



AGENDA

Meeting of the

District Licensing Committee

**Wednesday 26 March 2014
Commencing at 9.00am
Council Chamber, Civic House
Trafalgar Street, Nelson**

Membership: O Blaikie (Chair), G Collingwood and D Shaw

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11 March 2014

The Secretary
Nelson District Licensing Agency
Nelson City Council
P O Box 645
NELSON 7040

Dear Sir/Madam

**DLA REF: OF112 - APPLICATION FOR NEW OFF LICENCE - SRS GHUMAN &
SONS LIMITED T/as: THE BARREL, 5/183 FEATHERSTON STREET,
PALMERSTON NORTH 4410**

Police have no objection to the above application.

Yours faithfully



S B Savage
Sergeant
Liquor Licensing/Alcohol
Harm Reduction Officer
NELSON BAYS

A1157916

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17 March 2014

DLC ref: OF112

Nelson District Licensing Committee
PO Box 645
NELSON 7040

Dear Sir/Madam

Sale & Supply of Alcohol Act 2012 Application for new OFF LICENCE – SRS Ghuman & Sons Limited

This letter is the Medical Officer of Health's report on the application for a new OFF licence. The following comments are compiled from information obtained through documentation and email correspondence with Ranbir Singh, the Applicant and from previous work on the Nelson draft Local Alcohol Policy.

The proposed building at 36 Gloucester Street is under construction, once built it will be situated within an Industrial Zone of The Nelson Resource Management Plan.

June/July 2014 is the proposed opening date and the proposed operating hours are 0900 to 2100 hours, 7 days.

The Bottle Store as it is known at the moment will be run by Ranbir Singh. He will be an independent, private, owner-operator.

Staff & Management

Ranbir Singh advises he is an experienced operator having had a Managers Certificate since 2009. There were two General Managers Certificates attached to the application and information stated that there will be three staff members. Further documentation states anyone working on the premises will be required to hold a Managers Certificate. Documented training in the form of a Host Responsibility Implementation Plan (HRIP) was submitted with the application.

Controls on the premises

Signage will be on display relating to the statutory restriction on the sale and supply of alcohol to prohibited persons. The appropriate identification will be requested from people who appear to be under 25 years of age with the electronic cash register requesting date of birth before a sale can be completed. Within the HRIP is a detailed section on monitoring for levels of intoxication when customers arrive in store and actions required. Prohibited Persons Signage will be provided if it is required.

Availability of Food, Low and Non Alcoholic beverages

There will be a range of other products available for sale these will include soft drinks, bottled water, juices, snack foods, tobacco products and branded apparel.

A1157907

Tastings

Tastings of beer, wine and whisky are planned and during that time water will be readily available. The Applicant should be mindful that the taste should be a sample, that he cannot charge for tastings and that the sample quantity should be modest.

Remote – On Line Sales

There will be no web site or remote sales.

Design and Layout

As the premises is under construction the Crime Prevention Through Environmental Design (CPTED) assessment was not undertaken. In the application some details were provided on design and layout specifically on security cameras and exterior lighting. As a new building the Applicant has an ideal opportunity to ensure good layout and design with that in mind the Health Promotion Agency CPTED guidelines have been posted to him.

Amenity & Good Order, Outlet Density

The Bottle Store's proposed location on 36 Gloucester Street is within the industrial zone and surrounded by a range of retail/service businesses. There are at least 4 established alcohol licensed premises (3 OFF and 1 ON) within 0.5 kilometres of the proposed premises.

Under the Sale and Supply of Alcohol Act a territorial authority is able to make a local alcohol policy (LAP) and under the LAP in consultation with its community it is able to have a policy which would limit the density of licensed premises. This density restriction can be done by specifying whether a new licence or type of licence should be issued in a particular area. However, the current draft Nelson Local Alcohol Policy (LAP) does not include a policy on restricting the density of licensed premises but refers back to the provisions of the Act and criteria for assessment of licensing applications as adequate to address density matters.

To inform Nelson's development of an LAP a community survey was undertaken. Relevant key findings on availability of alcohol stated over two-thirds don't want any more off-licenses (such as liquor stores, supermarkets and local grocery stores). Over a quarter said there are already too many and 45% said there were enough and they would not want anymore. Another key finding was the majority think the Nelson District Licensing Committee should consider the number of existing places that sell alcohol when an application for a new licence is made.

The region already has a density of alcohol licences per 10,000 population higher than New Zealand according to Ministry of Justice and Statistics New Zealand. This may be due to the higher number of vineyards in this area. There is increasing evidence that greater availability of alcohol leads to increased consumption, which in turn leads to more social harms. A copy of the Medical Officer of Health Report for Nelson City Council regarding Local Alcohol Policies is enclosed. This documents international and New Zealand evidence that geographic density is associated with alcohol related harm.

Social Responsibility Policy

The Social Responsibility Policy was discussed and an example provided. A signed copy of the policy has been returned.

Promotions & Advertising

According to the application promotion/advertising material will be modest. The National guidance on alcohol promotions Off-licensed premises produced by HPA has been sent to the Applicant.

Conclusion

The primary issue of concern in this application is the possible addition of another liquor outlet in this area and the evidence that increased number of outlets is associated with greater alcohol related harm. This is linked with the overall availability of alcohol in a community and includes number of outlets, hours they are open and in particular the price of alcohol. This harm is more likely to impact on young people, Maori and Pacific Island and on the lower socioeconomic groups.

I am pleased to see the applicants proposed hours are 0900 to 2100, which is consistent with the Draft Nelson City Local Alcohol Policy.

Evidence of the effectiveness of different policy interventions in decreasing alcohol related harm have shown outlet density restriction to be an effective policy measure however, the Nelson City Council have chosen not to specifically include this in their draft LAP.

While I have concerns as outlined above I am not objecting to this application.

Yours sincerely



Dr Ed Kiddle
MEDICAL OFFICER OF HEALTH
Ed.kiddle@nmdhb.govt.nz

**Medical Officer of Health Report
for
Nelson City Council
Regarding
Local Alcohol Policies**

20 June 2013

Prepared by the Public Health Service of
Nelson Marlborough District Health Board.

This report has been written by;

Dr Ed Kiddle, Medical Officer of Health

Dr Al Norrish, Public Health Analyst

With contributions from;

Mrs Jan Anderson - Health Protection Officer / Health Promoter

Mrs Coral Hedley – Health Promoter

Ms Catherine McLeod – Medical Student

Introduction

This report has been prepared by the Medical Officer of Health (MOH) and other staff at the Public Health Service (PHS) of the Nelson Marlborough District Health Board (NMDHB) as part of the process in the development of Draft Local Alcohol Policies (LAPS) by Territorial Authorities under the Sale and Supply of Alcohol Act 2012.

The Medical Officer of Health and NMDHB are strongly supportive of the development of LAPs as an opportunity to decrease alcohol related harm in our community and a way of enabling greater community input into alcohol licensing issues. The opportunity to contribute is appreciated. In the Act there is a specific requirement to consult the MOH in LAP development and also a section around agencies "duty to collaborate" in working together to reduce alcohol related harm (sn 295). Locally there is already a long history of collaborative work among the PHS, Council Licensing Inspectors and the Police on alcohol issues. Also there are several collaborative initiatives involving other agencies and the hospitality sector such as the Nelson Tasman Alcohol Accord and the Marlborough Alcohol Advisory Committee.

Both Nelson/ Tasman and Marlborough are involved in cross sector projects around healthy communities ("Safe at the Top" and "Safe and Sound at the Top"). Action on alcohol related problems is an aspect of these projects.

The population covered by NMDHB is outlined in the table below

Marlborough - Nelson - Tasman Statistics NZ 2011 Population Projections			
	European	Maori	Total
Marlborough District Council	42300	5100	47400
Nelson City Council	42100	4500	46600
Tasman District Council	45700	3600	49300
Total	130100	13200	143300

About eight percent of the population are Maori which is less than the national average of 15%. The Maori population is a younger population than non-Maori.

NMDHB adopted a position statement on alcohol in 2012 (Appendix One) and will be developing an alcohol harm reduction strategy as a follow on to this. Working with Territorial Authorities in developing Local Alcohol Policies was identified as an action in that position statement and will make up a component of the DHBs Alcohol Harm Reduction Strategy.

Some Relevant Parts of the Act

The object of the Act is outlined in Section 4 and identifies health impacts as potential areas of alcohol related harm that should be minimised.

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).*

Local alcohol policies are covered in subpart 2 of the Act and section 77 outlines what can make up the content of policies. LAPs are primarily around licensing issues.

77 Contents of policies

1. *A local alcohol policy may include policies on any or all of the following matters relating to licensing (and no others):*
 - a. location of licensed premises by reference to broad areas:*
 - b. location of licensed premises by reference to proximity to premises of a particular kind or kinds:*
 - c. location of licensed premises by reference to proximity to facilities of a particular kind or kinds:*
 - d. whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district:*
 - e. maximum trading hours:*
 - f. the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions:*

g. one-way door restrictions.

Alcohol and Harm – General Effects

It is well recognised that drinking alcohol to a state of intoxication, binge drinking and sustained heavy drinking, leads to a number of adverse effects on health. These harms include; acute alcohol intoxication, a range of injury types, chronic diseases, mental health conditions and addiction ^(1, 2, 3). In addition, other related health conditions such as sexually-transmitted infections and unintended pregnancies may result from drinking ^(4, 5). There are a range of social harms arising from the misuse of alcohol. Alcohol-related harm can occur in the individuals who drink as well as others who are directly or indirectly affected.

Some groups in the community are more seriously impacted by alcohol related harm than others. Young people (aged between 15 and 29) along with Maori and Pacific people experience a greater burden of this harm compared to other New Zealanders ^(pg 83)

People living in areas of higher socio-economic deprivation also face greater impacts from alcohol related harm ^(6: pg 94). Part of this may be linked to outlet numbers and density with New Zealand research showing outlet density is higher in such areas. (People living in areas with more outlets are more likely to consume more and suffer from alcohol related harm ^(6: pg 95). Density is an issue and alcohol can actually make inequalities worse. (Note that density in this context refers to number of outlets in a given geographic area not to the number of licences per 10,000 population).

An analysis reported in the New Zealand Medical Journal in 2012 ⁽⁷⁾ reported that for 2007 “one in six adults aged 16-64 years (18.1%,) reported that they had experienced harmful effects on their friendships or social life, home life or financial position in the past year due to someone else’s alcohol use”. This was more people than reported harm from their own drinking (12.2%). The same paper reported that women suffered more, particularly young women with 35% of women aged 18 to 24 years reporting harm.

Data from the community surveys carried out by the Tasman District Council (TDC), Nelson City Council (NCC) and Marlborough District Council (MDC) as part of preparation for the draft LAPs showed 18%, 21% and 19% respectively of respondents reported that in the last 5 years they, or someone close to them, had experienced significant harm from someone else drinking. ^(8, 9, 10)

In it’s 2009 Issues Paper the Law Commission stated; “the misuse of alcohol does not relate in one single problem, but a whole set of problems, some of which affect the health and wellbeing of the individual drinker, some of which impact on those with whom the drinker comes in contact, and some of which impact on the community at large ^(1: pg7).”

Essentially there are two broad classes of alcohol related harm, those contributing to illness, injury and poor health and those contributing to social problems. The final Law Commission report has a good summary of the health related harms and the following extract outlines these. (6: pg 70)

"Alcohol is the most commonly used recreational drug in New Zealand.

It is a psychoactive substance with the potential to harm in three ways:

toxicity, intoxication and dependence. Immediate harms, like alcohol poisoning and accidental injury or assaults, occur at the time of consumption and typically are the result of intoxication. Longer term or chronic health harms are associated with the cumulative toxic effects of alcohol consumed over many years and include a range of cancers, cardiovascular disease, liver disease, high blood pressure, depression, anxiety disorders and alcohol dependence.

How individuals drink – the frequency and quantity consumed – are key determinants in their risk of harm. Those who consume large quantities when they drink, including those who drink to intoxication, face an increased risk of suffering or causing an immediate or acute harm, such as an accident or injury. Alcohol poisoning and acute tissue damage are also possible outcomes of high-volume drinking. The risk of suffering longer term or chronic harms, including a range of alcohol-related cancers, relates to the toxicity of alcohol on human organs and is determined by the cumulative effects of alcohol over months or years. The frequency and quantity of alcohol consumed determines the level of risk. Similarly, at a population level, the drinking patterns of New Zealanders determine the types and levels of alcohol-related harm experienced as a nation."

As expressed above, alcohol is linked to a wide range of diseases from effects on the unborn child (foetal alcohol syndrome) through to cancer, with a strong association with cancers of the head and neck and links with cancer of the breast, digestive tract and respiratory system. Other diseases and illnesses where alcohol is a major contributory factor are liver disease, pancreatitis, cardiovascular disease and high blood pressure and there is a contribution to infectious diseases such as pneumonia and sexually transmitted infections, other gastro-intestinal diseases, gout, psoriasis and of course injuries including burns. In

addition it can cause a range of mental health problems including dependence, depression, anxiety, and sleep disorders.

The existence of overall health-related benefits of alcohol is contentious, since it is debatable whether potential health benefits for individuals such as reduced coronary heart disease risk, ever outweigh co-existent harms at any level of drinking or age ^(11,12). The most recent alcohol guidelines encourage consumption at low-moderate levels, avoidance of binge drinking, and non-promotion of alcohol for purported therapeutic health "benefits" ⁽¹²⁾.

Social harms from alcohol misuse are well recognised, for example Babor⁽³⁾ and others reported in both individual and population studies there is a clear link between alcohol and violence and this risk of violence increases with increasing intake of alcohol. Evidence also exists for links with issues as child abuse, family problems and work related problems such as absenteeism, lateness and poor workplace relationships. Babor comments on the need for social policy around alcohol to help reduce these harms even though alcohol may be only one contributory factor.

Local Health information on Alcohol Related Harm

SUMMARY OF ALCOHOL-RELATED HARM (HEALTH-RELATED): INFORMATION FOR LOCAL ALCOHOL POLICY DEVELOPMENT.

Sources of information on specific areas of alcohol-related harm

Emergency Department (ED) visits

This data is useful for identifying most types of acute harm including demographic and time trends, and presentation characteristics (eg diagnosis, day/time). Information about the involvement of alcohol in presentations is collected by triage nurses at NMDHB hospital EDs. An audit of weekend ED presentations during 2011 identified those which were alcohol-related based on information from the clinical records, and this data is presented in this report. The audit found that the routine collection of information about alcohol at triage was incomplete and inconsistent. Subsequently, a new 3-step system of data collection is currently being trialled.

Hospital admissions

This data can capture information about the burden due to chronic conditions such as alcohol-related liver diseases and cancers (using attributable risk concepts), as well as more severe acute presentations. In this report data was only available for admissions where the condition is wholly attributable to alcohol. This will lead to a significant under-estimation of the size of the problem since it does not include a number of important conditions such as some types of cancer which are partially attributable to alcohol, or more serious alcohol-related injuries which require hospital admission.

Alcohol-related vehicle crashes

This can identify injury and non-injury crashes where alcohol has been identified as a factor, as reported to the NZ Transport Agency. Useful for comparing trends over time, or between geographic areas (TLA areas).

Compliance with Controlled Purchase Operations (CPOs)

This is a measure of how well local licensees comply with license provisions, namely age-restrictions on sale of alcohol, using data collected by the Public Health Unit and the New Zealand Police.

Density of alcoholic liquor licences

The density of licences issued per 1,000 population has been associated with levels of alcohol-related harm in NZ (13) and can be measured for on-licences, off-licences and club-licences, using data from the Ministry of Justice.

Health provider perceptions of local alcohol harm and licensing issues

A survey (administered on-line and postal) was conducted during April and May 2103 to seek the opinion of health providers concerning local patterns of alcohol-related harm in Nelson-Marlborough, and possible interventions that could be used to address these through local licensing arrangements. Respondents included general practitioners, community and hospital-based practitioners working in the drug and alcohol/mental health/youth health fields, as well as clinical directors of the NMDHB, Emergency Department staff, Ambulance Services, Gambling Services, Maori Health Providers, Pacific Reference Group, and school counsellors.

Outpatient attendances for alcohol problems

Currently data is not routinely available that identifies trends in alcohol-specific referrals to the NMDHB Drug and Alcohol services.

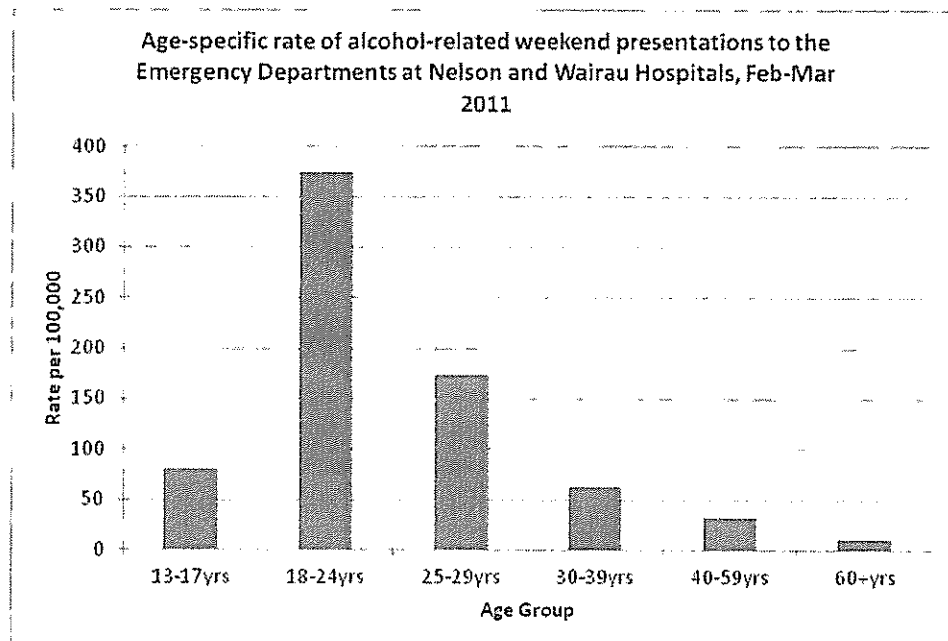
Nelson and Wairau Hospital Emergency Departments

Overall impact:

Estimated 1,215 alcohol-related ED visits per year (based upon data from the 2011 audit). Overall, 10% of weekend ED presentations were alcohol-related, and this was similar at Nelson Hospital (9%) and Wairau Hospital (11%).

Age:

Peak 18-29 years but also affects significant numbers in the other age groups. This emphasises the need to focus on younger age groups, but not to forget the impact across the whole age range.



Gender:

Males have greater numbers than females, but there is only a small difference in terms of the proportion of ED visits (12% of male presentations and 9% of female presentations were alcohol-related).

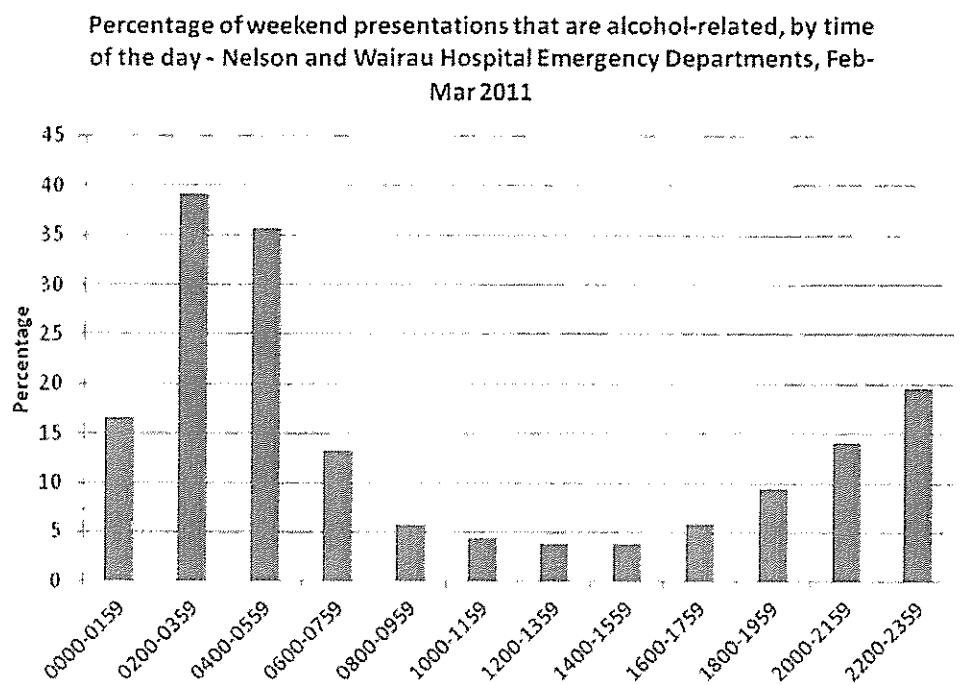
Type of weekend ED alcohol-related harm:

- Acute intoxication – 10% of alcohol-related presentations,
- Injuries – 55% (20% involved violence),
- Medical/other – 20%,
- Mental health – 15%.

Note: for alcohol-related violence injuries, 73% involved males, 73% involve 18-24 year olds, and 64% of these presented at night between 2200 and 0800.

Time/Day:

ED alcohol-related presentations: most commonly (65%) on the weekend (based upon other NZ data), and especially Friday and Saturday late nights between 2200-0400.

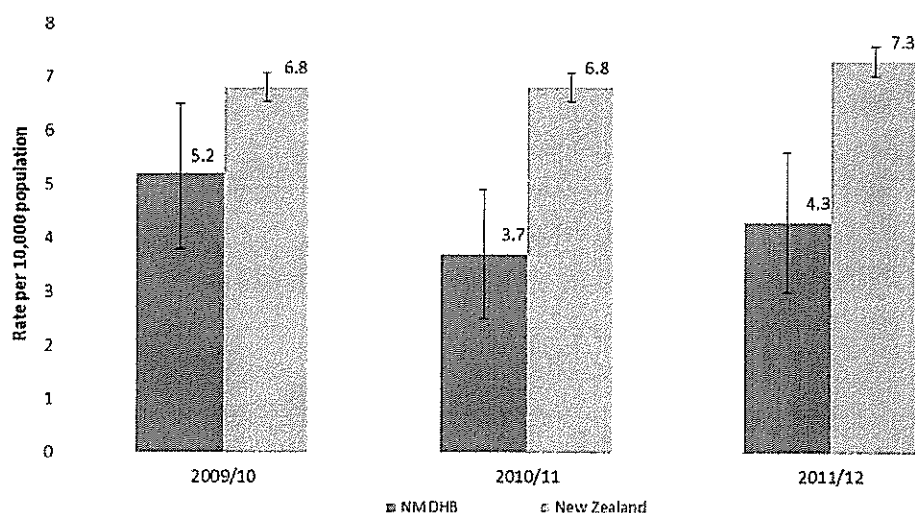


Nelson and Wairau Hospital admissions

Publicly funded hospital discharges for conditions wholly attributable to alcohol

The data presented below suggests that for the limited number of conditions that are wholly attributable to alcohol, the Nelson-Marlborough district has lower rates than New Zealand. However, this picture does not include admissions for other important chronic conditions including some forms of cancers which are partially attributable to alcohol, nor injuries where alcohol has played a role. Using a broader definition of alcohol-related hospitalisation, a recent review of alcohol-related hospital admissions in young people aged 15-24 years has shown that over the period 2007-2011, Nelson Marlborough had a rate of admission consistently higher than for New Zealand as a whole ⁽¹⁴⁾. Important causes for admission amongst this age group included injury as well as mental/behavioural disorders and acute intoxication.

