



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.*

Order Of Business

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2 **Apologies** 4

3 **Declaration of Conflicts of Interest**..... 4

4 **Overview of proceedings** 4

5 **Business**..... 4

6 **Public Excluded Items**..... 4

- 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
Report by NZ Police	48 - 49
Report by Medical Officer of Health	50
Minutes of Tauranga DLC	51 - 52
Public Objections	
Objection 1 – Merivale School	53 - 60
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Objection 3 – Tutarawananga Te Kohanga Reo	73 - 82
Submissions	
Brief of Evidence – Licensing Inspector	83 - 86
Brief of Evidence – NZ Police	87 - 98
Brief of Evidence – Medical Officer of Health	99 - 103

- 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 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 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

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

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	[REDACTED]	21/CERT/25590/2020 (EXP-29 AUG 2023)
RANDEEP KAUR	[REDACTED]	21/CERT/25926/2020 (EXP-21 NOV 23)
SUIVAM SANDRA	[REDACTED]	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	[REDACTED]	[REDACTED]	[REDACTED]
Director	SHARANJIT KAUR SINGH	[REDACTED]	[REDACTED]	[REDACTED]
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	[REDACTED]			DIRECTOR/ SHAREHOLDER	250
Person 2	PARDIP SINGH		SHAREHOLDER	250		
Person 3	TARLOCHAN SINGH		SHAREHOLDER	250		
Person 4 Now go to question 24. Person 4 HARKAWAL SINGH			SHARE HOLDER	250		

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.



