



# Agenda

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## District Licensing Committee

Date: Monday 8<sup>th</sup> August 2022

Time: 09.30am

Venue: Tauranga City Council  
306 Cameron Road, Ground Floor Rm1 & 1b

Business: For the District Licensing Committee to consider an application by **MATASAWA HOLDINGS LIMITED** for an **New Off Licence** in respect of premises at **520 Gloucester Road Papamoa** to be known as **SUPER LIQUOR SANDHURST DRIVE**

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

Chair: Murray Clearwater  
Committee Members: Mary Dillon  
Bev Edlin

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I hereby give notice that a meeting of the District Licensing Committee will be held to consider the business as set out herein.

M Grenfell  
Chief Executive

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# District Licensing Committee(s)

## Membership

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### MEMBERS

Murray Clearwater (Commissioner)  
Mary Dillon (Commissioner)  
David Stewart (Commissioner)  
Bev Edlin (Commissioner)

### QUORUM

Chairperson plus two members (for a Hearing)  
Chairperson (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 of renewal of a licence or a manager's certificate)

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- The Council will appoint and maintain a sufficient pool of members on the District Licensing Committee Members List to enable applications relating to liquor 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.

## Role and 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.
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- 1 WELCOME AND INTRODUCTION
- 2 APOLOGIES
- 3 DECLARATION OF CONFLICT OF INTEREST
- 4 OVERVIEW OF PROCEEDINGS
- 5 BUSINESS

5.1 The following papers are provided in relation to a **New Off Licence** application by **MATASAWA HOLDINGS LIMITED** for premises situated at **520 Gloucester Road Papamoa** to trade as **SUPER LIQUOR SANDHURST DRIVE**

	<b>Pages</b>
<b>Application</b>	<b>1 - 36</b>
<b>Report by Licensing Inspector</b>	<b>37 - 44</b>
<b>Report by NZ Police</b>	<b>45 - 67</b>
<b>Report by Medical Officer of Health</b>	<b>68</b>
<b>Minutes of Tauranga DLC</b>	<b>69 - 70</b>
<b>Public Objections</b>	
<b>Objection 1 – Scott Parker</b>	<b>71</b>
<b>Objection 2 – Alan Lightbourne</b>	<b>72</b>
<b>Objection 3 – Graham Mauchline</b>	<b>73</b>
<b>Objection 4 – Antoinette and Beulah Botha</b>	<b>74</b>
<b>Objection 5 – Mel Bennett on behalf of Te Runanga O Ngai Te Rangi Iwi Trust</b>	<b>75</b>
<b>Submissions</b>	
<b>BOE – Applicant – Melissa Harvie on behalf of Matasawa Holdings LTD</b>	<b>76 - 101</b>
<b>BOE – Sandy Watkins (Super Liquor Franchise Manager)</b>	<b>102 - 110</b>
<b>BOE – Graham Mauchline (Objector)</b>	<b>111</b>

## 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 a new off-licence

SECTION 100 OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012



**This is an application form for a new off-licence to sell alcohol for consumption off the premises.**

To complete this application, you will need to answer **all** the questions, supply all requested documentation and pay the prescribed fee.

**This information sheet must be included with your application.**

## A. WHAT TO INCLUDE (PLEASE TICK):

- A completed and signed application form
- A copy of your pre-requisite 100F certificate (planning and building certificate)
- A copy of the floor plans for the premises, highlighting restricted or supervised areas and the principal entrance.
- A photo of the principal entrance
- A report that details your target market and says how your purposed business will reduce any risks of negative effect on the local community. Also include any other information you have that may help assess your application

**You must also include any of the documents below that apply to your application:**

- A copy of the Certificate of Incorporation (if applying in a company name).
- Where the applicant is not the owner of the premises - A written statement from the owner of the premises to the effect that the owner has no objection to the grant of a licence.
- 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 [tauranga.govt.nz/alcohol](http://tauranga.govt.nz/alcohol) to assist you in the process.

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 [tauranga.govt.nz/alcohol](http://tauranga.govt.nz/alcohol) for more information.

Risk Category (based on Weighting)	Renewal Fee (including GST)	Annual Fee (including GST)	Total Fee (including GST)
<input type="checkbox"/> Very low (0-2)	\$368.00	\$161.00	\$529.00
<input type="checkbox"/> Low (3-5)	\$609.50	\$391.00	\$1,000.50
<input checked="" type="checkbox"/> Medium (6-15)	\$816.50	\$632.50	\$1,449.00
<input type="checkbox"/> High (16-25)	\$1,023.50	\$1,035.00	\$2,058.50
<input type="checkbox"/> 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 on-licensed 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)	Weighting 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

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

**P** + **T** = Total points

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

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

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

### D. PAYING YOUR ANNUAL FEE

You must also pay an annual fee before we can issue your licence. This fee is payable at the time of lodgement of your application. The table below shows the annual fee for each risk rating. Visit [tauranga.govt.nz/services/alcohol](http://tauranga.govt.nz/services/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](http://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 checked="" type="checkbox"/> \$159	\$ 159.00
<b>Total Amount</b>		<b>\$ 1608.00</b>

### H. PAYMENTS MAY BE MADE:

**Electronically to:** ANZ Tauranga

**Account Number:** 06 0433 0213474 00

**Reference:** Alcohol Form 5

**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

Date received (date stamp)

Application..... 27476 .....

Premises No.....

Receipt..... 523869 .....

Contact ID..... 596280 .....





# Application for a New Off-licence

SECTION 100 OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012



To the Secretary

District Licensing Committee Tauranga

Application for new off-licence is made in accordance with the details set out below:

## APPLICANT DETAILS

1. Full legal name to go on licence (individual or organisation)? **MATASANA HOLDINGS LIMITED**

2. Address: **PO BOX 9028  
GREELTON** Postcode: **3142**

3. Mailing address (if different from above):  
Postcode:

4. Email address: **harvieliquor@gmail.com**

5. Daytime contact - Name: **Dwight Harvie** Phone number: **07577 9733**

6. How would you like us to contact you?  Phone  Email

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

8. Occupation:

9. When and where were you born?

Date of birth: Place of birth:

Gender:  Male  Female

## CRIMINAL CONVICTION DETAILS

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

Yes (supply details below)  No (skip to details of managers section on next page)

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

Nature of offence	Conviction date	Sentence
FAILED cfo	15 Dec 2017	48 hr suspension
FAILED cfo	17 Oct 2020	48 hr suspension



**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)		Certificate number(s) and expiry date(s)
Melissa Harvie	[REDACTED]	21 / CELF / 23953 / 2019

**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: MAFASAWA HOLDINGS LIMITED

14. Date the company was incorporated: 31 July 2020

15. Where the company was incorporated: TAURANGA, NZ

16. Full details of each director and the secretary:

	Name	Address	Date of birth	Place of birth
Director	Douglas Leslie Robert HARVIE	[REDACTED]		
Director	Glenyss Marie HARVIE	[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	MATANISIEA HOLDINGS LIMITED	1235 CAMERON RD, TAURANGA 3112	NA	NA	NA	100%
Person 2						
Person 3						

Now go to question 24.

### PUBLIC COMPANY DETAILS

18. Name of company:

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.

03 [www.tauranga.govt.nz](http://www.tauranga.govt.nz)













































































































































































































