Publicly funded hospital discharges for conditions wholly attributable to alcohol -
age standardised rate per 10,000 population aged 15 and over - NMHB and New
Zealand - 2009 to 2012



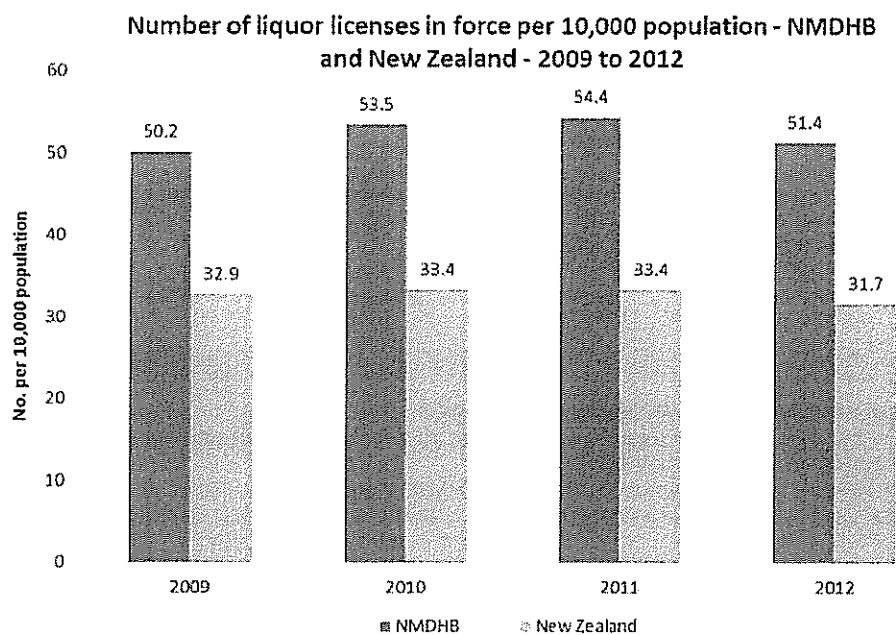
Source: Ministry of Health (numerator), Statistics New Zealand (denominator)

Note:

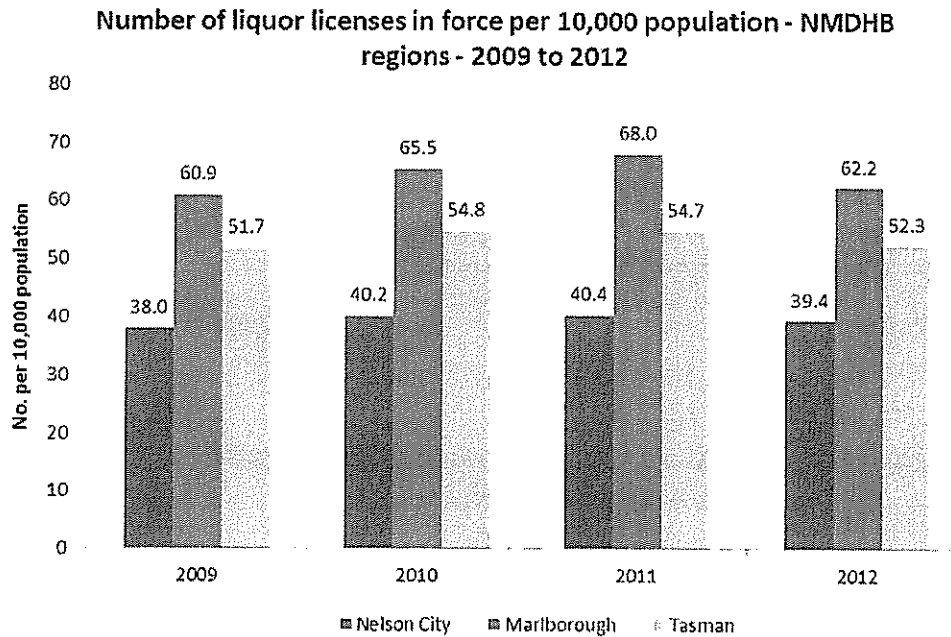
- Data from hospital admission records in the National Minimum Data Set provided by the Ministry of Health. Admission records are coded by the treatment a patient received and the diagnosis of disease or injury. Cases are coded using the International Classification of Diseases (ICD) as published by the World Health Organisation.
- Data includes all publicly funded hospital discharges for conditions that by definition are wholly attributable to alcohol by ICD code and included by Jones *et al.* (15).
 - E24.4 - Alcohol-induced pseudo-Cushing's syndrome,
 - F10 - Mental and behavioural disorders due to use of alcohol
 - G31.2 - Degeneration of nervous system due to alcohol
 - G62.1 - Alcoholic polyneuropathy
 - G72.1 - Alcoholic myopathy
 - I42.6 - Alcoholic cardiomyopathy
 - K29.2 - Alcoholic gastritis
 - K70 - Alcoholic liver disease
 - K86.0 - Chronic pancreatitis (alcohol induced)
 - T51.0 - Ethanol poisoning
 - T51.1 - Methanol poisoning
 - T51.9 - Toxic effect of alcohol, unspecified
 - X45 - Accidental poisoning by and exposure to alcohol
- Short stay Emergency Department visits have been excluded from these data due to the differing reporting methods between District Health Boards. A number of District Health Boards report all short stay Emergency events, yet others do not. To allow a valid comparison to be made between the Nelson Marlborough District Health Board (NMDHB) and New Zealand, Emergency Department events have been excluded.
- Data only includes those events that were publicly funded. Events may have also occurred within the private sector and subsequently not be captured in the above data. The private sector is not required to report hospital admissions unless the event is publicly funded within the private sector.
- ICD coding criteria and hospital/DHB reporting procedures can change from year to year. As such, it is advisable to exercise caution when making assumptions on trends or comparing rates across years.
- A number of factors play a role in the decision to admit a patient presenting with some of the above conditions, for example local management practice and the availability of inpatient beds may influence the likelihood of admission.

Density of alcohol liquor licences per 10,000 population

These data indicate that NMDHB has a higher density of licensed premises than New Zealand, and densities are particularly high in Marlborough. The number of vineyard licences is likely to be a factor in this measure. It is also important to note that the Top of the South has high numbers of visitors many of whom will be visiting licensed premises and the density of licences per 10,000 population refers to resident population.



Source: Ministry of Justice (numerator), Statistics New Zealand (denominator)



Source: Ministry of Justice (numerator), Statistics New Zealand (denominator)

Note:

- Number of licences is correct as at May for each given year.
- There are four classes of licence: on-licences, off-licences, club licences and special licences. The figure above includes only on-, off- and club licences.
- Overall, NMDHB has a greater number of in-force liquor licences per 10,000 population than New Zealand overall, although the statistical significance of this difference has not been determined.

Licence Condition Compliance (CPOs)

Controlled Purchase Operations of on- and off-licensed premises send supervised volunteers aged under 18 years to buy alcohol from licensed premises. Retailers are said to have complied with the Sale of Liquor Act if they refuse to sell alcohol to the under-age volunteer. CPOs involving club licensed premises check for sale of liquor to non-club members or the general public.

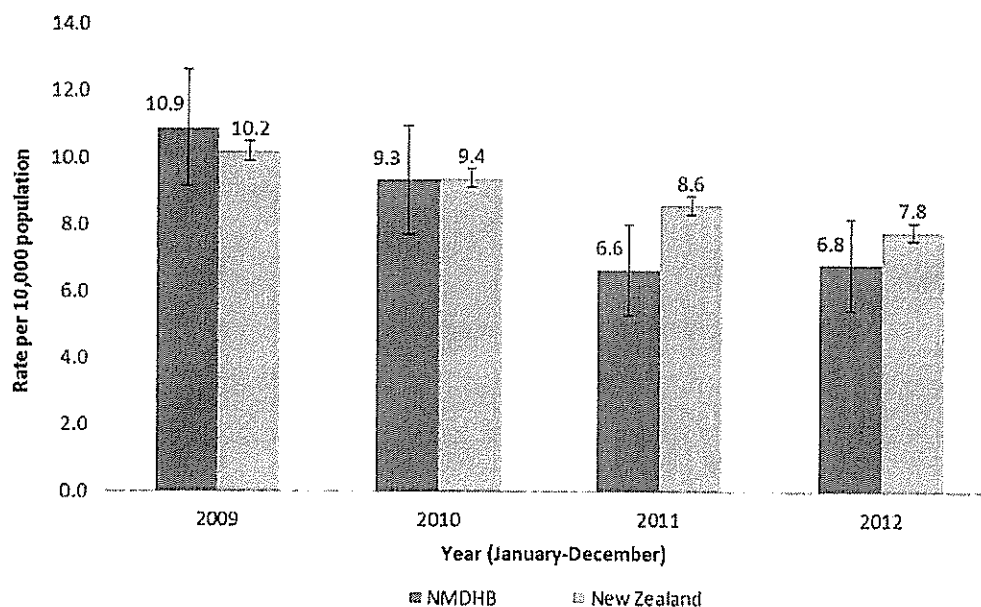
The annual data for Nelson-Tasman and Marlborough areas is summarised in the table below. (source NMDHB PHS and NZ Police)

Year	Premises Visited	Premises Compliant	% Compliant
Nelson-Tasman			
2009 (after June)	126	120	95.2
2010	120	109	90.8
2011	111	103	92.8
2012	198	182	91.9
Marlborough			
2010 (after Dec)	25	23	92.0
2011	52	52	100.0
2012	61	57	93.4

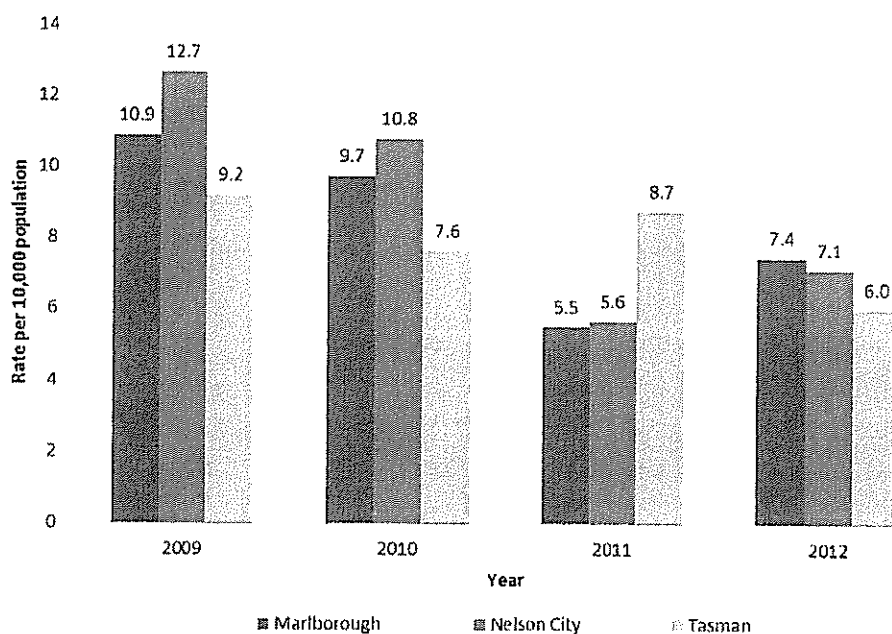
Vehicle Crashes Associated with Alcohol

There has been a downward trend in rates of vehicle crashes associated with alcohol over the period 2009- 2012. NMDHB rates are generally similar or lower compared with NZ and there were no consistent differences between the three Territorial Authorities.

NZTA reported crashes associated with alcohol - rate per 10,000 population - NMDHB and New Zealand - 2009 to 2012



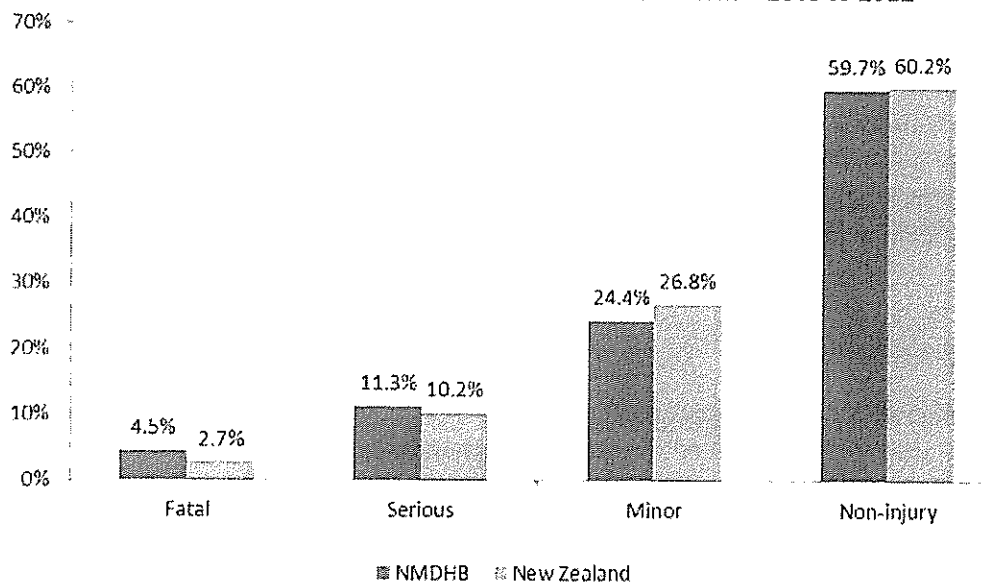
Reported vehicle crashes associated with alcohol - rate per 10,000 population - NMDHB Regions



Source: New Zealand Transport Agency (numerator), Statistics New Zealand (denominator)

Year	NMDHB Rate (per 10,000 population)	New Zealand Rate (per 10,000 population)
2009	3.9	4.0
2010	3.5	3.8
2011	2.9	3.4
2012	3.2	3.1

Percentage of vehicle crashes where alcohol was involved and the injury related outcome of crash - NMDHB and New Zealand - 2009 to 2012



Note:

- 17

Within the NMDHB region between 2009 and 2012, inclusive, 40.2% of all recorded vehicle crashes where alcohol was involved resulted in an injury. This proportion is similar to that observed nationally during the same time period. The rate of alcohol involvement in vehicle crashes where injury occurred has been similar to that observed nationally since 2009.

Health Provider Perceptions of Alcohol-Related Harm and Licensing Issues (survey results)

Survey response:

Responses were received from 82 of 193 respondents (42% overall). Main responding groups included GPs (n=48) ambulance staff (8) and other (26).

Overall harm:

Overall, almost all respondents (99%) reported that alcohol problems were evident in their districts.

Demographic groups and harm:

The age group of most concern was 18-24 year olds for whom 92% of respondents rated alcohol as a "major" or "severe" problem. The other age groups of most concern were the under-18 year group (74%) and 25-34 year group (74%), but only 24% of respondents rated alcohol problems as "major" or "severe" amongst the 60+ year age group. Eighty seven percent of respondents rated alcohol as a "major problem" for males and 71% for females.

Alcohol-related conditions:

Conditions that were reported by respondents as having alcohol play a "major" or "leading" role included; violent crime (94% of respondents), domestic violence (93%), injuries/accidents (89%), STIs (79%), unwanted pregnancies (77%), illness/disability (73%), self harm (66%) and absenteeism (53%).

Impact of licensed premises on alcohol:

- Overall, 87% of respondents reported that the current availability of alcohol from licensed premises contributed to alcohol problems in their district.
- Over 90% of respondents "agreed" or "strongly agreed" that alcohol from pubs/clubs or off-licensed sales played a role in alcohol-related harm. Most concern was about

off-licensed premises (70% "strongly agreed" that they played a role). However, relatively few (20%) believed that this was the case for licensed restaurants/cafes.

Interventions for controlling alcohol harm:

- The majority of respondents "agreed" or "strongly agreed" that alcohol availability should be restricted by means of trading hour limitations (78% of respondents), location (76%) or number of licensed premises (79%), and there was little difference in preference between these three options.
- 83% of respondents thought that alcohol advertising or promotion from off-licensed premises played a role in alcohol harm, but these were less important for on-licensed pubs/clubs (69%) or licensed restaurants/cafes (19%).

72% of respondents "agreed" or "strongly agreed" that councils should address alcohol-related problems by means of urban planning processes or regulating alcohol advertising/marketing in council-owned venues/events (76%).

Comments from Health Professionals

Dr Mark Reeves: Senior Medical Officer, Nelson Hospital Emergency Department

"Harmful drinking contributes greatly to our workload in the Emergency Department. Drunk patients are often abusive and uncooperative and take up a disproportionate amount of our time and resources, sometimes compromising our ability to care for our other patients, and impacting markedly on the functionality of our department as a whole. As well as intoxication (obviously), harmful drinking has a role in a proportion of the trauma, self-harm, mental illness, depression, attempted suicide, sexual assault, sexually transmitted disease, unwanted pregnancy, non-accidental injury of children, family violence and general morbidity that we have to deal with."

"The Nelson region undeniably has a problem with alcohol-related violence. The facts, figures, and every day and night experience of those working at the 'front line' make this statement undeniable. Of particular concern is the violence associated with the pre- and side-loading of alcohol by young people. Immature brains with under-developed pre-frontal cortices (the bit of the brain that predicts and weighs up the likely outcomes and consequences of one's actions), still developing personalities, fragile egos, raging hormones and muscle cars. Add alcohol and it seems like the perfect storm for something bad to happen. It does; we see the results."

"The reasons why alcohol makes some people violent are not straightforward. Studies, mostly on men, show alcohol consumption makes people aggressive and belligerent. Alcohol also disinhibits people and impairs the ability of people to think rationally and speak clearly. This volatile mixture of altered and unstable perceptions, together with impaired ability to reason and respond calmly with language leads to misunderstandings, perceived slights, resentment and, sure enough, aggression and physical violence. In not so many

words, alcohol makes some people violent dicks. Being drunk also makes you more likely to be an assault victim. If you're drunk, there's a good chance the people around you are drunk with their similarly compromised, labile, lairy minds just waiting for you to say the wrong thing, which you may well do because ... well, you're drunk!"

"As a practising Emergency Department doctor I encourage every Council member to do everything they can to minimise the societal damage from harmful drinking behaviour, and to promote the responsible enjoyment of alcohol."

Policy options and evidence of effectiveness

Local alcohol policies are around licensing matters. The Society for the Study of Addiction to Alcohol and Other Drugs reviewed work by Babor and others on alcohol policy options in reducing alcohol related harm and ten which stood out as best practice. ⁽¹⁷⁾ These were:

- Minimum legal purchase age
- Government monopoly on retail sales
- Restrictions on hours or days of sale
- Outlet density restrictions,
- Alcohol taxes
- Sobriety checkpoints
- Lowered blood alcohol limits
- Administrative licence suspension
- Graduated licensing for novice drivers
- Brief interventions for hazardous drinkers

In another paper Anderson and others reviewed the evidence for effectiveness of harm reduction programmes around a range of approaches eg education, pricing, marketing and, community action. They found that increasing the price, decreasing availability and banning alcohol advertising were effective (plus highly cost effective) and that enforcing drink driving legislation and focussed individual intervention for at risk drinkers were also effective. ⁽¹⁸⁾

New Zealand has some of the above policies in place and with LAP there is an opportunity to further policy intervention around hours on and off licences are open to sell alcohol and around outlet density or the number of licences in a specific geographic area. In addition one way door policies enable further controls on hours on licences are operating.

Regarding the number of alcohol outlets in an area there is international and New Zealand evidence that geographic density is associated with alcohol related harm. Examples are neighbourhood complaints of drunkenness and property damage ⁽¹⁹⁾, alcohol related

problems in NZ university students ⁽²⁰⁾, binge drinking and the number of off licences ⁽¹³⁾ increased violent offending and greater geographic access to alcohol outlets ⁽²¹⁾.

The paper by Connor ⁽¹³⁾ stated that "more than 50 research papers have been published since the early 1980s finding associations between the spatial density of alcohol outlets and levels of harm".

However it is noted that clustering of outlets in an "entertainment precinct" of a town or city can have some benefits such as city vitality, tourism and economic benefits and in addition grouping of outlets aids policing.

Regarding trading hours the Sale and Supply of Alcohol Act 2012 has set "default" hours in legislation. These are 8am - 4am for on licences and 7 am - 11 pm for off licences. These can be varied in an LAP. Studies have looked at violence and assaults in relation to closing hours and found increases in these problems with extending hours and decreases with limiting hours. One example is a study in Newcastle Australia ⁽²²⁾ where reducing trading hours of licensed premises from 5 am to 3 am gave an estimated 37% decrease in late night violence. Reducing trading hours will have an impact on police, ambulance and hospital resources and a positive benefit for not only the patrons of premises but the community generally. If reducing trading hours is used as a policy approach to decreasing alcohol related harm then consideration needs to also be given to possible migration of patrons to other premises that are still open. Use of one way door policies helps address this issue.

Summary

General reviews of the literature and evidence from local data and opinions concerning alcohol-related harm consistently identifies the following issues and help identify priority areas for targeting action:

- People in higher deprivation areas, young people and Maori and Pacific people are impacted more by alcohol related harm.
- Binge drinking, especially during the weekend, and associations with violence and injury, involving both male and female drinkers.
- Prolonged heavy drinking across all age groups.
- Availability of alcohol, particularly from off-licensed premises, with licensed cafes and restaurants of least concern.
- "Licensing" interventions involving trading hour restrictions and density of premises are likely to be the most effective in reducing harm.

Implications for Local Alcohol Policy development:

Alcohol-related presentations for acute conditions like injury and severe intoxication has a significant impact on hospital ED services in Nelson-Tasman and Marlborough (estimated currently over 1,000 per year), and particularly involving:

- o people in the 18-29 year age group,
- o both male and female,
- o weekend drinking, and especially late night between 0200 and 0400am,
- o injuries, frequently resulting from violent incidents (fights and assaults).

LAPs should consider licensing strategies that particularly address these acute harm issues that often result from binge drinking and pre- or side-loading behaviour. They should focus on those addressing availability through on- and off-license density, location and trading hours. Having off licences close earlier than on licences may contribute to decreasing pre and side-loading behaviour. Similarly one way doors for some types of premises may decrease problems relating to acute intoxication.

Hospital admissions due to alcohol usually result from chronic conditions (more common in older people and arising as a result of consumption over longer periods of time) as well as mental and behavioural disorders and more severe injuries in all age groups over 15 years. Nelson-Marlborough may have a higher than average harm for alcohol-related hospitalisations involving younger people.

LAPs should therefore consider licensing strategies that address the acute harm issues (see ED data above) as well reduce the total consumption of alcohol over longer periods of time, particularly strategies that may reduce total off-licence sales given that the majority of alcohol is purchased from off licences.

Positive associations have been reported between the geographic density of off-licence premises and binge drinking, and density of all types of licences have been positively associated with alcohol related harm ⁽¹³⁾. Problems from geographic density are more likely to be an issue in central business districts such as central Nelson and central Blenheim although location of outlets in certain situations may be an issue and has been identified as such in local surveys . Consideration can be given to location near "sensitive " sites such as schools and in areas of greater socio-economic deprivation.

For Nelson City the Bridge Street area has been an area with significant numbers of on-licence premises and where alcohol related problems have arisen. As well as addressing these through licensing issues other initiatives are important including current work to improve the amenity of the area and crime prevention through environmental design (CPTED). The amenity and CPTED work around licensed premises is relevant for all areas of Tasman, Nelson and Marlborough.

On a population basis Nelson-Marlborough has densities of licensed premises greater than the New Zealand average. This may be linked to the number of vineyard on- and off-licences and possibly also to other business's catering to the tourism industry. Unfortunately evidence from CPOs around sales to minors from vineyards and at the Marlborough wine and food festival indicate that this sector of the alcohol industry is not immune to problems.

LAPs should consider strategies that limit overall numbers of licences.

Although there has been a downward trend in vehicle crash rates involving alcohol, a significant proportion of these lead to an injury and this is still an important area of alcohol-related harm. Strategies that decrease acute intoxication, binge drinking and regular heavy consumption are relevant in this area.

Controlled purchase operations provide information about compliance behaviour of licensees as well as under-18 year youth access to alcohol and the potential to increase harm. Location and number of licences in an area influence ease of access and may potentially impact on underage purchasing of alcohol either by the young person themselves or by an older family member or friend. Cheap alcohol is likely to be a main driver of purchasing by young people and a focus for LAPs needs to be the sources of cheaper alcohol. These are primarily supermarkets and liquor chain outlets where scale enables price discounting.

Raising the price of alcohol is likely to have the strongest influence on access by young people but that is not in the criteria for consideration in LAPs. The amount of promotion of alcohol by a particular licensed premise, particularly for cheap alcohol may be something that could be considered under discretionary conditions that may be applied to that licence.

There may be other possible discretionary conditions worth considering for different types of licences. For example, whether special licences should be granted on school premises given the concern reflected in local surveys about location near schools. Should there be restrictions on the length of time special licences can run for and for the number of times per year a premise can have specials?

