to having some of the matters resolved prior to the hearing before the DLC. All of the objectors stated that they did not wish to meet with the directors of the applicant company prior to a public hearing, as previous agreements and dealings with the previous operators had not been upheld. They held the view that any further discussions or agreements with the operators of this premises would not be useful.

17. He told us that the concerns of the objectors have not previously been brought to the attention of the Alcohol Licensing unit at Tauranga City Council.
18. Mr Young said that having heard evidence from Mrs Kaur Singh he had heightened concerns in regard to inexperience, lack of proactive steps to upskilling and resourcing to effectively manage the alcohol store and ensuring that alcohol sold on the premises was not contributing to harm in community. He raised concerns of having only 2 certificated managers for the licensed trading hours of Monday to Sunday from 9.30am to 10.00pm.
19. The Inspector offered to provide the applicant with more information and tool kits if the licence was granted.

Police

20. In his report dated 24 September 2019 Sergeant Trevor Brown stated that Police are not opposed to the application. He highlighted that the premises is located within an alcohol-free zone deemed to be at high risk and emphasised that the applicant must be fully aware of the need for strong management to ensure the object of the Act is maintained.
21. Sergeant Brown informed us that two Controlled Purchase Operations (CPOs) had been carried out since the new owners took over in July and whilst there had been no breaches Sergeant Brown raised concern that when an under-age purchaser had been asked for the appropriate identification and not having it, was then asked if there was anything on their mobile phone as proof of age.
22. Having heard from the applicant at the hearing Sergeant Brown said he had concerns regarding the applicant's lack of experience in operating an off-licence premises in a recently re-justified alcohol-free and high-risk area, which increased the risk alcohol related harm in the community.
23. He told us that if the licence is granted Police will actively monitor the store over the 12-month probationary period.

RESERVED DECISION OF THE COMMITTEE**Introduction**

1. Before us is an application by Gurnaaz Enterprises Limited for an off-licence in respect of premises situated at 405 Fraser Street, Tauranga and known as "Merivale Liquor Centre". The application was filed on 16 September 2019.

Background

2. Merivale Liquor Centre is a small off-licensed bottle store located in a small suburban shopping centre. The premises is located in a permanent alcohol-free area. The applicant does not seek any changes to the underlying off-licence.
3. Merivale is an older well-established inner suburb of Tauranga. Merivale is rated in the lowest 10% of communities in the NZ lowest deprivation indexes. The Merivale community can be described as being vulnerable.

Reporting Agencies

4. The Medical Officer of Health opposed this application under sections 4, 105(1)(a) & (k). Specifically, the opposition relates to the sale of single shots and external advertising targeting young people, namely RTDs.
5. Neither the District Licensing Inspector nor the Police oppose this application.

Public Objections

6. Four public objections were received in respect of this application. The objections relate to sections 105(1)(a), 105(1)(b), 105(1)(d) and 105(1)(i).

The Applicant's Opening Legal Submissions

7. Ms. Pervinder Kaur submitted that the objectors are neighbouring community groups. In reference to the decision in ***Gisborne Liquormart Ltd v Ka Pai Kaiti Trust* [2018] NZARLA 316 at [84]** Ms. Kaur told us *"the Authority confirmed it is not sufficient that an objector is a responsible public interest group that represents a relevant aspect of the community. There must be an interest in the particular application"*. She submitted *"that the objectors must demonstrate more than just a general interest in the direct and indirect effects of alcohol-related harm arising as a consequence of the grant of the licence"*.
8. Ms. Kaur said that in regard to objections raised by the objectors - the applicant seeks the same terms and conditions as the licence currently in force on the premises. Therefore s 102(4A) of the act applies such that the ground for an objection may not relate to any other matter other than the suitability of the applicant.
9. Ms. Kaur submitted that the directors of the applicant company are of good character and are reputable members of their community. There is no evidence of past conduct to indicate that they will not be able to carry out the obligations of a licensee.

The Applicant's Evidence

10. Mrs. Sharanjit Kaur Singh said she is in charge of ensuring there is a certificated duty manager at the store at all times alongside the day to day running of the business. She currently works approximately 40 hours a week in the store. She is currently working towards gaining her Licence Controller Qualification (LCQ) and then gaining her managers certificate. She has some 8 months experience working in a family owned bar in Tairua. The other director is also working towards gaining his LCQ. The staff includes 2 recently certificated managers and 2 other employees who are LCQ holders and working towards their managers certificates.

29. Ms. Tiria Maunder was concerned at the applicant's lack of experience in managing a licensed premises. Having heard evidence from the applicant she considered that the directors and managers had not had enough training, which confirmed her belief that the applicant was unsuitable to manage an off-licence in this location.
30. Ms. Maunder said a lot of work was being done to change the image of Merivale and that the close of the premises would increase the amenity of the area, which among other things suffered from the effects of 'normalization of alcohol'.
31. Ms. Sibylle Steppat believed the applicant was interested only in selling alcohol and didn't care about the community. She had concerns about not enough training and lack of experience in managing the premises and in managing the implications of alcohol related harm in a vulnerable community. She said the applicant had not taken the opportunity to get involved in the community as they weren't members or regular attendees at the Merivale Resident Group monthly meetings.
32. Ms. Steppat spoke about her personal experiences of encountering intoxicated people in her neighborhood but could not prove that they had obtained alcohol from the Merivale Liquor Centre. She made the comment that "at the end of the day there are too many drunk people around and in front of our tamariki".
33. Mr. Tom Paekau told us of his experience dealing with Mrs. Kaur Singh in regard to the family superette-like business selling lollies and 'sugar' drinks to children before school, which resulted in behavioral problems. He did not feel his concerns were followed up, which was cause for concern if the same people would be managing the bottle shop.
34. Mr. Paekau spoke about his experience dealing with children from families where alcohol and alcohol related problems were the norm. The school had to endure the extra cost of cleaning up and disposing of alcohol containers from within and around the school grounds.

24. Sergeant Brown suggested that the placement of a security guard at the entrance to the premises over the peak periods of Thursday to Saturday nights between 5pm and 9 pm would alleviate some of his concerns. He suggested the marking of alcohol containers (500 mls and over) would be a way to trace any alcohol related problems back to the premises.

The Medical Officer of Health's Evidence

25. Ms. Dawn Meertens outlined previous correspondence with the applicant and their consultant. Having failed to reach agreement in regard to the sales of single shots MOH opposed the application.
26. Ms. Meertens told us that subsequently agreement has been obtained with the applicant that it will be not sell single shots, also that the miniature bottles of spirits currently displayed for sale at the counter will be removed and that conditions to this effect are acceptable to the applicant. On that basis MOH withdrew opposition to the application. Mrs. Kaur Singh confirmed the agreement on behalf of the applicant.

The Objectors Evidence

27. In their submissions all four objectors raised concerns in terms of:
- (a) Object of the Act s 105(1)(a)
 - (b) Suitability of the applicant s 105(1)(b)
 - (c) Hours of trade s 105(1)(d)
 - (d) Amenity and good order s 105(1)(i)
28. Pursuant to **s 102(4A) In the case of an application to which subsection 4 applies, the ground for objection may not relate to any matter other than the suitability of the applicant.** We therefore have regard to all of the issues raised by the objectors but only as may reasonably relate to the suitability of the applicant.

35. Ms. Sophie Rapson told us that Merivale is a decile 1 community supporting the only decile 1 school in Tauranga. She said many of the children and young people in the community are exposed to regular alcohol consumption and alcohol abuse, which becomes normalized and sets them up to begin drinking at an early age, which continues the cycle of abuse.
36. Ms. Rapson does not believe that the applicant is aware of how to manage the implications of alcohol related harm in the community. She said that at a community meeting held in August the applicant director was said to have stated that *"alcohol isn't causing the problems, it's the people drinking the alcohol"*. She said that she would like to see that those selling alcohol understand the harm and impact that alcohol causes within the Merivale community.
37. Ms. Rapson considers that the applicant has a general naivety in regard to running a liquor store in Merivale as it hadn't run a liquor store previously and had no experience. Ms. Rapson said that she had no confidence in the applicant.

The Applicants Closing Submissions

38. In summing up the case for the applicant Ms. Kaur made the following points.
- MOH concerns had been addressed
 - Staff training would be ongoing
 - 2 CPOs had been carried out since the applicant had taken over and had passed
 - Managers are all certificated
 - The applicant now has had 5 months experience operating the store
 - Harkness Henry lawyers are there to assist the applicant when required
 - The applicant was not opposed to having security guards outside the store as had been discussed
 - The applicant's lack of engagement with community groups as mentioned by objectors goes both ways as the objectors had not taken the opportunity to meet with applicants
 - There was no evidence of vandalism due to alcohol purchased at Merivale Liquor Centre.

- Change of ownership of the premises will not change the community prevailing habits towards alcohol.

Determinations and Reasons

39. Firstly, we determine the status of the objectors pursuant to **s 102(1) A person may object to the grant of a licence only if he or she has a greater interest in the application for it than the public generally.**
40. NZARLA established in ***Gisborne Liquormart Limited - Black Bull Gisborne v Ka Pai Kaiti Trust [2018] [84]*** *"It is not sufficient for the Trust to be a responsible public interest group that represents a relevant aspect of the community.....The Trust's interest must not only be greater than that of the public generally, but the Trust must have an interest greater than that of the public in respect of this particular application"*.
41. The four objectors' submissions were on behalf of four local Merivale community organisations they represent. We established that the views expressed in the submissions are also those of the individual objectors themselves. The objectors demonstrated to us detailed local knowledge of their community and locality. As stated by the objectors all four organisations they represent are located within 150 metres (and a 2 minute walk) of the premises.
42. We accept that the objectors are active in their community and have demonstrated an interest greater than that of the general public. The objectors' submissions clearly articulated concerns particular to this application. We consider that the objectors and the organisations they represent have status in terms of s 102(1).
43. In regard to the objections (and as mentioned above), pursuant to s 102(4A) we confine ourselves to considering only those matters raised by the objectors that relate to the suitability of the applicant.

44. Section 105(1) of the Act sets out the criteria relevant to an application for a licence and we address each of those provisions in turn.

105(1)(a) the object of this Act:

45. We deal with this section last as a cross-check and final step having considered assessment provisions 105(1) (b) – (k).

105(1)(b) the suitability of the applicant:

46. In their reports the Inspector, Police and MOH raised no matters of concern. However, on questioning Mrs. Kaur Singh it was apparent that she is very new to this kind of business and in managing the implications alcohol related harm, which raised concerns in regard to her inexperience and in particular her managing a licensed premises in a high-risk area.
47. Police have proposed a security guard stationed at the entrance to the premises over the peak trading periods would benefit the new owners. Mrs. Kaur Singh indicated that she is not opposed to such a proposal. We consider that a condition in regard to this would benefit the applicant as well as help achieve the object of the Act.
48. In his report dated 16 October the Inspector states that discussions were held with the applicant on various dates during the temporary authority and off-licence process and that the applicant is aware its responsibilities under the Act. The Inspector states that there have been no reported issues and considers the applicant appears suitable to hold a licence.
49. In his opening submission the Inspector states that the concerns of the objectors have not been brought to the attention of the inspectorate.
50. In his report dated 24 September 2019 Sergeant Brown states that the premises is in an alcohol-free zone and in a high risk area and that the applicant must be fully aware of the need for strong management to ensure the object of the act is maintained. He further stated *"the fact that the applicant operates another store in the same block of shops would indicate that they know and work with the community they are operating in."*

51. The objectors all said *"To our knowledge the applicant (new owner/s) has never owned or managed a liquor store in the past. The applicant may not be aware of how to manage the implications of alcohol related harm in this vulnerable community. This may bring the suitability of the applicant into question."*
52. We consider that the issues and concerns around suitability, which centres on the applicant's inexperience as outlined above can be addressed by the applicant and certainly it is in the interest of the directors to ensure they do so. We can also add a condition in regard to security that we consider will benefit the licensee and help achieve the object of the Act.
53. We consider that whilst the applicant is inexperienced Mrs. Kaur Singh now has a better understanding of her responsibilities and obligations as a licensee. We believe Mrs. Kaur Singh is genuine in her desires to be *"...responsible suppliers of alcohol."* and *"...to ensure any risk of alcohol-related harm arising from our store is minimised."*
54. On balance we consider the applicant is suitable to hold a licence.

105(1)(c) any relevant local alcohol policy:

55. The application complies with the operative Tauranga and Western Bay of Plenty District Local Alcohol Policy.

105(1)(d) the days on which and the hours during which the applicant proposes to sell alcohol:

56. The days and hours fall within the default national maximum trading hours and the Tauranga and Western Bay of Plenty District Local Alcohol Policy.

105(1)(e) the design and layout of any proposed premises:

57. The premises has held an off licence since 1998. Both planning and building certificates have been issued.

105(1)(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:

58. The business operates as a typical small suburban bottle store selling alcohol and tobacco products.

105(1)(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:

59. The business operates as a typical small suburban bottle store. We are not aware of the provision of any other services.

105(1)(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:

60. We note the concerns raised by the objectors. However, we have no evidence from the agencies before us that these premises has had or would have an adverse effect on amenity and good order.
61. In his report the Inspector states "These premises have not created any reported noise, nuisance or vandalism issues."
62. We give credit to the applicant for taking the initiative to place staff outside the premises when school finishes in the afternoons to ensure children do not congregate outside the premises.

105(1)(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:**

63. We note the concerns raised by the objectors. However, we have no evidence from the agencies or proof before us that these premises has had or would have an adverse effect on amenity and good order.

105(1)(j) whether the applicant has appropriate systems, staff, and training to comply with the law:

64. Currently there are only two newly certificated managers to manage the premises for the long hours it is open and particularly so over the peak times of Thursday, Friday and Saturday evenings. We note that two other staff members are currently LCQ qualified and working toward getting their managers certificates and that the two applicant directors are working toward gaining their LCQ.

65. Given the inexperience of the applicant directors and their staff we consider it would be wise to consider employing an experienced certificated manager.

66. The applicant stated that there are only "informal" not written policies in regard to staff training. We note that Harkness Henry lawyers have offered to help the applicant with staff training plans and systems.

67. Concerns were raised that the applicant has not been proactive in upskilling and searching out information that is available to help them. We note the Inspector has offered to provide the applicant with toolkits and information. We strongly suggest also that the applicant seeks the assistance of an industry trainer to help with training and ensure that it has all the information that is available and that best practise systems are in place.

105(1)(k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103.

68. We note the original matters in opposition by MOH have now been satisfied and MOH does not oppose the application. The Police and Inspector do not oppose the application.

105(1)(a) the object of this Act:

69. Having regard to the criteria for issuing a licence as set out in s 105(1)(b) -105(1)(k) above we must stand back and consider whether there is evidence that granting the application will be contrary to the object of the Act.
70. The object of the Act requires the safe and responsible sale, supply and consumption of alcohol as well as minimisation of harm caused by excessive or inappropriate consumption of alcohol.
71. The application before us is for a new off licence in a Council formalised alcohol-free area in a vulnerable community, which makes it high risk in terms of alcohol related harm. That risk is further increased by the applicant's inexperience in managing a licensed premises.
72. The directors of the applicant company are part of a family that has operated a retail business in the same block of shops as the premises for the last six years therefore, they should have a good understanding of the area the premises it operates in.
73. The applicant has owned and operated this licensed premises for the last 5 months under a Temporary Authority without complaint or incident being brought to the attention of Police or the inspectorate.
74. Police have carried out two CPOs since the applicant has owned and operated the licensed premises without breach.
75. The applicant is not opposed to conditions to the licence that will help achieve the object of the Act.
76. On balance the Committee is satisfied that granting a licence will not offend the object of the Act.

Conclusion

77. We acknowledge with thanks the submissions and evidence presented by the applicant, agencies and objectors

78. We recommend that the applicant take heed of the concerns raised at this hearing from the objectors, Inspector, Police and MOH and to take the opportunity offered by all four objectors to better understand the community and understand the problems due to alcohol consumption in this community experienced on what seems to be a daily basis.
79. We say to the applicant that obtaining or holding a licence is not a right but rather a privilege and with it comes with responsibilities and obligations clearly set out in the Act. The onus is clearly on the applicant to be vigilant in adhering to them.
80. The licence issued is for the statutory 12 months period which is a probationary period. The applicant can expect active monitoring from the Inspector and Police (as has been alluded to) and no doubt from passionate members of the Merivale community such as those who presented at the hearing. This committee will have no hesitation to call in the licence for a re-hearing if any requisite matters in regard to this licence are brought to our attention.
81. We suggest to Tauranga City Council and Police that there appears to be a need for better promotion and monitoring of Council's formalised alcohol-free area in Merivale. Also, that it could be useful for future reference to keep a record of all reported alcohol related problems in this neighbourhood.
82. Finally, we remind the applicant that any application for renewal must be made before expiry of the licence and will again face the scrutiny of the Inspector, Police, MOH and possible objectors. Any opposition or objections received will trigger a public hearing of that application.

