

MEETING — AGENDA —

Ngā Take

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DISTRICT LICENSING COMMITTEE

Komiti Raihana-ā-Rohe

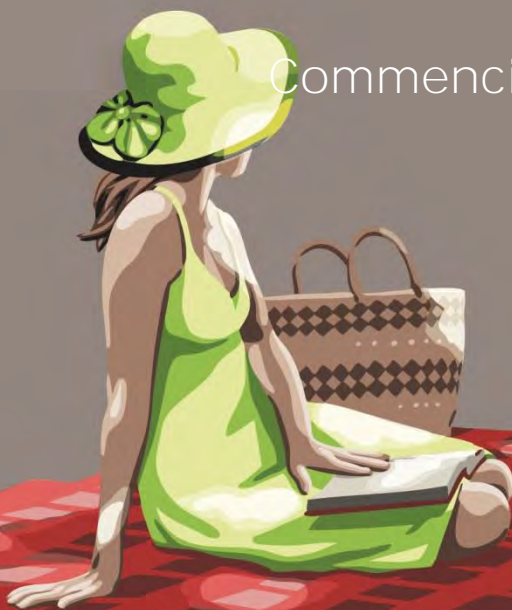
DL11

Commencing Tuesday, 29 January 2019

Council Chambers

Barkes Corner, Tauranga

9.30am



Notice of Meeting No DL11 Te Karere

District Licensing Committee Komiti Raihana-a-Rohe

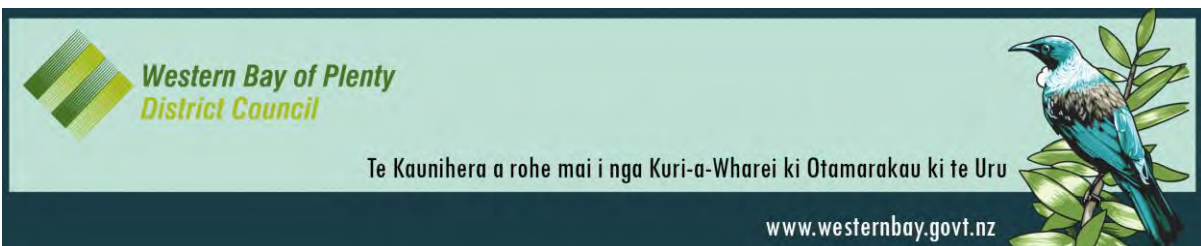
Commencing Tuesday, 29 January 201**9**
Council Chambers
Barkes Corner
9.30am

Commissioner: M Clearwater (Chairperson)

Community Appointees: A Wilkinson
B Edlin

Media
Staff

Miriam Taris
Chief Executive Officer
Western Bay of Plenty District Council



District Licensing Committee Delegations Mangai o Te Kaunihera

Quorum:

Commissioner and two members from the list (Section 191 – Sale and Supply of Alcohol Act 2012)

Role:

As conferred under the Sale and Supply of Alcohol Act 2012:

- To consider and determine applications for licences and manager's certificates
- To consider and determine applications for renewal of licences and manager's certificates
- To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Sale and Supply of Alcohol Act 2012
- To consider and determine applications for the variation, suspension, or cancellation of special licences
- To consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280 of the Sale and Supply of Alcohol Act 2012
- With the leave of the chairperson for the licensing authority, to refer applications to the licensing authority
- To conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Sale and Supply of Alcohol Act 2012
- Any other functions conferred on licensing committees by or under the Sale and Supply of Alcohol Act 2012 or any other enactment

Chair's Delegation:

Where no objection to the application has been received within the timeframes as prescribed under the Act the authority to decide on the papers and issue decisions on such applications (Section 191 (2) Sale and Supply of Alcohol Act 2012).

Agenda for Meeting No. DL11

Pages

Present
In Attendance
Apologies

DL11.1 Conflict of Interest Declarations

Members of the appointed District Licensing Committee to declare whether or not they have any conflicts of interest in relation to the application(s) before them.

DL11.2 HEARING: Application No. LL 7264 for a New ON Licence under Section 136, Sale and Supply of Alcohol Act 2012 - Applicant: KLM Enterprises Limited - Premise located at Shop 6, 168 Omokoroa Road, Omokoroa, trading as The Locals Bar and Eatery 5-341

The Committee to hear all evidence and consider the attached application and following documentation:

- | | |
|--|---------|
| a) Application for new on licence dated 27 June 2018 | 5-53 |
| b) Supporting information for application | 54-58 |
| c) Submissions received | 59-254 |
| d) Reports | 255-300 |
| • Medical Officer of Health | |
| • New Zealand Police Report | |
| • Alcohol Licensing Inspector's Report | |
| e) Further Correspondence | 301-337 |

Western Bay of Plenty District Council
District Licensing Committee

Hearing: Commencing 29 January 2019

Application No. LL 7264 for an ON Licence under Section
136, Sale and Supply of Alcohol Act 2012 - Applicant:
KLM Enterprises Limited - Premise located at Shop 6,
168 Omokoroa Road, Omokoroa, trading as The Local's
Tavern Bar and Eatery



Application Dated 27 June 2018

APPLICATION FOR AN ON LICENCE

THE LOCAL'S TAVERN BAR & EATERY

AT

**SHOP 6
168 OMOKOROA ROAD
OMOKOROA**

APPLICANT

KLM ENTERPRISES LIMITED

PREPARED BY HOSPITALITY LICENSING
2018

PO Box 88
Bay View Napier 4149
p: (09) 372 6107
p: (06) 836 7297
www.LicenceMe.co.nz

hospitality
licensing
limited

27th June 2018

The Secretary
District Licensing Committee
Western Bay of Plenty
Private Bag 12803
TAURANGA 3143

Dear Sir

**APPLICATION FOR NEW ON-LICENCE:
THE LOCAL'S TAVERN BAR & EATERY**

Enclosed please find an application for a new on-licence in the name of KLM Enterprises Limited. The premise to which this application relates is located at Shop 6, 168 Omokoroa Road, Omokoroa and will be known as The Local's Tavern Bar & Eatery. The premises are not currently licensed, and the applicant is unable to operate a temporary authority to trade.

Terms of Licence Sought

The applicant seeks the issue of an on-licence issued in terms of section 14 of the Sale and Supply of Alcohol Act, authorising the sale, supply and consumption of liquor on the premises to any person present on the premises.

The applicant seeks a tavern style on-licence.

Request for Urgency

The applicant is currently undergoing fit out and branding of the premises. Proposed opening date is set for 1st November 2018.

Any assistance the Committee, Licensing Inspector, Police and Public Health can offer in the speedy processing of this application would be enormously appreciated by the applicant.

The Applicant

The applicant is a private company incorporated on 31st August 2015. The company has one director and two shareholders over three shareholdings.

Personal details are as follows:

Name: Kunal Lachhani
 Address: 14 Marsden Road
 Paihia
 Date of Birth: 14th September 1990
 Place of Birth: India
 Status: NZ Citizen
 Designation: Director & Shareholder
 Value of Shares Held: 80 shares

Name: Kajal Lachhani
 Address: 220 Greenhithe Road
 Greenhithe
 Date of Birth: 31st January 1988
 Place of Birth: India
 Status: NZ Citizen
 Designation: Shareholder
 Value of Shares Held: 120 shares

The director has no criminal convictions. The officers of the applicant operate several licensed premises. These include Omokoroa Super Liquor, two bottle shop premises in Paihia and the Hunter Star Hotel in Kawakawa.

There is no reason to believe that the applicant is not a suitable entity to hold a liquor licence.

Planning/Building Matters

The applicant has been issued a certificate of compliance. A copy of this certificate is attached to the application.

Conduct of Licence

In the applicants words:

"The bar is being set up for locals and summer holiday makers. It is a local for the locals. With the expected 2000 additional expected new homes over the next five years, we are looking at providing a service and a place for people to meet and socialise and eat and have a drink or two."

It is expected that regular trading hours will vary with demand and seasonality and may take some time to settle into a trading pattern.

Management of the Proposal

Kunal Lachhani will be responsible for the overall management of the business and day to day running of the business. He will be assisted by certificated managers.

Best practice will be for three certificated duty managers to be employed at the premises. It is anticipated that this number will be sufficient to ensure that at all times the premises are open for the sale and supply of liquor; the requirements of the Act are adhered to. Recruitment will commence for more certificated managers and staff to fill various positions closer to opening.

The applicant will be instructed by the Agent as to their obligations in regards to managers and will ensure that sections 231 and 214 are adhered to.

The Duty Manager will take control of any situation that may lead to a breach in the provisions of the Act.

Evidence of age documents will be requested when deemed necessary. All appropriate signage will be displayed.

Staff Training

Kunal Lachhani will ensure that all staff will be fully trained in their requirements and responsibilities under the Act. Particular attention will be paid to the identification of minors and signs of intoxication.

The Duty Managers will be responsible for staff training. This will be completed by way of a daily briefing, weekly updates, orientations/inductions for new staff and sessions on host responsibility. HPA resources will be used.

Further training will be given by trained professionals for NZQA unit standards 4646 and 16705 for the LCQ.

Signage

The applicant will ensure that the following required signage will be displayed:

| | |
|--------------------------------|---------------------------|
| Copy of Licence | At the principal entrance |
| Licensed Hours | At the principal entrance |
| Name of Duty Manager | At the principal entrance |
| Social Responsibility Policy | Behind the bar dispensary |
| Alternative Forms of Transport | Behind the bar dispensary |
| Prohibited Persons | Behind the bar dispensary |

Provision of Food and Beverages

Food will be offered to customers with menus/food options clearly on display and available. A copy of the food menu is attached to this application.

Water will be freely available to all customers. This will be available at the bar in jugs readily available.

Security Plan

It is believed that security will not generally be required apart from nights where the anticipated number of patrons are high. In these times security would be contracted in. The role of the security staff may include ensuring prohibited persons do not gain entry to the premises, checking of ID, 'roaming' through the Should any incident occur that is beyond the control of the manager, the Police will be called.

Premises

Landlords Consent

The applicant holds a lease for the premises for a term of six years with one right of renewal of six years. The owner of the building is a family entity, Lachhani Trustee Limited as trustee of Lachhani Family Trust. They have no objection to a licence being held on the premises. A letter to that effect is associated with this application.

Principal Entrance

The principal entrance of the premises will be accessed from the carpark, and more precisely shown on the attached plan.

Design and Layout

The design and layout of the premises are shown in the accompanying plan. The premise is currently under construction. There will be adequate visibility throughout the premises for staff to monitor the business.

Environment

As the business will be that of a tavern, it is automatically deemed to be a potentially high risk in terms of adverse noise levels, nuisance or vandalism. The Fees Regulations set the premises at a medium risk. The following is in support of the application:

Neighbouring Land Use

The premises are located in Omokoroa, a small community, some 20 kilometres from downtown Tauranga. The area has a golf club, sports ground a nearby church and school. Neighbouring is a FreshChoice supermarket, a Super Liquor store, owned by the of the officers of this company via another entity and several retail premises. Residential properties are within walking distance of the premise.

Locality in Relation to Perceived Sensitive Premises

Within a 500m radius of the subject site, the following premises have been identified:

| Name | Address |
|---------------------------|-------------------|
| Omokoroa Community Church | 139 Hamurana Road |

The applicant is aware of Omokoroa Point School which is 1 kilometre away towards the Point.

Current and Potential Noise Levels

The premise is located away from residential, so it is not anticipated there will be noise issues.

Should the unexpected occur and a noise complaint be received, it will be dealt with initially by the manager on duty. Should further complaints be received, the applicant would seek professional advice from an acoustic engineer.

Current & Potential Levels of Nuisance & Vandalism

The size and target market of the business means that potential nuisance and vandalism effects are minimal.

There is no reason to believe that the issue of this licence will negatively impact on the neighbouring environment amenity and good order.

Public Notification

The application will be publicly notified:

- In The Sun on the 29th June and 6th July 2018.

A copy of the notice will be displayed for at least ten days following lodgement of the application.

The public objection period will close on 20th July 2018.

Conditions of LicenceDays and Hours for the Sale of Liquor

The applicant seeks the authority to sell and supply liquor for consumption on the premises on the following days and during the following hours:-

Monday to Sunday 9 am to 1am the following day

Licensed area

A floor plan of the total licensed footprint is attached. The plans have been supplied by the applicant and in their opinion is a true reflection of the licensed area.

Designation of the Premises

As the principal purpose of the business will be that of a tavern, it would be appropriate for the entire premises to be supervised.

Application Processing & Reporting

Should the Police, Public Health or Licensing Inspector have any concerns in relation to this application, all communications thereon must be directed to the applicant's agent in the first instance.

Conclusion

This is an application for an on-licence for a new tavern.

The applicant is a private company with one director and two shareholders over three shareholdings. There is no reason to believe that this entity is not a suitable entity to hold a liquor licence.

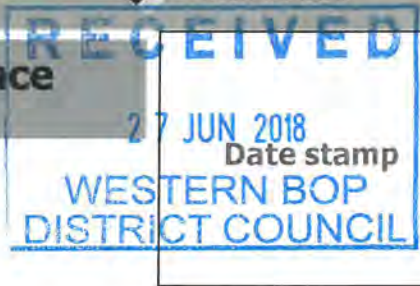
Granting this application will not be contrary to the provisions to or object of the Sale and Supply of Alcohol Act 2012.

The application is commended to the Committee for its positive recommendation.

Yours faithfully,
Hospitality Licensing Ltd



CATHY SCOTT
Liquor Licensing Consultant
Authorised Agent for KLM Enterprises Limited



Application for New or Renewal of On-Licence
Section 100 and 127(2) Sale and Supply of Alcohol Act 2012

Fill this form out with the assistance of the guide notes attached

New On-Licence Renewal On-Licence

1. Applicant Details

a. Full name of applicant (*legal entity who will receive the proceeds from the sale of liquor*)

KLM Enterprises Limited

Previous names or other names known by

b. Applicant is the Property Owner Lessee Agent
Provide details below Authorised by owner

c. Contact name Cathy Scott - Hospitality Licensing Ltd, Authorised Agent for KLM Enterprises Limited

Postal address P O Box 88, Bay View, NAPIER 4149

Agent: Cathy@LicenceMe.co.nz 0223-20-40-60 Georgie@LicenceMe.co.nz 021-611-844

Director:..... Kamlesh Lachhani - 021-550-275

Phone: Business (.....)..... Private (.....)..... Mobile (.....).....

Email Fax (.....).....

Website address

d. Preferred means for formal correspondence Mail Email Fax

e. Status of applicant

- Natural Person Local Authority Body Corporate to which Section 28(1)(b) of the Act applies
- Private Company Trustee Manager under the Protection of Personal & Property Rights Act 1988
- Partnership Public Company Government Department or other instrument of the Crown
- Club Licensing Trust Board, organisation, or other body to which section 28(1)(f) of the Act applies
- Community Trust

f. Is there an existing licence held for the premises or conveyance concerned?

No Yes State type of licence.....Number 022/

Deposit Fee: \$350.00

Note: This is a deposit only (An invoice for the outstanding balance will be sent to the applicant once the correct weighting category has been selected. The outstanding balance is required to be paid prior to the licence being issued.

| | | |
|----------------------------|-------------------------------|------------------|
| <i>(for office use)</i> | | LIQL |
| | Application <u>7264</u> | Premise No |
| Date received (date stamp) | Receipt <u>18195764</u> | Contact ID |

1. Applicant Details *(Continued)*

- g. Have your or any business partners been convicted of any offence? Yes ****** No
 If Yes, what are the details of each offence? ** Via KM Trading Ltd and an off licecne, the company failed a CPO.

(NOTE: You are entitled to protection under the Criminal Records (Clean Slate) Act. Disclose only convictions not eligible for concealment under the Clean Slate Act)

| Name | Nature of Offence | Date of Conviction | Penalty Suffered |
|-------|-------------------|--------------------|------------------|
| | |/...../..... | |
| | |/...../..... | |
| | |/...../..... | |
| | |/...../..... | |

(NOTE: Continue on a separate page if necessary and attach to this application)

- h. Is this the applicant's first licensed premises? Yes No
 If yes, has the applicant prepared a financial plan for the business? The officers of the applicant are licence holders through companies. Yes n/a No

Select one of the following (Numbered 2 – 5):

2. Further Details Where Applicant is a Company

a. Date of incorporation **31st August 2015**

b. Full details of each Director and the Secretary

| Name | Address | Date of Birth | Place of Birth | Position Held |
|----------------|-------------------------|-------------------|----------------|---------------|
| Kunal Lachhani | 14 Marsden Road, Paihia | 14/ 09 / 1990 | India | Director |
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |

3. Further Details where Applicant is a Private Company

a. Authorised capital Paid-up capital 200 shares

b. Full details of each person who holds any shares issued by the company

| Name | Address | Date of Birth | Place of Birth | Position Held | Face value of shares |
|----------------|-------------------------------|-------------------|----------------|---------------|----------------------|
| Kunal Lachhani | 14 Marsden Road, Paihia | 14/ 09 / 1990 | India | Shareholder | 80 shares |
| Kajal Lachhani | 220 Greenhithe Rd, Greenhithe | 31/ 01 / 1998 | India | Shareholder | 120 shares |
| | |/...../..... | | | |
| | |/...../..... | | | |
| | |/...../..... | | | |

4. Further Details where Applicant is a Public Company

a. Full details of each person who holds 20% or more of the shares, or any particular class of shares, issued by the company

| Name | Address | Date of Birth | Place of Birth | Position Held |
|-------|---------|-------------------|----------------|---------------|
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |

5. Further Details Where Applicant is a Partnership

a. Full details of each partner as follows

| Name | Address | Date of Birth | Place of Birth | Signature |
|-------|---------|-------------------|----------------|-----------|
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |

6. Premises Details (If not conveyance)

a. Existing trading name for premises n/a
 Proposed trading name for premises The Local's Tavern Bar & Eatery
 Address of licensed premises Shop 6, 168 Omokoroa Road, Omokoroa

- b. Is a licence sought conditional upon construction or completion of building work? Yes No
- c. Do you own the proposed licensed premises? (Family owned - related party) Yes No

If no:

(i) Full name of the owner Lachhani Trustee Limited as trustee of Lacchani Family Trust
 Full address of the owner 220 Greenhithe Rd, Greenhithe

(ii) What form of tenure of the premises will you have? A lease of the premise
 What term of tenure will you have? A term of six years with one right of renewal of six years

7. Conveyance Details

- a. Type of conveyance (e.g. ship, bus, railway carriage, etc)

- b. Do you own the proposed conveyance? Yes No
If No:
- (i) Full name of owner
 Full address of owner
- (ii) What form of tenure of the conveyance will you have?
 What term of tenure will you have?
- c. What is the registration number of the conveyance (where applicable)?
- d. What is the home base address for the conveyance?

8. Conveyance Details (Continued)

e. Any name used or proposed for conveyance?

f. Is a licence sought conditional upon completion of building work? Yes No

If yes, state details:

9. Designated Areas

a. What part (if any) of the premises do you intend should be designated as

(i) A restricted area Nil

(ii) A supervised area The entire premise

(iii) An undesignated area (*specify reason*) nil

10. Business Details

a. What is the general nature of the business to be conducted on the premises if the on-licence is granted?

Hotel Tavern/~~Night Club~~ Restaurant/Café bar Entertainment venue

Other, please state

b. Is the sale of liquor intended to be the principal purpose of the business? Yes No

If no:

What is intended to be the principal purpose of the business? n/a

c. Do you intend to sell or provide any goods and services other than liquor and food? Yes No

If yes, what is the nature of those other goods and services? Gaming

d. What days and hours do you intend to sell liquor under the licence? (*The days and hours should reflect the entire hours you intend to operate your business and should be no greater than what was applied for on your Certificate of Compliance*)

| | | | | | | |
|-------|------------------|-------|-------|-------|-------|-----------------------|
| Days | Monday to Sunday | Hours | From | 9am | To | 1am the following day |
| | | | | | | |
| | | | | | | |
| | | | | | | |

11. BYO Endorsement for Restaurant/Café Bar

a. Is this application for a BYO only on-licence, under Section 37 of the Act? Yes No

12. Conditions

- a. What provision do you intend to make for the sale and supply of *(please describe type and range)*
- (i) Food Please see attached menu
-
- (ii) Non-alcoholic refreshments A variety of juices, soft drinks, tea, coffee etc.
-
- (iii) Low-alcohol beverages Low alcohol Beer - Steinlager Mid, Amstel Light 2.5% ABV
-
- b. To what extent and where is drinking water intended to be freely available to patrons?
- The applicant will offer free tap water as a matter of course to all patrons.
-
- If there is no access to mains water supply, describe the potability of water intended to be available
- n/a
- c. What steps do you propose to take to ensure that the requirements of the Act in relation to the sale of liquor to prohibited persons are observed?
- The applicant will adhere to the attached Social Responsibility Policy. Appropriate signage will be displayed.
- The Manager will take control of any situation that might lead to a breach in the provisions of the Act.
- Evidence of Age documents will be requested from any person looking to be under the age of 25 years.
- d. In the event that evidence of age documents is required, what documents will you request?
- NZ or overseas Passport, An approved 18+ evidence of age card, New Zealand Drivers Licence
-
- e. What steps do you propose to take to provide assistance with or information about alternative forms of transport from the licensed premises?
- A public telephone will be available for patron use. Staff will also happy to call for taxis for any any
- patron. The telephone number for a taxi service will be displayed.
-
- f. What other steps do you propose to take aimed at promoting the responsible consumption of liquor?
- Please refer to the attached Social Responsibility Policy.
-
- g. What other systems (including training), and what staff are to be or will be in place for compliance with the Act?
- The manager will ensure that all staff are trained in their requirement and responsibilities under the Act.
- Particular attention will be paid to the identification of minors and signs of intoxication. Further training will be
- given by training professionals for NZQA Unit Standards 4646 and 16705.

(Continued over)

12. Conditions (Continued)

h. Has the applicant considered the neighbouring land use in the immediate area? Yes No

Activities (such as amplified music) are likely to create adverse effects on neighbouring land use. What actions does the applicant intend to take to mitigate any adverse effects?

.....
 Please see attached submission.

i. What experience and training has the applicant had?

.....
 Please see attached submission.

13. Management of Premise

At all times when liquor is being sold or supplied to the public, a manager (appointed under Section 218 of the Sale and Supply of Alcohol Act) must be on duty.

a. How many managers have been/will be appointed? Three

b. Manager details:

| Name | Address | Date of Birth | Certificate No. | Expiry Date |
|------------------|--------------------------------|-------------------|--------------------|-------------|
| Simranjeet Singh | 103 Solomon Street, Brookfield | 22 / 07 / 1992 | 022/CERT/6756/2017 | 23/03/2020 |
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |
| | |/...../..... | | |

c. If no managers have yet been appointed, what is your proposal relating to Section 214 of the Sale and Supply of Alcohol Act requiring a manager to be present at all times?

.....
 n/a

14. Signature of Agent

a. Before signing the application, please refer to and complete the check list at the end of this form.

b. Agent's signature 

Date 27th June 2018
 Hospitality Licensing Ltd, Authorised Agent for KLM Enterprises Limited

• Please note – If applying as a company, please indicate your relationship to the company, eg Director, Secretary

Relationship Authorised Agent Name Hospitality Licensing Ltd

"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"

Sale and Supply of Alcohol Act 2012
Public Health Questionnaire for On-licence and
Club Licence Applications
"Section 4: Object of the Act"

The object of the Sale and Supply of Alcohol Act 2012 is

- (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.*
- (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).*

This questionnaire helps ensure that licensees meet the requirements of the Sale and Supply of Alcohol Act 2012 in relation to the public health consequences of alcohol use, such as alcohol-related health problems and preventable death or disability from alcohol-related motor vehicle crashes.

This questionnaire will enable the completion of the Medical Officer of Health report on your licence application. Your licence application cannot be processed without completion of this questionnaire.

This questionnaire should be completed by the licensee/applicant and not a consultant

To be completed & returned by / /

To complete our files please include copies of the following when returning this questionnaire.

- Current Menu (including prices)
- Host Responsibility Policy/Statement or alcohol management plan
- Staff Training Policy

Please return to:

Toi Te Ora – Public Health, PO Box 2120, Tauranga 3140

Attn: Trieste Ngawhika

0800 221 555

Application details

Name of Licensed Premises: The Local's Tavern Bar & Eatery

Name of applicant..... KLM Enterprises Limited

Address: Shop 6, 168 Omokoroa Road, Omokoroa

Postal address (if different from above..... P O Box 88, Bay View, NAPIER 4149

Email address: ..Cathy@LicenceMe.co.nz 0223-20-40-60 Georgie@LicenceMe.co.nz 021-611-844

Name of person(s) who is / are responsible for day-to-day management of the Sale of Liquor for premises:

..... Kamlesh Lachhani

Contact phone number: 021-550-275

Hours of operation: Monday to Sunday from 9am to 1am the following day

| | | | |
|----------------------------|--|---|---|
| Application for: | On licence | <input checked="" type="checkbox"/> | |
| | Club Licence | <input type="checkbox"/> | |
| | On (BYO) Licence | <input type="checkbox"/> | |
| Type of application | New | <input checked="" type="checkbox"/> | Renewal <input type="checkbox"/> |
| | Premises type: | Restaurant <input type="checkbox"/> | Conveyance <input type="checkbox"/> |
| | Tavern <input checked="" type="checkbox"/> | Short Stay Hostel <input type="checkbox"/> | |
| | Hotel <input type="checkbox"/> | Entertainment Centre <input type="checkbox"/> | |
| | Club <input type="checkbox"/> | Wine Bar <input type="checkbox"/> | |
| | Nightclub <input type="checkbox"/> | Motel <input type="checkbox"/> | |
| | Other..... | | |

Host Responsibility

- a. Do you have a written policy on host responsibility or an Alcohol Management Plan?
If yes, please attach a copy. Yes No
- b. Is it displayed for your patrons? will be Yes No
- c. Is there a Host Responsibility implementation plan? Yes No
- d. Do you require further information on host responsibility guidelines? Yes No

Staff Training

- a. Do you provide training to staff on their responsibilities for host responsibility? Yes No
 If yes: In-house training by whom Kunal Lachhani and managers
 Courses Provided by Training professionals.....
- b. How do you monitor the performance of staff in relation to their responsibilities under the Sale and Supply of Alcohol Act 2012?
 All staff will be monitored by the manager in relation to their performance during their shift. Additional training will be given if/when required.
- c. Do you have an incident register or incident log for recording events such as fights, ejections and attempts to purchase by minors and intoxicated persons? Yes No

Intoxicated Patrons

- a. How do you prevent intoxicated people from entering your premises?
 All staff will be trained to ensure that intoxicated persons do not gain entry to the premises.
 Any person looking to be intoxicated prior to entry will be asked to leave & if necessary, transport arranged.
- b. How do you identify if a person is becoming intoxicated?
 The premises will use the attached guidelines as published by HPA (attached)
- c. What steps do you take to ensure that patrons do not reach a state of intoxication?
 Server intervention - slowing down alcohol service and then eventually ceasing, offering alternatives.
- d. Do you display signage stating that intoxicated patrons will not be served alcohol? (This signage can be provided by the Public Health Service) will do Yes No

Intoxication assessment tool

Indicators may include but are not limited to:

| | Sober | Influenced | Intoxicated |
|--------------|--|---|---|
| Speech | Coherent, clear speech, normal tone/volume, may be talkative | May be overly talkative, opinionated and interrupts, may stumble words, becoming loud, inappropriate language, jokes, comments | Slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical, unintelligible |
| Coordination | Coordinated, balanced, standing without help or support | Slowed or delayed reactions, swagger or occasional staggers or sways | Spills drinks, stumbles, trips, weaves, walks into objects, unable to stand un-aided or sit straight |
| Appearance | Tidy, clear eyes, alert | Vacant or blank expression, smell of alcohol on breath, may look unwell | Bloodshot eyes, eyes glazed, inability to focus, tired, asleep, disheveled |
| Behaviour | Behaving sensibly but may be more relaxed | Over friendly or withdrawn, inappropriate or risky actions, argumentative, annoying, fading attention, increased consumption rate | Seriously inappropriate actions or language, aggressive, rude, belligerent, obnoxious behaviour affecting other customers |
| | Monitor & Serve responsibility | Intervene | Deny & remove |

Intoxication definition INTOXICATED means observably affected by alcohol, other drugs, or other substances to a combination of two or all of these things to such a degree that two or more of the following are evident: (a) appearance is affected, (b) behaviour is impaired, (c) coordination is impaired, (d) speech is impaired.



AL001 19th 2014

Intoxication Prevention Tool

1 SOBER MONITOR



2 INFLUENCED INTERVENE



3 INTOXICATED DENY AND REMOVE



1 SOBER MONITOR

CUSTOMER BEHAVIOUR

- Coherent, clear speech, normal tone and volume, may be talkative
- Coordinated, balanced, standing without help or support
- Clear eyes, tidy alert
- Behaving sensibly

SERVER'S ROLE

- **MONITOR CUSTOMER CONSUMPTION**
 - All staff have a responsibility in monitoring the effect of alcohol on patrons
 - Talk with the customer – this will build rapport and give insight into their condition
 - Use undercover marketing techniques such as glass collection
- **ESTABLISH CLEAR AND CONSISTENT STANDARDS**
 - Management and staff are responsible for setting the tone of the premises
 - Create a positive, friendly atmosphere where intoxication will be out of place and unacceptable
- **IDENTIFY CUSTOMER INTENTIONS**
 - Recognise that a minority of customers on your premises intend becoming intoxicated
 - Identify and actively manage those who appear to be high risk
 - Be aware that high-risk people include those celebrating, ordering in quick succession, and ordering shots
- **OFFER LOW-ALCOHOL AND NON-ALCOHOLIC DRINKS AND FOOD OPTIONS**
 - Provide a range of alternatives to alcohol
 - Actively promote and encourage other products as part of the broader customer experience

2 INFLUENCED INTERVENE

CUSTOMER BEHAVIOUR

- May be overly talkative, opinionated, stumble over words, loud, inappropriate language or comments
- Slowed or delayed reactions, swagger or occasional staggers or sways
- Vacant or blank expression, smell of alcohol on breath, may look unwell
- Overly friendly or withdrawn, inappropriate or risky actions, argumentative, annoying, increased consumption rate

SERVER'S ROLE

- **COMMUNICATE WITH TEAM**
 - Inform your manager and team whenever you get on and anyone to keep an eye on
 - Monitor consumption and regularly follow up on those identified
- **SUBTLE OR STOP ALCOHOL SERVICE**
 - Talk to the customer – intervene early and tactfully
 - Offer non-alcoholic drinks and food options
 - Don't offer refills – just let them ask to buy serving other customers
 - Serve their next drink with water on the side
 - If possible, use the customer's friends to warn of their drinking
- **BE ASSERTIVE, NOT AGGRESSIVE**
 - Make your requirements clear and give customers the chance to comply without losing face
 - Refer request to prevention, stay calm and employ calming strategies

3 INTOXICATED DENY AND REMOVE

CUSTOMER BEHAVIOUR

- Slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical language or comments
- Stubs drinks, stumbles, trips, weaves, walks into objects, unable to stand unaided or sit straight
- Eyes glazed or bloodshot, inability to focus, tired, asleep, disheveled
- Seriously inappropriate actions or language, aggressive, rude, belligerent, obnoxious behaviour affecting other customers

SERVER'S ROLE

- **COMMUNICATE WITH TEAM AND MANAGER**
 - Inform your manager and team whenever you think your policy will determine who should remove the customer from the premises
- **REMOVE CUSTOMER FROM PREMISES**
 - Remove the customer's effect
 - Consider your own personal safety
 - Offer the incident to the logbook
 - Consider customer safety – mates or a taxi
 - Customers are not allowed to remain on the premises except in a place of safety



Date of Birth Chart

U18

| YEAR | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
|------|------|------|------|------|------|------|------|
| 1994 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 1995 | 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 1996 | 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 1997 | 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 1998 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 1999 | 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 2000 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 2001 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 2002 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 2003 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 2004 | 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 2005 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 2006 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |

 Yes
 Maybe*
 No

* 17 unless a birthday has occurred before the current month and day



Minors

a. What identification do your staff accept to identify minors and prevent them being served alcohol?

NZ photographic drivers licence Yes No

NZ or overseas passports Yes No

HANZ 18+ card Yes No

Other forms of ID – *please describe*

No others

.....

b. Do you display signage stating alcohol will not be sold to minors or that patron who appear under 25 years will be asked for ID?

Yes will do No

c. Are staff aware of their responsibilities under the Sale and Supply of Alcohol Act 2012 for breaches regarding supply of alcohol to minors?

Yes will be No

Safe Transport Options

a. How do/will you provide access to safe transport for those patrons who are not safe to drive?

Public telephone access Yes will have No

Staff will telephone for transport Yes will do No

Subsidised taxi scheme available Yes No

Signage for dial-a-driver/taxis clearly displayed Yes will have No

Courtesy van Yes No

Other:

b. Do you promote non-drinking or a designated driver scheme (e.g. free non-alcoholic drinks for drivers)?

Yes No

If **Yes**, please describe

Alcohol Promotion

a. Do you run promotions offering reduced price liquor (e.g. happy hours, give-aways, 2 for 2 deals, etc)?

Yes No

- b. Do you run promotions offering alcohol in non-standard measures? Yes No
- c. Do you run promotions offering alcoholic drinks which by virtue of their descriptive titles encourage excessive consumption of alcohol (e.g. shooters/slammers/blasters)? Yes No
- d. Describe the type and duration of your promotions:

Food

- a. Food slows the rate of absorption of alcohol and a minimum of three types of food should be available at all times – this does not mean three types of pie. Nuts and crisps are not sufficient. Please provide a menu or list the range of foods available while alcohol is sold.

.....
 Menu attached

- b. Please state the times food is available.

.....
 At all times when open for the sale of alcohol

- c. Food must be actively promoted. How do you promote the availability of food?

| | | |
|------------|---|-----------------------------|
| Menu | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Blackboard | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Signs | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

Other:

Low and Non-alcoholic Drinks

- a. List the range of low alcohol (less than 2.5% alcohol) beverages that are available.

.....
 Steinlager Mid, Amstel Light 2.5% ABV

- b. How are they promoted?

.....
 Menus and visually

- c. Is water freely available at all times at no cost Yes No

Entertainment

- a. What entertainment is offered on your premises?

.....
 Background music and live ambient music

Smoke-free Environments Act 1990

Since 10 December 2004 it has been an offence to permit smoking in the internal areas of licensed premises. The licensee is required to take all reasonable practicable steps to prevent people smoking inside.

- a. Do you display signage at all entrances to your premises indicating that smoking is not permitted inside? Yes No
will do
- b. Do you have a policy for dealing with patrons who smoke in internal areas? Yes No
there will be none
- c. Do you have an outdoor smoking area? Yes No
- d. Is this enclosed? Yes No
- e. If you have cigarette-vending machines, are they in view of the bar staff and operated by a remote control device? Yes No
no machine
no sales
- f. Are all points of sale (including vending machines) marked with a Smoking Kills sign as required under the Smoke-free Environments Act 1990? Yes No

CLUBS ONLY

A Club Licence allows you to sell liquor to club members, accompanied guests and members of clubs with reciprocal visiting rights. How do you ensure that only these people are sold or supplied alcohol in your club?

.....
.....
.....

Are the premises used/hired by other organisations/individuals and what is the nature of this use? Are the bar facilities available for these functions?

.....
.....
.....

RENEWAL APPLICATIONS ONLY (question a. and b.)

a. Are you proposing any changes to the conditions of your current licence?
Yes No

b. If yes please state what these proposed changes are, and why you want them?

.....
.....

ALL APPLICANTS

To complete our files please include copies of the following when returning this questionnaire.

- Current Menu (including prices)
- Host Responsibility Policy/Statement and /or Alcohol Management Plan
- Staff Training Policy

UNDERTAKING

Hospitality Licensing Ltd on behalf of KLM Enterprises Limited trading as The Local's Tavern Bar & Eatery, acknowledge that the above questions are understood and answered to the best of our ability and with the express authorisation and knowledge obtained from the applicant. The host responsibility measures outlined here will apply should a licence be granted.

*Signed: 

Date: **27th June 2018**

By **Hospitality Licensing Limited, Authorised Agent**
Georgie Robertson / Cathy Scott

Note: The information contained within this Public Health Questionnaire may be shared with other statutory agencies, including Police and Liquor Licencing Inspectors.

All applications filed after 18 June 2013 require the Agency to take into account the criteria of the Sale and Supply of Alcohol Act 2012 (section 105).

To support your application, please supply the information required and answer the questions listed in this form.

Scale Floor Plan

Provide a scale floor plan which also shows the design and layout of the premises.

This should include: (identifying your principal entrance)

- Seating and tables
- A list of facilities, ie bar, toilets, stage, etc.
- CCTV placement
- Security lighting

Also, for Off-Licences:

- A description of your product types, where they are displayed and stored.

1. The reporting agencies must consider any effects the issue of the licence will have on amenity and good order - please answer the following:

For all licences:

- a) Advise proximity of all childcare centres, schools and churches within 500m - a site plan would assist.

Please see attached submission plan

- b) How many residential neighbours would you have within 50 metres?

None

- c) Security - what security systems do you have and state location (outdoor lighting, indoor/outdoor CCTV, other)?

All security systems seem will be appropriate. There will be sufficient outdoor lighting. CCTV will be throughout

- d) Internal layout - can the entire premises be seen by the cashier? Is there good visibility in the cool store areas (Off-Licence)? Where there are blind spots, are mirrors or CCTV installed? Is the internal lighting inside the premises suitable?

There will be - the layout will have lighting that is fit for purpose.

- e) Windows - is there good visibility into and from the premises and the street?

Yes there will be

- f) Lighting - does the lighting outside the premises discourage loitering? Does the lighting allow staff to check ID's, etc?

Staff will have no issues checking for ID and external lighting will be adequate.

- g) Security - will you employ security staff and when will they be used?

No

h) Security staff - how many security staff hold a Certificate of Approval and formal registration or qualification? If so what?

From time to time they may be contracted in and if so they will have the required qualifications.

Additional Information required for On-Licence and Club Licences.

Noise

i) Explain clearly all types* of entertainment you will be providing and when (* amplified music or large crowd noise related).

Background amibent and acousitc live from time to time

j) Noise management - do you have a noise management plan or an acoustic report prepared by a suitably qualified and experienced Acoustic Engineer?

An informal plan will be implemented - if complaints are received, this is addressed by the manager on duty.

k) Noise mitigation - what mitigation will/is be/being undertaken (include any details regarding noise monitoring)?

Any complaint will be dealt with, if complaints are ongoing an acoustic report will be commissioned.

What outside / off premise advertising involving liquor will you be doing?

l) Newspaper/Magazine

m) Shop windows?

n) On your premises - roof/other?

It is intended facebook for the premises

o) Street/Footpath signs?

p) Social Media Sites i.e. Twitter/Facebook, Online Magazines, Websites, etc?

A copy or sample of your advertising would be of assistance

Systems and Staff Training

q) Are you involved in any mystery shopper type programmes?

No

r) What till prompt systems do you have regarding age checks?

Staff will ask for ID and yes, an age prompt

s) What staff training is provided with regard to Sale of Alcohol compliance and Host Responsibility practices - explain content, duration and how often this training is provided.

Staff will be trained by management, and training providers

t) Please provide copies of any written material you supply to staff regarding staff training (attach to this form).

HPA resources - The Managers Guide and The Bar Code

2. Marketing and Promotions

a) What percentage of the front windows will be clear and transparent?

None

b) What is the target market for the business?

The target market for the premise will be local neighbours and holiday makers

c) What is your policy regarding pricing and promotions?

All promotions will be in line with section 237 of the Act and not promote excessive alcohol consumption.

d) Will there be single sales (Off-Licence)?

n/a

Renewals Only

e) Have you had any complaints from the neighbours (including confirmed noise complaints) that you are aware of?

f) Has your business been subject to a Police controlled Purchase Operation (CPO)? If so, what were the results?

g) Have you or your business ever appeared before the Alcohol Regulatory and Licensing Authority? If so, for what reason?

3. The granting, or renewal, of this application will contribute to the Object of the Act by:

- Steps taken to ensure the sale, supply and consumption of alcohol will be undertaken safely and responsibly:
Food will be actively promoted. All staff will be well trained to ensure that prohibited persons do not gain access to alcohol.

- The harm caused by the excessive or inappropriate consumption of alcohol will be minimised by:

Responsible service, the promotion of food, and the complete intolerance of bad or inappropriate behaviour.

Any other comments you wish to make to support your application being determined:

PO Box 88
 Bay View Napier 4149
 p: (09) 372 6107
 p: (06) 836 7297
 www.LicenceMe.co.nz

hospitality
 licensing
 limited

DISCLOSURE OF POLICE INFORMATION

The Police are required to report on this application. That report may include the release of any previous convictions you may have. You will receive a copy of that report. Do you consent to the release of this information?

Yes No



Company Name: KLM Enterprises Limited

Director:

Name:

Kunal Lachhani

Address:

14 Marsden Road

Paihia

Date of Birth:

14th September 1990

Place of Birth:

India

Status:

NZ Citizen

Drivers Licence:

DH 068014

Dated this 27th day of June 2018

Signed:

Cathy Scott, Hospitality Licensing Ltd
 Authorised Agent for the applicant company

The Manager
Hospitality Licensing Limited
P O Box 88
Bay View
NAPIER 4149

I authorise Hospitality Licensing Limited to act as my agent
in all matters relevant to liquor licensing.

I understand that the police are required to report on the
application and consent to the release of information.

Signed:



Name:

Kunal Lachari

On behalf of:
(legal entity)

KLM Enterprises Limited

Date:

18/05/2018



Certificate of Incorporation

KLM ENTERPRISES LIMITED

5790457

NZBN: 9429041952757

This is to certify that KLM ENTERPRISES LIMITED was incorporated under the Companies Act 1993 on the 31st day of August 2015.

A handwritten signature in black ink, appearing to read 'D. Smith'.

Registrar of Companies
22nd day of June 2018





Company Extract

KLM ENTERPRISES LIMITED

5790457

NZBN: 9429041952757

| | |
|------------------------------------|--------------------|
| Entity Type: | NZ Limited Company |
| Incorporated: | 31 Aug 2015 |
| Current Status: | Registered |
| Constitution Filed: | No |
| Annual Return Filing Month: | July |

Ultimate holding company: No

Company Addresses

Registered Office

14 Marsden Road, Paihia, Paihia, 0200, NZ

Address for Service

14 Marsden Road, Paihia, Paihia, 0200, NZ

Directors

LACHHANI, Kunal

14 Marsden Road, Paihia, Paihia, 0200, NZ

Shareholdings

Total Number of Shares: 200

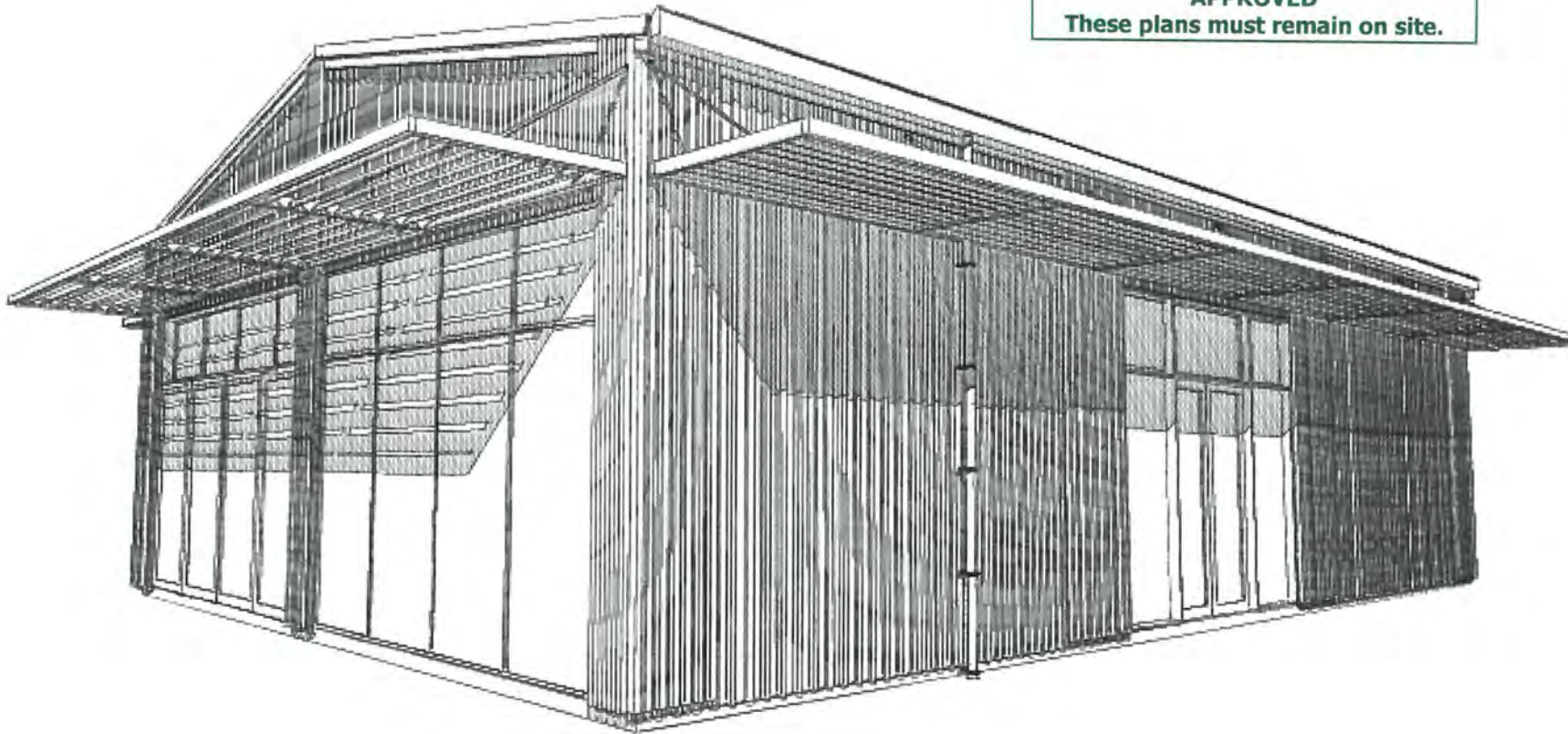
Extensive Shareholdings: No

| | |
|-----|--|
| 120 | LACHHANI, Kajal 220 Greenhithe Road, Greenhithe, Auckland, 0632, NZ |
| 40 | LACHHANI, Kunal 14 Marsden Road, Paihia, Paihia, 0200, NZ |
| 40 | LACHHANI, Kunal 14 Marsden Road, Paihia, Paihia, 0200, NZ |

For further details relating to this company, check <http://app.companiesoffice.govt.nz/co/5790457>

Extract generated 18 May 2018 12:13 PM NZST

**Western Bay of Plenty District Council
BC91087
APPROVED
These plans must remain on site.**



| Sheet Index | |
|-------------|-----------------------|
| Layout ID | Layout Name |
| 01 | Cover Index |
| 02 | Site Plan |
| 03 | Survey Plan |
| 04 | Site Drainage |
| 05 | Drainage Details |
| 06 | Floor Plan |
| 07 | Framing Plan |
| 08 | Elevations |
| 09 | Sections |
| 10 | E2 Details |
| 11 | E2 Details |
| 12 | D & W Schedule |
| 13 | Bracing Plan |
| 14 | Lintel Fixing Details |
| 15 | Electrical Plan |
| 16 | Roof Plan |
| 17 | Truss Layout |
| 18 | Firewall Details |
| 19 | Wet Area Details |
| 20 | GAS Details |

Consent Plans0 for The Proposed



Lachhani Trustee Ltd. Tavern, Restaurant & Shops

168 Omokoroa Road Omokoroa

Project Number 17120



www.penn design.co.nz
Ph: 07 572 4203 - Fax: 07 572 4207
360A Maunganui Road. Mt Maunganui. Tauranga.