Recommendations

1 Trading Hours

- That LAPs apply more restrictive trading hours than the default hours stated in legislation.
- Different hours are appropriate for different types of licences
- For hotel, tavern on-licences and nightclubs in central urban areas 9am - 2am.
- For hotels and taverns in other areas of Nelson Tasman and Marlborough 9am - 1am
- For hotels and taverns in residential areas, 9am – 11pm.
- For all off licences, 9am to 9pm
- For all cafes and restaurants, 9am to 12 Midnight
- Discretionary conditions relating to hours such as one way doors should be considered particularly for hotel and tavern licences.

2 Location and density of licences

Consideration needs to be given to the number of licences already in an area, local community views and to the amenity of the area along with proximity to sensitive sites and location in relation to areas of high socio- economic deprivation.

3 Special licences

No special licences should be granted for school premises. Discretionary conditions should be applied dependent on such factors as location, numbers attending, type of event, time of event, number of times it occurs.

4 Discretionary conditions

Appropriate use of discretionary conditions is recommended as an important consideration in new licence applications and in renewals. A range of issues may be addressed through such conditions as outlined in the examples above.

Other issues that may have a place in discretionary conditions are security, supervision, the premise environment, both indoor and outdoor, and the need to consider impacts from large seasonal variation in patronage.

It may also be appropriate to consider if the amount of advertising on an off-licence, especially regarding cheap alcohol, should be subject to discretionary conditions.

Appendix One

Nelson Marlborough District Health Board

POSITION STATEMENT ON ALCOHOL

The Nelson Marlborough District Health Board acknowledges the wide range of alcohol-related harm that is experienced by people within the Nelson Marlborough district and that the burden of this harm is carried disproportionately by some population groups. It recognises that alcohol use is a major risk factor for numerous health conditions, injuries and social problems. Additionally, alcohol-related harm costs the health sector significant money, time and resources.

NELSON MARLBOROUGH DHB POSITION

The Nelson Marlborough District Health Board will reduce the alcohol-related harm experienced by people within the Nelson Marlborough district by developing an Alcohol Harm Reduction Strategy. This strategy will set out the actions Nelson Marlborough District Health Board will undertake to reduce alcohol-related harm, including a communication plan.

The Nelson Marlborough District Health Board will identify and record alcohol-related presentations within the Nelson Marlborough district in a consistent manner.

The Nelson Marlborough District Health Board will support and assist Territorial Authorities to develop local alcohol plans that seek to reduce alcohol-related harm by providing information on alcohol-related presentations to emergency departments, and other information pertaining to the burden of alcohol. It will provide further evidence-based advice to assist with these plans.

EVIDENCE BASED SOLUTIONS

The Nelson Marlborough District Health Board will advocate for the following evidence-based solutions to reduce the alcohol-related harm experienced by New Zealanders¹:

¹ These recommendations align with the NMDHB's Submission to The Law Commission's Issues Paper on the Reform of New Zealand's Liquor Laws (2009), and with those contained in a recent Commentary from the Injury Prevention Research Unit: Kypri, K., MacLennan, B., Langley, J.D., and Connor, J.L. 2011. 'The *Alcohol Reform Bill*: More tinkering than reform in response to the New Zealand public's demand for better laws'. *Drug and Alcohol Review* 30, 428-43

Raise alcohol prices

- Increase levels of excise tax on alcohol by at least 50%
- Adjust excise tax so that alcohol products taxed directly on level of ethanol
- Use revenue from increase in excise tax to reduce harm amongst high-risk consumers
- Set minimum retail price for alcohol (per alcohol unit).

Raise the alcohol purchase age

- Restore alcohol purchase age to 20 years for both on-licences and off-licences
- Ensure enforcement of minimum purchase age
- Additionally, make it an offence for an adult other than a parent/guardian to supply alcohol to a child; and require parents/guardians who supply alcohol to their child to supervise the consumption of that alcohol.

Reduce alcohol accessibility

- Restrict on-licences from selling alcohol after 2am
- Restrict off-licences to selling alcohol between 8am and 10pm
- Restrict convenience stores / dairies from selling alcohol
- Tighten law on granting of liquor licences – provide further grounds to refuse licences (e.g. detrimental social impact to community)
- Tighten restrictions on numbers of outlets in a given area.

Reduce marketing and advertising of alcohol

- Ban alcohol sponsorship of sporting and cultural events
- Ban advertising of alcohol from television and cinema
- Advertising of alcohol to convey only basic information about the product
- Put health warning labels on alcohol products
- Ensure alcoholic beverages are labelled with ingredient and nutritional information
- Prohibit marketing of alcohol to youth.

Reduce legal blood-alcohol limits for drivers

- Lower the legal blood alcohol (BAC) limit from 80mg/100ml blood to 50mg/100ml blood

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19 March 2014

Stephen Lawrence
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www.nelsoncitycouncil.co.nz

The Secretary
Nelson District Licensing Committee
Nelson

Dear Madam

INSPECTORS REPORT PURSUANT TO SECTION 103(2) OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012

This is an application for a new OFF licence for SRS Ghuman & Sons Limited trading as The Bottle Store. The application was received on 30 January 2014.

BACKGROUND

The premises are situated at 36 Gloucester Street, Nelson. The purpose of this application is for the sale of alcohol from an OFF Licence. It is a new premises and is currently under construction. A Resource Consent was required to carry out retail activity at the site - this has been applied for and granted. A final Certificate of Compliance will be required once the building is complete and before operation can commence. Any licence granted would not issue until the Certificate of Compliance is granted.

I have interviewed the applicant (by phone) who demonstrated a sound understanding of the Sale and Supply of Alcohol Act 2012 (the Act) and his obligations under the Act. I gained the impression that he had considered his business model carefully. He wanted his Off Licence to be a destination premises catering for boutique beers and specialty whiskeys and cognacs. Although he would sell a full range of product including RTDs he assured that these will not be prominent and that he would not be selling 'singles'. He did not want to be open beyond 9pm as he did not want to cater to the type of clientele that an Off Licence attracts after that time. He stressed that the business is not going to be a cut price corner Off Licence and that is one of the reasons he chose a site that was in a commercial area.

OBJECTIONS

The application was publically notified and 27 submissions were received. 26 objected to the granting of the licence and there was one submission that supported the application. This submission was in the form of a petition and was signed by 75 persons. At a Pre-Hearing meeting of the District Licensing Committee on 12 March 2014, 14 of the objections were deemed valid under Section 102 and 105 of the Act.

The key issues raised in objections are listed below. I have made comment on those issues as appropriate.

1. The number of licensed outlets already in the area

The density or number of premises in a particular area is not something that can be directly considered under Section 105 of the Act. (Note that Section 105 sets out the criteria that can be considered when considering a licence). Under Section

A1157976

105 the Local Alcohol Policy must be considered. The Local Alcohol Policy is where matters of density of premises can be considered. The Nelson Local Alcohol Policy is currently in draft form but notwithstanding this it should be noted that the Draft Policy does not propose any controls over the density or numbers of premises.

2. The reduction in the amenity and good order of the area

I do not consider that granting this licence will reduce the amenity and good order of the area by any more than a minor degree. The nature of an Off Licence is that persons buy alcohol to take away to consume elsewhere. Although a very small percentage may drink the purchased alcohol immediately after they leave the premises this is not the norm. I am not aware of other Off Licence premises in the area or elsewhere in Nelson causing any significant problem with the neighbouring amenity and good order.

3. Restricted hours of sale and density both have evidence for reducing alcohol related harm

See my comments re density/ number of premises in 1 above. In this case the hours applied for are from 9am to 9pm. The 9pm closing time is 2 hours less than the new default hours in the Act and would comply with the maximum trading hours of 7am to 9pm currently proposed through the draft Local Alcohol Policy. It also means that this licence would close two hours prior to other Off Licences in the area.

4. The impact on vulnerable residents due to the proposal's proximity to the men's night shelter and location in a lower socio-economic area of Nelson

The applicant has purposefully selected premises located in a commercial area rather than a residential area and has stressed that the business is not going to be a cut price corner Off Licence. The issue of increasing density of outlets in the area remains for the District Licensing Committee to consider.

5. The impact of a new outlet on Sharps Lane and the businesses that use the Lane.

These matters were considered as part of the Resource Consent Application.

There is no objection from Police to this application.

The Medical Officer of Health (MOH) has raised concerns in its report but do not object to the application.

SECTION 105 ASSESSMENT (Criteria for issue of licences)

In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters: I have made comment as appropriate:

(a) The object of this Act:

I consider that granting of this licence would not conflict with the object of the Act.

(b) The suitability of the applicant:

I have interviewed the applicant (by phone) and was impressed with his attitude and understanding not only of the Sale and Supply of Alcohol Act but also his obligations under the Act.

I have enquired with the Palmerston North Licensing Inspector who advises that Mr Singh (who is 100% shareholder of the company applying for the licence) holds a current

Manager's Certificate and is currently working in the Palmerston North area. They advise that they have had no issues with Mr Singh.

The Police raise no objection.

(c) Any relevant local alcohol policy:

The Nelson Local Alcohol Policy is draft form at present and has no status. However it should be noted that this application complies with the draft policy.

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

The hours applied for are 9am to 9pm. Those hours comply with the Act, The Nelson Resource Management Plan and the Draft Local Alcohol Policy.

(e) The design and layout of any proposed premises:

I consider the design and layout of the premises appropriate

(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:

None proposed

(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:

None proposed

(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 consider that the granting of the licence will not reduce the amenity and good order of the locality to more than a minor extent.

(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—

(1) 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

(2) It is nevertheless desirable not to issue any further licences:

There is no evidence that the amenity and good order of the immediate locality is badly affected by the current licences in the area.

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

I consider that the application sets out appropriate systems etc. There will be two staff with Managers Certificates.

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

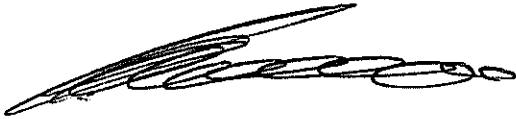
An assessment of the application against the criteria for issue of licence under Section 105 of the Act is included in Attachment 1.

RECOMMENDATIONS

I am satisfied that the requirements of the "Sale and Supply of Alcohol Act 2012" will be met.

I recommend that the application be approved.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Stephen Lawrence', with a stylized, sweeping flourish at the end.

Stephen Lawrence
Licensing Inspector

Attachment 1: Assessment of Criteria for Issue of Licence

Assessment of Criteria for Issue of Licence (Section 105)

Applicant: SRS Ghuman & Sons Limited
 Trading As: The Bottle Store
 Address: 36 Gloucester Street, Nelson
 Date of Application: 30/01/14
 Type: OFF Licence New

On/Off and Club Licensing Criteria	Applied For/ Application Details	Comments
The Object of the Act – S105(1)(a)	Information provided	It is considered that the object of the Sale and Supply of Alcohol Act 2012 will be met
Suitability of Applicant – S105(1)(b)		No issues as to suitability
Local Alcohol Policy		Not yet in place
Day and Hours of Sale – s105(1)(d)	0900 to 2100 hours, seven days	These hours comply with the new default hours under the Sale and Supply of Alcohol Act 2012 and also comply with the Nelson Resource Management Plan
Design and Layout –s105(1)(e)		These premises are suitable for the purpose and resource consent has been granted to operate a retail activity in the industrial zone
Designation of Supervised and Restricted Area	Supervised	The premises should be designated as supervised
Engagement in the sale of other goods or services – s105(1)(f) & (g)	None	None
Provision of non and low alcohol beverages and alternative transport	N/A	N/A
Amenity & Good Order – s105(1)(h) & (i)		The application will not reduce the amenity and good order of the locality to more than a minor extent should the licence be granted
Compatibility with land use nearby		Is within industrial zone – mixed use commercial/service businesses predominate. Resource Consent grated to carry out retail activities
Steps to ensure there are appropriate systems, staff and training to comply with the law – s105(1)(j)	Host Responsibility Plan provided	Demonstrated that they have an understanding of what is required under the Act
Report from Police – s105(1)(k)		Yes – no objection
Report from Public Health – s105(1)(k)		Yes – concerns raised but no objection

On/Off and Club Licensing Criteria	Applied For/ Application Details	Comments
Report from Inspector – s105 (1)(k)		Yes – no objection
Public Objections		26 objections received, 14 deemed valid by the District Licensing Committee
Public Notices		6 February, 13 February 2014
Certificate of Compliance		Applied for
Pokie Machines		Not applicable for this style of licence
Conditions s110 to s119		s119(3) relating to designated areas applies

OFF-LICENCE, OFF LICENCE RENEWAL OR OFF-LICENCE VARIATION

Sections 100, 127(2) or 120, Sale and Supply of Alcohol Act 2012

USE THIS COVER PAGE TO ENSURE YOU LODGE A COMPLETE APPLICATION YOU ARE REQUIRED TO PROVIDE THE FOLLOWING:	
1. The Application and ALL documentation	<input checked="" type="checkbox"/>
2. Fee. The application fee is determined by the premises risk category. Information on licence application fees can be found at the back of the application form or by contacting the Licensing Administrator on 03 545 8726.	<input checked="" type="checkbox"/>
3. Certificate of Compliance for the purposes of the Sale and Supply of Alcohol Act 2012 and \$150.00 fee (new applications only)	<input checked="" type="checkbox"/>
4. Certificate of Incorporation (if applicable)	<input checked="" type="checkbox"/>
5. Partnership Agreement (if applicable)	<input type="checkbox"/>
6. A photograph or artist's impression of the exterior of the premises	<input checked="" type="checkbox"/>
7. A street map showing the location of the premises within Nelson	<input checked="" type="checkbox"/>
8. Detailed A4 scale floor plan of the interior of the premises showing the areas to be used for the display and promotion of alcohol, any proposed subareas and areas to be designated as restricted or supervised areas and principal entrances to the premises.	<input checked="" type="checkbox"/>
9. Written permission from the owner of the building	<input checked="" type="checkbox"/>
10. Host Responsibility Policy and a plan on how the policy will be put into practice	<input checked="" type="checkbox"/>
11. Information on the control of sale to minors and intoxicated persons.	<input type="checkbox"/>
12. A copy of each manager's certificate and details of the manager's experience for those nominated to manage the premises	<input checked="" type="checkbox"/>
13. Details of staff training/staff training plan	<input checked="" type="checkbox"/>
14. An example page from your duty manager register. <i>Medicated in Host Responsibility</i>	<input checked="" type="checkbox"/> Page No. 2
15. If the application is a grocery store a verified statement of annual sales revenue required by regulation 12 or 13 (as the case requires) of the Sale and Supply of Alcohol Regulations 2013.	<input type="checkbox"/>
16. Information supporting the issue of this licence will not reduce the amenity and good order of the locality to more than a minor extent. (sections 105 and 106 of the Sale and Supply of Alcohol Act 2012).	<input checked="" type="checkbox"/>
17. Completed application form and all attached documents – PHOTOCOPIED X 3	<input checked="" type="checkbox"/>

How to calculate your cost / risk rating and fees

A		+	B		+	C		=	Total Weighting			
Types of Premises	Weighting		Latest time allowed by licence	Weighting		Number of enforcement holdings in last 18 months	Weighting		Total Weighting	Cost/Risk Rating	Application Fee for all new licences, renewals and variations Incl GST (\$)	Annual Licence Fee Incl GST (\$)
Class 1 restaurant, night club, tavern, adult premises, supermarket, grocery store, bottle store	15		On-licences and clubs 2.00am or earlier Off-licence 10.00pm or earlier	0		None	0		0 - 2	Very low	368.00	161.00
Class 2 restaurant, hotel, function centre, Class 1 Club, Off-licence in hotel or tavern	10		On-licences and clubs between 2.01am and 3.00am Off-licences any time after 10.00pm	3		1	10		3 - 5	Low	609.50	391.00
Class 3 restaurant, other premises, Class 2 Club, Club off licence, remote sale off-licence, other off-licence premises	5		On-licences and clubs any time after 3.00am	5		2 or more	20		6 - 15	Medium	816.50	632.50
3YO restaurants, theatres, cinemas, winery cellar doors, Class-3 Club	2								16 - 25	High	1,023.50	1,035.00
									26 plus	Very High	1,207.50	1,437.50

Definitions:

Class 1 restaurants – restaurants with a significant separate bar area which, in the opinion of the relevant TA, operate that bar at least one night a week in the manner of a tavern.

Class 2 restaurants – restaurants that have a separate bar but which, in the opinion of the relevant TA, do not operate that area in the nature of a tavern at any time.

Class 3 restaurants – restaurants that only serve alcohol to the table and do not have a separate bar area.

- **Class 1 clubs** – clubs which have at least 1,000 members of purchase age and, which in the opinion of the relevant TA, operate in the nature of a tavern at any time.
- **Class 2 clubs** – clubs which are not class 1 or class 3 clubs.
- **Class 3 clubs** – clubs that have fewer than 250 members of purchase age and operates a bar for no more than 40 hours each week.
- **Enforcement Holding** – has the same meaning as a "Holding" under section 288 of the Act, or a previous offence for which a holding may have been issued if the offence had occurred before 18 December 2013.

To:

The Secretary
Nelson City Council District Licensing Committee
PO Box 645, Nelson 7040

Application for: ☒ Off-Licence ☐ Renewal of Off-Licence ☐ Renewal with Variation of Conditions

Endorsements: ☐ Auctioneers ☐ Remote Sales

1. Cost/Risk Rating

Using the appending table, what have you assessed your cost/risk rating to be?

Assessed Rating (please tick assessed rating)	Cost/Risk Rating	Application Fee for all new licences, renewals and variations Incl GST (\$)
<input type="checkbox"/>	Very low	368.00
<input type="checkbox"/>	Low	609.50
<input checked="" type="checkbox"/>	Medium	816.50
<input type="checkbox"/>	High	1,023.50
<input type="checkbox"/>	Very High	1,207.50

2. Applicant Details:

Full legal name or names to be on licence:

SRS GHUMAN & SONS LIMITED

Postal Address for service of documents:

5/183 FEATHERSTON STR.
PALMERSTON NORTH

Applicant status: complete only one section from 2(a) to 2(e) (continued overleaf)

(a) **Natural Person** ☐

Details of Applicant that is a Natural Person or Persons:

Name:

Residential Address:

Sex:

☐ Male

☐ Female

Occupation:

DOB:

/ /

Place of Birth:

Ph (Bus):

Ph (pvt):

Mobile:

email:

(b) **Private Company**



For a private company incorporated under the Companies Act 1993, state:

Authorised capital:

Paid-up capital:

Company Name: SRS GHUMANI & SONS LTD.

Name of contact person: RANBIR SINGH

Address: 5/183 FEATHERN STR.
PALMERSTON NORTH

Ph (Bus):

Ph (pvt):

Mobile: 0210314057

email: ghumans4u@hotmail.com

Full legal names of all Directors (list):

Ranbir Singh

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

Name: Ranbir Singh

Address: 5/183 FEATHERSTON STR
PALMERSTON NORTH

D.O.B: 25/12/1985

Place of Birth: INDIA

Designation: Director

Face value of shares held: 100 %

Name:

Address:

D.O.B:

Place of Birth:

Designation:

Face value of shares held:

Name:

Address:

D.O.B:

Place of Birth:

Designation:

Face value of shares held:

(c) Partnership

☐

Full legal details for each partner:

Name:

Address:

D.O.B:

Place of Birth:

Signature:

Name:

Address:

D.O.B:

Place of Birth:

Signature:

(d) Body Corporate

☐

Details of Applicant that is a Body Corporate, authority under which is incorporated:

(e) Other: (tick one)

☐

Licensing Trust

☐

Trustee

☐

Manager under the Protection of Personal and Property Rights Act 1998

☐

Local Authority

☐

Government Department or other instrument of Crown

Name of contact person:

Address:

Ph (Bus):

Ph (pvt):

Mobile:

email:

3. Criminal Convictions

Has the Applicant been convicted of any offence, diversion or any matter currently before the Court (including traffic offences)? Yes ☐ No ☒

If "Yes", what are the details of each offence?

Nature of Offence	Date of Conviction	Penalty Suffered

4. (a) Details of Premises (if not conveyance)

Address: 36 GLOUCESTER STREET
NELSON

Any name, trading name, or name of building:

Is there a licence already held for premises concerned? ☐ Yes ☒ No

If "Yes", state kind of licence:

Tenure: (state whether to be held a leasehold, or under tenancy agreement or licence)

Leasehold.

Legal name of owner: XIAN PROPERTIES AND INVESTMENT NZ LIMITED.

Address: 34A CHATSWORTH Rd
SILVER STREAM UPPER HUTT

Is the licence conditional on completion of building work? ☒ Yes ☐ No

If "Yes", state details:

4. (b) Details of Conveyance (if not a premises)

☐ Ship ☐ Bus

Is there a licence already held for conveyance concerned? ☐ Yes ☐ No

Does the applicant own the conveyance? ☐ Yes ☐ No

State tenure (charter, lease, licence):

If not owned by applicant, full legal name and address of owner:

Full legal name:

Address of owner:

Registration number of conveyance:

Home base address:

Any name used or proposed for conveyance:

Is the licence conditional on completion of construction work?

☐ Yes

☐ No

If "Yes", state details:

5. Business Details:

General nature of the business to be conducted by applicant in the premises if licence granted (*tick one*):

Supermarket ☐

Grocery Store ☐

Hotel or Tavern ☐

Club ☐

Bottle Store ☒

Winery ☐

Other ☐

If other, please describe:

Is the sale of alcohol intended to be the principal purpose of business:

☒ Yes

☐ No

If "No", intended principal purpose of business:

Is the applicant engaged, or intending to be engaged, in the sale or supply of any goods other than alcohol and food, or in the provision of any services other than those directly related to the sale and supply of alcohol and food:

☐ Yes

☒ No

If "Yes", nature of other goods to be sold:

6. Days and hours proposed for sale of alcohol:

Days alcohol proposed to be sold:

Monday To Sunday

Proposed hours each day:

9am To 9pm Seven days

7. Details of Managers

For each manager or proposed manager, full legal name, number and expiry date of manager's certificate:

Name:	<u>Ranbir Singh</u>
Managers Certificate #:	<u>Gm/08/264/2009</u> Expiry date of Managers Certificate: <u>9 / 10 / 2016</u>

Name:	<u>JAGRAJ SINGH TIWANA</u>
Managers Certificate #:	<u>39/4m/63/2013</u> Expiry date of Managers Certificate: <u>27 / 06 / 14</u>

Name:	_____
Managers Certificate #:	_____ Expiry date of Managers Certificate: <u> </u> / <u> </u> / <u> </u>

8. Conditions:

The following questions relate to Host Responsibility. In conjunction with completing the questions, you are required to produce your 'Host Responsibility Policy'.

- (a) What steps does the applicant propose to take to ensure that the requirements of the Act in relation to the sale of alcohol to prohibited persons (i.e. minors, intoxicated persons, other persons to whom alcohol may not be sold pursuant to the licence) are observed?

Proper Training To Every Staff on Basis of Liquor Act. For Proper Pos System designed to remind the staff every time check ID before selling to customer. Proper training to staff how to identify and proactively deal with intoxicated Pat which is clearly mentioned in our Host Responsibility Plan.

- (b) Are there any other steps the applicant intends to take to promote the responsible drinking of alcohol?

Non alcoholic drinks and low alcoholic drinks are available all time. Staff will make sure nobody buys drinks for minors without their Parents' Consent.

- (c) Where the principal business is other than the manufacture or sale of alcohol: What kind or kinds of alcohol does the applicant intend to sell or deliver under the licence?

- (d) What appropriate systems, staff and training does/will the applicant have in place to ensure compliance with the law?

The Process of Staff Training Clearly mentioned in our Host Responsibility Plan. Please Read Page No 3.

- (e) What are the current and possible future noise levels and how does the applicant intend to mitigate them?

WE have no intention to amplify music to be audible outside the store
we expected no noise or behavioural issues of patrons to affect the area.

- (f) What are the current and possible future levels of nuisance and vandalism and how does the applicant intend to mitigate them?

It is a commercial area, not rather than residential area. The
surrounding residential community possesses few socio-economic
of liquor abuse. Staff will make sure no body will consume liquor outside
of the premises. Proper signage will be displayed in side and outside

- (g) What other licensed premises are there in the vicinity of this proposed premises? And, will the granting of this licence contribute to an increase in alcohol related problems in the area? (explain)

Closest license is grocery store (NEW WARR) which is totally different type
of business and an license. we are not direct competition with these premises
so we do not think grants of this license will contribute to an increase
in alcohol related problems in area.