The Decision

83. The District Licensing Committee, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** the application by Gurnaaz Enterprises Limited for an off-licence in respect of premises situated at 405 Fraser Street, Tauranga and known as "Merivale Liquor Centre" subject to conditions.

Conditions

The conditions of the licence are as follows:

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

Monday to Sunday 09:30am to 10:00pm

2. No alcohol is to be sold on or delivered from the premises on Good Friday, Easter Sunday or Christmas Day or before 1.00 pm on Anzac Day.
3. While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being supplied.
4. The whole of the premises is designated as a Supervised Area.
5. The Licensee must have available for purchase 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. A properly appointed Certificated, or Acting or Temporary, Manager must be on duty at all times, within the licensed area, 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.
7. There shall be no external advertising of RTD products on the store.
8. There shall be no further external advertising on or outside the store other than that currently displayed.
9. There shall be no single sales of RTDs or main-stream beers under 500mls.
10. There shall be no single sales of shots or miniature bottles.
11. A security guard shall be stationed at the entrance to the premises when open for business on the following days and hours;

Thursday to Saturday from 5.00pm to 10.00pm

12. 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 inside of the premises so as to be easily read by people entering each principal entrance.

The licence is granted for a period of **one year** from the date of the issue of the licence.



DATED at TAURANGA this 20th day of December 2019



David Stewart
Chairperson/Commissioner
Tauranga District Licensing Committee



Gurnaaz Enterprises Limited

 **Event date:** 12/01/2021 8:00 a.m. - 9/02/2021 5:00 p.m. 

Gurnaaz Enterprise Limited, a Duly Incorporated Company, has made application to the Tauranga District Licensing Committee for the **Renewal and Variation** of an **Off Licence** in respect to the premises situated at **405 Fraser Street, Tauranga** and known as **Merivale Liquor Centre**.

The general nature of the business conducted under the licence is that of a **Bottlestore**.

The days on which and the hours during which alcohol is currently being sold under the licence are:

Monday to Sunday 09:30 am to 10:00 pm (Excluding Good Friday, Easter Sunday, Christmas Day and up until 1pm on ANZAC Day).

With a variation to the current conditions of the licence (Condition 11)

The application may be inspected by contacting either a Liquor Licensing Inspector or a Health & Licensing Technician, by phoning Tauranga City Council: Phone (07) 577-7000.

Any person who is entitled to object and who wishes to object may, not later than 15 working days after the date of publication of this notice, file a notice in writing of the objection with the Secretary of the Tauranga District Licensing Committee, Private Bag 12022, Tauranga 3143.



Report on an Application for a Renewal Variation of an Off-licence

under section 103(2) of the Sale and Supply of Alcohol Act 2012

To: District Licensing Committee
From: Kerry Moriarty – Licensing Inspector
Date: 15 July 2021

1. APPLICATION DESCRIPTION

1.1. Application and Property Details

Applicant's Name:	GURNAAZ ENTERPRISES LIMITED
Site Address:	405 FRASER STREET, TAURANGA
Trading Name:	MERIVALE LIQUOR CENTRE
Type of Premises:	OFF-LICENCE - BOTTLE STORE
Risk Rating:	MEDIUM
Application Number:	26226
Date Received by Council:	08 Jan 2021
Current Licence Expires:	04 Feb 2021
Changes being sought?	Yes – Variation request to remove Condition 11 from the Licence conditions

2. EXECUTIVE SUMMARY

This is a report for an application for a renewal and variation of an off-licence. The criteria found at section 131 of the Sale and Supply of Alcohol Act 2012 (the Act) applies to this application.

The premises is currently trading with the Off Licence 21/OFF/24553/2019, with the renewal expiration of 4 February 2021. The applicant is seeking changes by requesting a variation to remove Condition .11 from the existing Licence, which states:

*11. A security guard shall be stationed at the entrance to the premises when open for business on the following days and hours; **Thursday to Saturday from 5:00pm to 10:00pm***

This condition resulted from a public hearing [21/OFF/24553/2019] before the Tauranga District Licensing Committee which also attracted four objections.

The kind of licence the applicant has applied for is a
Full off-licence for a bottle store/retailer: ss 16-19, 32(1)(b) and Reg 5.

The inspector agrees that the application meets the criteria for the kind of licence applied for because the premises is a bottlestore/retailer as defined by s 32(1)(b)

Three [3] public objections have been received. The New Zealand Police and the Medical Officer of Health are in opposition to this application. The inspector is in opposition to this application.

3. APPLICANT AND APPLICATION

3.1 Applicant

The applicant is a private company. Gurnaaz Enterprises Limited has been operating from this location since July 2019. This is the first renewal of the licence. The substantive application was subject to a public hearing, and the decision was subject to a discretionary condition to have a security guard stationed at the entrance to the shop over peak trading periods due to the high-risk nature of this premises.

The applicant seeks to have this condition removed from the licence as they have increased their staffing levels during the weekends to have three [3] to four [4] employees in the shop.

In the first 'probationary licensing period' the inspector has undertaken active monitoring of the premises and have found the premises to be compliant with the licence conditions. The applicant has made use of CPTED in the premises and has active CCTV cameras.

A general discussion was had with the applicant on 4 June 2021. The applicant is aware of its responsibilities under the Act. There have been no changes in directorship since previous application.

3.2 Comment

The applicant appears to be a suitable to hold a licence. There are no concerns with other goods and/or services the applicant provides at the premises.

4. NOTIFICATIONS AND OBJECTIONS

4.1 Notifications and Objections

The application was publicly notified in the Tauranga City Council website on 12 January 2021 and has attracted three [3] public objections.

The three [3] objectors have submitted the same letter on 9 February 2021, stating their objections to this application. The three [3] objections received are from:

- **Tom Paekau, on behalf of Merivale School: 25 Kesteven Avenue, Parkvale.**
- **Sophie Rapson, on behalf of Merivale Community Centre: 10 Kesteven Avenue, Parkvale.** Included in the objection of Sophie Rapson are photographs of broken glass from alcohol bottles in the Merivale Community Centre grounds. She has kept a detailed log of issues observed or reported to her regarding the Merivale Liquor Centre – this includes a video of a violent incident occurring outside of the premises.
- **Tiria Maunder, on behalf of Tutarawananga Te Kohanga Reo: 43 Henderson Crescent, Parkvale.** Included in the objection of Tiria Maunder are photographs of rubbish and broken alcohol bottles in and around the grounds of Tutarawananga Te Kohanga Reo Centre.

The objections cover the following matters:

- **Section 105(1)(a) – Object of the Act.**

The premises is situated in a high-risk, vulnerable community and does not contribute to the minimization of alcohol related harm, therefore this is against the object of the Sale and Supply of Alcohol Act 2012. The Merivale community has suffered from long-term generational poverty and deprivation, where alcohol related harm is prevalent. The granting of this application will see the continued irresponsible and unsafe practises related to the sale of alcohol.

- **Section 105(1)(b) – Suitability of Applicant.**

Concerns over the suitability of the applicant. The applicant appears to not have strong understanding of the high-risk nature of the premises in the Merivale community. Observations of underage drinking and sales to intoxicated persons have been made, as well as unprofessional conduct from staff and management of the premises.

- **Section 105(1)(c) – Any relevant Local Alcohol Policy.**

The premises is not aligned with the Local Alcohol Policy goals: to foster positive and responsible drinking behaviour; minimise alcohol related harm; contribute to being a safe and healthy subregion; and reflect local community's values, amenity and needs.

- **Section 105(1)(d) – Hours of Trade.**

The current hours of trade increase exposure to children in the community. Having the shop close between the hours of 2:00pm to 5:30pm will reduce this exposure.

- **Section 105(1)(i) – Amenity and Good Order.**

Amenity and good order is reduced in the community from: broken glass and alcohol rubbish left around the streets, footpaths and Merivale Community Centre grounds; customers of the premises have been seen immediately breaching the liquor ban after purchasing alcohol at the premises, and customers engaging in violent behaviour outside of shop.

- **Section 105(1)(j) – Appropriate systems, staff and training.**

Concerns over appropriate systems and staff training. The security guard appears to be a member of staff with no training or support to carry out this position. Staff do not appear to be trained to appropriately for such a high risk premises, including reports of the staff being abusive towards community members.

All objectors were asked by way of email by the inspector if they were agreeable to attend a meeting with the applicant to discuss their concerns prior to hearing. The objectors have declined to meet with the applicant.

4.2 Police Report

Police reported on the application on 16 March 2021. New Zealand Police **conditionally oppose** the application in consideration of the variation to remove condition.11 from the licence.

4.3 Medical Officer of Health Report

The Medical Officer of Health reported on the application on 13 April 2021 and **opposes** the application in consideration of the variation to remove condition.11 from the licence.

5. PREMISES

5.1 Principal Entrance

The principal entrance is accessed from: Fraser Street.

5.2 Kind of Premises

An off-licence may be renewed for this kind of premises, because it appears to meet the description found at section 32(1) (b) of the Act.

5.3 Planning and Building Matters

There have been no issues raised in regard to the building code or the Resource Management Act 1991.

5.4 Previous History

This premises have been subject to a public hearing for the application of a new Off licence in December 2019. This application drew objection from the local community, who presented detailed knowledge of their community and locality.

The concerns raised by the objectors were in regard to a lack of understanding by the applicant of the vulnerability of the Parkvale community, and the lack of experience the applicant has managing a licenced premises in a high-risk area.

It was proposed by the Police during the hearing to have a security guard stationed at the entrance to the shop at peak trading times. The District Licensing Committee considered a condition in regard to this to benefit the applicant and help achieve the object of the act.

The committee's decision on the substantive Off licence 21/OFF/24553/2019 stated:

"We recommend that the applicant take heed of the concerns raised at this hearing from the objectors, Inspector, Police and MOH and to take the opportunity offered by all four objectors to better understand the community and understand the problems due to alcohol consumption in this community experienced on what seems to be a daily basis.

We say to the applicant that obtaining or holding a licence is not a right but rather a privilege and with it comes with responsibilities and obligations clearly set out in the Act. The onus is clearly on the applicant to be vigilant in adhering to them. "

The premises has been actively monitored by the inspector during the first probationary licence period. At each time of inspection all required signage was clearly displayed and a manager was on duty. There was no concern with any promotion. There appeared to be sufficient levels of staff to manage the premises effectively.

5.5 Comment

The inspector does not oppose the design and layout of the premises. The applicant appears to have appropriate systems, staff, and training to comply with the law. The manner in which the applicant has sold, displayed, advertised or promoted alcohol has not caused concern for the reporting agencies.

6. ENVIRONMENTAL SCAN

6.1 Current and Potential Levels of Noise, Nuisance and Vandalism

The premises is centrally located in a small suburban shopping centre in Parkvale. There are a number of food and retail shops in the vicinity of the centre. The Parkvale area is a permanent liquor free area operating 24 hours a day 7 days a week.

The inspector has sought information from New Zealand Police regarding calls for duty related to the premises at 405 Fraser Street during the probationary period of the licence issued to the applicant.

During this timeframe the Police have generated six [6] case files directly relating the premises. These include:

- Shoplifting
- Assault
- Disorderly behaviour
- Fighting
- Liquor licence vetting
- Information received.

In addition to these case files the Police have received telephone calls relating to the premises regarding: fighting outside the premises; beggars outside the premises; impaired customer; advice; wanted persons.

All but one [1] of these recorded incidents occurred when the security guard was not stationed at the premises.

The public objections received have included supporting information as to how the local community and environment has been impacted from alcohol created nuisances. The objectors present a good understanding of the local community, and the risk alcohol related harm poses to the high deprivation area.

The information provided details of:

- Alcohol rubbish littered through the community centres and streets.
- Intoxicated persons buying alcohol from the premises.
- Minors buying alcohol from the premises.
- Aggressive behaviour between staff of the premises and members of the community.
- Fighting between staff of the premises and members of the community.
- Inappropriate behaviour from staff of the premises towards young girls.

The information received indicates the premises does create nuisances for the surrounding environment and community.

The condition to have a security guard stationed at the entrance of the premises has been imposed by the DLC to protect the amenity and good order of the local community and reduce nuisances.

6.2 Proximity to Sensitive Sites

The Merivale School is located 150m from the premises; The Merivale Community Centre is located 52m from the premises; The Christian Fellowship Hall is located 54M from the premises; The Tutarawanga Kohanga Reo is nearby.



6.3 Comment

There is no reason to believe that the amenity and good order of the locality would be likely to be increased, to more than a minor extent, by the effects of a refusal to renew the licence.

7. DISCUSSION

The inspector opposes the variation to remove Condition.11 from the current licence.

The idea of 'See and be Seen' is a central CPTED principle. Effective surveillance (including Security Staff) provide victims with help, and criminals with the risk of detection. Having active Security stationed at the entrance of the premises contributes to reducing the risk of harm to the staff and the community.

The applicant has stated the reason for wanting to remove the condition to have security stationed at the entrance is that they have enough staff working in the premises during peak trading.

Upon the request of the staff training records for Merivale Liquor, there is nothing is stated in the health and safety training guidelines to educate staff on dealing with issues specific to security and safety of staff and customers.

The inspector does not feel this basic health and training of staff supports the request to remove the condition .11 on the licence.

It is the view of the inspector that licence condition. 11 has greatly benefited the applicant and is needed to continue to help the licensee achieve the object of the act.

8. CONCLUSION AND CONDITIONS

8.1 Conclusion

The inspector has inquired into the application, and based on the information provided, opposition from reporting agencies, and three public objections received, the inspector **does oppose** this application.

Prepared by



Kerry Moriarty
Licensing Inspector

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



**REPORT ON APPLICATION FOR 'ON' LICENCE (renewal)
SALE AND SUPPLY OF ALCOHOL ACT 2012**

16 March 2021

The Secretary
District Licensing Committee
Tauranga District Council
Private Bag 12022
TAURANGA

APPLICATION FOR OFF LICENCE (VARIATION) - 26226

APPLICANT: GURNAAZ ENTERPRISES LIMITED

PREMISES: MERIVALE LIQUOR CENTRE

LOCATION: 405 FRASER STREET, TAURANGA

STATUS: Conditionally OPPOSED

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

Following a review of the application Police are conditionally opposed.

The applicant is seeking a variation to remove a condition on the present licence (#10) that requires a security guard to be stationed at the entrance to the premises when open for business on the following days and hours; Thursday to Saturday from 5:00pm to 10:00pm.

The premises are situated in Parkvale, Tauranga. The area has a high deprivation score and is disproportionately represented in geo spatial offending distribution.

Alcohol outlets are often targeted for shoplifting crime and robberies. Alcohol is a sought-after commodity by motivated offenders. Merchants can often be protective and retaliate against offenders.

Sergeant Dan ROSER - Licensing and Alcohol Harm Prevention Co-ordinator
Western Bay of Plenty Police - 11 Monmouth Street OR P O Box 144, TAURANGA
Ph 021 191 3804 E-mail: Daniel.Roser@police.govt.nz

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

The presence of a security guard is a well recognised crime deterrent tactic.

A reduction in store security at an alcohol outlet in such an area is opposed.

Further, Police would prefer to see the definition of security guard to be based on legislation.

The Private Security Personnel and Private Investigators Act 2010 has the purpose of ensuring that persons offering specified private security and investigation services for hire, and personnel providing those services, -

(a) are suitably qualified to carry out that work; and

(b) do not behave in ways that are contrary to the public interest.

The term security guard is not included in this act.

A more appropriate selection may be either sections 9 and 17 - "Property guard" or sections 11 and 19 - "Crowd controller."

Note: a section 10 defined Personal guard cannot be used for premises licensed under the Sale and Supply of Alcohol Act 2012.

Sections 23 and 44 cover who must hold a Licence or Certificate of approval and penalties for breaches.

Sections 65 to 72 cover responsibilities of licensees and certificate holders.

A Ministry of Justice website for checking credentials is available here: -

<https://forms.justice.govt.nz/search/PSPLA/>

Police are often deployed to the Parkvale suburb for public disorder and offending. It is common that these issues are alcohol fuels events.

Police are also mindful of the under-reporting of crime instances in the area.

