

JD 2023 Limited trading as Kiwitown Liquor Centre

Off-Licence Renewal Application

Public Hearing

018/OFF/001/25

Application by JD 2023 Limited for an Off-Licence in respect to the premises at 6 Maniapoto Street, Ōtorohanga and known as Kiwitown Liquor Centre.

Contents:

Document	Page
Notice Of Hearing	2
Direction To Hearing	3
Licensing Inspector's Brief of Evidence	4
NZ Police Brief of Evidence	11
Applicant's Brief of Evidence	14
Licensing Inspector's Supplementary Report	48
Licensing Inspector's Report	50
MOH Opposition Withdrawn Report	62
Applicant's Acceptance of MOH Conditions	63
MOH Opposition Report	66
NZ Police Report	68
FENZ Report	69
Off-Licence Renewal Application	70
Licensing Inspector's Brief of Evidence - CCTV Footage	Appendix A
Applicant's Brief of Evidence - CCTV Footage 1	Appendix B
Applicant's Brief of Evidence - CCTV Footage 2	Appendix C
Applicant's Brief of Evidence - CCTV Footage 3	Appendix D



NOTICE OF HEARING

ŌTOROHANGA DISTRICT LICENSING COMMITTEE (Sale and Supply of Alcohol Act 2012)

NOTICE is hereby given that the Ōtorohanga District Licensing Committee will hold a <u>public hearing</u> to consider the proceedings listed below. Each matter will be called at the time and date specified.

Date: Friday 25th July 2025

Time: 9.45am

Place: Ōtorohanga District Council Chambers

17 Maniapoto Street, Ōtorohanga 3900

Application: 018/OFF/001/25

Application by <u>JD 2023 Limited</u> for an Off-Licence in respect to the premises at 6 Maniapoto Street, Ōtorohanga and known as Kiwitown Liquor Centre.

The date and timings detailed in this notice may be subject to change and will be confirmed if that is the case.

Any person who claims an interest in these proceedings must:

- Confirm their attendance with the undersigned.
- Confirm if they intend to make submissions or give evidence at the hearing.
- All briefs of evidence and any other documentary material that they seek to introduce into evidence must be emailed by 5.00pm, 27th June 2025.
- All briefs of evidence and any other documentary material that the applicant seeks to introduce into evidence must be emailed by 5.00pm, 4th July 2025.

The reports of any party appearing, including reports by the Police, will be made public at this hearing.

If such persons do not then appear in person or by counsel, the matter may be heard and determined in their absence.

DATED at Ōtorohanga this 1st day of May 2025

Tony Quickfall – Group Manager Regulatory & Growth

For Secretary

Ōtorohanga District Licensing Committee

Telephone: 07 873 4000



DISTRICT LICENSING COMMITTEE

Direction

To: Otorohanga Liquor Licensing Co-Ordinator

Application: 018-0539 Date: 24 March 2025

1. This is an application by JD 2023 Limited for the renewal of an off licence for the premises situated at 6 Maniapoto Street, Ōtorohanga and trading as Kiwi Town Liquor Centre.

- The Licensing Inspector provided a report dated 10 March 2025 and did not oppose the
 application. Police raised no matters of concern, and the Medical Officer of Health
 withdrew opposition on the basis that JD 2023 Limited agreed to discretionary conditions
 restricting the sale of single alcohol products priced less than \$6.00 and/or under 500ml.
- 3. However, on 15 March 2025, JD 2023 Limited failed a Controlled Purchase Operation when Duty Manager Mr Navdeep Khangura sold alcohol to a minor. Additionally, Licensing Inspector alleges that while Mr Khangura was being interviewed, she witnessed him selling a bottle of white wine at a discounted rate of more than 54%. The bottle, priced at \$11, was sold under an arrangement where the customer paid only half upfront, with the remaining balance to be settled later. The Licensing Inspector further noted concerns that the customer appeared intoxicated or had an existing drinking issue. Mrs Pham has therefore submitted a supplementary report, dated 17 March 2025, in opposition to the application. We have reviewed the report and accepted it on the basis that the information has only come to light after the 15-day reporting period has elapsed and is relevant to the application. These are serious allegations and if substantiated, raise significant concerns about JD 2023 Limited's suitability, systems and staff training.
- 4. The Committee would like to meet with JD 2023 Limited to better understand this allegation, the matters surrounding the failed CPO, and to assess their understanding of the Act. Therefore, I direct that the application be set down to be heard at a public hearing by the District Licensing Committee.¹
- 5. The Licensing Committee Advisor will be in contact shortly to confirm the date and location of the hearing. Once the hearing date is set, timeframes for filing evidence e.g., any supporting documents to be considered, will be provided.

Tegan McIntyre Commissioner

Ōtorohanga District Licensing Committee

Section 202(1) Sale and Supply of Alcohol Act 2012

BEFORE THE OTOROHANGA DISTRICT LICENSING COMMITTEE

APPLICATION Renewal of an off-licence OF0039 – Decision number 018-0539

UNDER The Sale and Supply of Alcohol Act 2012

IN THE MATTER of an application by JD 2023 Limited for the renewal of an off-licence

for the premises located at 6 Maniapoto Street, known as Kiwi Town

Liquor Centre Otorohanga

BETWEEN JD 2023 Limited

And

Nam Pham

Licensing Inspector Otorohanga District Council

In opposition

SYNOPSIS OF OPENING SUBMISSION

4 June 2025 Nam Pham

MAY IT PLEASE THE COMMITTEE

Introduction

- 1. My name is Nam PHAM. I am employed by Otorohanga District Council as a licensing Inspector.
- 2. My work includes enquiring and reporting on alcohol licence applications under the Sale and Supply of Alcohol Act 2012 throughout Otorohanga District. I have 3 years' experience.
- 3. Before the committee today is an application for an off-licence renewal application from JD 2023 Limited for the premises located at 6 Maniapoto street, known as Kiwi Town Liquor Centre; and application is opposed by the licensing inspector.
- 4. The grounds for opposition are due to the following reasons.
 - (a) On 15 March 2025 the applicant has a failed CPO and the offence recorded under an ARLA decision for a 48 hours licence's suspension.
 - (b) On the same date the inspector observed the duty manager who works for the above licensee had sold a bottle of white wine alcohol to a lady. Bottle was priced \$11, sold for \$5, confirmed the rest \$6 will be paid on a later date. During the conversation the lady leaned against the counter multiple times and although the duty manager initial refused the sale, this lady insisted that the duty manager must sell the wine bottle to her and insisted that duty manager to call his boss. The duty manager finally sold the wine to her.
 - (c) Before these incidents the inspector did not oppose the application. The inspector now changes her opinion and is questioning on the suitability of applicant to hold the licence.
- 5. Applicant has applied for the renewal of the licence number 018/OFF/002/24. Application lodged with Otorohanga District Council on 29 November 2024. No oppositions presented from the Police and Medical Officer of Health.
 - I initially provided a report and did not oppose to the application. The inspector report dated 10 March 2025 and recommended the addition of two conditions over single sales:
 - Single sales of alcohol products priced at less than \$6.00 are to be prohibited.
 - Single sales of alcohol products under 500 ml are to be prohibited.

The applicant has agreed to the above two conditions.

However, as more evidence come up after the initial report, I would like to bring to your attention the following sections of the Act that I believe has a bearing on this case

Section 5 Interpretation – meaning of intoxicated Section 131 Criteria for the renewal Section 237 (e) Irresponsible promotion

- 7. Applicant has an enforcement action decided by ARLA regarding the failed CPO mentioned in 4(a) above. Exhibit [2025] NZARLA 137 Fernandez v JD 2023 Limited; attached
- 8. Navdeep Singh Khangura, the duty manager mentioned has an application for a suspension of managers certificate in processing with ARLA, ARLA acknowledgment of application attached.
- 9. Applicant agreed to provided CCTV footage recording the sale mentioned in 4(b) above, video attached.
- 10. The relevant case law that could be used in assisting the DLC's decision:
 - 9.1. Nishchay's Enterprises Limited [2013] NZARLA PH 837 "Traditionally, that test has been interpreted as meaning whether or not an applicant will comply with the penal provisions of the Act. In fact, the test is much wider. To carry out the responsibilities that go with the holding of a licence includes whether or not liquor abuse issues are likely to arise. Thus, it includes the object of the Act as set out in s 4".
 - 9.2. Two Brothers Wholesale Limited [2021] NZARLA 32, [103] While Two Brothers, is correct in saying that suitability is not to be considered in a vacuum, it is not correct that suitability must only be considered in the context of the operation of licensed premises as regards the safe and responsible sale and supply and consumption of alcohol. As is clear from Nischay's an assessment of suitability is much wider an includes considerations of the character and reputation of the applicant and its honesty as well as considerations of the operation of premises. Whether or not the grant of the licence will result in the reduction or an increase in liquor abuse is a relevant issue as are considerations about how a licensee will deal with liquor abuse issues that may arise from the establishment of the business, but suitability is not restricted to these matters.