- (h) What is the land near the proposed premises being used for? Will the granting of a licence for your premises impact on changing neighbouring land use? If so, in what way?

The surrounding area is commercial area and grant of license will
not impact on changing neighbouring land use. we got all
the required consent for NELSON city council.

9. Variation of Conditions (to be filled in for each condition to which the application relates)

Are there any changes sought to the present conditions of the licence:

☐ Yes

☒ No

If "Yes", what changes are sought?

10. Signature

Signed at Palmerston North this 27 day of 01 20 14
(location) (date) (month) (year)

Signature of applicant:

Ranbir Singh

The New Zealand Police is required by the Sale and Supply of Alcohol Act to make enquiries into the suitability of the applicant. This will involve the Police informing the District Licensing Committee of any convictions or concerns involving the applicant. Should there be any concerns the applicant will also be informed.

The Medical Officer of Health is also required to enquire into the application. Any concerns will be forwarded to the applicant.

What next?

- Your application will be assessed to make sure you have provided all of the required information.
- The Applicant must within 10 working days display notice in a conspicuous place on or adjacent to the site to which the application relates.
- The Applicant must within 20 working day after filing this application give Public Notice of this application. The notice should be published twice in the Nelson Mail with not less than 5 days, and not more than 10 days between the two dates of publication. The full page on which each notice appears is required to be forwarded to the District Licensing Committee.

If you require any further assistance, please do not hesitate to contact the Licensing Administrator on 03 545 8726.

AGREEMENT TO LEASE

This form is approved by Auckland District Law Society Inc and the Real Estate Institute of New Zealand Inc

DATE: 2.12.13

LANDLORD: Xian Properties and Investments NZ Limited

TENANT: SRS Ghuman & Sons Limited

GUARANTOR: Rabbir Singh

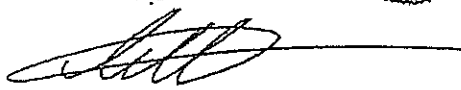
THE LANDLORD agrees to grant and the Tenant agrees to take a lease of the premises and the carparks (if any) described in the First Schedule together with the right to use the common areas of the property for the term from the commencement date and at the annual rent (subject to review if applicable) as set out in the First Schedule.

THE LANDLORD AND THE TENANT agree

- (1) as set out in the First and Second Schedules
- (2) that the Landlord's fixtures, fittings and chattels contained in the premises are those described in the Third Schedule.

THE GUARANTOR (and if more than one jointly and severally) in consideration of the Landlord entering into this Agreement at the Guarantor's request, agrees with the Landlord to guarantee to the Landlord the obligations of the Tenant and to sign the lease as a guarantor.

SIGNED by the Landlord



Xian Properties and Investments NZ Limited

SIGNED by the Tenant

X Rabbir Singh

SIGNED by the Guarantor

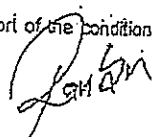
X Rabbir Singh

SRS Ghuman & Sons Limited

Rabbir Singh


WARNINGS (These warnings do not form part of this contract)

1. This contract is binding on all parties upon signing. All parties should seek legal advice before signing.
2. Before signing this contract the tenant should make sure that the status of the property under the Resource Management Act 1991 is satisfactory for the tenant's intended use of it.
3. The parties should agree upon and record the Landlord's fixtures, fittings and chattels and their condition in the Third Schedule.
4. The parties are advised to insert a clause requiring inclusion of a report of the condition of the premises as at the commencement of the lease.



163715-20

FIRST SCHEDULE

1. **PREMISES:** Part of the Landlord's property located at 36 Gloucester Street, Nelson including the land as outlined in red and common areas hatched in red on plan annexed hereto and the Building to be erected on such land pursuant to this Agreement to Lease.
2. **CAR PARKS:** 7 including loading bay and 1 disabled park
3. **TERM:** Four (4) years *Penkin*
4. **COMMENCEMENT DATE:** ~~1 February 2014~~ *3-04-2014* or the date of Practical Completion, whichever is later.
5. **RIGHTS OF RENEWAL:** Five (5) terms of three (3) years each term
6. **RENEWAL DATES:** Four (4) years after the Commencement Date and three yearly the final such renewal date being during 2030.
7. **FINAL EXPIRY DATE:** Nineteen (19) years following the Commencement Date
8. **ANNUAL RENT:**
- | | | |
|-----------------------------------|---------------------------|----------|
| Premises | \$ 45,000.00 | plus GST |
| (Subject to review if applicable) | Car Parks \$ included | plus GST |
| | TOTAL \$ 45,000.00 | plus GST |
9. **DEPOSIT:** \$ 45,000.00 plus GST
(advance rent)
11. **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 date *the date that is two (2) years following the Commencement Date and two yearly thereafter.*
2. CPI rent review dates
- 
12. **PROPORTION OF OUTGOINGS:** (subclause 3.1 of the Lease) 83 %
13. **DEFAULT INTEREST RATE:** (subclause 5.1 of the Lease) 16 % per annum
14. **BUSINESS USE:** (subclause 16.1 of the Lease) Liquor Store and sale of associated products.

Penkin \$ *[Signature]*

15. LANDLORD'S INSURANCE: (subclause 23.1 of the Lease)

(Delete or amend extent of cover as appropriate)

- (1) Cover for the building against damage and destruction by fire, flood, explosion, lightning, storm, earthquake, and volcanic activity;

on the following basis:

- (a) Full replacement and reinstatement (including loss damage or destruction of windows and other glass).

(Delete either (a) or (b): If neither option is deleted, then option (a) applies).

OR

- (b) Indemnity to full insurable value (including loss damage or destruction of windows and other glass).

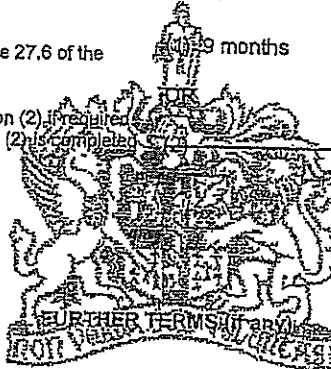
- (2) Cover for the following additional risks:

- (a) 12 month indemnity in respect of consequential loss of rent and outgoings.
(b) Loss damage or destruction of any of the Landlord's fixtures fittings and chattels.
(c) Public liability.

16. NO ACCESS PERIOD: (subclause 27.6 of the Lease)

(Delete option (1) and complete option (2) if required. If option (1) is not deleted and option (2) is completed, then option (2) applies)

(1) 9 months



See attached Further Terms and Conditions.

Handwritten signature

Handwritten signature

OUTGOINGS (*amend as necessary*)

1. Rates or levies payable to any local or territorial authority.
2. Charges for water, gas, electricity, telecommunications, and other utilities or services, including line charges.
- ~~3. Rubbish collection and recycling charges.~~
4. New Zealand Fire Service charges and the maintenance charges in respect of all fire detection and fire fighting equipment.
5. Any insurance excess (but not exceeding \$2000) in respect of a claim and insurance premiums and related valuation fees.
6. Service contract charges for air conditioning, lifts, other building services, and security services.
7. Cleaning, maintenance and repair charges including charges for repainting, decorative repairs and the maintenance and repair of building services to the extent that such charges do not comprise part of the cost of a service maintenance contract, but excluding charges for structural repairs to the building (minor repairs to the roof of the building shall not be a structural repair), repairs due to defects in design or construction, inherent defects in the building and renewal or replacement of building services.
- ~~8. The provisioning of toilets and other shared facilities.~~
9. The cost of ground maintenance of lawns, gardens and planted areas including plant hire and replacement, and the cost of repair of fences.
10. Yard and carparking area maintenance and repair charges but excluding charges, for repaving or resealing.
- ~~11. Body Corporate charges for any insurance premiums under any insurance policy effected by the Body Corporate and related valuation fees and reasonable management administration expenses.~~
12. Management expenses.
13. The costs incurred and payable by the Landlord in supplying to the territorial authority a building warrant of fitness and obtaining reports as required by sections 108 and 110 of the Building Act 2004 but excluding the costs of upgrading or other work to make the building comply with the Building Act 2004.



Larkin

[Signature]

163915-20

SECOND SCHEDULE

FIFTH EDITION 2012

Definitions, notices and interpretation

1.1 Definitions

- (1) Unless the context requires a different interpretation, words and phrases not otherwise defined have the same meaning as in section 4 of the Property Law Act 2007.
- (2) "Agreement" means this document including the front page, any further terms and any schedules and attachments.
- (3) "Working day" means any day of the week other than:
 - (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, and Labour Day; and
 - (b) A day in the period commencing on the 24th day of December in any year and ending on the 5th day of January in the following year, both days inclusive; and
 - (c) The day observed as the anniversary of any province in which the premises are situated.
- (4) A Working day shall be deemed to commence at 9.00 am and to terminate at 5.00 pm.
- (5) Any act done pursuant to this agreement by a party after 5.00 pm on a Working day, or on a day which is not a Working day, shall be deemed to have been done at 9.00 am on the next succeeding Working day.
- (6) Where two or more acts (including service of notice) done pursuant to this Agreement are deemed to have been done at the same time, they shall take effect in the order in which they would have taken effect but for subclause 1.1(5).

1.2 Notices

All notices must be in writing and must be served by one of the following means:

- (1) In the case of a notice under sections 245 or 246 of the Property Law Act 2007 in the manner prescribed by section 353 of that Act; and
- (2) In all other cases, unless otherwise required by sections 352 to 361 of the Property Law Act 2007:
 - (a) in the manner authorised by sections 354 to 361 of the Property Law Act 2007, or
 - (b) by personal delivery, or by posting by registered or ordinary mail, or by facsimile, or by email.
- (3) In respect of the means of service, a notice is deemed to have been served:
 - (a) In the case of personal delivery, when received by the addressee;
 - (b) In the case of posting by mail, on the second working day following the date of posting to the addressee's last known address in New Zealand;
 - (c) In the case of facsimile transmission, when sent to the addressee's facsimile number;
 - (d) in the case of email, when acknowledged by the addressee orally or by return email or otherwise in writing except that return emails generated automatically shall not constitute an acknowledgement.
- (4) In the case of a notice to be served on the Tenant, if the Landlord is unaware of the Tenant's last known address in New Zealand or the Tenant's facsimile number, any notice placed conspicuously on any part of the premises shall be deemed to have been served on the Tenant on the day on which it is affixed.
- (5) A notice shall be valid if given by any director, general manager, lawyer or other authorised representative of the party giving the notice.
- (6) Where two or more notices are deemed to have been served at the same time, they shall take effect in the order in which they would have been served but for subclause 1.1(5).
- (7) Any period of notice required to be given under this agreement shall be computed by excluding the date of service.

1.3 Interpretation

- (1) Headings are for information only and do not form part of this Agreement.
- (2) The terms, conditions and covenants contained in this Agreement shall not merge insofar as they either have not been fulfilled at the time of the execution of the Lease or are not reflected in the Lease but shall remain in full force and effect.

1.4 If there is more than one Landlord or Tenant, the liability of the Landlords or the Tenants as the case may be is joint and several.

1.5 Where the Tenant executes this Agreement with provision for a nominee or on behalf of a company to be formed, the Tenant shall remain liable for all the obligations on the part of the Tenant hereunder until such time as the Tenant and the Guarantor have signed the Lease.

1.6 This agreement may be executed in any number of counterparts and all of such counterparts taken together shall be deemed to constitute one and the same instrument. Communication of execution of this agreement may be made by each party transmitting by facsimile to the other party or their respective agents a counterpart of this agreement executed by the party sending the facsimile.

For & on

[Signature]

Deposit

- 2.1 The Tenant shall pay as a deposit an advance rental payment of the amount specified in the First Schedule. The deposit shall be payable to the Landlord or the Landlord's agent immediately upon execution of this Agreement by all parties and/or at such other time as is specified in this Agreement. The person to whom the deposit is paid shall hold it as a stakeholder until this Agreement is unconditional or is avoided.
- 2.2 The Landlord shall not be entitled to cancel this Agreement for non-payment of the deposit unless the Landlord has first given to the Tenant three working days' notice in writing of intention to cancel and the Tenant has failed within that time to remedy the default. No notice of cancellation shall be effective if the deposit has been paid before the notice of cancellation is served.
- 2.3 Without prejudice to any of the Landlord's rights or remedies, including any right to claim for additional expenses and damages, if the deposit or any portion thereof is not paid upon the due date for payment the Tenant shall pay to the Landlord interest at the default interest rate on the portion of the deposit so unpaid for the period from the due date for payment until payment. Unless a contrary intention appears on the front page or elsewhere in this agreement the default interest rate is equivalent to the interest rate charged by the Inland Revenue Department on unpaid tax under the Tax Administration Act 1994 during the period for which the default interest is payable, plus 5 per cent per annum.

Lease payments

- 3.1 The Tenant shall pay the annual rent by equal monthly payments in advance as from the commencement date specified in the First Schedule.
- 3.2 The Tenant shall pay the Goods and Services Tax payable by the Landlord in respect of the rent and other payments payable by the Tenant pursuant to the Lease.
- 3.3 In addition to the rent the Tenant shall pay the outgoings specified in the First Schedule and where any outgoing is not separately assessed in respect of the premises then the Tenant shall pay such proportion thereof as is specified in the First Schedule or if no proportion is specified then a fair proportion.

Lease

- 4.1 The Tenant shall enter into a formal lease with the Landlord to be prepared by the Landlord's lawyer at the cost of the Landlord, using the sixth edition of the Auckland District Law Society Inc Deed of Lease form amended in accordance with the provisions of this Agreement ("Lease").
- 4.2 Unless otherwise set out in the Third Schedule, it is agreed that the Landlord's fixtures, fittings and chattels contained in the premises as more particularly described in the Third Schedule are in a good state of repair.
- 4.3 Notwithstanding that the Lease may not have been executed the parties shall be bound by the terms, covenants and provisions contained in this Agreement and in the Lease as if the Lease had been duly executed.

Dispute resolution

- 5.1 Unless otherwise provided in this Agreement if a party considers that there is a dispute in respect of any matters arising out of, or in connection with this Agreement, then that party shall immediately give notice to the other party setting out details of the dispute. The parties will endeavour in good faith to resolve the dispute between themselves within five (5) working days of the receipt of the notice, failing which the parties will endeavour in good faith within a further ten (10) working days to appoint a mediator and resolve the dispute in good faith.
- 5.2 Neither party will commence legal proceedings against the other except for injunctive relief before following the procedure set out in subclause 5.1.

No Assignment

- 6.1 The Tenant shall not assign or agree to assign this Agreement or the Tenant's Interest under this Agreement and the Tenant shall not register any caveat against the land in respect of its interest under this Agreement. The Tenant shall not be entitled to exercise the right of assignment contained in the Lease until such time as the Tenant has signed the Lease.

Agent

- 7.1 If the name of a licensed real estate agent is recorded on this Agreement it is acknowledged that the lease evidenced by this Agreement has been made through that agent whom the Landlord appoints as the Landlord's agent to effect the Lease. The Landlord shall pay the agent's charges including GST for effecting such Lease.

London

[Signature]

163715-20

THIRD SCHEDULE
LANDLORD'S FIXTURES, FITTINGS AND CHATELS (if any)

Carpets and air conditioning unit



Rangin

A handwritten signature, possibly "Rangin", written in a cursive style.

FURTHER TERMS AND CONDITIONS

1.0 DEFINITIONS (Continued)

1.1 In this agreement unless a contrary intention appears:

"Building" means the Landlord's building to be constructed on the Land and referred to in this Agreement;

"Development" and "Development Work" means all work to be undertaken by or on behalf of the Landlord to: complete the Building in accordance with the Plans; complete and develop the Premises; and to carry out all site work associated with the Premises;

"Final Date for Practical Completion" means the date that is four (4) months following the date on which the Tenant gives notice to the Landlord advising that the conditions in clauses 4.3 and 4.4 are satisfied. *Not earlier than 30-4-2014* *Rankin*

"Tenant's Fitting Out Work" means all work to be undertaken by or on behalf of the Tenant at its cost as detailed in the Fourth Schedule to fit out the Building or the Premises as a consequence of the Tenant's requirements for occupation of the Premises;

"Landlord's Fitting Out Work" means all other work as detailed in the Third Schedule (not being Tenant's Fitting Out Work) to be undertaken by or on behalf of the Landlord at its cost to fit out the Building or the Premises;

"Land" means that part of the Landlord's land more particularly described in Item 1 of Schedule 1;

"Plans" means the plans and specifications attached to this agreement.

"Practical Completion" means the later of
(a) The date that the Building and the Development and the Landlord's Fitting Out Work are fully completed in all respects as certified by the Landlord's appointed building contractor or

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Rankin

[Signature]

engineer (acting professionally and independently) and are available to enable the Tenant to commence trading;

- (b) The date on which a Code Compliance Certificate has issued for the Building;
- (c) The date on which a Certificate of Public Use has been issued for the Building; and
- (d) The date which is one (1) month following the date on which the Tenant is granted access for fit-out purposes pursuant to clause 5.2.

"Premises"

means the Land including the Building and Development more particularly described in the First Schedule as the Premises and the carparks more particularly described in Item 5 of Schedule 1;

"Target Date for Practical Completion"

means the date that is two (2) months following the date on which the Tenant gives notice to the Landlord advising that the conditions in clauses 4.3 and 4.4 are satisfied.

2.0 COMPLETION OF BUILDING

- 2.1 The Landlord shall with all reasonable speed complete the erection and construction of the Building the Development and the Landlord's Fitting Out Works, in a good, proper, thorough and workmanlike manner and in accordance with the Plans not later than the Final Date for Practical Completion.
- 2.2 The Building shall be designed by the Landlord to professional standards of architecture and engineering, in accordance with sound and accepted architectural and engineering principles, and in conformity with all current applicable Acts, Regulations (including, if applicable, the Building Code), by-laws and requirements of the Territorial Authority having jurisdiction.

3.0 DEFECTS IN WORKS

- 3.1 Any defects or faults which may appear in the Building or the Landlord's Fitting Out Works within a period of six (6) months from the date of Practical Completion, written notice of which shall have been given by the Tenant to the Landlord within such six (6) month period, shall be made good by the Landlord at the Landlord's cost and expense within a reasonable time and with all due expedition. Nothing in this clause shall

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release the Landlord from promptly making good at its own cost and expense any defect or fault attributable to design or structural deficiencies or failure to comply with any obligation arising under this Agreement, nor shall anything in this clause derogate from any provision in the Lease.

- 3.2 Despite that Practical Completion may have been achieved, the Landlord shall still be obliged to carry out and fully complete the Building the Development and the Landlord's Fitting Out Works in every detail, in accordance with the Plans, as soon as possible.

4.0 CONDITIONS

- 4.1 *This Agreement is conditional upon:*

- (a) The Landlord obtaining all necessary permits consents and licences from the Nelson City Council including a building consent for the construction of the Building in accordance with the Plans and Specifications; and
- (b) The Landlord obtaining and providing written evidence to the Tenant of the consent of its mortgagee(s) (if any) to this Agreement to Lease and to the Lease.

Should such conditions remain unfulfilled after ^{Forty (40)} ~~twenty (20)~~ working days from the date of this Agreement then either party may, by notice, terminate this agreement following which neither party shall have any claim against the other. This sub-clause is inserted for the benefit of both parties.

- 4.2 The Landlord warrants that, forthwith upon this Agreement being signed by all parties, it shall:

- (a) apply to the Nelson City Council for the permits, consents and licences referred to in clause 4.1(a); and
- (b) apply to its mortgagee(s) for the consent provided for in clause 4.1(b).

- 4.3 *This Agreement is conditional upon* the Tenant procuring any necessary resource consent to operate its business from the Premises. The date for satisfaction of this condition in ^{Forty (40)} ~~twenty (20)~~ working days after the tenant receives notice from that landlord that clause 4.1(a) is satisfied. Should this condition remain unfulfilled after such date then either party may, by notice, terminate this agreement following which neither party shall have any claim against the other. This sub-clause is inserted for sole benefit of the Tenant.

- 4.4 *This Agreement is conditional upon* the Tenant procuring a temporary authority and/or off licence Liquor Licence (at the discretion of the Tenant) from the Nelson City Council to enable the Tenant to operate the Tenant's business from the Premises. The date for satisfaction of this condition shall be ~~thirty (30)~~ ^{Sixty (60)} working days after the satisfaction of

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the condition referred to in clause 4.3. This condition is inserted for the sole benefit of the Tenant. Should such condition remain unfulfilled by the due date for satisfaction then either party may, by notice, terminate this agreement following which neither party shall have any claim against the other.

- 4.5 The Tenant shall as soon as reasonably practicable in each case, file with the Nelson City Council the application for any resource consent required and the temporary authority and/or off licence Liquor Licence. To avoid doubt, if the Nelson City Council declines the Tenant's application for a temporary authority and/or off-licence Liquor Licence, the Tenant shall not be obliged to appeal such decision to the Liquor Licensing Authority. Any decision to do so shall be entirely at the discretion of the Tenant.
- 4.6 *This Agreement is conditional upon Practical Completion occurring not later than the Final Date for Practical Completion. If Practical Completion shall not occur by such date the Tenant may, by notice, terminate this Agreement following which neither party shall have any claim against the other. To avoid doubt, if Practical Completion shall not occur by the Final Date for Practical Completion due to failure by the Tenant to complete its Fitting Out Works as provided for in clause 5.0, then any such delay in Practical Completion shall not entitle the Tenant to cancel this Agreement pursuant to this clause and the Final Date for Practical Completion shall be extended out for the period of such delay accordingly. This subclause is inserted for the sole benefit of the Tenant.*
- 4.7 Despite any other provision herein, if Practical Completion is delayed beyond the Target Date for Practical Completion then provided such delay is not caused by the Tenant, the Tenant shall be entitled to occupation of the Premises following the Commencement Date rent free ("the rent free period"), such rent free period being one (1) week for every week or part week that the Commencement Date is delayed beyond the Target Date for Practical Completion.
- 5.0 FIT-OUT ARRANGEMENTS
- 5.1 The Landlord's Fitting Out Works shall be completed by the Landlord, expeditiously in conjunction with completion of the Building.
- 5.2 The Landlord hereby gives its consent to the Tenant completing the Tenant's Fitting Out Work, which shall be completed by the Tenant expeditiously following the date it is granted access to the Premises for the purpose. The Tenant shall be entitled to access the Premises, rent free, for a period of one (1) month prior to the Commencement Date for the purposes of completing the Tenant's Fitting Out Works.
- 6.0 ASSIGNMENT
- 6.1 Neither party will assign any of its rights and obligations under this Agreement except in the event of the sale of all of the assets and undertakings of either party in which

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case an assignment in favour of the purchaser of the assets and undertakings of either party shall be permitted. At any time after the execution of this Agreement any transfer of shares in either party or any re-classification of the rights attaching to any shares in either party or any other arrangement which has the effect of altering the effective control of either party, will be deemed to be an assignment of this Agreement.

- 6.2 If any assignment takes place in accordance with the preceding clause the assigning party will, at its cost, enter into a formal deed with the assignee (in a form reasonably acceptable to the non-assigning party) whereby the assignee covenants to perform the obligations under this agreement to lease and in such an event the assignor shall remain liable under this agreement to lease, notwithstanding such assignment.

7.0 LIMITATION UPON RENT REVIEWS

- 7.1 Despite any other provision of this Agreement to Lease, the revised Annual Rent payable following any Rent Review Date in the Lease shall not be an amount greater than Ten Per Centum (10%) per annum plus GST in excess of the Annual Rent payable immediately prior to the relevant Rent Review Date.

8.0 FIRST RIGHT OF REFUSAL TO PURCHASE

- 8.1 Sale of Premises: If at any time before the expiry of the Term, the Landlord:
- (a) Decides to Sell Premises: decides to sell the Landlord's interest in the Property; or
 - (b) Receives Offer: receives an offer to purchase the Landlord's interest in the Property and wishes to accept that offer;

the Landlord must immediately give written notice ("Landlord's Notice") to the Tenant setting out the terms on which the Landlord wishes to sell the premises, or the terms of the offer received (as the case may be). In the case of the Landlord's desire to sell, the offer must comprise the agreement for sale and purchase in the then most recent form approved by the Real Estate Institute of New Zealand and by the Auckland District Law Society, modified as set out in clause 8.8.