Design
Flexibility
Quality

THE LOCAL'S TAVERN BAR & EATERY
Shop 6
168 Omokoroa Road
Omokoroa

Locality in Relation to Perceived Sensitive Premises



| Name | Address |
|---------------------------|-------------------|
| Omokoroa Community Church | 139 Hamurana Road |

THE LOCAL'S TAVERN BAR & EATERY

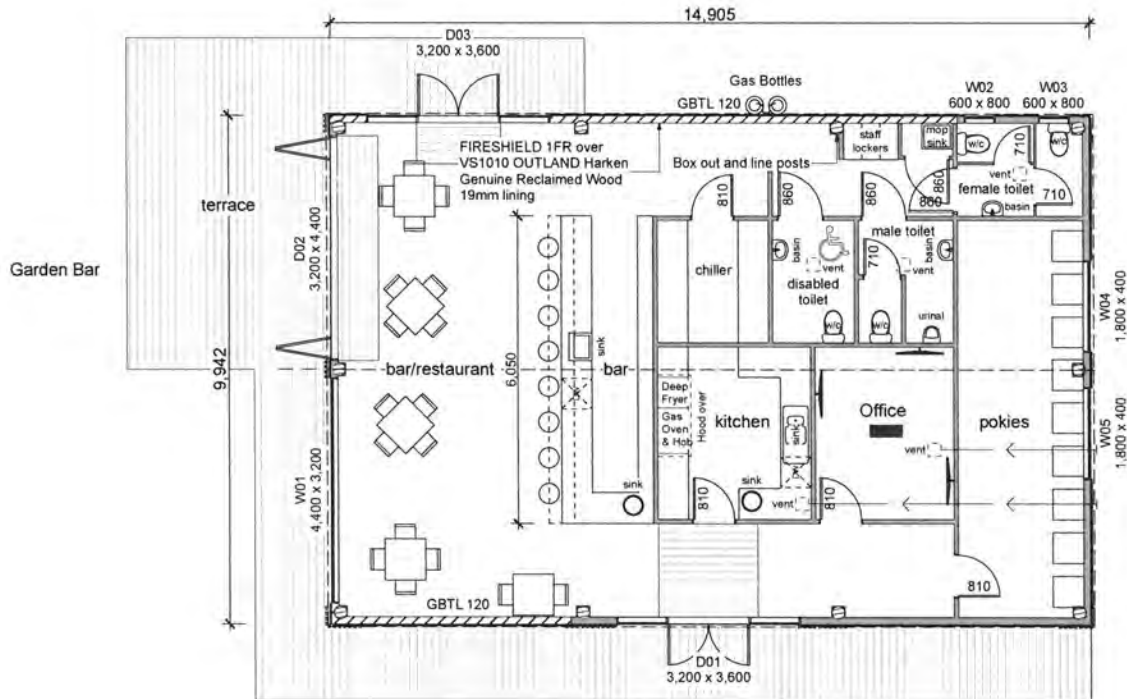
Shop 6

168 Omokoroa Road

Omokoroa

LOCATION PLAN



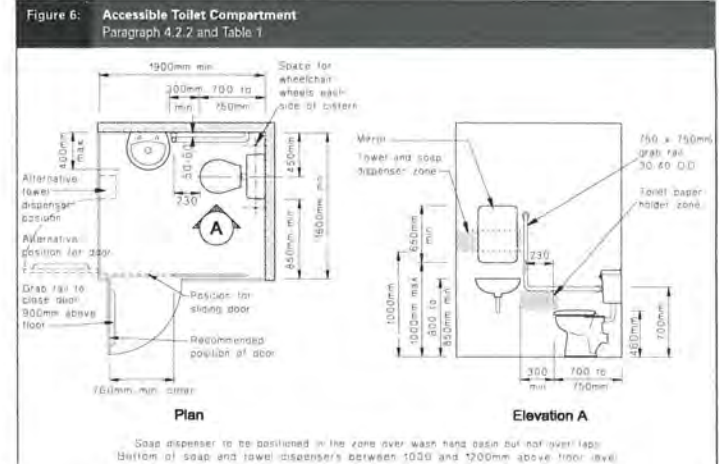
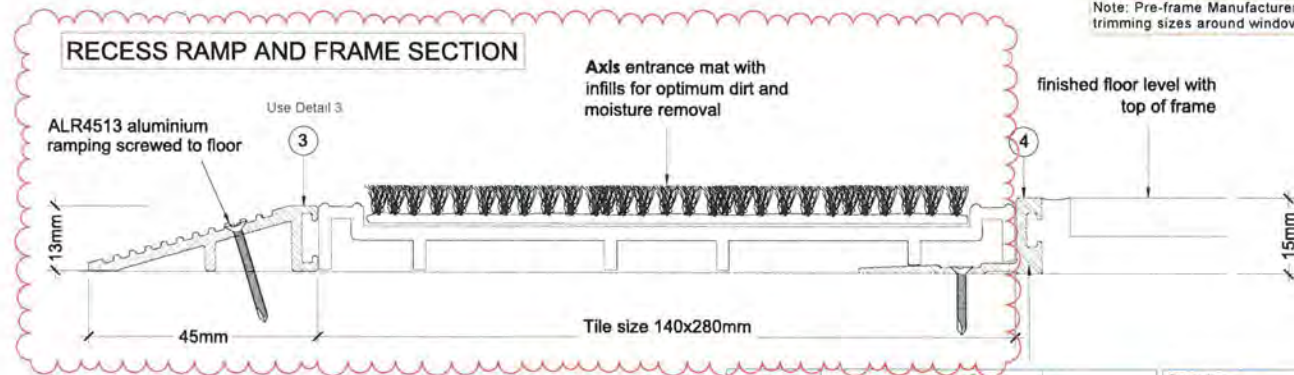


Floor Plan

Scale - 1 : 100

Area: 148.38m²

Western Bay of Plenty District Council
BC91087
APPROVED
These plans must remain on site.



VENTILATION TABLE

| Room | Room Area m ² | Window Opening Area m ² | Ventilation >5% |
|----------|--------------------------|------------------------------------|---|
| Bar Area | 81.10 | 18.17 | 22.40% |
| Kitchen | 10.14 | | Mechanical Ventilation as per 2E Consulting |
| Toilet 1 | 3.84 | | Mechanical Ventilation as per 2E Consulting |
| Toilet 2 | 4.44 | | Mechanical Ventilation as per 2E Consulting |
| Toilet 3 | 4.44 | 0.78 | 17.57% |
| Pokies | 19.07 | 1.12 | 5.87% |
| TAB | 9.16 | | Mechanical Ventilation as per 2E Consulting |

TOP-PLATE TO STUD FIXING DETAILS:

For ALL exterior wall studs & Jack studs use:
3/90x3.15 end nails + 2 wire dogs
OR 4.7kN alternative fixing capacity

BOTTOM PLATE FIXING

Concrete Floor: - Ramset As12150 Anchor bolts @ 600 crs. max. 55mm min from slab edge
External Wall Bracing Panels - See Gib. Manual June 2011
Internal Walls - Ramset HD875 Driving Pins @ 600 crs. max.
Internal Wall Bracing Panels - See Gib. Manual June 2011

Note: Pre-frame Manufacturer to allow for trimming sizes around windows and doors.

WET AREA FINISHES:

- Kitchen:**
Floor: Polished concrete sealed with safety step ClearCote Anti-slip resin to manufacturers specs & NZBC D1.3.3d.
- Walls & Ceilings:**
6mm HardGlaze Wall Lining
6mm Villaboard Ceiling Lining
- Bathroom:**
Floor: Polished concrete sealed with safety step ClearCote Anti-slip resin to manufacturers specs & NZBC D1.3.3d.
- Walls & Ceiling:**
6mm HardGlaze Wall Lining
6mm Villaboard Ceiling Lining
- All other floors:**
Floor: Polished concrete sealed with safety step ClearCote Anti-slip resin to manufacturers specs & NZBC D1.3.3d.
- Walls & Ceiling:**
To GIB firewall manual or Gib Plasterboard (10mm Walls 13mm Ceilings) to all other areas.

NOTE:
Kitchen Layout indicative only, see Kitchen manufacturers specifications. All benchtops to the kitchen & Bathroom areas to be impervious to moisture & easily cleanable.



penn design
architecture

1988 Management
All Materials
Outlets
For up to 4 years
For up to 4 years

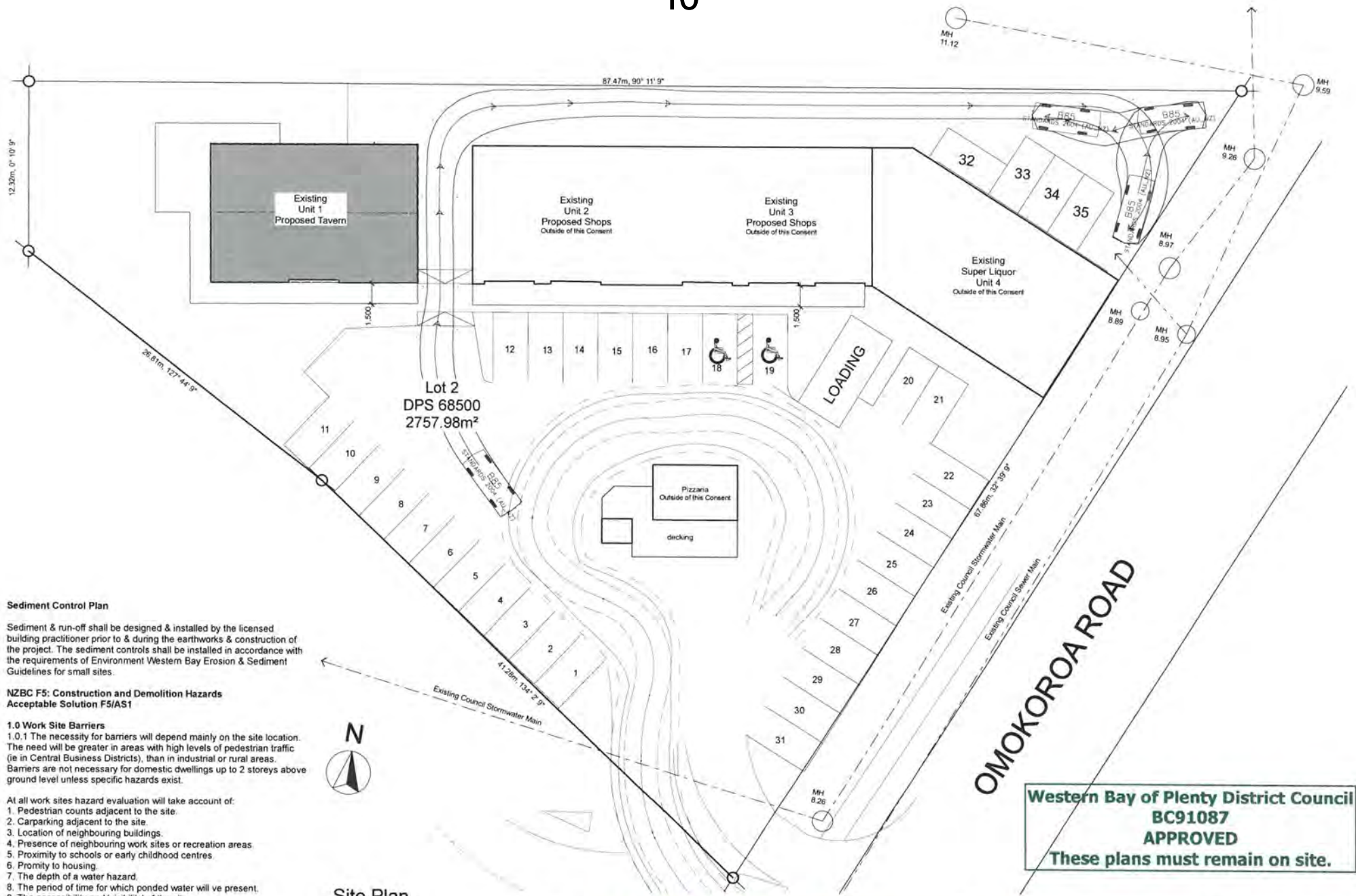
Project Name:
Lachlan Trustee Ltd
Tavern, Restaurant & Shops
168 Omokoroa Road
Omokoroa

Sheet Title:
Floor Plan
Original Drawing Size: A3

Skills:
Drawn: J. Wotherspoon
Rev Date: 08-Mar-18

Project Status:
Consent
High
2
D

Sheet No:
06 of 20
Drawing No:
17120



Sediment Control Plan

Sediment & run-off shall be designed & installed by the licensed building practitioner prior to & during the earthworks & construction of the project. The sediment controls shall be installed in accordance with the requirements of Environment Western Bay Erosion & Sediment Guidelines for small sites.

**NZBC F5: Construction and Demolition Hazards
Acceptable Solution F5/AS1**

1.0 Work Site Barriers

1.0.1 The necessity for barriers will depend mainly on the site location. The need will be greater in areas with high levels of pedestrian traffic (ie in Central Business Districts), than in industrial or rural areas. Barriers are not necessary for domestic dwellings up to 2 storeys above ground level unless specific hazards exist.

At all work sites hazard evaluation will take account of:

1. Pedestrian counts adjacent to the site.
2. Carparking adjacent to the site.
3. Location of neighbouring buildings.
4. Presence of neighbouring work sites or recreation areas.
5. Proximity to schools or early childhood centres.
6. Proximity to housing.
7. The depth of a water hazard.
8. The period of time for which ponded water will be present.
9. The accessibility and visibility of the site.

1.0.2 If a work site is not completely enclosed, and unauthorised entry by children is likely, it is acceptable for specific hazards to be fenced only when workers are absent from the immediate vicinity.



Site Plan
Scale: 1:250

Western Bay of Plenty District Council
BC91087
APPROVED
These plans must remain on site.



100% MANAGED BY
OUR MANAGING DIRECTOR
THEY'VE GOT 20 YEARS
OF EXPERIENCE

Project Name
**Lachhani Trustee Ltd.
Tavern, Restaurant & Shops
168 Omokoroa Road
Omokoroa**

Sheet Title
Site Plan
(Original Drawing Size: A3)

License
Drawn: **J. Wotherspoon**
Plot Date: **14-Feb-18**

Project Status
Consent
Consent Code: **High**
Duration/Order: **2**
Status/Order: **D**

Sheet No
02 of 20
Drawing No
17120



**Western Bay of Plenty District Council
Certificate of Compliance Pursuant to Section 139
Resource Management Act 1991**

- | | | |
|----|--------------------------------|---|
| 1. | Applicant | KLM Enterprises Ltd |
| 2. | Location of Property | Shop 6 – 168 Omokoroa Rd, Omokoroa |
| 3. | Legal Description | Lot 2 DPS 68500 |
| 4. | Zone | Commercial |
| 5. | District Plan | Western Bay of Plenty Operative District Plan 2012 |
| 6. | Description of Activity | To sell liquor onsite. One Licence application under the Sale and Supply of Alcohol Act 2012, for the premises "Tavern Style". The hours of operation: Monday to Sunday 9am to 1am. |
| 7. | Statement of Compliance | |

On 24 May 2018, the day this application was received, the activity described above is a discretionary activity under the Western Bay of Plenty Operative District Plan (Rule 19.3.2(d)), the relevant provisions of which are beyond the stage they can be affected by submission or appeal.

[Note: Please ensure you comply with the land use consent RC10875 conditions]

Jody Schuurman
Resource Management Technical
Advisor
P/1207/3179/2
ID: 11037
20 June 2018

Approved under Delegated Authority

.....
Chris Watt
Environmental Consents Manager

Date: 22/06/2018

18th May 2018

The Secretary
District Licensing Committee
Auckland Council
P O Box 92-300
AUCKLAND 1142

Dear Sir

**APPLICATION FOR A LIQUOR LICENCE:
KLM ENTERPRISES LIMITED**

Lachhani Trustee Limited as trustee of Lacchani Family Trusts the owner of premises located at Shop 6, 168 Omokoroa Road, Omokoroa.

The premises will be occupied by KLM Enterprises Limited.

As owner of the premises, we have no objection to the granting of any liquor licence issued under or the Sale and Supply of Alcohol Act 2012.

Yours sincerely

Kamlesh Laehke
18/05/2018

Pp Lachhani Trustee Limited as trustee of Lacchani Family Trust

Kamlesh Laehke

FIRST SCHEDULE

- 1. **PREMISES:** Shop 6 at 168 Omokoroa Road, Tauranga, as per the plans attached.
- 2. **CAR PARKS:** As at premises (non-exclusive)
- 3. **TERM:** Three (3) years.
- 4. **COMMENCEMENT DATE:** One month from the date that a Certificate of Code Compliance is issued for the premises.
- 5. **RIGHTS OF RENEWAL:** One (1) term of three (3) years.
- 6. **RENEWAL DATES:** Three years from commencement date.
- 7. **FINAL EXPIRY DATE:** Six years less one day from commencement date.

| | | | | |
|----|--|--------------------------------|------------|----------------------------------|
| 8. | ANNUAL RENT: (Subject to review if applicable) | Premises Car Parks TOTAL | [REDACTED] | plus GST plus GST plus GST |
|----|--|--------------------------------|------------|----------------------------------|

9. **DEPOSIT:** (advance rent) plus GST

10. **RENT REVIEW DATES:**
(Specify review type and insert dates for initial term, renewal dates and renewal terms. Unless dates are specified there will be no reviews. Where there is a conflict in dates, the market rent review date will apply.)

1. Market rent review dates: Three years. In the event tenant renews the lease then the rental will be \$90,000.00 plus GST per annum from the renewal date.

~~2. CPI rent review dates:~~



11. **DEFAULT INTEREST RATE:** (subclause 5.1 of the Lease) 14 % per annum

12. **BUSINESS USE:** Bar, TAB Agency, Pokies and Tavern. (subclause 16.1 of the Lease)

[Handwritten initials/signature]

SNACKS

| | |
|--|---------|
| BEER BATTERED FRIES WITH GARLIC AIOLI | \$9.00 |
| ONION RINGS WITH MAYO | \$9.00 |
| GARLIC BREAD WITH GARLIC & BREAD | \$9.00 |
| CRISPY SALYT & PEPPER SQUID WITH TARTARE SAUCE | \$12.00 |
| CHICKEN WINGS WITH BBQ SAUCE | \$12.00 |
| KUMARA FRIES WITHCHILLE &SOUR CREAM | \$12.00 |
| HOUSE MADE TPASTED FLAT BREAD SERVED WITH HUMMUS & PESTO | \$15.00 |

SALADS**\$18.00**

CHICKEN CEASER
 THE ONLY VEGAN SALAD
 THAI BEEF SLAD
 PRAWNS &MANGO

BURGERS**\$16.00**

SAY CHEESE BURGER
 CHICKEN BOK BOK BURGER GURGER
 VEGERTERIAN SLAD BURGER
 FILLET O FISH
 HOGGING PORK BURGER

DINNER TIME FROM 4 PM**FRESH FROM THE BOAT**

pan-fried salmon with butter,garlic mash & salad **\$35.00**

CHIACKEN OMOKOROA

crispy fried crumbed chicken breast with mozzarella **\$28.00**
 ,chefs secret tomato sauce,garlic mash & salad

T BONE STEAK

400gms of grilled T bone with crispy fries,slad and **\$35.00**
 choice of creamy mushroom or garlic butter

PORK RIBS

pork ribs made with bbq sauce with chips & chitpotle slaw **\$35.00**

FOR THE VEGGIES

mashed patatoes,roasted mushrooms,seasonal char grilled veges **\$28.00**
 and crispy halloumi dressed with chimchurri sauce

BEERS**TAP BEER****GLASS****JUG**

| | | |
|--------------------------|--------|---------|
| MACS GOLD | \$8.00 | \$35.00 |
| STELLA ARTIOS | \$9.00 | \$40.00 |
| SPEIGHTS GOLD | \$8.00 | \$35.00 |
| MACS CLOUDAY APPLE CIDER | \$8.00 | \$35.00 |

BIG BOTTLES

| | |
|---------------|--------|
| WAIKATO | \$9.00 |
| TUI | \$9.00 |
| LION RED | \$9.00 |
| SPEIGHTS GOLD | \$9.00 |

BOTTLES

| | |
|--------------------|--------|
| CORONA | \$8.00 |
| STEINLAGER CLASSIC | \$8.00 |
| STEINLAGER PURE | \$8.00 |
| STENLAGER MID | \$8.00 |
| STELLA ARTIOS | \$8.00 |
| TIGER | \$8.00 |
| HEINEKEN | \$9.00 |
| ASAHI SUPER DRY | \$9.00 |
| MACS RANGE | \$8.00 |
| MONTIS RANGE | \$8.00 |

CIDER

| | |
|--------------------|--------|
| ISAC PEAR CIDER | \$8.00 |
| MONTIS APPLE CIDER | \$8.00 |
| ZEFFER APPLE CIDER | \$9.00 |

CRAFTY OPTIONS

| | |
|-----------------------------------|---------|
| PANHEAD RANGE | \$11.00 |
| GARAGE PROJECT HAPI DAZE PALE ALE | \$13.00 |
| GARAGE PROJECT HOPS ON POINTE | \$13.00 |
| LIBERTY HALO PILSNER | \$11.00 |
| LIBERTY OH BROTHER PALE ALE | \$11.00 |

LIGHT BEER

| | |
|---------------------|--------|
| HEINEKEN LIGHT 2.5% | \$8.00 |
| AMSTEL LIGHT 2.5% | \$8.00 |

BIRRA MORRETI 0% \$8.00

NON ALCHOLIC

SOFT DRINKS \$3.50
GINGER BEER \$4.50
JUICES \$4.50
RED BULL \$5.00

WINES

| | BOTTLE | GLASS |
|-----------------------------|----------|---------|
| CHAMPAGNE | | |
| G.H.MUMM | \$90.00 | \$18.00 |
| VEUVE CLICQUOT | \$110.00 | 21 |
| MOET CHANDON | \$130.00 | |
| BOIILNGER | \$150.00 | |
| DOM PERIGNON | \$390.00 | |
| | | |
| METHODE | | |
| DEUTZ | \$60.00 | \$12.00 |
| CLODAY BAY PERLOUS | \$65.00 | \$14.00 |
| | | |
| SAUVIGNON BLANC | | |
| WITHER HILLS | \$30.00 | \$8.00 |
| MT DIFFICULTY | \$60.00 | |
| JULES TAYLOR | \$55.00 | \$11.00 |
| ELEPHANT HILL | \$40.00 | \$9.00 |
| DOG POINT | \$60.00 | |
| | | |
| PINOT GRIS | | |
| THE NED PINOT GRIS | \$48.00 | \$10.00 |
| MOUNT DIFFICULTY PINOT GRIS | \$58.00 | |
| MONTANA RESERVE | \$40.00 | \$9.00 |
| JULES TAYLOR | \$50.00 | |
| | | |
| CHRDONNAY | | |
| MONTANA RESERVE | \$40.00 | \$9.00 |
| SPY VALLEY | \$50.00 | \$10.00 |
| MATAWHEREO | \$55.00 | |

WINES

BOTTLE

GLASS

ROSE

| | | |
|-----------------------|---------|--------|
| MONTANA RESERVE | \$40.00 | \$9.00 |
| NED | \$50.00 | |
| ARROGANT FROG | \$40.00 | \$9.00 |
| WIHER HILL PINOT ROSE | \$40.00 | \$8.00 |

PINOT NOIR

| | | |
|----------------------|---------|---------|
| MONTANA RESERVE | \$45.00 | \$9.00 |
| MT DIFFICULTY | \$60.00 | |
| ROACKBURN | \$80.00 | |
| RUA | \$60.00 | |
| BLACK COTTAGE | \$50.00 | |
| NED | \$55.00 | \$11.00 |

CABERNETS AND MERLOT

| | | |
|------------------------------|---------|---------|
| BROOKFIELDS | \$50.00 | |
| MONTANA RESERVE MELOT | \$40.00 | \$8.00 |
| STOLNELEIGH MERLOT | \$40.00 | \$8.00 |
| CHURCH ROAD MERLOT CAB SAV | \$50.00 | \$11.00 |

SHIRAZ

| | | |
|----------------------------|---------|---------|
| ARROGANF FROG SYRAH | \$50.00 | \$10.00 |
| SHOT IN THE DARK | \$40.00 | \$9.00 |
| 30 MILES | \$40.00 | \$9.00 |
| CARAVAN PETIT SYRAH | \$55.00 | |

PREMIUM SPIRITS

WE STOCK AN EXTENSIVE RANGE OF WORLDS FINEST SPIRITS
FOR FURTHER INFORMATION ASK OUR TAFF OR REVIEW OUR BACKBAR

THE LOCAL'S TAVERN BAR & EATERY

Social Responsibility Policy

Free water is available at all times.

We have lots of delicious food available
Just ask us!

We have a large selection of non-alcoholic
beverages & lite beer.

We will request identification from any one that
looks under the age of 25

We will not serve minors

We will not serve intoxicated persons

We actively encourage you to take alternative
forms of transport home.

Alcohol will not be promoted in an irresponsible
manner

We want you to have a safe and enjoyable time at
THE LOCAL'S TAVERN BAR & EATERY

From the Management and Staff

Section 101

Sale & Supply of Alcohol Act, 2012

KLM Enterprises Limited of Auckland (Licensed Premises Operator) has made application to the District Licensing Committee at Western Bay of Plenty for the issue of an On Licence in respect of the premises situated at Shop 6, 168 Omokoroa Road, Omokoroa, known as The Local's Tavern Bar & Eatery. The general nature of the business to be conducted is a tavern. The days on which, and the hours during which liquor is intended to be sold under the licence, are Monday to Sunday from 9am to 1am the following day.

This application may be inspected during ordinary office hours at the office of the Western Bay of Plenty District Licensing Committee at 1484 Cameron Road, Tauranga.

Any person who is entitled to object and who wishes to object to the issue of the application may, not later than fifteen working days from 29th June 2018, file a notice in writing of the objection with the Secretary of the District Licensing Committee at Private Bag 12-803 Tauranga Mail Centre 3143.

No objection to the renewal of a licence may be made in relation to a matter other than a matter specified in section 131 of the Sale & Supply of Alcohol Act 2012.

**Before the Secretary of the Western Bay of Plenty
District Licensing Committee**

SIMRANJEET SINGH

For Consideration

An application for renewal of a Manager's Certificate pursuant to Section 224 of the Sale and Supply of Alcohol Act 2012 from SIMRANJEET SINGH residing at 103 Solomon Street, Brookfield, Tauranga.

Decisions

The applicant has a Manager's Certificate No. 022/CERT/024/2016, which is due to expire on 23 March 2017.

SIMRANJEET SINGH is a manager at the OMOKOROA SUPER LIQUOR. There are no objections under Section 225 of the Act to renewal of this Certificate from the Licensing Inspector or the Police.

I am satisfied as to the matters to be considered in respect of Section 227 of the Act and grant a Manager's Certificate accordingly.



Michael Jones

Commissioner

Western Bay of Plenty District Licensing Committee



Application No: 6756

DATED at Tauranga on the 5 April 2017

Certificate No. 022/CERT/6756/2017

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

SIMRANJEET 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 shall expire on 23 March 2020 unless again renewed.

DATED at Tauranga on the 5th day of April 2017.



Secretary

Western Bay of Plenty District Licensing Committee



Liquor Licence – SASA 2012

Application No. LL **6756** Land Parcel ID: **P/1207/3179**

Name of Applicant: **SIMRANJEET SINGH**

Premise: **OMOKOROA SUPER LIQUOR**

Type of Application: Renewal

Manager Type: **GENERAL MANAGER**

| REFERRALS | | | |
|-----------------------------|---------------|---------------|-------------|
| | Date Referred | Date Received | Objective # |
| Inspector | 23/02/17 | 5.4.2017 | A2876515 |
| Police TGA | 23/02/17 | 24/02/17 | A285 |
| Copy to DLC Commissioner | | | |


Lic 321077
Dec 321078

Any enquires contact Diane Stewart or Debbie Coulter



Pay a bill

You're on page **3** of 3

 **Success! Your payment has been processed**

Receipt

| | | | |
|--------------------------|--|--------------|------------------|
| From account: | 38-9016-0490164-00 Business Edge | | |
| To account: | WESTERN BAY OF PLENTY DISTRICT COUNCIL | | |
| Start date: | 27 June 2018 | | |
| Processing time: | We send payments to other banks every hour between 9am and midnight on business days. Payments submitted after midnight, or on a weekend or public holiday, will be sent the next business day. Processing times for other banks may vary. | | |
| Frequency | One-off payment | | |
| Amount: | \$816.50 | | |
| Statement details | Particulars | Code | Reference |
| On your statement | 3482 | - | - |
| On their statement | KLM Enterprs | Online Servi | LLic |

[Make another transaction](#)

15. Check List – Please Tick ✓

a. **IMPORTANT** – The application will not be accepted by the District Licensing Committee until:

- **ALL questions on the application form have been answered in full.** Yes No
- **ALL additional documentation as indicated below are attached to the application.** Yes No

Please note that if any of the documents below have been filed with a previous application, you are required to file them again with this application.

b. **ADDITIONAL DOCUMENTS REQUIRED**

1. **Original Certificate of Compliance.** You need to apply for the Certificate of Compliance at the same time as you apply for your on licence. There is a \$200.00 application fee. Yes No
2. **Photograph** or artist's impression of the front exterior of the premises. Yes No
3. **Map** indicating where the premises is located. Yes No
4. **Scale Plan** of entire premises showing the layout of the premises including where any tables and chairs will be located and outlining:
 - The inside area used for consumption of liquor (this should include all areas patrons may consume liquor).
 - Any outside area used for the consumption of liquor.
 - Any footpath area used for the consumption of liquor (this must comply with the Street use Bylaw).
 - Each area designation.
 - Principal entrance/s.

Outline each area with a different coloured pen and provide a key to show which colour belongs to each area.
5. **Manager's certificate** of person/persons intending to be the manager of the premises, or if this document has not been issued at the time of filing this application, the date the manager's certificate application was filed with the District Licensing Committee/...../.....
Rajesh Jagpal - 01/05/2018 and Manjeet Arora 06/06/2018 Yes No
6. **Host responsibility policy** (examples of these are at the back of the Toi Te Ora Public Health questionnaire). Yes No
7. **Menu** (please note a breakfast menu may need to be included if your hours of operation reflect the need for this). Yes No
8. **Where the applicant is not the owner of the building, a written statement from the owner** to the effect that the owner has no objection to the grant of the licence. This letter must also include reference to any outside area/s to be licensed. Yes No
9. **Where the applicant is a company, a copy of the Certificate of Incorporation.** Yes No
- ~~10. **Where the applicant is a partnership of more than two persons, evidence of formal partnership.** Yes No~~
- ~~11. **Where the applicant is a Body Corporate, a copy of the Certificate of Incorporation** Yes No~~
12. This form must be accompanied by the prescribed fee, **a deposit of \$350.00 is payable on application.** Medium risk premise - \$816.50 attached Yes No

c. **Have you completed the attached Toi Te Ora Public Health Questionnaire?** Yes No

d. **Have you signed and dated the form personally?** Agent on behalf of company Yes No

e. **Have you completed the Amenity and Good Order Questionnaire?** Yes No

Western Bay of Plenty District Council
District Licensing Committee

Hearing: Commencing 29 January 2019

Application No. LL 7264 for an ON Licence under Section 136, Sale and Supply of Alcohol Act 2012 - Applicant: KLM Enterprises Limited - Premise located at Shop 6, 168 Omokoroa Road, Omokoroa, trading as The Local's Tavern Bar and Eatery



Supporting Information for Application

portable accommodation



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lost pet

MISSING

Moét (Mo Mo for short)
From Woodland Rd, Katikati

No collar, white socks, one longer on back right leg, lopsided moustache. Only 2yrs old so not overly big.

If you think it's her please call **021 27 27 912**



public notices

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standard 3.6m x 2.4m - \$75pw
large 4.2m x 2.4m - \$90pw
xtra-large 4.8m x 2.4m - \$110pw

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CONNECT WITH YOUR ELECTORATE MEMBER OF PARLIAMENT



Todd Muller and **Hon Simon Bridges**
MP for Bay of Plenty MP for Tauranga

represent their constituents in Parliament.
To schedule a meeting with your local MP,

Contact Todd 07 542 0505 todd.mullerMP@parliament.govt.nz
Contact Simon 07 577 0923 taurangaMP@parliament.govt.nz

Funded by Parliamentary Service. Authorised by S Bridges, 35a Third Ave, Tauranga & T Muller, 3/9 Domain Rd, Papamoa

RESOURCE MANAGEMENT ACT 1991

The following application for resource consent has been received by Bay of Plenty Regional Council. Electronic copies of the application documents, including an assessment of environmental effects, can be viewed on the Bay of Plenty Regional Council website www.bopbrc.govt.nz Electronic copies of the application documents can also be requested from the Regulatory Coordination Team of the Bay of Plenty Regional Council, phone 0800 884 880.

Applicant's address for service
The applicant's postal address is: Fonterra Limited, C/O Mitchell Daysh Limited, PO Box 1307, Hamilton 3240, Attention: Mark Chrisp.

Nature of application
Fonterra Limited has applied to the Bay of Plenty Regional Council for resource consent to discharge dairy liquids/wastewater to land, and associated odour to air, via truck spreading.

Dairy liquids will be discharged in the following locations:

- Whakatāne District: Rural Plains, Rural Foothills and Rural Coastal Zones;
- Kawerau District: Rural Lifestyle Zone excluding land in native bush;
- Taupō District: Rural Environment excluding land in native bush; and
- Rotorua District: Rural 1 Zone (RR1) excluding:
 - The Lake Rotorua groundwater catchment area subject to Proposed Plan Change 10 to the Bay of Plenty Regional Natural Resources Plan;
 - The catchments of Lake Rerewhakaaitu, Lake Rotoiti and Lake Rotoehu; and
 - Land in native bush.

'Dairy liquids/wastewater' include dairy by-products, un-processable dairy products, surplus dairy products and dairy processing wastewater. The dairy liquids will be sourced from any Fonterra manufacturing site, including sites within and outside the Bay of Plenty region.

Consents applied for:
Bay of Plenty Regional Council application number RM18-0241:

- Discharge contaminants to land associated with the truck spreading of dairy liquids/dairy wastewater; and
- Discharge contaminants to air associated with the truck spreading of dairy liquids/dairy wastewater.

Submissions
Any person may make a submission on the application by sending a written submission to Bay of Plenty Regional Council at PO Box 364, Whakatāne 3158, telephone 0800 884 880, email RegulatoryAmin@boprc.govt.nz no later than **5.00pm on Friday, 3 August 2018**.

The submission must be dated, signed by you and include:


- Your name, postal address, telephone number and facsimile number (if applicable).
- Whether you support or oppose the application along with your comments/reasons.
- The decision you wish the Bay of Plenty Regional Council to make.
- Whether you wish to be heard in support of your submission.

A template for submissions to the Bay of Plenty Regional Council can be downloaded from www.boprc.govt.nz

A copy of your submission **must** also be served on the applicant at the address given, as soon as reasonably practicable.

Dated at Whakatane this 2 July 2018.

Fiona McTavish
Chief Executive



firewood

www.taurangafirewood.co.nz

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public notices

SECTION 101 SALE & SUPPLY OF ALCOHOL ACT, 2012

KLM Enterprises Limited of Auckland (Licensed Premises Operator) has made application to the District Licensing Committee at Western Bay of Plenty for the issue of an On Licence in respect of the premises situated at Shop 6, 168 Omokoroa Road, Omokoroa, known as The Local's Tavern Bar & Eatery. The general nature of the business to be conducted is a tavern. The days on which, and the hours during which liquor is intended to be sold under the licence, are **Monday to Sunday from 9am to 1am the following day.**

This application may be inspected during ordinary office hours at the office of the Western Bay of Plenty District Licensing Committee at 1484 Cameron Road, Tauranga.

Any person who is entitled to object and who wishes to object to the issue of the application may, not later than fifteen working days from 29th June 2018, file a notice in writing of the objection with the Secretary of the District Licensing Committee at Private Bag 12-803 Tauranga Mail Centre 3143.

This is the second publication of this notice. The first notice was published on 29/06/2018.

No objection to the renewal of a licence may be made in relation to a matter other than a matter specified in section 131 of the Sale & Supply of Alcohol Act 2012.

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STRIKE AFFECTS TAURANGA HOSPITAL

The New Zealand Nurses Organisation (NZNO) union, whose members are nurses, midwives and health care assistants, has given notice of strike action on Thursday 5 July and again on Thursday 12 July. Each strike will be for 24 hours.

This will mean only emergency and essential services will be available for urgent medical care from:


7am on Thursday 5 July to 7am on Friday 6 July
7am on Thursday 12 July to 7am on Friday 13 July

Most non-essential services and planned (elective) surgery is being postponed because of the strike. Patient and staff safety is our number one consideration. If you were to have surgery or had an outpatient's appointment at this time you will be contacted by us. If you are unsure about your appointment please call 0800 333 477 between 7.30am and 6pm weekdays.

Please save the hospital emergency department for emergencies only. In the event of an emergency please dial 111 for emergency health assistance or an ambulance.

If you require medical attention for a situation that is not life threatening, please access your usual healthcare advice by phoning your GP or the free HealthLine on 0800 611 116 for health advice, 24/7.

We apologise for any inconvenience caused and thank you for your co-operation.



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xtra-large 4.8m x 2.4m - \$110pw
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smoke alarm & even a small deck.
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public notices

NEW ZEALAND FIRST
MOUNT
Monday 2nd July - 9.30 for 10am
Speaker - Clayton Mitchell MP
Held at St Peter's Church Lounge, Victoria Rd, Mt Maunganui
TAURANGA
Monday 9th July - 9.30 for 10am
Speaker - Clayton Mitchell MP
Held at St Enochs Church Hall, 134 Sixteenth Ave, Tauranga
Bring your friends & family. Everyone Welcome
Enquiries. Phone 576 2025

Notice Pursuant to Section 320(2) of the Companies Act 1993 Of Intention to Remove From the Register

Corden Joinery Limited
(In Liquidation)

Notice is hereby given that pursuant to section 318(1)(e) of the Companies Act 1993 the registrar will be removing the above company from the register on the grounds that the Joint and Several Liquidators have completed their duties. The Liquidators have delivered the documents referred to in section 257 of the Companies Act 1993 to the Registrar. Any objection to removal under section 321 of the Companies Act 1993 must be delivered to the Registrar by the 25 July 2018.

The registered office of the company is situated at the offices of BDO Tauranga Limited, Level 1, The Hub, 525 Cameron Road, Tauranga 3110.

Kenneth Peter Brown
Joint Liquidator

SECTION 101 SALE & SUPPLY OF ALCOHOL ACT, 2012

KLM Enterprises Limited of Auckland (Licensed Premises Operator) has made application to the District Licensing Committee at Western Bay of Plenty for the issue of an ON LICENCE in respect of the premises situated at SHOP 6, 168 OMOKORO ROAD, OMOKORO, known as THE LOCAL'S TAVERN BAR & EATERY. The general nature of the business to be conducted is a tavern. The days on which, and the hours during which liquor is intended to be sold under the licence, are **Monday to Sunday from 9am to 1am the following day.**

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This is the first publication of this notice.

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public notices

BAY OF PLENTY DISTRICT HEALTH BOARD
HAUORA A TOI
BOARD AND COMMITTEE MEETINGS - JULY
Meetings:
• Combined Community & Public Health Advisory & Disability Advisory Services Committee
This Committee will not meet in the month of July
• Audit, Finance & Risk Management Committee - 1pm (closed to public) Per Teleconference
Date:
Wednesday 4 July 2018
Meeting:
Bay of Plenty District Health Board
Date & Time:
Wednesday 18 July 2018 - 9.30 am
Tawa Room, Education Centre, Tauranga Hospital
Copy of the agenda for this meeting will be available at www.bopdhb.govt.nz four days prior to the scheduled meeting.

STRIKE AFFECTS TAURANGA HOSPITAL

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7am on Thursday 5 July to 7am on Friday 6 July
7am on Thursday 12 July to 7am on Friday 13 July

Most non-essential services and planned (elective) surgery is being postponed because of the strike. Patient and staff safety is our number one consideration. If you were to have surgery or had an outpatient's appointment at this time you will be contacted by us. If you are unsure about your appointment please call 0800 333 477 between 7.30am and 6pm weekdays.

Please save the hospital emergency department for emergencies only. In the event of an emergency please dial 111 for emergency health assistance or an ambulance.

If you require medical attention for a situation that is not life threatening, please access your usual healthcare advice by phoning your GP or the free HealthLine on 0800 611 116 for health advice, 24/7.

We apologise for any inconvenience caused and thank you for your co-operation.





Certificate of Compliance

with Requirements of Resource Management Act and Building Code

Liquor Licence Application Number: _____

| | | | |
|---------------------------|---|--------------------------|----------------|
| Applicant | KLM Enterprises Limited | Premises | To be decided |
| Address | Shop 6, 168 Omokoroa Road | Legal Description | Lot 2 DPS68500 |
| | Omokoroa | | |
| Details of Licence | New premise - On Licence - tavern style - Monday to Sunday from 9am to 1am the following day | | |

The building is ~~(delete whichever is not applicable)~~ a new building for the intended use, or an existing building that will not have a change of use, or an existing building that will have a change of use.

[Signature]
Signature of Applicant/Agent

23 / 05 / 2018
Date

Cathy@LicenceMe.co.nz 0223-20-40-60 Georgie@LicenceMe.co.nz 021-611-844

To the Western Bay Of Plenty District Licensing Agency

This letter serves as a certificate for the purpose of Section 100(f) of the Sale & Supply of Alcohol Act 2012.

This certificate refers to a proposal as detailed above.

| | |
|--|---|
| <p>The proposed use of the building meets the requirements of the Resource Management Act, subject to the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> compliance with District Plan performance standards <input checked="" type="checkbox"/> compliance with land use consent (LU 10215 issued _____ (copy attached). <input checked="" type="checkbox"/> Hours of Operation <u>Monday - Sunday 9am - 1am</u> <p>Permitted activity <u>see attached</u></p> <p>Signed: <i>[Signature]</i> Date <u>22/06/2018</u></p> <p>Team Leader Consents/Other _____</p> | <p>The proposed use of the building meets the requirements of the NZ Building Code to the extent required by the Building Act 2004.</p> <p>Signed: _____ Date / / _____</p> <p>for Building Section</p> |
|--|---|

BC 91087
Not complete
CCC not issued
There are 5 inspections not yet carried out.

An application fee of \$200 must accompany your application

Office Use Only: LO / RCON

| | |
|--------------------------------------|--|
| Date Paid: <u>24/05/18</u> | Receipt Number: <u>18/167703</u> |
|--------------------------------------|--|





**Western Bay of Plenty District Council
Certificate of Compliance Pursuant to Section 139
Resource Management Act 1991**

- | | | |
|----|--------------------------------|---|
| 1. | Applicant | KLM Enterprises Ltd |
| 2. | Location of Property | Shop 6 – 168 Omokoroa Rd, Omokoroa |
| 3. | Legal Description | Lot 2 DPS 68500 |
| 4. | Zone | Commercial |
| 5. | District Plan | Western Bay of Plenty Operative District Plan 2012 |
| 6. | Description of Activity | To sell liquor onsite. One Licence application under the Sale and Supply of Alcohol Act 2012, for the premises "Tavern Style". The hours of operation: Monday to Sunday 9am to 1am. |
| 7. | Statement of Compliance | |

On 24 May 2018, the day this application was received, the activity described above is a discretionary activity under the Western Bay of Plenty Operative District Plan (Rule 19.3.2(d)), the relevant provisions of which are beyond the stage they can be affected by submission or appeal.

[Note: Please ensure you comply with the land use consent RC10875 conditions]

Jody Schuurman
Resource Management Technical
Advisor
P/1207/3179/2
ID: 11037
20 June 2018

Approved under Delegated Authority

.....
Chris Watt
Environmental Consents Manager

Date: 22/06/2018

Western Bay of Plenty District Council
District Licensing Committee

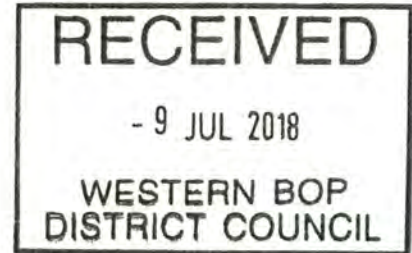
Hearing: Commencing 29 January 2019

Application No. LL 7264 for an ON Licence under Section 136, Sale and Supply of Alcohol Act 2012 - Applicant: KLM Enterprises Limited - Premise located at Shop 6, 168 Omokoroa Road, Omokoroa, trading as The Local's Tavern Bar and Eatery



Submissions Received

40 Margaret Drive
Omokoroa
3114



Dear Sir/Madam,

RE: Liquor Licence application for Shop 6, 168 Omokoroa Road, Omokoroa

I would like to register my disapproval of this liquor licence application on the basis that it is not an appropriate location for such an establishment for several reasons.

- 1) Omokoroa is a growing residential area popular mainly with families and retirees and whilst we do need more facilities for eating out and entertainment I do not believe a Tavern style bar meets those needs.. As a parent of young children I do not want a bar with a TAB and pokies near my house due to the types of issues that these places attract. Although I acknowledge that a variety of people like to use a TAB and the pokies I point to the Te Puna Tavern and the bar at the Black Sheep as examples of the rough nature that these places can have. I do not know anyone who drinks at either of those bars due to their bad reputations and unsavoury clientele. Another example is the Tavern Style bar with TAB at the top of Devonport Road in Tauranga – we do not want these type of places in the main residential area of Omokoroa. It would be my opinion that a large section of the Omokoroa population would not use this type of bar and therefore the suggested location is not the appropriate place for it.
- 2) Our house is situated on top of the hill on Margaret Drive and in the evenings we can hear the workers in the Neighbourhood Pizzeria *talking* – this is evidence of how much sound travels around in this residential area. If you allow music, cars and people to be coming and going until 1am with all the associated loud noise that people who have been drinking generate it will be extremely disruptive for all of us living along nearby Omokoroa Road, Margaret Drive, the Camp Ground, the Victoria Quay development, the bottom of Hamurana Road, and Tralee Street. This could also affect house prices in this area.

I think a much more suitable place for this type of establishment would be up in the industrial area by Omokoroa General Carriers. There is little residential housing up that end of Omokoroa Road, and it would cater for a much wider section of the rural community as it would be easy to access from Pahoia and Whakamarama, as well as Omokoroa residents. Any issues – either noise or behavioural will have much less impact on the community up there. I would also suggest that part of their licensing agreement is that they should provide a courtesy van to help combat drink driving on our roads.

I understand that the Neighbourhood Pizzeria has or may be applying for a liquor licence – this would be a much more suitable venue in this area as it is only open until around 9pm, people are more likely to be eating and it will have a more community and family atmosphere.

I would therefore encourage you to decline this application. I am happy to discuss this further if you require. My number is 02102459106.

Yours sincerely,

A handwritten signature in cursive script that reads "Catherine McDonald".

Catherine McDonald and family

Jody Schuurman

From: Tim Winter <tim.winter@xtra.co.nz>
Sent: Monday, 9 July 2018 4:58 PM
To: Customer Service
Subject: Objection to The Local Tavern Bar and Eatery.

I wish to object to the building and opening of the above said tavern to be build at Shop 6, 168 Omokoroa Road.

The proposed sight is in a light commercial area and has homes within 50 metres, Victoria Keys and houses across the road from the entrance to this property.

Currently we have seven public food outlets in Omokoroa and several other private food outlets e.g. Omokoroa Golf Club.

We also have two public alcohol outlets in this areas being The Black Sheep Tavern in Whakamarama, which is near, within a few kilometres of the above said site and this services those who wish to be patrons of a Tavern. Omokoroa Boat Club is a private organisation and has a membership of over 800, so the public are well served with places to consume food and alcohol.

Thank you for this opportunity to object.

7 Margaret Drive
Omokoroa

The Secretary
District Licensing Committee
Private Bag 12-803
TAURANGA MAIL CENTRE 3143

11 JUL 2018

RE: NOTICE OF OBJECTION

KLM ENTERPRISES LIMITED'S APPLICATION FOR ISSUANCE OF AN ON LICENCE IN RESPECT OF THE PREMISES SITUATED AT SHOP 6, 168 OMOKOROA ROAD, OMOKOROA, KNOWN AS THE LOCAL'S TAVERN BAR & EATERY

I object to this application for an issuance of an on licence for the above-named for the following reasons –

1. The premises from which this proposed business venture is situated is in a built up residential area, with two retirement villages within close proximity and the days and hours of operation applied for will result in an increase in traffic, noise and disturbance into the early hours of the morning every day of the week. This is totally unacceptable for young families and retirees right to enjoyment of life. People move to Omokoroa for its tranquillity, peace and quiet, not for its nightlife !
2. I do not believe that Omokoroa is desirous of having pokie machines in our community, it is not in keeping with the type of community that we are. Pokie machines are a city vice, not a caring, family orientated local community thing. Pokies have far more detrimental adverse effects going for them than any benefit than they could possibly offer. Please do not allow them into our community.
3. The hours of operation applied for, within such close proximity to a residential area and retirement villages is not befitting the area. If live bands or gigs are proposed the noise within such a quiet environment will carry far and wide and thereby disturb nearby residents, which includes our family. If Council grants a licence for these premises then more appropriate hours of operation need to be set, such hours more in keeping with the community. Omokoroa is not a city, people move to Omokoroa to get away from the noise of a city.
4. Pokies encourage gambling, gambling becomes an addiction, addictions fuel crime. Crime in Omokoroa at this time is minimal and we should not be allowing vices to enter our community that may well lead to a change in the crime rate.

5. There is an existing similar business already situated in Te Puna which is a mere 10 minutes up the road for those that are seeking this type of facility.
6. Council should be giving great consideration to the positioning of this proposed business venture. Would it not be more suited away from the built up residential area – more towards the highway?

We already have current on-licences at the Boat Club, Golf Club, Bowling Club, Montre Café and Beached on Blue café/restaurant and off-licences at Fresh Choice and Super Liquor, all within close proximity and the possibility of a further on-licence for an Indian restaurant that I understand is planned for land the applicant's premises are on. These existing licences and proposed licences are more in keeping with Omokoroa's requirements in an area surrounded by residential housing and have hours of operation whereby residents are not disturbed beyond a reasonable closing time. We need to have a balanced ratio between premises, proximity and population

In closing please –

- (a) Bear in mind the residents who live in close proximity to this business enterprise and their right to enjoyment of life – they were there before this business was even thought of;
- (b) Give careful consideration to the needs of the community prior to deciding the application;
- (c) Do not allow pokies into our community; and
- (d) If you feel that an application should be granted then set the hours of operation so that closing will be no later than 10.30pm Sunday – Thursday (inclusive) and 11pm on Friday and Saturday with the business owners to make application for a special licence for occasions like New Year's Eve.

Yours faithfully



Lynne Jamieson

Resident / Ratepayer

Customer Service

From: Mary Lowe <marylowe9@gmail.com>
Sent: Wednesday, 11 July 2018 2:05 PM
To: Customer Service
Subject: Objection to proposed tavern

Dear Sir/Madam

It has come to my attention today that consent is being sought to build a tavern at 170 Omokoroa Road and I would like to lodge an objection.

We live just across the road from this site, are already impacted by raised noise levels from the recently opened pizzeria and Neighbourhood cafe and see that this would be compounded with the opening of a drinking establishment.

The value of nearby properties would potentially fall and there is likely to be an increased potential of antisocial behaviour, noise and traffic flow.

I realise that the peninsula is morphing from a sleepy suburb into a more vibrant community and understand that plans are being made for other areas of development. It would therefore seem more reasonable to incorporate any drinking venues into a designated business area rather than amidst an established residential area.

I therefore urge you to deny consent.

Mary Lowe

181 Omokoroa Road
RD2

12 July 2018

Alcohol Licensing Team
Western Bay of Plenty District Council



Dear Sir/Madam

I wish to object to the alcohol license application by KLM Enterprises Ltd of Auckland at Shop 6, 168 Omokoroa Road, Omokoroa trading as "The Local's Tavern Bar and Eatery".