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

Yours faithfully,



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

Sergeant Dan ROSER - Licensing and Alcohol Harm Prevention Co-ordinator
Western Bay of Plenty Police - 11 Monmouth Street OR P O Box 144, TAURANGA
Ph 021 191 3804 E-mail: Daniel.Roser@police.govt.nz

From: Dawn Meertens <Dawn.Meertens@bopdhb.govt.nz> on behalf of Liquor <Liquor@bopdhb.govt.nz>
 Sent: Tuesday, 13 April 2021 4:16 PM
 To: admin DLC; ROSER, Daniel (Dan); Liquor; BOPC; firesafetybopcoast@fire.org.nz
 Subject: RE: Report request - OFF - VARIATION - GURNAAZ ENTERPRISES LIMITED - MERIVALE LIQUOR CENTRE - 26226

CAUTION: External Email.

Hi Admin

On behalf of the Medical Officer of Health (MOH) I have inquired into this application and have matters in opposition.

The MOH originally opposed the new application in 2019 but withdrew the opposition when the applicant agreed some conditions be placed on the licence. The DLC heard arguments from the objectors and issued the current licence with conditions attached to it.

These being:

9. There shall be no single sales of RTDs or main-stream beers under 500mls.

10. There shall be no single sales of shots or miniature bottles.

11. A security guard shall be stationed at the entrance to the premises when open for business on the following days and hours:

Thursday to Saturday from 5.00pm to 10.00pm

The applicant may argue that there has been no issues to warrant having security guards anymore and I say, there are no issues BECAUSE there are security guards present therefor the MOH opposes the variation to remove the security guards.

Kind regards
 Dawn Meertens
 For MOH



Dawn Meertens
 Technical Officer
 Phone: 07 349 7260
 Mobile: 021 473 524
 Website: www.toiteora.govt.nz

-----Original Message-----

From: admin DLC <adminDLC@tauranga.govt.nz>

Sent: Monday, 11 January 2021 9:19 am

To: ROSER, Daniel (Dan) <Daniel.Roser@police.govt.nz>; WELLS, Jane <Jane.WELLS@police.govt.nz>; Liquor <Liquor@bopdhb.govt.nz>; BOPC <BOPC@fireandemergency.nz>; firesafetybopcoast@fire.org.nz

Subject: Report request - OFF - VARIATION - GURNAAZ ENTERPRISES LIMITED - MERIVALE LIQUOR CENTRE - 26226

Juanita Hollamby has sent you copies of the following 2 documents from Objective:

"Application - RENEWAL - OFF - GURNAAZ ENTERPRISES LIMITED - 566379 - MERIVALE LIQUOR CENTRE - Kerry - PL26226" (A12145647) v2.0 "Report request - OFF - VARIATION - GURNAAZ ENTERPRISES LIMITED - MERIVALE LIQUOR CENTRE - 26226" (A12146180) v1.0

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Minute 21/OFF/26226/2021.

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

AND

IN THE MATTER of an application
by **Gurnaaz Enterprises Limited**
pursuant to s120 & 127 of the
Act for the renewal and
variation of an OFF Licence
for premises situated at 405
Fraser Street, Parkvale
known as **Merivale Liquor
Centre.**

MINUTE OF THE TAURANGA DISTRICT LICENSING COMMITTEE

THE APPLICATION

Gurnaaz Enterprises Limited applies for the renewal and variation of an OFF Licence for premises situated at 405 Fraser Street, Parkvale known as **Merivale Liquor Centre.**

The application has drawn 3 public objections, that appear to raise issues around amenity and good order and compliance issues. The objectors live in the locality and appear to have a greater interest than the public at large.

They also object to the removal of Condition 11 on the base licence that requires a Security Guard to be on duty at certain times and days.

The agencies oppose the renewal with variation.

THE DIRECTION

The Committee needs to examine the issues raised and the application will need to be determined by a full quorum of the DLC at a public hearing.

Pursuant to Section 202(3) of the Act I direct that the matter be set down for hearing as soon as possible.

Pursuant to Section 102(5) a copy of each objection is to be provided to the applicant.

DATED at TAURANGA this 15th day of July 2021



Murray Clearwater
Chairperson/Commissioner
Tauranga District Licensing Committee





4 February 2021

Alcohol Licensing Team
Tauranga City Council
91 Willow Street
Tauranga 3143

Tēnā koe Sir/Madam,

Merivale School wish to object to the application from Gurnaaz Enterprises Limited for an off-licence in respect of premises situated at 407 Fraser St, Parkvale Tauranga 3112 known as Merivale Liquor Centre.

We have a considerably larger interest in this application than that of the general public because we are a school based in the heart of Merivale. This business puts our tamariki at greater risk of alcohol related harm than others in the Western Bay Of Plenty for two reasons. Firstly, the school is physically located within 150 metres, only a two-minute walk from its premises. Secondly, and most importantly, we are the only Decile 1 school in Tauranga. This means that our tamariki are already more prone to inequities and disadvantages than other more affluent areas. A liquor store further enhances the damage that drugs and alcohol bring on such communities.

We object to the off-licence application on the following grounds:

Objection 1: Object of the Act - Section 105(1)(a)

According to the object of the Act, harm should be minimised and the sale of liquor should be done responsibly and safely. Renewing this licence will continue to cause alcohol related harm and continue irresponsible and unsafe practices related to the sale of liquor.

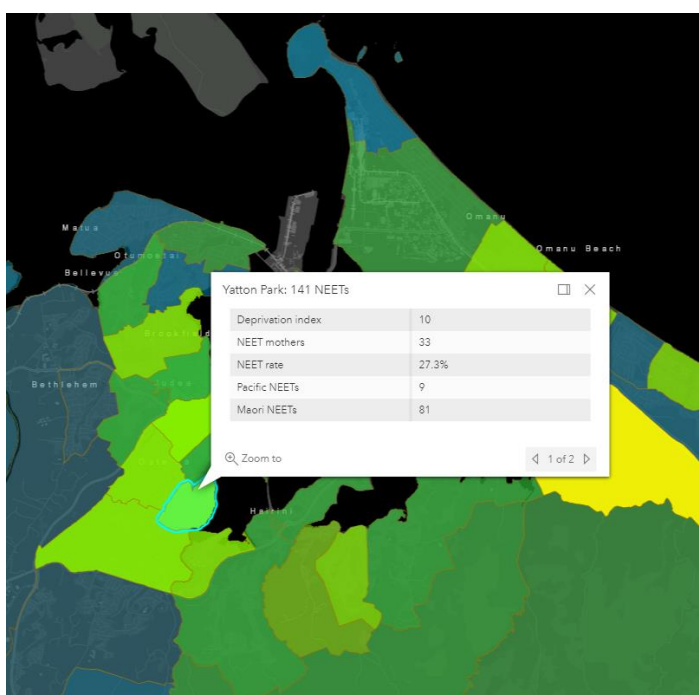
Merivale is made up of 840 households with 2,403 residents. 42% of the community are Māori and 13% are Pasifika. Although a small geographical area and community it has long-term, generational poverty and deprivation. It is among the most deprived 10 percent of New Zealand communities measuring 10 on the deprivation scale, supporting the only decile 1 school in Tauranga. The community faces:

- Low incomes, education attainment, NEET (Not in Education, Employment or Training) rate of 27.3%
- High levels of social housing, insecure housing and homelessness
- Limited access to transport, internet and devices
- High levels of family violence, drug and alcohol abuse and mental health concerns
- Exposure to gang violence and criminal activity

What this means

- Whānau are under constant stress, fighting to retain basic needs – food and shelter
- A community that is not reaching its potential, on an individual, whānau and community level

Alcohol related harm features highly in our community and whether directly or indirectly is the cause of crime, damage, death, disease, disorderly behaviour, illness and or injury as illustrated in the Average Rate of Wholly attributable hospitalisations 2007-2016 table attached.



Objection 2: Suitability of Applicant - Section 105 (1) (b)

We continue to have concerns about the applicant's ability to responsibly and safely supply alcohol. Through observation and interactions with the applicants there appears to be no real understanding or care about the level of alcohol related harm that occurs in Merivale. We have observed underage drinking, intoxicated purchasing of alcohol, and unprofessional conduct from staff and management from Merivale Liquor Centre and believe the only interest of the applicant is profit.

Objection 3: Any relevant local alcohol policy - Section 105(1)(c)

The Local Alcohol policy goals are:

- To minimise alcohol-related harm in the western Bay of Plenty sub-region.
- To contribute to the western Bay of Plenty being a safe and healthy subregion.
- To reflect local communities' character, amenity, values, preferences and needs.
- To encourage licensed premises to foster positive, responsible drinking behaviour.

To remain consistent with the Local Alcohol Policy we should not allow off-licences within the Merivale community. Renewing the applicant's licence does not minimise harm, it contributes to the further deprivation of this community, destroys the amenity and doesn't foster responsible drinking behaviour.

Further the liquor store is in the centre of the Liquor Ban Zone. According to Tauranga City Council, the current Liquor Ban Zone was implemented during the 2010 review of the Bylaw. The report noted the Council had received a number of complaints regarding individuals and small groups drinking in this area. This behaviour still remains today, in fact it has continued to worsen.

The renewal of the applicant's licence does support the local alcohol policy or uphold the intent of the liquor ban zone.

Objection 4: Hours of trade - Section 105(1)(d)

Currently the hours of trade are 9:30am - 10pm

We recommend the hours be reduced to 9:30am – 2:00pm and re-opening 5:30pm – 9:00pm weekdays. We believe this may mitigate exposure for our children travelling to and from school and after school youth development programmes.

Objection 5: Amenity and good order - Section 105(1)(i)

The community is constantly exposed to the following:

1. Broken glass lying on the footpath, road and grass is common and is an injury risk to our tamariki and elderly, both pedestrian and those using mobility scooters.
2. Alcohol cans and other rubbish are scattered throughout the community but particularly on Merivale Community Centre grounds and surrounding areas, footpaths and roads.
3. There are occasions where customers exit the store opening their beer bottles and RTD cans once they step out the door regardless of our tamariki being around. This practice is clearly illegal in a permanent alcohol-free area.
4. We have observed and received reports of liquor store customers engaging in violent altercations outside the store with children unable to get past.

Objection 6:

Appropriate systems, staff, and training - Section 105(1)(j)

The licence condition 11 to have a security guard stationed at the entrance of the store on certain days appears to be just a staff member. We don't believe they have received training or adequate support to carry out that role. Despite that role being put in place, violence and behaviour issues have escalated since this licence was issued.

Management and staff have been unprofessional and in some instances abusive to community members and we don't believe they have the proper staffing or training in place to be in a high risk environment of Merivale community.

Conclusion

We therefore request that the renewal of the off-licence is rejected. The community do not want an alcohol store here.

If the licence is renewed, we request that conditions be placed in this licence to mitigate harm to the children of our community and our community generally. The following conditions are requested:

1. That the applicant is responsible for the amenity and good order of the surrounding environment so that the community is safe from the effects of rubbish and broken glass on and around public walkways and access to schools and early childhood centres.
2. Reduced opening hours that alcohol is available to the community, which in turn is reducing exposure of children to alcohol
3. That the applicant ensures that the permanent alcohol-free area is actively promoted within the store and at the point of sale
4. That the security condition of the licence remains.

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

My contact details are:
tom@merivale.school.nz
0274947850

Ngā mihi nui,

Tom Paekau
Principal
Merivale School

Permanent alcohol-free area



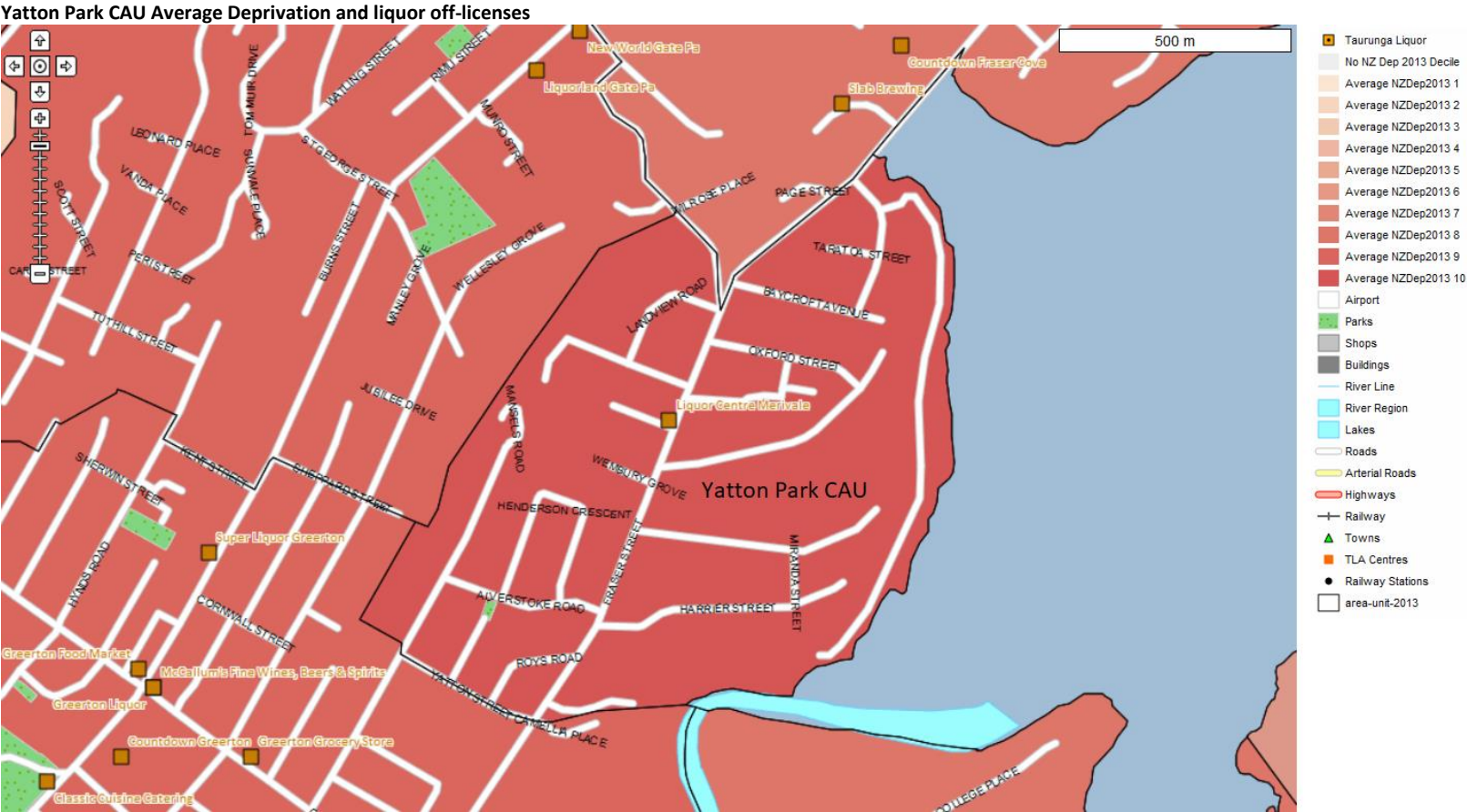
Accessed: Tauranga City Council 27 August 2019

Liquor Centre Merivale and Surrounds

Key

- 1. Merivale School
- 2. Tutarawananga Kōhanga Reo
- 3. Waiapu Kids Merivale Whānau Aroha Centre
- 4. Merivale Community Centre
- 5. Merivale Liquor Centre





The average New Zealand deprivation 2013 decile score for Yatton Park Census Area Unit is 10, the highest deprivation level. For more information see: http://www.healthspace.ac.nz/maps/maps_nz_dep_index.html

Average Rate of Wholly attributable hospitalisations 2007-2016

Public hospital discharges for conditions wholly attributable to alcohol use. These are conditions that are 100% caused by alcohol consumption and therefore does not include hospitalisations such as accidents, cancer and cardio vascular disease as alcohol may only be a contributing factor and not the only factor.

The population of Yatton Park CAU experiences a greater rate of hospitalisations wholly attributable to alcohol than New Zealand and Tauranga City.

Area	Average Rate per 100,000 people 2007-2016	95% Confidence interval
Yatton Park CAU	202	143-279
Tauranga City	140	132-148
New Zealand	121	120-123

Retrieved from: <http://healthspace.ac.nz/explorer/resources/listbytheme> on 6/08/2019



10 Kesteven Ave
Merivale, Tauranga 3112
07 578 6450
www.merivalecommunity.org

9 February 2021

Alcohol Licensing Team
Tauranga City Council
91 Willow Street
Tauranga 3143

Via email admindlc@tauranga.govt.nz

Tēnā koe,

Merivale Community Centre wish to object to the application from Gurnaaz Enterprises Limited for an off-licence in respect of premises situated at 407 Fraser St, Parkvale Tauranga 3112 known as Merivale Liquor Centre.

We have an interest in this application that is greater than the general public because we are an organisation based in the heart of Merivale and we work with our community to address alcohol related harm and the effects of poverty on a daily basis. We provide a range of social services and programmes to the community with a particular focus on youth development. We support whānau, tamariki and rangatahi through various programmes and services, including our after-school drop-in programme, youth groups, and mentoring. The Community Centre is located within 100 metres, only a one minute walk from the premises which is also located in Tauranga's only decile 10 community, supporting the only decile 1 school in Tauranga.