IN THE ALCOHOL REGULATORY AND LICENSING AUTHORITY TE MANA WAETURE TAKE WAIPIRO

[2025] NZARLA 137

UNDER

the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application pursuant to s 280 of the Act for suspension of an off-licence in respect of premises situated at 6 Maniapoto Street, Ōtorohanga, known as "Kiwitown

Liquor Centre"

BETWEEN

MARY FERNANDEZ

(Licensing Inspector of Te Awamutu)

Applicant

AND

JD 2023 LIMITED

First respondent

Hearing:

On the papers

Authority:

Judge A S Menzies Ms J D Moorhead

Mr R S Miller

Judgment:

12th May 2025

DECISION OF THE AUTHORITY

- [1] By application dated 2 May 2025, Licensing Inspector Mary Fernandez of Waipa District Council seeks suspension of an off-licence following a controlled purchase operation conducted on 15 March 2025 during which alcohol was sold to a person under the purchase age in breach of s 239 of the Act. The applications are made pursuant to ss 280(3)(a) of the Act.
- [2] The respondent does not dispute the grounds of the application and has agreed to suspension of the off-licence. Accordingly, we make the following order by consent:

off-licence number 018/OFF/002/24, issued to JD 2023 Limited, is suspended for 48 hours from 8.00am on Saturday 14th June 2025 until 8.00am on Monday 16th June 2025.

[3] This order is deemed to be a negative holding in terms of ss 288(1) to 289 of the Act. If the licence has not already been cancelled, three negative holdings incurred within a three-year period will result in an application to the Authority for cancellation of the licence.



District Court Judge A S Menzies Chairperson Alcohol Regulatory and Licensing Authority

Nam Pham

From: Mary Fernandez < Mary.Fernandez@waipadc.govt.nz>

Sent: Tuesday, 15 April 2025 1:14 pm

To: Nam Pham

Subject: FW: External Sender: ARLA 547849 / 2025 Fernandez v Navdeep Singh

Attachments: Respondent Notification Certificate OTP.pdf; Negotiated suspension of manager's

certificate.pdf; Application for suspension of Manager's certificate.pdf

FYI

From: ARLA <ARLA@justice.govt.nz> Sent: Tuesday, 15 April 2025 12:16 pm

To: Mary Fernandez < Mary. Fernandez@waipadc.govt.nz>

Cc: navikhangura18@gmail.com

Subject: External Sender: ARLA 547849 / 2025 Fernandez v Navdeep Singh

CYBER SECURITY WARNING: This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

Kia ora,

Your enforcement application against **20/CERT/3223/2024** issued to **Navdeep Singh** has been received and is in progress.

A copy of the respondent notification is attached to this email for your records. A copy of the application has been attached to this email.

A signed suspension agreement was received with this application. Further information will be provided as the matter progresses.

Kind Regards,



Samara Bowler

Case Manager | ARLA
Wellington Tribunals | Te Tāhū o te Ture | Ministry of Justice
Level 1, 86 Customhouse Quay, Wellington 6011 | DX SX11159
P: +64 4 462 6660 |
ARLA@justice.govt.nz | www.justice.govt.nz

From: Mary Fernandez < <u>Mary.Fernandez@waipadc.govt.nz</u>>

Sent: Tuesday, April 15, 2025 9:04 AM **To:** ARLA < <u>ARLA@justice.govt.nz</u>>

Subject: Applications for suspension of manager's certificate and off licence.

Good morning.

Please find attached two applications for suspension of an off licence and manager's certificate.

I have attached the following

- Cover letter
- 2. Application for suspension of manager's certificate
- 3. Application for suspension of off licence
- 4. Manager's Certificate
- 5. Copy of off licence

6. Negotiated suspensions

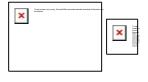
Please do not hesitate to contact me if there is anything further required, Regards,

Mary Fernandez

Mary Fernandez Senior Environmental Health Officer WAIPA DISTRICT COUNCIL Mary.fernandez@waipadc.govt.nz www.waipadc.govt.nz
Ph:0800 924 723

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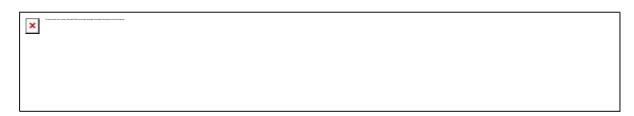


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Te Kaunihera ā Rohe o Waipa





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New Zealand Police STATEMENT

Section 82 Criminal Procedure Act 2011

Statement of: David HALL	Age (if under 18):	
Date statement taken: 23 June 2025	Time:	11:00 pm
Location: Te Awamutu Police Station		

I, David John HALL, state:

- 1. I am a Senior Sergeant with the New Zealand Police.
- 2. I have been a member of Police for over 32 years.
- 3. I am currently the Area Prevention Manager for the Waikato West Area.
- 4. On 15 March 2025 I was working as part of a Controlled Purchase Operation (CPO) in Otorohanga. I was not in full uniform but carried my Police Identification that I produced as I entered various licensed premises.
- 5. Earlier in the day I completed a briefing with the volunteers and confirmed with them that they were not to carry identification and if asked were to state that they had no identification with them, that they would provide their correct date of birth and age when asked and not lie about any of their personal details.
- 6. The aim of the CPO was to test the policy, procedures and training systems of various licensed premises in the Otorohanga, Waipa and Waitomo Territorial Authorities.
- In total 26 premises were visited by the agencies and volunteers with only one premises failing, that being Kiwitown Liquor Centre in Otorohanga.
- At about 4:55pm I was advised that one of the volunteers aged 17 years had entered a bottle store in Otorohanga and purchased a six-pack of Cheeky brand Raspberry Iced Tea + Vodka containing 5% alcohol.





New Zealand Police STATEMENT CONTINUED

Section 82 Criminal Procedure Act 2011

Statement of:	David John HALL	Age (if under 18)	
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- 9. I met the volunteer and their handler and took control of the six-pack of alcohol and the printed purchase receipt.
- 10. At about 5:00pm I entered the premises of Kiwitown Liquor Centre Otorohanga situated at 6 Maniapoto Street with two Licensing Inspectors from Otorohanga District Council.
- 11. While inside the premises I made notes in regard to the layout of the store and the Duty Manager notice that had the name displayed of Navdeep Singh Khangura.
- Mr Singh Khangura at the time held a Managers Certificate number 20/CERT/3223/2024 with an expiry of 23 April 2025 and was employed at the premises of Kiwitown Liquor Central as a Duty Manager.
- 13. Mr Singh Khangura was shown the alcohol purchased by the volunteer and confirmed that he made the sale of this product to the volunteer.
- He was advised of his rights as per the Bill of Rights Act 1990 caution by the Licensing Inspectors who then began to ask him about the circumstances of the sale of alcohol to the minor.
- 15. The Licensing Inspectors spoke with Mr Singh Khangura at the shop counter and made notes.
- 16. While in the store a customer arrived, selected an \$11 bottle of wine and took it to the point of sale at the counter.
- 17. Mr Singh Khangura spoke to the customer while the Licensing Inspectors and I waited and observed.
- 18. The customer told Mr Singh Khangura that they didn't have enough money to purchase the bottle of wine but could provide \$5 cash now and pay the balance of the money later.

witness initials

New Zealand Police STATEMENT CONTINUED

Section 82 Criminal Procedure Act 2011

Stater	ment of: David John HALL	Age (if under 18):
19.	Mr Singh Khangura seemed hesitant to persisted and stated that the owner of the	complete the transaction, but the customer store is ok with doing such transactions.
20.	Mr Singh Khangura then took the \$5 from with the bottle of wine.	n the customer and let them leave the store
21	The Licensing Inspectors then completed tall left the store.	heir questions of Mr Singh Khangura and we
it is to I	be used in court proceedings. I am aware to which the second seco	make the statement with the knowledge that hat it is an offence to make a statement that hislead.

BEFORE THE OTOROHANGA DISTRICT LICENSING COMMITTEE SITTING AT OTOROHANGA

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

IN THE MATTER Of an application by JD 2023 Limited for the renewal of

its off-licence in respect of a premises at 6 Maniapoto Street, Otorohanga, and known as 'Kiwitown Liquor

Centre'

APPLICANT

STATEMENT OF EVIDENCE OF KULWINDER SINGH DEOL

Dated: 4 July 2025

Presented for filing by:

Pervinder Davies Law Telephone: +64 21 2140191

5 Chert Street Counsel: P Davies

Rolleston Email: pervinder@PervinderDaviesLaw.co.nz

STATEMENT OF EVIDENCE OF KULWINDER SINGH DEOL

I, KULWINDER SINGH DEOL, state:

- 1. My full name is Kulwinder Singh Deol.
- I am the sole director of the Applicant company that holds the licence for Kiwitown Liquor Centre (Store). My wife, Amandeep Kaur and I are equal shareholders.
- 3. I confirm I am familiar with matters involved in this application and that I am authorised to provide this evidence on behalf of the Applicant.
- 4. In my evidence I address the following:
 - a. My experience in the alcohol industry.
 - b. An overview of the staff, systems and training at the store.
 - c. Matters raised by the Licensing Inspector.