I have an interest in this application as a resident of Omokoroa peninsula for the past 10 years. The peninsula is known for its quiet surrounds, particularly the more established area which the bar adjoins.

I object on the following grounds:

Objection 1 – The population of the peninsula is around 3000 and I consider there are sufficient outlets and opportunities for the purchase and enjoyment of alcohol by the residents and general public.

Reason for Objection - Currently there are Three Clubs holding club Liquor Licences and who at times apply for Special Liquor Licences for various events throughout the year. They have good membership and hold a variety of entertainment events which with a Special licence are open to non-members.

Two café/restaurants have on licences.

There are two off-licences where liquor can be purchased.

Community facilities apply for Special Licences for fundraisers and special events. There is a bar/restaurant on licence in Plummers Point Rd off State Highway 2 which is a few kilometres south of Omokoroa.

The Retirement Village also offers a good venue for residents to socialise in a safe environment.

Objection 2 - Currently the social infrastructure within the peninsula is over extended and does not have the capacity to cope with additional issues associated with a further licenced area.

Reason for Objection – The peninsula does not have a Police Kiosk or Station or resident Police Officer. Support being approximately ½ an hour away which does not provide reassurance in the community.

This proposed establishment will also put pressure on our volunteers. Fire Brigade, First Response, and Neighbourhood Security Patrol are struggling to enlist new residents to volunteer. It seems many consider it a problem that someone else has the capability of dealing with an increase in anti-social behaviour.

Objection 3 – The proposed trading times of the Tavern are inappropriate.

Reason for Objection – The proposed trading Monday to Sunday 9am to 1am are a reason for great concern. The peninsula has a very quiet atmosphere particularly during the hours of darkness. The proposed Tavern is in close proximity to a Family Holiday Park, Kindergarten and Community Church, retirement village, resthome and hospital. Also the nearby residents will be affected by noise levels and possible undesirable behaviour.

Objection 4 – The proposal is inconsistent with the Omokoroa Community Plan December 2017.

Reason for Objection - In addition to the Licensing Laws the Council should also have regard for the current Omokoroa Community Plan. In essence this document advocates for "a safe and pleasant environment for all residents." In addition there is a strong emphasis on "preserving and improving the cultural, heritage and art communities."

2

There is also an acknowledgement that overlaying these objections development will proceed "in pace with residential and commercial growth." The community needs more supporting infrastructure and amenities before considering additional licenced liquor outlets.

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

My contact details are:

Heather Reynolds
36 Vivian Drive
Omokoroa 3114

Yours sincerely

A handwritten signature in cursive script that reads "Heather Reynolds". The signature is written in black ink and is positioned to the right of the typed name.

Heather Reynolds

Carolyn Berben

From: Geoff Annan <geoff@annanlaw.nz>
Sent: Friday, 13 July 2018 2:21 PM
To: Carolyn Berben
Cc: Garry Webber; Peter Presland; stephanieleeves@gmail.com
Subject: Objection to liquor licence application – Omokoroa Road

I live at 3 McKenna Lane, Omokoroa with my wife and children. Our home is owned by Annan-Leeves Trust.

It came to my attention yesterday that the owners of the Omokoroa Super Liquor business have filed an application for an on license at its premises on Omokoroa Road.

I object to that application on the immediate ground that granting the application would not have any agreeable connotation for those living or working in the immediate vicinity or the Omokoroa community in general. On the contrary, a grant would inevitably bring harm and anxiety, and the location for the activity is improper, adjoining as it does the community's health professionals' complex on one side and residential housing on the opposite side of Omokoroa Road.

I would like to be heard and speak to my submission.

I look forward to hearing from you.

 Geoffrey Annan BSocSc LLB (Hons)
 AnnanLaw Limited

Speak: (07) 578 8888
 Type: geoff@annanlaw.nz
 View: www.annanlaw.nz
 Visit: 8 Wharf Street Tauranga
 Write: P O Box 13383 Tauranga 3141
 Enjoy: New Zealand

receive email articles? www.annanlaw.nz/join-email-list.html
 other ways we can help: www.annanlaw.nz/our-services.html
 check our reputation: www.annanlaw.nz/reputation.html



Accredited Specialist 2018/19
**PROPERTY LAW
 SECTION**
 NEW ZEALAND LAW SOCIETY

 Anti-Money Laundering (AML) legislation requires us to obtain certain personal information from you. This information will include your full name, date of birth and address. To confirm details of this information you will need to provide us with documents including your passport and other documents that show your address, such as a bank statement or utilities bill with your name and address on it.

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To The Secretary;
District Licensing Committee



Dear Sir/ Madam,

I object strongly to the proposal of a tavern and gaming parlour in Omokoroa. We know that there is no need for this type of establishment in the midst of a residential area. The majority of families here are young with children walking past each day including mothers with pushchairs going to the childcare centre around the corner to medical centre facilities, and elderly from the 2 retirement facilities close to the proposed site for the tavern. Such a business should be well removed from a residential area especially with the traffic, noise and intended opening hours, traditionally associated with these establishments.

Many locals do not even know of this proposal, which has not been widely advertised. Something this important to the wellbeing of the community should have been open for consultation. The Community Board has let down locals. There is a general feeling of helplessness and disbelief that the proposal has got this far without consultation.

Omokoroa has a purpose zoned area near the SH2 for this business type. There is already a similar business (Black Sheep) just down the road.

THIS is not SMART GROWTH. It is undesirable random development.

Yours faithfully, Geoff Davis --resident and ratepayer/12/7/18

A handwritten signature in cursive script that reads "Geoff Davis". The signature is written in black ink and is positioned below the typed name.

OBJECTION TO OPENING OF TAVERN AND GAMING PARLOUR IN
OMOKOROA

Twelve years ago my husband and I came to live in Omokoroa because it had the quiet village vibe that we desired and was coastal so we could moor our yacht close by.

Several years ago our daughter and family moved here also. Our grandchildren attend the Point School and enjoy the safe and friendly family community that we have at present.

I am absolutely appalled and deeply upset to learn through the cyberlink site that a building consent has been approved for a proposed tavern and gaming parlour in our community.

In the last few years, Omokoroa has become a busy building site with many young family groups coming or planning to come and live here.

This community does not and never will need a tavern and gaming machines .

-the supermarket was erected on prime residential land against the objection of more than 50% of the ratepayers.

-a Pizza takeaway shop was constructed of downmarket materials and second hand shipping containers, without community awareness.

Ill considered decisions like these and in particular, the proposed tavern and gaming venue are threatening the safe and caring wellbeing of the Omokoroa lifestyle.

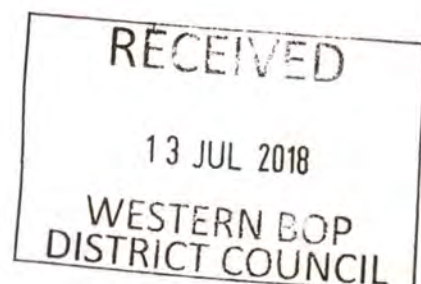
Will the Council and the District Licensing Committee listen to the community THIS time and refuse permission for such an addition to our little community.

SIGNED;

Lorraine Davis

12 July 2018

1



Dougal Elvin

From: Colin Hyatt <colin@hyatts.nz>
Sent: Saturday, 14 July 2018 4:31 PM
To: Customer Service
Subject: FAO: LICENSING DEPARTMENT - KLM ENTERPRISES LIMITED - SHOP 6, 168 OMOKOROA ROAD, OMOKOROA

PLEASE FORWARD THIS TO THE LICENSING DEPARTMENT.

4 Gumtree Lane
 RD2
 Omokoroa 3172
 14 July 2018
 The Licensing Committee
 Western Bay District Council
 1484 Cameron Road
 Tauranga

Dear Sir/Madam

KLM ENTERPRISES LIMITED - SHOP 6, 168 OMOKOROA ROAD, OMOKOROA

With regard to the above and the application for The Local's Tavern Bar and Eatery, whilst we would welcome a quality eatery and bar, we need to point out:

1. There is limited parking in that area, and would not want to see the surrounding streets clogged with parked cars making travelling treacherous, due to lack of vision or inconsiderate parking.
2. The area around it is residential and we feel that a 1am license is too late during weekdays for the bar to close due to the inevitable noise created by vehicles and pedestrians alike leaving the premises.
3. There should be no tolerance to 'Pokie machines' in the establishment. Omokoroa is a family community, and the introduction of these machines would inevitably attract the wrong sort of clientele.
4. Under no circumstances should the premises, or any other premise, be allowed to be used as a TAB, again this would attract the wrong sort of clientele into a family community. I have nothing against gambling, but there does not need to be an establishment for that purpose. Gambling can be better controlled and managed using different methods i.e online.

Omokoroa is a safe, secure neighbourhood. It has prided itself on it's sense of community in the past. We have called Omokoroa our home for 10 years and raised a child in the safe, stable and friendly neighbourhood. The recent growth of the community has placed a strain on that community feel, but it is still here and families moving into the area do so because of it.

Matters such as licensed premises should be carefully considered as they can be a catalyst for unsociable and undesirable behaviour. Once established it will be near impossible to stem any issues that arise. Omokoroa has been targeted as a growth area, we have one chance to ensure that this growth is careful, considered and managed so that it does not destroy the community that attracted my family, and many others, to this beautiful spot all those years ago.

In short, Omokoroa has room for a quality bar/eatery, but it needs to be carefully considered and under no circumstances include gambling, or other activities, that may have a social impact on future residents and generations.

I do hope these opinions are considered in the potential granting of this licence.

Regards
 Colin and Caroline Hyatt

Dougal Elvin

From: Jo Farmer <jwf1@outlook.co.nz>
Sent: Saturday, 14 July 2018 8:35 PM
To: Dougal Elvin
Subject: Objection to liquor licence submission - KLM Enterprises
Attachments: Objection to liquor licence submission.pdf

Good evening

Please find attached a submission objecting to the following liquor licence application:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

Kind Regards
Jo Farmer
Omokoroa
021 628 467

 Virus-free. www.avast.com

40 Holyoake Terrace
 Omokoroa 3114
 Phone 021 628 467

Secretary of District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated to 3 years ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Jo and David Farmer

Effects of gambling in communities

Studies have shown that “non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. “These forms of gambling have been reported to cause the most harm in the community.” A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts.”

The links below provide more information about these studies:

- <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/docsresearchongambling/social-impacts-gaming-machines-tab-gambling-auckland.pdf>
- https://www.pgf.nz/uploads/7/1/9/2/71924231/fs05-social_impacts_of_problem_gambling.pdf
- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
- <http://www.stuff.co.nz/national/97744358/As-a-problem-gambler-I-can-see-pokies-are-a-plague-on-NZ?rm=m>

Pertinent comments from these documents:

- “Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers.”
- “According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines.”
- The Salvation Army state “Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities.”
- Well-known New Zealand doctor Lance O’Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 “Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines.”
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says “there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence.”
- Testimony from an unnamed problem gambler says “The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what’s the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand.

Dougal Elvin

From: Debbie Brett <debbie.brett@harcourts.co.nz>
Sent: Sunday, 15 July 2018 1:11 PM
To: Dougal Elvin
Subject: Objection KLM Enterprises Application for License
Attachments: tavern objection 15 July 2017.docx

Hi Dougal

Please find attached our Objection to the application below:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

Kind regards
Debbie Brett

Debbie Brett

General Manager | Harcourts Advantage Realty Ltd MREINZ

Licensed Agent, REAA 2008

1 Third Avenue | PO Box 885 | Tauranga 3110

B 07 578 0879 | M 021 880 012 | E debbie.brett@harcourts.co.nz | W www.advantage.harcourts.co.nz

Harcourts

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Debbie and Peter Brett
41 Hamurana Road
Omokoroa

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

15 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

As a residents of the community of Omokoroa, where we relocated to 2 years ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. As we live in a community that has a high population of retired residents including young families moving into the area with the new sub-divisions now becoming available, I am concerned at the type of clientele that this type of venue will attract. This clientele will not be concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking will create disorder and anti-social behaviour, encouraging out of area people to frequent the location due to it's remote location and cause disruption to the community in general.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. SH2 between Omokoroa and Tauranga is also the most dangerous road in New Zealand, and the hours of this licence would encourage out of area patron's to visit the area and possibly use this road in a intoxicated state.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully
Peter and Debbie Brett

Effects of gambling in communities

Studies have shown that “non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. “These forms of gambling have been reported to cause the most harm in the community.” A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts.”

The links below provide more information about these studies:

- <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/docsresearchongambling/social-impacts-gaming-machines-tab-gambling-auckland.pdf>
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- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
- <http://www.stuff.co.nz/national/97744358/As-a-problem-gambler-I-can-see-pokies-are-a-plague-on-NZ?rm=m>

Pertinent comments from these documents:

- “Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers.”
- “According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines.”
- The Salvation Army state “Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities.”
- Well-known New Zealand doctor Lance O’Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 “Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines.”
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says “there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence.”
- Testimony from an unnamed problem gambler says “The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what’s the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand.

Dougal Elvin

From: Aja Hansen <hansenaja@gmail.com>
Sent: Sunday, 15 July 2018 6:38 PM
To: Dougal Elvin
Subject: Objection to the application for liquor licence in Omokoroa

Aja Hansen
 85B Turntable Hill Rd
 RD 4, Katikati
 3181

Secretary of District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143

15th July 2018

Dear Sir/Madam,

I am writing to register my objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

I have an interest in this application that is greater than the general public because myself and my son are residents of the community surrounding Omokoroa, and we have lived here 6 years, because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for my objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. I believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, my personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Aja Hansen

Effects of gambling in communities

Studies have shown that "non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

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- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
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Pertinent comments from these documents:

- "Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers."
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Dougal Elvin

From: Lanna gell <lanna_fleet@hotmail.com>
Sent: Monday, 16 July 2018 9:52 AM
To: Dougal Elvin
Subject: Tavern Objection for TAB and pokies coming to omokoroa
Attachments: tavern objection (Lanna gell).docx

Hi,

This is letter to formally object the application for the liquor licence applied by:

KLM Enterprises Ltd.
Shop 6, 168 Omokoroa Road.

Regards,

Lanna Gell



Virus-free. www.avast.com

Lanna Gell
48 Youngson Road
Whakamarama

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

16 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated to 1 year ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
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6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

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Yours Faithfully

Lanna Gell

Effects of gambling in communities

Studies have shown that "non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

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Dougal Elvin

From: James Gell <admin@lsfcomposites.com>
Sent: Monday, 16 July 2018 10:05 AM
To: Dougal Elvin
Subject: Taven objection for TAB and Pokies in Omokoroa
Attachments: tavern objection-2.docx

Hi,

This is letter to formally object the application for the liquor licence applied by:

KLM Enterprises Ltd.
Shop 6, 168 Omokoroa Road.

Regards,

James Gell

James Gell
48C Youngson Road
Whakamarama

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

16 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

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6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

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Yours Faithfully

James Gell

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Dougal Elvin

From: mornay jacobs <mornayj@yahoo.com>
Sent: Monday, 16 July 2018 11:50 AM
To: Dougal Elvin
Subject: Register objection - KLM Enterprises Limited of Auckland (Licensed Premises Operator)
Attachments: tavern objection.docx

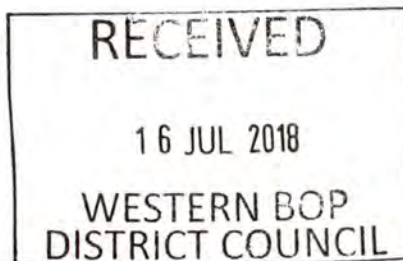
Hello

Please find attached. Are you able to confirm that this is the correct e mail address to be e mailing this document to?

Regards
Mornay

Mornay Jacobs
7 Prole road
Omokoroa

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143



16 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

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- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

A handwritten signature in black ink, appearing to read "Mornay Jacobs".

Mornay Jacobs

Effects of gambling in communities

Studies have shown that "non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. "These forms of gambling have been reported to cause the most harm in the community." A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts."

The links below provide more information about these studies:

- <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/docsresearchongambling/social-impacts-gaming-machines-tab-gambling-auckland.pdf>
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- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
- <http://www.stuff.co.nz/national/97744358/As-a-problem-gambler-I-can-see-pokies-are-a-plague-on-NZ?rm=m>

Pertinent comments from these documents:

- "Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers."
- "According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines."
- The Salvation Army state "Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities."
- Well-known New Zealand doctor Lance O'Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 "Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines."
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says "there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence."
- Testimony from an unnamed problem gambler says "The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what's the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand."

Dougal Elvin

From: Deborah Rose <deborah@allianceav.co.nz>
Sent: Monday, 16 July 2018 4:17 PM
To: Dougal Elvin
Subject: Objection to licence Shop 6, 168 Omokoroa Road

Deborah Rose
 54 The Esplande
 Omokoroa

Secretary of District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143

16 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, we choose to live here because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
2. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
3. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa.
5. It has been noted and documented that "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. We believe the tavern and TAB nearby in Te Puna is close enough and suitable for punters to travel to enjoy those activities.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences and no need for a club affiliation (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours sincerely,

Deborah Rose
PREMIUM SERVICES LTD
t/a ALLIANCE – AudioVisual & Electrical

www.allianceavservices.co.nz
deborah@allianceav.co.nz

ph: 07 548 0103





12 Jul. 18

RE: Proposed Bar on Omokoroa Road in Omokoroa

To whom it may concern.

I wish to express my views in relation to the proposed Bar to be situated next to the Neighbourhood Pizza and Super Liquor establishments on Omokoroa Road in Omokoroa.

I am STRONGLY OPPOSED to Pokie machines being situated within the premises.

I am also STRONGLY OPPOSED to the closing time which I understand to be 1am.

In my opinion the presence of a licenced premises which offers on site alcoholic beverages and Pokies as a form of entertainment on an all day and half of the night basis is not appropriate to the Omokoroa community, with the majority of residents being elderly/retired or families with children ranging from pre-school to teenagers. It will potentially encourage the sort of behaviour which myself and I suspect the majority of this community would find offensive and possibly intimidating, not to mention the disruption to the residents close to the site.

If a bar is to be established here it should be well away from a residential area, not open so late, not offering Pokies, and be family friendly.

Yours faithfully

Sandy Presland

29 Holyoake Terrace

Omokoroa

Dougal Elvin

From: Keith <keyted@xtra.co.nz>
Sent: Tuesday, 17 July 2018 7:39 AM
To: Customer Service
Subject: Objection to licensing application
Attachments: tavern objection.docx

Please see attached objection to

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

Keith Edwards

Keith Edwards
9 Vivian Drive
Omokoroa 3114

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

17 July 2018

Dear Sir/Madam

I am writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

I have an interest in this application that is greater than the general public because I am a resident of the community of Omokoroa, because it is a community that offers a safe, family-friendly reputation and has a substantial number of retirees.

The reasons for my objection are:

1. The plans indicate there will be a TAB and pokies onsite which will attract people from further afield resulting in higher traffic volumes and a higher rate of drink driving;
2. Given the current state of state highway 2 and the Omokoroa interchange the addition of drunk drivers will significantly raise the risk of serious accidents;
3. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families). The noise and traffic created by an establishment that has drinking hours until 1am seven nights a week is entirely inappropriate;
4. There are already licensed premises in the form of the Boating Club and the Golf club which are not over-patronised at the moment which means that volume of patrons will need to come from outside Omokoroa rather than simply provide a service to the community;
5. I believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.

I support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and I do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to revise the liquor licence hours to end at no later than 10pm each night .

Yours Faithfully

Keith Edwards

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated to 10 years ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Rachel Millard

Effects of gambling in communities

Studies have shown that “non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. “These forms of gambling have been reported to cause the most harm in the community.” A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts.”

The links below provide more information about these studies:

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- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
- <http://www.stuff.co.nz/national/97744358/As-a-problem-gambler-I-can-see-pokies-are-a-plague-on-NZ?rm=m>

Pertinent comments from these documents:

- “Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers.”
- “According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines.”
- The Salvation Army state “Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities.”
- Well-known New Zealand doctor Lance O’Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 “Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines.”
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says “there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence.”
- Testimony from an unnamed problem gambler says “The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what’s the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand.

Dougal Elvin

From: Jeffrey Warren <thetwits@xtra.co.nz>
Sent: Tuesday, 17 July 2018 9:46 AM
To: Customer Service
Subject: Omokoroa Tavern

To whomever it may concern:

I am compelled to write this objection to the licensing plans for the Omokoroa Tavern which is (presumably) being built in Omokoroa Road. As a local teacher of teenagers, I see at first hand the damage done to children and families by drink, drugs and gambling addictions. I accept that Omokoroa is growing, but allowing alcohol to be purchased between the suggested times is unethical, ludicrous and potentially very dangerous. Most of the bars in town don't open between the suggested hours, which could easily encourage people from outside our community into an area which has no infrastructure to deal with them. Encouraging more people to drive onto and off the peninsula via State Highway 2 WILL lead to more road deaths - this is inevitable and the suggestion is, again, unethical. Somebody here stands to make a lot of money to the detriment of our community, which is largely composed of older people, families with young children and those of us who came here for the neighbourly 'village' feel of Omokoroa.

Coming from England, I find it staggering that New Zealand has the shockingly high statistics for addictions that it does, yet councils still give permission for plans such as these - if it wasn't close to being criminal, it would be unbelievable.

Please listen to the voices of the people of Omokoroa. The suggestions for Omokoroa Tavern are not suitable for, or wanted in, our community. Please do not allow them to be passed.

Deborah Warren, Year 7/8 teacher at Omokoroa Point School.

Dougal Elvin

From: Graeme and Pauline Stillwell <g.p.stillwell@gmail.com>
Sent: Tuesday, 17 July 2018 9:50 AM
To: Customer Service
Subject: Tavern Objection

Secretary of District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143

17 July 2018

Dear Sir/Madam

We are writing to register our STRONG objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, and live in a Retirement Village approximately 400 metres from the site. There are 250 people living in this village all over the age of 70 and a great proportion are late 80's to 90's. We all moved here because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents and a nice quiet country atmosphere.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers. Also once there are gambling machines at a premises BEFORE LONG DRUGS ARE SOLD SO THE GAMBLERS CAN PAY FOR THEIR ADDICTION TO THE POKIES.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week. WHY IN A NICE SAFE QUIET ENVIRONMENT WOULD ANYONE WANT A PREMISES OPEN UNTIL 1AM.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Graeme and Pauline Stillwell
 1/5 Anderley Avenue
 Omokoroa

Effects of gambling in communities

Studies have shown that "non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. "These forms of gambling have been reported to cause the most harm in the community." A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts."

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Pertinent comments from these documents:

- "Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers."
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-

DAVE ASHLEY,
13 TINOPAI DRIVE,
OMOKOROA, 3114,
BAY OF PLENTY, N.A.

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

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- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

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- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
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Yours Faithfully

Effects of gambling in communities

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- “According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines.”
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- Well-known New Zealand doctor Lance O’Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 “Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines.”
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says “there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence.”
- Testimony from an unnamed problem gambler says “The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what’s the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand.

FRAN ASHLEY
13 TINOPAI DRIVE,
OMOKOROA, 3114,
Bay of Plenty , N.Z.

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, which is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Effects of gambling in communities

Studies have shown that “non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. “These forms of gambling have been reported to cause the most harm in the community.” A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts.”

The links below provide more information about these studies:

- <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/docsresearchongambling/social-impacts-gaming-machines-tab-gambling-auckland.pdf>
- https://www.pgf.nz/uploads/7/1/9/2/71924231/fs05-social_impacts_of_problem_gambling.pdf
- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
- <http://www.stuff.co.nz/national/97744358/As-a-problem-gambler-I-can-see-pokies-are-a-plague-on-NZ?rm=m>

Pertinent comments from these documents:

- “Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers.”
- “According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines.”
- The Salvation Army state “Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities.”
- Well-known New Zealand doctor Lance O’Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 “Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines.”
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Dougal Elvin

From: Eddie and Jean Taylor <eddienjean.taylor@kinect.co.nz>
Sent: Tuesday, 17 July 2018 11:59 AM
To: Customer Service
Subject: OBJECTION TO TERMS OF LIQUOR LICENCE FOR TAVERN IN OMOKOROA
Attachments: tavern objection.docx

Attached please find our objection to the terms of the liquor licence application for a tavern in Omokoroa.

We thank you for taking time to consider our objections.

Regards,

Eddie and Jean Taylor

Eddie and Jean Taylor
1 Walnut Grove
OMOKOROA 3114

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

17 July 2018

Dear Secretary

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated from Auckland 15 years ago. It is a community that offers a safe, family and senior friendly reputation with security and good community spirit among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe undermine the security of those who reside in Omokoroa. who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 10pm or 11pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Eddie and Jean Taylor

Effects of gambling in communities

Studies have shown that “non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. “These forms of gambling have been reported to cause the most harm in the community.” A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts.”

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- <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/docsresearchongambling/social-impacts-gaming-machines-tab-gambling-auckland.pdf>
- <https://www.pgf.nz/uploads/7/1/9/2/71924231/fs05-social-impacts-of-problem-gambling.pdf>
- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
- <http://www.stuff.co.nz/national/97744358/As-a-problem-gambler-I-can-see-pokies-are-a-plague-on-NZ?rm=m>

Pertinent comments from these documents:

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- Testimony from an unnamed problem gambler says “The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what’s the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand.

Dougal Elvin

From: The Christies <thechristiesok@gmail.com>
Sent: Tuesday, 17 July 2018 11:17 AM
To: Dougal Elvin
Subject: Omokoroa Tavern Objection
Attachments: Objection Christie Omokoroa Tavern.pdf

Dear Dougal,

Please record our objection to the proposed Omokoroa Tavern.

Regards

Derek and Catherine Christie

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143

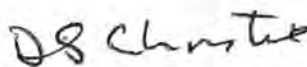
OBJECTION TO NEW ON-LICENCE APPLICATION
The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer.
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.
- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

Derek and Catherine Christie
 13 Tory Way
 Omokoroa

07 5482223
 thechristiesok@gmail.com

Dougal Elvin

From: Dave Woodhouse <woodiesnz@xtra.co.nz>
Sent: Tuesday, 17 July 2018 11:37 AM
To: Dougal Elvin
Subject: Objection to license for Omokoroa
Attachments: Objection-On-Licence-The-Locals-Tavern-Bar-Ind.doc

Please find attached a formal objection to the proposal. The community is horrified that this is even being considered and strongly recommend rejection of the application

David Woodhouse

Sent from [Mail](#) for Windows 10

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143

OBJECTION TO NEW ON-LICENCE APPLICATION

The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

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- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
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- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.
- (f) **The proposed opening hours are completely unsuitable for Omokoroa and would no doubt attract undesirables into the village after closing times elsewhere**

I live in Omokoroa

Name: David Woodhouse
 Email Address: woodiesnz@xtra.co.nz
 Phone Number: 548 1093

Dougal Elvin

From: glenn mccutcheon <nana_glenn@hotmail.com>
Sent: Tuesday, 17 July 2018 11:51 AM
To: Dougal Elvin
Subject: Fw: The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

Secretary
District Licensing Committee
Western Bays District Council
Private Bag 12-803
Tauranga Mail Centre 3143

OBJECTION TO NEW ON-LICENCE APPLICATION

The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

Communities Against Alcohol Harm Inc ('CAAH') objects to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. CAAH objects on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

1. The Omokoroa Liquor Centre and Fresh Choice are adjacent: Close to the proposed premises is the Omokoroa Liquor Centre. CAAH is concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer

1. The proposed tavern will be close to a number of sensitive sites attended by families and children. These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. CAAH believes it is undesirable for a tavern to be issued close to these sensitive sites.

1. Noise issues: While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.

1. Gaming machine venue/TAB/tavern: We understand from the Alcohol Inspector that the application includes gaming machines and a TAB. We are concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, we believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.

1. Suitability: The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachhani. They are also shareholders of other companies, including

KM Trading Company Ltd, which appears to own a liquor store in Pahia, Northland. We ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

CAAH wishes to speak at any hearing.

Glenn McCutcheon
Chair
CAAH

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143

OBJECTION TO NEW ON-LICENCE APPLICATION
The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
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- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachhani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

I live in Omokoroa, but do not wish to speak at the hearing, as I am unable to make the hearing.

Name: Peter Musk
 Email Address: Petermusk7@gmail.com
 Phone Number: 0223755761



 [Signature]

17/06/18

 [Date]

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143

OBJECTION TO NEW ON-LICENCE APPLICATION
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I live in Omokoroa.

Name: Philippa Bowen
Email Address: bowenpip@gmail.com
Phone Number: 075482880/0212082850



17/7/2018

 [Signature]

 [Date]

Dougal Elvin

From: Bill Cameron <billdi.cameron1@gmail.com>
Sent: Tuesday, 17 July 2018 1:54 PM
To: Customer Service
Subject: Fwd: Submission
Attachments: tavern objection.docx; ATT00001.htm

Dear Sir/Madam

Please find enclosed: our submission in relation to the proposed Tavern - liquor licence for Omokoroa.

Kind regards
B & D Cameron

Begin forwarded message:

From: Bill Cameron <billdi.cameron1@gmail.com>
Subject: Submission
Date: 17 July 2018 1:47:32 pm NZST
To: Bill Cameron <billdi.cameron1@gmail.com>

Bill and Di Cameron
Omokoroa Country Estate
5 Anderley Avenue
Omokoroa

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated to 3 years ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Noise from bands playing until 1.00am will adversely affect the surrounding Retirement Village, Gated Village, Rest Home and family homes close by.
5. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
6. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
7. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Bill and Dianne Cameron

Effects of gambling in communities

Studies have shown that “non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. “These forms of gambling have been reported to cause the most harm in the community.” A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts.”

The links below provide more information about these studies:

- <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/docsresearchongambling/social-impacts-gaming-machines-tab-gambling-auckland.pdf>
- https://www.pgf.nz/uploads/7/1/9/2/71924231/fs05-social_impacts_of_problem_gambling.pdf
- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
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Pertinent comments from these documents:

- “Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers.”
- “According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines.”
- The Salvation Army state “Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities.”
- Well-known New Zealand doctor Lance O’Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 “Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines.”
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says “there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence.”
- Testimony from an unnamed problem gambler says “The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what’s the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand.

17/7/2018

Bruce, Sharon and Ross Addison
Owner/Operator
Omokoroa Kiwi Holiday Park
165 Omokoroa Rd
Omokoroa

Submission re Section 101 Sale and

Supply of Alcohol Act, 2012

KLM Enterprises On-Licence

We would like to put forward a Submission against KLM Enterprises On-Licence in respect to the Premises situated at Shop 6, 168 Omokoroa Road, Omokoroa to be known as The Locals Tavern Bar & Eatery. We are against this Licence as we are a Business across the road – Omokoroa Kiwi Holiday Park providing Holiday Park accommodation for predominantly Families and Overseas Tourists for 50 years. We are against this Licence as a “Resident Business Owner” as well. We will now itemise our Points of Concern.

1. No Police presence in Omokoroa during night hours, in respect to drink driving AND any anti-social behaviour or disturbance during night hours. We have first-hand experience of this in our Holiday Park as have phoned Police for assistance and several times been answered that they have no Staff available or cannot prioritise our situation to attend immediately and have sometime of up to excess of 1 hours wait.
2. Distance from Tauranga or Katikati of at least 22kms, so immediate response from Police is not available; which can escalate anti-social or violent behaviours.
3. Noise – With the Law requiring Drinkers that smoke to be outside the Premises, this creates noise, high volumes of language, laughing and yelling as well as obscene language. Also noise from the Premises- music, bottles being discarded. Again, we have first-hand experience of this. We can most of the time minimise as our Rules stipulate quietness as of 10.00pm nightly in respect of others and we are an Accommodation Provider and not a Drinking Establishment. As in Points 1 & 2 with Police presence and attending to incidents as well, these issues also stand up to Noise Control which we have also had first experience of.
4. Noise and safety in respect to Vehicles entering and exiting the Facility. It is well known that Drinking and Driving causes accidents and even deaths on our Roads. Most concerning is the added risk of Drink Driving to “Hoon-like” doing Wheelies etc right near to our Park. This intermittent noise cannot be policed in Omokoroa.

5. Lack of infrastructure in respect to Roothing and Street Lighting in the entry and exit area of this Tavern. There are a number of Businesses in the immediate area and there is no turn-in or exit bay on the Road, the piece of narrow road has a slight bend and camber right there, which in our view, is a real hazard. At night the Roothing and Footpath area is dark with no lighting.

6. A thoroughfare for the Public at Risk – i.e. aged person, children, and persons seeking medical attention at the next door Medical and Health Centre, is a Safety Issue as well as an ethical issue, in regard to drinking and gambling. This Tavern establishment lies between the older part of Omokoroa and the newer developed areas- The Beach and Housing, The Supermarket and housing, the Retirement Village and Supermarket, the Aged Persons home and Medical Centre, the housing and School, Supermarket and Skate and Sports Park, with the only Footpath to these areas being right on the Entry/Exit of the proposed Tavern Establishment.

7. A School and general Bus Stop right across the road from the proposed Tavern. We are against this for Safety and Ethical issues as above.

8. As a Sponsor of our local Emergency and First Response Services, run and operated by Volunteers who are stretched to a lack of Members, If the Licence is granted to the Tavern, it will only add to an already immense demand and call-out.

9. Security. A real CONCERN IS OUR Business across the Road in respect to our Clients safety and property i.e. Cars. Our Business in respect to carrying money, our safety and other nearby businesses such as Pharmacy and Doctors Rooms etc.

10. Personally we as Residents have a high regard for Omokoroa being a relative safe haven from the effects of drinking, drink-driving and gambling. The effects in other Towns is well shown and documented in the Media – reporting from Residents, Schools, Community Groups, Police, Health Professionals and professionals working with addictions.

Please do not let this happen to Omokoroa.

Bruce, Sharon, Ross Addison. Owners/Managers.

Dougal Elvin

From: Lorraine Barnes <barneshols@hotmail.com>
Sent: Tuesday, 17 July 2018 4:03 PM
To: Dougal Elvin
Subject: Objection to the tavern

181A Omokoroa Road
RD2 Omokoroa
Tauranga 3172
17th July 2018.

Secretary of the District Licensing Committee

Dear Madame or Sir,

We wish to object to the application of KLM Enterprises of Auckland for an ON LICENSE for a proposed tavern at 168 Omokoroa Road. This was advertised in The Weekend Sun of Friday the 29th June 2018.

The applicant has asked for the licensing hours of Monday to Sunday FROM 9.00 am TO 1.00 am THE FOLLOWING DAY.

We believe that the tavern would adversely affect the close residential area across the road and nearby surrounding areas due to noise and extra traffic.

Increased noise late in the evening and until 1.00 am. The liquor store open until 9.00pm has noisy cars arriving and departing in Omokoroa now.

The risk of people driving with an increased blood alcohol level both in Omokoroa and on the main road.

There is no pedestrian crossing at the entrance and the footpath is only on one side of the road in that area.

The noise and extra traffic will lower the value of properties in Omokoroa in the surrounding streets.

There is a liquor store open from 9.00 am to 9.00 pm FROM MONDAY TO SUNDAY. PLUS The Boat Club has a liquor license PLUS there is the Black Sheep selling liquor on the next road to Omokoroa, with dining available.

New Zealand has a terrible drink and drive culture costing thousands of dollars in both the health budget ,road accidents, and alcohol addiction problems.

Yours faithfully.
Mr I.L.Barnes
Mrs L.Barnes.

Lia Tuerlings
 20 Haden Place
 Lynely Park
 Omokoroa
 WBOP 3114

Secretary of District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143

16 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, and we would like the essence of Omokoroa; a community that offers a safe, family-friendly reputation to remain as such. I am sure that anyone who purchases homes here would be coming for these reasons and to make such drastic changes that have the consequences this application would bring is wrong.

The reasons for this objection are:

- The plans indicate there will be a TAB and pokies onsite which we believe will attract clientele who do not reside in Omokoroa and therefore do not have the right to change our environment. visitors to Omokoroa would not have the same concerns for the preservation of the safe, quiet, and family-friendly environment this community offers.
- The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
- We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
- Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
- The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the whole community; those coming here for a new life and the wider existing community.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Lia Tuerlings

Effects of gambling in communities

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- https://www.pgf.nz/uploads/7/1/9/2/71924231/fs05-social_impacts_of_problem_gambling.pdf
- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
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machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence."

- Testimony from an unnamed problem gambler says "The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what's the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand.



Secretary
District Licensing Committee
Western Bays District Council
Private Bag 12-803
Tauranga Mail Centre 3143

OBJECTION TO The Locals Tavern Bar NEW ON-LICENCE APPLICATION at 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar. My main objection is to the late opening hours applied for as the area is not suitable for late night drinking nor would it supply an existing demand for late drinking by local residents.

Also:

- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.

I live in Omokoroa and am a member of the community patrol team.
Peter Goad
pandmgoad@gmail.com
07 5482737

Peter Goad 17.07.2018

16 July 2018

Secretary

Western Bay of Plenty District Licensing Committee

Private Bag 12-803

TAURANGA MAIL CENTRE 3143



Dear Sir/Madam

We wish to object in the strongest possible terms to the proposed building of a tavern at Shop 6, 168 Omokoroa Rd, Omokoroa which would be selling alcohol 7 days per week from 9am until 1am the following day.

Omokoroa has always been a relatively peaceful and crime-free area and we believe that an outlet serving alcohol for 112 hours per week will substantially reduce this good order. There are already 3 outlets serving alcohol with meals and 2 supplying it in bulk.

The distance will be 150 metres from a kindergarten, 200 metres from a hospice, 200 metres from a retirement village and 50 metres to residential areas. Even more importantly it will be less than 100 metres from a doctor, chemist and dentist who all hold stocks of drugs. The distance from all these to the Tauranga police is **21 kilometres** and their response time would be 15 minutes minimum.

Our concerns are that it will:

- Increase crime
- Increase anti-social behaviour
- Increase accessibility to drugs
- Increase vandalism
- Encourage under-age drinking in the nearby reserve
- Create noise disturbance into the morning hours
- Bring in out-of-towners some of whom may be of bad character
- Add to the road toll given that most people will have to drive there
- Add to vehicle congestion and consequent shortage of parking

Would you please take these concerns into consideration when making your decision.

Yours faithfully

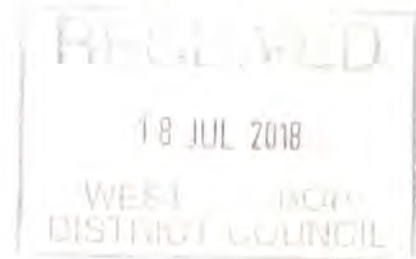
Dianne & Martin Layzell

6 Margaret Drive, Omokoroa

Ph : 07 548 2206

Rebecca Bell
20 Kayelene Place Omokoroa

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143



13 July 2018

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We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, having relocated 2 months ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

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6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

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Yours Faithfully

Rebecca Bell

Janene Holyoake
20 Kayelene Place Omokoroa

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Janene Holyoake

Ken Holyoake
20 Kayelene Place Omokoroa

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We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

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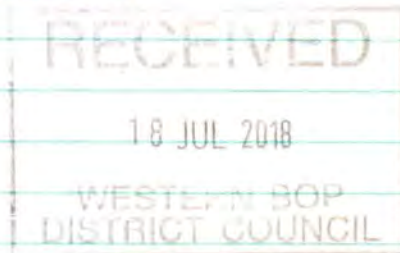
Yours Faithfully

Ken Holyoake



District Licensing Committee.
Western Bay District Council.
Private Bag 12803
Tauranga 3114
13-07-18.

Brendan Cooney
16 The Esplanade
Omokoroa
3114.



Dear Sir/madam

I would like to register my objection to K. L. M. Enterprises application for a Liquor license for a tavern at 168 Omokoroa Road

I have concerns of the increase in traffic flow that will be entering and exiting 168 Omokoroa Road. This area is already congested with McKenna Lane, Tourist Park, medical Centre, shops, Also Supermarket which is left turn only which many ignore and turn right onto Omokoroa Road.

Vision is not particularly good exiting 168 Omokoroa Road. Which raises Safety Concerns.

I know personally that Council don't want anymore traffic accessing Omokoroa Road e.g. All the roads up Bert Wall Drive. Coming out onto Margaret drive.

The existing Site was storage sheds, plumber and drainlayer depot with very little traffic flow even then it was confusing coming out of the medical Centre.

I feel this is not the location for this type of bussiness, with High traffic flow.

yours Sincerely
Brendan Cooney
(071) 5480852.

Dougal Elvin

From: mikeat4142@gmail.com
Sent: Tuesday, 17 July 2018 6:32 PM
To: Customer Service
Subject: Omokoroa TAB and Tavern

We DO NOT want a tavern here at Omokoroa and having it open at ridiculous hours we are going to advise the whole community that the WBOPDC are forcing this facility ahead without public consultation The whole community will be advised of this by us

Dougal Elvin

From: mikeat4142@gmail.com
Sent: Wednesday, 18 July 2018 7:33 AM
To: Customer Service
Subject: Tavern and Pokies

We were notified of these facilities being set up in Omokoroa without much public consultation if any at all, further to my first emailed that was sent before it was finished, the reason for objecting to this is:

No full time police here to monitor all the undesirable element that gravitate to these sort of places The opening hours are ridiculous and what will that achieve - Rubbish

- Extra traffic
- Crime

Please don't let Omokoroa loose its small community identity as it is now as we have outlandish rates now and being punished by having this type of establishment here will see it become like the Otara of Bay of Plenty. This objection is written I'm sure with the support of the rest of the community Thankyou Mike Townsend

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

8B Astelia Drive
Omokoroa
Tauranga 3172

17 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated to last year, because it is a community that offers a safe, family-friendly life style with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who would probably not be concerned with the preservation of the safe, quiet, relatively crime free and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours from 9am until 1am seven days a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

J H Lucas
J H Lucas

Effects of gambling in communities

Studies have shown that "non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. "These forms of gambling have been reported to cause the most harm in the community." A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts."

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Pertinent comments from these documents:

- "Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers."
- "According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines."
- The Salvation Army state "Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities."
- Well-known New Zealand doctor Lance O'Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 "Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines."
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says "there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence."
- Testimony from an unnamed problem gambler says "The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what's the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand."

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

17th July 2018

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The reasons for our objection are:

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Yours Faithfully

Christine Conn

Effects of gambling in communities

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Pertinent comments from these documents:

- “Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers.”
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Dougal Elvin

From: Angela Farrell <farrell.angela@gmail.com>
Sent: Wednesday, 18 July 2018 9:38 AM
To: Customer Service
Subject: Re: OBJECTION TO OMOKOROA LIQUOR LICENSE FOR TAVERN
Attachments: tavern objection 2.pdf; ATT00001.htm

To Judy Clark,
sorry about that, please find attached amended doc.
regards Angela Farrell

Angela Farrell
 48 Omokoroa Road
 OMOKOROA 3114
 TAURANGA

Secretary of District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

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- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated to 3 years ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

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We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

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Yours Faithfully

ANGELA FRANCES FARRELL

Effects of gambling in communities

Studies have shown that “non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

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Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143


OBJECTION TO NEW ON-LICENCE APPLICATION
The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.
- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachhani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

I live in Omokoroa and I wish to speak at any hearing.

Name: Richard Hewison
 Email Address: rhewison@xtra.co.nz
 Phone Number: 07 548 1115


 [Signature]

17th July 2018
 [Date]

Patricia Shanks
2 Olive Close
Omokoroa
3114

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

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We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we moved to 6 years ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
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Yours Faithfully

PM. Shanks.

Patricia Shanks

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Pertinent comments from these documents:

- "Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers."
- "According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines."
- The Salvation Army state "Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities."
- Well-known New Zealand doctor Lance O'Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 "Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines."
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Ronald Shanks
2 Olive Close
Omokoroa
3114

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we moved to 6 years ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully



Ronald Shanks

Effects of gambling in communities

Studies have shown that "non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

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Dougal Elvin

From: Lorraine Linton <lor.linton13@gmail.com>
Sent: Wednesday, 18 July 2018 1:21 PM
To: Customer Service
Subject: Omokoroa Tavern

L Linton
 13 Margaret Drive
 Omokoroa
 3114

Secretary of District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143
 13 July 2018

Dear Sir/Madam

I am writing to register my objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

I have an interest in this application because I live within 200metres of the proposed tavern and am a senior member of the community of Omokoroa, who shifted here 22 years ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for my objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes
3. I believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa.
5. A study prepared for Auckland Council states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.

I support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- consider a later opening
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully
 Lorraine Linton

Barbara Kershaw
37/5 Anderley Avenue
Omokoroa

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

17 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

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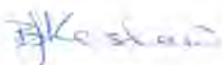
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Dougal Elvin

From: Joy Ilsley <jilsley@slingshot.co.nz>
Sent: Wednesday, 18 July 2018 4:02 PM
To: Customer Service
Subject: objection to liquor licence

Objection to liquor licence to premises being built behind Fresh Choice in Omokoroa
Joy Ilsley
74 Omokoroa Country Estate
Omokoroa

Joy Ilesley, 74 Omokoroa Country Estate, Private Bag 12026 Tauranga 3143

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

17th July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
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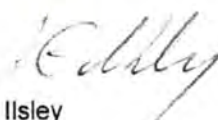
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2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
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- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully



Joy Ilesley

Effects of gambling in communities

Studies have shown that "non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

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Dougal Elvin

From: Diane Goetzlof <dianegoetzlof@xtra.co.nz>
Sent: Wednesday, 18 July 2018 5:09 PM
To: Dougal Elvin
Cc: premise
Subject: Submission

Please accept my submission regarding the proposed tavern in Omokoroa

I lodge my objection for the following reasons

- 1) We have 3 liquor licenses very near these premises – The liquor store, Fresh Choice supermarket and Montre Restaurant
- 2) Traffic congestion is already bad entering Omokoroa Rd from this driveway and people try to turn right out of it
- 3) The area is zoned commercial but in the middle of a highly populated residential area – 2 retirement villages, a gated Community, a family holiday park, and other residences
- 4) It is adjacent to a medical centre and chemist and frequented by a lot of walkers, mobility scooters, wheelchairs etc
- 5) Our community is comprised primarily of retired people and young families who do not frequent this type of facility
- 6) The hours proposed are far too long, I suggest 11am to 10pm if at all
- 7) We have no police presence to monitor the behaviour of some customers
- 8) We only have volunteer fire and first response teams
- 9) The community would happily embrace a family style restaurant/bar in the vein of Cobb and Co but not this

I have a business – Diane's Décor at 170 Omokoroa Road and this activity would discourage people from visiting it
I wish to speak to this submission when a hearing date is supplied and have other people who would attend with me

Diane's Décor
170 Omokoroa Rd
Omokoroa

Diane Goetzlof
61/4 Greystone Place
Omokoroa

Dougal.Elvin@westernbay.govt.nz
 Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143

OBJECTION TO NEW ON-LICENCE APPLICATION
The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.
- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

Name: Andrew & Vanessa Gibb
Email Address: avgibb@gmail.com
Phone Number: 075482123

AB & VL Gibb _____
 [Signature]

18 July 2018
 [Date]

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143

Rachel Millard
 16 Tralee Street
 Omokoroa
 3114

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- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.
- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.
- (f) **Traffic Management and parking.** Already a busy junction. The entry exits are being restricted by council onto Omokoroa Road but this is being allowed?

I live in Omokoroa and I **wish** to speak at any hearing.

Name: Rachel Millard
Email Address: Rachel.millard@ymail.com
Phone Number: 021513189

 [Signature]

 [Date]

Carol and Steve Wall
57 Hamurana Road
Omokoroa

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of where we have lived for 8 years, because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Carol and Steve Wall

Effects of gambling in communities

Studies have shown that “non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

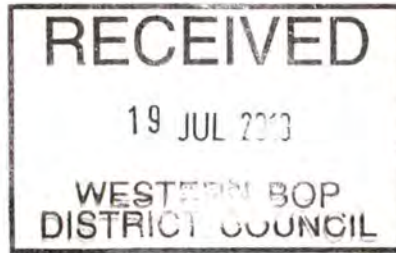
In other words, **pokies and TAB are proven to cause problematic gambling**. “These forms of gambling have been reported to cause the most harm in the community.” A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts.”

The links below provide more information about these studies:

- <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/docsresearchongambling/social-impacts-gaming-machines-tab-gambling-auckland.pdf>
- https://www.pgf.nz/uploads/7/1/9/2/71924231/fs05-social_impacts_of_problem_gambling.pdf
- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
- <http://www.stuff.co.nz/national/97744358/As-a-problem-gambler-I-can-see-pokies-are-a-plague-on-NZ?rm=m>

Pertinent comments from these documents:

- “Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers.”
- “According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines.”
- The Salvation Army state “Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities.”
- Well-known New Zealand doctor Lance O'Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 “Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines.”
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says “there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence.”
- Testimony from an unnamed problem gambler says “The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what's the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand.



7 McKenna Lane

Omokoroa

18th July 2018

Dear Sir or Madam,

We ask to be heard regarding the proposed tavern being built at 168 Omokoroa Road.

Our house is within 400 metres of the site. We are concerned with the noise from the tavern and the vehicles leaving the site at the late hour they have requested. We would appreciate an earlier closing time of 10 pm or 11pm.

The customers of the proposed tavern may come and leave with excess alcohol in their systems with the possibility of accidents involving pedestrians and other drivers.

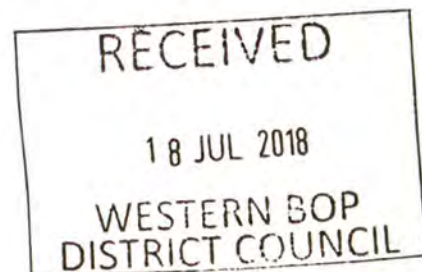
We understand that there is not a full-time police presence in Omokoroa. At the moment there is a local security presence at night which is manned by the locals. We feel there is an increased potential for illegal and antisocial behaviour from alcohol impaired patrons.