We object to the off-licence application on the following grounds:

Objection 1: Object of the Act - Section 105(1)(a)

According to the object of the Act, harm should be minimised and the sale of liquor should be done responsibly and safely. Renewing this licence will continue to cause alcohol related harm and continue irresponsible and unsafe practices related to the sale of liquor.

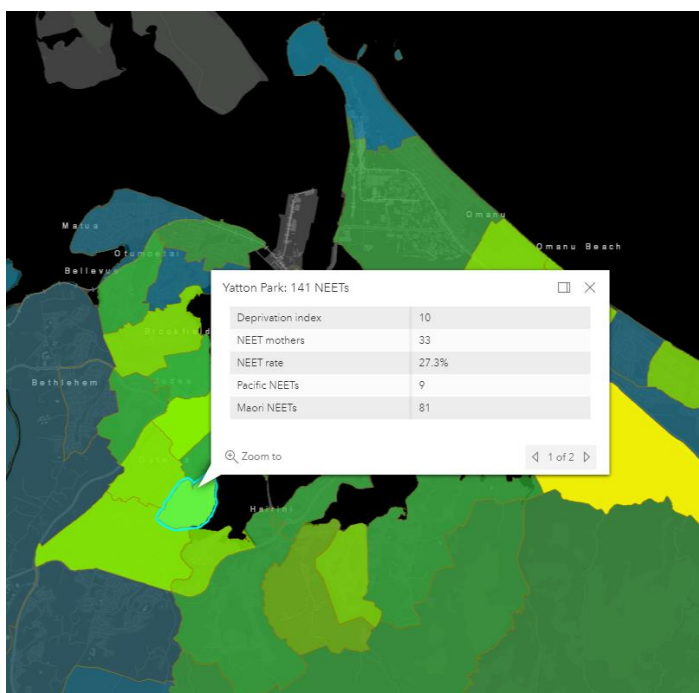
Merivale is made up of 840 households with 2,403 residents. 42% of the community are Māori and 13% are Pasifika. Although a small geographical area and community it has long-term, generational poverty and deprivation. It is among the most deprived 10 percent of New Zealand communities measuring 10 on the deprivation scale, supporting the only decile 1 school in Tauranga. The community faces:

- Low incomes, education attainment, NEET (Not in Education, Employment or Training) rate of 27.3%
- High levels of social housing, insecure housing and homelessness
- Limited access to transport, internet and devices
- High levels of family violence, drug and alcohol abuse and mental health concerns
- Exposure to gang violence and criminal activity

What this means

- Whānau are under constant stress, fighting to retain basic needs – food and shelter
- A community that is not reaching its potential, on an individual, whānau and community level

Alcohol related harm features highly in our community and whether directly or indirectly is the cause of crime, damage, death, disease, disorderly behaviour, illness and or injury as illustrated in the Average Rate of Wholly attributable hospitalisations 2007-2016 table attached to this letter. You can also refer to the log of alcohol related harm attached to illustrate the harm alcohol causes in this community



Objection 2: Suitability of Applicant - Section 105 (1) (b)

We continue to have concerns about the applicant's ability to responsibly and safely supply alcohol. Through observation and interactions with the applicants there appears to be no real understanding or care about the level of alcohol related harm that occurs in Merivale. We have observed underage drinking, intoxicated purchasing of alcohol, and unprofessional conduct from staff and management from Merivale Liquor Centre and believe the only interest of the applicant is profit. Please refer to the log of alcohol related harm attached.

Objection 3: Any relevant local alcohol policy - Section 105(1)(c)

The Local Alcohol policy goals are:

- To minimise alcohol-related harm in the western Bay of Plenty sub-region.
- To contribute to the western Bay of Plenty being a safe and healthy subregion.
- To reflect local communities' character, amenity, values, preferences and needs.
- To encourage licensed premises to foster positive, responsible drinking behaviour.

To remain consistent with the Local Alcohol Policy we should not allow off-licences within the Merivale community. Renewing the applicant's licence does not minimise harm, it contributes to the further deprivation of this community, destroys the amenity and doesn't foster responsible drinking behaviour.

Further the liquor store is in the centre of the Liquor Ban Zone. According to Tauranga City Council, the current Liquor Ban Zone was implemented during the 2010 review of the Bylaw. The report noted the Council had received a number of complaints regarding individuals and small groups drinking in this area. This behaviour still remains today, in fact it has continued to worsen.

The renewal of the applicant's licence does support the local alcohol policy or uphold the intent of the liquor ban zone.

Refer to the log of alcohol related harm attached for behaviour that breaches the intent of the policy and the liquor ban zone.

Objection 4: Hours of trade - Section 105(1)(d)

Currently the hours of trade are 9:30am - 10pm

We recommend the hours be reduced to 9:30am – 2:00pm and re-opening 5:30pm – 9:00pm weekdays. We believe this may mitigate exposure for our children travelling to and from school and after school youth development programmes.

Objection 5: Amenity and good order - Section 105(1)(i)

The community is constantly exposed to the following:

1. Broken glass lying on the footpath, road and grass is common and is an injury risk to our tamariki and elderly, both pedestrian and those using mobility scooters.
2. Alcohol cans and other rubbish are scattered throughout the community but particularly on Merivale Community Centre grounds and surrounding areas, footpaths and roads.
3. There are occasions where customers exit the store opening their beer bottles and RTD cans once they step out the door regardless of our tamariki being around. This practice is clearly illegal in a permanent alcohol-free area.
4. We have observed and received reports of liquor store customers engaging in violent altercations outside the store with children unable to get past.

Also refer to the log of alcohol related harm attached for examples of the amenity and good order of the community breached.

Objection 6: Appropriate systems, staff, and training - Section 105(1)(j)

The licence condition 11 to have a security guard stationed at the entrance of the store on certain days appears to be just a staff member. We don't believe they have received training or adequate support to carry out that role. Despite that role being put in place, violence and behaviour issues have escalated since this licence was issued. See attached log of alcohol related harm for further details

Management and staff have been unprofessional and in some instances abusive to community members and we don't believe they have the proper staffing or training in place to be in a high risk environment of Merivale community.

Conclusion

We therefore request that the renewal of the off-licence is rejected. The community do not want an alcohol store here.

If the licence is renewed, we request that conditions be placed on this licence to mitigate harm to tamariki and rangatahi of our community and our community generally. The following conditions are requested:

1. That the applicant is responsible for the amenity and good order of the surrounding environment so that the community is safe from the effects of rubbish and broken glass on and around public walkways and access to schools and early childhood centres.
2. Reduced opening hours that alcohol is available to the community, which in turn is reducing exposure of children to alcohol
3. That the applicant ensures that the permanent alcohol-free area is actively promoted within the store and at the point of sale
4. That the security condition of the licence remains.

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

My contact details are:

manager@merivale.org.nz

07 578 6450

Ngā mihi nui,



Sophie Rapson

General Manager

Merivale Community Centre

Permanent alcohol-free area

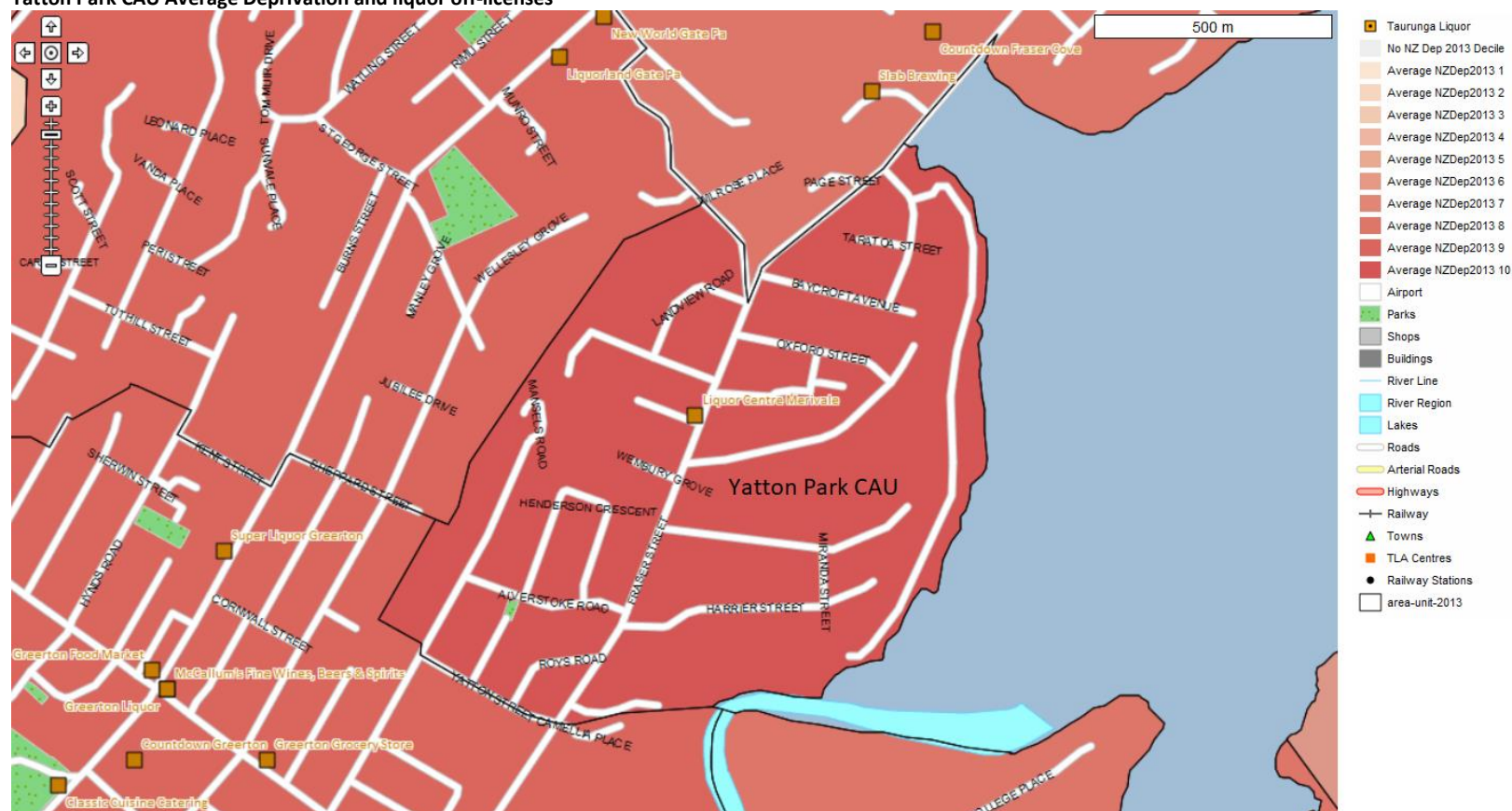


Liquor Centre Merivale and Surrounds**Key**

1. Merivale School
2. Tutarawananga Kōhanga Reo
3. Waiapu Kids Merivale Whānau Aroha Centre
4. Merivale Community Centre
5. Merivale Liquor Centre



Yatton Park CAU Average Deprivation and liquor off-licenses



The average New Zealand deprivation 2013 decile score for Yatton Park Census Area Unit is 10, the highest deprivation level.
 For more information see: http://www.healthspace.ac.nz/maps/maps_nz_dep_index.html

Average Rate of Wholly attributable hospitalisations 2007-2016

Public hospital discharges for conditions wholly attributable to alcohol use. These are conditions that are 100% caused by alcohol consumption and therefore does not include hospitalisations such as accidents, cancer and cardio vascular disease as alcohol may only be a contributing factor and not the only factor.

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New Zealand	121	120-123

Retrieved from: <http://healthspace.ac.nz/explorer/resources/listbytheme> on 6/08/2019

Merivale Community Centre Log of Alcohol Related Harm

This information was collected by Merivale Community Centre staff to illustrate the examples of what we see on a daily and weekly basis.

Friday 10 January 2020 – broken glass spread across the Merivale Community Centre driveway.



Monday 20 January 2020 9.30am – major incident

A community member came into the centre yelling and swearing, stormed into our kitchen and grabbed a frying pan. He was very angry and basically saying he was going to attack someone. As I knew the person, I told him to stay in the centre and my staff locked him inside to keep him out of trouble.

Outside there was an argument happening with a liquor store worker and another community member. I saw another liquor store worker walking away with a hockey stick.

I talked to the liquor store worker/manager and he said the community member had been trespassed and asked to leave three times but hadn't left. Another liquor store worker then came at him threatening him with the hockey stick and chased him out of the shop.

I told the liquor store workers they should be calling the police in this instance not threatening with hockey sticks.

They agreed and went back to the store.

A non-emergency police report has been made. The online reference number is OR-21889N

Monday 17 February 2020, approx. 9.45am – disclosure of information

Two teenage girls, one aged 15, one aged 16 disclosed to us that they drink and smoke cannabis with liquor store workers in the store/outside the store. The liquor store worker provides the alcohol to these two teenage girls. They also said they "get up to all sorts".

Wednesday 26 February 2020, approx. 12pm – disclosure of information

A member of the community disclosed to Merivale Community Centre staff that the manager of the Merivale Liquor Centre was involved in a motor vehicle accident in late 2019 causing injury while under the influence of alcohol. This speaks to suitability of the licence holders.

Thursday 21 May 2020, 9.00am – observation

Manager of Merivale Community Centre observed that two 16 year old girls were walking past the community centre just around the corner from Merivale Liquor Centre carrying a box of alcohol each. Their behaviour was elevated and appeared intoxicated. They were throwing rubbish and abuse.

Thursday 21 May 2020, 11.35am – observation

A community member notified us that they saw a 16 year old girl inside the Liquor Store without any guardians. She was standing at the counter and there was alcohol on the counter. A female Merivale Liquor Store worker was talking to the girl. She was not told to leave.

Thursday 4 June, 9.50am – complaint about store**Thursday 4 June 4.00pm – observation**

Three 15 year old boys came to the centre during our after school programme carrying Cody's cans, trying to enter the community centre while intoxicated. They disrupted our tamariki and were difficult to engage with and remove from the building/grounds.

Saturday 6 June 2020– video of fight between store workers and community

video-1594015382.mp4

Link to video via dropbox <https://www.dropbox.com/s/50rhqtnygo13yl4/video-1594015382.mp4?dl=0>

A video was sent to us by a young person, it depicts a group of residents fighting with the Merivale Liquor Centre owners and/or staff.

We were later told the following about the incident by one of our rangatahi:

A 15 year old boy “got cheeky and pulled the fingers” at the that a liquor store worker. The liquor store worker stomped/punched on this boys head.

One of the liquor store workers came out of the shop with a baseball bat, threatening community members.

The video is the aftermath of the liquor store workers not understanding this community, not having proper security in place or following proper processes.

This evidence speaks to the skills (or lack of) when dealing with intoxicated or angry community, not following proper process such as calling the police or having de-escalation skills.

Saturday 20 June 2020 – observation

A member of the community observed three or four 16 year old girls publicly drunk and abusing members of the public as they were entering shops within the Merivale shopping block.

Thursday 25 June 2020 – observation

We do a regular community clean up around the centre, we collected a bucket of alcohol cans and glass. The kids picked up a whole lot of broken glass on the grass outside of the community centre. This area is for the kids to play on, but we have had to stop that because of the amount of glass on the field.

Tuesday 7 July 2020 – observation

A member of our community (our kaumatua) raising the issue of alcohol bottles and cans around the community and a Merivale Liquor Centre worker was disrespectful when he raised it.

Thursday 12 November, approx. 8.30pm – incident

Following the conclusion of our Youth Night programme, myself and a Youth Worker witnessed a 12 year old girl very distressed and upset. I asked her what was wrong, she said Sam (a Liquor Store worker) hit on her, touched her. “He does it all the time” when she’s around the shops. Another intoxicated teenager was trying to defend the 12 year old and was trying to attack the liquor store workers.

After removing the 12 year old from the situation, I addressed a group of liquor store workers who were standing in the doorway of their store and told them to leave girls in the community alone, do not speak to them or touch them. I then walked away.

The Youth Worker and I were steering all the teenagers away from the shops to go home, helping them get past the liquor store safely. And then the Manager of Merivale Liquor Centre came up to us, invaded my personal space and began yelling at me, “leave my workers alone”. It felt very threatening in nature and I had to tell him to stop yelling and back up. He was very angry at me.

Then an adult woman, who was highly intoxicated told us she bought a box (of alcohol) for the teenage girl. She was stumbling, she was not sober enough to buy liquor legally and then proceeded to give it to a minor. She “does it all the time.” The teenagers (12-14 year olds) that were still at the shops told us that the lady buys for kids all the time.