BACKGROUND

- I have been in the alcohol industry since 2013. I started my first job at Broadwood General Store in the Far North. I was full-time duty manager there till July 2014.
- 6. From August 2014 to 2016, I worked as a duty manager at Super Liquor Paraparaumu Beach.
- 7. In 2016, I started working as a duty manager at the Store when it was owned by the previous licensee. In 2023, the owner decided to retire so I purchased the Store from him. My wife and I have been operating the Store since then.
- 8. In June 2024, I also purchased Thirsty Liquor Otorohanga which is located on the same street as the Store. I work at the Store full time and my wife looks after the Thirsty Liquor store.
- 9. I am confident in my and Amandeep's management of the stores.

- 10. I confirm that I have no previous criminal convictions and that my duty manager's certificate has never been suspended or cancelled.
- I have never appeared before the Authority except the recent failed CPO incident at the Store. I have appeared before the Otorohanga District Licensing Committee previously.

Systems, staff and training

- 12. I agree with the Licensing Inspector's report dated 10 March 2025, insofar as it accurately outlines the systems, staff and training we have in place at the Store.
- 13. The Store has the standard layout as any other bottle store with display shelves around the store and walk-in chiller. The point-of-sale counter is near the main entrance so staff can monitor customers walking into the Store.
- 14. There are 10 CCTV cameras in the Store for monitoring and security purposes.

 A CCTV monitoring screen is located at the front which can be seen from the counter to view main CCTV movements. The main door has a bleeper indicating when a customer enters/leaves the Store.
- 15. We display clear signage throughout the Store including our Host Responsibility Policy, age restrictions and that no alcohol will be sold to underage or intoxicated persons. Minors are not allowed inside the Store unless accompanied by a parent or legal guardian. Staff monitors customers coming inside to make sure that they do not show any signs of being under the influence of alcohol.
- 16. A collection of photographs showing signage around the Store is annexed and marked 'A'.
- 17. We refuse service if a customer displays signs of being under the influence of alcohol or intoxicated.
- 18. In addition to myself and Amandeep, we have two other duty managers to manage the Store. Navdeep Singh Khangura has resigned after the failed CPO. We now have Kuljit Singh and Paramvir Singh working as full-time duty managers.

- 19. All staff including my wife and I are experienced in the sale and supply of alcohol.
- 20. Staff are regularly trained to identify intoxicated customer and to ensure that identification is provided. In addition, there is an automatic till prompt reminding staff to check ID and confirm the age of each customer.
- 21. All staff completes Servewise online training. We also use our franchisee Allied Retail Group NZ online training academy to train staff. All new staff receives induction training provided by the franchisee. We have a staff WhatsApp group to regularly remind staff about checking ID and to assess customers using the SCAB tool. I also train my staff using a personalised manual that helps remind duty managers of what their responsibilities are.
- 22. A collection of our training records showing staff receive training regularly is annexed and marked 'B'.
- 23. We are aware of the harmful effects that alcohol can have on individuals and the community generally. That harm can be minimised through the responsible supply of alcohol. For this reason, our practice is to:
 - Ensure that our staff are trained and understand their obligations under the Act.
 - b. Ensure that staff are aware of the harm that inappropriate or excessive alcohol consumption can create or contribute to through training.
 - c. Supply customers responsibly and in accordance with the conditions of our licence and within the law.
 - d. Not sell or supply alcohol to minors, intoxicated persons, person who appear under the influence of alcohol or drugs, persons we think may be at risk of harm if they were supplied with alcohol, or school students in uniform even if they are of age.
 - e. Not discount any more than 25% on our product range.
 - f. Work with the tri-agency on an ongoing basis.
 - g. Promote alcohol free or low-alcohol alternatives.

h. Get to know our customers by engaging in discussions with them and promote responsible consumption.

Matters raised by the Inspector

Failed CPO

- 24. I acknowledge that during a CPO on 15 March 2025, a staff member on duty sold alcohol to an underage person and that this resulted in a breach of the Act.
- 25. I fully accept responsibility for what occurred and have accepted a suspension of the off-licence in accordance with the enforcement process.
- 26. Immediately following the incident, I held a formal meeting with Navdeep, the duty manager involved in the incident. We discussed the circumstances of the sale in detail including the failure to properly request and check identification. I expressed my disappointment that he did not ask for an ID from the minor. I went through the CCTV footage of that particular day.
- 27. I wanted to find out if Navdeep carried out the transaction according to the training provided to him. Navdeep checks IDs of all customers who look younger than 25 years of age. He asked and checked ID of other customers on the day of the CPO also.
- 28. When I spoke with Navdeep about the incident, he explained that he had received a phone call from a fellow student about an upcoming examination, which caused him a great deal of stress. He said this affected his focus and led to the mistake when the minor came into the store to purchase alcohol.
- 29. Navdeep also told me that he had been thinking about calling me to come in and take over his shift because he felt so overwhelmed but the controlled purchase operation took place before he had the chance to make that call.
- 30. Navdeep is studying towards Bachelor of Nursing and feels he need to give his full attention to his studies. Accordingly, he then resigned from his role as a duty manager.

- 31. I acknowledge the seriousness of the incident. It is our duty to comply with the law and protect young people from access to alcohol. The sale should not have occurred, and I deeply regret that it did.
- 32. Since the incident, I have taken active steps to strengthen our age verification process. This includes:
 - a. Retraining all staff on the obligations under the Act, with a focus on the
 "under 25" rule. All duty managers have attended the Club Champs
 training courses as well one to one training with me.
 - b. Conduct weekly discussions with staff to remind them about our age verification procedures and to make sure that those procedures are being followed. A checklist is available for duty manager to go through before the start of the shift.
- 33. I wish to reassure the Committee that this incident is not reflective of the standards we follow at the Store, and I am committed to ensuring that it does not happen again. I remain focused on meeting our responsibilities under the Act and maintaining the trust of both the agencies and the Committee.

Alleged discounted sale

- 34. The Inspector has raised a concern that, while the agencies were on-site at the Store following the failed CPO, Navdeep served a customer and sold alcohol at a discounted price of more than 54%.
- 35. The Inspector has raised concerns about a sale where the customer paid part of the amount at the time, with the rest to be paid later. I want to make it clear that this was not a discounted sale. The wine was sold for \$11.99, which is the normal price we charge. There was no discount, special deal, or price reduction involved.
- 36. The way the payment was handled was more like a 'Buy Now Pay Later' (BNPL) arrangement. I know that some bottle stores in other areas around the country use BNPL. In this case, the customer has been coming to the Store for over 15 years and is well known to us. Because of that long standing relationship,

- Navdeep, the duty manager, felt comfortable letting her pay the rest later and she did come back and pay the full amount.
- 37. A copy of our till receipt showing the transaction and the sale price is annexed and marked 'C'.
- 38. While this kind of thing might happen in other areas, I want to be clear that I do not allow or approve of this practice at our Store. Alcohol must always be paid for in full at the time of sale.
- 39. Navdeep was under pressure at the time, as the agencies were still on site, and he had just found out about the underage sale. Although he initially refused service, the customer insisted. Because Navdeep knew her, and in an effort to conclude the transaction quickly and refocus on the regulatory situation, he proceeded with the sale. He also assessed the customer and noted that she was not displaying any signs of intoxication.
- 40. As soon as I found out, I spoke to Navdeep about it. I told him clearly that alcohol can't be sold unless it is paid for in full right away. Since then, I've reminded all staff that we do not allow delayed payments or any kind of credit, no matter how well we know the customer.

Alleged sale of alcohol to an intoxicated person

- 41. The Inspector further alleges that the customer was not sober at the time of purchase or having drinking issue.
- 42. I respectfully disagree with that assessment.
- 43. I believe the Inspector's assumption that the customer was intoxicated is likely based on her manner and appearance, which can easily be misinterpreted by someone unfamiliar with her. As I mentioned earlier, she is a long-standing regular at the Store and someone I have known for several years. She is also well known within the local community.
- 44. Her appearance can sometimes give the wrong impression she often looks untidy or dishevelled, and her natural way of speaking is loud and deep. To someone who doesn't know her, this might come across as aggressive or

unusual. In fact, when I first started working at the Store in 2016, I initially

thought she was angry or argumentative. However, I soon realised that this is

simply her normal way of communicating and presenting herself — it is just her

personality and not a reflection of her state of mind or sobriety.