The position of the proposed tavern is close to the residential area. Many elderly and retired people, we belong to this group, have chosen Omokoroa to live a certain life style. We would greatly appreciate you considering the application carefully.

Your sincerely,

A handwritten signature in blue ink, appearing to read "Wendy and Albert Morris".

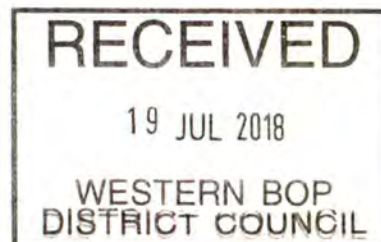
Wendy and Albert Morris



181E Omokoroa Road
RD2 Tauranga 3172

15 July 2018

Secretary of the District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143



Dear Sir or Madame

We wish to object to the application of KLM Enterprises of Auckland for an ON LICENSE for a proposed tavern at 168 Omokoroa Road, as advertised in *The Weekend Sun* of Friday 29 June 2018. The applicant has asked for licensing hours of "Monday to Sunday from 9.00am to 1am the following day".

We believe that issuing of such a license would have an adverse effect on the quality of life in the residential area that is within 500 metres of the proposed tavern.

Specific points of objection:

- Increased noise late in the evening. There are many private residences, the Community Church and the Acacia House rest home within 500 metres of the proposed tavern.
- Increased traffic in the evening, some of which could be driven by people exceeding the legal blood alcohol limit.
- Increased potential for unruly or illegal behaviour in the area from alcohol-fuelled patrons.
- Potential for a lower valuation of properties in the area surrounding the tavern.

There are already two drinking establishments in the general area: the Omokoroa Boat Club and the Black Sheep at Whakamarama.

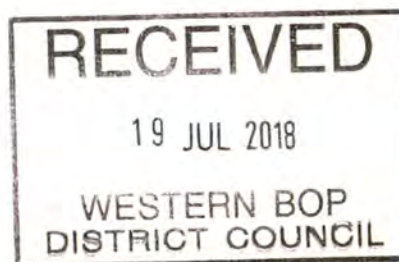
Yours faithfully

Two handwritten signatures in blue ink. The first signature is "M. J. Ulyatt" and the second is "W. R. Ulyatt".

M. J. Ulyatt
W. R. Ulyatt

Secretary of the District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143

16 July 2018



Dear Sir or Madam

We wish to object to the application of KLM Enterprises of Auckland for an ON LICENSE for a proposed tavern at 168 Omokoroa Road, as advertised in *The Weekend Sun* of Friday 29 June 2018. The applicant has asked for licensing hours of "Monday to Sunday from 9.00am to 1am the following day".

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We appreciate your consideration of this request

Yours faithfully

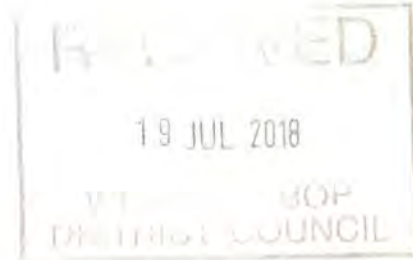
Russell Farrell

181D Omokoroa Road
 RD2 Tauranga 3172

Patricia Farrell

9, McKenna Lane,
Omokoroa Beach,
Tauranga 3114

Secretary of the District Licensing Committee
Private bag 12-803
Tauranga Mail Centre
3143



15/07/2018

Dear Sirs,

It has only just been brought to our attention that a Tavern is to be built in Omokoroa.

Having a Tavern in a residential area like this in close proximity to The Country Estate retirement village, Minnows Kindergarten not far away and many retired people in the vicinity open seven days a week from 9 am to 1 am in the morning is totally unacceptable and unbelievable that permission can be granted.

This has all been done very quietly without consultation with of the locals, maybe they don't need our permission to build it but courtesy in informing people would have been nice.

The noise, extra traffic and all that a Tavern brings with it, will it I am sure impact on the local people living nearby.

We strongly object to this project, as a Licensing Committee we realise that permission to build these premises has already been given, but we would appreciate you considering the fact it could be open from 9 am to 1 am seven days a week this is really not acceptable for the position the Tavern will be in so close to homes and could impact on us quite considerably, if there are to be gaming machines this is also worrying, surely our piece of mind and safety around such an area should be considered.

We would very much appreciate you considering the application very carefully and at least put some restrictions on the opening times and hours.

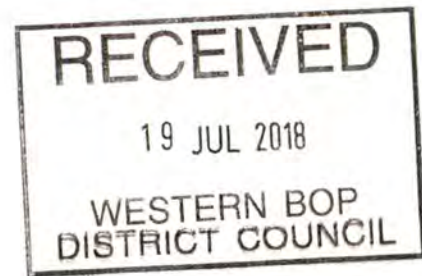
Yours Sincerely

Irene and Richard Keech

→ keech
Richard Keech

Secretary of the District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

16 July 2018



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Yours faithfully

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Alan Lowe
Mary Lowe

181C Omokoroa Road
RD2 Tauranga 3172

Noel Benstead
23 Bramley Drive
Omokoroa

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143



13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

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- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

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4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
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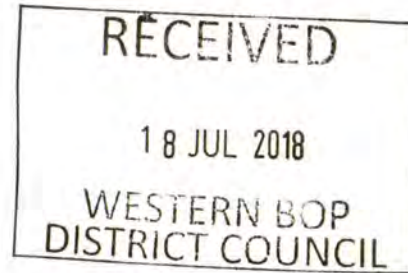
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- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
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Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143



OBJECTION TO NEW ON-LICENCE APPLICATION

The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
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I live in Omokoroa and I wish to speak at any hearing.

Name: Mrs Jackie Wright
Email Address: jackie.molloywright@gmail.com
Phone Number:

075481129

[Signature]

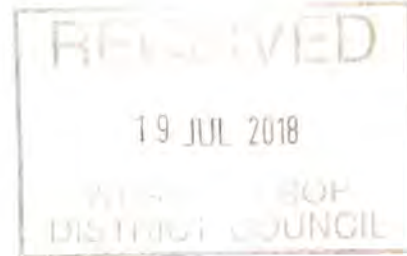
Jackie Wright

[Date]

18th July 2018

11 McKenna Lane
 Omokoroa
 Western Bay of Plenty 3114
 17 July 2018

Secretary of the District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143



Dear Sir / Madam

We were rather surprised and disappointed to learn of the application by KLM Enterprises of Auckland for an ON LICENSE for a proposed tavern at 168 Omokoroa Road, as advertised in *The Weekend Sun* of Friday 29 June 2018.

We **strongly object** to this application for the following reasons:

1. Increased potential, unruly or illegal behaviour in the area from alcohol-fuelled patrons.
2. Increased noise late in the evening.
3. There are many private residences, the Community Church and the Acacia House rest home within 500 metres of the proposed tavern.
4. We believe issuing this license would have an adverse effect on the quality of life for residents in the surrounding residential area.
5. Increased traffic in the evening, some of which could be driven by people exceeding the legal blood alcohol limit.
6. The applicant has applied for licensing hours between 9:00am through to 1:00am the next morning, Monday to Sunday which find unfathomable.
7. The site is currently occupied with a number of low cost buildings which is not in keeping with the general area. A tavern will only make this situation worse.
8. Potential for property valuations to be negatively impacted as a direct result of the presence of the proposed tavern.

There are already three drinking establishments in the general area: the Omokoroa Boat Club, the Black Sheep at Whakamarama and Te Puna Tavern.

If we had known a tavern could eventuate on the site, we would not have purchased in the area. The family community spirit is strong and welcoming. We view the medical centre, pharmacy, supermarket etc. as assets that enhance and serve the general public and community well. However, we view a tavern as a negative addition to the community.

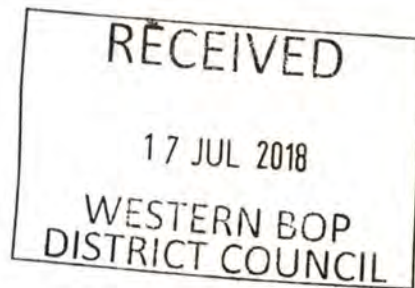
Yours faithfully

K G Judd

J E Judd

Eddie and Jean Taylor
1 Walnut Grove
OMOKOROA 3114

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143



17 July 2018

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The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe undermine the security of those who reside in Omokoroa who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 10pm or 11pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Eddie and Jean Taylor

Effects of gambling in communities

Studies have shown that "non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. "These forms of gambling have been reported to cause the most harm in the community." A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts."

The links below provide more information about these studies:

- <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/docsresearchongambling/social-impacts-gaming-machines-tab-gambling-auckland.pdf>
- <https://www.pgf.nz/uploads/7/1/9/2/71924231/fs05-social-impacts-of-problem-gambling.pdf>
- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
- <http://www.stuff.co.nz/national/97744358/As-a-problem-gambler-I-can-see-pokies-are-a-plague-on-NZ?rm=m>

Pertinent comments from these documents:

- "Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers."
- "According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines."
- The Salvation Army state "Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities."
- Well-known New Zealand doctor Lance O'Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 "Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines."
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says "there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence."
- Testimony from an unnamed problem gambler says "The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what's the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand."

Dougal Elvin

From: Pauline Brooker <pprkbrooker@hotmail.com>
Sent: Thursday, 19 July 2018 11:23 AM
To: Customer Service
Subject: Tavern consent Omokoroa

Hi
I would just like to register my disapproval at the proposed hours of the tavern to be built in Omokoroa.
I think it is just asking for trouble that it would be open so early and close so late at 1am. Especially with no full time police force based here.
It is unnecessary to have such long opening hours.

Regards
Pauline Brooker
37 Lynley Park Drive
Omokoroa

Sent from my iPhone

Dougal Elvin

From: Anne Bradley <annebradleyxxx@hotmail.com>
Sent: Thursday, 19 July 2018 12:37 PM
To: Customer Service
Subject: Objection to ON_LICENCE application by KLM Enterprises Ltd at Shop 6/168 Omokoroa Rd

Dear Sir/Madam

Subject: Objection to ON_LICENCE application by KLM Enterprises Ltd at Shop 6/168 Omokoroa Rd

I object to this application because it is an inappropriate location for a tavern, being set in a quiet residential area inhabited primarily by young families and the elderly and will attract a clientele which is incompatible with the local community.

I object on the following grounds:

1/
 I object to the granting of this application in accordance with section 102(1) of the sale and supply of alcohol (2012) act in that I have a greater interest in the application than the public generally, as I live within sight and sound of the intended premises.

I live at 10 Tralee Street which is within direct line of sight to the intended premises.

2/
 I also object in accordance with section 105(h) in that the amenity and good order of the locality would be reduced to more than a minor extent by the effects of the issue of this licence:

a/
 The area surrounding this commercial locality houses primarily older people. On the immediate or near periphery are:

A retirement village – retired people

A 'gated community' mainly older people with a few young families

A church

An aged care facility

A kindergarten

Hot pools

b/

The existing commercial area currently comprises:

Chemist, doctor's surgery, Optician, Barber, Physiotherapist, Dentist, Supermarket, café, launderette, pizzeria, Real Estate Agent, and liquor store.

These are all day-time commercial activities and serve the needs of the local community.

c/
 This is a very quiet area and people have chosen to live here because of the quiet relaxed atmosphere. By 10.00pm in the evening this area is very quiet – most are in bed.

d/
 The operation of a tavern on this site would need to rely, almost exclusively, on patronage from outside the area. To attract this patronage would almost certainly mean music – live bands on Fridays and Saturdays, meaning an increase in noise and traffic when the local population least want it.

To suggest that a licence be limited to, say 11.00pm would very quickly incur applications for extensions for anything from Rugby games to St. Patrick's day.

e/
 There is neither evening public transport nor policing in this area. Consequently, this will leave the area vulnerable to an increase in drink-driving, unruly behavior, and crime.

f/

168

The presence of a tavern on this site would bring increased revenue for the council coffers. It would presumably be profitable for the operator. However the local population would be left paying a very high price with the destruction of the quiet and peaceful atmosphere of their community.

For these reasons I object to the granting of this licence.

I wish to add that I am not against having a tavern in Omokoroa. However, the correct location should be away from residential areas, to somewhere like the commercial area nearer to SH2 where it would not adversely affect such activities as the haulage Co. and the self-storage Co.

Yours faithfully,

Anne Bradley
10 Tralee Street
Omokoroa 3114

mobile: 021 213 0003

36 Margaret Drive
OMOKOROA 3114

19 July 2018

The Secretary of the District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143



Dear Committee Members

We wish to be heard in objection to the application by KLM Enterprises of Auckland for an ON LICENCE for a proposed tavern at 168 Omokoroa Road, as advertised in *The Weekend Sun* of Friday 29 June 2018.

The applicant has licensing hours of "Monday to Sunday from 9:00am to 1:00am the following day."

The issuing of such a license would have a major adverse effect on the quality of life typically sought and currently enjoyed by those residents living within 500 metres of the proposed tavern.

Specific points of objection:

Such a facility would have little or no benefit to the residents in near proximity due to their age and desired quieter lifestyle.

The activities associated with such establishments are contrary to the very reasons many people chose to live in Omokoroa.

- Increased noise to very late in the evening:
 - Close to private residences.
 - Community Church and Acacia House rest home within 300 metres of the proposed tavern.
- Increased traffic until late in the evening with the real risk of alcohol effected drivers.
- Increased potential for disturbance and personal/property safety worries from alcohol affected patrons.
- The above effects have the potential to lower valuations of properties in the area surrounding the proposed tavern.
- There are already two liquor outlets next door to the proposed tavern site as well as other On License establishments nearby – The Omokoroa Boat Club, Beached On Blue café, Black Sheep restaurant and bar – thus there is no need nor justification for a further licensed establishment in Omokoroa.

Yours faithfully

R E Hallam

K S Hallam

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143

OBJECTION TO NEW ON-LICENCE APPLICATION

The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

The owners of Omokoroa Medical Centre (Bethlehem Medical centre ltd) would like to formally object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, (to trade as 'The Locals Tavern Bar').

We object on the following grounds under section 105 of the Sale and Supply of Alcohol Act 2012 and believe that the information we have provided below indicates significant concerns to clauses:

(b)

the suitability of the applicant

(d)

the days on which and the hours during which the applicant proposes to sell alcohol

and

(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

Our objections in relation to the above clauses are:

That the Tavern would be placed directly next door to a medical centre that treats patients with known alcohol problems/addictions. (b- the suitability of the applicant) and (h - the amenity and good order of the locality would be likely to be reduced, to more than a minor extent)

(a) **That such a decision could negatively influence the clinical outcomes of our patients and undermine our ability to meet the national health targets that have been set by the Ministry of Health (MOH) under direction from the current health minister/government. (h - the amenity and good order of the locality would be likely to be reduced, to more than a minor extent)**

(b) **That our medical facility would be vulnerable to targeting by patrons of the Tavern trying to seek access to essential drugs and medications that are kept on our premises, especially out of hours when the tavern is open but our facility is closed (ie from 5.30pm to 1am weekdays and all-day at weekends) (d - the days on which and the hours during which the applicant proposes to sell alcohol) (are completely different to all of the surrounding businesses)**

(c) **That as well as the Omokoroa Medical Centre there are also other sensitive health related businesses that would also be negatively impacted in the same way as us by the positioning of a Tavern on the same shared access site, including a Pharmacy, a physiotherapist and a dentist. (h - the amenity and good order of the locality would be likely to be reduced, to more than a minor extent)**

(d) **That we are a family practice and as such we find it totally unacceptable that our patients (and in particular their children) might see alcohol driven socially unacceptable behaviour whilst attending our Practice. (h - the amenity and good order of the locality would be likely to be reduced, to more than a minor extent)**

The Directors and associate Doctors based at Omokoroa Medical Centre feel that to place a business that's sole purpose of trading is to sell a product (alcoholic drinks), that have been conclusively proved to have a negative effect on people's health, right next door to a medical facility (and other health promoting businesses), is wrong.

We would like to strongly urge the council to decline this application and encourage

them to work with the premise owners to develop an alternative business model that would have better health outcomes for the local residents.

Yours sincerely



Trevor Deane

Practice Manager

On behalf of the owners and practising Doctors of Omokoroa Medical Centre

Email Address: manager@bethdocs.co.nz

Phone Number: 07 548 0169

18th July 2018

District Licensing Team
Western Bay of Plenty
1484 Cameron Road, Greerton, Tauranga.

Dear Sir/ Madam

I wish to object to the alcohol licence application by premises' 'The Locals Tavern Bar' Shop 6
168 Omokoroa Road, Omokoroa.

I have interest in this application that is greater than the general public because
I live less than one hundred metres from the proposed establishment my address is 2 McKenna Lane,
which looks directly into the proposed establishment site.

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises
Ltd, Auckland for the premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The
Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol
Act 2012 (the 'Act'), but especially:

I object to the application on the following grounds:

"Amenity and good order of the area would be substantially reduced by more than a minor extent."

Objection 1:

Grounds for Objection- "Possible future levels of noise, nuisance and vandalism"

Reasons for Objection:

1. Noise issues: while it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly') there are noise limits in this zone (e.g. 45dba after 10pm) that means a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. Many residential properties very close will be negatively impacted by this noise. Those that work and get up early will suffer from sleep deprivation that is a serious health wellbeing threat.
2. It is well documented that there is a strong correlation between consuming alcohol at establishments such as pubs, taverns and nightclubs, and offending behaviour on multiple levels. With having this establishment so close to residential homes it places the surrounding residents in a vulnerable position. Example of this are noise from loitering patrons, destructive behaviour and vandalism to property. Physical and emotional threats to nearby residents. This includes rubbish, and bodily fluids which alcohol fuelled patrons are renowned for, when leaving establishments.
3. Omokoroa does not have a Police Station, or a significant police presence, if situations involving alcohol consumption occurred at or due to the proposed tavern, the Katikati Police Station and Tauranga Police Station both are estimated to be 22km away from the proposed establishment location. It takes approximately 20-30 minutes to get from Katikati Police Station or Tauranga Police Station to 168 Omokoroa Road. This places the surrounding public in danger if alcohol induced threatening behaviour arises from taverns patrons.

All these reasons for objections cause physical and emotional distress to many surrounding people who would have to deal with this on a regular basis. This undermines residents' health and wellbeing.

Objection 2:

Grounds for Objection- "The number of other licensed premises in the area."

Reasons for Objection:

1. There are already a significant number of establishments selling liquor within a very close proximity to the proposed establishment at 168 Omokoroa Road. Within the same premises, there is the 'Super Liquor Bottle Shop' (170 Omokoroa Road). Within a hundred metres from the establishment 'Fresh Choice Super Market' (160 Omokoroa Road) which sells wine and beer. Also within a hundred metres, there is 'Montre Café', which has a liquor licence (160 Omokoroa Road). This placing a very high level of alcohol establishments within a very concentrated area.
2. I am concerned that this co-location will encourage customers of the tavern to pre-loaded and side-loaded with alcohol.
3. Within the Omokoroa area, three other establishments have a liquor license. These include – 'Omokoroa Boat Club' – 'Blue Café' – 'Omokoroa Golf Club'

Objection 3:

Grounds for Objection- "Compatibility with the current and future use of the surrounding properties."

Reasons for Objection:

1. The proposed Tavern is in very close proximity to significant number residential homes. Thus, the establishment's conduct and patrons would directly impact on a large number of surrounding families.
2. The proposed Tavern will be close to a number of sensitive sites attended by families and children. These include the 'Omokoroa Medical Centre' (170 Omokoroa Road), 'Omokoroa Dental Surgery' (170 Omokoroa Road) all within one hundred metres from the proposed establishment. 'Omokoroa Community Church' (139 Hamurana Road) is four hundred metres from proposed Tavern. 'CHT Acacia Park Home and Hospital' (134 Hamurana Road) and 'Omokoroa Country Estate' (5 Anderly Ave) are both four hundred metres from proposed Tavern and have vulnerable elderly residents. There is also 'Minnows Kindergarten' three hundred metres from the purposed establishment. This Tavern site is where children walk past, to and from school, and is close to (within 50 metres) where children catch and disembark the school buses. These children would be placed in a vulnerable position, frequently having to pass the proposed establishment and vehicles driven by patrons who have consumed alcohol.
3. The demographic of the community and particularly the surrounding residents of the proposed establishment are of a vulnerable demographic, as most are families with young children or retired couples. This is particularly the case for myself, as I am widowed, and it is just myself and my eight-year-old daughter in our own home directly across from the proposed establishment. I have felt safe in my house and the Omokoroa community that we call home, but I feel very vulnerable and scared about living in my home if we were to have a Tavern serving alcohol and promoting gambling so close to our home. My surrounding neighbours are feeling in a similar position, as they are retired couples or families with young children.
4. The surrounding properties could suffer significant loss in value due to this type of establishment. Statically noise levels, violence and vandalism increase within the surrounding areas of alcohol and gambling establishments such as taverns and pubs.

Objection 4:

Grounds for Objection- "Provision of parking facilities, traffic density and movement."

Reasons for Objection.

1. Omokoroa has one road in, one road out, and access to and from the proposed establishment would be on this main road of Omokoroa. This causes increasing traffic density and affects the movement of traffic on this already busy section Omokoroa Road. The proposed Tavern will increase congestion and could cause spill over parking problems affecting existing residents, with its associated problems. With the demographic of Omokoroa, being predominantly retirees and more recently young families, much of the clientele will be generated from outside Omokoroa, thus increasing traffic density in an already stretched infrastructure.
2. Location of taxis for patrons of the proposed Tavern. Omokoroa is not in close proximity to taxi companies. People who come here to partake in drinking are at a higher risk of driving under the influence of alcohol. 'Ministry of Transport' data states, "Late at night or early morning from Friday night through to Sunday morning is when the highest number of fatal crashes involving alcohol/ drugs occur." The late time of the proposed establishment (1am) for their liquor licence could compromise safety for patrons and other road users, with the lack of available alternative transport for this remote area of Omokoroa.

Licence Criteria States - "It could incorporate intangible components such as Psychological, Social or Moral components" I have included psychological, social and moral components throughout my objection.

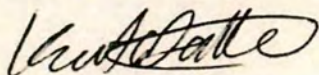
Amenity and good order would significantly be reduced for many, by more than a minor extent, with this type of commercial establishment.

I wish to speak at the hearing of this application.

My contact details are:

Kate Maree Dallas
 2 McKenna Lane
 Omokoroa 3114
 Phone Number 021937627
 Email mattkatedallas1@gmail.com

Your Sincerely



18.7.2018

Kate Dallas

Dougal Elvin

From: premise
Sent: Monday, 23 July 2018 9:31 AM
To: Dougal Elvin
Subject: FW: Proposed tavern at 168 Omokoroa Road

Many thanks
 Skip

Skip Williams

Business Analyst – Compliance and Monitoring (Contractor)

M 021 176 0229

Barkes Corner, Greerton, Tauranga
 Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

E skip.williams@westernbay.govt.nz

www.westernbay.govt.nz



Te Kaunihera a rohe mai i nga Kuri-a-Whare ki Otamarakau ki te Uru



From: Jonathan Hudson <jonohud@gmail.com>
Sent: Thursday, 19 July 2018 7:49 PM
To: premise <premise@westernbay.govt.nz>
Subject: Proposed tavern at 168 Omokoroa Road

I am writing to you to object to the application for a liquor licence for a proposed tavern at 168 Omokoroa Road.

My wife, Pamela Hudson and I are Directors and owners of Victoria Key Developments Limited which is the developer of Victoria Key, the gated community in Tory Way Omokoroa. There are currently 33 homes completed with a further 44 under construction or planned. Victoria Key is approximately 100 metres from the proposed tavern which will be visible from at least 11 of the homes and audible to all of them. I am writing on behalf of my wife and myself as owners of a nearby business whose income may be affected by the tavern and the 9 owners of numbers 34 to 42 Tory Way who have purchased sections but whose houses are not yet complete.

We contend as a sizeable group of concerned residents and neighbours of the immediate community and as owners of a nearby business that we have a greater interest in the application than the general public of Tauranga and Western Bay of Plenty as was notified by the Weekend Sun advertisement.

This meets the criteria for an objection to be considered valid by the District Licensing Committee as outlined in Section 102 of The Sale and Supply of Alcohol Act 2012 as follows:

102. Objections to applications. (1) A person may object to the grant of a licence only if he or she has a greater interest in the application [for the licence] than the public generally.

The matters specified in the objection above relate to Section 105 of the Act in particular:

- (d) the days on which and the hours during which the applicant proposes to sell alcohol:
- (e) the design and layout of any proposed premises: (parking/traffic management plan)
- (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:

Our business will be affected if persons who might otherwise purchase properties from us do not do so because of adverse impacts of noise. Victoria Key is a quiet gated community and a tavern will impact us as follows:

1. Noise particularly at night from music, patrons and the outside deck which will be clearly visible from Victoria Key ;
2. Traffic entering or leaving the car park late at night will do so using the entrance onto Omokoroa Road which is approximately 50 metres from 63 Tory Way
3. Pedestrians leaving the tavern as late as 1 am who walk south along Omokoroa Road will be walking close behind 54 to 63 Tory Way

We would urge the DLC to consider the joint local alcohol policy and the available discretionary conditions (Section 5.2.4) when evaluating this application. Under the Local Alcohol Policy, the maximum possible trading hours are 9 am to 1 am the following day. We feel an application for the maximum is unreasonable in this case for a small remote area and directly contravenes the minimisation of alcohol-related harm as specified by the policy. We believe that a tavern is not appropriate in Omokoroa. If however, you decide to grant a licence then the trading hours and use of the outdoor area should be limited limited to 10.00 pm and an acoustic design certificate required

We encourage the DLC to observe its own policy and implement these conditions.

We would like to have the opportunity to make a presentation to the hearing

Jonathan and Pamela Hudson
73 Margaret Drive
Omokoroa

--
Jonathan Hudson

Western Bay District Council

WBPDC Licensing Council

19th July 2018

Objection to a Tavern, and Gaming Machines in Omokoroa

Dear Sir/Madam

I would like to lodge an objection to a tavern being built in Omokoroa. Omokoroa is a semi-rural community, with a demographic age range from families, to couples, to retired persons.

I am a resident who lives within the same block as where the Tavern would be, (next to the Medical Centre), and I feel that being open until 1.00am is unnecessary in this community, and would be a noise hazard to those who live close by, as it is close to housing.

I also feel that for our small community a tavern is not necessary, and the inclusion of gaming machines only promotes gambling in communities, and this is something that as a resident of Omokoroa, we do not wish to encourage.

I would however be agreeable to a bar/restaurant being built on these premises, with a closing time of 10.00pm and no gaming machines. A similar bar/restaurant has been done at the Black Sheep at Whakamarama, and this has been successful, although it should be noted the Black Sheep is not in the middle of housing.

For those of us who live in beautiful Omokoroa, we are a friendly community and we want to keep the area as it is...we not wish it to have a tavern that can attract boy racers, and other undesirable behaviour, especially as we do not have any local Police close by, should an incident occur.

Omokoroa is a very friendly and safe community to live in, with little crime, quite rare now, and I would like to keep it that way, so I object to a tavern, and gaming machines being in this community.

Yours Sincerely

Anne Fabish

24 Tory Way

Omokoroa

Ph 027 6160350

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mall Centre 3143

OBJECTION TO NEW ON-LICENCE APPLICATION
The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.
- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachhani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

(f) *Absence of Police in Omokoroa*

I live in Omokoroa and I wish to speak at any hearing.

Name: *Stephanie Annan*
Email Address: *stephanie@annan.co.nz*
Phone Number: *021 401 345*



 [Signature]

20-07-18

 [Date]

18 July 2018

Secretary
District Licensing Committee
Western Bay of Plenty District Council
Private Bag 12-803
Tauranga Mail Centre 3143

OBJECTION TO NEW ON-LICENCE APPLICATION

The Local's Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

This objection is lodged on behalf of the Omokoroa Community Board (the Board)

The Board objects to the application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Local's Tavern Bar'.

The Board objects on the grounds of Section 105 (1) (d), (g) and (h) of the Sale and Supply of Alcohol Act 2012 (the Act).

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

The application is for permission to open from 9 a.m. to 1 a.m. the following day, seven days per week. The Board considers that these hours are inappropriate for our community and would recommend that 11 p.m. be the latest that the Tavern should operate.

(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:

It is our understanding that the applicant has applied, or intends to apply, for a Class 4 Gaming Venue licence in order to install and operate gaming machines ("Pokies") and to operate a TAB Agency.

In light of the strongly voiced opinions of our community, the Board considers that neither of these activities are appropriate for the Omokoroa community and should thus be declined.

(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:

The Board refers to Key Action No. 12 of the Omokoroa Community Plan 2017 which

states: *"Provide a safe and pleasant environment for all residents of Omokoroa."*

Our understanding is that an outdoor area is proposed on the seaward side of the Tavern. This is approximately 70m from the nearest residential dwellings in Tory Way.

Omokoroa is an extremely quiet neighbourhood and alcohol fuelled voices tend to get louder as the evening progresses. The human psyche is designed to respond to the human voice and a single loud voice is more disturbing to sleep than the noise from an industrial process of the same decibel level.

People talking in the outdoor area or people conversing as they leave the venue after 11 p.m. are thus more likely to disturb the neighbours than other nocturnal noises.

On these grounds the Board believes that the amenity and good order of the locality would be reduced by more than a minor extent by approving this application as lodged.

The Board would like to be heard in support of this objection.

Murray Grainger
Chairman, Omokoroa Community Board.

As a separate observation to this objection, the Board notes that while the applicant has complied with the letter of the law, the Board does not consider that the applicant has in any way followed the intent of the law when it comes to the notification. The Board refers to Section 101 of the Act.

101 Notification requirements

An applicant for a licence must,—

- (a) within 10 working days after filing the application, ensure that notice of the application in the prescribed form is attached in a conspicuous place on or adjacent to the site to which the application relates; and
- (b) within 20 working days after filing the application, give public notice of the application.

(a) notice ... attached in a conspicuous place on or adjacent to the site to which the application relates.

The compliance for this clause was a sheet of white A4 paper attached to a white wall 47m from the nearest public boundary. Does this comply with the intent of the Act? The picture attached was taken from the public (footpath) boundary.



(b) give public notice of the application.

Omokoroa is served by two publications that are delivered to every letterbox in the

community; the *Omokoroa Omelette* and the *Lizard News*. Neither of these publications was used for the required Public Notice. The notice was placed in the *Weekend Sun*, which is not received by every household.

The Board accepts that the publication cycles of the *Omelette* and *Lizard* are monthly and thus may not have fitted with the "within 20 days" requirement but believes that had the applicant wanted to follow the intent of the Act the applicant could have arranged publication in these local outlets to ensure that the "public" of the Omokoroa community was appraised of the application.

Surely the intent of the Act is to advise the community which may be affected rather than residents as remote as Waihi Beach or Te Puke who are delivered the *Weekend Sun*?

Karen Loten (on behalf of OEMI)
 4 Cavan Close
 Omokoroa 3114
 karenloten@yahoo.co.uk
 18 July 2018

Secretary
 District Licensing Committee
 Western Bay of Plenty District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143

**OBJECTION TO NEW ON-LICENCE APPLICATION
 The Local's Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)**

This objection is lodged on behalf of the Omokoroa Environmental Managers Incorporated (OEMI). OEMI is charitable society which acts as an umbrella group for a number of local community action organisations. They include groups involved with estuary management, local reserves, birds, pest eradication, local art group, public art group, history group and the ANZAC group.

The objectives of the Society include:

"To represent the views of the Members and residents of the District to the appropriate authorities:"

At the July meeting of the Omokoroa Community Board and at other smaller community gatherings the OEMI has been made aware of "the views, needs and concerns of the residents of the District" and is thus lodging this application on their behalf "to the appropriate authorities."

OEMI objects to the application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Local's Tavern Bar'.

OEMI objects on the grounds of Section 105 (1) (d), (g) and (h) of the Sale and Supply of Alcohol Act 2012 (the Act).

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

The application is for permission to open from 9 a.m. to 1 a.m. the following day, seven days per week. OEMI considers that these hours are inappropriate for our community and would recommend that 11 p.m. be the latest that the Tavern should operate.

(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:

It is our understanding that the applicant has applied, or intends to apply, for a Class 4 Gaming Venue licence in order to install and operate gaming machines ("Pokies") and to operate a TAB Agency.

In light of the strongly voiced opinions of our community, OEMI considers that neither of these activities is appropriate for the Omokoroa community and should thus be declined.

(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:

OEMI refers to the following Key Actions of the Omokoroa Community Plan 2017.

KEY ACTION 12 to *"Provide a safe and pleasant environment for all residents of Omokoroa."*

KEY ACTION 13 to *"evoke PRIDE and community spirit in Omokoroa"*

The Tavern design approved by Western Bay Council will not promote pride in Omokoroa. It is a wooden clad shed which is not in keeping with the nearby well designed Medical Centre, in fact no better than the existing sports shed that we are trying to raise funds to replace.

Our understanding is that an outdoor area is proposed on the seaward side of the Tavern. This is approximately 7m from the nearest residential dwellings in Tory Way.

Omokoroa is an extremely quiet neighbourhood and alcohol fuelled voices tend to get louder as the evening progresses. The human psyche is designed to respond to the human voice and a single loud voice is more disturbing to sleep than the noise from an industrial process of the same decibel level.

People talking in the outdoor area or people conversing as they leave the venue after 11 p.m. are thus more likely to disturb the neighbours than other nocturnal noises.

On these grounds OEMI believes that the amenity and good order of the locality would be reduced by more than a minor extent by approving this application as lodged.

OEMI would also be interested in how compliance with Section 54 of the Act will be achieved.

54 Help with and information about transport to be available

The holder of an on-licence or club licence must ensure that, at any time customers are lawfully on the premises,—

(a) there is readily available to the customers, free, comprehensive, and accurate information about the forms of transport from the premises that are available at that time; and

(b) there are on the premises, and readily accessible to the customers, staff able to give them comprehensive and accurate information about the forms of transport from the premises that are available at that time; and

(c) Those staff will on demand give any customer appropriate advice free.

There is very limited public transport available within Omokoroa during the day and none after 6 p.m.

There are no taxi services based in Omokoroa.

Further, OEMI advises that all emergency personnel in Omokoroa, the First Responders and Fire Crew are volunteers and there is no Police presence in the area.

OEMI also objects on the grounds that the notification of this application was

inadequate.

It appears that the applicant has complied with the letter of the law, but OEMI does not consider that the applicant has in any way followed the intent of the law when it comes to the notification. OEMI refers to Section 101 of the Act.

101 Notification requirements

An applicant for a licence must,—

(a) within 10 working days after filing the application, ensure that notice of the application in the prescribed form is attached in a conspicuous place on or adjacent to the site to which the application relates; and

(b) within 20 working days after filing the application, give public notice of the application.

(a) notice ... is attached in a conspicuous place on or adjacent to the site to which the application relates.

The compliance for this clause was a sheet of white A4 paper attached to a white wall 47m from the nearest public boundary. Does this comply with the intent of the Act?

(b) give public notice of the application.

Omokoroa is served by two publications that are delivered to every letterbox in the community; the *Omokoroa Omelette* and the *Lizard News*. Neither of these publications was used for the required Public Notice. The notice was placed in the *Weekend Sun*, which is not received by every household.

OEMI accepts that the publication cycles of the *Omelette* and *Lizard* are monthly and thus may not have fitted with the “within 20 days” requirement but believes that had the applicant wanted to follow the intent of the Act the applicant could have arranged publication in these local outlets to ensure that the “public” of the Omokoroa community was appraised of the application.

Surely the intent of the Act is to advise the community which may be affected rather than residents as remote as Waihi Beach or Te Puke who are delivered the *Weekend Sun*?

OEMI would like to be heard in support of this objection.

Karen Loten

Karen Loten
On behalf of Omokoroa Environmental Managers Inc.

Secretary of the District Licensing Committee

Western Bay of Plenty

1484 Cameron Rd
Tauranga
Private bag 12 803
Tauranga Mail Centre 3143.



17 July 2018

Dear Sir / Madam,

I wish to lodge an objection to the granting of an On Licence to the premises situated at 168 Omokoroa Road.

I object as a business owner of the Omokoroa Pharmacy located next door to the proposed tavern.

I am concerned with respect to the safety of patrons entering & leaving the tavern onto a busy narrow road as well as to residents using the road & the shared driveway to the pharmacy & other businesses located at 170 Omokoroa Road. There is a campground across the road which may encourage extra pedestrian traffic crossing the road especially in the evening.

I'm also concerned about the security of the pharmacy premises overnight & increased likelihood of vandalism & littering especially around the outside seats for our customers (that were donated by residents).

I see no good reason for extra alcohol selling outlets with a liquor outlet next door already plus the nearby supermarket & facilities at the Omokoroa Boat Club available.

Yours faithfully

Bruce Clarke.

A handwritten signature in dark ink, appearing to read "Bruce Clarke". The signature is fluid and cursive.

Omokoroa Pharmacy
170 Omokoroa Road
Omokoroa
Ph 07 5480 585
Email omopcy6@gmail.com

*Peter & Jean Williams
63 Omokoroa Country Est
Private Bag 12026
Tauranga 3143*

Secretary
District Licensing Committee
Western Bays District Council
Private Bag 12-803
Tauranga Mail Centre 3143

RECEIVED

20 JUL 2018

WESTERN BOP
DISTRICT COUNCIL

OBJECTION TO NEW ON-LICENCE APPLICATION
The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

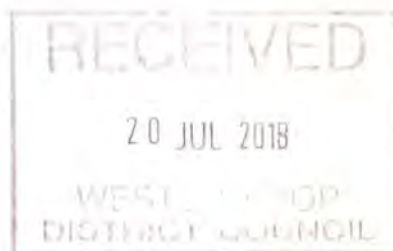
- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.
- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

I have lived in Omokoroa since 2011
Name: Jean Williams
Email Address: tekamahi@inspire.net.nz
Phone Number: 548 2555

[Signature]

[Date]

Angela Benstead
23 Bramley Drive
Omokoroa



Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated to 6 months ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. A study prepared for Auckland Council on the effects of gambling in communities states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income homeowners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Angela Benstead

Effects of gambling in communities

Studies have shown that “non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

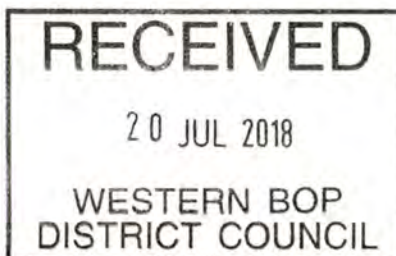
In other words, **pokies and TAB are proven to cause problematic gambling**. “These forms of gambling have been reported to cause the most harm in the community.” A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts.”

The links below provide more information about these studies:

- <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-policies/docsresearchongambling/social-impacts-gaming-machines-tab-gambling-auckland.pdf>
- [https://www.pgf.nz/uploads/7/1/9/2/71924231/fs05-social impacts of problem gambling.pdf](https://www.pgf.nz/uploads/7/1/9/2/71924231/fs05-social%20impacts%20of%20problem%20gambling.pdf)
- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
- <http://www.stuff.co.nz/national/97744358/As-a-problem-gambler-I-can-see-pokies-are-a-plague-on-NZ?rm=m>

Pertinent comments from these documents:

- “Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers.”
- “According to The Problem Gambling Foundation, 77-85% of problem gamblers prefer pokie machines.”
- The Salvation Army state “Problem gambling imposes costs on the local community through social, health and justice services, as well as through increased crime and productivity losses to businesses. Also, money spent on gambling is taken away from local businesses and activities.”
- Well-known New Zealand doctor Lance O’Sullivan is dealing everyday with the crippling effects gambling has on his community. He stated at the International Gambling Conference in February 2018 “Children were becoming sick - had no food, lived in cold homes and had parents who were caving under the financial stress of their gambling addictions... There is a direct link between addiction to pokies and sick kids... There was only one way to tackle the issue of pokie machines and problem gambling - head on and by banning pokie machines.”
- Professor Max Abbott, Dean of Health and Environmental Sciences at AUT says “there [is] an urgent need to address problem gambling. Tackling the availability of electronic gaming machines [is] a key issue... There has been unprecedented growth in commercial gambling in recent decades, despite research showing the magnitude of gambling related harm is similar to that of depression and alcohol misuse and dependence.”
- Testimony from an unnamed problem gambler says “The pokie industry in New Zealand is nothing short of a plague on our society. Most people would have no understanding of the pain and suffering these machines cause to the majority of players, their families and to society in general... So what’s the answer? Get rid of them all together from pubs and TABs. If that happened I have absolutely no doubt it would contribute to a heavy reduction in crime, violence in general, depression, family break-ups and suicides in New Zealand.



40 Holyoake Terrace
Omokoroa 3114
Phone 021 628 467

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

13 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated to 3 years ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
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We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully

Jo and David Farmer

A handwritten signature in blue ink, appearing to read "Jo Farmer".

A handwritten signature in blue ink, appearing to read "David Farmer".

Effects of gambling in communities

Studies have shown that "non-casino electronic gaming machines (NCEGMs), i.e. pokies, are the main cause of problematic gambling with 72% of new gambler clients calling the Gambling Helpline in 2011 citing NCEGMs as their primary mode of problematic gambling and 7% for NZ Racing Board gambling including track and TAB betting.

In other words, **pokies and TAB are proven to cause problematic gambling**. "These forms of gambling have been reported to cause the most harm in the community." A substantial proportion of problem gamblers suffer mental health issues such as psychological distress, anxiety and depression and one Auckland study reported a larger than average proportion of problem or at-risk gamblers amongst a hospital population of suicide/self harm attempts."

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- <https://www.salvationarmy.org.nz/problem-gambling>
- <https://www.radionz.co.nz/news/national/350228/pokies-pushing-children-into-poverty-and-illness-northland-gp>
- <https://www.health.govt.nz/publication/problem-gambling-and-family-violence-help-seeking-populations-co-occurrence-impact-and-coping>
- <https://www.stuff.co.nz/national/health/101364119/experts-call-for-pokies-to-be-banned-in-new-zealand-pubs-and-clubs>
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Pertinent comments from these documents:

- "Crime has been linked to gambling and includes financial crimes to facilitate gambling (e.g., theft), crimes associated with gambling venues (e.g., money laundering), and crimes against a person such as family violence. Harmful gambling is also associated with many other issues including poorer work and/or study performance and poorer child care. Family violence sometimes co-exists with problem gambling and can affect all family members. Problem gamblers have greater odds for hazardous drinking and to be smokers than non-problem gamblers."
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191B Omokoroa Road
RD2 TAURANGA 3172
21 July 2018

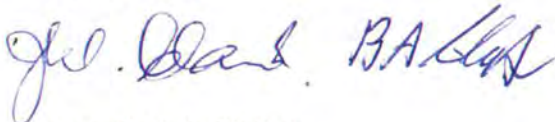
Dear Sir or Madam,

We wish to object to the application of K.L.M. Enterprises of Auckland for an ON LICENSE for a proposed Tavern at 168 Omokoroa Road. The applicant has asked for licensing hours of "Monday to Sunday from 9.00am to 1am the following day".

We believe that the issuing of such a license would have an adverse effect on the quality of the life in a residential area that is within 500 meters of the proposed tavern. It is the opening hours that is the most objectionable being noise, unruly illegal behaviour from alcohol fuelled people.

We feel that there is plenty of establishments in the general area of Omokoroa to satisfy.

Yours Faithfully



Brian A Clark & Jill Clark





34 Margaret Place
Omokoroa 3114

18 July 2018

Dear Sir or Madame

We wish to be heard

We wish to object to the application of KLM Enterprises of Auckland for an ON LICENSE for a proposed tavern at 168 Omokoroa Road, as advertised in The Weekend Sun of Friday 29 June 2018. The applicant has asked for licensing hours of Monday to Sunday from 9.00am to 1am the following day.

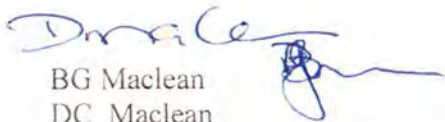
We believe that issuing of such a license would have an adverse effect on the quality of life in the residential area that is within 500 metres of the proposed tavern.

Specific points of objection

- Increased noise late in the evening. There are many private residences, the Community Church and the Acacia House rest home within 500 metres of the proposed tavern
- Increased traffic in the evening, some of which could be driven by people exceeding the legal limit.
- Increased potential for unruly or illegal behaviour from alcohol-fuelled patrons.
- Potential for a lower valuation of properties in the area surrounding the tavern.

There are already two drinking establishments in the general area: The Omokoroa Boat Club and the Black Sheep at Whakamarama.

Yours faithfully


BG Maclean
DC Maclean

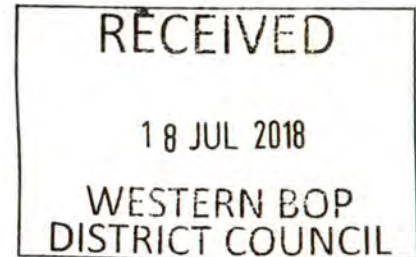
email: omokoroaplumbing@xtra.co.nz

Email sent as well

181A Omokoroa Road
RD2 Tauranga 3172

17 July 2018

Secretary of the District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143



Dear Sir or Madame

We wish to object to the application of KLM Enterprises of Auckland for an ON LICENSE for a proposed tavern at 168 Omokoroa Road, as advertised in *The Weekend Sun* of Friday 29 June 2018. The applicant has asked for licensing hours of "Monday to Sunday from 9.00am to 1am the following day".

We believe that issuing of such a license would have an adverse effect on the quality of life in the residential area that is within 500 metres of the proposed tavern.

Specific points of objection:

- Increased noise late in the evening. There are many private residences, the Community Church and the Acacia House rest home within 500 metres of the proposed tavern.
- Increased traffic in the evening, some of which could be driven by people exceeding the legal blood alcohol limit.
- Increased potential for unruly or illegal behaviour in the area from alcohol-fuelled patrons.
- Potential for a lower valuation of properties in the area surrounding the tavern.
- * The closing hour of the Tavern is much too late for a residential area.
- We do not want gaming machines in Omokoroa

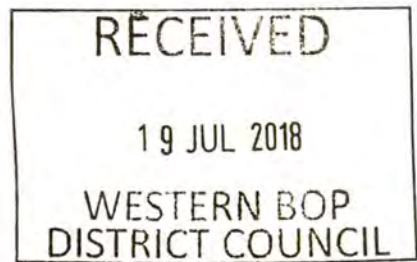
There are already two drinking establishments in the general area: the Omokoroa Boat Club and the Black Sheep at Whakamarama.

We would like to be able to speak to council about our concerns.

Yours faithfully



I.L. Barnes
L. Barnes



R.L & S.J. Deane,
Home 103
Omokoroa Country Estate.
Private Bag 12026. Tauranga. 3143.

19th July, 2018

Omokoroa Community Board.

It has come to our attention that a Tavern is being talked about at 170 Omokoroa Road. There is already the Boat Club which is open to all and the Golf Club which is available to golfers and friends. Fresh Choice Supermarket has a large range of wines and beers and the liquor shop which has all the drinks .So Omokoroa is fairly well equipped for its wines and other drinks.

We have Beached On Blue and the Boat Club for meals. Not far away on Plummers Road is the licensed "Black Sheep" for meals and drinks and the Tavern at Te Puna.

We don't think a Tavern here at Omokoroa is warranted or a good idea.

We have a Community Patrol Vehicle that patrols our area and this has been very successful in reducing noisy cars and suspicious activities.

We feel alcohol fueled drivers in the middle of the night would be a real problem with a Tavern here so we are strongly against any move to build one here.

Reg Deane

Shirley Deane

copy to W.BOPDC.

Dougal Elvin

From: sandyandalf <sandyandalf@xtra.co.nz>
Sent: Thursday, 19 July 2018 4:34 PM
To: Customer Service
Subject: Omokoroa

Hi

We as new residents of Omokoroa do not want or need a tavern or POKIES at Omokoroa.

We are disappointed that the council is even thinking of the idea.

We think it is not appropriate .

Very disappointed.

Sandy and Alf
Lautenbach

Sent from my Samsung Galaxy smartphone.

Dougal Elvin

From: Dianne Renner <diren83@icloud.com>
Sent: Thursday, 19 July 2018 6:46 PM
To: Customer Service
Subject: Objection to be lodged please.

Tavern & police machines. I Dianne Renner at Charlotte Drive Omokoroa RD2 Tauranga totally objects to the Tavern & pokie machines proposal at Omokoroa.
Please forward this notice to the right department. Thanking you Dianne Renner.
Sent from my iPhone

Omokoroa Country Estate



18 July 2018

Omokoroa Country Estate
Private Bag 12026
Tauranga Mail Centre
Tauranga 3143

Secretary
District Licensing Committee
Western Bays District Council
Private Bag 12-803
Tauranga Mail Centre 3143

Dear Sir/Madam,

**Objection to New On-Licence Application
The Locals Tavern Bar (Ship 6, 168 Omokoroa Road, Omokoroa)**

We, the management and residents of Omokoroa Country Estate, close neighbours to the site of the above application, object to the application due to the notified closing time being 1:00am, seven days a week.

As noted under Clause 102 of the Sale and Supply of Alcohol Act 2012 (The Act), the residents of Omokoroa Country Estate have a greater interest in the application of the licence than the public generally, due to our close proximity to the site.

Our objection relates directly to The Act under:

1. Clause 105 (d) "the days on which and the hours during which the applicant proposes to sell alcohol"; and
2. Clause 105 (h) being "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"

Omokoroa Country Estate is an established Lifestyle Village consisting of 240+ residents residing in 150+ homes. The physical location of Omokoroa Country Estate is 5 Anderley Avenue and incorporates the property address of 190 Omokoroa Road.

The village, being a built-up residential area has been established for over 30 years (since 1987). This location was selected specifically for its peaceful and quiet surroundings. Our residents have an average age of 79. The presence of a Tavern open until 1:00am in a built-up residential area of predominantly senior aged residents would most definitely have a significant detrimental impact on the amenity and good order of the locality.