I made a report to the police following the incident, online reporting number OR-114633N and reference number 201119/2531.

8 February 2021

Alcohol Licensing Team
Tauranga City Council
91 Willow Street
Tauranga 3143

Tēnā koe Sir/Madam,

Tūtawānanga Te Kōhanga Reo wish to object to the application from Gurnaaz Enterprises Limited for an off-licence in respect of premises situated at 407 Fraser St, Parkvale Tauranga 3112 known as Merivale Liquor Centre.

We have an interest in this application that is greater than the general public because we are an organisation based in the heart of Merivale and we work with local tamariki and their whānau. We provide learning for tamariki ages 0 – 6 years, in a total immersion te reo Māori environment. Our guiding philosophies encourage the participation of parents and their wider whānau, through whānau awhi (whānau attend with their tamariki and support the day-to-day routines) and monthly whānau hui. Tūtawānanga Te Kōhanga Reo is located approximately 800 metres via Fraser Street, to the Merivale Liquor Store, only a ten minute walk from the premises which is also located in Tauranga's only decile 10 community, supporting the only decile 1 school in Tauranga.

We object to the off-licence application on the following grounds:

Objection 1: Object of the Act - Section 105(1)(a)

According to the object of the Act, harm should be minimised and the sale of liquor should be done responsibly and safely. Renewing this licence will continue to cause alcohol related harm and continue irresponsible and unsafe practices related to the sale of liquor.

Merivale is made up of 840 households with 2,403 residents. 42% of the community are Māori and 13% are Pasifika. Although a small geographical area and community it has long-term, generational poverty and deprivation. It is among the most deprived 10 percent of New Zealand communities measuring 10 on the deprivation scale, supporting the only decile 1 school in Tauranga. The community faces:

- Low incomes, education attainment, NEET (Not in Education, Employment or Training) rate of 27.3%
- High levels of social housing, insecure housing and homelessness
- Limited access to transport, internet and devices
- High levels of family violence, drug and alcohol abuse and mental health concerns
- Exposure to gang violence and criminal activity

What this means

- Whānau are under constant stress, fighting to retain basic needs – food and shelter
- A community that is not reaching its potential, on an individual, whānau and community level

Alcohol related harm features highly in our community and whether directly or indirectly is the cause of crime, damage, death, disease, disorderly behaviour, illness and or injury as illustrated in the Average Rate of Wholly attributable hospitalisations 2007-2016 table attached.



Objection 2: Any relevant local alcohol policy - Section 105(1)(c)

The Local Alcohol policy goals are:

- To minimise alcohol-related harm in the western Bay of Plenty sub-region.
- To contribute to the western Bay of Plenty being a safe and healthy subregion.
- To reflect local communities' character, amenity, values, preferences and needs.
- To encourage licensed premises to foster positive, responsible drinking behaviour.

To remain consistent with the Local Alcohol Policy we should not allow off-licences within the Merivale community. Renewing the applicant's licence does not minimise harm, it contributes to the further deprivation of this community, destroys the amenity and doesn't foster responsible drinking behaviour.

Further the liquor store is in the centre of the Liquor Ban Zone. According to Tauranga City Council, the current Liquor Ban Zone was implemented during the 2010 review of the Bylaw. The report noted the Council had received a number of complaints regarding individuals and small groups drinking in this area. This behaviour still remains today, in fact it has continued to worsen.

The renewal of the applicant's licence does not support the local alcohol policy or uphold the intent of the liquor ban zone.

Objection 3: Amenity and good order - Section 105(1)(i)

Our whānau are exposed to the following:

1. Broken glass scattered across our carpark and driveway, which is an obvious injury risk, particularly to tamariki and pedestrians (please view attached photo evidence).
2. Alcohol cans and other rubbish e.g. discarded boxes / packaging, are scattered throughout our carpark area in full view of tamariki and whānau upon arrival (please view attached photo evidence).

We wish to point out that since Merivale School erected the fence that wraps around the public thoroughfare footpath (adjacent to the Whānau Aroha Centre), there has been significantly less glass, and rubbish around our Kōhanga Reo. We also no longer see the public who use this footpath, due to our locality (please view attached map of "Liquor Centre Merivale and Surrounds") and therefore any altercations that may occur.

Conclusion

We therefore request that the renewal of the off-licence is rejected. The community do not want an alcohol store here.

If the licence is renewed, we request that conditions be placed in this licence to mitigate harm to the tamariki of our community and our community generally. The following conditions are requested:

1. That the applicant is responsible for the amenity and good order of the surrounding environment so that the community is safe from the effects of rubbish and broken glass on and around public walkways and access to schools and early childhood centres.
2. That the applicant ensures that the permanent alcohol-free area is actively promoted within the store and at the point of sale

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

My contact details are:

whanau@k14a004.kohanga.ac.nz

0221262084

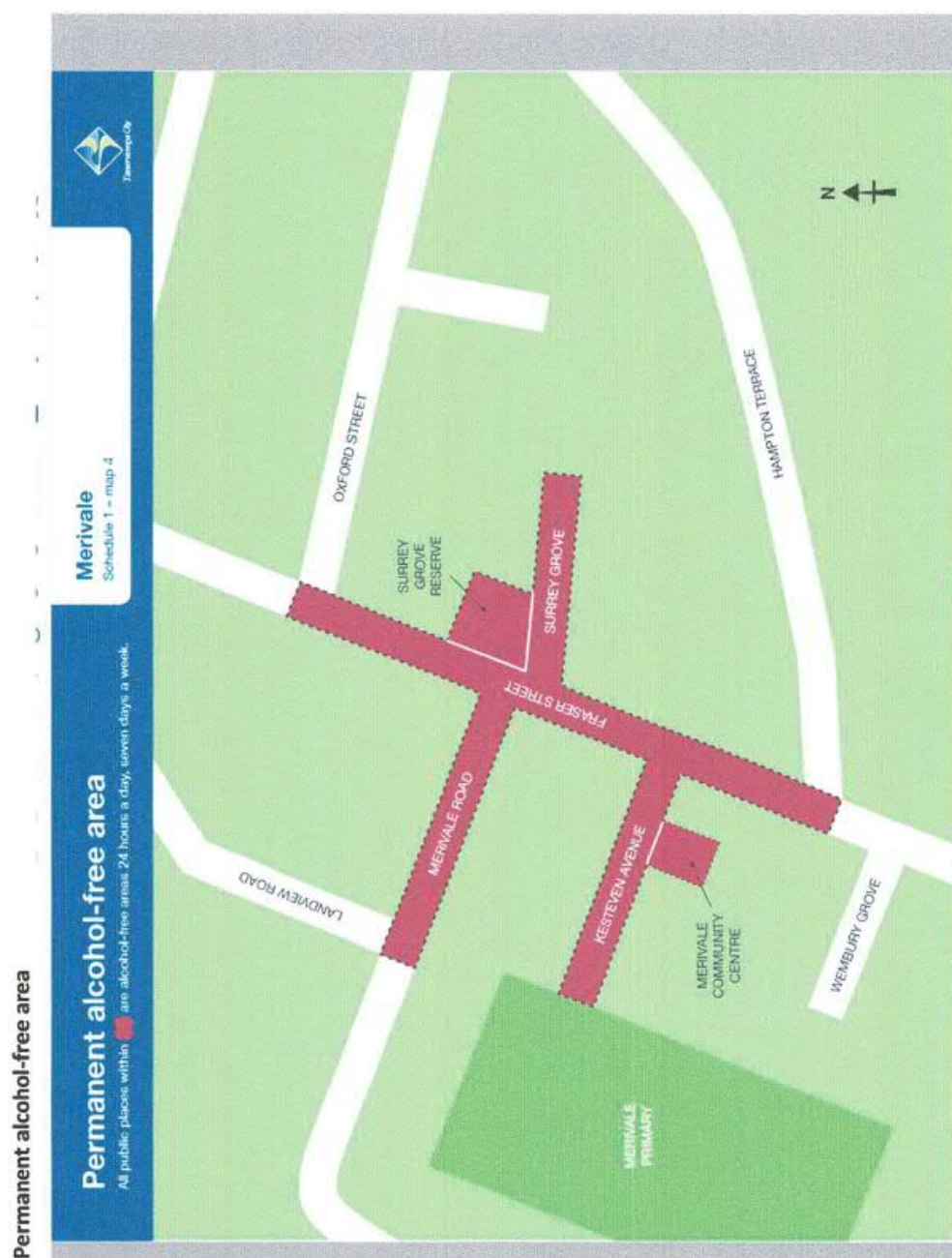
Ngā mihi nui,



Tiria Maunder

Kaiako Matua

Tūtawānanga Te Kōhanga Reo



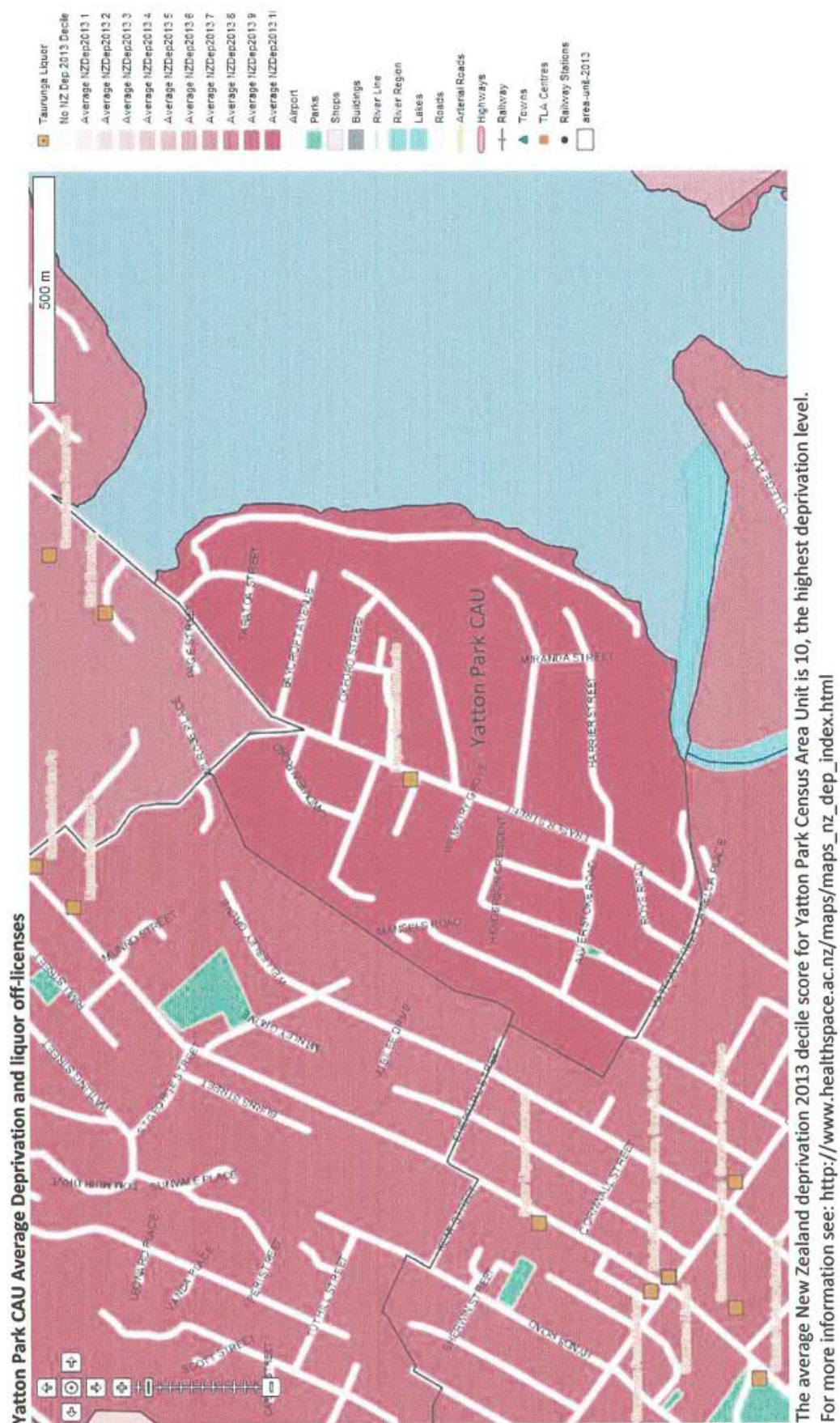
Accessed: Tauranga City Council 27 August 2019

Liquor Centre Merivale and Surrounds

Key

1. Merivale School
2. Tutarawananga Kōhanga Reo
3. Waiapu Kids Merivale Whānau Aroha Centre
4. Merivale Community Centre
5. Merivale Liquor Centre





Average Rate of Wholly attributable hospitalisations 2007-2016

Public hospital discharges for conditions wholly attributable to alcohol use. These are conditions that are 100% caused by alcohol consumption and therefore does not include hospitalisations such as accidents, cancer and cardio vascular disease as alcohol may only be a contributing factor and not the only factor.

The population of Yatton Park CAU experiences a greater rate of hospitalisations wholly attributable to alcohol than New Zealand and Tauranga City.

Area	Average Rate per 100,000 people 2007-2016	95% Confidence interval
Yatton Park CAU	202	143-279
Tauranga City	140	132-148
New Zealand	121	120-123

Retrieved from: <http://healthspace.ac.nz/explorer/resources/listbytheme> on 6/08/2019

Tūtarawānanga Te Kōhanga Reo photo evidence

These photos were all taken by Tiria Maunder (Kaiako Matua)



March 5, 2020; 840am

Wedged on the outside of the front gate.



July 13, 2020; 8.45am

Outside the front entrance (just in front of the carpark).





*July 17, 2020; 8.50am
Outside front fence (just in front of the carpark).*



*August 24, 2020; 9am
Outside front fence (just in front of the carpark).*

January 18, 2021; 9.30am

*Scattered across the carpark, was almost run over by a staff member's car.
(First day back for staff, for 2021).*



BEFORE THE DISTRICT LICENSING COMMITTEE

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

AND
IN THE MATTER of an Application by **Gurnaaz Enterprises Limited trading as Merivale Liquor Centre** under section 100 and 127(2) for the renewal on an off licence.

BRIEF OF EVIDENCE OF KERRY MORIARTY
ALCOHOL LICENSING INSPECTOR

My full name is Kerry Moriarty

1. I am a warranted Licensing Inspector for Tauranga City Council. My role is to enquire, assess, monitor, and make recommendations for alcohol licensing and managers certificate applications made under the Sale and Supply of Alcohol Act 2012 and its amendments. I have held this position since March 2020.
2. An application was received from Gurnaaz Enterprises Limited on the 8th January 2021 for a renewal of an off licence for a bottle shop for Merivale Liquor Centre situated at 405 Fraser Street, Parkvale.
3. This is the first renewal application submitted by Gurnaaz Enterprises Limited. The applicant does seek changes to the current licence, by variation to remove condition 11 from the current licence.
4. I submitted my report to the District Licensing Committee on the 15th July 2021 in relation to this application. I am in opposition of the variation requested on this renewal application on the basis of concerns relating to the amenity and good order of the locality.

5. The locality is known as a high deprivation area, with Tauranga's only decile 1 school. It is a low socio-economic neighbourhood, which has a permanent liquor ban in the shopping area and surrounding streets including Surrey Grove Reserve and the Merivale Community Centre.
6. The current condition 11 was imposed to help the applicant achieve the object of the act and ensure amenity and good order in the locality. Having a security guard present during peak trading hours can only further improve the safety of the community and the staff of the premises.
7. Through an OIA to the New Zealand Police I have gained information relating to the premises (appendix A), this information shows dates and times police were called to duty at the premises, and times police were contacted regarding the premises. All but one [1] of these instances occurred while a security guard was not stationed at the premises.
8. On request the applicant has provided me with the training records for the staff (appendix B), Although training is frequently undertaken, there is no specific training for staff in security of the premises.
9. The applicant has stated in her application the reason for removing this condition is that there are enough staff working during these peak trading hours that a security guard is not needed.
10. I believe the applicant has failed to show how the staff will take on the responsibility of security to ensure the safety of customers and staff.
11. It is my opinion the current licence condition to have a security guard stationed at the entrance of the premises during peak trading hours is helping the applicant achieve the object of the act, and contributes to reducing alcohol related harm in the locality.

That is my Evidence.

Appendix A:

From: IR.Central <IR.Central@police.govt.nz>
 Sent: Friday, 21 May 2021 9:15 AM
 To: Kerry Moriarty <Kerry.Moriarty@tauranga.govt.nz>
 Cc: ROSER, Daniel (Dan) <Daniel.Roser@police.govt.nz>
 Subject: FW: MORIARTY_KERRY 01-21-12764 OIA request from New Zealand Police online form

CAUTION: External Email.