- 8.2 Exercise of Option: The Tenant will have twenty five (25) working days after and excluding the date of receipt of the Landlord's Notice (time being of the essence) in which to exercise the Tenant's right to purchase the Premises, by serving written notice on the Landlord ("Tenant's Notice") accepting the offer contained in the Landlord's Notice.
- 8.3 Lapse of Option: If the Tenant does not serve the Tenant's Notice on the Landlord in accordance with clause 8.2, then the Landlord may sell the Landlord's interest in the Property to any other person on no more favourable terms than those previously

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offered to the Tenant.

- 8.4 **Re-offer on Better Terms:** If the Landlord wishes, or agrees, to offer more favourable terms for selling the Landlord's interest in the Premises than the terms contained in the Landlord's Notice, the Landlord must first re-offer its interest in the Premises to the Tenant on those terms, by written notice to the Tenant ("Landlord's Second Notice"). This offer must comprise the agreement for sale and purchase in the then most recent form approved by the Real Estate Institute of New Zealand and by the Auckland District Law Society, modified as set out in clause 8.8.
- 8.5 **Acceptance of Second Offer:** The Tenant will only have 10 business days after and excluding the date of receipt of the Landlord's Second Notice (time being of the essence) in which to exercise the Tenant's right to purchase the Landlord's interest in the Premises on those more favourable terms, by serving written notice on the Landlord ("Tenant's Second Notice") accepting the offer contained in the Landlord's Second Notice.
- 8.6 **Lapse of Second Option:** If the Tenant does not serve the Tenant's Second Notice on the Landlord in accordance with clause 8.5, then the Landlord may sell the Landlord's interest in the Premises to any other person (including the party who originally made the offer under clause 8.1(b), if applicable) on any terms the Landlord thinks fit.
- 8.7 **Formation of Contract:** On the Tenant serving a valid Tenant's Notice or Tenant's Second Notice (as the case may be), the parties will be taken to have entered into a contract for the sale and purchase of the Landlord's interest in the Property on the terms contained in the Landlord's Notice or the Landlord's Second Notice (as the case may be) ("Contract").
- 8.8 **Terms of Contract:** The terms of the Contract will be modified as follows:
- (a) **Title:** the Tenant will be deemed to have accepted the title to the Landlord's interest in the Property;
 - (b) **No Requisition;** the provisions of the Contract under which the Tenant has the right to requisition or object to the title to the Landlord's interest in the Property will not apply; and
 - (c) **Completion:** the Tenant will not be required to complete the purchase earlier than ~~three~~ ¹⁰ months from the date of service of the Tenant's Notice or Tenant's Second Notice (as the case may be).
- 8.9 Despite anything else provided here, the Tenant's rights under this clause 8.0 shall be personal to the Big Barrel Group Limited or an associated entity of Big Barrel Group Limited which is the Tenant and shall not be transferable or assignable to any other person, to the intent that, on assignment or transfer of this Lease for any


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reason to a person who is not an associated entity of Big Barrel Group Limited this clause 8.0 shall terminate and shall no longer have any effect.

8.10 For the purposes of this clause "associated entity" means:

- (a) Related company as defined in the Companies Act 1993;
- (b) A person or persons comprising one or more of the shareholders of ~~Big Barrel Group Limited~~, or *SRS Ghuman and Sons Ltd*
- (c) A person under the control of one or more of the shareholders of ~~Big Barrel Group Limited~~. *SRS Ghuman and Sons Ltd* 

9.0 Landlord's Fittings

9.1 The Landlord will, at its cost, install a heat pump and floor carpet, in each case of a type and design to be approved by the Tenant, in the front retail area prior to the Commencement Date.

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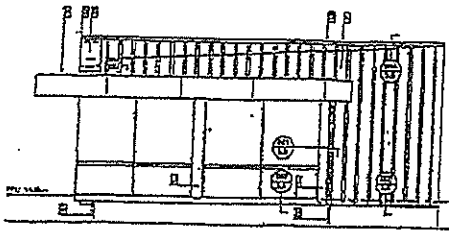
FOURTH SCHEDULE
TENANT'S FITTING OUT WORK

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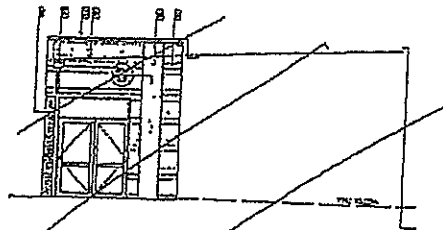
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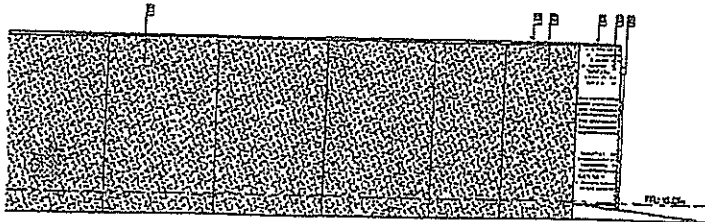
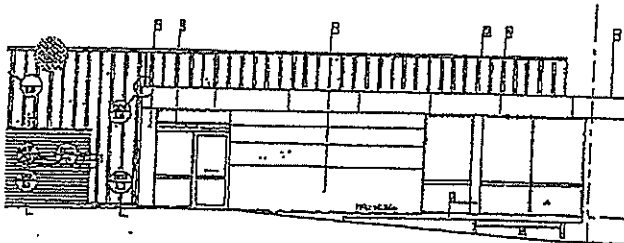
LILLEY DEVELOPMENT
GLOUCESTER ST



SOUTH WEST ELEVATION
SCALE 1:100



SOUTH INTERNAL ELEVATION
SCALE 1:100

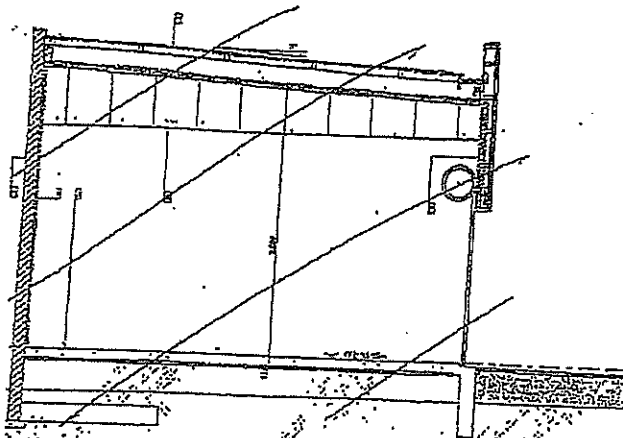


2.000 SOUTH ELEVATION

SCALE 1:100
DATE 15/04/2012
JOB 200
ELEVATIONS

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3.0A
DRAVING & ASSOCIATES
ARCHITECTS LTD
71-73, High Street, London, W1C 2JH
Tel: 020 7493 1234
Fax: 020 7493 1235
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SECTION B-B
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LILLEY DEVELOPMENT
GLOUCESTER S

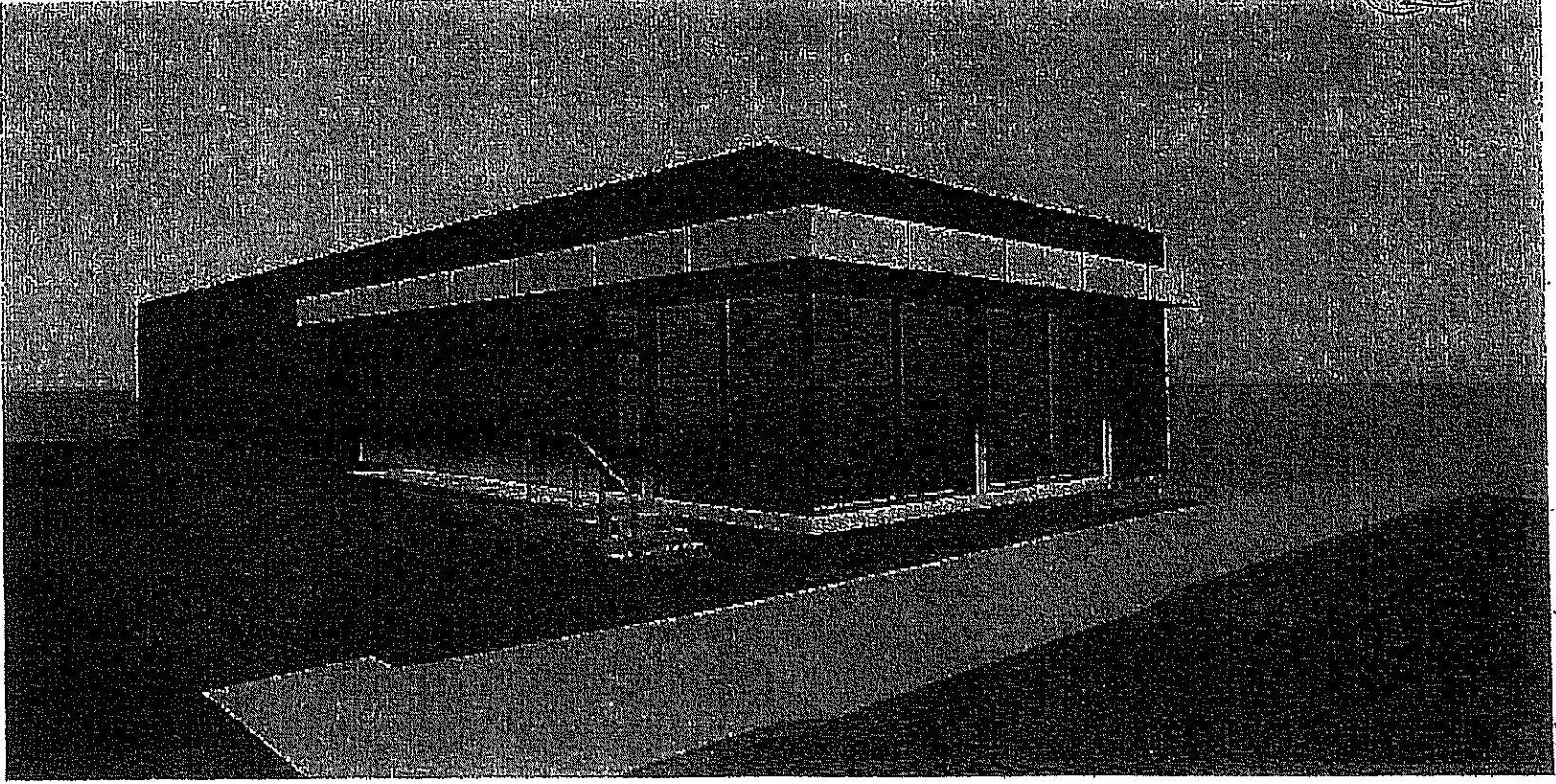
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DATE	MARCH 2004
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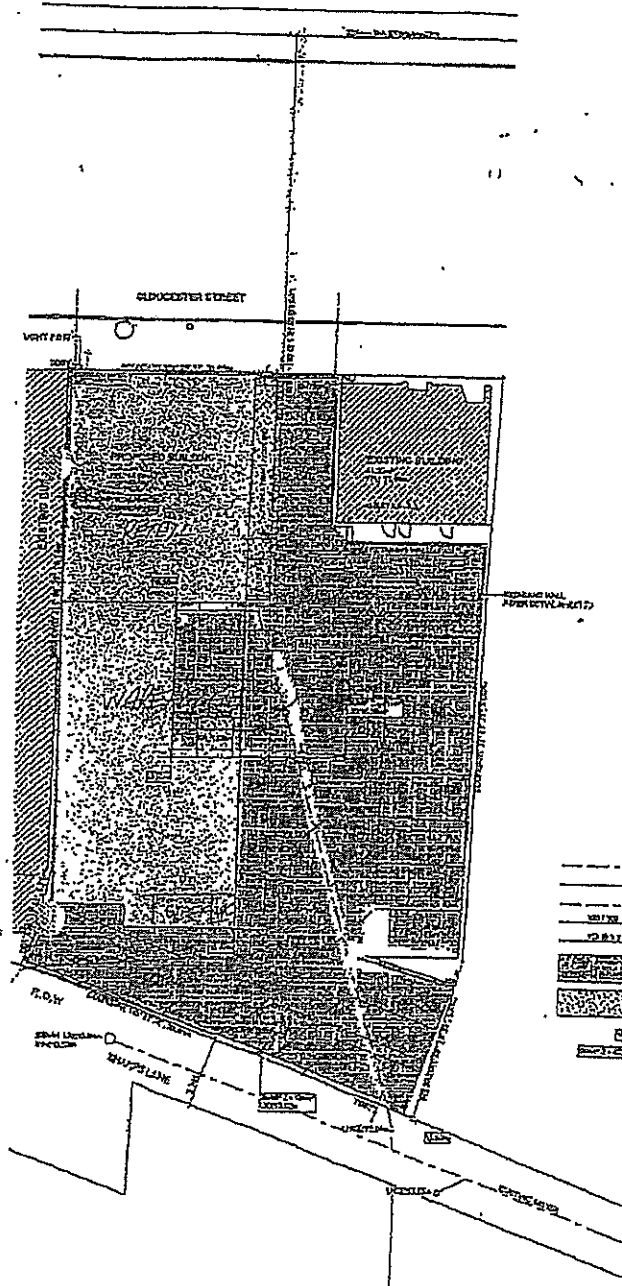
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DAVIES & ASSOCIATES
ARCHITECTS LTD
14, WILKINS ROAD, SOUTHAMPTON, HANTS SO9 4JH
TEL: 01703 200000 FAX: 01703 200001



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**LILLEY DEVELOPMENT
GLOUCESTER ST**



**SITE PLAN
SCALE 1:200**

LEGAL DESCRIPTION
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DATED _____

BETWEEN

Landlord Xian Properties and Investments NZ Limited

Ph 027 3251269

Fax _____

Email Jordan.m.lilley@gmail.com

AND

Tenant SRS Ghuman & Sons Limited

Ph 021 0314057

Fax _____

Email Ghuman846@hotmail.com

AGREEMENT TO LEASE

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Auckland District Law Society Inc



Landlord's lawyer (indicate individual acting)

Paul Morgan, Private Bag 6021, Napier 4142
(Armed & Paul Morgan) Email: paul.morgan@cardow.co.nz
Tel: 06 8351338 Fax: 06 8351338

Tenant's lawyer (indicate individual acting)

Deposit paid to _____

Amount _____

Date paid 2015

LEASE NEGOTIATED BY:

Licensed Real Estate Agent

Office Bayleys Nelson

Address P O Box 176, Nelson 7040

Telephone 03 546 9455

Manager Graeme Vining

Salesperson Doug McKee

5 August 2013

Nelson City Council

Civic House

110 Trafalgar Street

Nelson

Fax: 035460239

Attention: Liquor Licensing Manager

RE: 36 Gloucester Street, Nelson

Xian Property and Investments NZ Limited, owners of the above property confirm that they are prepared to lease the above premise to SRS Ghuman and Sons Ltd for the purpose of operating an off licence from the Premises.

Regards

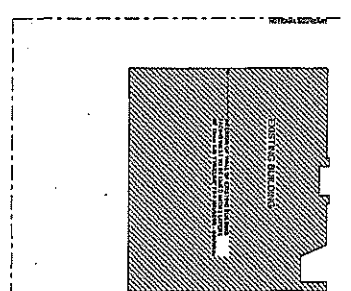
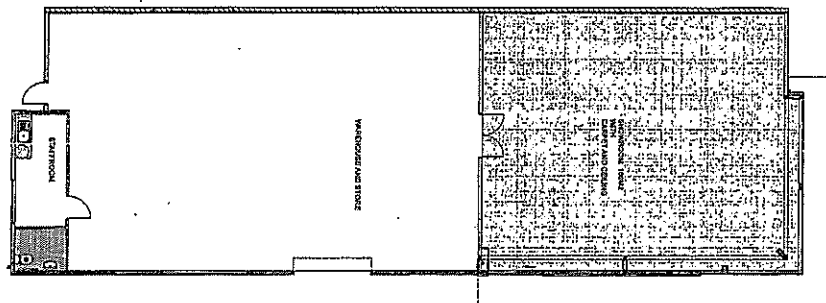
A handwritten signature in black ink, appearing to read 'Jordan Lilley', with a long horizontal line extending from the end of the signature.

Jordan Lilley

Director



Approved Plan
RM135211 22.1.2014



LILLEY DEVELOPMENT
GLoucester ST

1. SITE PLAN
2. FLOOR PLAN
3. SECTION
4. ELEVATION
5. EXTERIOR FINISHES
6. INTERIOR FINISHES
7. LANDSCAPE ARCHITECTURE
8. MECHANICAL, ELECTRICAL AND PLUMBING
9. STRUCTURAL
10. CIVIL ENGINEERING
11. ENVIRONMENTAL
12. HISTORIC BUILDINGS
13. ARCHAEOLOGY
14. TRANSPORT
15. ECONOMICS
16. SOCIAL
17. POLITICAL
18. LEGAL
19. OTHER

DATE: 22.1.2014
DRAWN BY: [Name]
CHECKED BY: [Name]
FLOOR PLAN SYMBOLS:
FLOOR PLAN SYMBOLS:
FLOOR PLAN SYMBOLS:

2.10
DANIEL & ASSOCIATES
ARCHITECTS LTD
14, Victoria Road, Gloucester, Gloucestershire, GL1 2JH
Tel: 01452 866111
Fax: 01452 866112
Email: info@daniel.co.uk
Website: www.daniel.co.uk

The Bottle Store

Host Responsibility Implementation Plan (HRIP)

Designation:

Our designation is: **Supervised Area**

Supervised Area: *Area where No-one under 18 years of age is allowed unless they are:*

- *employed to prepare or serve a meal, sell or supply liquor, clean or repair etc, remove or replace equipment, stock take, check or remove cash; or*
- *Are accompanied by their parent or legal guardian. A guardian as defined in the Care of Children Act is someone appointed by either the High Court or Family Court who is responsible for providing day-to-day care for the child.*

Minors

The Sale of Liquor Act states that it is an offence to sell or supply liquor, on or from licensed premises to any person who is under the age of 18 years.

Our policy is that:

- *any patron who might be under 25 years of age is asked for identification.*
- *The only forms of identification that will be accepted from any patron who might be underage are:*
 - *New Zealand or overseas passport*
 - *Drivers Licence issued under the Land Transport Act 1998*
 - *HANZ 18+ card*

These are the only four forms of identification (ID) that will provide you with an automatic defence against a charge of selling alcohol to a minor. Each has a photo for positive identification.

If staff have doubts whether an ID is authentic they should ask for a second form or refuse to allow entry or sale. (Refusal of entry or sale or forged ID are suitable issues for entry in the incident book)

Steps to verify the age of any person appearing to be under 25 years of age:

Training and knowledge base on Sale of Liquor Act 1989 and Sale of liquor act 2012 to be provided to every new employee in joining and ongoing training with regular meetings to be held to make sure that everybody is following the rules and regulations of the Sale of liquor Act. Computer Systems will be designed to remind the staff every time to check the ID before selling anything to customer.

Duty manager will oversee/manage the staff to make sure that ID's are getting checked on every occasion wherever the customer seems to be younger than 25.

To make sure the ID's aren't fake and they are one of the accepted three

NZ Drivers Licence

Passport (NZ or Overseas)

Hanz 18+ Card

No other ID to be accepted as a proof of Age.

Intoxication

Under the Sale of Liquor Act, it is an offence if the licensee or manager of any licensed premises:

- sells or supplies liquor to any other person who is intoxicated; or
- allows any person to become intoxicated on the licensed premises; or
- allows any intoxicated person to be on or remain on the licensed premises; or
- allows any violent, quarrelsome, insulting or disorderly conduct to take place on the licensed premises.

A patron should be considered to be intoxicated if they are observably affected by alcohol or drugs to the extent that their speech, coordination or behaviour is clearly impaired.

Instructions for staff on how to identify and proactively deal with intoxicated patrons:

1) Identify the Customer from:

- Speech,
- Body language
- Too Polite or Abrupt Behaviour
- Breathing

2) To Deal with this Staff should make sure

- They approach the customer gently
- Pass the message to customer that they are not allowed to serve them when they are intoxicated
- Offer Non-Alcoholic drink or water instead.
- Offer the help to ring taxi
- Give them support if needed until taxi arrives
- In uncontrolled circumstances ring Police

Signage

Required:

- i. *Original or copy of the licence to be displayed at principal entrance*
- ii. *Duty Manager's name to be prominently displayed*
- iii. *"Prohibited person signage" to be displayed adjacent to points of sale.*
- iv. *Other signage as required*

Include details on whose responsibility to ensure signage is correct. It is advisable to place the renewal notice next to the licence to show that the licence is current.

Duty Manager takes the Responsibility of all the signage to be Displayed Correctly.

Other

(add any other steps that you require staff to follow to ensure they are implementing good host responsibility practices in areas such as security; promotions, sampling of liquor , banning party pills, what to do when customers are supplying minors etc)

- 1) Security Camera System will be in Place and signage is to be displayed to avoid and keep the troublemakers away from the store.**
- 2) Staff to ensure that they check ID before offering any sample when sampling of liquor takes place.**
- 3) Good Visual Signs about the fines if someone supplies to minor**
- 4) if suspected ring the Police when customers trying to supply minors**

Staff Training

This section could include:

- a) A statement of intent regarding staff training
 - b) Content of initial and on-going training
 - c) Frequency and duration of training
 - d) Responsibility for organising and conducting training
 - e) Methods to ensure attendance
 - f) Reference to location and updating of the staff training manual
- 1) The Bottle Store is very committed and dedicated to provide staff training in detail.**
 - 2) Any one working on the premises is required to hold a valid Duty manager's Certificate. In most cases people with Duty Manager Certificate will be employed on preference but in case where employee is keen to study and get training to get Duty Manager, they may be employed on condition they acquire Duty Managers within 3-4 weeks of employment.**
 - 3) Staff training is to be held for first 2 weeks whenever new employee joins the company.**
 - 4) Staff to be encouraged to sit through LCQ training course at the company's expense to make sure that they should understand the Sale of liquor Act 1989 and Sale of liquor Act 2012 in detail.**
 - 5) Staff meeting to be held every First Monday of the Month. Staff meeting register to be filled with topics discussed and to be signed by all attendees**
 - 6) Ongoing training to be offered to Staff as required.**
 - 7) Staff Roster to be Displayed in Staff Room to ensure attendance**
 - 8) Duty Manager to ensure that only the fully trained Staff is working in store, and should be responsible for organising and conducting training of staff when required.**

Certificate No. **039/GM/63/2013**

GENERAL MANAGER'S CERTIFICATE

Section 117, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989

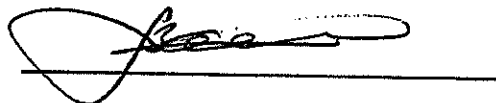
JAGRAJ SINGH TIWANA

is authorised to manage any licensed premises in respect of which a licence is in force.

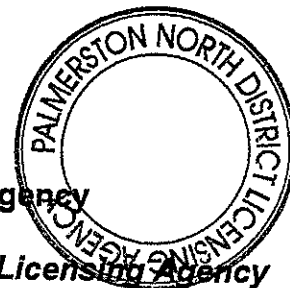
Subject to the requirements of the Act relating to fees, and to the provisions of the Act relating to the suspension and cancellation of manager's certificates, this certificate shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the certificate is duly made, until the application is determined; or
- (c) If the certificate is renewed, until the close of the period for which it is renewed.

