



Te Kaunihera-ā-Rohe o Ngāmotu

NEW PLYMOUTH DISTRICT COUNCIL

newplymouthnz.com

**DISTRICT LICENSING
COMMITTEE HEARING**

Thursday 9 October 2014

at 9.30am

**Council Chambers
Civic Centre
Liardet Street, New Plymouth**

District Licensing Committee

Mr Alex Matheson
(Commissioner)
Mr Peter Coles
Mr Barrie Smith

**DISTRICT LICENSING COMMITTEE HEARING
THURSDAY 9 OCTOBER 2014**

Applicant:	Curveball Ltd
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NPDC Licensing Inspector	Tonia Hall
NZ Police	Sergeant Cheryl McGrath

Objectors	Mr Ron Stretton Ms Anne Francis
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Complete this form with the assistance of the Application for on-licence guide - numbers on this form relate to explanatory notes on the guide.

- This form must be accompanied by the prescribed fee.
- Within 20 working days after filing this application with the District Licensing Committee (or 10 working days if it is an application for renewal), the applicant must give public notice of it in form 7 (public notice of application for on-licence, off-licence or club licence). The notice must be given in compliance with regulation 36, 37, or 38 of the Sale and Supply of Alcohol Regulations 2013 (whichever applies to this application).
- Except in the case of a conveyance, within 10 working days after filing this application with the District Licensing Committee, the applicant must ensure that notice of this application in form 7 (public notice of application for on-licence, off-licence or club licence) is attached in a conspicuous place on or adjacent to the site to which this application relates (unless the Secretary of the District Licensing Committee agrees that it is impracticable or unreasonable to do so).

1. Application type

- 1a. Are you applying for a new licence or a licence renewal?
 New Renewal
- 1b. Is a licence already held for the premises or conveyance concerned?
 Yes No

If yes: State which type of licence.

2. Applicant details

- 2a. Full name(s) to be on the licence CURVEBALL LTD (521690)
- 2b. Contact person KARYN GRANT
- 2c. Contact postal address PO BOX 8182 (88903)
NEW PLYMOUTH 4342
- Contact numbers 06 7583044 021 762796 ()
Phone Mobile Fax
- 2d. Email grant.karyn@yahoo.co.nz
- 2e. Preferred means for formal correspondence Mail Email Fax

3. Premises details (for premises only)

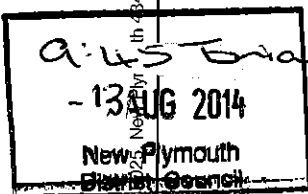
- 3a. Proposed trading name THE KIOSK FITZROY BEACH (550335)
- 3b. Premises address FITZROY SEASIDE PARK
- 3c. Type of premises
 Class 1 Restaurant Class 2 Restaurant Class 3 Restaurant BYO restaurant
 Night club Hotel Other premises please specify below Cinema
 Tavern Function centre Theatre
 Adult premises Winery cellar doors

please turn over

OFFICE USE ONLY

Date received 13-8-14 File reference RG-06-10-02 Applicant ID 2a Application # 11014 1006
 Received by neary Document # _____ Scanned by _____ Receipt # 439837
 Property ID 10991 Land ID 78206 Amount paid \$1000.00

Liardet Street, Private Bag 4942, New Zealand. Phone: 06-759 6060, Fax: 06-759 6072, Email: enquiries@npdc.govt.nz, Web: www.newplymouthnz.com



Premises details (for premises only) continued

3d. What part of the premises (if any) does the applicant intend should be designated as:

(i) A restricted area? N/a

(ii) A supervised area? N/a.

(iii) Undesignated area? (specify reason) no seperate Bar area, liquor licence is sought to compliment social dining.

3e. Is the licence sought conditional on construction or completion of building work? Yes No

3f. Does the licensee own the proposed licensed premises? Yes No
If no: What is the full name and address of the owner?

FITZROY SURF LIFE SAVING CLUB

What form of tenure of the premises does the applicant have (including term of tenure)?