Hi Kerry

Request for information

Thank you for your request dated 20 April 2021 requesting information on Police Reference number: IR01-21-12764. You requested:

I am requesting information regarding incidents the police have responded to at/ about Merivale Liquor Centre at 407 Fraser St, Tauranga, the time frame is from 4/2/20 to today. I have 2 reference numbers: OR-21889N, OR-114633N/ 201119/2531. Any additional information you could provide will be helpful
 Police reference number: 201119/2531

Your request has been considered in accordance with the Official Information Act 1982, and if applicable the Privacy Act 2020.

We can advise there have been six case files generated relating to the Liquor Store since February 2020, as follows:

- 30 January 2021, event 210130/4650, shoplifting (13:31)
- 22 November 2021, event 201122/1694, shoplifting and assault (15:35)
- 12 November 2020, event 201119/2531, Information received (17:16)
- 21 August 2020, event 200824/8757, disorderly behaviour (17:53)
- 5 June 2020, event 200608/5354, fighting and assault (14:40)
- 20 June 2020, event 200522/0368, liquor licensing vetting (11:34)

In addition to the above occurrences, Police have also received telephone calls in relation to the address as follows:

- 7 June 2020, Reports of fighting outside the premises (11:05, 11:17 and 11:22)
- 8 June 2020, 13 July and 5 August, calls for advice (11:20, 12:51 and 15:00)
- 29 September and 30 September, beggars outside the store (13:38 and 11:29)
- 11 December 2020, impaired customer (19:55)
- 4 December, wanted male (22:15)

Every endeavour has been made to release the information requested, however some information has been withheld for the following reasons:

- Section 9(2)(a) - to protect the privacy of persons, and,
- Section 6(c) - information may prejudice the maintenance of the law including the prevention, investigation, and detection of offences, and the right to a fair trial.

You have the right to ask the Ombudsman to review our decision if you are not satisfied with Police's response to your request.

Your request has now been closed, should you wish to receive further information from Police we encourage the use of our on-line portal <https://www.police.govt.nz/advice-services/request-information>, however if you need to contact the Information Request Team or send a manual request we have a new email address IR.Central@Police.govt.nz

Yours sincerely

Jackie Sheehan-Wanhill
 Information Request Officer – Central Region
 (Bay of Plenty District Headquarters, Service Delivery)
IR.Central@Police.govt.nz

TRUSTED POLICING SERVICES - ANYWHERE, ANYTIME



-----Original Message-----

From: Online Forms - New Zealand Police <noreply@police.co.nz>
 Sent: Tuesday, 20 April 2021 7:44 AM
 To: IR.Central <IR.Central@police.govt.nz>
 Subject: MORIARTY_KERRY 01-21-12764 OIA request from New Zealand Police online form

Submitted on Tuesday, 20 April, 2021 - 07:44 Submitted by user: Anonymous Submitted values are:

District or Police National Headquarters (PNHQ): Bay of Plenty (including Tauranga / Rotorua / Taupo)

First Name: Kerry

Middle Name(s): Megan

Family Name: Moriarty

Email: kerry.moriarty@tauranga.govt.nz

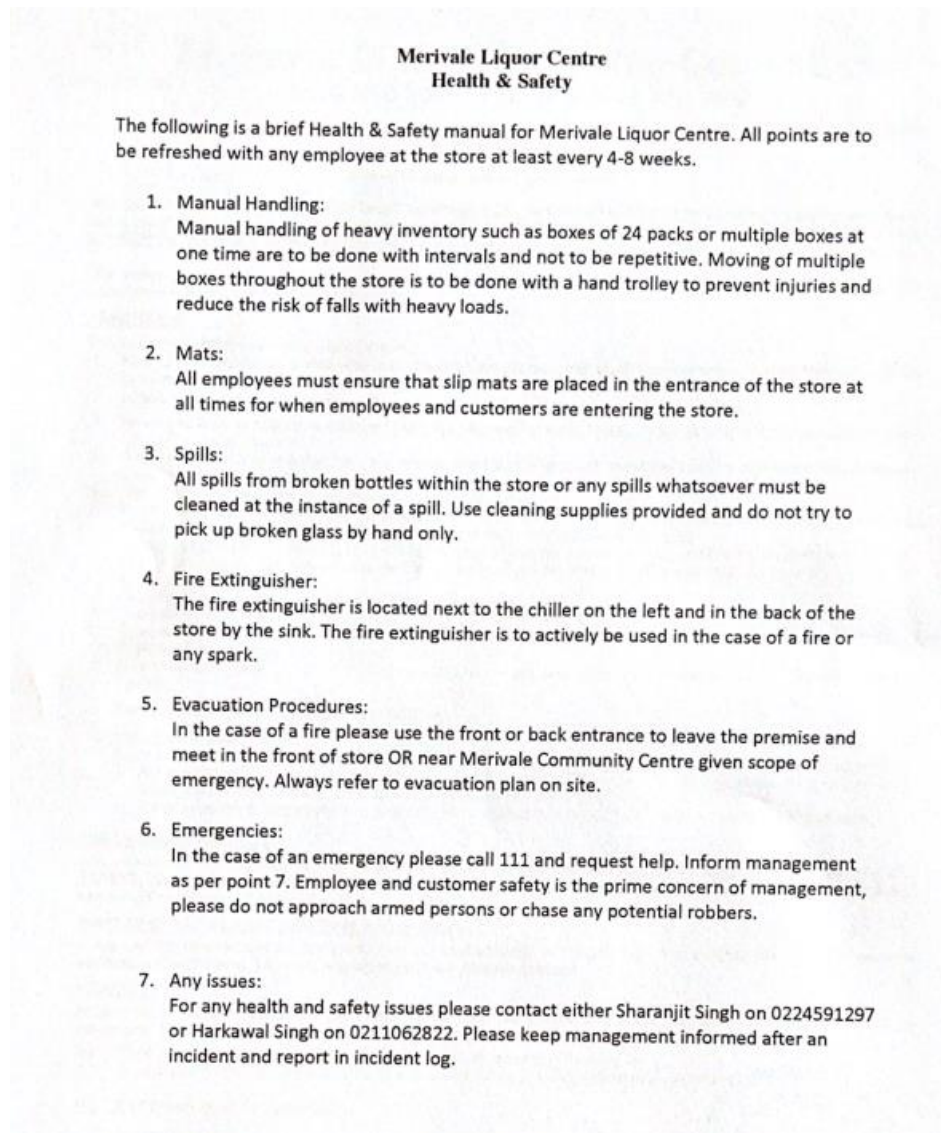
Contact Phone Number (daytime): 0272688141

==Information you are requesting==

What information do you require?

I am requesting information regarding incidents the police have responded to at/ about Merivale Liquor Centre at 407 Fraser St, Tauranga, the time frame is from 4/2/20 to today. I have 2 reference numbers: OR-21889N, OR-114633N/ 201119/2531. Any additional information you could provide will be helpful
 Police reference number: 201119/2531

Appendix B:



**BEFORE THE TAURANGA DISTRICT LICENSING
COMMITTEE**

IN THE MATTER

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

AND

IN THE MATTER

of an application

by **Gurnaaz Enterprises
Limited**

pursuant to s120 & 127 of the
Act for the renewal and
variation of an OFF Licence
for premises situated at 405
Fraser Street, Parkvale
known as **Merivale Liquor
Centre.**

Evidence of Daniel ROSER for
The New Zealand Police

- [1] My full name is Daniel Edward ROSER.

- [2] I am a Police Sergeant currently stationed at the Tauranga Police Station in Tauranga.

- [3] I am currently appointed as the Alcohol Harm Prevention Co-ordinator for the Western Bay of Plenty Police Area.

- [4] My duties include the monitoring and enforcement of the laws in relation to the Sale and Supply of Alcohol Act 2012. (the "Act"); and the enquiry into licence applications, including renewals.



[5] Gurnaaz Enterprises Limited applies for the renewal and variation of an OFF Licence for premises situated at 405 Fraser Street, Parkvale known as Merivale Liquor Centre.

[6] The current licence number being 21/OFF/24553/2019, with expiration date 04 February 2021.

[7] The applicant seeks the removal of condition 11 which states:

A Security guard shall be stationed at the entrance to the premises when open for business on the following days and hours; Thursday to Saturday 5:00pm to 10:00pm

[8] Police are opposed to the removal of the condition.

[9] Alcohol and cigarettes are desirable commodities.

[10] Offenders use a variety of tactics to enable the theft of these items.

[11] These range from the extreme end involving ram raid burglaries and armed robbery to low end snatch, grab and run thefts.

[12] Police employ a Prevention first operating model which involves aspects of crime prevention through environmental design and the use of deterrents amongst others.

[13] Security guards provide a level of crime deterrent and thus prevention.

[14] Preventable crime comes at a considerable cost to Police resources.

[15] I compiled a list of offences on OFF licenced premises for the date range 01/01/2019 to 05/02/2020.

[16] This totalled 253 offences, covering a range in crimes types such as theft, intimidation, burglary, destruction of property, assaults, and robbery.



[17] It is accepted that not all these offences could have been prevented by the presence of a security guard, but I suggest many may have been.

[18] The following text are examples of some crime reports from OFF licenced premises.

This file relates to a robbery that occurred at The Bottle O Fraser Cove on Monday the 1st of February 2021 at approximately 2130 Hrs.

The offending, which appears opportunistic in nature, involved two unknown males arriving at the store in a ***** with registration *****.

The passenger in that vehicle has entered the store intoxicated and when the store attendant has denied service he has become violent.

The offending male has assaulted the shop attendant as he tried to escort him from the store, throwing punches that struck the attendant around the head and face.

After the assault the offending male has continued to yell threats at the victim whilst helping himself behind the counter of the store, taking several packets of cigarettes, some alcohol, and misc items from the counter top before leaving.

On Monday 01 February 2021 at about 9:28pm the Defendant ***** has arrived at the Bottle O, Fraser Cove, TAURANGA.

The Defendant arrived at the store as the passenger in a blue **** vehicle.

The driver of that vehicle did not know the Defendant prior to this evening and had picked him up walking along Turret Road to give him a ride home minutes earlier.

The Victim in the matter is the manager and sole staff member working at The Bottle O store.

Circumstances

The Defendant entered the store and approached the service counter.

The Victim declined the Defendant service due to his level of intoxication and asked him to leave the store.

The Defendant refused, leaving only after the Victim came around the counter and ushered him out the door.

Once outside the store the Defendant has sworn at the Victim threatening to "F*** him up."

The Victim, fearful of the Defendant's aggression, has retreated into the store and said that he was calling the Police.



The Defendant has re-entered the store and thrown a punch, striking the Victim's head.

The Victim has continued to back away as the Defendant advanced on him throwing two more punches that struck the Victim in the head and chest whilst repeating his threat several times to "F*** up" the Victim.

The driver of the *****, who had been waiting outside, has entered the store and tried to calm the situation, attempting to usher the Defendant out the front door.

The Defendant has ignored him, swearing at the Victim and advancing on him again, threatening to "smash" him.

The Defendant has again followed the Victim around the store, striking him twice in the head with blows from his right hand.

The Victim has fled out of the store to call the Police.

The Defendant has moved behind the counter and forced a drawer under the counter where the cigarettes are stored.

He has grabbed several packets of cigarettes and packets of beef jerky from the counter.

The Victim has yelled at him to stop.

The Defendant has sworn at him again saying, "I'll F*** you up."

He has then left the store with an armful of cigarettes and beef jerky.

CIRCUMSTANCES

At about 5:00 p.m. on Wednesday the 9th of December 2020, the Defendant ***** was at Merchants Liquor, Bethlehem.

He entered the store wearing a red bandana which concealed the bottom half of his face.

The Defendant walked to the chiller room and picked up two boxes of alcohol from the shelf.

He walked out of the chiller and towards the main entrance, making no attempt to pay for the alcohol he was holding.

The manager working at the store challenged him by saying "oi".

The Defendant said, "I am the mongrel mob, so I am taking it".

He exited the store with the two boxes of alcohol.

The alcohol is the property of Merchants liquor and valued at \$***

At about 3:30 p.m. on Saturday the 13th of February 2021, the Defendant ***** was at Merchants Liquor, BETHLEHEM.

He entered the store and walked into the chiller room.

The Defendant picked up two boxes of alcohol from the shelf.

He walked towards the main entrance, making no attempt to pay for the alcohol he was holding.

The victim said to the Defendant, "oi you can't do that" as he got closer to the main entrance.

The Defendant said to the victim, "I'm the mob, I'm going to f*****g kill you".

He exited the store with the two boxes of alcohol.

The alcohol is the property of Merchants liquor and valued at \$****

At about 7:30 p.m. on Saturday the 20th of February 2021, the Defendant ***** was at The Merchants Liquor, Bethlehem.

He entered the store and walked to the chiller room.

The Defendant picked up two boxes of alcohol from the shelf and walked back towards the main entrance of the store.

The victim stood in front of the Defendant to tell him to stop.

When the Defendant got within about two metres of the victim, he said to her, "b%#ch move or I'll knock you out".

The victim pushed the Defendant out of fear as he continued to walk towards her.

After the Defendant was pushed, he exited the store with the two boxes of alcohol.

The alcohol is the property of Merchants liquor and valued at \$****.

**** EVENT DETAILS **** 210130/4650

Type: Theft - Ex Shop (4320)

Event Occurred: 30/01/2021 at 13:31

Narrative: Between the reported times an unknown male has shoplifted from Merivale Liquor centre.

They have entered the store by walking through the main entrance.

Whilst in the store they have taken 2 x boxes of 18 woodstock cans approx value \$70.00

Described as :

They have then left by walking out the front door and decamping in a vehicle where a female was waiting.

.....
201122/1694

Circumstances

On Sunday, 22 November 2020 at approximately 5:35 p.m. the Defendant, ***** was at the Merivale Liquor Store, Tauranga with a female associate.

Both females walked around the store discussing what alcohol they wanted.

The Defendant approached the Victim standing at the counter and asked if she could purchase a bottle of Jim Beam which was kept behind the counter.

He placed the bottle of Jim Beam on the counter and both females continued looking around the store.

The Defendant opened the fridge and picked up a pack of four Cody's and her associate picked up a bottle of Patron and Hennessy.

The pair walked up to the counter and the Victim thought they were going to pay for the items.

The Defendant picked up the bottle of Jim Beam off the counter and the pair ran out of the store making no attempt to pay for the goods.

The Victim chased them and begged them to give the items back.

He grabbed the Defendant by the wrist, and she struck him over the head with the bottle of Jim Beam.

The female associate also struck the Victim in the back of the head with the bottle of Patron before running away.



The bottle of Jim Beam, Hennessy and Cody's were recovered; however, the bottle of Patron was not.

Injuries

The Victim received a laceration to his cheek and swelling to his head which has caused him severe headaches.

[19] The application for removal of the security guard condition is therefore opposed.

[20] That is my evidence.