Dated at Palmerston North this 27th day of June 2013



Secretary
Palmerston North District Licensing Agency



Undertaking – Refer Palmerston North District Licensing Agency

RENEWAL OF MANAGER'S CERTIFICATE

Sections 125 and 127, Sale of Liquor Act 1989

RANBIR SINGH

GM/08/264/2009

GENERAL MANAGER'S CERTIFICATE

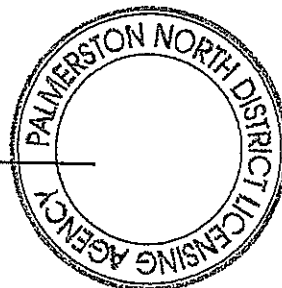
Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of manager's certificates, this certificate shall expire, unless again renewed, on

9 October 2016

Dated at Palmerston North this 26th day of September 2013



**Secretary
DISTRICT LICENSING AGENCY**

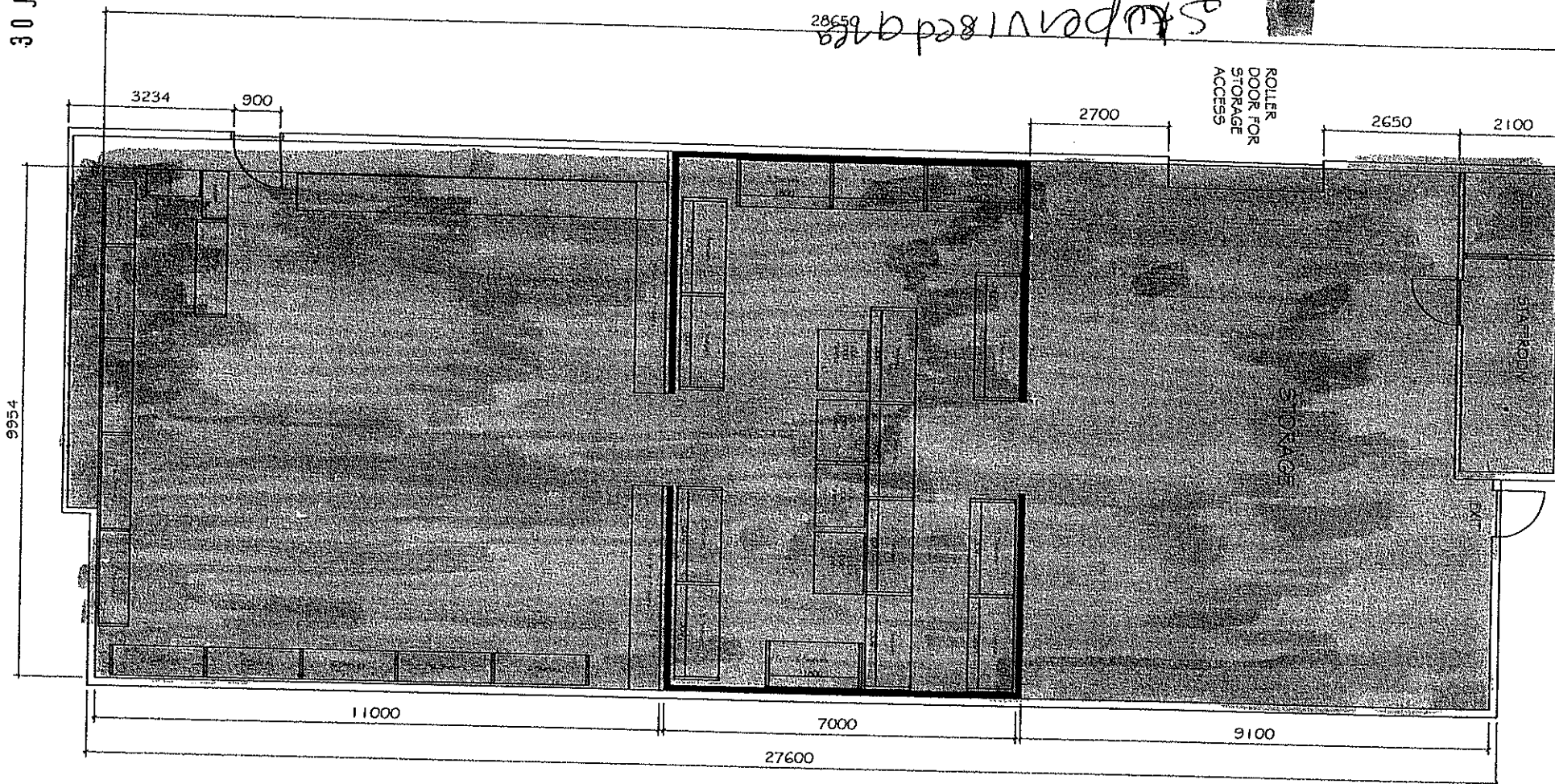


Google



455

28659
626 p281 n10 d m s



alan@woodrobson.co.nz

699 Tremaine Ave
Palm Nth
(06) 356 5320

All design and drawings are the property of Wood Robson.
Any un-authorised use of these plans will incur legal action.
No copies or alteration shall be made without prior consent from Wood Robson.

client name; *Big Barrel*

job; Nelson

date; 29-08-2013

revision # 1

dwg by; Alan

30 JAN 2014

NTS Scale

Question 1

The granting, or renewal of this application will not decrease the **amenity or good order** of the area by more than a minor extent because we:

- We are locating in a retail space in a broader commercial environment and therefore the store location and design will be congruous with existing surrounding commercial development.
- We have no intention to amplify music to be audible outside the store.
- We expect no noise or behavioural issues of patrons to affect the area.
- We propose professionally designed branding and tidy signage as shown on artist's impression of exterior.
- We propose that pricing signage on shop frontage will be limited to one for purpose of advertising store specials (see artist's impression of exterior)
- We do not propose roadside advertising of signage.

Question 2

The **design and layout** of our premises complies with the Act because:

- Please refer to floor plan designs at **Floor Plan**. Store frontage design is at **artist's impression of exterior**.
- We will install a "Pos-Perfect" eftpos system that incorporates a 'checking' system for each customer's age details to significantly reduce risk of underage sales.
- We will install security cameras inside the premises and outside the front doors.
- The store is to be located in a well-lit commercial area and we propose exterior lighting.
- Security roller door will be installed.
- Windows will be fogged and security bars will be placed against window interiors
- Three staff members will be working at all times.

Question 3

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

I have had a general manager's licence for approximately four years, since October 2009 and have been working in liquor sales at a busy store since then. In my experience I have never sold any liquor to a minor or to an intoxicated person and I am committed to keeping that record intact and will ensure the same commitment to obeying the terms of our licence from all staff members.

I propose to train each of my future employees for their general manager's certificate prior to them commencing employment and also to train employees in internal systems and practices that we intend to implement for example the "Pos-Perfect" system.

My vision and focus for my store will be the sale of top-marked whiskeys, national and international wines, and craft beers. With that focus we intend to brand as an up-market retailer rather than a budget or 'low cost'. With this focus we expect to minimise the proliferation of low cost/ high risk beverages such as RTD's, which in my experience are a significant factor in liquor abuse.

Specifically in relation to RTD's, we intend to keep sales to shelving rather than placing them in more prominent display locations unless that is required for time to time for promotional purposes.



COMPANIES OFFICE

Certificate of Incorporation

SRS GHUMAN & SONS LIMITED

4404701

This is to certify that SRS GHUMAN & SONS LIMITED was incorporated under the Companies Act 1993 on the 16th day of April 2013.



Mandy McDonald

Registrar of Companies
16th day of April 2013

For further details relating to this company check
<http://www.business.govt.nz/companies/app/ui/pages/companies/4404701>
Certificate generated 16 April 2013 12:25 PM NZST

File

Date 28/01/2014

Design Craig

Sales Kevin

Colours

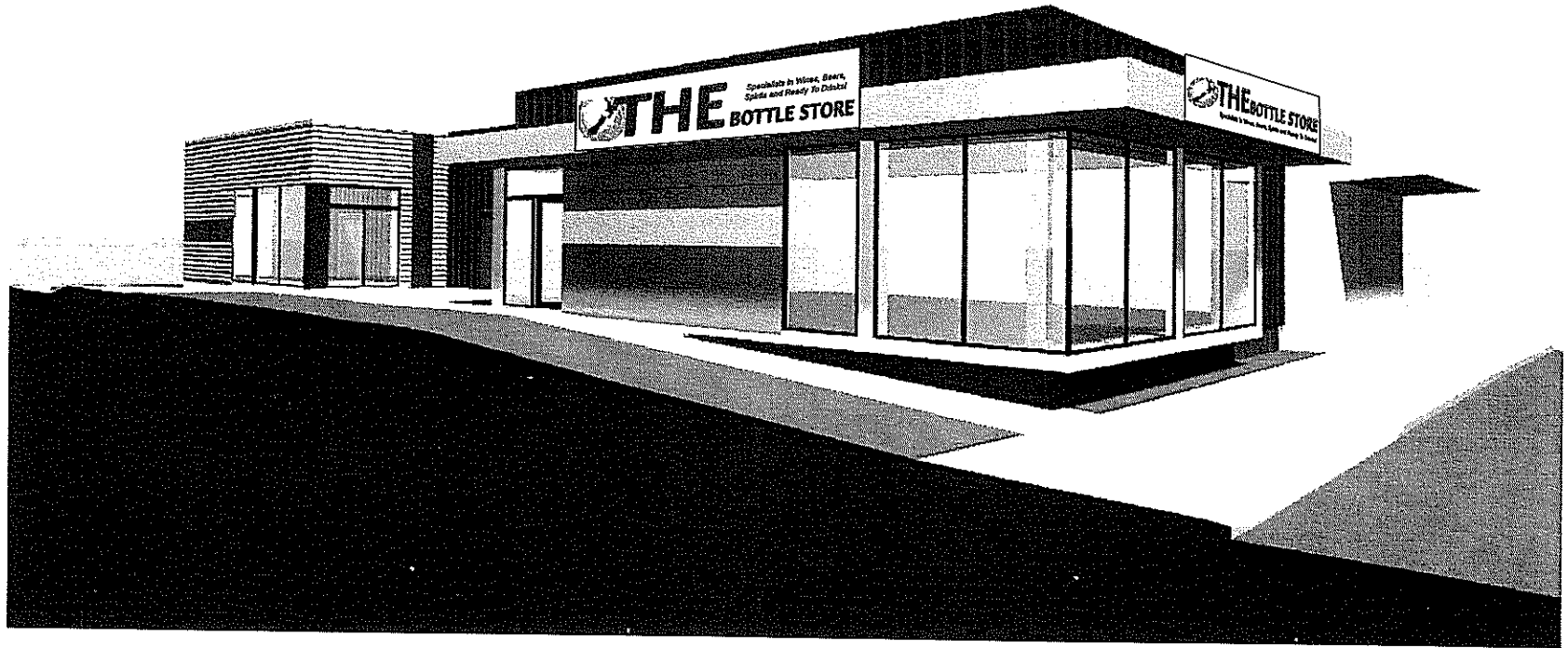
- Black
- White
- Brilliant Blue

Fonts

Flora-Bold-Regular

Approval Signature

Note: Please check proof carefully



Speedy Signs
grow your business faster

Speedy Signs Palmerston North

e palmerstonnorth@speedysigns.co.nz p 06 359 5166

Copyright. This drawing is not to be reproduced and shall not be disclosed to a third party without the consent of Speedy Signs. Artist's impression, colours are indicative only.

The Bottle Store

Host Responsibility Implementation Plan (HRIP)

Designation:

Our designation is: **Supervised Area**

Supervised Area: Area where No-one under 18 years of age is allowed unless they are:

- Employed to, clean or repair etc, remove or replace equipment, stock take, check or remove cash.
- Are accompanied by their parent or legal guardian. A guardian as defined in the Care of Children Act is someone appointed by either the High Court or Family Court who is responsible for providing day-to-day care for the child.

Minors

The Sale and Supply of Alcohol Act states that it is an offence to sell or supply liquor, on or from licensed premises to any person who is under the age of 18 years.

Our policy is that:

- any patron who might be under 25 years of age is asked for identification.
- The only forms of identification that will be accepted from any patron who might be underage are:
 - New Zealand or overseas passport
 - Drivers Licence issued under the Land Transport Act 1998
 - HANZ 18+ card

These are the only four forms of identification (ID) that will provide you with an automatic defence against a charge of selling alcohol to a minor. Each has a photo for positive identification.

If staff have doubts whether an ID is authentic they should ask for a second form or refuse to allow entry or sale and information will be given to police if person using fake ID.

Steps to verify the age of any person appearing to be under 25 years of age:

Training and knowledge base on Sale and Supply of alcohol act 2012 to be provided to every new employee in joining and ongoing training with regular meetings to be held to make sure that everybody is following the rules and regulations of the Sale and Supply of alcohol act 2012. Computer Systems will be designed to remind the staff every time to check the ID before selling anything to customer.

Duty manager will oversee/manage the staff to make sure that ID's are getting checked on every occasion wherever the customer seems to be younger than 25.

To make sure the ID's aren't fake and they are one of the accepted three

NZ Drivers Licence

Passport (NZ or Overseas)

Hanz 18+ Card

No other ID to be accepted as a proof of Age.

Intoxication

Under the Sale and Supply of alcohol act 2012, it is an offence if the licensee or manager of any licensed premises:

- sell alcohol to any other person who is intoxicated; or
- allows any person to become intoxicated on the licensed premises; or
- allows any intoxicated person to be on or remain on the licensed premises; or
- allows any violent, quarrelsome, insulting or disorderly conduct to take place on the licensed premises.

A patron should be considered to be intoxicated if they are observably affected by alcohol or drugs to the extent that their speech, coordination or behaviour is clearly impaired.

Instructions for staff on how to identify and proactively deal with intoxicated patrons:

- 1) Identify the Customer from:
 - Speech,
 - Body language
 - Too Polite or Abrupt Behaviour
 - Breathing
- 2) To Deal with this Staff should make sure
 - They approach the customer gently
 - Pass the message to customer that they are not allowed to serve them when they are intoxicated
 - Offer Non-Alcoholic drink or water instead.
 - Offer the help to ring taxi
 - Give them support if needed until taxi arrives
 - In uncontrolled circumstances ring Police

Signage

Required:

- i. Original or copy of the licence to be displayed at principal entrance
- ii. Duty Manager's name to be prominently displayed
- iii. "Prohibited person signage" to be displayed adjacent to points of sale.
- iv. Other signage as required

Include details on whose responsibility to ensure signage is correct. It is advisable to place the renewal notice next to the licence to show that the licence is current.

Duty Manager takes the Responsibility of all the signage to be Displayed Correctly.

Other

- 1) Security Camera System will be in Place and signage is to be displayed to avoid and keep the troublemakers away from the store.
- 2) Staff to ensure that they check ID before offering any sample when sampling of liquor takes place.
- 3) Good Visual Signs about the fines if someone supplies to minor
- 4) if suspected ring the Police when customers trying to supply minors

- 5) Staff will check ID before offering taster to customer and water will be available all time while serving tasters.

Staff Training

This section could include:

- a) A statement of intent regarding staff training
 - b) Content of initial and on-going training
 - c) Frequency and duration of training
 - d) Responsibility for organising and conducting training
 - e) Methods to ensure attendance
 - f) Reference to location and updating of the staff training manual
- 1) The Bottle Store is very committed and dedicated to provide staff training in detail.
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 - 7) Staff Roster to be Displayed in Staff Room to ensure attendance
 - 8) Duty Manager to ensure that only the fully trained Staff is working in store, and should be responsible for organising and conducting training of staff when required.

SOCIAL RESPONSIBILITY POLICY

OUR COMMITMENT TO YOU

The management and staff of S R S Ghuman and Sons take their Social Responsibilities seriously and will always attempt, where possible, to ensure the following:

- Staff are trained in the Sale and Supply of Alcohol Act (SaSA) 2012.
- Staff are trained in assessing intoxication
- Staff are aware of their responsibilities under the SaSA 2012.
- We will ask for identification from any one that looks under the age of 25.
- It is our responsibility to ensure wherever possible, that alcohol is not on supplied to prohibited persons.
- We will not serve minors
- We will not serve intoxicated persons
- During tastings water will be freely available
- We will actively promote safe and responsible drinking messages
- We will display and/or provide Alcohol Helpline resources
- Alcohol will not be promoted in an irresponsible manner.

From the management and Staff of S R S Ghuman and Sons

Signed Ranbir Singh

OF112 - objections list

Obj number	name	date received	deemed valid
6	Kindra Douglas	14/02/2014	Yes
8	Nicole Willis	17/02/2014	Yes
9	Neil Howard	17/02/2014	Yes
10	Lynn and Anita Hannen	18/02/2014	Yes
12	Matt Lawrey and Tania Norfolk	18/02/2014	Yes
13	Jan Marsh	19/02/2014	Yes
14	Annette Milligan	20/02/2014	Yes
16	Allen and Karen Knott	24/02/2014	Yes
17	K Matheson	24/02/2014	Yes
22	Jeff Chandler - ENZED	27/02/2014	Yes
23	David Allpress and Mary O'Reilly	27/02/2014	Yes
24	Ishna Jacobs	27/02/2014	Yes
25	Gavin Snowball	27/02/2014	Yes
26	Neighbourhood Connections	5/03/2014	Yes

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6



RECEIVED
24 FEB 2014
NELSON CITY COUNCIL
RECEIVED

PO Box 8057, Totara St, Victory, Nelson, 7046.

Ph: 546 8381 Email: communityhealth@victory.school.nz or www.victorycommunitycentre.co.nz

14 February 2014

Submission on Liquor Licence Application

The company currently building a new commercial premise at 36 Gloucester St (still under construction) is making application we understand for a liquor licence for the new business.

Victory Community Health **strongly opposes** this application on the grounds there are more than sufficient liquor outlets in close proximity to this planned business site. We believe another alcohol outlet in this vicinity would reduce the amenity value and general good order of this area and adding another outlet would negatively impact on the wider community.

They are:

2 x Countdown supermarkets - within 500 metres
New World supermarket - within 100 metres
Post Boy Hotel - virtually neighbours to the address
Victory Liquor Centre - 700 metres to the south
Liquor Land in Vanguard St.

That makes six liquor outlets within a 700 metre radius i.e. easy access to the current applicant.

We strongly believe this community does NOT require any further outlets and seek your support to decline this application.

A handwritten signature in black ink, appearing to read "Kindra Douglas".

Kindra Douglas

On behalf of Victory Community Health Centre Board

9

2/10 Vosper Street
Toi Toi
Nelson 7010

17 February 2014

RECEIVED
21 FEB 2014
NELSON CITY COUNCIL
Records

The Secretary of the District Licensing Committee
PO Box 645
Nelson 7040

I have been notified that there is the possibility of a new Liquor store opening in the Victory Square/Washington Valley area, at 36 Gloucester Street. I am writing in objection and with serious concerns about this new Liquor store application.

The reasons for my objections are:

There are already several liquor stores within extremely close proximity to 36 Gloucester Street:
The Post Boy Hotel (corner of Gloucester & Vanguard Streets), they are 30metres away.
New World Supermarket (corner of Gloucester & Vanguard Streets, city side), is 140 metres away.
Countdown Supermarket (35 St Vincent Street, city side), is 180 metres away.
Victory Liquor (corner of Toi Toi and St Vincent Street s), they are 880 metres away.
Liquorland (31 Vanguard Street), they are 240 metres away.
Because of the number of stores, my question to the Committee is: **Why do we need another store?**
(Please note measurement are only approximates and were taken in a straight line on a map).

By opening another Liquor store, we as an area are encouraging more usage of this "drug":
Alcohol is a widely and often abused drug resulting in damages to an individual and the family and with more Liquor stores the more easily available alcohol becomes. As a Community we should be discouraging its abuse/excessive use and making our homes and Community safe places. We need to learn HOW TO MANAGE ALCOHOL IN A SAFE MANNER, and be putting this message into our communities.

This new Liquor store is on the city boundaries, and therefore people will not be able to take their alcohol into Nelson city itself as the Council has imposed an "Alcohol Ban" from the corner of Vanguard Street on.

Because of the Council ban, the area around the proposed new store and the Victory Square/Washington Valley areas would probably see a spike in Alcohol related offences, turning this area of Nelson City into an area that people would want to avoid like anything, and that's not fair on those of us who live here and are trying to make this a better/wanted place to live in.

The area of this new store is in a low socio-economic part of Nelson:

Although people have a choice, this could be challenging for some people and their limited financial resources. By spending on alcohol they will lack the resources to provide for their family on a day to day basis. My question is: **What is more important, care for the family or alcohol?**

When considering this application I ask that you consider the application as if you were a resident of this area; putting people/families before profit and looking more deeply into the negative side-effects that a new store would have on this area as a whole, this includes all the good work that is and has been going on at and through Victory Primary School and Victory Community Centre.

Regards

Nicole Willis

9

12.2.14
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17 FEB 2014

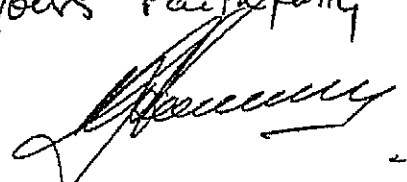
NELSON CITY COUNCIL
Records

Dear Sir,

I write to you to strongly opposing
the granting of a new liquor store license at
36 Gloucester St.

Within a reasonable distance to this proposed
new store we have an outlet in Victory Square,
New World and Countdown supermarkets and the
Liquorland outlet not 300 metres away.

Do we need another? - definitely NOT!

Yours faithfully


Neil Howard
81 Quebec Rd
Nelson.

10

56 Locking Street
NELSON 7010

18 February 2014

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21 FEB 2014
NELSON CITY COUNCIL
Records

The Secretary
District Licensing Committee
PO Box 645
NELSON 7040

Dear Sir

Re: LIQUOR STORE APPLICATION

Thank you for the recent notification (received with our Nelson Mail) regarding an application for a new liquor store to be situated at 36 Gloucester Street.

We are definitely opposed to the opening of another liquor outlet in Nelson City, thus making alcohol more readily available with the resulting increase in accidents, family violence, etc.

Thanking you

Yours faithfully

Anita Hannen
Lynn Hannen

LYNN & ANITA HANNEN

Frdo Stephen Lawrence.

12

31 Orsman Cres
Toi Toi
Nelson 7010

Tel. 03 548 1672/027 406 3434

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19 FEB 2014
NELSON CITY COUNCIL
Customer Service

18th February 2014

Submission on Liquor Licence Application

To the Members of Nelson's District Licencing Committee,

We are writing to express our opposition to the application for a liquor licence for a new liquor store planned for 36 Gloucester St, Nelson.

We believe that the opening of yet another off-licence in the area will contribute to a reduction in the amenity value and and good order of this part of Nelson.

We also believe there are already more than enough off-licences in the area.

Already there are five off licences within a short walk of 36 Gloucester St. There is a Liquorland in Vanguard St, a Countdown supermarket in St Vincent St, another Countdown in Paru Paru Rd, a New World supermarket in Vanguard St and the Victory Liquor Centre in St Vincent St.

We note the new store is also in the same street as The Postboy Pub.

The Kahurangi Employment Trust, which has the contract to pick up litter in Victory Square, says there has been a "noticable increase" in beer bottles and RTD cans lying around the area since the Victory Liquor Centre opened in December last year.

These bottles and cans have been accompanied by the black plastic bags used by the Victory Liquor Centre.

We live in the Victory area and are unhappy at the reduction in the amenity value and and good order of our neighbourhood.

We believe that should the number of off-licences in the Gloucester St area increase, more of this kind of thing will happen in and around Pioneers Park and Washington Valley.

In 2005 the Ministry of Social Development published a report by Massey University's Centre for Social & Health Outcomes Research and Evaluation (1) entitled What Works to Reduce Alcohol-Related Harm and why aren't The Policies More Popular?

This report concluded that "restricted hours of sale and restricted density of liquor outlets both have good evidence for effectiveness, with the potential to reduce drinking and alcohol-related problems".

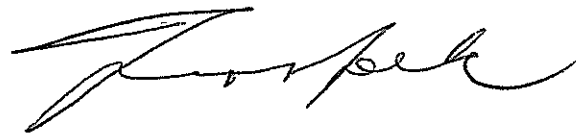
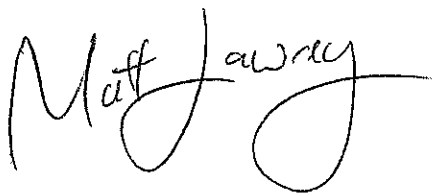
A 2012 study undertaken by academics from the Universities of Waikato and Auckland (2) showed that violent crime and motor vehicle accidents are more prevalent in parts of South Auckland that have higher numbers of alcohol outlets than other areas.

The study funded by the Alcohol Advisory Council and supported by the old Manukau City Council recommended local authorities consider the effects that additional alcohol outlets would have on particular communities before granting new licences.

We believe both these studies should be taken into account when considering whether to increase the density of off-licences in the Gloucester St area.

We do not want to see Nelson make the same mistake other communities have made by allowing liquor stores to proliferate and we urge you not to grant this proposed store a licence.