45. She is, in fact, a kind and respectful person. On the day in question, she was

simply behaving as she normally does. In my view, there was nothing in her

behaviour that suggested she was intoxicated. She was not showing any signs

typically associated with intoxication under the Sale and Supply of Alcohol Act

- such as impaired coordination, slurred speech, unsteady movement, or

inappropriate behaviour. Her presentation that day was entirely consistent with

how she usually is and did not give Navdeep (or even me after watching the

CCTV footage) any reason to believe she was under the influence of alcohol.

46. With regard to the observation that she was leaning on the counter, she has

previously told us that she suffers from arthritis and experiences constant back

pain. It is common for her to lean on surfaces for support and relief, and this

should not be taken as a sign of intoxication.

47. The CCTV footage showing the customer coming inside the Store and at the

Store during the transaction is annexed and marked 'D'.

Dated this 4th day of July 2025

Kulwinder Singh Deol

Director

| 21

Consideration

Continued to the Sale and Supply of Actional Act 2012 to 20, and 45, size and foreign of Actional Act 2012

Particular to the Sale and Supply of Actional Act 2012 to 20, and 45, size and foreign of Actional Act 2012

Particular to the Sale and Supply of Actional Act 2012 to 20, and 45, size and foreign of Actional Act 2012

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Endoughout the Sale and Sale Action Ac

Host Responsibility Plan Kiwitown Liquor Centre Otorohanga

- Customers who are visibly intoxicated will not be served alcohol and will be asked to leave the premises.
- elt is against the law to serve alcohol to minors. If we are in doubt about your age, we will ask for identification. Acceptable forms of proof of age are a current New Zealand driver's license, an 18+ Evidence of Age card, a Kiwi Access card or a current passport.
- No ID No Service
- Our policy is zero tolerance for aggressive, coercive or violent behavior.
- We actively promote a range of low-alcohol and nonalcoholic drinks, including low-alcohol beer, fruit juices, soft drinks, water.
- All of these services are well promoted, along with signage required under the Sale and Supply of Alcohol Act 2012.
- We maintain a training and management policy to give our staff the skills and support they need to do their job responsibly.
- Please be our guest and take advantage of the services we offer.

Page | 1



Subject to the requirements of the Act relating to payment of see, and to the provisions of the Act relating to the outpersion and carcelation of sensors, this incroce expire one. 22nd Day of I seems 2005.

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VOLUNTEER WITH US

Tono mai hei kaitūao

Join our team. It's life changing.

Otorohanga Volunteer Fire Brigade Contact DCFO Bryan King 021 247 2423

Bryan.King@fireandemergency.nz

"Join our crew to make new friends and learn new skills while giving back to our community"





fireandemergency.nz/volunteel



ALLIEDRETAILGROUP

NEW ZEALAND

Please take responsibility for the energy you bring into our store.

Your words matter
Your behaviors matter
Our customers matter
Our team matters

Take a slow, deep breath and make sure your energy is in check before entering.















"B"

Training Manual: Kiwi town Liquor Centre

Name of Staff: Parmvir Singh Training by: Kulwinder Ded

INTOXICATION ("SCAB" technique - Speech, Coordination, Appearance and Behaviour) and using INTOXIACTION ASSESMENT TOOL	Parmion Singy	OGd.
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LICENSE CONDITIONS (trading hours: days and time / license area / drinking water available during alcohol tastings/ telephone available)	P	A

Date: 10/12/2024

Name of Staff: Parmvir Singh Training by: KULWINDER DEOL

To	opics Discuss	Signature	Trainer
	Minor (Minor is a person who is under the legal drinking age. Minimum age is 18 years and above. We must ask the customers to present a valid ID if he/she/they look under the age of 25. ID must be checked while entering the store. Reach the customers to ask for ID/ Do not wait for them to show come to you to show their ID)	Pagimerist Sing4	
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Name of Staff: Navdeep Khangury Training by Kulwinder Ded

Te	opics Discuss	Signature	Trainer
•	Minor (Minor is a person who is under the legal drinking age. Minimum age is 18 years and above. We must ask the customers to present a valid ID if he/she/they look under the age of 25. ID must be checked while entering the store. Reach the customers to ask for ID/ Do not wait for them to show come to you to show their ID)	wanday singh	DE de
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•	DESIGNATION (premises is supervised which means minor are not allowed inside the premise unless accompanied by a parent or legal guardian and only those older than 18 can enter the premises and purchase alcohol	M	K
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30/9/25

Name of Staff: Wardeep Khangung Training by: Lander Decol

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host Kiwi (sigr alco alco agg	ression or abuse.	A
and	time / license area / drinking water lable during alcohol tastings/phone available)	R

Date: 30/9/25

Name of Staff: KYLJIT SINGH Training by: Kulwinder Singh Deal

Topics Discuss	Signature	Trainer
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Name of Staff: Kuljit Singh Training by: Kulwinder Eingh

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 LICENSE CONDITIONS (trading hours: days and time / license area / drinking water available during alcohol tastings/ telephone available) 	Royal Sm	0

Date: 164 25

Name of Staff: Parmvir Sing M Training by: Kulwinders
Singh Deed

Topics Discuss	Signature	Trainer
 Minor (Minor is a person who is under the legal drinking age. Minimum age is 18 years and above. We must ask the customers to present a valid ID if he/she/they look under the age of 25. ID must be checked while entering the store. Reach the customers to ask for ID/ Do not wait for them to show come to you to show their ID) 	Parmvi'r Singh Time = 2:15 PM	DEdv
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Name of Staff:

Training by:

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Date: 24/04/2025

(

Time = 3:05 PM
Parmirin Singm

Name of Staff: Navdeep Singh Training by: Kulwinder Singh Khangura Ded

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Name of Staff:

Training by:

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 LICENSE CONDITIONS (trading hours: days and time / license area / drinking water available during alcohol tastings/ telephone available) 	Wavdey singk	

Date: 26/3/25

CERTIFICATE of ACHIEVEMENT

This is to certify that

Navdeep singh Khangura

has completed the course

Host responsibility

January 21, 2025

Te Whatu Ora





CERTIFICATE of ACHIEVEMENT

This is to certify that

PARMVIR SINGH

has completed the course

Host responsibility

January 21, 2025

Te Whatu Ora Health New Zealand





CERTIFICATE of ACHIEVEMENT

This is to certify that

Kulwinder Singh Deol

has completed the course

Host responsibility

January 21, 2025

Te Whatu Ora Health New Zealand



ServeW se



This is to certify that

Kulwinder Deol

has successfully completed the ARG Licencing Compliance course.

Topics covered include;

Background
The Sale & Supply of Alcohol Act 2012
Definitions
Licence and Conditions of Licence
Amenity and Good Order

Hours of Operation
Appointment of Duty Manager
Employment of Minors
Intoxicated Persons
Identifying Minors

Selling or Supplying to Minors
Controlled Purchase Operations (CPO)
Restricted & Supervised Areas
Incident Register
Staff Training & Record Keeping

Awarded 17/11/2023









This is to certify that

Kulwinder Singh Deol

has successfully completed the ARG Licencing Compliance course.

Topics covered include;

Background
The Sale & Supply of Alcohol Act 2012
Definitions
Licence and Conditions of Licence
Amenity and Good Order

Hours of Operation
Appointment of Duty Manager
Employment of Minors
Intoxicated Persons
Identifying Minors

Selling or Supplying to Minors
Controlled Purchase Operations (CPO)
Restricted & Supervised Areas
Incident Register
Staff Training & Record Keeping

Awarded 28/06/2024









This is to certify that

Navdeep Singh Khangura

has successfully completed the ARG Licencing Compliance course.

Topics covered include;

Background
The Sale & Supply of Alcohol Act 2012
Definitions
Licence and Conditions of Licence
Amenity and Good Order

Hours of Operation
Appointment of Duty Manager
Employment of Minors
Intoxicated Persons
Identifying Minors

Selling or Supplying to Minors
Controlled Purchase Operations (CPO)
Restricted & Supervised Areas
Incident Register
Staff Training & Record Keeping

Awarded 17/06/2024









This certificate is awarded to

For attendance at

Sale and Supply of Alcohol Act 2012 Training

Covering: Special Licences; Duty Manager Interviews; Temporary and Acting Managers;

Duty Manager's Register; Host responsibility and Local Updates;

Fire & Emergency New Zealand: Fire Safety and Compliance

Presented by

Maddison Berry (Licensing Inspector, Waitomo), Felicity Cook-Jones (NZ Police), and George Jenson (FENZ)

Held on

Monday 26 May, 2025 at Te Kuiti



This certificate is awarded to

For attendance at

Sale and Supply of Alcohol Act 2012 Training

Covering: Special Licences; Duty Manager Interviews; Temporary and Acting Managers;

Duty Manager's Register; Host responsibility and Local Updates;

Fire & Emergency New Zealand: Fire Safety and Compliance

Presented by

Maddison Berry (Licensing Inspector, Waitomo), Felicity Cook-Jones (NZ Police), and George Jenson (FENZ)

Held on

Monday 26 May, 2025 at Te Kuiti



This certificate is awarded to

Kulwinder Singh Deol.