Sergeant D. ROSER
Tauranga Police
9-8-21

200126/4670	24/12/2019	17:30	KATIKATI	Commercial - Li	112 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	SERIOUS A	ASSAULTS BY MALE ON FEMALE
210109/3167	09/01/2021	17:17	KATIKATI	Commercial - Li	112 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	TRESPASS	OFFENCES UNDER TRESPASS ACT
190503/7232	01/05/2019	16:40	TAURANGA	Commercial - Li	12 WHARF STREET, TAURANGA, TAURANGA CITY 3110	FRAUD	CREDIT BY FRAUD
201122/1198	22/11/2020	14:30	TAURANGA	Commercial - Li	12 WHARF STREET, TAURANGA, TAURANGA CITY 3110	ROBBERY	AGGRAVATED ROBBERY
200801/4561	01/08/2020	03:17	TE PUKE	Commercial - Li	120 JELLCOE STREET, TE PUKE, WESTERN BAY OF PLENTY DISTRICT 3119	DESTRUCT	WILFUL DAMAGE
200312/7709	11/03/2020	10:00	TE PUKE	Commercial - Li	120 JELLCOE STREET, TE PUKE, WESTERN BAY OF PLENTY DISTRICT 3119	DISORDER	BEHAVIOUR OFFENCES
200115/6104	15/01/2020	14:10	TE PUKE	Commercial - Li	120 JELLCOE STREET, TE PUKE, WESTERN BAY OF PLENTY DISTRICT 3119	SERIOUS A	ASSAULTS WITH INTENT TO INJURE
191113/9665	13/11/2019	14:18	TE PUKE	Commercial - Li	120 JELLCOE STREET, TE PUKE, WESTERN BAY OF PLENTY DISTRICT 3119	THEFT	THEFT EX SHOP (NO DRUGS)
190122/1730	12/01/2019	12:00	TAURANGA	Commercial - Li	15 MINDEN ROAD, MINDEN, WESTERN BAY OF PLENTY DISTRICT 3176	FRAUD	FALSE PRETENCES BY CREDIT/BANK CARDS
190122/1730	12/01/2019	12:00	TAURANGA	Commercial - Li	15 MINDEN ROAD, MINDEN, WESTERN BAY OF PLENTY DISTRICT 3176	THEFT	GENERAL THEFTS (NO DRUGS)
190907/9467	06/09/2019	22:00	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	BURGLARY	BURGLARY (OTHER PROPERTY)
190602/2368	02/06/2019	00:55	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	DESTRUCT	WILFUL DAMAGE
200601/0616	24/05/2020	00:43	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	DESTRUCT	WILFUL DAMAGE
200901/7121	27/08/2020	16:00	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	FRAUD	MISCELLANEOUS FRAUDS
190602/2368	02/06/2019	00:55	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	GRIEVOUS	INJURING WITH INTENT
200601/0616	24/05/2020	00:43	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	GRIEVOUS	ASSAULT WITH WEAPON (C ACT S 202C)
200713/2436	11/07/2020	21:00	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	GRIEVOUS	WOUNDING WITH INTENT
200601/0616	24/05/2020	00:43	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	INTIMIDAT	OFFENSIVE WEAPON POSSESSION ETC
200713/2436	11/07/2020	21:00	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	INTIMIDAT	THREATENS TO KILL/DO GBH
200904/5606	22/09/2020	13:00	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	NON-TRAFF	NON-TRAFFIC INFRINGEMENTS AND OFFENCES
201013/6353	22/09/2020	13:00	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	NON-TRAFF	NON-TRAFFIC INFRINGEMENTS AND OFFENCES
190510/0465	09/05/2019	00:45	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	SERIOUS A	MISCELLANEOUS COMMON ASSAULT(CR ACT)
190106/7177	06/01/2019	14:43	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
190413/6131	11/04/2019	15:00	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	THEFT	THEFT EX CAR
190502/4574	02/05/2019	19:00	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	THEFT	THEFT EX CAR
190711/9591	11/07/2019	00:30	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	THEFT	GENERAL THEFTS (NO DRUGS)
190909/6321	08/09/2019	17:00	MOUNT MAUNGANUI	Commercial - Li	15 OWENS PLACE, MOUNT MAUNGANUI, TAURANGA CITY 3116	THEFT	GENERAL THEFTS (NO DRUGS)
200124/7833	22/01/2020	17:55	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	DISORDER	OBSTRUCTING/HINDERING/RESISTING
200124/7833	22/01/2020	17:55	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	DISORDER	BEHAVIOUR OFFENCES
200207/8164	01/02/2020	19:30	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	FRAUD	CREDIT BY FRAUD
200124/7833	22/01/2020	17:55	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	SERIOUS A	ASSAULTS POLICE (CRIMES ACT)
190104/2394	04/01/2019	13:00	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
190221/6644	19/02/2019	03:00	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	THEFT	GENERAL THEFTS (NO DRUGS)
190521/6553	20/05/2019	14:26	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
190909/5117	09/09/2019	12:05	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
191118/6784	28/10/2019	10:05	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
191116/0589	16/11/2019	20:40	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	THEFT	THEFT EX CAR
191224/1555	24/12/2019	20:00	TAURANGA SOUTH	Commercial - Li	150 OHAUITI ROAD, HAIRINI, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
201206/8999	06/12/2020	14:45	TE PUKE	Commercial - Li	155 JELLCOE STREET, TE PUKE, WESTERN BAY OF PLENTY DISTRICT 3119	THEFT	THEFT EX SHOP (NO DRUGS)
200130/8969	22/01/2020	20:00	TE PUKE	Commercial - Li	161 JELLCOE STREET, TE PUKE, WESTERN BAY OF PLENTY DISTRICT 3119	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
200612/1194	12/06/2020	21:00	TE PUKE	Commercial - Li	161 JELLCOE STREET, TE PUKE, WESTERN BAY OF PLENTY DISTRICT 3119	THEFT	GENERAL THEFTS (NO DRUGS)
210101/6907	31/12/2020	21:00	TAURANGA	Commercial - Li	168 OMOKOROA ROAD, OMOKOROA, WESTERN BAY OF PLENTY DISTRICT 3114	BURGLARY	BURGLARY (OTHER PROPERTY)
210102/9715	01/01/2021	23:00	TAURANGA	Commercial - Li	168 OMOKOROA ROAD, OMOKOROA, WESTERN BAY OF PLENTY DISTRICT 3114	BURGLARY	BURGLARY (OTHER PROPERTY)
210104/4540	03/01/2021	22:00	TAURANGA	Commercial - Li	168 OMOKOROA ROAD, OMOKOROA, WESTERN BAY OF PLENTY DISTRICT 3114	BURGLARY	BURGLARY (OTHER PROPERTY)

210108/8188	07/01/2021	21:00	TAURANGA	Commercial - Li	168 OMOKOROA ROAD, OMOKOROA, WESTERN BAY OF PLENTY DISTRICT 3114	BURGLARY	BURGLARY (OTHER PROPERTY)
190530/3788	24/05/2019	03:00	TAURANGA	Commercial - Li	168 OMOKOROA ROAD, OMOKOROA, WESTERN BAY OF PLENTY DISTRICT 3114	DESTRUCT	WILFUL DAMAGE
191022/0548	19/10/2019	19:13	TAURANGA	Commercial - Li	168 OMOKOROA ROAD, OMOKOROA, WESTERN BAY OF PLENTY DISTRICT 3114	SERIOUS A	MISCELLANEOUS COMMON ASSAULT(CR ACT)
190902/3297	02/09/2019	12:45	TAURANGA	Commercial - Li	168 OMOKOROA ROAD, OMOKOROA, WESTERN BAY OF PLENTY DISTRICT 3114	THEFT	THEFT EX SHOP (NO DRUGS)
190609/4492	09/06/2019	13:28	TAURANGA	Commercial - Li	17 MINDEN ROAD, MINDEN, WESTERN BAY OF PLENTY DISTRICT 3176	THEFT	THEFT EX SHOP (NO DRUGS)
190801/8351	01/08/2019	14:25	TAURANGA	Commercial - Li	17 MINDEN ROAD, MINDEN, WESTERN BAY OF PLENTY DISTRICT 3176	THEFT	THEFT EX SHOP (NO DRUGS)
191228/1081	28/12/2019	12:15	TAURANGA	Commercial - Li	17 MINDEN ROAD, MINDEN, WESTERN BAY OF PLENTY DISTRICT 3176	THEFT	THEFT EX SHOP (NO DRUGS)
200130/0520	30/01/2020	14:50	TAURANGA	Commercial - Li	17 MINDEN ROAD, MINDEN, WESTERN BAY OF PLENTY DISTRICT 3176	THEFT	THEFT EX SHOP (NO DRUGS)
200410/8912	10/04/2020	09:18	TAURANGA	Commercial - Li	170 OMOKOROA ROAD, OMOKOROA, WESTERN BAY OF PLENTY DISTRICT 3114	INTIMIDATI	OFFENSIVE WEAPON POSSESSION ETC
190711/9447	07/07/2019	22:00	MOUNT MAUNGANUI	Commercial - Li	2 RATA STREET, MOUNT MAUNGANUI, TAURANGA CITY 3116	DESTRUCT	WILFUL DAMAGE
200622/0709	19/06/2020	16:00	MOUNT MAUNGANUI	Commercial - Li	2 RATA STREET, MOUNT MAUNGANUI, TAURANGA CITY 3116	DESTRUCT	WILFUL DAMAGE
190711/9447	07/07/2019	22:00	MOUNT MAUNGANUI	Commercial - Li	2 RATA STREET, MOUNT MAUNGANUI, TAURANGA CITY 3116	INTIMIDATI	THREATENING BEHAVIOUR/LANGUAGE
190711/9447	07/07/2019	22:00	MOUNT MAUNGANUI	Commercial - Li	2 RATA STREET, MOUNT MAUNGANUI, TAURANGA CITY 3116	INTIMIDATI	THREATENING BEHAVIOUR/LANGUAGE
200116/6258	26/09/2019	23:50	MOUNT MAUNGANUI	Commercial - Li	2 RATA STREET, MOUNT MAUNGANUI, TAURANGA CITY 3116	MINOR ASS	COMMON ASSAULT
190222/8600	14/02/2019	22:30	MOUNT MAUNGANUI	Commercial - Li	2 RATA STREET, MOUNT MAUNGANUI, TAURANGA CITY 3116	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
200128/1544	26/01/2020	17:26	MOUNT MAUNGANUI	Commercial - Li	2 RATA STREET, MOUNT MAUNGANUI, TAURANGA CITY 3116	TRESPASS	MISCELLANEOUS TRESPASS OFFENCES
200911/9685	10/09/2020	21:00	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	BURGLARY	BURGLARY (OTHER PROPERTY)
190110/1536	07/01/2019	17:30	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	DESTRUCT	WILFUL DAMAGE
200207/0563	07/02/2020	17:48	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	FRAUD	FALSE PRETENCES BY CREDIT/BANK CARDS
191030/6427	26/10/2019	21:00	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	MINOR ASS	COMMON ASSAULT
210101/6249	01/01/2021	01:55	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	RECEIVING	RECEIVING/POSSESSING STOLEN GOODS
190608/2227	04/05/2019	18:00	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	SERIOUS A	MISCELLANEOUS COMMON ASSAULT(CR ACT)
190808/8579	07/08/2019	22:36	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	SERIOUS A	SERIOUS ASSAULTS
191127/9503	23/11/2019	22:34	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	SERIOUS A	MISCELLANEOUS COMMON ASSAULT(CR ACT)
200622/2311	19/06/2020	22:00	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	SERIOUS A	AGGRAVATED ASSAULTS
210103/1238	31/12/2020	22:00	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	SEXUAL AT	SEXUAL VIOLATION
190112/8847	01/01/2019	01:20	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT EX CAR
190423/6095	20/04/2019	22:30	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
190625/8616	25/06/2019	08:00	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	GENERAL THEFTS (NO DRUGS)
191127/9503	23/11/2019	22:34	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT EX PERSON (NO DRUGS)
191202/6630	23/11/2019	22:34	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT EX PERSON (NO DRUGS)
200913/5102	12/09/2020	21:30	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT EX CAR
201226/9106	25/12/2020	09:50	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
210106/3577	31/12/2020	23:00	PAPAMOA	Commercial - Li	20 DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
190811/8670	10/08/2019	11:59	TAURANGA SOUTH	Commercial - Li	250 WELCOME BAY ROAD, WELCOME BAY, TAURANGA CITY	BURGLARY	BURGLARY (OTHER PROPERTY)
210205/3455	05/02/2021	04:00	TAURANGA SOUTH	Commercial - Li	250 WELCOME BAY ROAD, WELCOME BAY, TAURANGA CITY	DESTRUCT	WILFUL DAMAGE
190717/9824	17/07/2019	21:55	TAURANGA SOUTH	Commercial - Li	250 WELCOME BAY ROAD, WELCOME BAY, TAURANGA CITY	THEFT	GENERAL THEFTS (NO DRUGS)
200306/3571	05/03/2020	15:24	TAURANGA SOUTH	Commercial - Li	250 WELCOME BAY ROAD, WELCOME BAY, TAURANGA CITY 3112	RECEIVING	RECEIVING/POSSESSING STOLEN GOODS
191231/0159	30/12/2019	20:15	TAURANGA SOUTH	Commercial - Li	250 WELCOME BAY ROAD, WELCOME BAY, TAURANGA CITY 3112	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
190809/4111	08/08/2019	17:40	TAURANGA	Commercial - Li	265 OTUMOETAI ROAD, OTUMOETAI, TAURANGA CITY 3110	DISORDER	LANGUAGE OFFENCES
191014/4961	29/09/2019	16:14	TAURANGA	Commercial - Li	265 OTUMOETAI ROAD, OTUMOETAI, TAURANGA CITY 3110	INTIMIDATI	THREATENING BEHAVIOUR/LANGUAGE
190131/5611	30/01/2019	18:30	TAURANGA	Commercial - Li	265 OTUMOETAI ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT	THEFT EX CAR
190620/1570	19/06/2019	15:26	TAURANGA	Commercial - Li	265 OTUMOETAI ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT	GENERAL THEFTS (NO DRUGS)
191127/8835	27/11/2019	10:06	MOUNT MAUNGANUI	Commercial - Li	290 MAUNGANUI ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	THEFT	THEFT EX SHOP (NO DRUGS)

201202/5789	27/11/2020	23:45	MOUNT MAUNGANUI	Commercial - Li 3 RATA STREET, MOUNT MAUNGANUI, TAURANGA CITY 3116	DESTRUCT	WILFUL DAMAGE
201229/6329	01/12/2020	08:30	MOUNT MAUNGANUI	Commercial - Li 3 RATA STREET, MOUNT MAUNGANUI, TAURANGA CITY 3116	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
200712/6530	11/07/2020	20:21	PAPAMOA	Commercial - Li 30B DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	ALCOHOL C	LICENCEE/MANAGER ALCOHOL OFFENCES
201030/3394	30/10/2020	12:38	PAPAMOA	Commercial - Li 30B DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	NON-TRAFF	NON-TRAFFIC INFRINGEMENTS AND OFFENCES
200220/9066	20/02/2020	18:15	PAPAMOA	Commercial - Li 30B DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT EX SHOP (NO DRUGS)
200710/1660	28/06/2020	15:25	PAPAMOA	Commercial - Li 30B DOMAIN ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT EX SHOP (NO DRUGS)
201224/3547	24/12/2020	00:42	TAURANGA	Commercial - Li 35 KOROMIKO STREET, JUDEA, TAURANGA CITY 3110	FRAUD	MISCELLANEOUS FRAUDS
190502/3867	01/05/2019	21:33	TAURANGA	Commercial - Li 35 KOROMIKO STREET, JUDEA, TAURANGA CITY 3110	THEFT	GENERAL THEFTS (NO DRUGS)
191022/9861	21/10/2019	23:45	TAURANGA	Commercial - Li 35 KOROMIKO STREET, JUDEA, TAURANGA CITY 3110	THEFT	GENERAL THEFTS (NO DRUGS)
201218/4372	18/12/2020	18:00	TAURANGA	Commercial - Li 36 CHERRYWOOD DRIVE, OTUMOETAI, TAURANGA CITY 3110	ALCOHOL C	LICENCEE/MANAGER ALCOHOL OFFENCES
190311/8453	11/03/2019	17:51	TAURANGA	Commercial - Li 36 CHERRYWOOD DRIVE, OTUMOETAI, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
210103/1817	03/01/2021	11:55	TAURANGA	Commercial - Li 36 CHERRYWOOD DRIVE, OTUMOETAI, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
200325/2983	24/03/2020	22:15	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	BURGLARY	BURGLARY (OTHER PROPERTY)
200420/5163	18/04/2020	18:00	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	BURGLARY	BURGLARY (OTHER PROPERTY)
201014/8877	13/10/2020	09:45	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	INTIMIDATI	THREATENING BEHAVIOUR/LANGUAGE
200913/6710	12/09/2020	21:34	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	MINOR ASS	MISCELLANEOUS COMMON ASSAULT
190623/0123	23/06/2019	14:53	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
191002/5425	02/10/2019	18:15	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
191206/4724	06/12/2019	19:55	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
200202/0102	01/02/2020	20:50	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
200717/6429	17/07/2020	17:11	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
200913/6710	12/09/2020	21:34	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
201029/0367	29/10/2020	13:02	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	THEFT	GENERAL THEFTS (NO DRUGS)
201218/4361	13/12/2020	18:45	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
210102/0346	02/01/2021	20:29	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	THEFT	THEFT EX SHOP (NO DRUGS)
210113/7925	13/01/2021	17:00	TAURANGA	Commercial - Li 395 CAMERON ROAD, TAURANGA, TAURANGA CITY 3110	TRESPASS	OFFENCES UNDER TRESPASS ACT
210112/0993	11/01/2021	20:15	MOUNT MAUNGANUI	Commercial - Li 399 OCEANBEACH ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	BURGLARY	BURGLARY (OTHER PROPERTY)
191218/8405	18/12/2019	11:30	MOUNT MAUNGANUI	Commercial - Li 399 OCEANBEACH ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	DESTRUCT	WILFUL DAMAGE
190810/7044	10/08/2019	10:50	MOUNT MAUNGANUI	Commercial - Li 399 OCEANBEACH ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	ROBBERY	AGGRAVATED ROBBERY
190810/7044	10/08/2019	10:50	MOUNT MAUNGANUI	Commercial - Li 399 OCEANBEACH ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	ROBBERY	AGGRAVATED ROBBERY
200102/6608	02/01/2020	14:00	MOUNT MAUNGANUI	Commercial - Li 399 OCEANBEACH ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	THEFT	THEFT EX SHOP (NO DRUGS)
190221/5954	20/02/2019	17:20	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	DISORDER	BEHAVIOUR OFFENCES
200608/5354	05/06/2020	22:00	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	DISORDER	MISCELLANEOUS DISORDER OFFENCES
200824/8757	21/08/2020	17:53	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	DISORDER	BEHAVIOUR OFFENCES
201122/1694	22/11/2020	17:35	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	GRIEVOUS	ASSAULT WITH WEAPON (C ACT S 202C)
190221/5954	20/02/2019	17:20	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	INTIMIDATI	THREATENING BEHAVIOUR/LANGUAGE
200608/5354	05/06/2020	22:00	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	SERIOUS A	ASSAULT ON CHILD (UNDER 14 YEARS)
190101/2615	01/01/2019	18:50	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
190704/7670	04/07/2019	13:18	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	THEFT	THEFT EX CAR
190908/3085	08/09/2019	19:55	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
201122/1694	22/11/2020	17:35	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
210130/4650	30/01/2021	13:31	TAURANGA SOUTH	Commercial - Li 407 FRASER STREET, PARKVALE, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
191010/2026	09/10/2021	19:00	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	DESTRUCT	WILFUL DAMAGE
200220/6089	18/02/2020	15:00	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	FRAUD	FALSE PRETENCES BY CREDIT/BANK CARDS