While our residents do not object to the concept of a tavern overall, we voice a strong objection to the unreasonable hours that the applicant is requesting. The reasons for the objections include, but are not limited to, public safety, morality, and the substantially increased risk of harm caused by extended hours of alcohol sale, including violence and vehicle crimes such as drink-driving and burnouts. Also of concern is the likely noise (mainly bass) caused from music and/or entertainment emanating from the Tavern. These objections are exacerbated by the fact that Omokoroa has neither a police presence at these hours nor an ambulance station and that the local fire brigade and medical first responders are overstretched volunteers.

It is also pertinent to note that Omokoroa does not have public transport or a taxi service. Therefore it is very likely that patrons of the tavern will be driving home. It is also likely that patrons staying later than 10pm at night will be drinking alcohol to excess and will likely drive home knowing that there is probably no police presence. Furthermore, trading until 1:00am would encourage motorists to travel from a distance to drink at the tavern when other venues had closed and to drive drunk afterwards.

For this reason the management and residents of Omokoroa strongly request that the licence for trading hours at the tavern be limited to 10:00pm on every night of the week. We would like to speak to this objection at the hearing.

Kind regards,



Kevin Searle
Village Manager.

Dougal Elvin

From: Murray Browne <murray@claridgesrealestate.co.nz>
Sent: Friday, 20 July 2018 1:28 PM
To: Customer Service
Subject: re. tavern in Omokoroa

To the secretary of the district licensing committee, Section 101 Sale and Supply of Alcohol Act 2012

I don't think a Tavern bar is needed in Omokoroa.

Certainly not one with a TAB and POKIE machines and hours 9 am -1am . Most of the community are retired people and young families. Many of us have seen the results of having POKIE machines in small communities.

A tavern bar doesn't need to be open till 1am - that is just asking for trouble in our community. I don't think the owners are thinking about the general public, just about making money.

Regards

S.Browne and M Browne

Murray Browne

Licensed Sales Consultant

Claridges Real Estate Limited MREINZ

Licensed under the Real Estate Agents Act 2008

murray@claridgesrealestate.co.nz

T. 021 912 972 or 07 579 1490

This email and any attachments are confidential. They may contain privileged information or copyright material. If you are not an intended recipient, you should not read, copy, use or disclose the contents without authorisation and we request you contact us at once by return email. Please then delete the email and any attachments from your system. We do not accept liability in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Any views expressed in this email and any attachments do not necessarily reflect the views of the company.

Dougal Elvin

From: Karin & Derek <baysyoga@xtra.co.nz>
Sent: Friday, 20 July 2018 4:26 PM
To: Customer Service
Subject: Objection to ON_LICENCE application by KLM Enterprises Ltd at Shop 6/168 Omokoroa Rd

Dear Sir/Madam

Subject: Objection to ON_LICENCE application by KLM Enterprises Ltd at Shop 6/168 Omokoroa Rd

1/

I object to the granting of this application in accordance with section 102(1) of the sale and supply of alcohol (2012) act in that I have a greater interest in the application than the public generally, as I live within sight and sound of the intended premises. I live at 75 Hamurana Rd. which is within direct line of sight to the intended premises.

2/

I also object in accordance with section 105(h) in that the amenity and good order of the locality would be reduced to more than a minor extent by the effects of the issue of this licence:

a/

The area surrounding this commercial locality houses primarily older people. On the immediate or near periphery are:

A retirement village – retired people

A 'gated community' mainly older people with a few young families

A church

An aged care facility

A kindergarten

Hot pools

b/

The existing commercial area currently comprises:

Chemist, doctor's surgery, Optician, Barber, Physiotherapist, Dentist, Supermarket, café, launderette, pizzeria, Real Estate Agent, and liquor store.

These are all day-time commercial activities and serve the needs of the local community.

c/

This is a very quiet area and people have chosen to live here because of the quiet relaxed atmosphere. By 10.00pm in the evening this area is very quiet – most are in bed.

d/

The operation of a tavern on this site would need to rely, almost exclusively, on patronage from outside the area. To attract this patronage would almost certainly mean music – live bands on Fridays and Saturdays, meaning an increase in noise and traffic when the local population least want it.

To suggest that a licence be limited to, say 11.00pm would very quickly incur applications for extensions for anything from Rugby games to St. Patrick's day.

e/

There is neither evening public transport nor policing in this area. Consequently, this will leave the area vulnerable to an increase in drink-driving, unruly behavior, and crime.

f/

The presence of a tavern on this site would bring increased revenue for the council coffers. It would presumably be profitable for the operator. **However the local population would be left paying a very high price with the destruction of the quiet and peaceful atmosphere of their community.**

For these reasons I object to the granting of this licence for the Tavern.

A more acceptable option for this central location would be a Bistro/Wine Bar with reasonable hours i.e. 11.00am – 11.00pm.

I wish to add that I am not against having a tavern in Omokoroa. However, the correct location should be away from residential areas, to somewhere like the commercial area nearer to SH2 where it would not adversely affect such activities as the haulage Co. and the self-storage Co.

Yours sincerely
Karin Brown
75 Hamurana Rd
Omokoroa
Ph 548 1787



To The Secretary; District Licensing Committee

Dear Sir/ Madam,

I object strongly to the proposal of a tavern and gaming parlour in Omokoroa, on the following grounds;

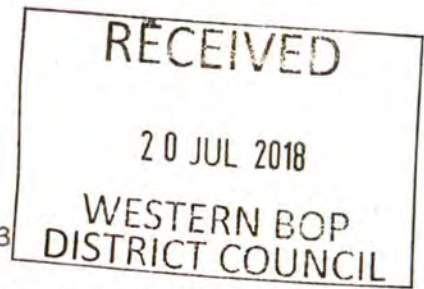
- 1.) **The 'Tavern'** is not a true representation of the name; ie an eating place with ambience and quiet surrounds. The addition of gaming machines and a TAB, plus late closing makes it a booze barn with food.
- 2.) **If the buildings** are in the same vein as the Pizzeria they will downgrade everything in the neighbourhood. It behoves the Council to force some style in the appearance of new business builds to the same standard as existing buildings ; for example the Medical Centre and the Supermarket complex nearby. At present the sheds and Pizzeria look like a temporary construction site.
- 3.) **The hours** quoted in the application are not restaurant hours. They will attract 'punters' seeking somewhere to meet once other places are closed, bringing more traffic with potential for drunken behaviour on the peninsula.
- 4.) **Increased traffic and noise will occur.** Ambient noise levels will rise and continue well outside the area of the proposed Tavern, thus affecting a far greater number of local residents.
- 5.) **Omokoroa has a purpose zoned** area near the SH2 for this business type. There is already a similar business (Black Sheep) just down the road, and a Tavern at Te Puna. Neither are in the midst of residential zoning.

THIS is not SMART GROWTH. It is undesirable random development.

Yours faithfully, Geoff Davis --resident and ratepayer/19/7/18

1 McKenna Lane, Omokoroa.

Geoff Davis 19/7/18



Secretary, District Licensing Committee,

Western Bays District Council, PB 12-803 Tauranga Mail Centre 3143

OBJECTION TO PROPOSED TAVERN/GAMING MACHINES/T.A.B VENUE AT 168 OMOKOROA ROAD

I object to the Application for the above establishment in the Omokoroa Village. My husband and I live in Mckenna Lane, opposite the proposed address for this Tavern development. We came to live here twelve years ago because of the village vibe and aspired peace and quiet of the community, which is in conflict with the proposed tavern complex.

I am absolutely appalled and deeply upset to learn that a building consent has been approved for a proposed tavern and gaming parlour in our community.

My main objections are as follows;

--The Omokoroa Liquor Centre and FreshChoice Supermarket are next door.

preloading of alcohol from these outlets and consuming in the common carpark would be concern.

--There are numerous addresses close by which are liable to be affected by much increased traffic volumes and noise, and late hours.

These include Medical Centre shops (Doctors, Physio, Pharmacy, Dentist), the Retirement Village adjacent, the Child Care centre around the corner, Acacia Park Aged Facility plus all the residential houses opposite and close by.

--Gaming machines and T.A.B. facilities will also be in the same building as a food outlet "restaurant".

A restaurant should be focused on relaxed ambience. I know that pokies and TAB facilities, with accompanying TV and noise does not fit with this expectation.

--The proposed tavern and gaming venue are threatening the safe and caring wellbeing of the Omokoroa lifestyle.

-- There is no Police presence in the village, or onsite ambulance.

Will the Council and the District Licensing Committee listen to the community THIS time and refuse permission for such an addition to our little community.

SIGNED;

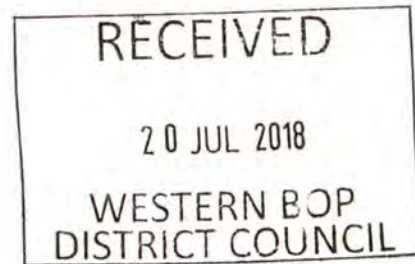
Lorraine Davis

A handwritten signature in blue ink that reads "Lorraine Davis".

1 Mckenna lane, Omokoroa. Phone 075481301

→ I would be available to speak at the hearing.

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143



OBJECTION TO NEW ON-LICENCE APPLICATION
The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.
- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

I live in Omokoroa and I wish to speak at any hearing.

Name:
 Email Address:
 Phone Number:

Murray Sawyer
 27 Tory Way, Omokoroa
 murraysawyer@gmail.com
 20/07/2018

[Signature]

[Date]

VALIDITY:

This meets the criteria for an objection to be considered valid by the District Licensing Committee as outlined in Section 102 of The Sale and Supply of Alcohol Act 2012 as follows:

102. Objections to applications. (1) A person may object to the grant of a licence only if he or she has a greater interest in the application [for the licence] than the public generally.

We contend as a sizeable group of concerned residents and neighbours of the immediate community that we have a greater interest in the application than the general public of Tauranga and Western Bay of Plenty as was notified by the Weekend Sun advertisement.

The matters specified in the objection above relate to Section 105 of the Act in particular:

(d) the days on which and the hours during which the applicant proposes to sell alcohol:
 (e) the design and layout of any proposed premises: (parking/traffic management plan)
 (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:

We would urge the DLC to consider the joint local alcohol policy and the available discretionary conditions (Section 5.2.4) when evaluating this application. Under the Local Alcohol Policy, the maximum possible trading hours are 9 am to 1 am the following day. We feel an application for the maximum is unreasonable in this case for a small remote area and directly contravenes the minimisation of alcohol-related harm as specified by the policy.

LOCAL ALCOHOL POLICY:**1. POLICY GOALS**

- 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.

DISCRETIONARY CONDITIONS MAY INCLUDE:

- Restriction on the use of outdoor areas after 10 pm.
- Provision of transport for patrons.
- Acoustic design certificate required for all new on-licensed and club premises with a residential boundary within 500 metres and an outside area operating after 11 pm.

We encourage the DLC to observe its own policy and implement these conditions.

Anton & Anne Coetzee
 88/5 Anderley Ave
 Omokoroa
 Private bag 12026
 Tauranga

Secretary of District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143

18 July 2018



Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated a year ago because it is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. Given there are numerous low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa.
6. We do not want to see a seedy venue that attracts unsavoury characters in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences such as a bar & grill, wine bar or café/restaurant, but we do object to a liquor licence being issued for an establishment that stays open each night till 1am and which includes pokies/TAB on these premises.

Yours sincerely

Anton & Anne Coetzee

Secretary of District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143



19th July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because we are residents of the community of Omokoroa, where we relocated to 4 years ago. It is a community that offers a safe, family-friendly reputation with a relatively high standard of living among its residents. We reside in the Omokoroa Country Estate retirement village, adjacent to the proposed development.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will attract a lower, socio-economic clientele who do not reside in Omokoroa and who are not concerned with the preservation of the safe, quiet, and family-friendly environment this community offers.
2. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.
3. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.
4. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking – none of which we wish to be inflicted on our beautiful Omokoroa. Further comments on the effects of gambling in communities are included over page.
5. The study prepared for Auckland Council mentioned over page states "Gambling venues are more likely to be located in areas of high deprivation and low income". Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of the wider community.
6. While subjective, our personal view of the tavern and TAB nearby in Te Puna is that it is a seedy venue that attracts unsavoury characters and one that we do not wish to have replicated in Omokoroa.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to end at 9pm or 10pm each night instead of 1am
- Not permit ANY pokies/TAB at all anywhere in Omokoroa, including on these premises.

Yours Faithfully,

W F and M P Hartley, 146 Omokoroa Country Estate, Omokoroa.

Dougal Elvin

From: premise
Sent: Thursday, 19 July 2018 11:40 AM
To: Dougal Elvin
Subject: FW: Tavern at Omokoroa

Many thanks
Skip

Skip Williams
Business Analyst – Compliance and Monitoring (Contractor)

M 021 176 0229
Barkes Corner, Greerton, Tauranga
Private Bag 12803, Tauranga Mail Centre, Tauranga 3143 E skip.williams@westernbay.govt.nz
www.westernbay.govt.nz

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

From: JEN Moleta <justjens@xtra.co.nz>
Sent: Wednesday, 18 July 2018 9:00 PM
To: premise <premise@westernbay.govt.nz>
Subject: Tavern at Omokoroa

to: Licensing Team, WBOPDC

I object to the establishment of a tavern in Omokoroa for the following reasons:

1. Alcohol is currently served at the Boat Club, Golf Club and Bowling Club and non members can be signed in by members as guests.
2. Beached on Blue and Montre both have liquor licenses enabling diners to have alcohol with meals.
3. Liquor can be purchased at the local liquor outlet, apart from the supermarket.
4. There is no permanent Police presence based at Omokoroa and hence any problems would require assistance from Tauranga which would take at least 30 mins.
5. The Community Patrol is manned by volunteers who have no training in dealing with any problems which may arise from the presence of a tavern and potential anti-social behaviour as a result of excess alcohol consumption.
6. The establishment of a tavern and particularly one which includes gambling facilities, i.e. pokies/TAB is completely unnecessary and will in no way enhance life in Omokoroa. Pokies if anything, have a negative outcome rather a positive outcome in communities generally.
7. The proposed opening hours are extreme.

In the long term, if this area reaches its proposed population of something like 12,000 I accept that some form of bars/taverns will be established but at this point in time it is a totally unnecessary business and one which is not in keeping with the 2017 Community Plan which is focused on maintaining a peaceful environment for the community on the peninsula.

Yours faithfully
Jen Moleta
55 Links View

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143

OBJECTION TO NEW ON-LICENCE APPLICATION

The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

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- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise.
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.
- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachhani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

~~I live in Omokoroa and I wish to speak at any hearing.~~

Name: DENNIS BUTLER
 Email Address: dakkt78@gmail.com
 Phone Number: 02103763130

[Signature]

[Date]

18/07/2018

Dougal Elvin

From: premise
Sent: Thursday, 19 July 2018 4:42 PM
To: Dougal Elvin
Subject: FW: Omokoroa Tavern

Many thanks
 Skip

Skip Williams

Business Analyst – Compliance and Monitoring (Contractor)

M 021 176 0229

Barkes Corner, Greerton, Tauranga
 Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

E skip.williams@westernbay.govt.nz

www.westernbay.govt.nz



Te Kaunihera a rohe mai i nga Kuri-a-Whareki ki Otamarakau ki te Uru

From: Jeffrey Warren <thetwits@xtra.co.nz>
Sent: Thursday, 19 July 2018 12:10 PM
To: premise <premise@westernbay.govt.nz>
Subject: Fwd: Omokoroa Tavern

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

From: Jeffrey Warren <thetwits@xtra.co.nz>
To: customerservice@westernbay.govt.nz
Date: 17 July 2018 at 09:45
Subject: Omokoroa Tavern

To whomever it may concern:

OBJECTION TO NEW ON-LICENCE APPLICATION**The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)**

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object particularly on the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act')(d and h)

.....the days on which and the hours during which the applicant proposes to sell alcohol.

.....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.

Considering myself to be a person who has greater interest than the general public, I feel compelled to object to the plans for the

opening hours and gambling opportunities of the Omokoroa Tavern for the following reasons:

- As a teacher of teenagers, I see at first hand the damage done to children and families by drink, drugs and gambling addictions. I accept that Omokoroa is growing, but allowing alcohol to be purchased between the suggested times is unethical, ludicrous and potentially very dangerous.
- Most of the bars in town don't open between the suggested hours, which could easily encourage people from outside our community into an area which has no infrastructure to deal with them. Encouraging more people to drive onto and off the peninsula via State Highway 2 WILL lead to more road deaths - this is inevitable and the suggestion is, again, unethical.
- It is inevitable that the 'good order' of the locality will be reduced - somebody here stands to make a lot of money to the detriment of our community, which is largely composed of older people, families with young children and those of us who came here for the neighbourly 'village' feel of Omokoroa. I state again - Omokoroa does not have the required infrastructure or policing required for the hours of drinking which would be encouraged by this proposal.
- Coming from England, I find it staggering that New Zealand has the shockingly high statistics for addictions that it does, yet councils still give permission for plans such as these - if it wasn't close to being criminal, it would be unbelievable.

Please listen to the voices of the people of Omokoroa. The suggestions for Omokoroa Tavern are not suitable for, or wanted in, our community (ie, the licensing hours and the pokie machines).

Please do not allow them to be passed.

Deborah Warren, Year 7/8 teacher at Omokoroa Point School.

Written Objection to an Application by KLM Enterprises to establish an On Licence at 168 Omokoroa Road, Omokoroa.

My wife and I live in McKenna Lane, which is approximately 100 metres from the proposed tavern. We have lived here for over 11 years and settled here because it was a quiet predominantly retired community. I have held a General Manager's Certificate for 15 years which has allowed me to legally sell liquor. In November 2017 I let that certificate laps as I no longer worked in the hospitality industry. I am well experienced in selling liquor, both from an On Licence and an Off Licence.

My objection to this application is :

- * The proposed tavern is situated inappropriately in close proximity to a large residential area which is predominantly retired. Within the immediate community there is also a resthome, retirement village, preschool kindergarten and community church, all of which will be adversely affected from loud music, street noise and unruly behaviour from alcohol fuelled patrons.
- * The proposed site offers limited parking facility. On busy or "special" occasions any overflow parking could be expected to utilise the adjoining Medical Centre carpark, Omokoroa Road verges, and particularly McKenna Lane. McKenna Lane is 8 metres wide and if opposing vehicles are parked in the carriageway there is very limited access left available for both residents and emergency vehicles.
- * I am aware of 4 existing On Licences on the Omokoroa Peninsular, all of which have hours of operation much less than those applied for in this application. Should this Licence be issued, it should be for a maximum of 11.00am to 11.00pm. To allow longer hours will only invite patrons from other bars already closed, which will exacerbate the noise and unruly behaviour in our neighbourhood.
- * Public perception of sports bars has developed over time. Whether this perception is right or wrong, it will degrade the value of properties in close proximity, and affect the time it takes to sell those properties.

Our property is affected by all the issues set out above. When this application is being considered, I wish to be heard.

RC (Bob) Miller.



Secretary of District Licensing Committee
 Private Bag 12-803
 Tauranga Mail Centre 3143

19 July 2018

Dear Sir/Madam

We are writing to register our objection to the application for the following liquor licence:

- **Application submitted by:** KLM Enterprises Limited of Auckland (Licensed Premises Operator)
- **In respect of premises at:** Shop 6, 168 Omokoroa Rd, Omokoroa, known as The Local's Tavern Bar & Eatery.

We have an interest in this application that is greater than the general public because our Church is located at 139 Hamurana Road and will potentially back onto this new Tavern. We are therefore a sensitive site attended by families, children, Youth and Elderly.

Omokoroa is a community that offers a safe, family-friendly environment. We as a church run a local youth group, programmes for young children and their families from the community, a gathering place for the elderly to find support and friendship plus operate and coordinate the Omokoroa Community Foodbank.

The reasons for our objection are:

1. The plans indicate there will be a TAB and pokies onsite which we believe will target and attract a lower, socio-economic clientele. This will potentially create more of a need in our community for Foodbank assistance and social services support to families. Resources which we currently do not have on the Omokoroa Peninsula.
2. Research has shown gambling to have significant negative impacts on communities including crime, theft, family violence, hazardous drinking. Given there are over 500 low-cost housing homes already being developed in Omokoroa which will attract low-income home-owners and renters, we believe the presence of a gambling venue in the same local area will only increase the risk of problem gambling in Omokoroa and erode the quality of life and low crime statistics for residents of our wider community.
3. We are concerned that this co-location (Omokoroa Liquor Centre, Fresh Choice) will encourage customers of the tavern to pre-load and side-load alcohol (especially by

purchasing alcohol from the liquor store and consuming it in the common carpark).

4. The location of the premises is surrounded by residential homes (many of which are lived in by the elderly and young families) whom will be significantly impacted by the noise of an establishment that has drinking hours until 1am seven nights a week.

While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night.

5. We believe that granting a licence that allows for late-night drinking and gambling will not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour. We believe it will create an environment for binge drinking and underage drinking, negativity impacting our youth in the community.
6. We are concerned that parking at this venue will be insufficient for special events and will therefore spill over onto Omokoroa Road. This is already very busy and there is no carparking available on the roadside.

We support the position that Omokoroa would benefit from more high-quality eating establishments, including those with liquor licences (such as a bar & grill, wine bar or café/restaurant), and we do not object to the liquor licence being issued outright, but rather urge the Licensing Authority to:

- Revise the liquor licence hours to start from 11am and end at 10pm each night instead of 9am to 1am.
- Not permit ANYMORE pokies or a TAB at all anywhere in Omokoroa, including on these premises.

I, Lynda Moses, wish to speak at any hearing.

Yours Faithfully



Rev Canon Don Moses



Rev Lynda Moses
Community Chaplain.

139 Hamurana Road, Omokoroa, 3114

Phone: 07 548 2515 E-mail: office@theooc.org.nz

Web Page: www.theooc.org.nz Charities #: CC23245

Dougal Elvin

From: Barrie Smith <justsmithy@xtra.co.nz>
Sent: Thursday, 19 July 2018 8:02 PM
To: Dougal Elvin
Subject: My objection to the application for a bar licence

My name is Barrie Smith of 105/5 Anderley Avenue Omokoroa. Phone 5480312

Although I live in the Omokoroa Country Estate, which is a retirement village my house backs on to the Omokoroa Road and is approximately 500 metres from the proposed Tavern.

I have this day signed a petition which is against the licence being issued.

I wish to speak at the hearing as this concerns me very much.

I am currently on our local MP's Electorate Committee, Deputy Chair of the local branch of the National Party, Formerly the CEO of a chain of over 30 Liquor outlets, and several times President and Life Member of a Club which had gambling machines.

Will you please inform me about where and when the relevant hearings will be taking place.

yours faithfully

Barrie c. Smithy

12 July 2018

Alcohol Licensing Team
Western Bay of Plenty District Council

Dear Sir/Madam

I wish to object to the alcohol license application by KLM Enterprises Ltd of Auckland at Shop 6, 168 Omokoroa Road, Omokoroa trading as "The Local's Tavern Bar and Eatery".

I have an interest in this application as a resident of Omokoroa peninsula for the past 10 years. The peninsula is known for its quiet surrounds, particularly the more established area which the bar adjoins.

I object on the following grounds:

Objection 1 – Additional licences are unwarranted.

Reason for Objection — The population of the peninsula is around 3000 and I consider there are sufficient outlets and opportunities for the purchase and enjoyment of alcohol by the residents and general public.

Currently there are Three Clubs holding club Liquor Licences and who at times apply for Special Liquor Licences for various events throughout the year. They have good membership and hold a variety of entertainment events which with a Special licence are open to non-members.

Two café/restaurants have on licences.

There are two off-licences where liquor can be purchased.

Community facilities apply for Special Licences for fundraisers and special events. There is a bar/restaurant on licence in Plummers Point Rd off State Highway 2 which is a few kilometres south of Omokoroa.

The Retirement Village also offers a good venue for residents to socialise in a safe environment.

In summary and based on a population of 3000 there is a liquor licence for every 375 people within this community.

Objection 2 - Currently the voluntary social infrastructure within the peninsula is over extended and does not have the capacity to cope with increased issues associated with additional licenced area with extended hours of trade.

Reason for Objection – The peninsula does not have a permanent Police. Support being approximately ½ an hour away which does not provide reassurance in the community.

This proposed establishment will also put pressure on our volunteers. Fire Brigade, First Response, and Neighbourhood Security Patrol. These community members will no doubt be less willing to volunteer in the above capacities in the likelihood of increased anti-social behaviour encouraged by the late trading hours. In fact I believe membership will fall away drastically. Omokoroa is a self-contained community.

Objection 3 – The proposed trading times of the Tavern are inappropriate.

Reason for Objection – The proposed trading times Monday to Sunday 9am to 1am are a reason for great concern. The peninsula has a very quiet atmosphere particularly during the hours of darkness. The proposed liquor licence is close to a Family Holiday Park, Kindergarten and Community Church, retirement village, resthome and hospital. Also the nearby residents will be affected by noise levels and possible undesirable behaviour.

2

Objection 4 – Activities proposed within the drinking establishment.

Reason for Objection – The Gaming machines and TAB facilities do not add to the overall wellbeing of the community. It is a well known fact that gambling has a huge undesirable impact on family and community. The gaming money given back to the community does equate to the harm caused to the community.

Objection 5 – Alcohol Licence cannot be considered without addressing drink/drive issues and access onto the State Highway 2.

Reason for Objection - It is widely known there are major issues related to alcohol consumption during the extended trading hours. It is not necessary to replicate these issues that occur nationwide in a relatively peaceful environment. We as a community must object to those from outside the community imposing such harm.

Objection 6 – The proposal is inconsistent with the Omokoroa Community Plan December 2017.

Reason for Objection - In addition to the Licensing Laws the Council should also have regard for the current Omokoroa Community Plan. This document advocates for “a safe and pleasant environment for all residents.” In addition there is a strong emphasis on “preserving and improving the cultural, heritage and art communities.”

It is also acknowledged that overlaying these objections development will proceed “in pace with residential and commercial growth.” The community needs more supporting infrastructure and amenities before considering additional licenced liquor outlets.

I wish to appear at the formal hearing of this application.

My contact details are:

Heather Reynolds
36 Vivian Drive
Omokoroa 3114

Yours sincerely

Heather Reynolds

181E Omokoroa Road
RD2 Tauranga 3172

15 July 2018

Secretary of the District Licensing Committee
Private Bag 12-803
Tauranga Mail Centre 3143

Dear Sir or Madam

I wish to object to the application of KLM Enterprises of Auckland for an ON LICENSE for a proposed tavern at 168 Omokoroa Road, as advertised in *The Weekend Sun* of Friday 29 June 2018. The applicant has asked for licensing hours of "Monday to Sunday from 9.00am to 1am the following day".

To answer the point raised in Section 102 (1) of The Sale and Supply of Alcohol Act 2012, I live about 230 metres from the proposed tavern site (see Attachment 1) and therefore contend that I have a greater interest in the application for the licence than the public generally.

Specific objections under Section 105 of the Act:

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

Within a 300 metre radius of the proposed tavern there are many private residences, the Community Church, the Acacia House rest home, the Victoria Key gated community and the Country Estate retirement village (see Attachment 1). Most of these residents are retired and have moved to what was a peaceful village by the sea to live a quiet life. The opening hours applied for would certainly increase the noise in the area and late night activity. An outdoor area for drinking would exacerbate the problem. A tavern would also be a late-night magnet for drinkers from outside Omokoroa and drinkers moving on from the on-licensed clubs that already exist in the area. There will be no respite on a Sunday.

On these grounds I strongly object to the opening hours indicated in the proposal.

(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:

I object to the proposal's intent to engage in gambling activities, namely slot machines and TAB.

(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

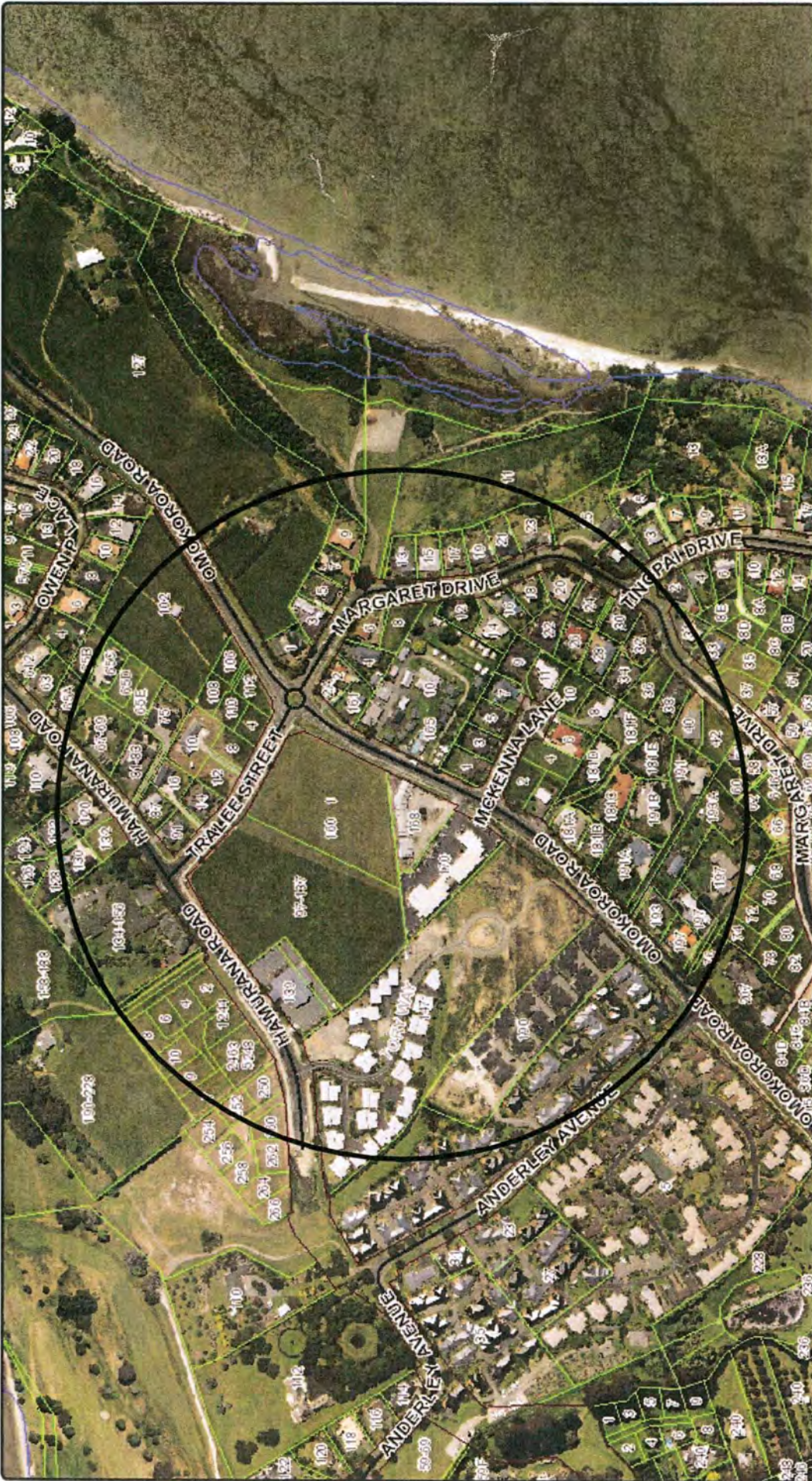
I believe the amenity and good order in the locality would likely be reduced by more than a minor extent if an on-licence were granted to a tavern on the site, for the following reasons:

- **Noise late in the evening.** The proposed site sits in the centre of a natural amphitheatre and noise travels clearly to the surrounding area. The addition of a pizzeria to the site last year certainly increased the noise flowing to the residential area in the summer.
- **Increased traffic.** It is claimed by the proposer that 35 parking spaces will be available on the site, to be shared by the liquor store, the pizzeria and the tavern. It might be theoretically possible to cram that many cars on to the site, but passage into and out of the parking spaces would be very difficult. I believe this will lead to cars parking off the site causing further congestion and noise in an already busy area.
- **The potential for unruly or illegal behaviour in the area from alcohol-fuelled patrons must be higher than it is now.** People travelling to the tavern will predominantly do so by car. The probability of these people driving away from a session with high blood alcohol content must be high. There is no permanent police presence and no ambulance in Omokoroa. There is only one access road to the peninsula, so the potential for it to be blocked by a traffic accident involving cars carrying tavern patrons must be higher than if there were no tavern. The potential for the drugs held in the neighbouring Medical Centre and Pharmacy to be targeted must be higher than it is now.

As a general comment I believe the presence of a tavern in the locality has the potential to lower residential property values

Yours faithfully

M. J. Ulyatt



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 Archaeological data supplied by NZ Archaeological Assoc./Dept. of Conservation.

Date: 18/07/2018
 Operator:
 A4 Scale 1: 4,544



Attachment 1: 300m radius from tavern



Dougal Elvin

From: Ian Blunt <ianblunt@slingshot.co.nz>
Sent: Friday, 20 July 2018 1:30 PM
To: Dougal Elvin
Subject: objection.

Importance: High

Hi Doug,

I wish to object to the application by KLM Enterprises Ltd to sell alcohol from 9am to 1 am seven days a week at the The Locals Tavern Bar and Eatery 168 Omokoroa Road.

As a resident at 191 Omokoroa Road for 24 years, almost directly above the proposed tavern site, I believe there will be excessive noise from vehicles, music and general noise generated by patrons, something I do not wish to live with especially in the early hours of the morning. There is no taxi or bus service in Omokoroa highlighting the fact there could be an increase in drink driving in the area. Sixteen hours per day, seven days a week is far too long to be open selling alcohol. Generally it is accepted that people must be responsible when it comes to alcohol sales and consumption.....Government campaigns advertise this. I do not object to the tavern as such, but I believe the hours applied for to be open serving alcohol are excessive.

Please register this as my official objection to the selling of alcohol 9am to 1am seven days a week from The Locals and Tavern Bar and Eatery, 168 Omokoroa Road.

Thank you

Ian Blunt
191 Omokoroa Road RD2
Tauranga 3172
5481188 or 0274 599478

Alcohol Licensing Team
 Western Bay District Council
 1484 Cameron Road, Tauranga
 Barkes Corner, Greerton
 Private Bag 12803, Tauranga Mail Centre
 Tauranga 3143

Omokoroa Kiwi Holiday Park
 165 Omokoroa Rd
 RD 2 Tauranga

To Whom It May Concern

We wish to object to the Alcohol License application by KLM Enterprises on Licence application on Licence shop 6, 168 Omokoroa Road, Omokoroa to be known as "The Locals Tavern Bar and Eatery".

We have an interest in this application that is greater than the general public's because we have a business "Omokoroa Kiwi Holiday Park" that is situated across the road from this proposed Tavern. We have owned and operated this business for 23 years and live on site in the Holiday Park.

Objection 1: The application of the act (the sale and supply of Alcohol Act 2012) and the Western Bay of Plenty council's local Alcohol policy goal; To minimise the effects of Alcohol related harm will not and cannot be enforced.

- As Owner/Operators of Omokoroa Kiwi Holiday Park we have first-hand experience of clients and/or the public's disorderly behaviour with the influence of Alcohol. We have contacted Police and/or Noise Control several times and they have either not been able to respond or respond too late, Because of the distance and time it takes to get too Omokoroa. Or the incidents aren't prioritised highly for them to attend immediately. At times minimising the affects ourselves has been an unsafe practice for us.
- Smoking laws in New Zealand means that patrons must be outside – Where there can be excessive noise, Talking, Laughing and bad Language.
- Intermittent noise such as Vehicle doors slamming, Engine Noise/Screeching, Disposal of Bottles and patrons yelling cannot be policed.
- Intoxicated patrons with disorderly behaviour can soon escalate to out of control type behaviour.

Objection 2: The object to the location of the premises at 168 Omokoroa Road.

- The proposed premises is close to a major School Bus Stop, Church and Medical Centre. Section 105 H1 and H2 "To reflect local communities Character, Amenities, Values, Preferences and needs". Therefore, the location is incompatible to the community and its needs.
- The adjacent Medical complex has businesses that promote Health and Well-being and medical needs to the Community e.g. Pharmacy, Doctors, Dentist and Physio. Members of the community that use these facilities are Elderly, Adults and Children.
- The Church behind the proposed premises also acts as the Community drop in centre and community centre e.g. Youth Groups, Mainly music for Pre-schoolers and Friendship club for the community.
- The Hot Pools within Our Holiday Park and the threat that they pose to intoxicated persons. (Especially in the middle of the night when they are closed and empty for cleaning.)
- The Proposed premises is within close proximity of a major Bus stop for Children/ Youths Ages 5-18 with scenes of Drinking and/or Gambling not being part of our

"Communities character, values or needs" that we would like to show to our young persons.

- The Premises is close residents of McKenna Lane, Omokoroa Rd and Victoria Key with increased noise and traffic flow bound to be a problem.
- The above residential premises will also experience parking on McKenna Lane as well as the roadside of Omokoroa Road. Therefore, increasing Noise Levels and Vandalism and the need for added Security. Especially during those later hours.

"The Locals Tavern Bar and eatery" does not and will not reflect our Community. It is proposed that this establishment will include a T.A.B as well as gambling machines. It is well publicised in the Media the effects of Gambling and Alcohol Addiction. If open between the hours of 9am-1am.

Objection 3: The other licensed Premises in Omokoroa E.G. Omokoroa Boat Club, Omokoroa Golf Club, Omokoroa Bowls Club have limited hours of opening and do not have gaming machines, therefore reflects the needs, wants and services of the community. The Location of "The Blacksheep Bar and Grill" and "Te Puna Tavern" are serving patrons of a wider community and are better suited to those needs.

Omokoroa Kiwi Holiday Park has operated and been situated at 165 Omokoroa road for at least 50 years. This business provides Holiday Accommodation for New Zealanders and international Tourists alike. We have a capacity for 300 guests and employ 8-15 staff and pay substantial rates. We promote the values of wholesome family experiences and encourage all our guests to enjoy a classic "kiwi Holiday Experience". As we ourselves have owned and operated this business for the past 23 years I believe we have the respect of the Community as a well-run business that minimises any negative effect on the Community. As the sign says on the entry to Omokoroa from State Highway 2 "Peninsula Paradise" lets reflect this in the community.

We wish to attend the hearing.

Regards

Bruce and Sharon Addison

Omokoroa Kiwi Holiday Park

165 Omokoroa Road

Omokoroa RD 2

Tauranga 3172

PH: (07) 5480857

Email:stay@omokoroa.co.nz

Dougal Elvin

From: Dale Jessop <dajessop@yahoo.co.nz>
Sent: Friday, 20 July 2018 3:24 PM
To: Dougal Elvin
Subject: Tavern Omokoroa

Good afternoon,

Well I have and others have collected as many signatures, as was possible in the short time we had, there where so many residents here who did not know about the purposed Tavern, and in all sense of the word Tavern, one straight away, see a Family Tavern where anyone could take their children and be in a safe environment. FAMILY TAVERN.

This purposed building, with pokies, TAB, food provided by the Pizza Hut, is not a FAMILY TAVERN.

The fact that it was advertised in the SUN paper, not a local paper, not everyone gets the SUN out in Omokoroa, it is more about Tauranga. was a bit under handed, and was not at lease bit interested, what was needed in Omokoroa, they did not do any inquiring, no research as to what the residents of Omokoroa required, as in a Family Restaurant, Tavern.

It is very sad, the whole situation.

Kind regards
Dale Jessop
17 Vivian Drive
omokoroa

20 July 2018 3:51 PM

District Licensing Committee
Western Bay of Plenty District Council
Private Bag 12-803
Tauranga

By email; Dougal.Elvin@westernbay.govt.nz

Objection to Application for an On License by KLM Enterprises Ltd in respect of 168
Omokoroa Road, Omokoroa

Please find attached my submission in objection to the above application.

Yours sincerely
AnnanLaw Limited



Geoffrey Annan
geoff@annanlaw.co.nz
gaa.gaa.1007/24

Objection to Application for an On License by KLM Enterprises Ltd in respect of 168 Omokoroa Road, Omokoroa

1. I refer to my objection lodged on 13 July 2018 and wish to add to that.
2. For additional reasons set out below, I object to the above application.
3. The object of the Sale and Supply of Alcohol Act 2012 ("the Act") is that the sale, supply, and consumption of alcohol should be undertaken safely and responsibly, and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.
4. In a research report commissioned by the Health Promotion Agency¹ ("the HPA Report") the authors refer to research that "found that areas with the greatest access (shortest travel distance) to alcohol outlets were associated with the highest incidence of serious violent crime."²
5. I note that the HPA Report includes adult entertainment venues, taverns, TABs, and casinos when referring to bars and nightclubs under the report's taxonomy of alcohol outlet types.³ One of the three overall objectives of the HPA Report is to investigate how alcohol outlet density impacts on police activity at the local (Census Area Unit) level across New Zealand.⁴
6. There is a community constable's office within the Western Bay of Plenty District Council building at Omokoroa which is staffed by volunteers from 9 am to 11 am Monday, Wednesday, and Friday. Council staff advised me today that the community constable usually tries to visit on a Friday, but there is no set time for the constable to be present at the Omokoroa office. Clearly there is no visible or immediate police presence in Omokoroa other than the community constable's daytime visit on a Friday, if available.
7. The HPA Report states:⁵

"We note that policing intensity serves two functions. First, the presence of police has a deterrent or preventive effect – greater police presence leads to less crime, as criminals are less likely to commit crime in relative proximity to police. Second, the presence of police leads to an intervention or apprehension effect – greater police presence leads to an increase in apprehensions, which would be recorded as additional police events in our data. Since, we cannot separate the deterrent and intervention effects with our data, we conclude that the second effect must be dominating."
8. The HPA Report concludes:⁶

"... this research adds to the weight of evidence that links alcohol outlets and social harms. The evidence demonstrates that, almost regardless of the method and measures employed, that alcohol outlets are correlated with harm."

¹ Cameron, M.P., Cochrane, W., & Livingstone, M.(2016). *The relationship between alcohol outlets and harms: A spatial panel analysis for New Zealand, 2007 – 2014*. Wellington: Health Promotion Agency.

² Ibid, 6.

³ Ibid, 10.

⁴ Ibid, iv.

⁵ Ibid, 28.

⁶ Ibid, 41.

And further concludes, in relation to extant research on alcohol outlets and social harms:⁷

“... the increasing consistency of these findings is becoming more and more suggestive that the location of alcohol outlets are causing social harms.”

9. In the absence of the community constable’s presence, the nearest staffed police stations are Katikati and Tauranga Central. That poses inherent and obvious difficulties with police engagement in alcohol related incidents arising from the proposed Tavern. In my submission, the propensity for harm to the Omokoroa community, direct or indirect, as supported by the research, is real and palpable. I submit that the application does not meet the object of the Act.
10. A company search of the applicant reveals that its registered office is 14 Marsden Road, Paihia and that its sole director Kunal Lachhani’s address is that of the registered office. The shareholders’ addresses are also that of the registered office. I note that the public notice pursuant to section 101 of the Act states that the applicant is of Auckland. While at first glance that may not be of great import (as company records are not always timeously brought up to date), I note that the particulars of shareholding of the applicant were updated at the Companies Office on 19 February 2018 and an annual return was filed on 10 July 2018. Clearly, the applicant was in a position to update its address when filing with the Companies Office. The inference is that there is perhaps a lack of candour by the applicant and a sense of surreptitiousness in its application. There has been no attempt whatsoever, that I am aware of, by the applicant to promote its proposed Tavern in the community. The silence has been deafening. There has been no evidence made available to the community as to the suitability of the applicant, despite my enquiries to the Western Bay of Plenty District Council last week to locate information about the application on Council’s website or otherwise. To that end it is likely that objectors who are part of the community have been prejudiced. I object to the suitability of the applicant.
11. Taking account of the propensity for alcohol-related harm referred to above in conjunction with not contributing to a safe and healthy sub- region, and underpinned by the obvious lack of immediate police availability, I submit that the application falls well short of policy goals of the local alcohol policy. Further, and as I understand that the proposed tavern intends including a TAB and gaming machines on the licensed premises, I submit that the Omokoroa community’s character, amenity, values, preferences, and needs are quite at odds with the application. In conjunction with that the applicant’s proposed licensed hours of 9 am to 1 pm seven days a week are entirely inappropriate, taking account of the community’s immediate character, amenity, values, and needs. The immediate proximity to residential housing, the Omokoroa medical and associated health complex, the Omokoroa holiday park, and the school bus stop, together with the Minnows kindergarten situate less than 500 m from the proposed tavern and Omokoroa Point School nearby, cannot be ignored in light of the local alcohol policy. Further, taking account of the definition of “tavern” in the local alcohol policy, I am left to question whether the principal use or intended use of the business will be for providing alcohol and other refreshments to the public, in light of my understanding of a TAB and gaming machine facility to be incorporated into the licensed premises.

⁷ Ibid.

12. In relation to the concept of gambling in licensed premises, and in an application to extend the hours of an on license, the Liquor Licensing Authority stated in its decision in *Café Liquer Limited*.⁸

"Rather than complementing well presented licensed premises, the machines are becoming the focal point of the business. In our view there are instances where they are detracting from the safeguards of host responsibility and responsible management.

The surge in the number of casinos/bars can be accommodated in a central business district. However, when suburban areas become targeted, it is understandable that the residents will be concerned.

It seems to us that we must be vigilant to tailor each license to meet each factual situation. Our main focus must relate to the days and hours when liquor will be sold. If the sale of liquor is not the primary purpose of the business, then the question must be asked why the bar needs to be open for 15 hours a day? Why should it be open on a Sunday at all? After all it is not as if the locals are going to stroll down to the local Plaza for brunch and a glass of wine."

13. In *Premier Restaurant & Tavern Limited*⁹ the authority said:

"In the final analysis we have a duty to exercise our discretion 'in the manner that is most likely to promote the object of the Act'. (s.4(2)). If gaming machines are beyond our purview, then why would we exercise a discretion which will not only encourage the spread of such machines, but bring the sale and supply of liquor into disrepute?"

14. I object to the application on the ground that it is contrary to the local alcohol policy
15. I object to the application on the grounds that the days on which and the hours during which the applicant proposes to sell alcohol will give rise to parking issues and noise issues. In the same way that the police availability is restricted by there being no immediate police availability, noise levels and in particular noise levels late at night may not be able to be effectively dealt with where the noise control officer has to travel from Tauranga. This is also salient to the matters the Committee must have regard to under section 106 of the Act, and it is also salient to the policy statement provisions in the local alcohol policy.
16. Noting my contact with the District Council last week, I have not been able to avail myself of information relating to the design and layout of the proposed premises. Of note in my discussions with Council last week, was advice to me that any application for a building consent for the premises would be premature in the absence of a licence, the inference being that there was no building consent in place. I address this further below. For the time being, I have been prejudiced by not having information on the design and layout of any proposed premises, and accordingly I must object to the design and layout of any proposed premises.
17. I submit that based on the evidence the amenity and good order of the locality will be reduced by more than a minor extent by the effects of the issue of the licence. As the committee is aware, that is a criterion under section 105 (1)(h) which the Committee must have regard to. I object to the application on this ground.

⁸ *Café Liquer Limited* LLA 305/2001.

⁹ *Premier Restaurant & Tavern Limited* LLA 474/2001

- 18 In the course of writing this submission today, I have been advised that a building consent for the construction of a building intended to include the proposed tavern has issued. I point out, with respect, that the fact of a building consent having issued does not come within the Committee's purview. The Committee cannot take that into account. The Committee is bound by the provisions of the Act and cannot give any weight to the fact that the applicant has obtained a building consent.
- 19 Should there be any question raised by the Committee as to the status of an objector, I bring the Committee's attention to the comments of the Auckland District Licensing Committee in *Smart Master Limited*¹⁰ where the ADLC was mindful to take account of all objectors and the community at large. The Committee said:

"This Committee has always been of the opinion that the reasoning behind the introduction of the Act was to empower Communities and their citizens. In her Introductory Speech to Parliament the Honourable Judith Collins, the then Minister of Justice said at the third readings of the Sale and Supply of Alcohol Bill, Local Government (Alcohol Reform) Amendment Bill, Summary Offences (Alcohol Reform) Amendment Bill -

*"These bills provide a strong legislative framework for reducing alcohol – related harm. It is the first time in more than two decades that Parliament has acted to restrict, rather than relax, our drinking laws. Most New Zealanders enjoy alcohol in a responsible manner; however, the harm resulting from excessive drinking strains our country's health and law enforcement resources, and causes people and communities a lot of grief and stress. These bills contain a wide range of measures that will help to bring a change in our drinking culture. They provide many parts of **society**, from central to local government, **communities**, and parents, with tools to make that happen".*

(our emphasis)

As we have said at paragraph [10]:

"Where possible this Committee will continue to afford an opportunity for the Community to appear before us, even though there may be a question as to the status of the "Objector". We are interested in the concerns expressed by Objectors and the Community at large."

22. In addition, those comments by the Authority emphasise society and communities, and Parliament acting to restrict rather than relax our drinking laws. I submit that the application does not further the amenity and good order of the Omokoroa community.
23. I note that the applicant already holds an off-licence for the adjoining Super Liquor store. I am concerned that this is an invitation for patrons of the proposed tavern to preload or "stock up" to drink alcohol after closing time, be it in the immediate vicinity of the proposed tavern or elsewhere. Accordingly I object to the application pursuant to the object of the Act.
24. Taking a holistic view of this application, but within the parameters of the Act, I submit that a very precautionary approach is required by the Committee in considering the application. As I see it there are a range of factors predisposing the community, including without limitation residents in the immediate vicinity (of which I am one), other businesses in the immediate vicinity, children utilising the

¹⁰ [2017] ADLC OF432 *Smart Master Limited* at paragraph 26.

school bus stop, the kindergarten, and volunteer firefighters and medical first responders (of which I am one) to increased levels of harm if this application is allowed. I respectfully ask that the Committee declines the application.