Yours Sincerely,



Matt Lawrey and Tania Norfolk

(1) www.msd.govt.nz/about-msd-and-our-work/publications-resources/journals-and-magazines/social-policy-journal/spj25/what-works-reduce-alcohol-related-harm-25-pages-118-141.html

(2) www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10853010

13

34 Queens Rd
Nelson 7010

RECEIVED

25 FEB 2014

19 February 2014

NELSON CITY COUNCIL

The Secretary
District Licensing Committee
Box 645
Nelson

Dear Madam/Sir

I am concerned to learn that there is a liquor store planned for Gloucester St. As this is within a short walk of three supermarkets which sell alcohol, in my opinion it is superfluous.

Research shows that availability of alcohol can increase alcohol abuse. Many of our social problems and crime are related to alcohol abuse. In my view the harm far outweighs any benefits an additional store might offer.

I hope you will decline this new store.

Yours sincerely



Jan Marsh

14



INP Medical Clinic

Working with women and men
towards a safer and healthier life

20th February, 2014

The Secretary of the District Licensing Committee
P O Box 645
Nelson 7040

RECEIVED
21 FEB 2014
NELSON CITY COUNCIL
Records

Re: Application for licensed premises 36 Gloucester Street, Nelson

I am writing to object to this application.

I am a Registered Nurse and for the last 25 years I have run INP Medical Clinic – a family planning and sexual health clinic which also is contracted to do the forensic examinations for rape and sexual assault in the region.

Since 1989, I have seen increasing levels of harm to women, especially young women who are increasingly larger and larger volumes of alcohol. On a weekly basis, women and men, many of them young, make appalling sexual decisions, are raped and sexually assaulted – lives changed forever.

There is no shortage of liquor outlets in this part of town. There are two supermarkets, open even longer hours which are within one block, less than 5 minute's walk from Gloucester Street.

As a society, we have to start recognising the harm caused by alcohol, and take action on the steps to reduce that harm. One major factor is unequivocal: reduce the number of liquor outlets. Granting this licence is contrary to that important principle of minimizing harm caused by alcohol. On that basis, I vigorously oppose this application.

Yours sincerely

Annette Milligan
Managing Director

16

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24 FEB 2014

NELSON CITY COUNCIL
Customer Service

The Secretary

Nelson District Licensing Committee

PO Box 645 Nelson

Re granting of Alcohol License to SRS Ghunman & Sons Ltd

36 Gloucester St, Nelson

Dear Sir,

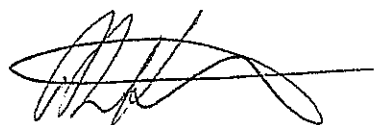
As owners of United Video on the corner of Gloucester St and Vanguard St we wish to object to the granting of this license. On Friday and Saturday nights many young people walk into town through the Vanguard St area. They are often drinking on their way to Bridge St and throw away their bottles and cans when they get to the Vanguard/Gloucester roundabout.

We already spend time picking up discarded and broken alcohol bottles and cans in and around our store and this new store will no doubt add to the problem. We also believe there has not been sufficient increase in the population of Nelson Central to warrant another store selling any form of alcohol, especially as we have two Supermarkets, a Hotel with a bottle store and an existing Alcohol store all within 300 meters or so of the proposed new store.

Yours Sincerely

Allen and Karen Knott

United Video, 54 Vanguard St Nelson



RECEIVED

24 FEB 2014

NELSON CITY COUNCIL
Records

17

from K Matheson
12 Victoria Ave
STEPNEYVILLE
Nelson

To The Secretary.

Thank you for the opportunity for me to object to a liquor store at 36 Gloucester Street.

I have rented two homes in Washington Valley Rd - which attaches to Gloucester St. - There are already enough ^{liquor} cans and ^{bottles} thrown along the footpaths - we have two supermarkets close by also selling ~~alcohol~~. It's not uncommon to see a supermarket trolley full of boxes of beer being pushed up the valley - even at 10am they are ~~booming~~.

Enough I say!

Kathleen Matheson

PS. This is my last page in the pack.



22

1 Sharps Lane
Nelson
PO Box 7123
Nelson Mail Centre 7042
Phone: 03 545 6415 / Fax 03 545 6416

125 Vickerman Street
Port Nelson
PO Box 7123
Nelson Mail Centre 7042
Phone: 03 548 1161 / Fax: 03 546 9281

24/02/2014

To whom it may concern,
We at Diverse Hydraulics'& Pneumatics',
Feel strongly that the new Liquor store on Gloucester St Nelson, having a drive thru that comes out through Sharps Lane, will affect our client's accessibility to our premises. The lane is only a single lane as it is, and 6 companies use this lane to get to their business.

We are also concerned that after hours they may park in front of our gates and drink or start to look beyond the gates for items to steal. IE scrap steel. We are a 24/7 call out business and need access to our premises at all times.

We hope this will be taken in consideration of allowing the liquor store to operate.

Yours sincerely

Jeff Chandler

ENZED Manager / Sales Engineer
Diverse Hydraulics & Pneumatics Ltd
T/A Enzed Nelson
1 Sharps Lane
P O Box 7123
Nelson 7042
Phone: 03 548 1161
Fax: 03 546 8291
Mobile: 027 274 4820
Email: manager@enzednelson.co.nz

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VOJKOVIC
Secretary Licensing
P.O. Box 645
Nelson



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27 FEB 2014

NELSON CITY COUNCIL
Customer Service

David Frank Allpress and Mary Ellen O'Reilly
2 Monopoli Way
Nelson 7010
Ph 03 548 2502
0274 500 386

27 February 2014

The Nelson District Licensing Committee
P.O. Box 645
Nelson

Dear Committee

Liquor License Application; SRS Ghuman and Sons Ltd – 36 Gloucester Street, Nelson.

We write to oppose the subject liquor license application.

For the avoidance of doubt, we are not at all opposed to the sale and consumption of liquor per se but are opposed to the proliferation of additional outlets in a city already well catered for.

Our 'greater interest' in the application is through our involvement at All Saints church, 32 Vanguard Street and that of the co-located Night Shelter and Loaves and Fishes ministry, being less than 300 metres from the subject location. The Night Shelter provides overnight accommodation for very marginalised men, most of whom have significant alcohol or drug dependency, this only exacerbated by ease of access to off-license outlets in the vicinity. The on-site Loaves and Fishes service provides lunches on a regular basis to those in need. We write this submission for and on behalf of these parties and will furnish written confirmation of the same to your Licensing Committee prior to the hearing.

We note in the application that the applicant records "New World is the closest" without referring to 21 other off-licenses in the vicinity, namely within the Nelson City environ. The 2013 Census shows Nelson's population to have grown some 11.72% since 2001 (46,437 vs 41,565). Yet we understand off-license outlets, excluding dairies, to have grown by some 73.9% during this time, from 23 outlets in 2001 to 40 in 2013. It is generally accepted that an increase in the number of outlets results in the discounting of liquor as a consequence of competitive pressure and further that lower prices in turn increase per capita consumption. Three of these newer outlets (New World Vanguard Street, Liquorland Vanguard Street and Victory Square Liquor Centre) are located in the south of the City, all within easy walking distance of 36 Gloucester Street. We note that within Nelson City, excluding Tahunanui and Stoke, there are 1,046 people per off-license outlet, reflecting one of the highest densities of off-licenses in any city in New Zealand.

A further off-license in this area is simply not required nor consistent with the Nelson City Councils past endeavours to responsibly manage the consumption of liquor. This is particularly so with regard to the subject application due to it being close to Pioneer Park and the St Vincent / Victory / Toi Toi / Emano Street communities which, through socio-economic factors, are more vulnerable to issues surrounding alcohol consumption including violence and anti-social behaviour.

We refer to the first case under the provisions of the new Act, namely: NZARLAPH 920 where R S Dillon's application was refused. We understand Mr Dillon to be related to the applicant. The Alcohol Regulatory and Licensing Authority in its decision and reasons noted that under Section 105(1) of the Act the Authority must have regard, among other issues, to **".... 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 license"**. We maintain that the amenity value and good order of the neighborhoods nearby would be reduced to more than a minor extent should the subject application be granted.

We refer to the New Zealand Law Commissions report NZLC R114 entitled "Alcohol in Our Lives: Curbing the Damage" Chapter 6 entitled "Why the Availability of Alcohol Matters" and quote 6.14:

"One factor that heightens the risks of increased consumption is the relationship between density and price. Where there are several outlets concentrated in one area, particularly off-license outlets, the discounting of alcohol products – whether beer, wine or RTDs – is one of the commonly used means by which outlets compete with one another. It is well accepted that lower prices can stimulate demand for alcohol and facilitate heavier consumption. This is a point that segments of the industry have conceded. In its submission, Lion Nathan acknowledged the links between the proliferation of liquor outlets, price and consumption.

Lion does however accept that high density or the clustering of outlets can promote lower prices through discounting and promotions, which can entice buyers to consume liquor due to the attractively lower prices. As the Commission notes, market saturation requires outlets to lower prices in order to sustain their profitability on a volume of sales basis.

This link between density and lower pricing is particularly important in the New Zealand context because smaller off-license premises already face significant price pressure from supermarkets. Increased outlet competition at a local level further increases pressure to offer lower-priced alcohol products to get customers in the door. This observation is confirmed by the University of Waikato's Population Studies Centre in the third of a series of reports, commissioned by ALAC, on outlet density in South Auckland: "In Manukau City, lower prices were observed in areas with a higher density of liquor outlets, consistent with expectations".

The results of the Nelson City Council July 2013 survey associated with the draft Local Authority Policy (LAP) show that over two-thirds don't want more off-licenses. Over a quarter said there are already too many outlets with 45% saying there are enough and that they would not want any more. This public sentiment is more than justified by the findings of the Population Centres 2009/10 research into outlet density which found:

"In particular, off-licence density is associated with higher levels of anti-social behaviours, drug and alcohol offences, family violence, public abuse, property damage, traffic offences and motor vehicle accidents. The study indicated that off-licence density has a greater marginal effect on total police events than on-licence density, as an increase in off-licence density by one (per 10,000 population) is associated with 59 additional police events (per 10,000 population) per year..."

The Law Commissions report NZLC R114 comments:

"Communities must be able to voice their views about outlet density and have their views taken into account when licencing decisions are made. The licensing decision-maker must be able to decline a liquor licence on the basis, amongst other grounds, of the risks posed to a community by outlet density in terms of increased local levels of alcohol consumption, alcohol related crime or anti-social behaviours, or community degradation."

In summary, the Nelson City Council July 2013 survey clearly confirms that Nelson residents consider there to be sufficient off-licenses and that no further off-licenses should be approved.

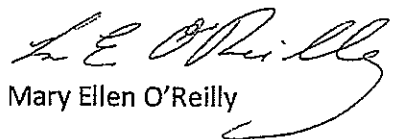
We accordingly urge your committee to decline this application. There is clearly no need for a further liquor outlet in an area already well catered for.

Thank you for considering this submission. We request the opportunity to speak to this submission during your consideration of this matter.

Yours sincerely,



David Frank Allpress



Mary Ellen O'Reilly

32 Matipo Terrace
Toi Toi
Nelson 7010

Tel. 027 228 1686

(24)

I would like to speak to this
submission. please phone with dates
of hearing.
Ishyian.

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Customer Service

26th February 2014

Submission on Liquor Licence Application

To the Members of Nelson's District Licensing Committee,

I am writing to express my opposition to the application for a liquor licence for a new liquor store planned for 36 Gloucester St, Nelson.

I believe that the opening of yet another off-licence in the area will contribute to a reduction in the amenity value and good order of this part of Nelson.

I also believe there are already more than enough off-licences in the area.

Already there are five off licences within a short walk of 36 Gloucester St. There is a Liquorland in Vanguard St, a Countdown supermarket in St Vincent St, another Countdown in Paru Paru Rd, a New World supermarket in Vanguard St and the Victory Liquor Centre in St Vincent St.

I note the new store is also in the same street as The Postboy Pub.

As a resident of Victory area and a daily user of the park and surrounding areas I have noticed an increase in the amount of rubbish left around the park and surrounding streets, this increase has been since the opening of the Victory Liquor Centre.

One thing that I have noticed since the introduction of Victory Liquor Centre, is the amount of half consumed cans and bottles that I see as I walk to town in the morning. As the areas where these stores are located are a regular part of a great number of unaccompanied children's journey to and from school, I am concerned that children and young people could drink what is left over and believe its only a matter of time before this becomes problematic within our community. I see that the introduction of yet another off-licence will only increase the probability of this.

A pressing concern for me is the way the community is seen by the public and I believe that the rubbish on the streets and in the parks every morning is detrimental to the community.

I can only foresee that if the application for a liquor licence for the proposed liquor store Gloucester St is granted, there will be an even greater increase in rubbish on the streets.

I feel that the parks surrounding Gloucester St would be affected by another off-licence liquor store, there are parks in this area that are frequented by children and I

fear that the parks will become a place that parents do not want to let their children play for they will deem it unsafe.

In 2005 the Ministry of Social Development published a report by Massey University's Centre for Social & Health Outcomes Research and Evaluation (1) entitled "What Works to Reduce Alcohol-Related Harm and why aren't The Policies More Popular?"

This report concluded "restricted hours of sale and restricted density of liquor outlets both have good evidence for effectiveness, with the potential to reduce drinking and alcohol-related problems".

A 2012 study undertaken by academics from the Universities of Waikato and Auckland (2) showed that violent crime and motor vehicle accidents are more prevalent in parts of South Auckland that have higher numbers of alcohol outlets than other areas.

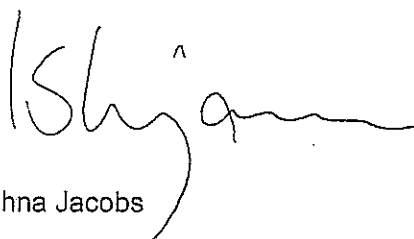
The study funded by the Alcohol Advisory Council and supported by the old Manukau City Council recommended local authorities consider the negative social and amenity effects that additional alcohol outlets would have on particular communities before granting new licences.

I believe both these studies should be taken into account when considering whether to increase the density of off-licences in the Gloucester St area.

I travel to Auckland once a year and have to endure a week immersed in a community where there are a large number of liquor outlets in a small area; this proposal has made me fearful that Nelson will become the same.

I do not want to see beautiful Nelson make the same mistake other communities have made by allowing liquor stores to proliferate and I urge you not to grant this proposed store a licence.

Yours Sincerely,

 - 26-2-2014
Ishna Jacobs

(1) www.msd.govt.nz/about-msd-and-our-work/publications-resources/journals-and-magazines/social-policy-journal/spj25/what-works-reduce-alcohol-related-harm-25-pages-118-141.html

(2) www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10853010

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27 FEB 2014

NELSON CITY COUNCIL
Customer Service

Gavin John Snowball
31 Vanguard Street
Nelson
03 548-3052
0275908341
19/2/2014

The Secretary,
Nelson District Licensing Committee,
P.O. Box 645,
Nelson 7040.

Dear Sir/Madam

I would like to make an objection to the granting of an alcohol license to SRS Ghuman & Sons Ltd at 36 Gloucester Street, Nelson.

I have special interest in this application that is greater than the general public because the premises subject to this location are within approx 260 metres of our own Liquor Store business, therefore I and my Nelson staff are people who are likely to be directly affected by the proposed premises.

We already sell alcohol at a price that is competitive within Nelson but which allows us to make a profit in our business. Any additional store to service the same population is going to have to lower their prices and we will have to match that in order to stay in business. These are concerns set out in s 4, the Object of the Sale and Supply of Alcohol Act 2012. Predatory pricing in order to attract our customers and to secure a new customer base is likely to lead to excessive and inappropriate consumption of alcohol by consumers. My concerns are summarised as;

- A new off-licence in this location will cause adverse effects contrary to the object of the Sale and Supply of Alcohol Act 2012
- There will be adverse parking effects
- The applicant is not a suitable licensee
- The applicant does not have an understanding of the community and his business model is flawed
- The proposed location is too close to other stores and places where young people will be found
- The proposed layout of the store will have adverse effects; and
- The store and its position are contrary to the draft LAP

Our business is situated very close to Mr Singhs proposed store and has been operating for the past 9 years with a high level of integrity and without any incidents of serving underage or intoxicated persons. We belong to the national Liquorland group which has high standards, a

strong support office and focuses its business levels at the premium end of the marketing spectrum.

We have won the Liquorland Franchisee of the year award for the past two years running which shows that we take our responsibilities to the business and the public very seriously.

Obviously we are very concerned that another operator is coming in very close to us as this could ultimately force us to reconsider our business model by potentially having to review our service levels and pricing. We understand the importance for competition and a fair price for the customer, however based on the number of off-licences within the Nelson City we believe there is already a healthy degree of competition. To the extent this increases further, especially to a low cost and quality operation, it will impact the viability and profitability of established quality businesses and could impact on jobs.

My objection pertains to: 105(h) and s106 (1) (c) where I believe that there is already a proliferation of liquor licences in this area.

Off Licence outlets within very close proximity of the proposed store are;

- 1) Liquorland Nelson
- 2) New World Supermarket
- 3) Countdown Supermarket St Vincent Street
- 4) Victory Square Liquor Centre

Mr Singh did not refer any of these stores when questioned in his Liquor application, in fact when asked this his answer was 'New World is the closest'. This is clearly not the case. That raises a concern about suitability. Either Mr Singh is trying to mislead the licensing committee or he has very little understanding of the local environment and community and his business plan must be suspect.

The Sale and Supply of Alcohol Act 2012 has asked all local authorities to formulate a Local Alcohol Policy. Within this LAP there are several main considerations to consider which include "Limiting the density of licenses by specifying whether new licenses or types of licenses should be issued in a particular area".

I also would like to refer to the Nelson City Councils Recent Alcohol Survey which approximately 1000 Nelson respondents took part in. (A)

Key Findings of the survey are;

- 1) Over two-thirds don't want any more Off Licenses such as Liquor Stores, Supermarkets and Local grocery stores
- 2) Over a quarter said there are already too many
- 3) The majority think the Nelson District licensing Committee should consider the number of existing places that sell alcohol when an application for a new license is made.

Key Findings from questions in long survey (approximately 500 responses)

- 1) The majority think the Nelson District Licensing Committee should consider the number of existing places that sell alcohol when an application for a new license is made.
- 2) Most respondents thought there should be restrictions of how close licensed premises can be to secondary schools, early childhood centers and primary schools, drug and alcohol rehabilitation services, and parks and playgrounds,

I understand that the LAP is only in draft however it is clear that the Nelson community wants the number of existing off-licences to be a consideration when granting a new one – the legislation provides for this.

In relation to 105 of the Sale and Supply of Alcohol Act 2013 I believe the proposed layout poses security and safety issues by entering from Gloucester Street and exiting out through Sharps lane, a narrow one way lane which has no lighting and is quite a secluded area for which there is no visibility from the store. This poses quite a security risk for businesses directly located off Sharps Lane. Pedestrians will also take Sharps Lane which is unlit and will go against the traffic flow. (B)

Therefore there has been a gross failure for this proposal to consider the security of those businesses surrounding it, especially those who are on Sharps Lane. I suggest that they will become more vulnerable to their premises being approached from a blind spot, increasing the likelihood of vandalism and potential property damage.

From a layout perspective I also have concerns with the Car Parking (C)

- 1) Although the entrance from Gloucester Street most likely meets specifications the real likely hood of a delivery truck entering is very limited. (Pictures of a 8 metre delivery truck and entrance way attached). This is because of the close proximity of the other building, the air conditioning unit on that wall and the overhanging canopy on the new building. This means that they will most likely be delivering via Sharps Lane which has been identified as an exit.
- 2) Again I note that the designated trucking bay most likely meets specifications however the reality is that you could never unload a truck from that location using either a fork lift or pallet lifter. This means that the truck will either be unloaded in the middle of the car park which becomes a serious Health and Safety issue for pedestrians, parked cars and cars driving through. The other alternative is for them is to unload on Sharps Lane and deliver the product through the “Exit” entrance of the premises. Again another Health and Safety issue and illegal.
- 3) The truck bay fails to show if it can achieve a 90-percentile truck tracking curve

- 4) There are now no car parks allocated for the existing building on this plan, trading as Power House Supplies. (Please refer to Building plan)
- 5) I have had discussions with two delivery drivers concerning the entrance and the difficulty they will face delivering to the store. The first one replied that he was really concerned about how he was going to achieve it and the second simply shrugged his shoulders and said he would deliver from Sharps Lane.....

In relation to section 105 (b) – Suitability of the applicant (D)

SRS Ghuman and Sons Ltd have previously made an application for a Liquor Licence at 119 Kapiti Road, Kapiti, which caused a tremendous outcry from the community, with public demonstrations against the opening of this store. This store was to be situated less than 100 meters from an educational establishment. The concern from the community at the time was the way that they tried to “sneak through” with minimum community knowledge. This shows that SRS Ghuman and Sons have shown they have little care for any community and no thought where they start a new Liquor Store.

I also note that Mr Singhs proposed new store is located approx. 150 metres away from a children’s playground in Pioneer Park.

If he was community focused I believe he would look to purchase an existing store.

I therefore object to this off-licence application as it would be inappropriate for a decision to be made granting this application.