200317/6629	16/03/2020	17:47	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	INTIMIDATI OFFENSIVE WEAPON POSSESSION ETC
190701/7591	30/06/2019	14:30	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	MINOR ASS MISCELLANEOUS COMMON ASSAULT
210201/8327	30/01/2021	14:05	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	ROBBERY NON AGGRAVATED ROBBERY
200317/6629	16/03/2020	17:47	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	SERIOUS A SERIOUS ASSAULTS
190103/8187	03/01/2019	15:00	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190106/6731	06/01/2019	11:43	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190122/1286	22/01/2019	08:25	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190213/8766	13/02/2019	12:40	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190220/2125	20/02/2019	12:10	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190222/0933	22/02/2019	17:04	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190326/9596	26/03/2019	20:32	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190401/7643	29/03/2019	13:00	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190516/0532	16/05/2019	08:28	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190607/8752	17/05/2019	14:53	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190519/8394	19/05/2019	10:29	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190521/4187	19/05/2019	16:56	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190521/4236	20/05/2019	09:15	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190611/0358	10/06/2019	19:15	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190620/1462	20/06/2019	11:50	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190625/7759	24/06/2019	16:50	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190625/7759	24/06/2019	16:50	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT GENERAL THEFTS (NO DRUGS)
190626/0841	26/06/2019	11:40	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190626/0841	26/06/2019	11:40	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT AS SERVANT/MISAPPROPRIATION
190701/7591	30/06/2019	14:30	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190701/7591	30/06/2019	14:30	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190703/1763	30/06/2019	16:23	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
190704/6915	02/07/2019	20:23	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
200219/1691	11/02/2020	17:35	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
200502/9276	01/05/2020	23:15	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT EX SHOP (NO DRUGS)
200731/2321	30/07/2020	19:08	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT THEFT AS SERVANT/MISAPPROPRIATION
210101/6954	01/01/2021	15:10	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	THEFT GENERAL THEFTS (NO DRUGS)
200820/8003	20/08/2020	09:45	TAURANGA	Commercial - Li 44 BURETA ROAD, OTUMOETAI, TAURANGA CITY 3110	TRESPASS MISCELLANEOUS TRESPASS OFFENCES
190413/5960	12/04/2019	20:15	TAURANGA	Commercial - Li 44 CHERRYWOOD DRIVE, OTUMOETAI, TAURANGA CITY 3110	ROBBERY AGGRAVATED ROBBERY
190519/9262	19/05/2019	14:40	TE PUKE	Commercial - Li 5 OLD COACH ROAD, PAENGAROA, WESTERN BAY OF PLENTY DISTRICT 3189	THEFT THEFT EX SHOP (NO DRUGS)
190527/5813	24/05/2019	15:45	TE PUKE	Commercial - Li 5 OLD COACH ROAD, PAENGAROA, WESTERN BAY OF PLENTY DISTRICT 3189	THEFT THEFT EX SHOP (NO DRUGS)
200126/2346	25/01/2020	19:00	TE PUKE	Commercial - Li 5 OLD COACH ROAD, PAENGAROA, WESTERN BAY OF PLENTY DISTRICT 3189	THEFT THEFT EX SHOP (NO DRUGS)
200710/3723	10/07/2020	17:49	TE PUKE	Commercial - Li 5 OLD COACH ROAD, PAENGAROA, WESTERN BAY OF PLENTY DISTRICT 3189	THEFT THEFT EX SHOP (NO DRUGS)
201229/6824	28/12/2020	16:30	TE PUKE	Commercial - Li 5 OLD COACH ROAD, PAENGAROA, WESTERN BAY OF PLENTY DISTRICT 3189	THEFT GENERAL THEFTS (NO DRUGS)
210119/7079	09/01/2021	12:24	TE PUKE	Commercial - Li 502 PUKEHINA PARADE, PUKEHINA, WESTERN BAY OF PLENTY DISTRICT 3189	DESTRUCT WILFUL DAMAGE
191229/2952	28/12/2019	02:00	MOUNT MAUNGANUI	Commercial - Li 544 MAUNGANUI ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	BURGLARY BURGLARY ASSOCIATED OFFNCs(CRIMES ACT)
200909/3018	21/08/2020	20:30	MOUNT MAUNGANUI	Commercial - Li 544 MAUNGANUI ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	MINOR ASS COMMON ASSAULT
191207/7925	06/12/2019	20:30	MOUNT MAUNGANUI	Commercial - Li 544 MAUNGANUI ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	TRESPASS OFFENCES UNDER TRESPASS ACT
201107/9219	06/11/2020	20:15	PAPAMOA	Commercial - Li 546 PAPAMOA BEACH ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	DISORDER BEHAVIOUR OFFENCES
190522/0426	22/05/2019	19:30	PAPAMOA	Commercial - Li 546 PAPAMOA BEACH ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT THEFT AS SERVANT/MISAPPROPRIATION

200105/6260	05/01/2020	13:09	PAPAMOA	Commercial - Li 546 PAPAMOA BEACH ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
190724/8936	23/07/2019	19:45	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	GRIEVOUS	ASSAULT WITH WEAPON (C ACT S 202C)
200713/9279	10/07/2020	21:06	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	INTIMIDATI	THREATENING BEHAVIOUR/LANGUAGE
190403/5590	02/04/2019	18:45	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	ROBBERY	NON AGGRAVATED ROBBERY
190403/5590	02/04/2019	18:45	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	SERIOUS A	MISCELLANEOUS COMMON ASSAULT(CR ACT)
190724/8936	23/07/2019	19:45	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	SERIOUS A	MISCELLANEOUS COMMON ASSAULT(CR ACT)
190203/4043	03/02/2019	14:00	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
190217/1481	16/02/2019	17:00	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	THEFT	GENERAL THEFTS (NO DRUGS)
190403/5590	02/04/2019	18:45	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
190818/2296	18/08/2019	14:00	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
190823/1493	22/08/2019	17:55	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	THEFT	THEFT EX SHOP (NO DRUGS)
201014/8688	12/10/2020	16:10	TAURANGA	Commercial - Li 673 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	THEFT	GENERAL THEFTS (NO DRUGS)
190109/8197	09/01/2019	11:00	KATIKATI	Commercial - Li 7 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	DESTRUCT	WILFUL DAMAGE
190606/4176	06/06/2019	01:20	KATIKATI	Commercial - Li 74 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	BURGLARY	BURGLARY (OTHER PROPERTY)
190606/4176	06/06/2019	01:20	KATIKATI	Commercial - Li 74 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	INTIMIDATI	OFFENSIVE WEAPON POSSESSION ETC
191203/0842	02/12/2019	13:10	KATIKATI	Commercial - Li 74 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	ROBBERY	AGGRAVATED ROBBERY
190106/7081	05/01/2019	20:04	KATIKATI	Commercial - Li 74 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	THEFT	THEFT EX SHOP (NO DRUGS)
190126/6385	25/01/2019	17:00	TAURANGA	Commercial - Li 850 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	BURGLARY	BURGLARY (OTHER PROPERTY)
190509/5015	08/05/2019	19:30	TAURANGA	Commercial - Li 850 CAMERON ROAD, TAURANGA SOUTH, TAURANGA CITY 3112	THEFT	THEFT EX CAR
200106/8170	05/01/2020	18:43	PAPAMOA	Commercial - Li 894 PAPAMOA BEACH ROAD, PAPAMOA BEACH, TAURANGA CITY 3118	THEFT	THEFT EX SHOP (NO DRUGS)
201115/7462	12/11/2020	22:50	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	DESTRUCT	WILFUL DAMAGE
201115/7462	12/11/2020	22:50	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	DISORDER	OBSTRUCTING/HINDERING/RESISTING
201115/7462	12/11/2020	22:50	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	DISORDER	OBSTRUCTING/HINDERING/RESISTING
201115/7462	12/11/2020	22:50	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	DISORDER	BEHAVIOUR OFFENCES
201115/7462	12/11/2020	22:50	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	DISORDER	MISCELLANEOUS DISORDER OFFENCES
190201/8478	31/01/2019	19:10	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	INTIMIDATI	THREATENING BEHAVIOUR/LANGUAGE
201115/7462	12/11/2020	22:50	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	SERIOUS A	ASSAULTS POLICE (CRIMES ACT)
190206/3899	02/02/2019	12:00	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	THEFT	GENERAL THEFTS (NO DRUGS)
190717/7279	15/07/2019	20:05	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	THEFT	GENERAL THEFTS (NO DRUGS)
200209/6188	09/02/2020	20:30	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	TRESPASS	OFFENCES UNDER TRESPASS ACT
201016/7444	16/10/2020	19:13	KATIKATI	Commercial - Li 9 MAIN ROAD, KATIKATI, WESTERN BAY OF PLENTY DISTRICT 3129	TRESPASS	OFFENCES UNDER TRESPASS ACT
201121/6993	20/11/2020	23:00	TAURANGA SOUTH	Commercial - Li AJS BAR, 285 MAUNGATAPU ROAD, MAUNGATAPU, TAURANGA CITY	THEFT	THEFT AS SERVANT/MISAPPROPRIATION
201224/3269	16/12/2020	12:00	MOUNT MAUNGANUI	Commercial - Li SHOP 1100, 19 GIRVEN ROAD, MOUNT MAUNGANUI, TAURANGA CITY 3116	ALCOHOL C	LICENCEE/MANAGER ALCOHOL OFFENCES

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BEFORE THE DISTRICT LICENSING COMMITTEE

IN THE MATTER OF THE Sale and Supply of Alcohol Act 2012
(known throughout this Statement as “the Act”)

AND

IN THE MATTER of this application pursuant to section 100 of the
Sale and Supply of Alcohol Act 2012

BETWEEN

GURNAAZ ENTERPRISES LTD in respect of
premises to be situated at Unit B, 19 407 Fraser
Street, Parkvale, Tauranga known as “Merivale
Liquor Centre”

AND

the Medical Officer of Health In opposition to
the Application for the renewal of the off-
licence known as “Merivale Liquor Centre”.

Submissions for:

Dawn Meertens for MEDICAL OFFICER OF HEALTH

1. That is my full name. I am employed by the Bay of Plenty District Health Board as a Technical Officer with Toi Te Ora Public Health.
2. Pursuant to Section 151 of the Act, as a Designated Officer of the Medical Officer of Health, I am tasked to carry out his duties under the Act throughout the Bay of Plenty region. I have over 23 years of experience in this role.

Everything in this statement is true to the best of my knowledge and belief, and I made the statement knowing that it may be admitted as evidence for the purposes of a standard committal or at a committal hearing, and that I may be prosecuted for perjury if the statement is known by me to be false and is intended by me to mislead.

Dawn Meertens August 2021
Merivale Liquor Centre
Medical Officer of Health Opposition

3. Before you today is an application that has been opposed by the Medical Officer of Health. My original report of 2019 opposed this application under Sections 4, 105 (1)(a) & (k). The sale of single shots and other products (excluding craft beers) were of concern for the Medical Officer of Health. After discussions with the applicant, Harkawal Singh, he confirmed he would continue with the current conditions as well as cease the sale of single shots. I withdrew my opposition subject to this condition being added to the current licence conditions or added to the existing Memorandum of Understanding. There were also several conditions added to the licence after the hearing in 2010.
4. The applicant is wanting to vary his licence by removing one of these conditions.
5. In my view, a very important condition. At the time, the DLC heard arguments from the objectors and issued the current licence with conditions attached to it. These being but not exclusive to:
 9. *There shall be no single sales of RTDs or main-stream beers under 500mls.*
 10. *There shall be no single sales of shots or miniature bottles.*
 11. *A security guard shall be stationed at the entrance to the premises when open for business on the following days and hours; Thursday to Saturday from 5.00pm to 10.00pm*
6. The applicant may argue that there have been no issues to warrant having security guards anymore and I say, there are no issues BECAUSE there are security guards present. Remove them at the community's own peril I say.
7. This is a low socio-economic neighbourhood with an alcohol ban surrounding the shops. Alcohol bans are not put in place for no reason; usually where there are alcohol problems within a community.
8. The premises is in a neighbourhood that is already considered to be highly deprived and this may affect the amenity and good order of this neighbourhood to more than a minor extent. Security

Everything in this statement is true to the best of my knowledge and belief, and I made the statement knowing that it may be admitted as evidence for the purposes of a standard committal or at a committal hearing, and that I may be prosecuted for perjury if the statement is known by me to be false and is intended by me to mislead.

Dawn Meertens August 2021
Merivale Liquor Centre
Medical Officer of Health Opposition

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will only enhance this ability to increase the amenity and good order of the locality. Hence the current condition.

9. To strengthen my submissions, I discuss sections 3,4 and 105 (1) below; discussed in my original opposition in 2019. Something the DLC is well aware of.

Section 3 Purpose

(1) The purpose of Parts 1 to 3 and the schedules of this Act is, for the benefit of the community as a whole —

(a) to put in place a new system of control over the sale and supply of alcohol, with the characteristics stated in subsection (2); and

(b) to reform more generally the law relating to the sale, supply, and consumption of alcohol so that its effect and administration help to achieve the object of this Act.

(2) The characteristics of the new system are that —

(a) it is reasonable; and

(b) its administration helps to achieve the object of this Act.

The Object of the Act

(i) 4 The Object of the Act

(1) The object of this Act is that—

(a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and

(b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised. (Emphasis is mine)

Everything in this statement is true to the best of my knowledge and belief, and I made the statement knowing that it may be admitted as evidence for the purposes of a standard committal or at a committal hearing, and that I may be prosecuted for perjury if the statement is known by me to be false and is intended by me to mislead.

Dawn Meertens August 2021
Merivale Liquor Centre
Medical Officer of Health Opposition

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- (2) *For the purposes of subsection (1), the harm caused by the excessive or inappropriate consumption of alcohol 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).**
- (Emphasis is mine)

(ii) 105 Criteria for issue of licences

- (1) *In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:...*
- (a) *the object of this Act:..*
applicant proposes to sell alcohol:...
 - (b) *the suitability of applicant*
 - (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:..*
 - (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*

Everything in this statement is true to the best of my knowledge and belief, and I made the statement knowing that it may be admitted as evidence for the purposes of a standard committal or at a committal hearing, and that I may be prosecuted for perjury if the statement is known by me to be false and is intended by me to mislead.

Dawn Meertens August 2021
Merivale Liquor Centre
Medical Officer of Health Opposition

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- (ii) *it is nevertheless desirable not to issue any further licences:*
- (j) *whether the applicant has appropriate systems, staff, and training to comply with the law:*

10. The District Licensing Committee chose to issue this licence in 2019 and set some conditions in place to address the potential alcohol related harm of a highly deprived community. The Medical Officer of Health was very supportive of these conditions and believe these conditions have assisted with keeping the community from increased alcohol related harm.

The Medical Officer of Health opposes the variation and recommends the license, and its conditions, remain the same.

Thank you



Dawn Meertens for
Medical Officer of Health

Everything in this statement is true to the best of my knowledge and belief, and I made the statement knowing that it may be admitted as evidence for the purposes of a standard committal or at a committal hearing, and that I may be prosecuted for perjury if the statement is known by me to be false and is intended by me to mislead.

Dawn Meertens August 2021
Merivale Liquor Centre
Medical Officer of Health Opposition