For attendance at

Sale and Supply of Alcohol Act 2012 Training

Covering: Alcohol Licensing; Host responsibility and Local Updates;

Fire & Emergency; Compliance; Standard Drinks;

Presented by

Licensing Inspector, Waipa, Senior Sergeant David Hall (NZ Police),

Megan Jolly, Road Safety Coordinator, WPDC, and FENZ

Held on

Monday 24 March, 2025 at Te Awamutu



This certificate is awarded to

Navdeep Singh Khangura

For attendance at

Sale and Supply of Alcohol Act 2012 Training

Covering: Alcohol Licensing; Host responsibility and Local Updates;

Fire & Emergency; Compliance; Standard Drinks;

Presented by

Licensing Inspector, Waipa, Senior Sergeant David Hall (NZ Police),

Megan Jolly, Road Safety Coordinator, WPDC, and FENZ

Held on

Monday 24 March, 2025 at Te Awamutu

d

Kiwitown Liquor Centre Otorohanga

DUPLICATE

@ 1/07/2025 4:09:16 pm

6 Maniapoto Street Otorohanga 3900 Tel (07) 873 7396

Gordons Bay PinotG 11.99 1.00 11.99
Total Due 11.99
GST Component 1.56

Direct Credit/Bank T 11.99
CHANGE \$0.00

KiwiTown Liquor Centre

Received

Signed:



Exhibit D – CCTV FOOTAGE



Licensing Inspector Report Supplementary Report for the Renewal of Off Licence

To: The Secretary of the District Licensing Committee

From: Nam Pham

Subject: RENEWAL APPLICATION FOR OFF LICENCE

Report Date: 17 March 2025

File Reference: OF0039

Decision number:

APPLICANT:

JD 2023 Limited

ASSOCIATED PREMISES:

Kiwi Town Liquor Centre

PROPERTY ADDRESS:

6 Maniapoto Street, Otorohanga

APPLICATION TYPE:

Renewal of off-licence

EXISTING LICENCE NUMBER: 018/OFF/002/24

INSPECTION DATE: 25 February 2025;

018-0539

15 March 2025

SUMMARY OF APPLICATION

Application for the renewal of an off-licence was received by the Otorohanga District Licensing Committee on 29 November 2024 pursuant to section 127 of the Sale and Supply of Alcohol Act 2012 (the Act).

The general nature of the premises is a bottle store. The licence was issued for the first time in 2024, this is the first renewal application.

The application form as detailed by section 127 of the Act and were accompanied by the correct fees.

The Police confirm through a report presents no opposition to the application. The Medical Officer of Health initially opposed the application and recommended the addition of two conditions over single sales which were agreed by applicant. The Medical Officer of Health withdrawn opposition and confirm through a report dated 4 March 2025.

The licensing inspector provided a report and does not oppose to the application. The inspector report dated 10 March 2025 and recommended the addition of two conditions over single sales:

- Single sales of alcohol products priced at less than \$6.00 are to be prohibited.
- Single sales of alcohol products under 500 ml are to be prohibited.

Matter raised after the licensing inspector report:

On 15 March 2025 the Police had conducted a Control Purchase Operation at three licence premises in Otorohanga. The Police have witnessed and confirmed that a failed CPO had occurred at Kiwi Town Liquor Centre. The duty Manager Navdeep Singh Khangura admitted he had sold a pack of 6 cans of alcohol, contain of 5% ABV to a minor of 16 years old without checking the minor's identification.

This matter is now in investigation and will be including an ARLA submission. The licensing inspectors that involve in the CPO operation and investigation are Mary Fernandez, and Nam Pham.

During the inspection and investigation on 15 March 2025, while Mary Fenandez was interviewing and collecting statements from the duty manager Navdeep Singh Khangura, I witness he sold a bottle of white wine with a discounted price of more than 54%. The bottle price was \$11, the conversation between customer and duty manager shows it is a common practice that this licensee accepts half payment to the customer and accept full payment will be made later. The licensing inspectors' view is that this customer was not sober at the time or having drinking issue.

The way the duty manager operates the sale shows there is a lack of understanding of alcohol harm and responsible sale and supply of alcohol, and I am questioning the suitability of the duty manager and the licensee to hold a licence.

Consider the above matter I change my stand of the application and <u>oppose</u> the renewal application.

While the above matters are allegations and will be investigating, the licensing inspector would like to recommend the DLC to consider the above matters when making decision for the application.

Nam Pham

Licensing Inspector

Nam Pham,



Licensing Inspector Report Renewal of Off Licence

To: The Secretary of the District Licensing Committee

From: Nam Pham

Subject: RENEWAL OF OFF LICENCE

Report Date: 10 March 2025

File Reference: OF0039

Decision number: 018- 0539

APPLICANT:	JD 2023 Limited	
ASSOCIATED PREMISES:	Kiwi Town Liquor Centre	
PROPERTY ADDRESS:	6 Maniapoto Street, Otorohanga	
APPLICATION TYPE: Application for renewal of OFF licence		
EXISTING LICENCE NUMBER: 018/OFF/002/24		
INSPECTION DATE:	25 February 2025	

1 SUMMARY OF APPLICATION

Application for the renewal of off-licence number 018/OFF/002/24 was received by the Otorohanga District Licensing Committee on 29 November 2024 pursuant to section 127 of the Sale and Supply of Alcohol Act 2012 (the Act).

The general nature of the premises is a bottle store.

The application was on time, and in the correct form as detailed by section 127 of the Act, and was accompanied by the correct fee.

The applicant confirms the building and floor plan have not been changed since the last licence issued, applicant is not required to maintain an evacuation scheme because of the building current use, this was confirmed by FENZ, email dated 7 February 2025.

Application submitted by Amandeep Kaur Deol who owns half shares and acts on behalf of applicant. Amandeep Kaur Deol signed application form as the contact person.

The application was publicly notified in accordance with section 127(3) by posting on King Country News and dated 28 November 2024 and 5 December 2024 and display a copy on the entrance of the store. Copies of the publication attached.

The licence is eligible to be renewed as it meets the criteria detailed in section 125.

2 SUITABILITY OF THE APPLICANT

The applicant JD 2023 Limited is a registered company and has one director and two shareholders. Kulwinder Singh Deol is both director and owns 50% shares.

Allocation	Shareholder	No. of shares	
1	Kulwinder Singh Deol	50 (50%)	
2	Amandeep Kaur	50 (50%)	

Kulwinder Singh Deol has been working in the alcohol industry since 2014 starting at Broadwood General Store in the Far North followed by a two year stint for CFG Trading Limited, trading as Super Liquor Paraparaumu Beach, until 2016.

He started working at Kiwitown Liquor in Otorohanga in 2016 and been there ever since. He and his wife Amandeep Kaur Deol has been operating Kiwi Town Liquor Centre and has purchased another liquor store in June 2024, the Thirsty Liquor which located on the same street. Kulwinder advises he is working full-time at Kiwi Town Liquor Centre while his wife mainly looks after the Thirsty Liquor store.

Amandeep Kaur Deol owns 50% shares of JKD 2024 Ltd. She was a registered nurse and started work for Kiwi Town Liquor Centre since June 2023 when she and her husband bought the business. She has been working at Kiwi Town Liquor Centre full-time since April 2024 and works at Thirsty Liquor when required and pre-arranged.

Details of appointed Managers

Name	Manager's Certificate	Expiry Date
Kulwinder Singh Deol	01/CERT/205/2014	12 June 2026
Navdeep Singh Khangura	20/CERT/3223/2024	23 April 2025
Amandeep Kaur Deol	018/CERT/008/23	12 December 2024
Parmvir Singh	018/CERT/005/25	3 February 2026

Navdeep Singh Khangura holds a manager's certificate issued first time in Taupo district, he has been working at Ricks Liquor centre Taupo and move to reside in Otorohanga, he started work fulltime at Kiwi Town Liquor Centre since June 2024. Navdeep holds a student visa expires 31 March 2026 and is working part time at Kiwi Town Centre.

Parmvir Singh holds a work visa allowed him to work with JD 2023 Limited, he had one year experience in the industry working for two liquor stores in the Tararua District, North island and has just successfully applied a managers certificate.

None of the above managers have come to the attention of the report agencies.

Applicant has notified new managers appointments in regarding the operation of the associated premises to Council pursuant to section 231 of the Act.

The applicant confirmed training topics for new staff including ID checked, prohibited sales to minors, provide and promote low-alcohol and non-alcoholic alternatives. Prevent intoxication and sell alcohol responsibly. A Host Responsibility is in place and staff are encouraged to attend online and agencies collaboration trainings such as ServeWise Host Responsibility course and Clubchamps.