25. I wish to be heard at any hearing.

A handwritten signature in blue ink, appearing to read "G. A. Annan". The signature is fluid and cursive, with a period at the end.

Mr G A Annan
3 Mckenna Lane
Omokoroa 3114

20 July 2018

Dougal Elvin

From: premise
Sent: Monday, 23 July 2018 10:13 AM
To: Dougal Elvin
Subject: FW: Omokoroa Tavern.

Many thanks
Skip

Skip Williams
Business Analyst – Compliance and Monitoring (Contractor)

M 021 176 0229
Barkes Corner, Greerton, Tauranga
Private Bag 12803, Tauranga Mail Centre, Tauranga 3143 E skip.williams@westernbay.govt.nz
www.westernbay.govt.nz

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

From: David Gilmour <gilmours4@icloud.com>
Sent: Friday, 20 July 2018 4:49 PM
To: premise <premise@westernbay.govt.nz>
Subject: Omokoroa Tavern.

Not right for the Peninsula. Especially one with Pokies and open to 1am.

Sent from my iPhone

Dougal Elvin

From: premise
Sent: Monday, 23 July 2018 10:14 AM
To: Dougal Elvin
Subject: FW: Omokoroa Tavern - objection lodged

Many thanks
Skip

Skip Williams

Business Analyst – Compliance and Monitoring (Contractor)

M 021 176 0229
Barkes Corner, Greerton, Tauranga
Private Bag 12803, Tauranga Mail Centre, Tauranga 3143
E skip.williams@westernbay.govt.nz
www.westernbay.govt.nz



Te Kaunihera a rohe mai i nga Kuri-a-Whare ki Otamarakau ki te Uru



From: Sue Dark <sue.dark@gmail.com>
Sent: Friday, 20 July 2018 4:09 PM
To: premise <premise@westernbay.govt.nz>
Subject: Omokoroa Tavern - objection lodged

Hi there,

I'm a resident on Margaret Drive. I'm in favour of having a bar/restaurant but not pokies or gambling facilities at the proposed Tavern in Omokoroa, near to the existing liquor store.

For social reasons a bar & restaurant would be great, but we can do with far fewer gambling facilities in New Zealand; its very problematical, particularly to those with lowest incomes; it hits them harder than most.

Thank you.

Sue Dark
sue.dark@gmail.com
Contact Tel: 021 208 5954

Secretary
 District Licensing Committee
 Western Bays District Council
 Private Bag 12-803
 Tauranga Mail Centre 3143



OBJECTION TO NEW ON-LICENCE APPLICATION
The Locals Tavern Bar (Shop 6, 168 Omokoroa Road, Omokoroa)

I object to the Application for a new On-Licence (Tavern-Style Licence) made by KLM Enterprises Ltd, Auckland for premises situated at: Shop 6, 168 Omokoroa Road, Omokoroa, to trade as 'The Locals Tavern Bar'. I object on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), but especially:

- (a) **The Omokoroa Liquor Centre and Fresh Choice are adjacent:** Close to the proposed premises is the Omokoroa Liquor Centre. I am concerned that this co-location will encourage customers of the tavern to pre-load and side-load alcohol (especially by purchasing alcohol from the liquor store and consuming it in the common carpark). In addition, Fresh Choice (170 Omokoroa Road) sell wine and beer
- (b) **The proposed tavern will be close to a number of sensitive sites attended by families and children.** These include the Omokoroa Medical Centre (170 Omokoroa Road), Omokoroa Physiotherapist (170 Omokoroa Road) and Omokoroa Dental Surgery (170 Omokoroa Road) in the business centre and the Omokoroa Kiwi Holiday Park (165 Omokoroa Road) and Omokoroa Community Church nearby. There is the Neighbourhood Pizzeria in the business centre. I believe it is undesirable for a tavern to be issued close to these sensitive sites.
- (c) **Noise issues:** While it appears that taverns are a permitted activity in the Omokoroa commercial zone (taverns are 'places of assembly'), there are noise limits in this zone (e.g. 45dba after 10pm) that mean a tavern is unsuitable as it will create too much noise at night, especially if it is to remain open to 1am every night. There are residential properties close by which will be negatively affected by this noise
- (d) **Gaming machine venue/TAB/tavern:** I understand that the application includes gaming machines and a TAB. I am concerned that the premises will be principally a gaming machine and gambling venue and not a tavern. Without clear evidence that the premises will be principally for the sale of alcohol and food, I believe the premises should not be given a tavern licence. See the decision of the Alcohol Regulatory and Licensing Authority (ARLA) in L&H Graces Place Ltd.
- (e) **Suitability:** The application is made by KLM Enterprises Ltd. The director of KLM Enterprises Ltd is Kunal Lachhani and the shareholders are Kajal Lachhani and Kunal Lachani. They are also shareholders of other companies, including KM Trading Company Ltd, which appears to own a liquor store in Paihia, Northland. I ask that the applicant declare its association (through director and shareholders) with any other licensed premises and whether they have all traded without any suspensions of their alcohol licences.

I live in Omokoroa and I **wish** to speak at any hearing.

Name:
Email Address:
Phone Number:

[Signature]

[Date]

[Handwritten Signature] *20 July 2018*

Please Read

Tavern

The public notice period ends at the close of business on Friday 20th July 2018. A petition held at the offices of Tall Poppy Real Estate on McDonnell Street will be delivered to the Ōmokoroa Library and Service Centre by 2 pm Friday to allow for courier delivery to the Western Bay of Plenty District Council head office at Barkes Corner.

An organiser, Matthew Farrell of Lizard News, has written the following submission on behalf of the Ōmokoroa Community Organisation. The OCO is submitting a petition as a group, as it is understood individual members of the public effectively have no right to be heard by the District Licensing Committee under Section 102 of The Sale and Supply of Alcohol Act 2012.

The original signatories to the OCO founded initially for the purposes of making this group public submission are Lorraine Barnes, Sandra Shaw, Marc Ulyatt, Kate Dallas, Karin Brown, Lorraine Davis, Geoff Davis, Debbie Brett, Peter Brett, Louise Balfour, Geoff Oliver, Margaret Tomlinson, Judith Kuypers, Dale Jessop, Lanna Gell, Andrew McWilliam, Sandra Vine, and Rachel Millard.

All of the above were in attendance at the Ōmokoroa Community Board meeting held at the Ōmokoroa Community Church at 7 pm on Tuesday 17th July 2018 and heard the comments made by some of the crowd of 44 during the public forum, shortly after at the beginning of this meeting.

After some debate, there was a show of zero hands to three questions posed by Community Board Chair Murray Grainger. Three unanimous objections from the attendees could apparently be boiled down to the proposed tavern being allowed to have 1) a TAB, 2) pokies, and 3) a notified closing time of 1 am, seven nights per week.

The reasons for the objections included but were not limited to public safety, morality, and the substantially increased risk of harm caused by extended hours of alcohol sale - concerning violence and vehicle crimes such as drink-driving. It was noted that Ōmokoroa has neither a police presence at these hours or an ambulance station and that the local fire brigade and medical first responders are overstretched volunteers.

Chief Fire Officer Ian Blunt was unable to attend, due to the weekly brigade training night. He asked Matthew Farrell to pass on his concerns including the lack of public transport or private taxis. Mr Blunt felt the extended hours would encourage motorists to travel from a distance to drink at the tavern when other venues had closed and to drive drunk afterwards. Matthew Farrell agreed with Chair Grainger that some locals had spoken of their desire to see a pub open in the area, during a District Council Community Conversation event held at Ōmokoroa Boat Club on Saturday 6th May 2017 - an event also attended by Lizard News. Matthew also remarked that the Lizard News Facebook page had received a predominantly favourable response to the suggestion of a tavern, as residents wish for an alternative option for evening meals and alcohol.

Currently licensed premises include three members clubs: Ōmokoroa Boat Club, Ōmokoroa Bowling Club and Ōmokoroa Golf Club. There are also two off licenses, being Fresh Choice and Super Liquor. There are also two cafe/restaurants with licenses which are Beached on Blue and Montre.

Some in the community first became aware of the tavern proposal, when the public notice posted to the shed at the location of 168 Ōmokoroa Road appeared as a photograph on the



Lizard News Facebook page. The Cyberlink email newsletter for the peninsula area has since circulated reports of the proposal. Many in the community are still unaware. As an aside, some attendees were unhappy that a tavern with TAB and pokies was automatically permitted as an activity in a commercially zoned area under the District Plan requiring zero community consultation, despite having immediately adjacent residents. Chair Grainger advised those present that such legal matters were beyond the realm of the Community Board as a forum and that there is a three-week statutory timeframe for liquor license notification.

Matthew noted that the white piece of A4 paper is barely visible with the naked eye in an area with no foot traffic and which has since become adjacent to a shed roof demolition site, making the poster arguably inadequate for notification purposes.

Matthew pointed out that the District Council's building services team had approved consent for the construction on 19th March 2018.

Lorraine Davis stated that most of the community was unaware of the proposal for a tavern or this evening's Community Board meeting.

"We already have licensed premises. The issue isn't a tavern. It's about the safety and well-being of our community," Lorraine said to applause.

Another resident commented that the area was home to a great many elderly residents in retirement and rest homes, as well as young families with children. She questioned who would be drinking so late at night and said she feared local roads being used as a race track. Another said while they were indeed opposed to a TAB and pokies, they were not opposed to food and alcohol being served at reasonable hours.

Heather Reynolds echoed the points made by Ian Blunt and also said maintaining the peace and quiet of the peninsula was a stated aspiration of the community, in conflict with the proposed tavern and its hours.

Another man proposed the tavern might be allowed to stay open until 1 am but stop serving alcohol by 11 pm, but this suggestion was not supported by those present.

Councillor John Palmer said a police report would be required as part of the application.

Matthew Farrell stated the Council approved building plans include 35 parking spaces surrounding the existing Neighborhood Pizzeria building.

Rachel Millard questioned who would be responsible for the traffic management required for a new intersection and said the planned amount of parking would not feasibly fit.

In summary, it is fair to say that while a proportion of the community does wish to see newly licensed premises such as a pub or tavern serving meals and alcohol, this should be sympathetic to community concerns.

The undersigned hereby propose a closing time no later than 10 pm or 11 pm nightly and ask the tavern operators to remove their proposals for a TAB and pokies in the interests of gambling and addiction harm reduction.

Furthermore, as a requirement of the liquor license, it is proposed that the tavern operator must make available at the very least an on-call sober driver service for the peninsula at an appropriate price, due to the lack of any public transport or taxi service at this time. This is particularly important, given the safety concerns highlighted by the Chief Fire Officer concerning drink driving and motor vehicle accidents.

VALIDITY:

This meets the criteria for an objection to be considered valid by the District Licensing Committee as outlined in Section 102 of The Sale and Supply of Alcohol Act 2012 as follows:

102. Objections to applications. (1) A person may object to the grant of a licence only if he or she has a greater interest in the application [for the licence] than the public generally.

We contend as a sizeable group of concerned residents and neighbours of the immediate community that we have a greater interest in the application than the general public of Tauranga and Western Bay of Plenty as was notified by the Weekend Sun advertisement.

The matters specified in the objection above relate to Section 105 of the Act in particular:

- (d) the days on which and the hours during which the applicant proposes to sell alcohol:
- (e) the design and layout of any proposed premises: (parking/traffic management plan)
- (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:

We would urge the DLC to consider the joint local alcohol policy and the available discretionary conditions (Section 5.2.4) when evaluating this application. Under the Local Alcohol Policy, the maximum possible trading hours are 9 am to 1 am the following day. We feel an application for the maximum is unreasonable in this case for a small remote area and directly contravenes the minimisation of alcohol-related harm as specified by the policy.

LOCAL ALCOHOL POLICY:**1. POLICY GOALS**

- 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.

DISCRETIONARY CONDITIONS MAY INCLUDE:

- Restriction on the use of outdoor areas after 10 pm.
- Provision of transport for patrons.
- Acoustic design certificate required for all new on-licensed and club premises with a residential boundary within 500 metres and an outside area operating after 11 pm.

We encourage the DLC to observe its own policy and implement these conditions.

Omokoroa Community Organisation

We, the below signatories, agree with the factual accuracy of the submission attached in regard to the tavern proposed for 168 Omokoroa Road.

We believe this meets the criteria for an objection to be considered valid by the DLC as outlined in section 102 of the Sale and Supply of Liquor Act 2012.

The matters specified in the objection relate to section 105 of the Act in particular sub-sections d, e & h.

We seek a review by the District Licensing Committee of the impact on the community.

| Name | Address | Contact |
|-------------------|---------------------------|-----------------------|
| Janeal Hitchcock | 20 Kayelene Place, Omok. | jholyextra.co.nz |
| Rhonda Skene | 53 Linko View Dr Omokoroa | rhondaskene@xpl.co.nz |
| Gina Ruane | 106 Plummer Rd omokoroa | omnervare@xpl.co.nz |
| Sanja Janson | | S.sansa@xpl.co.nz |
| JULIANA GUTELIU | 3 MADELEINE PL | 0210757948 |
| Ananddeep Singh | 48 Bert wall DR. | 02040806857 |
| Elena Mckie | 16A Ruamoana Pl | 02108181884 |
| Jason Mckie | 16A Ruamoana Pl | 0275002320 |
| RAFAEL Fontinelle | 48 Bert wall Dr. | 0275184423 |
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Handwritten notes and signatures in the right margin of the table.

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We seek a review by the District Licensing Committee of the impact on the community.

| Name | Address | Contact |
|--------------------------|-------------------------------|--------------------------|
| Jody Sawyers | 72/4 Greystone Pl, Omokoroa | 027 4227791 |
| Len Riggier | 20/4 Gystem Pl Omokoroa | 0276310016 |
| Rebecca Masters | 8/4 Greystone PL omokoroa | 0211280003 |
| Glennys Gwynne | 10/4 Greystone PL Omokoroa | 0211745504 |
| Scott Gwynne | 10/4 Greystone PL Omokoroa | 0212242799 |
| Genia Danks | 12/4 Greystone Place Omokoroa | 02108556011 |
| SAM MACBARRON | 132 STICK HILL ROAD WAHAKA | 021254 002023 |
| Pamela Maul | 14/4 Greystone Pl, Omokoroa | 0272524441 |
| Pieter Anne Tjaberings | 58/14 ✓ ✓ ✓ | 0220881874 |
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Against
pokies/
gambling
against
pokies.

NO TAB, NO
POKIES, WRONG
SITE

Omokoroa Community Organisation

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| Name | Address | Contact |
|---------------------|----------------------------|----------|
| M.D. McLevie | 109/5 Anderley Ave | 548 2160 |
| Helen Simi | 54/5 Anderley Ave | 548 2440 |
| M. Susan Miller | 26/5 Anderley Ave | 548 2178 |
| H.F. Collins | 123/5 Anderley Ave | 548 2933 |
| J. McDonald | 50/5 Anderley Ave | 548 2760 |
| J. McDonald | 50/5 Anderley Ave | 548 2760 |
| A. COETZEE | 88/5 Anderley Ave | 545 0788 |
| J. Gibson | 220 b. Estate | 548 0933 |
| M. Clodden | 131 o.c.e. | 5480 996 |
| Gwyneth Williams | 14 Omokoroa Country Estate | 548 0927 |
| John DYER | 56 Omokoroa Country Estate | 548 0604 |
| Shirley A. Withers. | " " " " | 548 0604 |
| Heather McKay | 155 O.C.E. | 548 2031 |
| Ngana Keodwell | 67A O.C.E. | 548 0856 |
| Ray Rosenburg | 121 O.C.E. 5Anderley Ave | 548 2005 |
| Shirley Carley | 17 O.C.E. Omokoroa | 548 0540 |
| Graeme Carter | 17 O.C.E. " | 548 0540 |
| M. Murray | 107 O.C.E. | 548 2105 |
| David Mackay | 27 O.C.E. | 548 1482 |
| Jean Williams. | 63 O.C.E. | 548 2555 |
| Peter Williams | 63 O.C.E. | 548 2555 |
| HARRY FRANKNEU. | 68 O.C.E. | 548 1235 |
| REG O'GANE | 103 O.C.E. | 548 0792 |
| Jean. Mrs FRASER. | 90 O.C.E. | 548 1006 |
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| Name | Address | Contact |

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The matters specified in the objection relate to section 105 of the Act in particular sub-sections d, e & h. We seek a review by the District Licensing Committee of the impact on the community.

| Name | Address | Contact |
|--------------------|------------------------------|--------------|
| RIBERT JOLIVER | 152 OMOKOROA COUNTRY ESTATE | 022 065 9003 |
| Robi-Davis | 27 Lynhey Park Drive | 0274534930 |
| Lynne Campbell | 415 Anderley Ave | 0212014459 |
| Monica Stanway | 144 Omokoroa Country Estate | 0277212753 |
| Raewyn Longley | 19 Omokoroa Country Estate | 0274792823 |
| Phil Longley | 19 " " " | " " " |
| Val Munro | 115 Omokoroa Country Estate | 02102994291 |
| Murray Munro | " " " " | " |
| Dean Stanway | 144 Omokoroa Country Estate. | 0274830065 |
| David Auld | 25 OMOKOROA COUNTRY CLUB | 021887784 |
| Dal Blackwell | 106 Omokoroa Country Estate | 07.5482559. |
| Rex MARTIN | 41 ✓ - - | 5480694 |
| Christine Con | 65 ✓ ✓ ✓ | 5484090 |
| Alina Beth Hochman | 38 " | 5481333 |
| Barbara Kershaw | 37 Omokoroa Country Est. | 5482853 |
| Barbara Walls | 66a Omokoroa Country Estate | 5482899 |
| RAY TYSON | 18 Omokoroa " " | 5480020 |
| Alison Tyson | " " " " | 5480020 |
| Eraeme Stillwell | 1 Omokoroa Country ESTATE | 5482457 |
| Pauline Stillwell | 1 Omokoroa Country Estate | 5482457 |
| MAVIS ROSENBERG | 1215 Anderley Ave Omokoroa | 5482025 |
| Bill Cameron | 20 Omokoroa Country Estate | 5481152 |
| Dianne Cameron | 20 Omokoroa Country Estate | 5481152 |
| Catalak Shanon | 4 OCE | 5481455 |
| BX de NOT | 69 Omokoroa Country Estate | 5482758 |
| GARMAN CAMPBELL | 415 Anderley Ave Omokoroa | 5480388 |
| Hazel Bancroft | 3 OMOKOROA COUNTRY ESTATE | 5481262 |
| Margaret Damm | 129 Omokoroa Country Estate | 5482886 |
| Lyn Coates | 218 " " " | 5482349 |
| Joan Jackson | 130 " " " | 5482602 |
| Ray Coates | 218 O.C.E | 5482349 |
| Paul FRANKI | 114 OCE | 5480889 |
| Pam Jeffrey | 9 OCE | 5480369 |
| John Jeffrey | 9 OCE | 5480369 |
| PHILIP GALL | 92 OCE | 5482824 |
| NANCE GALL | 92 OCE | 5482824 |
| Phyll Watson | 7 OCE | 5480747 |
| Tony DASHALL | 7a OCE | 5480652 |
| Idea DASHALL | " " | " |
| Betty Allen | 58 " | 5481556 |
| Margaret Gue | 39 OCE | 5480062 |
| Name | Address | Contact |

Omokoroa Community Organisation

We, the below signatories, agree with the factual accuracy of the submission attached in regard to the tavern proposed for 168 Omokoroa Road.

We believe this meets the criteria for an objection to be considered valid by the DLC as outlined in section 102 of the Sale and Supply of Liquor Act 2012.

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We seek a review by the District Licensing Committee of the impact on the community.

| Name | Address | Contact |
|-----------------------|-----------------------------|--------------------|
| M S Judd | 53 OCE | 5482656 |
| R C Ould | 25 OCE | 021887784 |
| JES NORTH | 111 OCE SANDERLEY AVE, | 5482020 |
| Joan Nash | " " " | 5482020 |
| P.J. HEMPSTALK | 6 OCE " | 5480325 |
| A.J. HEMPSTALK | 6 OCE " | 5480325 |
| Bob M'ichelem | 52 OCE " | 5481024 |
| N Keedwell | 67A OCE " | 5480866 |
| J Quinn | 95 " " | 5482406 |
| Shirley Oton | 59 " " | 5481622 |
| W B Kewth | 112 " " | 5481126 |
| Dawn, de West | 69 OCE | 5482758 |
| Jennifer Cole | 143 OCE | 5482849 |
| Chris Cole | 143 OCE | 0274545586 |
| John Smith | 125 OCE | 5481042 |
| Derek Nelson | 74, NEWB LANE | 5481531 |
| John SPO | 125 OCE | 5481042 |
| John Pettigrew | 150 Sierra Close | 5481485 |
| Leilyn Pettigrew | 150 Sierra Close | 5481485 |
| M Lee | 46 OCE | 5481402 |
| John | 71 OCE | 5481562 |
| B Smith | 124 OCE | 5481064 |
| J Small | 124 OCE | 5481064 |
| Patricia Price | 126 O.C.E | 5481998 |
| Koi Muschamp | 147 OCE | 5480196 |
| John Pearce | 30 Omokoroa | 5482830 |
| Eric Martin | 76 Omokoroa Country Estate | 5481208 |
| John Long | 77 Omokoroa Country Estate | 5481208 |
| Nancy Long | 16 108 Broadway | Nancy Long |
| N LARSON | 4 1461 DC | 9000 |
| Mary McCordle | 81 OMOKOROA COUNTRY ESTATE | Mary McCordle |
| Ray McCordle | ✓ ✓ ✓ ✓ | Ray McCordle |
| N Peashon | 89 " " " | 5480644 |
| Blaine Gravatt | 867 " " " | 5481495 |
| Gordon | 67 " " " | 5481495 |
| Dallas Andersen | 22 Harbour View Rd. | 5480635 |
| BEAT HINDLEY | | |
| W F. HARTVEY | 146 OMOKOROA COUNTRY ESTATE | 5481939 |
| N McDaniel | 151 Omokoroa Country Estate | 5480374 |
| M. Hudson | 83 O.C.E. | 5480316 |
| R Hudson | " " | " " |
| Name | Address | Contact |

Omokoroa Community Organisation

We, the below signatories, agree with the factual accuracy of the submission attached in regard to the tavern proposed for 168 Omokoroa Road.

We believe this meets the criteria for an objection to be considered valid by the DLC as outlined in section 102 of the Sale and Supply of Liquor Act 2012.

The matters specified in the objection relate to section 105 of the Act in particular sub-sections d, e & h.

We seek a review by the District Licensing Committee of the impact on the community.

| Name | Address | Contact |
|-----------------|------------------------------|----------------------|
| Murray Seccombe | 27 Tony Way | 021 578017 |
| Rachel Mullad | 16 Tralee St | 021 513189 |
| Dean Sturway | 144 Omokoroa Country Estate | 0274830065 |
| Jana Hudson | 73 Margaret Drive | 02102636592 |
| Timothy PARKER | 19 Tony Way Omokoroa | 0272941178 |
| Allan Connolly | 17 Tony Way Omokoroa | 0277897890 |
| Bekie Limbrick | 13 Perkins Dr, R.Db, Te Puna | 0212897049 |
| Mike Limbrick | 13 Perkins Dr, R.Db, Te Puna | 0274983684 |
| Diwonne Cox | 39 Hamurana Rd Omokoroa | 07 548 1258 |
| Peter H. Cox | 39 Hamurana Rd Omokoroa | 07 548 1258 |
| Dean Abernethy | 29 Tony Way Omokoroa | 0273936131 |
| Rozyl Collier | 41 HAMURANA RD OMOKOROA | 0274901954 |
| Joe Millard | 16 Tralee Street | 021 08305104 |
| LUDI JACOB | 14 HAMURANA RD OMOKOROA | 075482657 |
| Andrea Jacob | 14 Hamurana Rd Omokoroa | 075482657 |
| MARTIN MILLARD | 16 TRALEE ST, OMOKOROA | 075480479 |
| Darrah Van | 5 Ruamoa Place Omokoroa | 07 548 2371 |
| Lyn Harris | 12 Olive Close Omokoroa | 07 5482778 |
| Graham Grant | 48 Holyoake Terrace | 07 5482783 |
| Jim BOYES | 122 HAMURANA Road | 021 1189859 |
| Ellwyn Boyes | 122 Hamurana Road | 07 5481286 |
| Yvonne Grigg | 4 Owen Place | 5480912 |
| John Grigg | 4 Owen Place | 5480912 |
| Sandra Vine | 29 Kayelene Place | 07 5482897 |
| Sandra Shew | 3 Tui Glen | 07 5480202 |
| Judith Koyers | 159 Margaret Drive | 07-548-2682 |
| Peter Brett | 41 Hamurana Rd Omokoroa | 021510810 |
| Deborah Brett | " " " | 021880012 |
| Mitch MacCell | 44 HOLYOAKE TCE, OMOKOROA | 027524008 |
| NEIL NOTTIE | 5 MARGARET DRIVE OMOKOROA | 5482018 027291919 |
| Deirdre Nottie | 5 Margaret Drive Omokoroa | 5482018 027-284-7697 |
| SYLVIA ZLAMI | 22 RUAMOANA PL | 022 355 3358 |
| PETER EHRLICH | 22 Ruamoana Pl | 020 40958419 |
| NICK GRAY | 2. MADUWINE PLACE | 022 478625 |
| J.C. GRAY | " " " | " " |
| PJ MESSN | 1058 SH2 WHAKATAMA | 0273848773 |
| Lyn | 1058 SH2 WHAKATAMA | 021203544 |
| Geoff Davis | 1 Mt Kenna Lane | 5481301 |
| Lorraine Davis | " " " | " " |
| Peter Wakelin | 33 Kayelene Place | 5481102 |
| Alma Wakelin | 33 Kayelene Place | 5481102 |

| Name | Address | Contact |
|-----------------------|-------------------------------|---------------------|
| Heather Duchmans | 80 Hamurana Rd Omokoroa | 5482473 |
| Bob " " | " " " | " " |
| Dianne Layzell | 6 Margaret Drive Omokoroa | 5482206 |
| Martin Layzell | 6 Margaret Dr. Omokoroa | 548 2206 |
| Cathy Taylor | 64 Omokoroa Rd. " | 021 704 686 |
| Craig Taylor | 64 Omokoroa Rd " | 021 992 446 |
| Traden Dixon | 20 Holyoake Tce | 548 1017 |
| Chas Dixon | 20 Holyoake Tce | 548 1017 |
| Wendy Galloway | 109 Harbour View Road | 5482277. |
| Mary Lowe | 181c Omokoroa Road | 548 2251 |
| Alan Lowe | " " | " " |
| Carol Skue Wall | 57 Hamurana Rd. | 5482037. |
| Sue Bigham | 49 Omokoroa Rd | 548 1616 |
| Jay Murdoch | 20 Olive Close | 548 1145 |
| Bruce Murdoch | 20 OLIVE CLOSE | 548 1145 |
| Janette & Jay Murdoch | 34 THE ESPYLADE | 5782847 |
| Michael Galloway | 109 HARBOUR VIEW ROAD | 5482277. |
| Brent Maclean | 34 Margaret Drive. | 0272111520 |
| Carol Travis | 89 Bot Wall Drive | 021 262 8939 |
| Sam Wood | 7 Myrtle Dr | 548 1097 |
| Helen Wood | 7 Myrtle Dr | 548 1097 |
| RAY BUSH | 31 KAYELENE PL | 548 2359 |
| KOBYN BUSH | 31 KAYELENE PL | 548 2359. |
| Jen Moleta | 55 Links View Omokoroa | 5482819 |
| Jim Garland | 14 THE ESPYLADE OMOKOROA | 548 0802 |
| RICHARD KEECH | 9 M'KENNA LANE OMOKOROA | 5480267 |
| IRENE KEECH. | 9 M'KENNA LANE OMOKOROA. | 5480267. |
| KEVIN SUDD | 11 M'KENNA LANE OMOKOROA. | |
| SOY SUDD | 11 M'KENNA LANE OMOKOROA. | |
| LARA WILLIAMS | 12 O.E.E. OMOKOROA | 548 2622 |
| Phil Watson. | 7. O.E.E. OMOKOROA. | 5480747. |
| Genene Maddock | 9 Ashwood Grove | 5481734 |
| Stephen Maddock | 9 Ashwood Grove | 0297712118 |
| Mark Brown | 54 Links View Drive | 0272734765 |
| Margaret Sullivan | 26 Charlotte Drive | 0312717076 |
| Peter Sullivan | 26 Charlotte Drive | 031 2717076 |
| Barric Smith | 104/5 Andeley Ave | 548 0312 |
| Marglyn Smith. | " " " | " " |
| Susan Connell | 20 Coppelia Avenue Omokoroa | 548 1776 |
| Paula Bowman | 86 A Margaret Dr. Omokoroa | 5482441 |
| Tom Bowman | 86 A Margaret Dr. Omokoroa | 5482441 |
| Jo Farmer | 40 Holyoake Terrace, Omokoroa | 021 628467 |
| Team Richardson | 110 Andeley Ave Omokoroa | 548 2700 |
| Val Hector | 60 Hamurana Rd Omokoroa | cnvhector@gmail.com |
| Chris Hector | 60 Hamurana Rd Omokoroa | 548-2704 |
| Robert Temple | 5E Thibault Drive Omokoroa | 0212503129 |
| Clare Neven | 27 RUANOANA PLACE | 548 1289 |
| PETER NICHOLSON | 27 RUANOANA PLACE | 548 1289 |
| Jessie Mackay | 118 Andeley Ave. | 5482305 |

| Name | Address | Contact |
|------------------------|-------------------------------|---------------|
| Lynette Archer | 22 Hadden Place | 027 648 0689 |
| Douglas Archer | 22 Hadden Place | 027 289 5594 |
| Dianna Garland | 14 The Isplanaelt | 07 5480802 |
| Democr [unclear] | 110, Anselby cde | 07 548 8780 |
| Linley Jamieson-Hill | 8 Parkland Rise | 07 2187003 |
| David Hill | 8 Parkland Rise. | 07 2187003 |
| Terry Castle | 118 Ardley Ave | 548 2305 |
| Heather Reynolds | 36 Victoria St. | 548 1620 |
| Suzanne Anderson | 5 Gerald Place, Omokoroa | 5480386 |
| JEFF WARRON | 5, RUAMANA PLACE, OMOKOROA | 548 2371 |
| Jeni Temple | 5E Tuistea, Omokoroa | 021 2668362 |
| HUGH MOLETA | 55 LINKS VIEW DR | 5482819 |
| DEREK BROWN | 75 HAMURANA RD OMOK | 548 1787 |
| KARIN BROWN | 75 HAMURANA B. omokoroa | 548 1787 |
| Kol Muschamp | 292 Omokoroa Rd. | 5480196 |
| Robin Griffiths | 25 Bert Wall Drive | 548 0956 |
| Simon Beckins | 85 BEET WAIN DAM | 548 0956 |
| LIA Tuerlings | 20 Hadden Place, Lynley Drive | 02041039631 |
| Jan. Barnes | 18/A OMOKOROA Rd. | 548 2357 |
| Somaira Barnes | ✓ ✓ ✓ | ✓ |
| Ruth Hamlin | 12 Links View Drive. | 5482663 |
| Ross Hamlin | / / / | / |
| Jay Lucas | 83 Astelia Drive | 548 0007 |
| Dave Lucas | 83 ASTELIA DRIVE | 548 0007 |
| Peter Bray | 54 Links View Drive | 548 2903 |
| Aja Harvey | 85B Tukituki Hill Rd, Apat | 552 0019 |
| Fran Ashley | 13 Timapai Dr. Omokoroa | 548 0910 |
| Angela Benstead | 23 Bramley Dr. Omokoroa | 5482079. |
| NOEL BENSTEAD | 23 BRAMLEY DR, OMOKOROA. | 0275253380. |
| Peter & Rosemary Otway | 23 Holyoake Tce, Omokoroa | 5480662 |
| ANDREW McWILLIAM | 96 HAMURANA RD, OMOKOROA | 021 1232076 |
| FIOKA McWILLIAM | 96 HAMURANA RD OMOKOROA | 5480683 |
| JALERE GOREHAM | 96 HAMURANA RD OMOKOROA | 5480683 |
| NORMAN GOREHAM | 96 HAMURANA RD OMOKOROA | 5480683 |
| Robin Gould. | 12 Astelia Dr. Omokoroa | 548.1962. |
| Peter Musk | 4 Cappella Ave Omokoroa | 548 0233 |
| Andrea Keat | 4 Cappella Ave. Omokoroa | 548 2033 |
| London | 1 TORY WAY OMOKOROA | 5482811 |
| Tom Anderson | 1 Tory Way Omokoroa | 5482811 |
| MAX CHASER | 15 Hamurana Rd | 5480298 |
| Christi Clewer | 15 Hamurana Rd. | 5480298 |
| Jo Cameron | 2 Myrtle Dr | 075480655 |
| Dave Russell | 7 Links View Dr | 548 2134 |
| DON CAMERON | 2 MYRTLE DR | 5480655 |
| Ron Beccard | 58 Links View Drive | 0274444900 |
| John Mackay | 57 Western Avenue | 5482662 |
| GRAHAM HEBB | 51 WESTERN AV. | 021.106.5690. |
| Lyon Webb | 51 Western Ave | 0279450275 |
| Esther Mackay | 57 Western Ave Omokoroa | 0274982982 |

Omokoroa Community Organisation

We, the below signatories, agree with the factual accuracy of the submission attached in regard to the tavern proposed for 168 Omokoroa Road.

We believe this meets the criteria for an objection to be considered valid by the DLC as outlined in section 102 of the Sale and Supply of Liquor Act 2012.

The matters specified in the objection relate to section 105 of the Act in particular sub-sections d, e & h.

We seek a review by the District Licensing Committee of the impact on the community.

| Name | Address | Contact |
|-------------------|-----------------------------------|---------------|
| Christine Berrard | 58 Links View Dr. | 07 548 1645 |
| Sam Millard | 16 Tralee Street | 07 548 0479 |
| Lanna Gell | 48c Youngson Road, | 021 982 169 |
| Nicky Taylor | 134 Margaret Drive | 027 316 5816 |
| Ben Taylor | " | 027 268 6712 |
| Wade Koost | 59 Coppelia Ave | 027 249 2333 |
| Kende Koost | 59 Coppelia Ave | 027 461 1788 |
| James Gell | 48 Youngson Road | 022 390 5394 |
| George Griffin | 47 Hamuranga Rd | 07 548 0260 |
| Lynnie Griffin | 47 Hamuranga Rd | (07) 548 0260 |
| Brian Dowling | 63 Harbour View | 027 276 5221 |
| Glewyn Whitaker | 55 Hamuranga Rd. | 07 548 0987 |
| Amy Whitaker | 55 HAMURANGA RD. | 02 548 0987 |
| Helen Bettig | 63 Harbourview Rd Omokoroa | 027 276 5231 |
| Mark Lynch | 39 Ruamanga Place, Omokoroa | 07 548 0824 |
| Hazelore Kemme | 39 Ruamanga Place, Omokoroa | 021-494 898 |
| Annette Gore | 14 Lynley Park Drive, Omokoroa | 021 627 107 |
| Wayne Phillips | 45 Hamuranga Rd Omokoroa | 5481233 |
| Joanne Palmer | 14 Vantage Place, Omokoroa | 027 445 0396 |
| Phillip Palmer | 14 Vantage Place, Omokoroa | 027 477 1810 |
| COLIN HART | 4 GUMTREE LANE OMOKOROA | 021 025 28313 |
| Karen Lohr | 4 Carary Close, Omokoroa 3114 | 021 102 1984 |
| Wendy | 36 Margaret Drive, Omokoroa 3114 | 0221 328516 |
| K Susan Hallam | 36 Margaret Drive Omokoroa 3114 | 027 233 7502 |
| Donna Chyrtall | 19 Coppelia Ave, Omokoroa 3114 | 07 548 1248 |
| PETER CHRISTALL | 19 COPPELIA AVE OMOKOROA 3114 | 07 548 1248 |
| Lynley Wood | 92a Harbour View Rd Omokoroa 3114 | 07 548 1492 |
| John Brictler | 427 Omokoroa Road. | 07/548 0614 |
| Rina Francis | Imyrtle Drive omokoroa | 07 548 2585 |
| Mark Francis | Imyrtle Drive Omokoroa | 027 274 4054 |
| John Melin | 124 Welland Cove | 07 577 0588 |
| Sandy Fisher | 71 Omokoroa Rd, Omokoroa | 07 548 1586 |
| Gail Latham | 7 Gumtree Lane, Omokoroa | 07 548 2718 |
| Lauri Mayra | 14 Tinopai Dr Omokoroa | 021 111 5220 |
| Ralph Zarins | 14 Tinopai Dr Omokoroa | 021 111 5220 |
| Michelle Ironside | 34 Omokoroa Rd, Omokoroa | 0221530591 |
| AMANDA IRONSIDE | 34 omokoroa rd | 021 21 66109 |
| Tanya Gilchrist | 412 Omokoroa Rd, PO2 Tauranga | 027 414 9731 |
| Sue Dobson | 61 HAMURANGA RD | 021 025 4310 |
| Kete Dobson | 61 Hamuranga Rd | 027 6 50041 |

Emily Clarke

From: Peter Musk <petermusk7@gmail.com>
Sent: Thursday, 18 October 2018 7:20 PM
To: Dougal Elvin
Cc: Liquor Licence
Subject: Re: Application for On-Licence KLM Enterprises Ltd
Attachments: image001.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

That's fine, thank you, based upon vtgis information I am prepared to withdraw my objection.

Thanks

Peter Musk

On Thu, 18 Oct 2018, 10:36 am Liquor Licence, <Liquor.Licence@westernbay.govt.nz> wrote:

Dear Objector,

Please find **attached** a Memorandum of Counsel for the alcohol licence application by KLM Enterprises Limited, situated at Shop 6, 168 Omokoroa Road, Omokoroa. The applicant for the licence has requested that this memorandum be sent to all persons who have made objection to the application for their on licence.

You are not required to make a response. However, should you determine that based on the information provided that you no longer wish to proceed with your objection, please advise in writing of your withdrawal of the objection. This advice should be provided to the District Licensing Committee as soon as possible – no later than **26 October 2018**. Please see full contact details following:

By Email: liquor.licence@westernbay.govt.nz

By Mail: Western Bay of Plenty District Licensing Committee

Private bay 12803

Tauranga Mail Centre

Tauranga 3143.

Enquiries by Phone: Dougal Elvin on Ph 571 8008

The Committee will duly notify details of a hearing following this date, to those persons who maintain an objection to the application.

Kind regards

Dougal Elvin

Alcohol Licensing Inspector

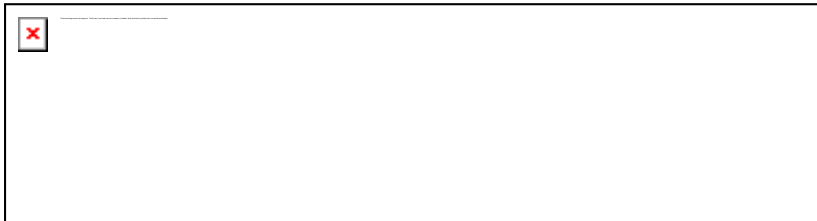
P 07 571 8008

Barkes Corner, Greerton, Tauranga

Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

E dougal.elvin@westernbay.govt.nz

www.westernbay.govt.nz



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Emily Clarke

From: Lorraine Linton <lor.linton13@gmail.com>
Sent: Sunday, 28 October 2018 9:03 AM
To: Liquor Licence
Subject: Application for On-Licence KLM Enterprises Ltd

Please withdraw my objection to the application for On-Licence by KLM Enterprises Ltd.

Yours faithfully
Lorraine Linton
13 Margaret Drive
Omokoroa 3114

Western Bay of Plenty District Council
District Licensing Committee

Hearing: Commencing 29 January 2019

Application No. LL 7264 for an ON Licence under Section 136, Sale and Supply of Alcohol Act 2012 - Applicant: KLM Enterprises Limited - Premise located at Shop 6, 168 Omokoroa Road, Omokoroa, trading as The Local's Tavern Bar and Eatery



Reports:

- Medical Officer of Health
- NZ Police
- Alcohol Licensing Inspector
- Inspector's Report Appendix

Emily Clarke

From: Michael Martin <Michael.Martin@bopdhb.govt.nz> on behalf of Liquor <Liquor@bopdhb.govt.nz>
Sent: Wednesday, 4 July 2018 3:46 PM
To: Debbie Coulter
Subject: RE: LL7264 - New ON licence for The Local's Tavern Bar & Eatery, Omokoroa

The Medical Officer of Health has no matters in opposition to this licence application.

On behalf of the Medical Officer of Health



Michael Martin
 Health Protection Officer

Phone: 07 577 3764
 Mobile: 021 473 764
 Website: www.toiteora.govt.nz

From: Debbie Coulter [mailto:Debbie.Coulter@westernbay.govt.nz]
Sent: Monday, 2 July 2018 11:13 a.m.
To: 'BROWN, Trevor (Trevor.Brown@police.govt.nz)'; Liquor
Subject: LL7264 - New ON licence for The Local's Tavern Bar & Eatery, Omokoroa

Hi all

For your reports please.

Cheers

Debbie Coulter
 Compliance Administration Officer
 Kaiwhakarite

P 07 571 8008 • **DD** 07 579 6790
 Barkes Corner, Greerton, Tauranga
 Private Bag 12803, Tauranga Mail Centre, Tauranga 3143
E debbie.coulter@westernbay.govt.nz
W www.westernbay.govt.nz



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

5th July 2018

The Secretary
District Licensing Committee
WBOP District Council
Private Bag 12803
TAURANGA

Dear Sir/Madam,

APPLICANT: KLM Enterprises Limited

APPLICATION NUMBER: 7264

TRADING AS: The Local's Tavern & Eatery

ADDRESS: Shop 6 168 Omokoroa Road Omokoroa

TYPE OF APPLICATION: New Tavern style. On licence

STATUS: NOT OPPOSED

The applicant KLM Enterprises Limited seeks the issue of a new tavern style on licence to trade in the commercial area of the progressive area of Omokoroa. The fact the premises is seeking a tavern licence does raise the risk to high in terms of the potential adverse effects around noise levels, nuisance or vandalism. The high demographic upper middle class population of Omokoroa reduces the risk slightly. The distance away from Tauranga for Police calls for service (20 to 30 minutes) is another factor.

The growing community of Omokoroa prides itself on the quiet family focused atmosphere and it will be open to the community in terms of whether they will take the opportunity available to make public objections. There is no other Tavern style licence issued at present for the Omokoroa Township.

Police have spoken with the applicant Kunal LACHHANI who will be responsible for the overall management of the business and day to day running of the business. Kunal indicated the focus of the bar was on providing a nice environment for locals to have a couple of quiet drinks and enjoy a nice meal. He is aware of the demographic of the community and is keen to pitch his trading towards the older population.

Sergeant Trevor Brown - Liquor Licensing and Alcohol Harm Reduction Co-ordinator
Western Bay of Plenty Police - 11 Monmouth Street OR P O Box 144, TAURANGA
E-mail: Trevor.Brown@police.govt.nz DD: 07-5774436 Mobile: 021-1923504

Police would highlight that Kunal manager's interest in licenced premises in the far north so he will be stretched between locations.

Police have no grounds by which to base an objection but highlight risks connected by the type of licence and remote location in terms of compliance checks and response time from Police for calls for service.

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

Yours faithfully,



Trevor Brown
Sergeant (TB6550)
Liquor Licensing Co-ordinator
WESTERN BAY OF PLENTY



Report on an Application for On-licence

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

To: District Licensing Committee

From: Dougal Elvin – Alcohol Licensing Inspector

Date: 30 October 2018

1. APPLICATION DESCRIPTION

1.1 Application and Property Details

Applicant’s Name: KLM Enterprises Limited

Site address: Shop 6, 168 Omokoroa Road, Omokoroa.

Trading name: The Local’s Tavern Bar & Eatery – changed to The Local’s Bar & Eatery

Type of Premises: Tavern

Risk Rating: Medium risk

Application Number: LL7264

Date Received by Council: 27 June 2018

2. EXECUTIVE SUMMARY

This is a report on an application for a new on-licence. The criteria under section 105 of the Sale and Supply of Alcohol Act 2012 (the Act) applies to this application.

The application intends to operate a new business on the premises similar to the style of a tavern. The premises is not completed in terms of being built and is not trading.

The applicant seeks an on-licence with conditions appropriate for a tavern. I consider that the sale and supply of alcohol under these conditions is consistent with the purpose of the Act and meets the criteria as stipulated under section 105 of the Act.

108 public objections have been made. Neither of the reporting agencies have opposed this application. I do not oppose this application.



3. APPLICANT

3.1 Applicant

- The applicant is a private company and was incorporated under the Companies Act 1993 on 31 August 2018.
- A general discussion was held with the applicant on 11 July 2018 and 13 August 2018.
- The applicant is aware of their responsibilities under the Act.
- Kunal Lachhani is also the director of KM Trading Company Limited that operates Omokoroa Super Liquor, which is situated on the same site as the proposed tavern.
- Omokoroa Super Liquor failed a CPO on 9 September 2016 and was suspended from trading for 48 hours from 19 January 2017. The duty manager was (Gurjeet Singh) was suspended for 60 days from 16 January 2017.
- No further information has come to light from any of the agencies that would question the suitability of the applicant, its directors or its shareholders.

3.2 Application

The initial application was for an on-licence for a tavern style of premises. The intention of the applicant was to provide beverages and food. The applicant also proposed a room for 9 gambling machines, colloquially known as pokies.

This application has attracted a vast number of objections and as consequence the applicant has responded to the concerns of the objectors by a memorandum of counsel on 4 October 2018 by stating they would not have any gambling machines for the first year of the licence.

The memorandum also stated that there would be no TAB, nor has there ever been any intention to have a TAB. There would also be an external deck and a playground area and the word "Tavern" would be removed from the premises name so the new name would be, "The Locals Bar and Eatery".

The memo also stated there would be a full menu on offer.

3.3 Comment

There is no reason to believe that the applicant is not suitable to hold a licence. I have no concerns with goods and/or services the applicant will provide at the premises.



4. PREREQUISITE CERTIFICATES & LOCAL ALCOHOL POLICY

4.1 Planning and Building Certificate

A planning certificate is attached as required under section 100(f) of the Act. That certificate shows that the proposed use of the premises meets the requirements of the Resource Management Act 1991.

The planning certificate states that the maximum hours permitted under the District Plan are: Monday to Sunday – Hours: 9.00 am to 1.00 am the following day.

A building certificate will not be issued until such time the building is completed.

4.2 Local Alcohol Policy

The Western Bay of Plenty District council has a Local Alcohol Policy (LAP) in conjunction with Tauranga City Council. The maximum hours permitted under the policy for an on-licence are 9.00 am to 1.00 am the following day.

5. OBJECTIONS AND EXTERNAL REPORTS

5.1 Public Notice

The application was publicly notified in The Sun on the following dates:

The Sun:

- First Notice 29 June 2018
- Second Notice 6 July 2018

The objection period expired on: 20 July 2018

5.2 Objections

1. Overview:

In their various forms, 108 objections have been received regarding this application.

The summary of objections are attached as an appendix (1).

3 objections were received after the objection period expired - 20 July 2018.



There were three distinct template designs of objection received. These objections and their variations accounted for 49 of the 108 objections – 45%.

On the summary appendix the template objections are:

- Orange – 32 objections
- Green – 14 objections
- Pink – 3 objections

2. Summary of criteria objected to:

In general terms the criteria under section 105 objected to and touched upon can be summarised as follows:

- a) The object of the Act – the harm to be potentially caused by alcohol and the operations of the tavern.
- b) Suitability – Previous enforcements against the applicant.
- c) Local Alcohol Policy – One objection stated the application was contrary to the LAP.
- d) Hours – A large concern over the tavern trading until 1.00 am in the morning.
- e) Design & Layout – Close to sensitive sites and concerns over parking and traffic management.
- f) The provision of services – A huge concern over gambling, TAB and Pokie machines.
- g) Amenity and good order – A huge concern over the propensity for noise, anti-social behaviour, problem gambling and unruly behaviour as a consequence of the tavern selling alcohol.

3. Groups:

Four objections originate from groups of people:

- a) The Omokoroa Community Board.
- b) OEMI.
- c) Matthew Farrell petition.
- d) Glenn McCutcheon – Communities Against Alcohol Harm (CAAH).

4. Information provided to objectors:

On the 11 July 2018 an enquiry was received on how to object to this application. A detailed response was provided on 17 July 2018. In the interests of not disadvantaging anyone who had already objected, the same response was also sent out to all the known objectors so they had the same opportunity to amend their objections inline with the objection criteria as stipulated under section 105 of the Act.



The content of the response referred to section 102 (Objection to application) and section 105 (Criteria for issue of licences). A copy of the letter has been included in the appendix (2).

5. Status of the objectors:

Section 102(1) states:

“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.”

79 of the objections provided an address in Omokoroa.
26 of the objections provided no address.

3 of the objections provided an address outside of Omokoroa:

Aja Hansen - 85B Turntable Hill Road, RD4, Katikati.
Lanna Gell - 48 Youngson Road, Whakamarama.
James Gell - 48C Youngson Road, Whakamarama.

However these three addresses are in such close proximity to Omokoroa, that it is highly likely these people use the facilities in Omokoroa and therefore could possibly have an interest greater the public generally.

Case law regarding the distance objectors are expected to reside within in relation to the distance from the premises can be found in [2013] NZARLA PH256 – I S DHILLON & SONS LIMITED. Paragraph [36] refers to 1 km from the premises and paragraph [37] refers to 2 km. (Appendix 3).

The issue with using a 1km radius, is that a vast majority of Omokoroa peninsula is engulfed by the 1 km radius. A 2 km radius from the premises is possibly unnecessary for the same reason.