I would like to request please an opportunity to speak at the Hearing

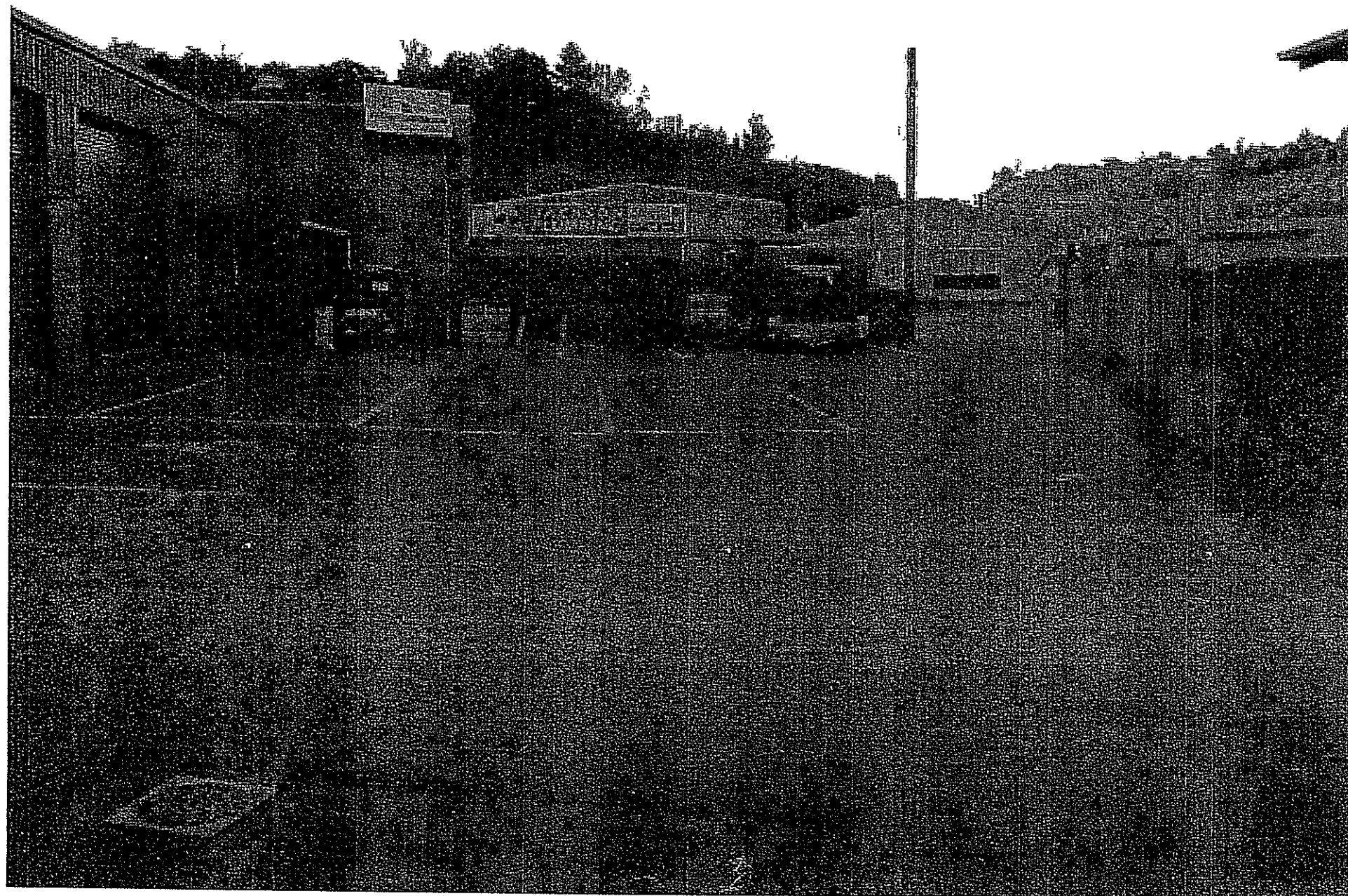


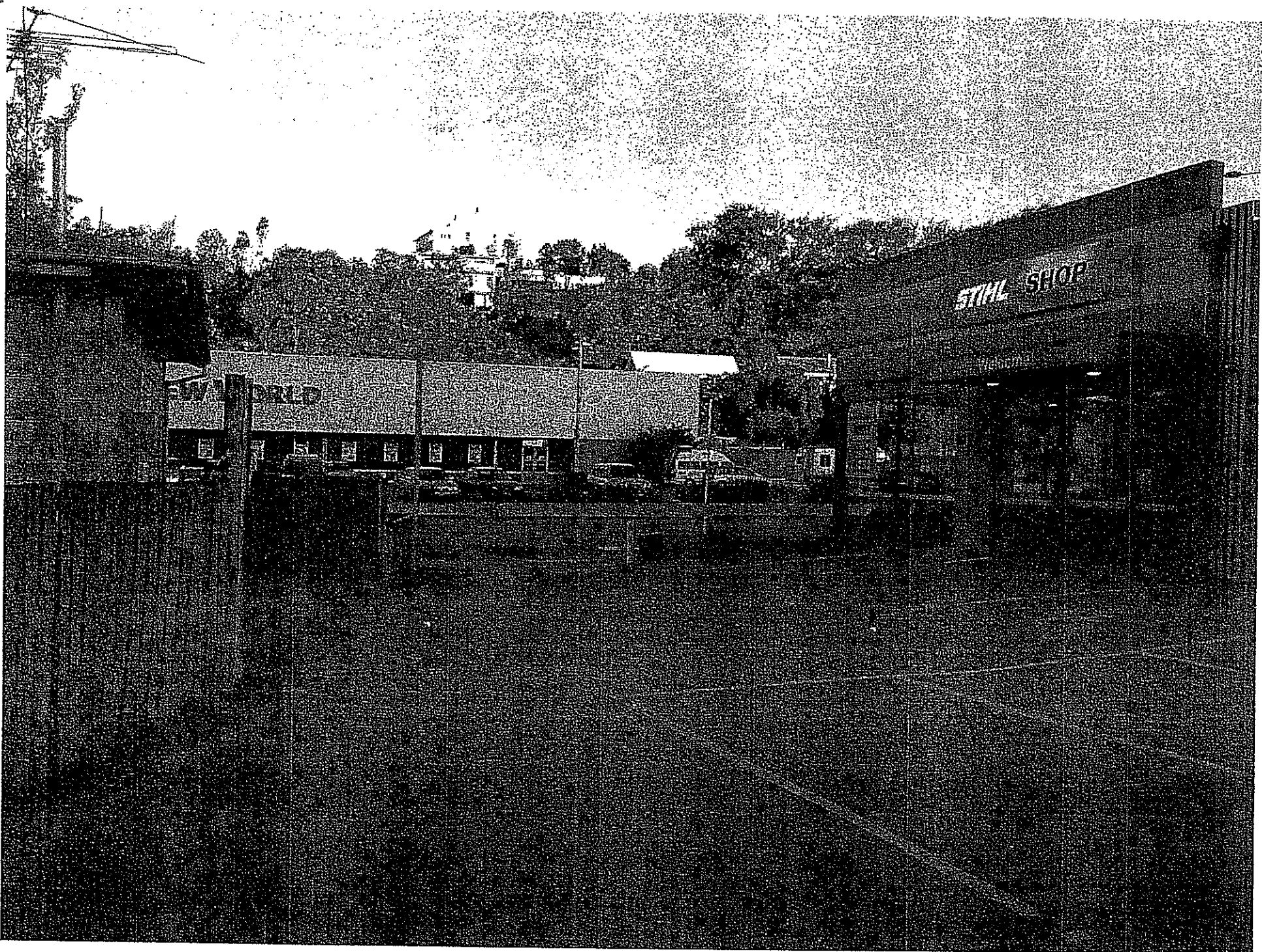
Gavin Snowball

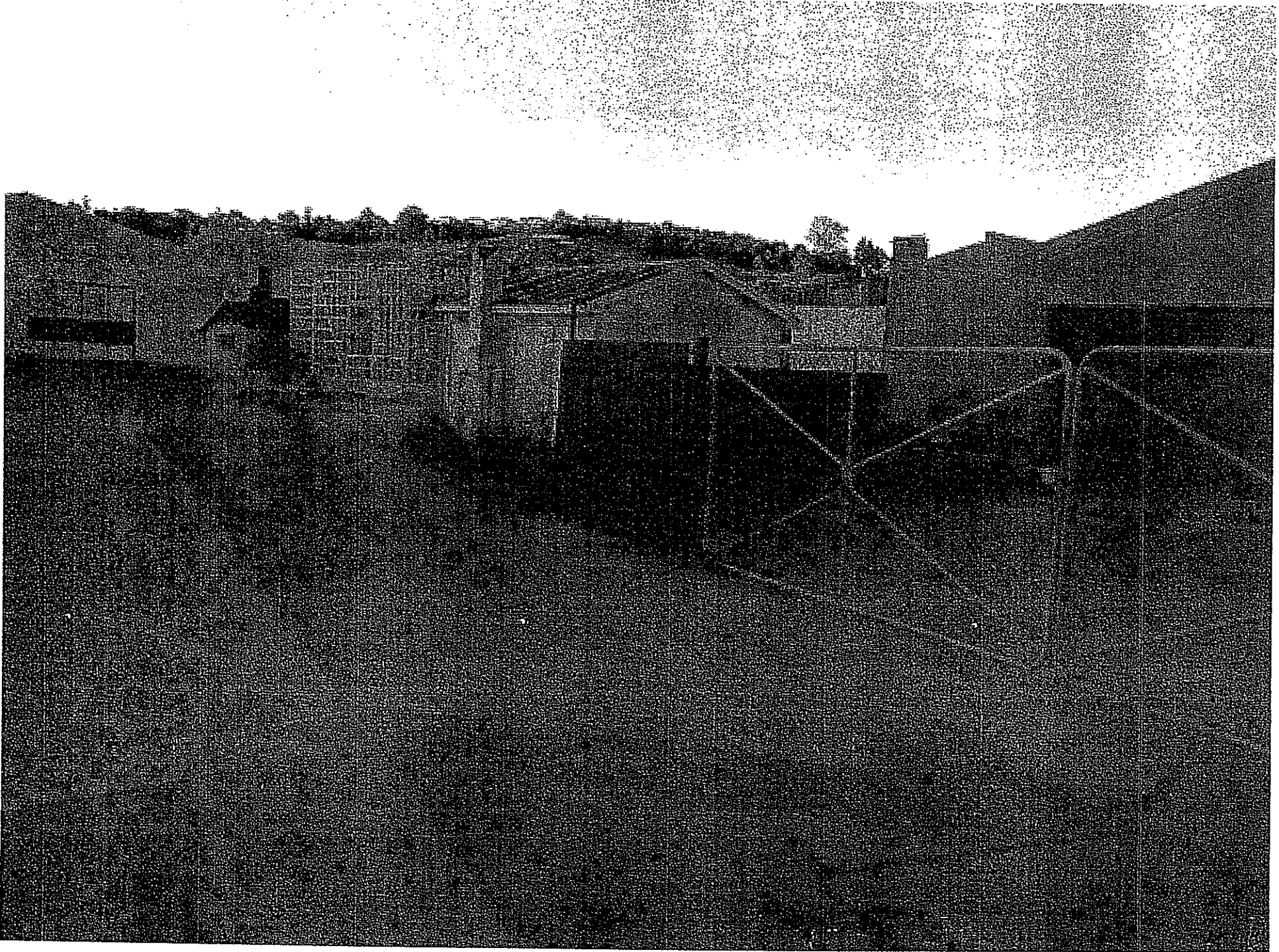
Director Mamoru Ltd Ta Liquorland Nelson

Ref:

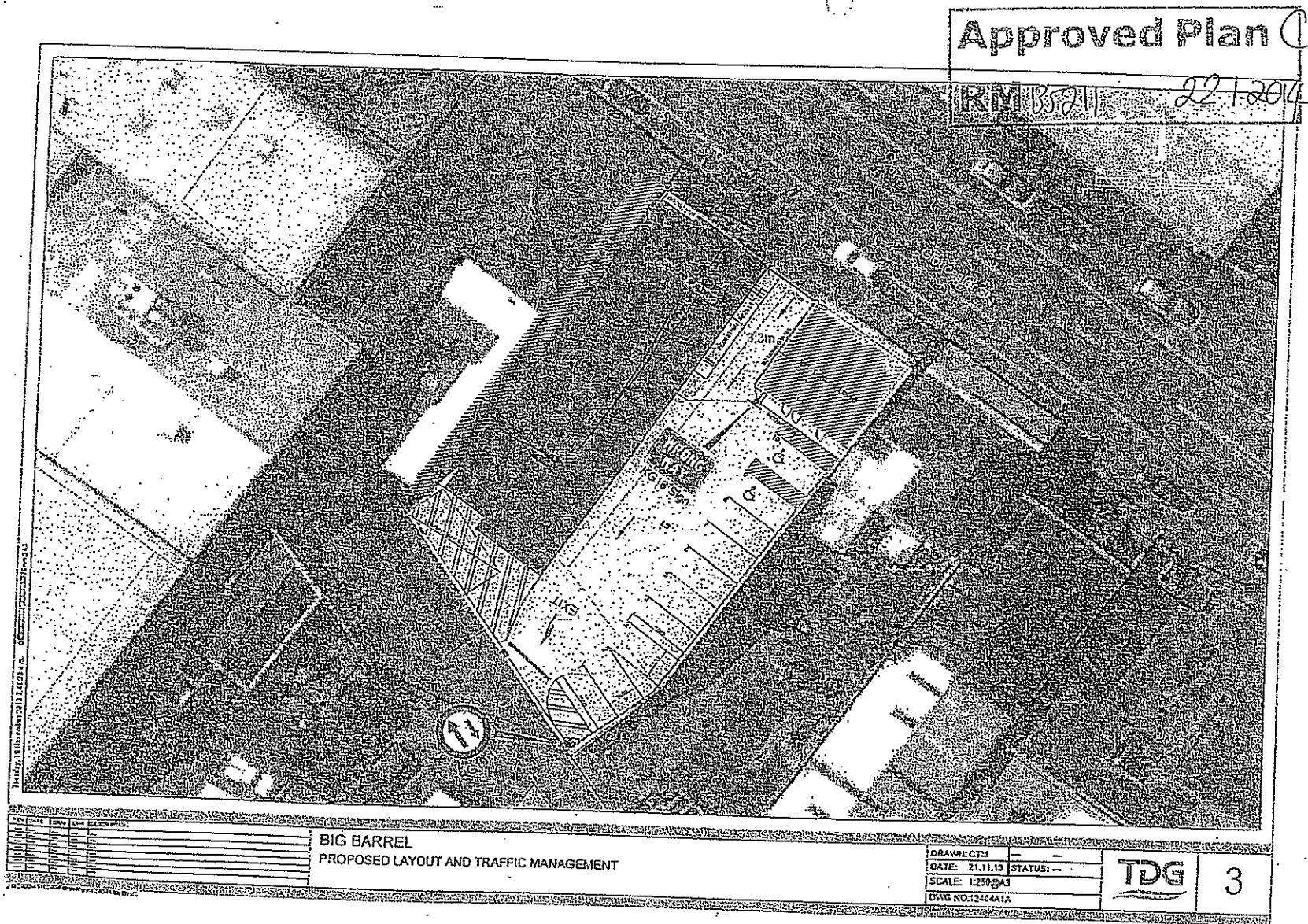
- A) Summary of Community Survey on Draft Local Alcohol Policy July 2013
- B) Photos of Sharps Lane
- C) Car parking plan and delivery truck
- D) Previous protest in Kapiti

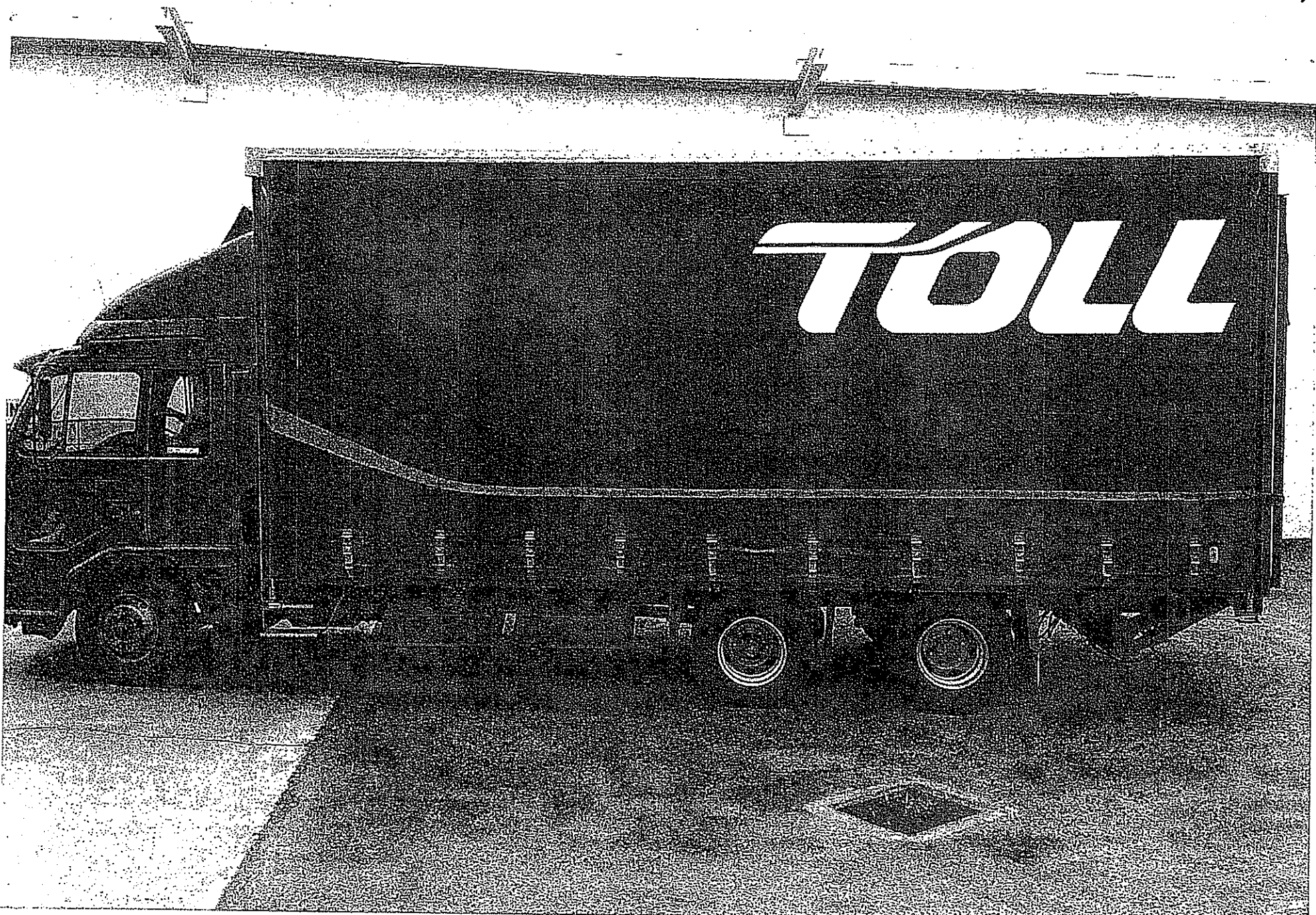




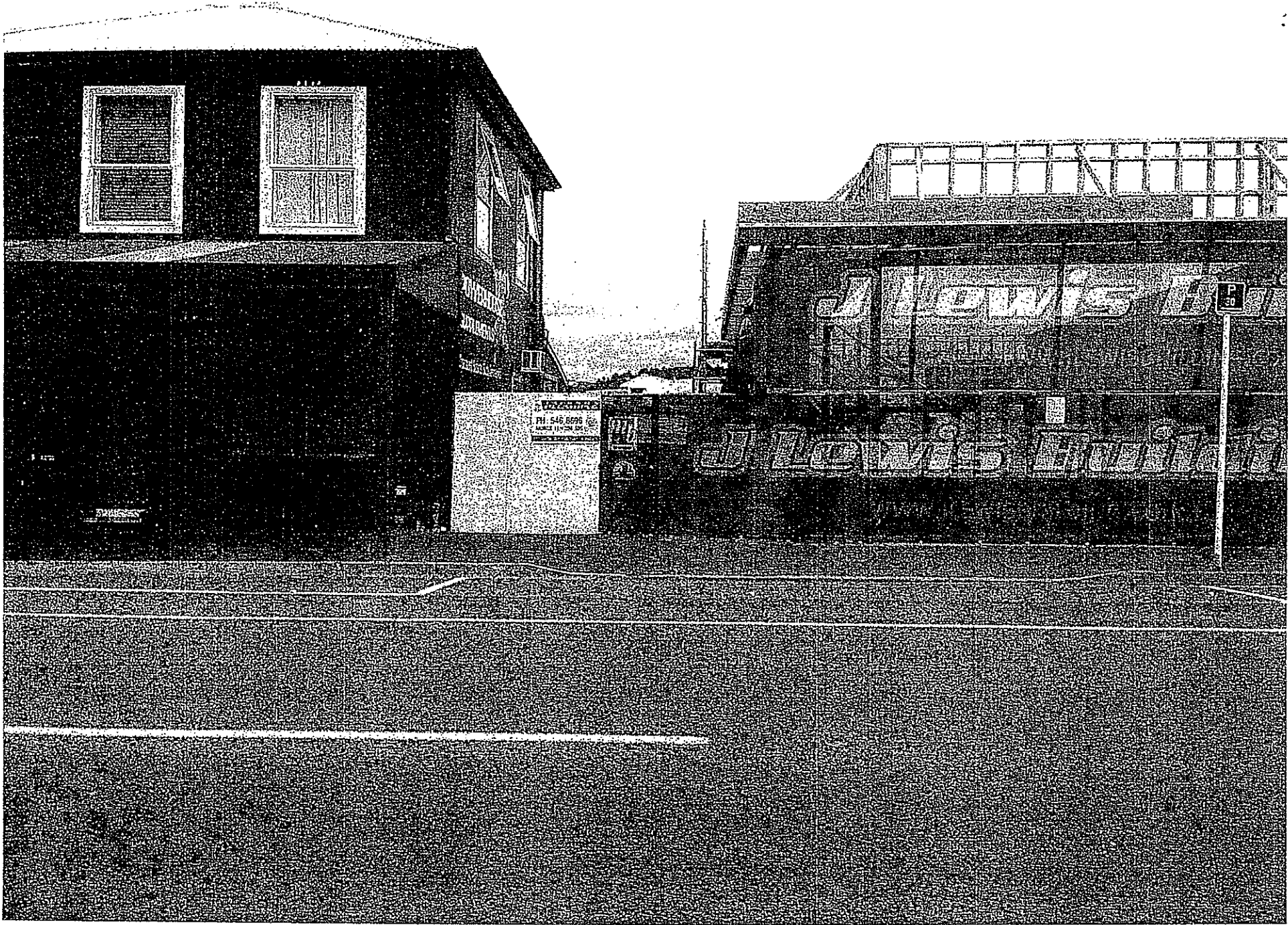


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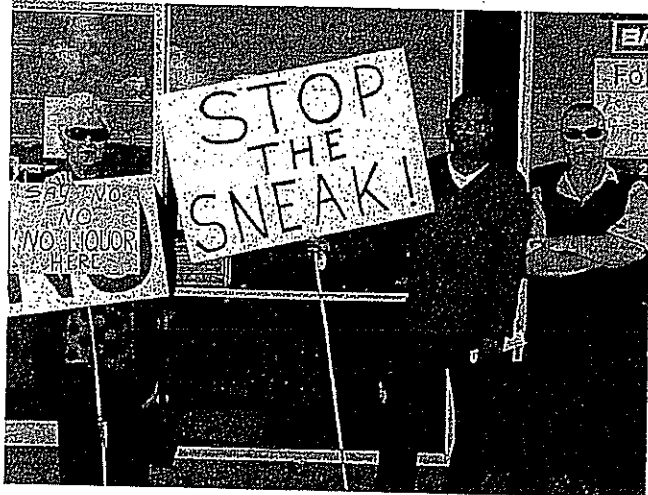




I am calling for a public demonstration against the opening of a bottle store on Kapiti Road less than 100 metres from an educational establishment. The public have a legal right to object but how can they do that when the application for this off license is being 'sneaked' through with minimum publicity.

A very small notice of application for this off license premises, called One Stop Liquor, was published in the local papers.

Statement by Cr K Gurunathan (Paraparaumu Ward) September 5 2013



The application by SRS Ghuman and Sons Ltd to the District Licensing Agency was made under Section 3(3) Sale of Liquor Act 1989. The premise at 119 Kapiti Road is near the Whitireia Polytech.

I am calling for a public demonstration against the opening of a bottle store on Kapiti Road less than 100 metres from an educational establishment. The public have a legal right to object but how can they do that when the application for this off license is being 'sneaked' through with minimum publicity.

A very small notice of application for this off license premises, called One Stop Liquor, was published in the local papers. The application by SRS Ghuman and Sons Ltd to the District Licensing Agency was made under Section 3(3) Sale of Liquor Act 1989. The premise at 119 Kapiti Road is near the Whitireia Polytech.

I am concerned with the way this is being sneaked through with minimum community knowledge when the recent amendments to the Act passed last year was aimed at reducing the harm caused by excessive drinking.

Last year, Kapiti was the centre of negative national attention following the death of two young men at Kapiti Lights. The deaths were related to the alcohol culture that had slowly evolved in that area over a number of years. Local community awareness about the negative drinking culture had been heightened by those two unfortunate incidents. Our communities need to be alert and now, through the intention of this new Act, they have the right to be engaged with the process.

A key feature of the new Act was "increasing the ability of communities to have a say on local alcohol licensing matters". The new Act has a range of measures to give communities more control over the sale and supply of alcohol in their areas.

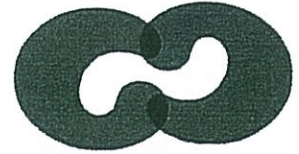
But how can local communities be involved if the notification process is a farce as far as alerting the public goes. The public have been give 15 days, from the date of the first public notification on August 28, to make their objections. I ask the public to support my call for a public demonstration to send a clear message that the community wants genuine opportunities to engage on where alcohol outlets should be allowed to operate.

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Recor *



Neighbourhood Connections

10 Natalie Street, Nelson 7010
P: 03.546.7499 F: 03.546.8165

3 Henry Street, Blenheim 7201
P: 03.577.9094 F: 03.577.9053

27 February 2014

To the Secretary of the District Licensing Committee,

We are small local Not for Profit Service who work with a vulnerable group of society, people in the lower socio economic group, with addictions.

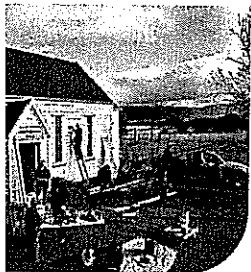
As a Service we feel there is more than enough local availability of alcohol within this vicinity; within the small radius of us, there is currently two liquor outlets, two supermarkets and a Public bar selling alcohol.

It is believed that the new outlet proposed will be aimed at the young and the economically vulnerable people, due to the fact the main product is intended to be RTD's.

We are highly opposed to this liquor outlet and would like this to be taken into account.

Staff of Neighbourhood Connections

Handwritten signatures:
H. Hodge
[Signature]
[Signature] - MANAGER
[Signature]
[Signature]
[Signature]
[Signature]



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The Secretary of the District
Licensing Committee

P.O Box 645

Welson 7040