Inquiries into the application by a Licensing Inspector appointed pursuant to section 197 of the Act have been completed and have not identified any concerns in regard to the applicant's status or suitability.

3 **LOCAL ALCOHOL POLICY**

The application has been assessed and complies with the Otorohanga District Local Alcohol Policy 2024.

4 PROPOSED DAYS AND HOURS OF OPERATION

The applicant proposes change of the operating days and hours: reduced hours of Monday to Sunday 9am to 10pm.

5 **DESIGN AND LAYOUT OF THE PREMISES**

Premises is located on the site at 6 Maniapoto Street, Otorohanga. The primary activity conducted on the premises is a bottle store and is formed from the plan submitted with application. The plan dated 29 November 2024 showing the area to be licensed, the principal entrance, the position of the CCTV and the supervised designation. The applicant wishes the plan to be considered as part of the application.

The key features of the premises include:

- The principal entrance is accessed from Maniapoto Street, Otorohanga.
- The premises is a bottle store.
- The premises designation is supervised.

The following points have been noted by the inspector in respect of the design and layout:

- The location and aspect of the sales counter provides an excellent view for staff to monitor all patrons in the premises including those entering and leaving the principal entrance (sole entrance) and in the chiller.
- There is one point of sale.
- A bleeper indicates when a customer enters/leaves the premises.
- The premises is made up of 3 sections. The front retail section for shelved products. The middle section houses a large walk in chiller. And the rear section for storage. Public is excluded from the rear storage area.
- The premises are well lit internally and externally.
- There are eight CCTV cameras in the premises that monitor the entire store.

Designations:

The applicant proposes no changes to the existing designation of supervised. The principal purpose of the business is the sale of alcohol and the current designation of supervised is appropriate.

Planning / Building Matters:

The applicant does not include a statement regarding an evacuation scheme, pursuant to section 127(2)(e), this is due to the generic renewal online form does not require the statement from a renewal application. However, applicant has confirmed through an email that because of the building's current use, its owner is not required to provide and maintain the scheme, this was confirmed by FENZ in a letter dated 7 February 2025.

Section 100(f) of the Act does not apply as the building is currently in use and the application is for off-licence renewal, no Planning/ Building Code of compliance certificate required.

Notification:

Two publications have been posted in the King Country News on 28 November and 5 December 2024 in accordance with section 101 (a) and (b). The applicant has also displayed the publication in front of the entrances for each premises accordance to Regulation 39 of the Sale and Supply of Alcohol Regulations 2013.

It is my opinion that the design and layout of the premises is adequate to fulfil the object of the Act in terms of minimising potential harm and ensuring a safe environment for patrons in conjunction with the applicant's operational procedures.

6 GOODS SOLD OTHER THAN ALCOHOL

The applicant is selling a small amount of chips and snacks, shot glasses packs and vapes.

7 SERVICES PROVIDED OTHER THAN THOSE ASSOCIATED WITH ALCOHOL

No service provided other than those associated with alcohol.

8 **AMENITY AND GOOD ORDER**

The premises are sited in commercial area of Otorohanga CBD. There have been no recorded incidences in the neighbourhood which would be directly linked to these premises contributing to alcohol harm i.e. tagging/crime/violence/noise and vehicle accidents. There was no observed tagging at the time of the visit.

Location of premises

The premises is situated at 6 Maniapoto Street, Otorohanga and is approximately 50m to the nearest residence 5 Ranfurly Street, Otorohanga. Otorohanga Baptist Church and Saint David's Presbyterian Church are located 70m and 100m respectively.

The purposes for which land near the premises concerned is used

The premises are located in the commercial zone under the Otorohanga District plan. The premises are surrounded by other commercial premises that are unaffected by the operation of this business.

Possible future noise levels

There is no amplified music externally. External noise is by way of customers entering and leaving the premises, vehicle movements (including deliveries to the premises) as well as unloading goods for deliveries.

There have been no reported noise issues received regarding these premises.

Possible future levels of nuisance and vandalism

The exterior is tidy and well lit to discourage loitering and disorder. The licensee has made changes to the frontage to prevent the public 'see-through' in store's goods and arrangement. The applicant explained the changes were to reduce the risks of ram raids which had happened to many dairies and liquor stores throughout the country. Two CCTV monitors located at sale counter and in the staff room provide views for outside areas. The front area was kept clean and tidy with good lighting and on street parking. A public park located in Alex Telfer Drive and is over 400m to the northeast of the premises. Parking is available a long Maniapoto street and the nearest public car park is at Bell Lane behind Maniapoto Street and approximately 50m behind the facing parade of shops.

There have been no issues in previous years with vandalism or graffiti involving the premises. The design and layout and the operational procedures of the premises should minimise the potential for this issue.

Council has no record (including police reporting) of noise, nuisance or contributing to vandalism during the previous licence period and no changes to the style of operation are proposed in the current application.

Conclusion

Considering all of the above, in the inspector's opinion, the amenity and good order of the locality would not be likely to be increased, by more than a minor extent, by the refusal to renew the licence.

9 SYSTEMS, STAFF AND TRAINING

The applicants have provided evidence of four certificated managers.

Name	Manager's Certificate	Expiry Date
Kulwinder Singh Deol	01/CERT/205/2014	12 June 2026
Navdeep Singh Khangura	20/CERT/3223/2024	23 April 2025
Amandeep Kaur Deol	018/CERT/008/23	12 December 2024
Parmvir Singh	018/CERT/005/25	3 February 2026

The applicant has provided roster showed there are two staff, one is the duty manager will be on the premises during the sale and supply of alcohol peak hours. On other time there will be one staff who is the duty manager. Duty manager will be named on sign.

The applicant has provided evidence of the systems, staff and training of those that are in place to ensure compliance with the Act.

A copy of their training log detailing Intoxication Intervention

Identification Designation Object of the Act Who is parent or legal guardian Licence conditions

The applicant states in the application staff training plan and the frequency of training. Training including induction training provided by the Franchisee group (Allied Retail Group NZ), on the job training provided until staff can manage the sale and supplied of alcohol in store, ServeWise Host responsibility, etc. Training refresher every six-monthly and all staff on group chat training led by the directors. Where Clubchamps training available staff are encouraged to attend.

Training certificates for licensee and staff are on file and sighted by the inspector. Alcohol management system available and sighted by the inspector and the required signage are displayed on site;

The applicant has reasonable steps to verify that the buyer (and if applicable, the receiver) is not under the purchase age. The licensee must ensure that the sale will not be made unless the buyer (and if applicable, the receiver) completes a declaration that they are 18 years of age or over. This apply both for in store purchase and online sales by telephone before the sale is completed.

Signage displayed complied with the licence conditions:

- A copy of host responsibility policy
- Licence and operating hours on the entrance
- Duty manager on duty
- No sale and supply of alcohol to minors and intoxicated person

Documentation has been sighted and including: managers' register, incident book, training

A copy of duty roster has been provided by the applicant. Break time is required for staff and is noted on roster.

The applicant employs sufficient certificated managers and is aware of the requirements of section 231 in terms of notifications and appointments.

10 **POLICE REPORT**

Police report dated 29 November 2024 present no objection to the application.

11 MEDICAL OFFICER OF HEALTH REPORT

The Medical Officer of Health (MOH) was referred to the application. There was an administrative error, and the MOH did not report within the first 15 working days. The MOH provided a report in response to the inspector's concern regarding single sales during inspection. In the initial report, the MOH expressed opposition and suggested that the applicant could address the issue by accepting two conditions:

- Single sales of alcohol products priced at less than \$6.00 are to be prohibited.
- Single sales of alcohol products under 500 ml are to be prohibited.

Upon the applicant's acceptance of these conditions, the MOH withdrew their opposition. The final MOH report is dated 4 March 2025.

12 **PUBLIC OBJECTIONS**

No public objections were received in relation to this application.

13 LICENSING INSPECTOR ASSESSMENT

The premises are located at 6 Maniapoto Street, Otorohanga and was inspected on 25 February 2025. The applicant has been operating this licensed premises with no non-compliances for the last 12 months.

The shop has a typical layout with the counter at the front near the window and the far wall displaying the products. There is a small office, a toilet, sink and the storage area to the rear of the premises.

Confirmation of risk weighting

Type of Premises Weighting	Alcohol sales ti	ime weighting	Enforcement Weighting
e.g. bottle store=15	2.00am or earlier = 0		none = 0
Rating: 15		Category: Med	lium

Compliance with compulsory conditions	Comment
Food availability and signs (On/Club)	n/a
Non and Low alcoholic drinks (On/Club)	n/a
Water freely available (all)	Yes if giving samples
Transport options and signs (On/Club)	n/a
Signs regarding Minors & Intoxication (all)	Yes
Manager on duty sign (all)	Yes
Trading hours at entry (all)	Yes
Suggested designations still appropriate?	Yes

The applicant does not have a dedicate website with online sale. The national Liquor Centre website sates orders for delivery must be sent via email or through phone which will be processing by the director. The applicant confirmed remote sales was the type of sale during the Covid lockdown but would like to keep the same remote sale conditions on the licence.