The proposal for the tavern is situated within the commercial hub of Omokoroa. This will no doubt change over the next few years as the community reaches its expected peak of 12000 people; but at this point in time I feel it would be fair to say that a vast majority of the people that reside in the Omokoroa community at some point in the week use the services as provided.

The commercial hub consists of the Fresh Choice supermarket, a licensed café, a bottle store, the Medical Centre, which houses a Physiotherapist, a Pharmacy, an optometrist, a barber, a family Chiropractic and finally a real estate agent. In closer proximity to the Fresh Choice supermarket is a pizza takeaway outlet and a laundrette.

Therefore, considering the approximate size of the community (3000 people) and the services provided, I feel it would be a reasonably fair assumption to conclude that a vast



majority of the community utilise (on a frequent or infrequent basis) the proximity where the tavern is proposed to be situated.

I therefore feel it would only be prudent to conclude that the residents of Omokoroa have status as objectors, irrespective of where they reside within Omokoroa, as the odds are that they will at some point in a normal week find themselves in the proximity of the commercial hub.

6. Additional influencing factors:

Omokoroa has a free local paper called “Lizard News”. Two articles have appeared in this newspaper in recent months regarding the premises in question and application for an on-licence. The articles have appeared outside of the public notice period, so there is no concern that the opinions of the author have had any bearing on the objectors at the time they submitted their objections. (Appendix 4 & 5).

The author is connected to an organisation known as CAAH – Communities Against Alcohol Harm. It is unknown where this organisation is based as no address can be found, but I believe their members can be located across New Zealand. One of their members, Glenn McCutcheon has submitted an objection, but is one of the 26 people who did not provide an address.

7. The applicant’s response to the objectors:

On 4 October 2018 the applicant submitted a memorandum of counsel and asked that it be made available to all the objectors. (Appendix 6)

The memorandum was disseminated by e-mail and letter to all objectors on 18 October 2018 and if the objectors wished to respond they could so no later than 26 October 2018.

The memorandum is in response to and clarifies certain matters that have been raised in objections and alleged in local media.

The memorandum makes it clear that the application did not include a TAB, nor will it have any gaming machines for the first year of the life of the licence. The premises will be family friendly and a design has been included to show the premises will include an external deck and playground area. There will also be a full menu provided. The word “Tavern” will be removed from the trading name so the premises will be called ‘The Locals Bar and Eatery’.



8. The Objectors' response to the applicant's memorandum:

Two Objectors have formally withdrawn their objections:

- a) Peter Musk – address unknown – withdrawn on 18 October 2018 by e-mail.
- b) Lorraine Linton – 13 Margaret Drive, Omokoroa – withdrawn on 28 October 2018 by e-mail.

5.3 Police Report

The Police reported on the application on 5 July 2018. That report does not oppose the application.

5.4 Medical Officer of Health Report

The Medical Officer of Health reported on the application on 4 July 2018. That report does not oppose the application.

6. PREMISES

6.1 Details

- The principal entrance will be accessed from: Omokoroa Road, Omokoroa.
- Owner's consent is attached in support of the application.

6.2 Licensed Area

The licensed area would comprise the entire building and the external decked area partially surrounding the building. However in light of the objections and memorandum of counsel, which has included a decked area and a playground, it is uncertain how the finished premises may look like on paper.

Consequently it would be fair to assume the entire licensed foot print could be licensed to allow the sale and consumption of alcohol. The intention of the applicant is to develop a family friendly type of premises where the locals can enjoy beverages and food.

The play area would be for children and therefore I believe it would be reasonable to assume that a parent or parents could enjoy a beverage and food, whilst supervising children in the play area. Therefore I fail to see why the exterior of the premises should not be licensed as long as it could be appropriately managed by the duty manager and licensee.



6.3 Previous History

The premises has not been completed, therefore there is no prior history to this operation.

6.4 Site Inspection

I met the applicant on the 11 July 2018 and once again on 13 August 2018.

The premises cannot be inspected as it has not been completed.

The requirements and expectations as stipulated under the Act have been discussed with the applicant and should a licence be granted, further meetings and inspections will take place to ensure compliance with the Act.

My only concern would be if the bar did in fact become a destination bar and people came far and wide to visit. Ensuring customers can be transported home should be a priority for the bar. There are a lack of taxis in the area. Uber taxis can be utilised. I would advise the bar to employ a sober driver scheme and / or have a courtesy vehicle to transport people home.

6.5 Comment

I do not oppose the design and layout of the premises. Based on the information provided, applicant appears to have appropriate systems, staff, and training to comply with the law.

7. ENVIRONMENTAL SCAN

7.1 Introduction

“The Locals Bar & Eatery” intends to provide a service to the local community. The township of Omokoroa currently does not have the type of premises the applicant is proposing.

To call it a tavern would be unfair.

The general notion of a tavern tends to fall somewhere between a drinkers den and a gaming venue, exploiting the elements of society by fleecing them of their hard earned money.

But the reality is, these types of venues are far and few between.



When I first met the applicant he informed me he wanted the premises to be something along the lines of a family pub that can be seen in Papamoa. A joyous place that welcomed families and provided good food with a great atmosphere.

Somewhere along the way, the message got lost in translation and the application did not reflect the intentions of the applicant.

Omokoroa is a township that is rapidly growing and when completed expected to house approximately 12000 people.



Photograph 1. – The current site and build of the proposed premises.

7.2 Neighbouring Land Use

The site for the premises is within what could only be described as the current commercial hub of the township that houses a supermarket, a café and a medical centre, not to mention a bottle store that the applicant also owns.

I expect over time that further commercial ventures will evolve with the growing needs of the township and another commercial hub may exist somewhere else in the township. But



at this point in time, the proposed premises will be situated between the back of a supermarket and a medical centre.



Photo 2 – The view from the road – Super liquor to the right, a pizza and coffee outlet in the foreground with new retail outlets being erected in the background. To the left, behind the hedgerow is the proposed premises.

In terms of licensed premises within the local vicinity, there is the bottle store (Super Liquor), Fresh Choice (Supermarket) and a café (Montre-Atelier). Further afield there is a boating club, a golf club and a bowling club who all have licences to sell alcohol to members and guests. There is another café (Beached-on-Blue) at the end of the peninsula that has an on-licence to sell to the public.

The current surrounding businesses consist of a pizza and coffee outlet. The premises is shielded by a hedge that is approximately 6 feet in height that separates the Medical centre from the premises.

There are a couple of more retail outlets adjacent to the supermarket. They are a laundrette, another pizza take-away outlet and a real estate agent.

In terms of residents, the closest residents are situated across Omokoroa Road and into McKenna Lane. The distance between the bar and these houses would be no more than 100 metres. These are the houses that I would consider to be at risk if there were to be any noise pollution from the bar. But as can be observed from the photographs, the bar is situated behind the pizza and coffee outlet, which will go some way to repressing any noise from the bar, should music be played.



Photo 3 – the view of residential housing from the edge of the area the bar will be situated on. (Health & safety prevented me from walking to the actual construction.)

7.3 Proximity to Sensitive Sites

There are two main sensitive sites in the immediate vicinity. The Medical centre with the accompanying businesses and the Omokoroa Community Church. The objections have mentioned many more sensitive sites; however I am not convinced the operations of the bar will have any negative bearings on the other sites mentioned as I feel they are too far away to be a nuisance. I am not discounting the fact that someone perhaps visiting the Medical centre from the retirement village may feel intimidated in the presence of the bar. But in terms of where the retirement village is situated, I suspect the bar is far enough away not to cause concern to the residents of the village.

The Medical centre also houses a barber, a pharmacy, a real estate agent, a physiotherapist, a dentist, an eye-care specialist and a chiropractor. All these business share a car parking area. There is a clear line of separation between the bar and the Medical centre by a 6 foot hedgerow. I would advise the hedgerow remains.

The church is separated from the bar and retail outlets by a field of grass. I would estimate the distance to be in the region of 150 metres to 200 metres. There is no natural or man made right of access between the two entities and I once again am struggling to comprehend how the activities of the bar might interfere with the church.



Photo 4 – The hedge that is approximately 6 feet in height separating the Medical Centre area from the premises.

7.4 Current and Potential Levels of Noise, Nuisance and Vandalism

There are no negative reports from the police and no visual signs of crime in the local vicinity. There is no information to suggest the premises are associated with criminal behaviour.

7.5 Visual Amenity

There is no visual evidence of anti-social behaviour such as discarded bottles, cans or litter to indicate the parking facilities or any of the surrounding areas are being used to pre-load.

7.6 Comment

There is no reason to believe that 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.



8. CONCLUSION AND CONDITIONS

8.1 Conclusion

I have inquired into the application, and based on the information provided, the application meets the criteria in the Act. Subject to no new or contrary evidence being presented, I do not oppose this application.

8.2 Recommended conditions

I recommend the following conditions:

- (a) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not present on the premises to dine.
- (b) Alcohol may only be sold on the following days and during the following hours:

Monday to Sunday – Hours: 9.00 am to 1.00 am the following day.
- (c) Drinking water is to be freely available to customers from the bar.
- (d) The following steps must be taken to promote the responsible consumption of alcohol:
 - (i) The licensee must display and ensure that all staff comply with the host responsibility plan submitted with the application for the on-licence detailing the steps to be taken by the licensee to ensure a safe drinking environment.
- (e) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - (ii) Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of alcohol to minors and intoxicated persons adjacent to every point of sale.
- (f) The entire premises is designated as a supervised area.



Prepared by



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Dougal Elvin

Alcohol Licensing Inspector



8.3 Appendix

1. Summary of Objections – spreadsheet format.
2. Letter to objectors.
3. Decision - [2013] NZARLA PH256 – I S DHILLON & SONS LIMITED
4. Lizard news – Pokie-tavern looks to hire lawyer to fight community objections – September 2018
5. Lizard news – Pokie-tavern will undoubtedly damage community – October 2018
6. Memorandum of Counsel from the applicant.

Objection Criteria under Section 105

Objectioners to KLM Enterprises Ltd - The Local's Tavern Bar & Eatery

| Number/Objectioner | Address | Replication a) Object of the Act | b) Suitability | c) LAP | d) Hours |
|--------------------------------------|--|--|----------------|--------|------------------------|
| 1 Catherine McDonald | 40 Margaret Drive, Omokoroa | | | | Reduce the hours |
| 2 Tim Winkler | 7 Margaret Drive, Omokoroa | | | | Hours |
| 3 Lynne Jamieson | 181 Omokoroa Road, Omokoroa | | | | Hours |
| 4 Mary Love | 36 Vivaldo Drive, Omokoroa | | | | 1.00 am too late |
| 5 Heather Reynolds | 3 McKenna Lane, Omokoroa | | | | Drinking until 1.00 am |
| 6 Geoffrey Annan | | | | | Drinking until 1.00 am |
| 7 Geoff Davis | | | | | Drinking until 1.00 am |
| 8 Lorraine Davis | | | | | Drinking until 1.00 am |
| 9 Colin & Caroline Hyatt | 4 Gunters Lane, R02, Omokoroa. | | | | Drinking until 1.00 am |
| 10 Jo & David Farmer | 40 Holyoake Terrace, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 11 Debbie & Peter Brett | 41 Hamurana Road, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 12 Alfa Hansen | 85B Turntable Hill Road, RD4, Katikati | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 13 James Gall | 48 Youngs Road, Whakamarama | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 14 Marny Jacobs | 48C Youngs Road, Whakamarama | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 15 Debra Rose | 7 Frole Road, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 16 Sandy Presland | 54 The Esplanade, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 17 Keith Edwards | 29 Holyoake Terrace, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 18 Rachel Millard | 9 Vivian Drive, Omokoroa. | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 19 Deborah Warren | 16 Tralee Street, Omokoroa. | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 20 | | | | | Hours of opening |
| 21 Graeme & Yvonne Stillwell | 1/5 Auberley Avenue, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 22 Dave Ashley | 13 Tinopai Drive, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 23 Fran Ashley | 13 Tinopai Drive, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 24 Eddie & Jean Taylor | 1 Walnut Grove, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 25 Derek & Catherine Christie | 13 Tory Way, Omokoroa | | | | Drinking until 1.00 am |
| 26 Dore Woodhouse | | | | | Drinking until 1.00 am |
| 27 Berni McDonald | | | | | Drinking until 1.00 am |
| 28 Peter Cook | | | | | Drinking until 1.00 am |
| 29 Peter Bask | | | | | Drinking until 1.00 am |
| 30 Bowen | | | | | Drinking until 1.00 am |
| 31 Bruce, Sharon & Ross Addison | | | | | Drinking until 1.00 am |
| 32 Lorraine Barnes | 165 Omokoroa Rd, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 33 Lisa Tuering | 181A Omokoroa Rd, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 34 Peter Good | 20 Hudson Place, Lynsey Park, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 35 Jo Farmer - revised | 40 Holyoake Terrace, Omokoroa | | | | Drinking until 1.00 am |
| 36 Elaine & Martin Layzell | 6 Margaret Drive, Omokoroa. | | | | Drinking until 1.00 am |
| 37 Rebecca Bell | 20 Kovelene Place, Omokoroa. | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 38 Janene Holyoake | 20 Kovelene Place, Omokoroa. | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 39 Ken Holyoake | 20 Kovelene Place, Omokoroa. | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 40 Brendon Cooney | 16 The Esplanade, Omokoroa. | | | | Drinking until 1.00 am |
| 41 Michael Townsend - 2nd | | | | | Drinking until 1.00 am |
| 42 Joy & David Lucas | 88 Astella Drive, Omokoroa. | Crime | | | Drinking until 1.00 am |
| 43 Christine Conn | 65 Omokoroa Country Estate | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 44 Angela Farrell | 48 Omokoroa Road, Omokoroa. | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 45 Richard Hewison | | | | | Drinking until 1.00 am |
| 46 Patricia Shanks | 2 Olive Close, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 47 Ronald Shanks | 2 Olive Close, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 48 Lorraine Linton | 13 Margaret Drive, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 49 Barbara Kershaw | 37/5 Andriley Avenue, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 50 Joy Jolley | 74 Omokoroa Country Estate, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 51 Diane Goodlad | 170 Omokoroa Rd, Omokoroa | | | | Drinking until 1.00 am |
| 52 | | | | | Hours too long |
| 53 Andrew & Vanessa Gibb | 16 Tralee Street, Omokoroa. | | | | Drinking until 1.00 am |
| 54 Rachel Millard - 2nd revised | 57 Hamurana Road, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 55 Wendy & Steve Wall | 7 McKenna Lane, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 56 Wendy & Bert Pharis | | | | | Drinking until 1.00 am |
| 57 Wessell & Melissa Dyball | 181C Omokoroa Road, Omokoroa | | | | Drinking until 1.00 am |
| 58 Wessell & Richard Farrell | 181D Omokoroa Road, Omokoroa | | | | Drinking until 1.00 am |
| 59 Irene & Richard Keech | 181C Omokoroa Road, Omokoroa | | | | Drinking until 1.00 am |
| 60 Alan & Mary Lowe | 23 Bramley Drive, Omokoroa. | | | | Drinking until 1.00 am |
| 61 Noel Benstead | | | | | Drinking until 1.00 am |
| 62 Jackie Wright | | | | | Drinking until 1.00 am |
| 63 | | | | | Drinking until 1.00 am |
| 64 Eddie & Jean Taylor - 2nd | 11 McKenna Lane, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 65 Pauline Crocker | 1 Lyndal Park Drive, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 66 Anne Bradley | 10 Tralee Street, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 67 RE & KS Hallam | 36 Margaret Drive, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 68 Trevor Deane | Omokoroa medical centre | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 69 Kate Dallas | 2 McKenna Lane, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 70 Jonathan & Pamela Hudson | 71 Margaret Drive, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 71 Anne Fabbish | 24 Tory Way, Omokoroa | | | | Drinking until 1.00 am |
| 72 Stephanie Annan | | | | | Drinking until 1.00 am |
| 73 Omokoroa Community Board | | | | | Drinking until 1.00 am |
| 74 OBM - Karen Litten | | | | | Drinking until 1.00 am |
| 75 Omokoroa Pharmacy - Bruce Clarke | 170 Omokoroa Road, Omokoroa. | Potential harm to pedestrians | | | Drinking until 1.00 am |
| 76 Jean Williams | 63 Omokoroa Country Estate | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 77 Angela Benstead | 20 Bramley Drive, Omokoroa. | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 78 Jo & David Farmer - Poss. Revised | 40 Holyoake Terrace, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 79 Brian A Clark & Jill Clark | 191B Omokoroa Road, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 80 PG & DC Haselden | 31 Margaret Place, Omokoroa. | | | | Drinking until 1.00 am |

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|-----|--|-----------------------------------|---|--|--|---|
| 81 | Lorraine Barnes - amended | 181A Omokoroa Rd, Omokoroa | Drink driving | | | |
| 82 | R.L. & S.J Dwyer | Home 103, Omokoroa Country Estate | | | | |
| 83 | Sandy & Alf Lautenbach | | | | | |
| 84 | Dianne Kerens | | Increase risk of harm / drink driving | | | Unreasonable hours |
| 85 | Omokoroa Country Estate - Kevin Sealie | | Crime | | | Hours |
| 86 | Murray Bohme | | | | | |
| 87 | Lari Brown | 75 Hamurua Road, Omokoroa | Pre-leading | | | Late hours |
| 88 | Geoff Shaw - Amended | 1 Mckenna lane, Omokoroa | Pre-leading | | | Hours |
| 89 | Leahua Dudge - Amended | 27 Tony Wily, Omokoroa. | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 90 | Murray Savage & list of residents. | 88/7 Anderley Avenue, Omokoroa | Harm through crime, disorder and anti-social behaviour | | | Drinking until 1.00 am |
| 91 | Arton & Anne Cozzee | 146 Omokoroa Country Estate | | | | Extreme hours |
| 92 | Wf & Mf Hardy | 55 Likes View, Omokoroa | | | | |
| 93 | Jen Miala | 262 Hamurua Road, Omokoroa | Pre-leading | | | Suspensions? |
| 94 | Dennis Butler | | | | | |
| 95 | Deborah Warren - Amended | | | | | Days and hours |
| 96 | Bob Miller | Mckenna Lane, Omokoroa | Harm through crime, theft, family violence, 'hazardous drinking, Pre-leading, | | | Hours too long, |
| 97 | Lynda Moses (Rev.) | 139 Hamurua Road, Omokoroa | Signed a petition and wishes to be heard. | | | Hours |
| 98 | Bernie Smith | 105/7 Anderley Avenue, Omokoroa | Harm through drink driving. | | | Inappropriate trading times. |
| 99 | Heather Reynolds - Amended | 36 Vivian Drive, Omokoroa | Harm from drink driving and potential crime involving the medical centre being burgled. | | | Opening hours |
| 100 | Marc Ujvat - Amended | 181E Omokoroa Road, Omokoroa | Increase in drink driving due to no bars in the area. | | | Hours too long, |
| 101 | Ian Blunt | 191 Omokoroa Rd, Omokoroa | Lack of supporting services | | | |
| 102 | Bruce & Sharon Addison - Amended | 165 Omokoroa Rd, Omokoroa | Has collected signatures | | | |
| 103 | Dale Jessop | 17 Vivian Drive, Omokoroa | Harm - little police presence | | | Inappropriate hours. |
| 104 | Geoffrey Arman - Amended | 3 Mckenna Lane, Omokoroa | | | | Open to 1.00 am. |
| 105 | David Gilmore | | | | | |
| 106 | Sue Dark | Margaret Drive, Omokoroa. | | | | |
| 107 | Unknown | | Harm through pre-leading | | | |
| 108 | Matthew Farrell - TOCO Petition | | Harm through drink driving and late hours, Little Police presence. | | | Closing time of 1.00 am - would like to see a closing time of 10.00 or 11.00 pm |

e) Design & Layout

f) Other goods g) Other services

h) Amenity & good order i) Amenity & Good order already so bad j) Appropriate systems, staff & training. k) Agency reports

| | | | |
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| Close to sensitive sites - will it be a tavern or a gaming site? | TAB & Pokies | Noise | |
| Close to sensitive sites - will it be a tavern or a gaming site? | Pokies | Noise & crime | |
| Close to sensitive sites - will it be a tavern or a gaming site? | | Noise & anti-social behaviour | |
| Close to sensitive sites - will it be a tavern or a gaming site? | | Increase in anti-social behaviour | |
| Close to sensitive sites - will it be a tavern or a gaming site? | | Harm & amity | |
| Close to sensitive sites - will it be a tavern or a gaming site? | | Noise | |
| | TAB & Pokies | Increase in parking & noise | |
| | TAB & Pokies | Noise & problem gambling | |
| | TAB & Pokies | Noise & problem gambling | |
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| | Gambling | Noise and unruly behaviour. |
|--|--------------------------|--|
| Design of the building might downgrade the neighbourhood | | |
| Close to sensitive sites - will it be a Tavern or a gaming site? | | |
| Close to sensitive sites - will it be a Tavern or a gaming site? | | |
| Too close to sensitive areas / limited parking | | |
| Too close to sensitive sites | | |
| Close to sensitive sites. Objects to the design and layout because he was unable to see the application. | | |
| Close to sensitive sites | | |
| Lack of taxis in the area or public transport. Parking and tariff concerns | | |
| | Gambling | Noise and unruly behaviour. |
| | Pokies | |
| | Tavern & pokies machines | |
| | TAB & Pokies | Noise & violence |
| | TAB | Noise, increase in unruly behaviour. |
| | TAB & Pokies | Increased traffic and noise |
| | TAB & Pokies | Noise |
| | TAB & Pokies | Noise & problem gambling |
| | TAB / Pokies | Noise & problem gambling |
| | TAB & Pokies | Noise |
| | Gambling | Noise |
| | TAB & pokies | Noise |
| | TAB & gaming. | Noise late in the evening & increased traffic. |
| | TAB & gambling | Noise in the early hours of the morning. |
| | TAB & gambling | Noise |
| | TAB & gambling | Objects under 105 (1) (f) |
| | Pokies | Noise concerns |
| | No pokies or gambling | |
| | TAB and pokies | |
| | TAB and Pokies | |

LL7264 Objectors to KLM Enterprises Ltd - The Local's Tavern Bar & Eatery

| Number | Objector | Address | E-mail | Phone number | Received | End date of Public notice period | Objective | Email sent to objector |
|--------|------------------------------|--|--|---------------|--------------|----------------------------------|--------------|------------------------|
| 1 | Catherine McDonald | 40 Margaret Drive, Omokoroa | | | 9 July 2018 | 20 July 2018 | 16 July 2018 | Letter delivered |
| 2 | Tim Winter | 7 Margaret Drive, Omokoroa | tim.winter@xtra.co.nz | 021 02459106 | 9 July 2018 | 20 July 2018 | 17 July 2018 | Letter delivered |
| 3 | Lynne Jamieson | 181 Omokoroa Road, Omokoroa | | | 11 July 2018 | 20 July 2018 | 16 July 2018 | Letter delivered |
| 4 | Mary Lowe | 36 Vivian Drive, Omokoroa | marylowe9@gmail.com | | 12 July 2018 | 20 July 2018 | 17 July 2018 | Letter delivered |
| 5 | Heather Reynolds | 3 McKenna Lane, Omokoroa | geoff@annanlanz.nz | (07) 578 8888 | 13 July 2018 | 20 July 2018 | 17 July 2018 | Letter delivered |
| 6 | Geoffrey Annan | | | | 13 July 2018 | 20 July 2018 | 17 July 2018 | No address |
| 7 | Geoff Davis | | | | 13 July 2018 | 20 July 2018 | 17 July 2018 | No address |
| 8 | Lorraine Davis | | | | 13 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 9 | Collin Hyatt | 4 Gumtree Lane, RD2, Omokoroa. | collin@twatts.nz | | 14 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 10 | Jo & David Farmer | 40 Holyoake Terrace, Omokoroa | jw.f@outlook.co.nz | 021 628 467 | 14 July 2018 | 20 July 2018 | 16 July 2018 | 17 July 2018 |
| 11 | Debbie & Peter Brett | 41 Hamurana Road, Omokoroa | debbie.brett@harcourts.co.nz | 021 880 012 | 15 July 2018 | 20 July 2018 | 16 July 2018 | 17 July 2018 |
| 12 | Aja Hansen | 858 Turntable Hill Road, RD4, Katikati | hansenaja@gmail.com | | 15 July 2018 | 20 July 2018 | 16 July 2018 | 17 July 2018 |
| 13 | Lama Gill | 48 Youngson Road, Whakamarara | lama_fleet@hotmail.com | | 16 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 14 | James Gell | 48C Youngson Road, Whakamarara | admin@lfc.composites.com | | 16 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 15 | Mornay Jacobs | 7 Prole Road, Omokoroa | mornay@yahoo.com | | 16 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 16 | Debra Rose | 54 The Esplanade, Omokoroa | deborah@alliancev.co.nz | 07 548 0103 | 16 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 17 | Sandy Presland | 29 Holyoake Terrace, Omokoroa | | | 17 July 2018 | 20 July 2018 | 17 July 2018 | Letter delivered |
| 18 | Keith Edwards | 9 Vivian Drive, Omokoroa. | | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 19 | Rachel Millard | 16 Tralee Street, Omokoroa. | ked@xtra.co.nz | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 20 | Deborah Warren | | rachel.millard@gmail.com | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 21 | Graeme & Pauline Stillwell | | thetwits@xtra.co.nz | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 22 | Dave Ashley | 1/5 Auderley Avenue, Omokoroa | g.p.stillwell@gmail.com | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 23 | Fran Ashley | 13 Tinopai Drive, Omokoroa | fran.ashley@gmail.com | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 24 | Eddie & Jean Taylor | 13 Tinopai Drive, Omokoroa | fran.ashley@gmail.com | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 25 | Derek & Catherine Christie | 1 Walnut Grove, Omokoroa | siddielean.taylor@kinct.co.nz | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 26 | Dave Woodhouse | 13 Tony Way, Omokoroa | thechristiesok@gmail.com | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 27 | Glenn McCutcheon | | woodiesnz@xtra.co.nz | 548 1093 | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 28 | Peter Musk | | nana_ajem@hotmail.com | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 29 | Phillippa Bowen | | petermusk7@gmail.com | 223 755 761 | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 30 | Bill Cameron | | bowenb@xtra.co.nz | 021 208 2850 | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 31 | Bruce, Sharon & Ross Addison | | billd@amercon1@gmail.com | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 32 | Lorraine Barnes | 165 Omokoroa Rd, Omokoroa | stev@omokoroa.co.nz | 07 548 0857 | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 33 | Lia Tuelings | 181A Omokoroa Rd, Omokoroa. | barnesb@xtra.co.nz | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 34 | Peter Goad | 20 Haden Place, Lynely Park, Omokoroa | ceramitica@kinct.co.nz | | 17 July 2018 | 20 July 2018 | 17 July 2018 | 17 July 2018 |
| 35 | Jo Farmer - revised | | paolomgoa@gmail.com | 07 548 2737 | 18 July 2018 | 20 July 2018 | 18 July 2018 | 17 July 2018 |
| 36 | Diann & Martin Layzell | 40 Holyoake Terrace, Omokoroa | jw.f@outlook.co.nz | 021 628 467 | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 37 | Rebecca Bell | 6 Margaret Drive, Omokoroa. | | 07 548 2206 | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 38 | Janene Holyoake | 20 Kayelene Place, Omokoroa. | | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 39 | Ken Holyoake | 20 Kayelene Place, Omokoroa. | | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 40 | Brendon Cooney | 16 The Esplanade, Omokoroa. | | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 41 | Michael Townsend - 2nd | | mikeats142@gmail.com | 07 5480852 | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 42 | Joy & David Lucas | 88 Astelia Drive, Omokoroa. | mikeats142@gmail.com | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 43 | Christine Conn | 65 Omokoroa Country Estate | joylucas35@gmail.com | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 44 | Angela Farrell | 48 Omokoroa Road, Omokoroa. | pickettywitch@xtra.co.nz | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 45 | Richard Hewison | | farrell.annela@gmail.com | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 46 | Patricia Shanks | | rachelwison@xtra.co.nz | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 47 | Ronald Shanks | 2 Olive Close, Omokoroa | shankss@xtra.co.nz | 07 548 1115 | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 48 | Ronald Shanks | 2 Olive Close, Omokoroa | ron.patshanks@harcourts.co.nz | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 49 | Lorraine Linton | 13 Margaret Drive, Omokoroa | lor.linton13@gmail.com | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 50 | Barbara Kershaw | 37/5 Auderley Avenue, Omokoroa | bkershaw@xtra.co.nz | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 51 | Joy Itley | 74 Omokoroa Country Estate, Omokoroa | jitley@slingshot.co.nz | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 52 | Diane Goetlof | 170 Omokoroa Rd, Omokoroa | dianegeetlof@xtra.co.nz | | 18 July 2018 | 20 July 2018 | 18 July 2018 | 18 July 2018 |
| 53 | Andrew & Vanessa Gibb | | avglbb@gmail.com | | 19 July 2018 | 20 July 2018 | 19 July 2018 | 19 July 2018 |
| 54 | Rachel Millard - 2nd revised | | rachel.millard@gmail.com | | 19 July 2018 | 20 July 2018 | 19 July 2018 | 19 July 2018 |
| 55 | Carol & Steve Wall | 16 Tralee Street, Omokoroa. | carolb46@hotmail.com | | 19 July 2018 | 20 July 2018 | 19 July 2018 | 19 July 2018 |
| 56 | Wendy & Albert Morris | 57 Hamurana Road, Omokoroa | | | 19 July 2018 | 20 July 2018 | 19 July 2018 | 19 July 2018 |
| 57 | Russell & Patricia Farrell | 7 McKenna Lane, Omokoroa | | | 19 July 2018 | 20 July 2018 | 19 July 2018 | 19 July 2018 |
| 58 | Irene & Richard Keech | 181E Omokoroa Road, Omokoroa | | | 19 July 2018 | 20 July 2018 | 19 July 2018 | 19 July 2018 |
| 59 | Alan & Mary Lowe | 181D Omokoroa Road, Omokoroa | | | 19 July 2018 | 20 July 2018 | 19 July 2018 | 19 July 2018 |
| 60 | | 181C Omokoroa Road, Omokoroa | | | 19 July 2018 | 20 July 2018 | 19 July 2018 | 19 July 2018 |

| | | | | | | |
|-----|--|-----------------------------------|--|--------------|--------------|--------------|
| 61 | Noel Benstead | 23 Bramley Drive, Omokoroa. | | 19 July 2018 | 20 July 2018 | 19 July 2018 |
| 62 | Jackie Wright | | jackie.mollywright@gmail.com | 19 July 2018 | 20 July 2018 | 19 July 2018 |
| 63 | KG Judd & JE Judd | 11 Mckenna Lane, Omokoroa | | 19 July 2018 | 20 July 2018 | 19 July 2018 |
| 64 | Eddie & Jean Taylor - 2nd | 1 Waihiut Grove, Omokoroa | | 19 July 2018 | 20 July 2018 | 19 July 2018 |
| 65 | Pauline Brooker | 37 Lynley Park Drive, Omokoroa | paulbrooker@hotmail.com | 19 July 2018 | 20 July 2018 | 19 July 2018 |
| 66 | Anne Bradley | 10 Tralee Street, Omokoroa | annebradleyxxx@hotmail.com | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 67 | RE & KS Hallam | 36 Margaret Drive, Omokoroa | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 68 | Trevor Deane | Omokoroa medical centre | manager@bestdocs.co.nz | 19 July 2018 | 20 July 2018 | 23 July 2018 |
| 69 | Kate Dallas | 2 Mckenna Lane, Omokoroa | markcaldwell1@gmail.com | 19 July 2018 | 20 July 2018 | 23 July 2018 |
| 70 | Jonathan & Pamela Hudson | 73 Margaret Drive, Omokoroa | johndud@gmail.com | 19 July 2018 | 20 July 2018 | 23 July 2018 |
| 71 | Anne Fabish | 24 Tony Way, Omokoroa | afabish@xtra.co.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 72 | Stephanie Arman | | stephanie@amanhaw.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 73 | Omokoroa Community Board | | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 74 | OEMI - Karen Loten | | omocdc@gmail.com | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 75 | Omokoroa Pharmacy - Bruce Clarke | 170 Omokoroa Road, Omokoroa. | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 76 | Jean Williams | 63 Omokoroa Country Estate | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 77 | Angela Benstead | 23 Bramley Drive, Omokoroa. | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 78 | Jo & David Farmer - Poss. Revised | 40 Hopyvale Terrace, Omokoroa. | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 79 | Brian A Clark & Jill Clark | 1918 Omokoroa Road, Omokoroa | jwrl@outlook.co.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 80 | BG & DC Maclean | 34 Margaret Place, Omokoroa. | omokoroacountryboard@xtra.co.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 81 | Lorraine Barnes - amended | 181A Omokoroa Rd, Omokoroa. | lbarnes1@hotmail.com | 18 July 2018 | 20 July 2018 | 20 July 2018 |
| 82 | R.L & S.J Deane | Home 103, Omokoroa Country Estate | | 19 July 2018 | 20 July 2018 | 20 July 2018 |
| 83 | Sandy & Alf Lautenbach | | sandyandalf@xtra.co.nz | 19 July 2018 | 20 July 2018 | 20 July 2018 |
| 84 | Dianne Renner | | dieran3@icloud.com | 20 July 2018 | 20 July 2018 | 20 July 2018 |
| 85 | Omokoroa Country Estate - Kevin Searte | | manager@oocestate.co.nz | 20 July 2018 | 20 July 2018 | 20 July 2018 |
| 86 | Murray Browne | | murray@claridgestealstate.co.nz | 20 July 2018 | 20 July 2018 | 20 July 2018 |
| 87 | Karin Brown | | baysvoogal@xtra.co.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 88 | Geoff Davis - Amended | 75 Hamurana Road, Omokoroa. | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 89 | Lorraine Davis - Amended | 1 Mckenna lane, Omokoroa. | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 90 | Murray Sawyer & list of residents. | 27 Tony Way, Omokoroa. | murrowsawyer@gmail.com | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 91 | Anton & Anne Coetzee | 88/5 Anderley Avenue, Omokoroa | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 92 | WF & NP Harter | 146 Omokoroa Country Estate | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 93 | Jen Molela | 55 Links View, Omokoroa | | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 94 | Dennis Butler | 262 Hamurana Road, Omokoroa | justin@xtra.co.nz | 18 July 2018 | 20 July 2018 | 23 July 2018 |
| 95 | Deborah Warren - Amended | | dark78@gmail.com | 18 July 2018 | 20 July 2018 | 23 July 2018 |
| 96 | Bob Miller | | helwits@xtra.co.nz | 19 July 2018 | 20 July 2018 | 23 July 2018 |
| 97 | Lynda Moses (Rev.) | Mckenna Lane, Omokoroa | rellinr@gmail.com | 19 July 2018 | 20 July 2018 | 23 July 2018 |
| 98 | Barrie Smith | 139 Hamurana Road, Omokoroa | lynda@threccc.org.nz | 19 July 2018 | 20 July 2018 | 23 July 2018 |
| 99 | Heather Reynolds - Amended | 105/5 Anderley Avenue, Omokoroa | justinrhy@xtra.co.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 100 | Marc Ulyatt - Amended | 36 Vivian Drive, Omokoroa | hugh.heather.reynolds@gmail.com | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 101 | Bruce & Sharon Addison - Amended | 181E Omokoroa Road, Omokoroa | marc.ulyatt@outlook.com | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 102 | Dale Jessop | 191 Omokoroa Road, Omokoroa | ianburnt@silosilod.co.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 103 | Geoffrey Anman - Amended | 165 Omokoroa Rd, Omokoroa | stacy@omokoroa.co.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 104 | David Gilmour | 17 Vivian Drive, Omokoroa | dalesson@yahoo.co.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 105 | Sue Dark | 3 Mckenna Lane, Omokoroa | geoff@annanhiw.nz | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 106 | Unkown | Margaret Drive, Omokoroa. | gilmour4@gmail.com | 20 July 2018 | 20 July 2018 | 23 July 2018 |
| 107 | | | sue.dark@gmail.com | 24 July 2018 | 20 July 2018 | 24 July 2018 |
| 108 | | | | 24 July 2018 | 20 July 2018 | 24 July 2018 |
| 109 | Matthew Farrell - TOOO Petition | | | 24 July 2018 | 20 July 2018 | 24 July 2018 |

Enquiry Debra Knox 027 280 6503 11 July 2018 17 July 2018 12 July 2018

debra.knox@gmail.com



18 July 2018

Dear Concerned Objector(s)

Thank you for your objection to the On-licence application submitted by KLM Enterprises Ltd. Council is required to consider all applications for alcohol licences through its District Licensing Committee. The process required to consider a licence is strictly managed through the Sale and Supply of Alcohol Act 2012.

I refer you to the following guide on objecting to a licence which provides information on the process and what happens in the case of a hearing.

https://www.alcohol.org.nz/sites/default/files/images/AL1021_Objecting%20to%20a%20licence_3_jm_0.pdf

The criteria for an objection to be considered valid by the District Licensing Committee is outlined in Section 102 of The Sale and Supply of Alcohol Act 2012 as follows:

102 Objections to applications

- (1) *A person may object to the grant of a licence only if he or she has a greater interest in the application [for the licence] than the public generally.*
- (2) *An objection must be in writing and filed with the licensing committee within 15 working days after the first publication of the public notice of the making of the application.*
- (3) *No objection may be made in relation to a matter other than a matter specified in section 105*
- [(4) *This subsection applies to an application—*
 - (a) *for a licence for premises that is of the same kind as the licence currently in force for those premises; and*
 - (b) *in which the conditions sought are the same as apply to that licence.]*
- [(4A) *In the case of an application to which subsection (4) applies, the ground for an objection may not relate to any matter other than the suitability of the applicant.]*
- (4) *The secretary of the licensing committee concerned must give a copy of every objection to the applicant.*

The matters that must be specified in the objection should relate to section 105 of the Act as follows:

- (a) *the object of this Act;*
- (b) *the suitability of the applicant;*
- (c) *any relevant local alcohol policy;*
- (d) *the days on which and the hours during which the applicant proposes to sell alcohol;*
- (e) *the design and layout of any proposed premises;*
- (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;*
- (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;*
- (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*
 - (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:*

You may wish to review and consider amending your objection to include any additional information in relation to the criteria in section 105 of the Act outlined above, this will ensure your objection can be heard and meets the criteria required by the District Licensing Committee.

Objections will be received up until the public notice period ends at the close of business on **Friday 20 July 2018**.

The application was publically advertised in The Weekend Sun on 29 June 2018 and 6 July 2018. There is a period of 15 working days after the first publication is published that the public can object to the application.

Please note that all objections to a licence are public information and a copy is required to be provided to the applicant for the licence.

Kind regards

Dougal Elvin

Alcohol Licensing Inspector

P 07 571 8008 **DD** 07 579 6784

M 027 551 6834

Barkes Corner, Greerton, Tauranga

Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

E dougal.elvin@westernbay.govt.nz

www.westernbay.govt.nz

[2013] NZARLA PH 256

IN THE MATTER

of the Sale of Liquor Act 1989

AND

IN THE MATTER

of an application pursuant to s.31 of the Act for an off-licence issued to **I S DHILLON AND SONS LIMITED** in respect of premises situated at 2-6 Botanical Road, Palmerston North, to be known as "Big Barrel"

BEFORE THE ALCOHOL REGULATORY AND LICENSING AUTHORITY

Members: Ms J D Moorhead
Mr D E Major
Mr R S Miller

HEARING at Palmerston North on 12 March 2013

APPEARANCES

Mr A G Sherriff - for applicant
Mr P N Kinaston - Palmerston North District Licensing Agency Inspector – to assist

Objectors

Mr M B Ryan - for Mr S Sharma
Mr L W Findlay
Mr E B Franklyn
Mrs C A Meehan
Mr T W E Utikere

RESERVED DECISION OF THE AUTHORITY

Introduction

[1] This is an application for an off-licence by I. S. Dhillon and Sons Limited for premises situated at 2-6 Botanical Road, Palmerston North to be known as "Big Barrel".

[2] The application is for a new stand alone bottle shop which is to be situated on the corner of Botanical Road and Tremaine Avenue, Palmerston North. The site was formerly a service station and is within the local business zone. A certificate has been issued by the Palmerston North City Council pursuant to the Resource Management Act 1991. It certifies that the proposed use of the premises as an off licence liquor outlet meets the requirements of that Act. The owner of the premises has given consent to the establishment of a liquor outlet. A Building Code compliance certificate will need to be obtained if the licence issues, as the building is still under construction.

[3] The Police and District Licensing Agency Inspector do not oppose the application.

[4] Advertising attracted 29 individual objections within the required timeframe. Six petitions were also received. The closing date for objections was 5 November 2012. A further four individual objections and six petitions were received on or before 7 November 2012 but due to an error in the Palmerston North City Council mailroom it was uncertain what date they were received. While not all of the objectors or objections can be considered valid in terms of having a greater interest than the public generally or addressing the criteria set out in s.35(1) of the Act, some did have status and there was a challenge to the suitability of the applicant. The matter was accordingly set down to be determined by the Authority at a public hearing.

The Public Notices

[5] As a preliminary matter Mr Sherriff, counsel for the applicant, advised the Authority that the dates upon which the two required notices appeared in the newspaper did not strictly comply with the requirements of the Act. He sought a waiver in terms of s.111 of the Act.

[6] Section 31(3) of the Act requires that "*Within 20 working days after filing the application, the applicant shall give public notice of the application in the prescribed form*". The definition of "*public notice*" in s.2 of the Act requires a notice to be published on two occasions, with the interval between publications to be "*not less than five nor more than 10 days between each notification*".

[7] The application was filed with the District Licensing Agency on 9 October 2012. The first public notice appeared in the "Evening Standard" on Saturday 20 October 2012 and the second notice on Saturday 27 October 2012. Public notice was accordingly given within 20 working days as required. However, as Labour Day fell between the two Saturdays, Mr Sherriff noted that there were only four "*working days*" between the two publications instead of five. It is in this respect that a waiver is sought. While s.31(3) refers to "*working days*" (which is defined in s.2 to exclude Labour Day) the definition of "*public notice*" refers only to "*days*" rather than "*working days*" in terms of the period between notices. The publication requirements have therefore been complied with and a waiver is not necessary.

[8] Two objectors had raised the manner in which the site notice had been displayed as being both a preliminary issue and in terms of a challenge to the suitability of the applicant (s.35(1)(a) of the Act). Only one of these objectors, Mr E B Franklyn, appeared at the hearing. Mr Franklyn alleges that the notice was not displayed when it was required to be and that when it was displayed it was not legible or conspicuous. He argues that the non-compliance is a "*fatal flaw*" in the application and it should not be considered further. If that submission is not successful he objects to the application being granted on the grounds that the applicant is not suitable as it has failed to meet the requirements of the Act.

[9] The relevant section is s.31(4) of the Act (inserted from 1 April 2000 by the 1999 amendment) which provides:

Within 10 working days after filing the application, the applicant must ensure that notice of the application in the prescribed form is attached in a conspicuous place on or adjacent to the site to which the application relates.

[10] Regulation 4A of the Sale of Liquor Regulations 1990 requires that the notice must be in form 1A, printed on paper that is at least A4 size and the print must be legible and prominent.

[11] Mr Franklyn says that when he inspected the site on Wednesday 24 October 2012 there was no indication of the relevant site notice. He advised the District Licensing Agency and says that a notice appeared on the window the following day. He said that this notice could not be read even with the use of binoculars. The difficulty being that the site is fenced. Mr Franklyn said that the following day three notices were attached to the fence.

[12] The applicant says that the requirements for the site notice were complied with. Evidence was given by Mr Brian Gilbert Kendrick, who is a real estate agent acting in respect of the lease or sale of the property to "Big Barrel". He said that on Saturday 20 October 2012 he attached a notice of the application to the fence. This was within the 10 working day time limit. It was enclosed in a plastic ziplock bag and tied with plastic ties to the fence. Over the weekend Mr Kendrick became concerned that the notice might be removed from the fence and so returned on the Monday and sellotaped a copy of the notice to the outside of a window of the building and took a photograph of the notice. The following day, Tuesday 23 October, he gained access to the building and moved the notice on the window to the inside of the window. Mr Kendrick said that he noticed on the Tuesday that the original notice on the fence was no longer there (no doubt removed by persons unknown).

[13] Mr Baldeep Dhillon said that he was contacted by Mrs Kroll, a District Licensing Agency Inspector, on 26 October 2012 about the site notice and met her at the site that day. He attached two laminated notices to the fence later that day and took photographs of them in place which were produced at the hearing.

[14] It was not disputed that the notices were at least A4 size as required. The print is legible and prominent given the size of the notice. Mr Franklyn's difficulty in reading the notice was due to the location on the building at a distance from the fence, the notice on the fence itself having been removed.

[15] What is meant by "*conspicuous place on or adjacent to the site*" will largely be a matter of what is practical and reasonable in each case. We note that there is provision in s.31(5) of the Act for the site notice not to be required if the Secretary of the District Licensing Agency agrees that it is impracticable or unreasonable, although that was not utilised in this case. It appears that the Inspector and Mr Dhillon reached the conclusion that the most conspicuous place for the notice was on the fence which also accords with our observations of the site.

[16] Mr Sherriff is correct when he submitted for the applicant that there is nothing in the Act or Regulations which indicate the duration the site notice should be attached. It may be helpful if we indicate our view that we would expect the notice to be displayed on site at least until the closing date for objections. After all the purpose of the notice provisions is to inform those who might be affected by the application (i.e. those that have a greater interest than the public generally) and give them the opportunity to object if they wish to do so. In this particular case there is no doubt

that this is what happened, given the number of objections filed within time. This was conceded by Mr Franklyn.

[17] While Mr Franklyn was right to be concerned and draw it to the attention of the Inspector, we do not believe that the applicant has failed to comply with the public notice requirements of the Act either in terms of the publications or the site notice. In fact it made concerted efforts to do so and should not be held responsible for the removal of the original notice from the fence by unknown persons. However should it have been necessary we would have granted a waiver in terms of s.111 of the Act. We are satisfied that any omission was not wilful and that there was ultimately no prejudice to the objectors.

[18] In our view there is no basis for a finding of unsuitability in relation to the notice procedure.

The Application

[19] Mr Baldeep Dhillon, together with his brother, is a director and shareholder of the applicant company. He gave evidence on behalf of the applicant. The applicant operates three other off-licence premises in Palmerston North under the "Big Barrel" franchise. The first was opened in late 2008 in Tremaine Avenue, Palmerston North and is known as "Big Barrel Tremaine Street". The others are "Big Barrel Princess Street" and "Big Barrel Summerhill". A further off-licence premises was opened in Fielding in 2011 by an associated company.

[20] Mr Dhillon holds a General Manager's Certificate as does his brother Bhupinder Singh Dhillon. Their nephew Mr Ranbir Singh, is to be the store manager of the proposed premises. He has completed a Diploma in Business Studies and holds a General Manager's Certificate first issued in 2009. Mr Ranbir Singh has experience working in the applicant's other stores. He is to be assisted by Mr Raminder Singh who is also the holder of a General Manager's Certificate.

[21] During its first year of operation in 2009, the applicant received a suspension of its Tremaine Avenue store off-licence, due to a staff member making a sale to a minor in a controlled purchase operation. They have had a clean record since then. Mr Dhillon said that they had improved training procedures and put in place extra measures. In their stores there is security on the doors from Thursday to Saturday. They run a mystery shopper audit programme to make sure that employees ask for identification from anyone who looks under 25 years of age. They also run their own internal audits in regard to signage requirements and duty manager notifications.

[22] Mr Dhillon said that they regard themselves as being very much a part of the community in which they operate and gave evidence of sponsorship arrangements.

[23] Mr Dhillon stated *"We will advertise our business. However, we do not loss lead. We never sell below cost. We bank our success on a bigger range of products which help us offer more deals over the range. We also sell lots of exotic products such as liqueurs, single malt whiskeys etc which the big barrel group brings in from overseas. Some of our lines are exclusive to Big Barrel."*

[24] Recently the applicant has been upgrading the existing stores. As part of this the signage outside has been reduced by 60 percent. The upgrade has resulted in a

sharper smarter look that is a lot less cluttered. Mr Dhillon also said that they had reduced any focus on RTDs and focussed more on craft beers.

[25] Trading hours to sell liquor are sought between 9.00 am and 10.00 pm daily.

[26] The applicant seeks to designate the premises as a supervised area. This is an appropriate designation for the proposed premises. They also operate a “no uniform” policy.

[27] The applicant has the support of the Big Barrel Group which is the head lessor and franchisor. Mr Palwinder Singh gave evidence in support of the application. He and his brother Avtar Singh are the franchise owners. They are cousins of Mr Dhillon. There are now nine franchise off-licensed premises in the Big Barrel Group. Mr Palwinder Singh and his brother own and operate a further eight off-licence premises and one on-licence premises. Mr Palwinder Singh gave evidence of the Group’s operating systems including compliance programme, employment agreements, mystery shopping, point of sale software, store layout and community initiatives. He said that they are not a discount liquor seller and “*we do not loss lead*”.

[28] In previous decisions the Authority had raised doubts as to the suitability of “Big Barrel” and its directors Palwinder and Avtar Singh (see [2011] NZLLA PH 698 and [2012] NZLLA PH 124). However, in the most recent decision *Just Liquor Limited* [2012] NZLLA PH 897 the Authority commented on the willingness of the directors to take the advice of both their liquor licensing consultant and counsel stating “*That the directors of Big Barrel Enterprises Limited have recognised the need for such advice and are prepared to listen to it has assisted the Authority in reaching its favourable suitability finding.*”

[29] In this case Palwinder and Avtar Singh are not directors or shareholders of the applicant company.

Reporting Agencies

[30] Neither the Police nor the Inspector oppose the application. In fact the Police did not appear at the hearing. The Police report set out in full is as follows:

“Whilst Police have no opposition to this [sic] issuing of this licence, Police are aware of public concern regarding the close proximity of two other off licensed premises. Concerns have also been raised concerning traffic congestion and its proximity to nearby primary schools kindergartens”

[31] Mrs Lynne Kroll is a Palmerston North District Licensing Agency Inspector. In her report dated 12 November 2012 Mrs Kroll noted that although there were a large number of objections, most were outside the criteria of s.35(1) of the Act. The Inspector was satisfied that the applicant fulfilled the criteria in s.35 of the Act and recommended that the application be approved.