14 **OBJECT OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012**

The object of the Sale and Supply of Alcohol Act 2012 is that the sale, supply and consumption of alcohol should be undertaken safety and responsibly, and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

Having inquired into this application I am satisfied that the application is in keeping with the object of the Sale and Supply of Alcohol Act 2012

It is the Licensing Inspector's view that the granting of the renewal of the licence will not result in the amenity and good order of the locality being reduced, nor that refusing the application will increase that amenity and good order by more than a minor extent.

15 RECOMMENDED CONDITIONS

It is recommended that the licence be renewed with the additional two single sales prohibition conditions, the licence hours and date of floor plan.

Licence hours: Alcohol may be sold only Monday to Sunday, from 9.00am to 10.00pm.

Floor plan: The area where alcohol is to be sold is described in the plan date stamped as received by the District Licensing Committee on 29 November 2024.

Single sales:

- Single sales of alcohol products priced at less than \$6.00 to be prohibited.
- Single sales of alcohol products under 500mls to be prohibited.

16 **CONCLUSION**

There is no objection to the renewal of the off-licence held by JD 2023 Limited for the period of three years.

Nam Pham

Nam Phan.

LICENSING INSPECTOR

Publication





Location and nearest resident:



Nearest residence 5 Ranfurly Street 50m

<mark>Kiwi Town Liquor</mark>



Otorohanga Baptist Church 6 Ranfurly Street - 70m Saint David's Presbyterian Church 9 Ranfurly Street - 100m

Front entrance:



View from point of sales towards front entrance:



Signage and arrangements:











04/03/2025

Te Whatu Ora
Health New Zealand

The Secretary
Otorohanga District Licensing Committee
Otorohanga District Council
PO Box 11
Otorohanga 3940

Dear Sir/Madam,

Application(s) for Renewal Off licence

Please receive the following recommendations under the provisions of the Sale and Supply of Alcohol Act 2012.

Our Ref: 2025ALC-5864

Your Ref:

Applicant: JD 2023 Limited

Premises Name: Kiwitown Liquor Centre

Premises Address: 6 Maniapoto Street, Otorohanga

Recommendation: 1. Opposition Withdrawn

The applicant has agreed to the following conditions:

- Single sales of alcohol products priced at less than \$6.00 to be prohibited.
- Single sales of alcohol products under 500mls to be prohibited.

Due to this we are no longer opposed to this application.

Yours faithfully,

Byron Wipa

For Medical Officer of Health

Lisa Nottage

Kiwitown Liquor Centre < kiwitownlc@gmail.com> From: Sent: Wednesday, 5 March 2025 1:37 pm Health To: Cc: Tony Quickfall **Subject:** Re: OF0039 - 018-0539 - MOH Report Yes, Agree. Regards Kulwinder Singh Deol Kiwitown Liquor Centre 9 6 Maniapoto Street Ōtorōhanga 3900 PH: 07 873 7395 On Wed, 5 Mar 2025 at 1:51 am, Health < health@otodc.govt.nz > wrote: Good Morning Kulwinder, The Medical Officer of Health have advised that they are happy to withdraw their opposition to your Off Licence application if you were to accept the recommended conditions below. These recommendations are to help prevent alcohol related harm in the area. 1. Single sales of alcohol products under 500mls to be prohibited "This recommendation is based on the product Kingfisher a 500ml unit of alcohol with the alc ABV of 7.2% that was sighted and being sold for \$6.00" 2. Single sales of alcohol products priced at less than \$6.00 per unit to be prohibited. "This recommendation is based on multiple products at 330ml alc ABV 4.0% that were being sold for \$4"

As per your email on Friday, we acknowledge that you have already accepted/actioned condition 2.

Kind Regards,

Lisa Nottage



TE KAUNIHERA Ā-ROHE ŌTOROHANG DISTRICT COUNC



Disclaimer :This communication, including any attachments, is confidential. If you are not the intended recipient, please delete it and notify us immediately

From: Kiwitown Liquor Centre < kiwitownlc@gmail.com >

Sent: Friday, 28 February 2025 4:00 pm
To: Health < health@otodc.govt.nz >
Cc: Tony Quickfall < tonyq@otodc.govt.nz >
Subject: Re: OF0039 - 018-0539 - MOH Report

Hi Lisa,

Please note that price has been changed to \$6 and over for any single can sold.
If you have any other concerns please let me know.
Regards
Kulwinder Singh Deol
Kiwitown Liquor Centre
PH: 07 873 7395
On Fri, 28 Feb 2025 at 3:22 am, Health < health@otodc.govt.nz > wrote:
Good Morning Amandeep,
Please see the attached response from the Medical Officer of Health regarding your Off Licence application for JD 2023 Limited, trading as Kiwitown Liquor Centre.
In this case, they are opposed to the application.
Contact details are on the report if you wish to discuss or provide further information to the Medical Officer of Health.
Alternatively, Ōtorohanga District Council can forward any information on your behalf.
If you have any queries regarding this opposition, please contact the Secretary of the Ōtorohanga District Licensing Committee, Mr Tony Quickfall, whom I have included in this email.
Kind Regards,
Lisa Nottage

Health New Zealand Te Whatu Ora

26/02/2025

The Secretary
Otorohanga District Licensing Committee
Otorohanga District Council
PO Box 11
Otorohanga 3940

Dear Sir/Madam,

Application(s) for Renewal Off licence

Please receive the following recommendations under the provisions of the Sale and Supply of Alcohol Act 2012.

Our Ref: 2025ALC-5864

Your Ref:

Applicant: JD 2023 Limited

Premises Name: Kiwitown Liquor Centre

Premises Address: 6 Maniapoto Street, Otorohanga

Recommendation: Opposed

We raise the following matters in opposition to the application.

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

Section 4 and 105(1)(a) Object of the Act Section 4 outlines

- (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).

Section 131(d) the manner in which the applicant has sold, displayed, advertised, or promoted alcohol

It has been advised that the licensee is selling single sales for less than \$6, and two types of beer can have more than 7.2% ABV.

TeWhatuOra.govt.nz

Private Bag 3200, Hamilton 3204 07 838 2569 Yours faithfully,

Byron Wipa

For Medical Officer of Health

Health New Zealand Te Whatu Ora



PO Box 17 OTOROHANGA

29th November 2024

The Secretary
Otorohanga District Licensing Agency
PO Box 11
OTOROHANGA

Dear Sir,

Application for Renewal of Off Licence – OF0039 – JD 2023 Ltd (KiwiTown Liquor)

I wish to advise that enquiries into this application are now complete.

Police have no objection to this application.

Yours faithfully,

Gary Anderson Sergeant Z002 OTOROHANGA POLICE



Waikato Fire Area – Fire Risk Management P O Box 1343 Hamilton 3240

Mob: 0272 32 6278

ed.hopping@fireandemergency.nz

7th February 2025

Lisa Nottage Otorohanga District Council 17 Maniapoto Street Otorohanga 3900

Liquor Licence Renewal – Fire and Emergency New Zealand Act 2017 section 75-77, Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018

Applicant – Kiwitown Liquor Centre – 6 Maniapoto Street – Otorohanga.

Dear Lisa,

Section 76 and 77 of the Fire and Emergency New Zealand Act 2017 requires Fire and Emergency Approved Evacuation Schemes for "Relevant" buildings.

A "Relevant" building can be defined by having 100 or more people gathered, 10 staff or more and/or 5 persons or more sleeping.

The Evacuation of Premises Declaration in this instance has indicated one of the below is applicable:

X	The owner of the building in which the premises are situated provides and maintains an evacuation scheme as required by sections 75 – 77 of the Fire and Emergency New Zealand Act; or Because of the buildings current use, its owner is not required to provide and maintain such a scheme; or
	Because of the nature of the building, its owner is exempt from the requirement to provide and maintain such a scheme.
In th	nis instance, Fire and Emergency New Zealand:
X	Has no objection to the renewal of the new OFF- Liquor Licence for the above address.
	Objects to the renewal of this licence based on:
	The Property is required to have an approved Fire and Emergency Evacuation Scheme; or
ŀ	The Evacuation Scheme has not been maintained as required; or
•	The current scheme is old, approved for previous owners and requires renewal.
All ii	nformation required to complete an Evacuation Scheme application can be found on the
Fire	and Emergency Website – www.fireandemergency.nz

Yours faithfully,

Ed HoppingAdvisor Risk Reduction
Waikato Fire Area



Form name

Alcohol Off licence

Submitted date

November 26, 2024 12:29 AM

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NZ Limited Company

Applicant details

NZ Limited Company

NZBN <u>9429051072209</u> Legal name JD 2023 LIMITED

Postal address

6 Maniapoto Street, Otorohanga, Otorohanga, 3900, NZ

Application contact person

This is the person we will contact if we have any queries about this application.

First name

Amandeep Kaur

Last name

Deol

Phone number

0204490002

Email address

Kiwitownlc@gmail.com

Preferred method for contact

Email

Licence details

Type of application

Is this a new Off licence application or a renewal of an existing licence? **Renewing an existing Off licence**

ALCOFF-18 Page 1 of 9

Variations

Do you need to apply for a variation to the conditions of your alcohol licence? **No**

Type of premises

Select the type that best describes the business premises **Supermarket**, **grocery store**, **bottle store**

Endorsements

Licence endorsements give additional rights or privileges to a licensee.

Remote sales

An applicant can ask for the licence to be endorsed for remote sales only. This means the licensee can only sell or supply alcohol via online, phone or catalogue sales.

Do you require a remote sales endorsement? **Yes**

Enforcement holdings

How many enforcements have you received (if any) within the last 18 months? **None**

Business details

Directors details

Director's full legal name

Kulwinder Singh DEOL

Date of birth

15/08/1987

Place of birth

Gurthari Mansa Punjab

Any other known names:

--

Occupation or role within the business

Director

Criminal convictions

Has the director ever been convicted of any offence (including traffic but not parking)? **No**

Shareholders (non-directors)

Select and enter details of the individual shareholders that hold 20% or more of the shares or of any particular class of shares issued by the company

ALCOFF-18 Page 2 of 9

Shareholder full legal name

.., Amandeep Kaur

Yes, this shareholder holds 20% or more shares

Date of birth

07/04/1989

Place of birth

Bhekha Moga Punjab

Role

Owner

Criminal convictions

Has the shareholder ever been convicted of any offence (including traffic but not parking)? **No**

Shareholder full legal name

DEOL, Kulwinder Singh

Date of birth

00/00/0000

Place of birth

--

Role

--

Criminal convictions

Has the shareholder ever been convicted of any offence (including traffic but not parking)?

General nature of the business

What is the general nature of the business to be conducted on the premises? **Bottle store**

Other goods and services

Is the business 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 or supply of alcohol and food?

No

Experience and training

Brief outline of experience and training in this field Kulwinder has over 10 years of experience and I have been working with him since we bought this business(June 2023)

Social media and website

None		

ALCOFF-18 Page 3 of 9

Premises

Does the premises have a name or trading name?

Yes

Trading name

Kiwitown Liquor Centre

Premises address

Is the licence conditional on completion of construction work?

No

Have you completed and submitted a certificate application to your council, that indicates the premises complies with the Natural and Built Environment Act 2023 and Building Code? **Yes**

Ownership

Do you own the premises?

No

Type of tenure agreement held

Leasing Agreement

Legal name of owner

K.G Investments Holdings limited

Owner's address

425 Mangaorongo Road, Otorohanga, Otorohanga 3972

Food and beverages

Does the premises have a food registration number?

No

Amenity

When completing the following amenity and good order questions, providing detailed answers will help your application.

Neighbours

Advise of all childcare centres, schools, churches and sensitive sites (for example; medical centre) within 500m and number of residential dwellings within 50m of premises.

Residence 5 Ranfurly Street Otorohanga Baptist Church 6 Ranfurly Street Saint Davids Presbyterian Church 9 Ranfurly Street

Security

List the security systems you have inside and outside, including lighting, CCTV, and window visibility into and from street.

There are 8 CCTV cameras in premises that monitor the entire store. The premises are well lit internally and externally.

ALCOFF-18 Page 4 of 9

Tell us how many security people you may have, including their tasks and any formal security qualifications they may have.

We do not have security people, but we have CCTV cameras in place and a main door with a bleeper indicating when a customer enters/leaves the premises. We have CCTV monitoring screen at the front which can be seen from the counter to view main CCTV movements.

Advertising

How will you advertise your business? For example premises window, social media. We advertise only inside the store.

Licence hours

Select the latest hour you plan to sell or supply alcohol NB: This is for your licence hours not trading hours **10:00pm or earlier**

List the days and times you intend to sell alcohol For example: Monday to Sunday 10:00am to 09:00pm Monday to Sunday from 0900am to 1000pm

Public notification

You are required to notify the public of your licence application by:

- 1. placing a copy of the notice in the front window of your premises; and
- 2. publishing a copy of the notice in one of the options provided below.

Local newspaper: advertise in two separate issues

Your workers

Manager's details

Have duty managers been appointed? **Yes**

ALCOFF-18 Page 5 of 9

Manager's full legal name

Kulwinder Singh Deol

Certificate number

01/CERT/205/2014

Certificate expiry date

12/06/2026

Manager's full legal name

Navdeep Singh Khangura

Certificate number

20/CERT/3223/2024

Certificate expiry date

23/04/2025

Manager's full legal name

Amandeep Kaur Deol

Certificate number

018/CERT/008/23

Certificate expiry date

12/12/2024

Worker training

What systems (including worker training) and workers will be in place to ensure compliance is maintained?

This could include:

- A statement of intent regarding how you will train staff
- Content of initial and on-going training
- Frequency and duration of training
- Responsibility of organising and conducting training
- Methods to ensure training
- Reference to location and updating of the workers training manual

Servewise training every 6 monthly Allied Retail Group NZ training Academy training On-going job training Whats App . staff group to communicate with staff and for training them .

Managing alcohol consumption

List the proposed steps you and your workers will follow to prevent the sale and supply of alcohol to prohibited people.

This could include:

- Procedures to identify and manage minors
- Procedures and policy regarding intoxicated patrons

The software has the option to ask for age verification ID check for those who look under 25. To follow SCAB for assessing intoxication and regular training of staff to

ALCOFF-18 Page 6 of 9

ensure safe and responsible sale of alcohol.

Upload documents

Please upload the following documents with your application

- Maximum file size is 10MB
- Maximum file name length is 50 characters
- All documents you upload must be either in a .pdf, .jpeg, .jpg, .docx, .xlsx or .png format.

Off licence copy of Planning certificate

You'll need to provide either a copy of this certificate or a planning certificate application and attach it to your application.

This is the planning consent associated with the construction work for the premises. A town planning certificate proves the premises meets the requirements of the Natural and Built Environmental Act 2023 - it shows that you either have resource consent, or you don't need it.

Optional - Not required for renewal unless changes have been made since the last issue or renewal.

File Name Size

Off licence copy of Building consent

You'll need to provide either a copy of this certificate or a planning certificate application and attach it to your application.

This is the building consent associated with the construction work for the premises. It show that your premises meets the requirements of the NZ Building code.

Optional - Not required for renewal unless changes have been made since the last issue or renewal.

File Name Size

Off licence floor plan

Indicate supervised, undesignated and restricted areas, principal entrances(s), sale or supply of alcohol areas and seating arrangements.

Optional - Not required for renewal unless changes have been made since the last issue or renewal.

File Name Size

ALCOFF-18 Page 7 of 9

CPTED checklist

You'll need to complete a Crime Prevention Through Environmental Design checklist and attach it to your application.

Go to your councils' website to download the form.

Optional - Not required for renewal unless changes have been made since the last issue or renewal.

File Name Size

Consultant letter (Optional)

You'll need to provide a letter of authorisation signed by the business owner.

File Name Size

Owners statement or copy of lease

Please attach a written statement from the owner of the building or a signed lease agreement.

Optional - Not required for renewal unless changes have been made since the last issue or renewal.

File Name Size

Premises exterior photo

Attach a photo (or artist's impression) of the exterior of the premises, showing the principal entrance(s).

Optional - Not required for renewal unless changes have been made since the last issue or renewal.

File Name Size

Other documents (Optional)

You can upload additional documents to support your application.

File Name Size

Declaration

I declare the information provided is true and correct and I understand and accept the terms and conditions of this application

First name

Amandeep Kaur

Last name

ALCOFF-18 Page 8 of 9

Deol

Role / Designation **Owner**

Payment

Costs

The following costs are based on the information you have provided in this application.

Please note additional fees may occur and will be invoiced by your council separately. For example, Council inspections.

Tax invoices are issued by your council. Please contact them directly if you don't receive an invoice.

Item	Costs
Off licence application fee	Medium cost / risk rating \$710
Publication of public notice - local newspaper Your local newspaper will invoice you directly	Public notice fee
Sub total	\$710
GST	\$106.5
Total to pay	\$816.5

How to pay

Making payment at the time of submitting the application is recommended to minimise any delays in processing the application.

Select your payment type

By Internet banking

ALCOFF-18 Page 9 of 9



Certificate of Incorporation

JD 2023 LIMITED 8578587 NZBN: 9429051072209

This is to certify that JD 2023 LIMITED was incorporated under the Companies Act 1993 on the 20th day of January 2023.



Registrar of Companies 27th day of July 2023