[32] The Inspector referred in the report to the objectors three main concerns of traffic, density and adverse social effects. She said “*However I have not been provided any documentation showing that the matters raised will be an actual issue at the subject premises. I am not prepared to accept the suggestion that the*

establishment of an off licence will automatically led to an increase in liquor abuse or disorderly behaviour.”

[33] Mrs Kroll also stated in the report *“The applicants are hands on operators. The applicant is the owner of three existing premises in Palmerston North and one in Feilding that hold off licences which are well run.”* She said that five controlled purchase operations had been conducted at the “Big Barrel” stores in Palmerston North since the initial failure in June 2009 and that no sales had been made to minors.

Objections

[34] The statute and case law are very specific as to the role of objectors. Only people who have a greater interest in the application than the public generally can object (see s.32(1) of the Act). Pursuant to s.32(3) of the Act, they can only object in relation to one or more of the criteria set out in s.35(1) of the Act. If objectors fail to appear it is likely that their objection will have no value. If they do appear but fail to address the criteria set out in s.35(1) of the Act their objection has little probative value. (see *Liquor World Limited* [2009] NZLLA 1189).

[35] As the Inspector noted in her report many of the petitioners are unlikely to have an interest greater than the public generally, Many lived some distance away from the proposed premises. Nor can the proliferation of outlets be considered as a ground of objection. Mrs Kroll also stated that she had been advised that some of the petitions had been generated from licensed premises in the area and might therefore be deemed trade related. Some of the individual objections also emanated from trade premises.

[36] Of the individual objectors residing within one kilometre of the proposed premises almost all objections were withdrawn after being approached by the applicant with further information. Of the four remaining objections most do not address the criteria for objections set out in s.35(1) of the Act. Only one of these objectors, Mr Franklyn, appeared at the hearing.

[37] Several other objectors were present at the hearing who reside further away than one kilometre. This is a notional area often used to determine whether there is an interest greater than the public generally. Mr Sheriff for the applicant, did not challenge the status of those within a two kilometre distance from the proposed premises. The names of those who entered appearances and are accepted as having status are recorded at the beginning of this decision.

[38] Mr Tangi Utikere is a Palmerston North City Councillor and local resident. The proposed premises are in the Ward area he represents. The concerns he raised reflect those of the other objectors; the increased availability of low cost alcohol in a low socio-economic area, the density of outlets as there are already other liquor outlets in the area, a high visibility location and the negative effect on children.

[39] Some of the objectors also challenged the suitability of the applicant on the basis of statements made by Mr Baldeep Dhillon that if he got the feeling that the community really didn't want it, the application would be withdrawn. In response to this Mr Dhillon noted that the majority of those in the immediate neighbourhood had withdrawn their objections.

[40] Mr Sandeep Sharma was represented at the hearing by Mr Ryan. In his original objection dated 24 October 2012 Mr Sharma acknowledged that *"I have a vested interest in the application being declined as I am the owner of Cloverlea Liquor"*.

[41] Section 35(2) of the Act provides that the Authority *"must not take into account any prejudicial effect that the grant of the licence may have on the business conducted pursuant to any other licence."* As recently confirmed by Justice Dobson in *New Zealand Police v Casino Bar (No 3) Ltd* [HC WN CIV -2012-485-1491 4 February 2013 at para 57]

"That precludes a competitor objecting on the grounds that a grant of the licence would impact adversely on the objectors licensed business. It does not disqualify a competitor from objecting, but merely excludes grounds of objection that amount to a complaint of adverse impact on the objectors' licensed business."

[42] Mr Ryan confined himself to cross-examining the applicant's witnesses and making submissions. These matters were directed at the suitability of the applicant, in particular that of the director Mr Baldeep Dhillon. He also referred to matters such as cheaper prices, increased consumption and the exacerbation of social problems. His submissions in regard to the proliferation of outlets in particular not only run the risk of being treated as a *"trade objection"* but are not a ground upon which an objection can be based.

[43] As Mr Sharma did not give any evidence, he could not be cross-examined. An issue arises as to whether an objector who fails to give evidence should be entitled to cross-examine and whether the Authority should take any notice of any evidence elicited as a result. The same issue arises in respect of submissions made by an objector who fails to give evidence. These issues are presently before the Authority in other proceedings. A decision on them will be made in due course. They were not argued in this case. The cross-examination on behalf of the objector and the submissions had no effect on the outcome of this proceeding.

Decision of Authority and Reasons

[44] This application must be considered under the Sale of Liquor Act 1989 as the relevant sections of the Sale and Supply of Alcohol Act 2012 are not yet in force. One of the objectors invited us to delay our consideration of the application so that it could be considered under the new legislation. The date of filing the application is however the relevant date, not that of determination.

[45] In considering an application for an off-licence the Authority is directed by s.35(1) of the Act to have regard to the following criteria:

- (a) The suitability of the applicant;
- (b) The hours on which and the hours during which the applicant proposes to sell liquor;
- (c) The areas of the premises, if any, that the applicant proposes should be designated as restricted areas or supervised areas;
- (d) The steps proposed to be taken by the applicant to ensure that the requirements of this Act in relation to the sale of liquor to prohibited persons are observed;
- (e) Whether the applicant is engaged, or proposes to engage in
 - (i) The sale or supply of any other goods besides liquor; or
 - (ii) The provision of any services other than those directly related to the sale or supply of liquor, -

- and if so, the nature of those goods or services;
- (f) Any matters dealt with in any report made under section 33 of this Act.

[46] In *Otara-Papatoetoe Local Board v Joban Enterprises Limited* CIV 2011-404-007930; [2012] NZHC 1406 at paragraph [31] Heath J suggested that the appropriate approach to be taken by the Authority when determining whether or not to grant an off-licence was as follows:

- [a] The Authority is required to undertake an evaluative exercise when determining applications for off-licences. This involves a consideration of:
- The criteria set out in s.35(1) of the Act;
 - The reports presented by the Police and Inspector directed to both the s.35(1) criteria and the s.4(1) object;
 - Public objections that are directed to the s.35(1) criteria.
- [b] Then the Authority needs to stand back and determine whether the application should be granted (whether on conditions or not) or refused. This involves forming a view as to whether there is evidence to suggest that the granting of the application will be contrary to s.4(1) of the Act; viz. will increase the risk of liquor abuse. A causal nexus is required between the evidence and risk of liquor abuse;

[47] The applicant accepted that it had an obligation to establish its suitability. We are satisfied that it has done so. The Authority has stated that in the absence of unfavourable comment from the reporting agencies, it is unlikely to be persuaded that an applicant is unsuitable: *British Isles Inn Limited* NZLLA PH 406/2006 at paragraph [30].

[48] In this case there are no adverse comments from the reporting agencies in regard to suitability. The applicant is an established operator and the Inspector referred to the applicants other premises as being “*well run*”. The applicant has also passed all of the recent controlled purchase operations.

[49] The Authority took the opportunity not only to view the proposed site but two of the members also visited one of the applicant’s other stores. The appearance was of a reasonably upmarket store. Most notable was the limited amount of advertising on the outside of the store. This is the model which is to be followed at the proposed premises.

[50] While various allegations were made by objectors as to the suitability of the director Mr Baldeep Dhillon, none could be sustained.

[51] Section 32(3) of the Act requires that objections must be confined to the criteria specified in s.35(1) of the Act; When considering the legal criteria it is evident that very few of the concerns raised by the objectors are matters that we can consider. There is no causal nexus between the establishment of a bottle store by this applicant in these premises and the perceived adverse social effects suggested by the objectors.

[52] Evidence relating to the risk of liquor abuse will usually come from the reports and evidence of the Police and Inspectors. In this case there was none. Most notably the Police did not oppose the application and did not appear at the hearing. The Inspector did not take an active part in the proceedings, her report being relied on. She had not been prepared to accept the suggestion that the establishment of an off-licence will automatically lead to an increase in liquor abuse or disorderly behaviour.

[53] We are satisfied that the hours sought by the applicant are appropriate. There was no challenge by any party to the hours and they are in accordance with the Resource Management Certificate.

[54] A supervised designation is appropriate and the applicant has outlined the steps it proposes to take in relation to prohibited persons.

[55] We are satisfied that the application meets the criteria in terms of s.35(1) of the Act and in our view do not believe on the evidence before us, that granting the application will be contrary to s.4(1) of the Act .

[56] The application is granted. The hours of operation are those sought in the application of:

Monday to Sunday 9.00 am to 10.00 pm.

[57] Clearances will need to be obtained in accordance with the Building Code before any licence issues.

[58] The licence will not issue until the expiry of 20 working days from the date of this decision. That period of time is the time provided by s.140 of the Act for the lodging of a notice of appeal. The applicant's attention is drawn to ss.48 and 115(3) of the Act obliging the holder of the off-licence to display:

- [a] A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of liquor; and
- [b] A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance; and
- [c] A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.

DATED at WELLINGTON this 2nd day of April 2013

B M Holmes
Deputy Secretary



lizardnews.net

Pokie-tavern applicant looks to hire lawyer to fight community objections

By Grant Hewison

Despite a large number of community objections opposed to a new pokie-tavern being planned for Omokoroa, it appears that the applicant has hired a lawyer to fight on.

The application has been made by LM Enterprises Ltd, Auckland for Shop 168 Omokoroa Road.

Local objectors have raised concerns that the tavern will be adjacent to the Omokoroa Liquor Centre and this location will encourage customers to drink cheaper booze purchased from the off-licence in the common carpark.

The tavern will also be close to Omokoroa Medical Centre, Physiotherapist and Dental Surgery, which have become a community medical hub. This is no place for a pokie-tavern. It will also be close to the Omokoroa Iwhi Holiday Park and Community Church.

There are concerns that the tavern will create too much noise at night, especially if it is to remain open to 1 am every night. There are residential properties close by. This will likely breach the noise, limited in the district plan.

The inclusion of gaming machines and a TAB will inevitably mean that the

premisses will principally be a gambling venue and not a place to have a nice quiet drink and enjoy good food.

With the applicant having likely hired a lawyer to fight on, the community has a big job ahead if it is to prevent the pokie-tavern from opening.

But Omokoroa is not alone as there are numerous other communities around New Zealand working hard to stop these premises opening in their neighbourhoods.

Alcohol Healthwatch has an excellent Community Action Tool to assist: www.ahw.org.nz/Taking-Action/Community-Action-Tool.

Public meeting over highway delays

**By Todd Muller
MP for Bay of Plenty**

We are almost a year into this Labour-New Zealand First Government's term, and our community is still waiting for any information, clarity or update about improvements to SH2 and the Tauranga Northern Link. Collectively we have demanded answers. Thousands of local citizens are waiting for a response from the Minister for Transport's silence is deafening. This is simply not good enough.

Under National transport investment in the Bay of Plenty was targeted to support significant residential growth, new industrial land development and jobs, increased freight movements and access to the Port. We had a focus on increasing improved safety and efficiency – the two go hand in hand.

In April 2016 we announced we would

be going ahead with construction of the Tauranga Northern Link. The new section of State Highway would connect Tairāhene Drive through to Te Puia and through to Omokoroa. It would be a four-lane median divided expressway with grade-separated interchanges. Our community had been calling for this road for almost two decades, and it was finally happening.

Construction was due to start this year, but the Government have been dragging their feet. As a result of their proposed reductions in the State Highway Investments activity class, there has been a \$5.35 billion reduction in available funding within the Government Policy Statement on Land Transport. This is why NZTA have begun a re-evaluation of the process which has halted the pre-estimating procurement process that was un-

derway.

Our community clearly isn't a priority for this Government, but I'll keep strongly advocating on your behalf.



National has called a \$12 public meeting for Sunday 16th September. See advert page 17

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REAL ESTATE | Omokoroa

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www.taurangarealestate.co.nz



SH2 campaigners eye protest after death follows news of more delays

By Matthew Farrell

Local anger has again come close to boiling over with fresh threats of possible civil disobedience, after yet another death on State Highway 2.

Kevin Adrian Hamill, 61, of Auckland died in a two-car crash near Manu Road on Sunday 19th August. Western Bay's Cliff Dun Thwaites says there have been ten deaths in five years on the 2.5 km of road between Te Karaka Drive and Loop Road in Te Puia.

The fatality followed hard on the heels of news that funding decisions were being delayed by up to six months on roading projects for Omokoroa to Te Puia, the Kaitiaki bypass, Tauranga Northern Link and the Waititi Omokoroa sales corridor.

For months, the Fix the BLODDY Road campaign group has played the paperwork game with submissions to the Bay Regional Council and the central Government Policy Statement on Land Transport supposedly leading to decisions on investment by the end of August.

But some local landowners and occupiers received a letter from NZTA early last month, saying further delays of three to six months were expected. The Agency's director of regional relationships for the central North Island, Parahawhi McLagan, said they would be taking a "fresh look" at transport investments across the country, to

ensure they align with the new GPS and will meet future needs - even though this "may be frustrating".

The Statement has four priorities: a safer transport network free of death and injury, accessible and affordable transport, reduced emissions and Peta Clarke of the Black Sheep Bar & Grill on Plummers Point Road in Whakārama describes the letter as a waste of time, paper and taxpayers' money.

"I'm proud to stand up for us openly," she posted to Facebook.

Sam Lett commented that it felt like calls were being treated like school kids.

"The processes and procedures these bureaucrats have put in place to create jobs for stupid people do not work, so they need to be changed. I'm sick of it," he replied.

Another local speaking to Lizard News on condition of anonymity says he wants to move home, but NZTA's investment criteria is "a hare's head".

"Property owners have 'future road' written on their files. No prospective buyer is going to accept that on a LIM report or the District Plan. NZTA needs to get on and make a choice either way," he says.

"This latest letter is just what they said last April, again. Meanwhile on Friday 10th August there was another classic example of two or three acci-



The morning peak-hour flow on SH2 in Te Puia



Pokie-tavern will undoubtedly damage community

By Dr Grant Hewison

Taverns that host pokie machines undoubtedly influence, change and damage communities.

The intent of them isn't as a social area in the community for people to go to have a quiet drink. The intent is to rake money out of people's pockets.

Because of the odds, it's just impossible to have any success on these machines. If you sit in front of them, you're going to lose your money.

While the pokie trusts which own the machines claim the losses are returned to the local community in grants, the reality is that very little goes back to the community, especially where the money has been gambled.

And while some gamblers are recreational, pokie-taverns also attract problem gamblers who can't say "I've lost enough for now" and then walk away. Problem gamblers are addicted to the machines and will bet their money until it is all gone.

We have been working with communities in South Auckland, Gisborne and Tokoroa to try and rid these communities of pokie-taverns. We have had success in closing two pokie-taverns in

South Auckland, another in Gisborne and are working hard to stop a mega-merger of 3 clubs in Tokoroa that would result in a mini casino of over 30 machines.

This has involved challenging the alcohol licence of the premises because under the Sale and Supply of Alcohol Act the main activity of a tavern cannot be gambling. These communities have fought these licences at the district licensing level and then been involved in appeals. It is a long hard fight, but the reality is that communities can successfully stop these premises from opening or close down existing ones.

One immediate issue, though, is knowing who objected to the application. While all the objections (including names and addresses of the objectors) have been sent to the applicant, KLM Enterprises Ltd, despite our request, Western Bay District Council has refused us obtaining the same personal details, claiming this would breach the privacy of the objectors. That doesn't make sense, so we have made a complaint to the Ombudsman.

If you would like to help in any way oppose this pokie-tavern, email Dr Grant Hewison at grant@granthewison.co.nz

Ōmokoroa lads star as Blue Rovers take title

By Matthew Farrell

Three Ōmokoroa boys were part of the top Under 13 football team in the entire Waikato Bay of Plenty District Federation this year.

Jason Cartwright and Elias Cresswell of Ōmokoroa Point School and former Ōmokoroa Number One student Jack Jones were all selected and played for the Blue Rovers Juniors of Greerton.

The league champions beat Northern United

Sports of Hamilton 4-0 in the final game of a stand-out season, in which they won 11 of their 14 matches, scoring 55 goals and conceding just 10.

Pāpāmoa FC and Tauranga City AFC rounded out the top three places in the Federation Division ahead of Hamilton Wanderers, Northern United and Melville United. Rotorua United finished just above rock bottom Cambridge.

Blue Rovers Juniors were due to go on and play in a tournament with three Auckland teams at the end of September.



Jason (back row, centre) Elias (front row, second left) and Jack (front row, third from right) were all part of a champion team this year. PHOTO: Supplied.

BEFORE THE DISTRICT LICENSING COMMITTEE
AT WESTERN BAY OF PLENTY

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

AND

IN THE MATTER of an application by **KLM ENTERPRISES LIMITED** for a on-licence in respect of premises situated at Shop 6, 168 Omokoroa Road, Omokoroa, to be known as "The Locals Bar and Eatery"

MEMORANDUM OF COUNSEL FOR THE APPLICANT

BROOKFIELDS
LAWYERS
J D Young
Telephone: 09 379 9350
Fax: 09 379 3224
P O Box 240
DX CP24134
AUCKLAND

MAY IT PLEASE THE COMMITTEE:

1. This memorandum responds to and clarifies certain matters that have been raised in objections and alleged in local media in respect of this application for an on-licence. The applicant is concerned that much of the public opposition is based on incorrect information or a misunderstanding of what is proposed. Having said that, this memorandum also sets out changes that have been made in response to concerns raised in public objections.
2. Firstly, the application has never included a TAB. No TAB was ever proposed.
3. Second, the applicant has considered the concerns of some members of the community regarding gaming machines. The applicant will not have gaming machines on the premises for the life of the first on-licence (assuming a licence is granted). It has made no firm decisions about gaming machines beyond the period of the first licence. It will continue to listen to public opinion when operating the premises. Attached and marked "A" is a plan showing that the gaming room will now be used as a function room or private dining room.
4. Also attached and marked "B" are plans of the exterior of the premises showing the external deck and playground area. The premises will be family friendly. It will not be a dark and unfriendly tavern.
5. A full menu will be on offer. A copy of a sample menu is attached and marked "C". Despite offering a full menu, the applicant still considers that its principal business will be the sale and supply of alcohol and other refreshments in terms of revenue streams. As such, it is obliged under the law to seek a tavern style on-licence. This will not, however, prevent a quality food offering which the applicant considers to be essential to maintaining a family friendly atmosphere.
6. Notwithstanding the above, the word "tavern" will be removed from the premises name to assuage concerns about the nature and style of the

premises. The premises will now be called "The Locals Bar and Eatery".

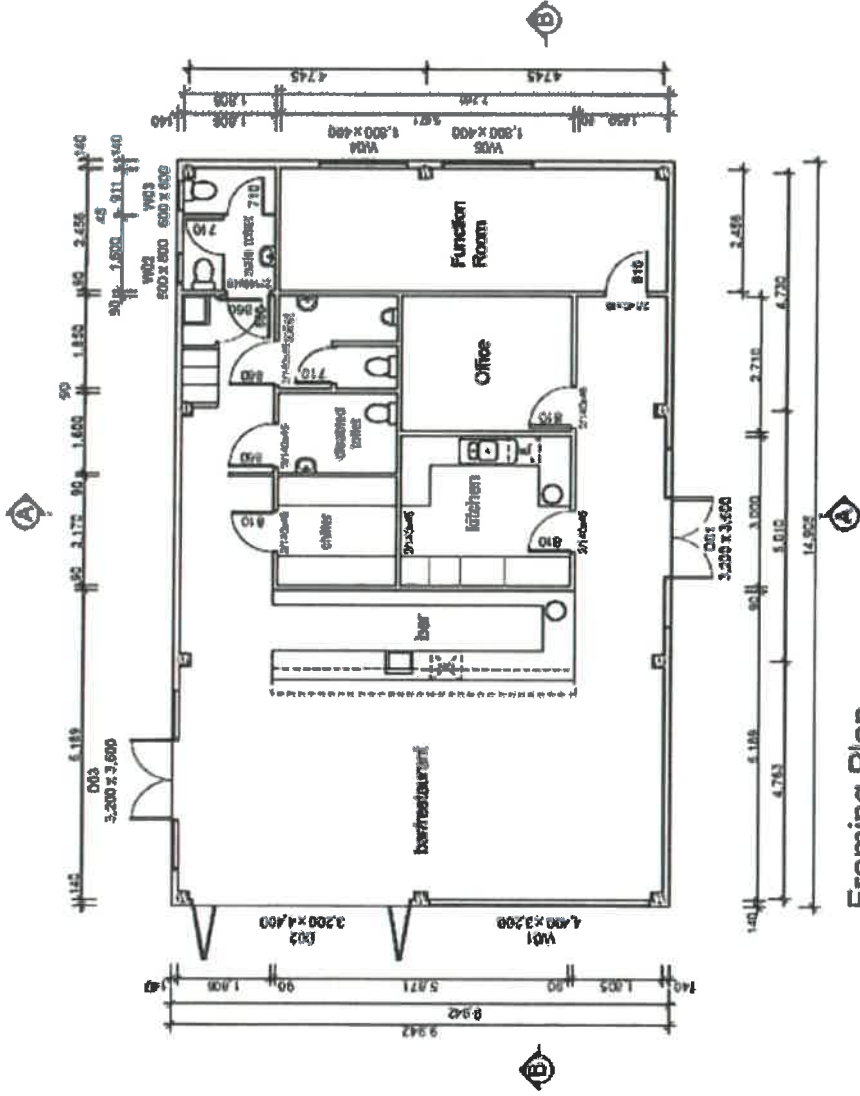
7. The applicant appreciates that the above may not resolve all the concerns of all objectors. However, at least the application can now be considered accurately and, hopefully, in the absence of speculation and supposition.
8. We seek that this memorandum be placed before the District Licensing Committee Chair and be provided to all objectors and reporting agencies. We do not seek any formal directions. The applicant is ready to proceed to a public hearing if public opposition to the application remains.

DATED the 4th day of October 2018



J D Young
Counsel for the Applicant

A



Framing Plan

Scale: 1:100 Area: 148.33m²



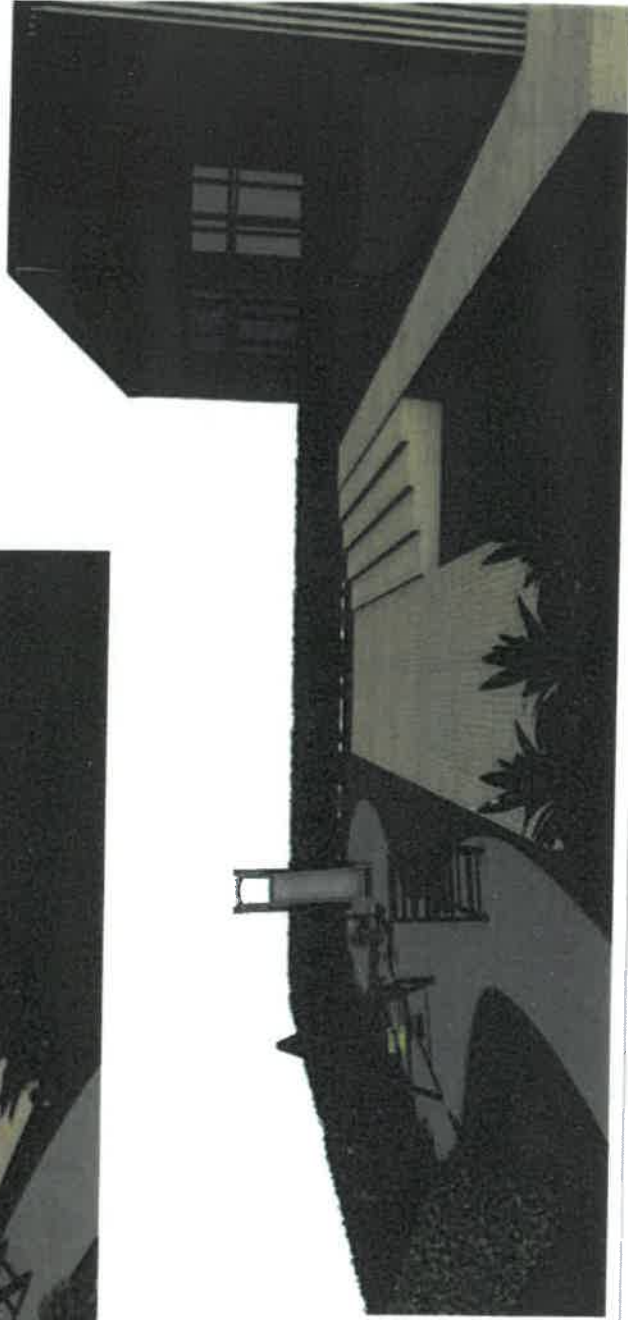
200, Mannar Road,
Colombo 15,
Sri Lanka.
Tel: 94 11 722 1199
Fax: 94 11 722 1198

Project Name
Leather Thrace Ltd. Bar &
Cafe, Restaurant & Snaps
199, Ombroona Road
Colombo

Sheet Title
Framing Plan

Designer
Udaya A. Wickramaratne
Proj. Date 27/02/2016

Client / Phase
Concept
Scale
1:100
Drawing No.
17120
Sheet No.
02 of 28



Lachhani Trustee Ltd. Bar & Eatery, Restaurant & Shops
 168 Omokoroa Road Omokoroa
 Project Number 17120



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Design
 Flexibility
 Quality

THE LOCAL'S BAR & EATERY

(168 OMOKORO ROAD)

SNACKS

| | |
|---|---------|
| BEER BATTERED FRIES (Tomato sauce & aioli) | \$9.00 |
| WEDGES (Cheese, bacon, sour cream & sweet chilli sauce) | \$16.00 |
| CRISPY SATLY CALAMARI (Aioli, lemon, & pickle) | \$15.00 |
| CHICKEN WINGS WITH BBQ SAUCE | \$12.00 |
| HOUSE MADE FLAT BREAD (Hummus & Pesto) | \$12.00 |
| GARLIC BREAD (Toasted & Crispy) | \$8.00 |

KIDS MEAL

| | |
|---|---------|
| CHICKEN & CHIPS | \$10.00 |
| FISH & CHIPS | \$10.00 |
| MINI BURGER & CHIPS | \$10.00 |
| KIDS ICE CREAM (With mini marshmallows and sprinkles) | \$4.50 |

BURGERS

| | |
|--|---------|
| BEEF BURGER (Cos lettuce, tomato, swiss cheese, bacon & onion) | \$16.50 |
| CHICKEN BURGER (Cos lettuce, tomato, brie & chipotle aioli) | \$16.50 |
| PULLED PORK BURGER (Homemade bbq sauce & slaw) | \$16.50 |
| PORTOBELLO MUSHROOM BURGER (Lettuce, tomato, blue cheese) | \$14.50 |

SALADS

| | |
|--|----------------|
| CHICKEN CAESAR SALAD (Egg, crostini, salad dressing) | \$18.00 |
| VEGAN SALAD (Lettuce, tomato, cucumber, salad dressing) | \$16.00 |

DINNER MENU FROM 4PM

| | |
|---|----------------|
| FRESH FROM THE BOAT (Pan-fried salmon with butter, garlic mash & salad) | \$30.00 |
| CHICKEN OMOKOROA (Crispy fried crumbed chicken breast, mozzarella, chef's secret tomato, garlic mash & salad). | \$28.00 |
| T-BONE STEAK (400gms of grilled T-bone with crispy fries, salad & creamy mushroom) | \$35.00 |
| PORK RIBS (Pork ribs made with bbq sauce with chips & chipotle slaw) | \$30.00 |
| FOR THE VEGGIES (Roasted mushrooms, char grilled veggies and mash) | \$25.00 |

DESSERTS

| | |
|---|----------------|
| CARAMEL CHOCOLATE FONDANT (Vanilla bean ice cream) | \$14.00 |
| CREAME BRULEE | \$14.00 |
| TIA MARIA TART (Whipped cream) | \$14.00 |

COFFEE & TEA

| | |
|---|---------------|
| LONG BLACK, ESPRESSO, AMERICANO | \$4.00 |
| ENGLISH BREAKFAST TEA, PEPPERMINT, GREEN TEA | \$4.00 |

Western Bay of Plenty District Council
District Licensing Committee

Hearing: Commencing 29 January 2019

Application No. LL 7264 for an ON Licence under Section 136, Sale and Supply of Alcohol Act 2012 - Applicant: KLM Enterprises Limited - Premise located at Shop 6, 168 Omokoroa Road, Omokoroa, trading as The Local's Tavern Bar and Eatery



Further Correspondence

18 July 2018

Dear Concerned Objector(s)

Thank you for your objection to the On-licence application submitted by KLM Enterprises Ltd. Council is required to consider all applications for alcohol licences through its District Licensing Committee. The process required to consider a licence is strictly managed through the Sale and Supply of Alcohol Act 2012.

I refer you to the following guide on objecting to a licence which provides information on the process and what happens in the case of a hearing.

https://www.alcohol.org.nz/sites/default/files/images/AL1021_Objecting%20to%20a%20licence_3_jm_0.pdf

The criteria for an objection to be considered valid by the District Licensing Committee is outlined in Section 102 of The Sale and Supply of Alcohol Act 2012 as follows:

102 Objections to applications

- (1) *A person may object to the grant of a licence only if he or she has a greater interest in the application [for the licence] than the public generally.*
- (2) *An objection must be in writing and filed with the licensing committee within 15 working days after the first publication of the public notice of the making of the application.*
- (3) *No objection may be made in relation to a matter other than a matter specified in section 105*
- [(4) *This subsection applies to an application—*
 - (a) *for a licence for premises that is of the same kind as the licence currently in force for those premises; and*
 - (b) *in which the conditions sought are the same as apply to that licence.]*
- [(4A) *In the case of an application to which subsection (4) applies, the ground for an objection may not relate to any matter other than the suitability of the applicant.]*
- (4) *The secretary of the licensing committee concerned must give a copy of every objection to the applicant.*

The matters that must be specified in the objection should relate to section 105 of the Act as follows:

- (a) *the object of this Act;*
- (b) *the suitability of the applicant;*
- (c) *any relevant local alcohol policy;*
- (d) *the days on which and the hours during which the applicant proposes to sell alcohol;*
- (e) *the design and layout of any proposed premises;*
- (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;*
- (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;*
- (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*
 - (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:*

You may wish to review and consider amending your objection to include any additional information in relation to the criteria in section 105 of the Act outlined above, this will ensure your objection can be heard and meets the criteria required by the District Licensing Committee.

Objections will be received up until the public notice period ends at the close of business on **Friday 20 July 2018**.

The application was publically advertised in The Weekend Sun on 29 June 2018 and 6 July 2018. There is a period of 15 working days after the first publication is published that the public can object to the application.

Please note that all objections to a licence are public information and a copy is required to be provided to the applicant for the licence.

Kind regards

Dougal Elvin

Alcohol Licensing Inspector

P 07 571 8008 **DD** 07 579 6784

M 027 551 6834

Barkes Corner, Greerton, Tauranga

Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

E dougal.elvin@westernbay.govt.nz

www.westernbay.govt.nz

Emily Clarke

From: Dougal Elvin
Sent: Tuesday, 17 July 2018 4:25 PM
To: Dougal Elvin
Subject: Objection to On-licence application by KLM Enterprises Ltd.

Dear Concerned Objector(s)

Thank you for e-mail objecting to the On-licence application submitted by KLM Enterprises Ltd. Council is required to consider all applications for alcohol licences through its District Licensing Committee. The process required to consider a licence is strictly managed through the Sale and Supply of Alcohol Act 2012.

I refer you to the following guide on objecting to a licence which provides information on the process and what happens in the case of a hearing.

https://www.alcohol.org.nz/sites/default/files/images/AL1021_Objecting%20to%20a%20licence_3_jm_0.pdf

The criteria for an objection to be considered valid by the District Licensing Committee is outlined in Section 102 of The Sale and Supply of Alcohol Act 2012 as follows:

102 Objections to applications

- (1) A person may object to the grant of a licence only if he or she has a greater interest in the application [for the licence] than the public generally.
- (2) An objection must be in writing and filed with the licensing committee within 15 working days after the first publication of the public notice of the making of the application.
- (3) No objection may be made in relation to a matter other than a matter specified in section 105
- [(4) This subsection applies to an application—
 - (a) for a licence for premises that is of the same kind as the licence currently in force for those premises; and
 - (b) in which the conditions sought are the same as apply to that licence.]
- [(4A) In the case of an application to which subsection (4) applies, the ground for an objection may not relate to any matter other than the suitability of the applicant.]
- (4) The secretary of the licensing committee concerned must give a copy of every objection to the applicant.

The matters that must be specified in the objection should relate to section 105 of the Act as follows:

- (a) the object of this Act:
- (b) the suitability of the applicant:
- (c) any relevant local alcohol policy:
- (d) the days on which and the hours during which the applicant proposes to sell alcohol:
- (e) the design and layout of any proposed premises:
- (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:
- (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:
- (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
 - (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:

You may wish to review and consider amending your objection to include any additional information in relation to the criteria in section 105 of the Act outlined above, this will ensure your objection can be heard and meets the criteria required by the District Licensing Committee.

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Please note that all objections to a licence are public information and a copy is required to be provided to the applicant for the licence.

I look forward to hearing from you.

Kind regards

Dougal Elvin

Alcohol Licensing Inspector

P 07 571 8008 **DD** 07 579 6784

M 027 551 6834

Barkes Corner, Greerton, Tauranga

Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

E dougal.elvin@westernbay.govt.nz

www.westernbay.govt.nz



**Western Bay of Plenty
District Council**



Te Kaunihera a rohe mai i nga Kuri-a-Whareī ki Otamarakau ki te Uru

18 October 2018

Geoff and Lorraine Davis
1 McKenna Lane
Omokoroa 3114

Dear Objector

Application for On-Licence KLM Enterprises Limited

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By Email: liquor.licence@westernbay.govt.nz

By Mail: Western Bay of Plenty District Licensing Committee
Private bay 12803
Tauranga Mail Centre
Tauranga 3143.

Enquiries by Phone: Dougal Elvin on Ph 571 8008

The Committee will duly notify details of a hearing following this date, to those persons who maintain an objection to the application.

Yours faithfully



Dougal Elvin
Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

Eddie & Jean Taylor
1 Walnut Grove
Omokoroa 3114

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Dougal Elvin
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Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

KG Judd & JE Judd
11 McKenna Lane
Omokoroa 3114

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Dougal Elvin
Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

WF & MP Hartley
146 Omokoroa Country Estate
Omokoroa 3114

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Dougal Elvin
Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

Brendon Cooney
16 The Esplanade
Omokoroa 3114

Dear Objector

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Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

Alan & Mary Lowe
181C Omokoroa Road
Omokoroa 3114

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Dougal Elvin
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Dougal.elvin@westernbay.govt.nz
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18 October 2018

Russell & Patricia Farrell
181D Omokoroa Road
Omokoroa 3114

Dear Objector

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Dougal.elvin@westernbay.govt.nz
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18 October 2018

Wendy & Marcus Ulyatt
181E Omokoroa Road
Omokoroa 3114

Dear Objector

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Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

Brian A Clark & Jill Clark
191B Omokoroa Road
Omokoroa 3114

Dear Objector

Application for On-Licence KLM Enterprises Limited

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Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
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18 October 2018

Janene and Ken Holyoake, Rebecca Bell
20 Kayelene Place
Omokoroa 3114

Dear Objector

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Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

Angela and Noel Benstead
23 Bramley Drive
Omokoroa 3114

Dear Objector

Application for On-Licence KLM Enterprises Limited

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Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

Sandy Presland
29 Holyoake Terrace
Omokoroa 3114

Dear Objector

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18 October 2018

RE & KS Hallam
36 Margaret Drive
Omokoroa 3114

Dear Objector

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18 October 2018

Heather Reynolds
36 Vivian Drive
Omokoroa 3114

Dear Objector

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Dougal Elvin
Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

Catherine McDonald
40 Margaret Drive
Omokoroa 3114

Dear Objector

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Dougal Elvin
Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
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18 October 2018

Dianne & Martin Layzell
6 Margaret Drive
Omokoroa 3114

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Dougal Elvin
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Dougal.elvin@westernbay.govt.nz
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18 October 2018

Jean Williams
63 Omokoroa Country Estate
Omokoroa 3114

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Dougal Elvin
Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
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18 October 2018

Lynne Jamieson
7 Margaret Drive
Omokoroa 3114

Dear Objector

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18 October 2018

Wendy & Albert Morris
7 McKenna Lane
Omokoroa 3114

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Alcohol Licensing Inspector
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18 October 2018

Anton & Anne Coetzee
88/5 Anderley Avenue
Omokoroa 3114

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Irene & Richard Keech
9 McKenna Lane
Omokoroa 3114

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Application for On-Licence KLM Enterprises Limited

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You are not required to make a response. However, should you determine that based on the information provided that you no longer wish to proceed with your objection, please advise in writing of your withdrawal of the objection. This advice should be provided to the District Licensing Committee as soon as possible – no later than **26 October 2018**. Please see full contact details following:

By Email: liquor.licence@westernbay.govt.nz

By Mail: Western Bay of Plenty District Licensing Committee
Private bay 12803
Tauranga Mail Centre
Tauranga 3143.

Enquiries by Phone: Dougal Elvin on Ph 571 8008

The Committee will duly notify details of a hearing following this date, to those persons who maintain an objection to the application.

Yours faithfully



Dougal Elvin
Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

18 October 2018

R.L & S.J Deane
Home 103, Omokoroa Country Estate
Omokoroa 3114

Dear Objector

Application for On-Licence KLM Enterprises Limited

Please find **enclosed** a Memorandum of Counsel for the alcohol licence application by KLM Enterprises Limited, situated at Shop 6, 168 Omokoroa Road, Omokoroa. The applicant for the licence has requested that this memorandum be sent to all persons who have made objection to the application for their on licence.

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Yours faithfully



Dougal Elvin
Alcohol Licensing Inspector
Dougal.elvin@westernbay.govt.nz
Ph 07 579 6784

Emily Clarke

From: Emily Clarke on behalf of Liquor Licence
Sent: Thursday, 18 October 2018 10:36 AM
To: Liquor Licence
Subject: Application for On-Licence KLM Enterprises Ltd

Dear Objector,

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Kind regards

Dougal Elvin

Alcohol Licensing Inspector

P 07 571 8008

Barkes Corner, Greerton, Tauranga
Private Bag 12803, Tauranga Mail Centre, Tauranga 3143

E dougal.elvin@westernbay.govt.nz

www.westernbay.govt.nz



BEFORE THE DISTRICT LICENSING COMMITTEE
AT WESTERN BAY OF PLENTY

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

AND

IN THE MATTER of an application by **KLM ENTERPRISES LIMITED** for a on-licence in respect of premises situated at Shop 6, 168 Omokoroa Road, Omokoroa, to be known as "The Locals Bar and Eatery"

MEMORANDUM OF COUNSEL FOR THE APPLICANT

BROOKFIELDS
LAWYERS
J D Young
Telephone: 09 379 9350
Fax: 09 379 3224
P O Box 240
DX CP24134
AUCKLAND

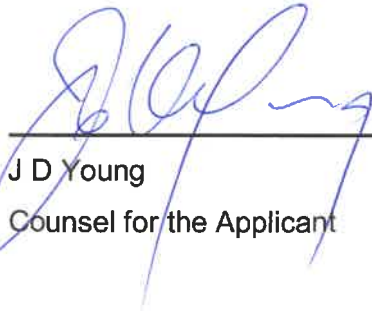
MAY IT PLEASE THE COMMITTEE:

1. This memorandum responds to and clarifies certain matters that have been raised in objections and alleged in local media in respect of this application for an on-licence. The applicant is concerned that much of the public opposition is based on incorrect information or a misunderstanding of what is proposed. Having said that, this memorandum also sets out changes that have been made in response to concerns raised in public objections.
2. Firstly, the application has never included a TAB. No TAB was ever proposed.
3. Second, the applicant has considered the concerns of some members of the community regarding gaming machines. The applicant will not have gaming machines on the premises for the life of the first on-licence (assuming a licence is granted). It has made no firm decisions about gaming machines beyond the period of the first licence. It will continue to listen to public opinion when operating the premises. Attached and marked "A" is a plan showing that the gaming room will now be used as a function room or private dining room.
4. Also attached and marked "B" are plans of the exterior of the premises showing the external deck and playground area. The premises will be family friendly. It will not be a dark and unfriendly tavern.
5. A full menu will be on offer. A copy of a sample menu is attached and marked "C". Despite offering a full menu, the applicant still considers that its principal business will be the sale and supply of alcohol and other refreshments in terms of revenue streams. As such, it is obliged under the law to seek a tavern style on-licence. This will not, however, prevent a quality food offering which the applicant considers to be essential to maintaining a family friendly atmosphere.
6. Notwithstanding the above, the word "tavern" will be removed from the premises name to assuage concerns about the nature and style of the

premises. The premises will now be called "The Locals Bar and Eatery".

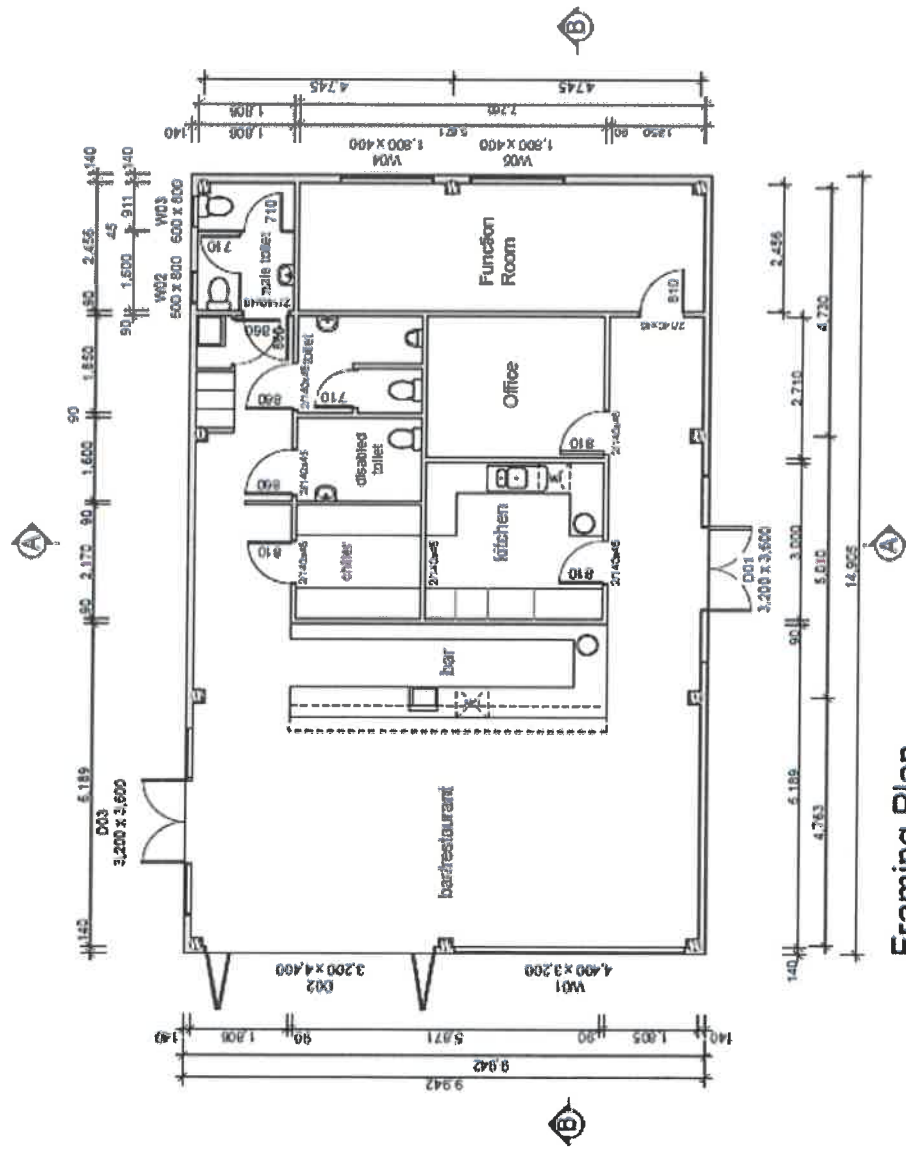
7. The applicant appreciates that the above may not resolve all the concerns of all objectors. However, at least the application can now be considered accurately and, hopefully, in the absence of speculation and supposition.
8. We seek that this memorandum be placed before the District Licensing Committee Chair and be provided to all objectors and reporting agencies. We do not seek any formal directions. The applicant is ready to proceed to a public hearing if public opposition to the application remains.

DATED the 4th day of October 2018




J D Young

Counsel for the Applicant



Framing Plan
Scale - 1 : 100

Area: 146.38m²

| | | | | | | | | |
|---|--|--|--|---|--|-------------------------------|---------------------|---------------------|
|  | Sign Management & Design 158 Omolara Road Onitsha, Anambra State Tel: 077 439 7200 Fax: 077 439 7200 | Project Name Lachain Thales Ltd. Bar & Eatery, Restaurant & Snops 158 Omolara Road Onitsha | Sheet Title Framing Plan Original Drawing: 88a-A3 | Status Design: A. Nwachukwu Plot Date: 27/03/2018 | Project Location Onitsha, Anambra State | Client Lachain Thales Ltd. | Drawing No 17120 | Issue No 03/1/20 |
| | | | | | | | | |



Lachhani Trustee Ltd. Bar & Eatery, Restaurant & Shops

168 Omokoroa Road Omokoroa

Project Number 17120



www.pennndesign.co.nz

Ph: 07 572 4203 - Fax: 07 572 4207

360A Maunganui Road. Mt Maunganui. Tauranga.

Design
Flexibility
Quality

THE LOCAL'S BAR & EATERY

(168 OMOKORO ROAD)

SNACKS

| | |
|---|---------|
| BEER BATTERED FRIES (Tomato sauce & aioli) | \$9.00 |
| WEDGES (Cheese, bacon, sour cream & sweet chilli sauce) | \$16.00 |
| CRISPY SATLY CALAMARI (Aioli, lemon, & pickle) | \$15.00 |
| CHICKEN WINGS WITH BBQ SAUCE | \$12.00 |
| HOUSE MADE FLAT BREAD (Hummus & Pesto) | \$12.00 |
| GARLIC BREAD (Toasted & Crispy) | \$8.00 |

KIDS MEAL

| | |
|---|---------|
| CHICKEN & CHIPS | \$10.00 |
| FISH & CHIPS | \$10.00 |
| MINI BURGER & CHIPS | \$10.00 |
| KIDS ICE CREAM (With mini marshmallows and sprinkles) | \$4.50 |

BURGERS

| | |
|--|---------|
| BEEF BURGER (Cos lettuce, tomato, swiss cheese, bacon & onion) | \$16.50 |
| CHICKEN BURGER (Cos lettuce, tomato, brie & chipotle aioli) | \$16.50 |
| PULLED PORK BURGER (Homemade bbq sauce & slaw) | \$16.50 |
| PORTOBELLO MUSHROOM BURGER (Lettuce, tomato, blue cheese) | \$14.50 |

SALADS

| | |
|---|---------|
| CHICKEN CAESAR SALAD (Egg, crostini, salad dressing) | \$18.00 |
| VEGAN SALAD (Lettuce, tomato, cucumber, salad dressing) | \$16.00 |

DINNER MENU FROM 4PM

| | |
|--|---------|
| FRESH FROM THE BOAT (Pan-fried salmon with butter, garlic mash & salad) | \$30.00 |
| CHICKEN OMOKOROA (Crispy fried crumbed chicken breast, mozzarella, chef's secret tomato, garlic mash & salad). | \$28.00 |
| T-BONE STEAK (400gms of grilled T-bone with crispy fries, salad & creamy mushroom) | \$35.00 |
| PORK RIBS (Pork ribs made with bbq sauce with chips & chipotle slaw) | \$30.00 |
| FOR THE VEGGIES (Roasted mushrooms, char grilled veggies and mash) | \$25.00 |

DESSERTS

| | |
|--|---------|
| CARAMEL CHOCOLATE FONDANT (Vanilla bean ice cream) | \$14.00 |
| CREAME BRULEE | \$14.00 |
| TIA MARIA TART (Whipped cream) | \$14.00 |

COFFEE & TEA

| | |
|--|--------|
| LONG BLACK, ESPRESSO, AMERICANO | \$4.00 |
| ENGLISH BREAKFAST TEA, PEPPERMINT, GREEN TEA | \$4.00 |

22/ON/7264/2018

IN THE MATTERof the Sale and Supply of
Alcohol Act 2012 (the Act)**AND****IN THE MATTER**of an application by **KLM
ENTERPRISES LIMITED**
pursuant to s100 of the Act
for the grant of an ON
Licence in respect of
premises
situated at
Shop 6, 168 Omokoroa
Road, Omokoroa to be
known as "The Locals Bar &
Eatery"**MINUTE OF THE WESTERN BAY OF PLENTY DISTRICT LICENSING
COMMITTEE****THE APPLICATION**

KLM ENTERPRISES LIMITED applies for the grant of an ON Licence in respect of premises to be situated at Shop 6,168 Omokoroa Road, Omokoroa to be known as "The Locals Bar & Eatery."

The application was publicly notified and drew more than 100 objections expressing concerns about the suitability of the applicants, hours of operation and the potential for amenity and good order issues. Counsel for the applicant responded to some of the objectors concerns and three objectors withdrew their objections.

The majority of the objections were received in time, refer to section 105 matters, and have not been withdrawn.

The Direction

The application, and the concerns of the objectors deemed to have a greater interest than the public at large, will need to be considered and determined by a full quorum of the DLC in a public hearing.

Pursuant to Section 202(1) & (3) of the Act I ask that the matter be set down for hearing at the earliest opportunity.

DATED at Tauranga this 9th day of November 2018.

A handwritten signature in black ink, appearing to read 'Murray Clearwater', with a long, sweeping tail.

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