LEASE 4x4 renewing until 2028.

4. Conveyance details (for conveyance only)

4a. State the type of conveyance, e.g. bus, railway carriage etc.

4b. Registration number

4c. Home base address

4d. Company name of the conveyance to be used

4e. Does the applicant own the proposed licensed conveyance? Yes No

If no: State full legal name and address of owner

What form of tenure does the applicant have, e.g. charter, lease, licence, etc.

5. Alcohol trading hours

5a. On which days and during which hours does the applicant propose to sell or supply alcohol under the licence?

Day of week	Hours
<u>MONDAY TO SUNDAY</u>	from <u>8am</u> to <u>10.00 pm.</u>
	from to
	from to
	from to
	from to
	from to

please turn over

Alcohol trading hours continued

5b. For renewal applications.

Do you propose to change your current licensed hours?

Yes
Please specify your current licensed hours below

No

Day of week	Hours	
	from	to
	from	to
	from	to
	from	to
	from	to
	from	to
	from	to

6. Endorsements

Tick the type of endorsement sought or sought to be renewed.

BYO restaurant Caterers on-licence

7. Further applicant details

7a. Status of applicant

Individual person Body corporate

Private Company Partnership

Public Company Other Please specify

7b. Further details where the applicant is an individual person

(i) Place and date of birth / /
Birthplace Date of birth

(ii) Maiden name if applicable

(iii) Occupation

7c. Further details where the applicant is a body corporate

(i) Incorporation details
Date of incorporation / /
Place of incorporation

7d. Further details where the applicant is a private company

(i) Incorporation details
Date of incorporation / /
Place of incorporation

(ii) Capital Authorised capital Paid-up capital

(iii) Full details of each director, secretary and each person who holds shares issued by the company.

Name
Address
Position held
Place and date of birth
Face value of shares held.

Name
Address
Position held
Place and date of birth
Face value of shares held.

please turn over

Further applicant details continued

Name		
Address		
Position held		
Place and date of birth	Birthplace	Date of birth / /
Face value of shares held.		

Name		
Address		
Position held		
Place and date of birth	Birthplace	Date of birth / /
Face value of shares held.		

7e. Further details where the applicant is a public company

(i) Incorporation details

Date of incorporation	/ /
Place of incorporation	

(ii) Capital

- Authorised capital
 Paid-up capital

(iii) Full details of each director, secretary and each person who holds 20 percent or more of the shares, or of any particular class of shares issued by the company.

Name		
Address		
Position held		
Place and date of birth	Birthplace	Date of birth / /

Name		
Address		
Position held		
Place and date of birth	Birthplace	Date of birth / /

Name		
Address		
Position held		
Place and date of birth	Birthplace	Date of birth / /

Name		
Address		
Position held		
Place and date of birth	Birthplace	Date of birth / /

7f. Further details where the applicant is a partnership

Full details of each partner

Name		
Address		
Signature		
Place and date of birth	Birthplace	Date of birth / /

Name		
Address		
Signature		
Place and date of birth	Birthplace	Date of birth / /

Name		
Address		
Signature		
Place and date of birth	Birthplace	Date of birth / /

please turn over

Further applicant details continued

7g. State all criminal convictions (other than convictions for offences against the Land Transport Act 1998 not contained in Part 6, and offences to which Criminal Records (Clean Slate) Act 2004) applies. Include directors, secretaries, shareholders and partners.

DLC 1988 KEVIN GIBSON - Australia

8. Business details

8a. Describe the principal business to be conducted on the premises if the on-licence is granted and any other business?

Cafe. Food, coffee, soft drinks, takeaways, dine in a la carte.

8b. Is the sale of alcohol intended to be the principal purpose of the business? Yes No

8c. Does the applicant seek the licence in connection with the business of an auctioneer? Yes No

8d. Is the applicant engaged in or intending to be engaged in the sale or supply of any goods other than alcohol or food, or in the provision of any services other than those directly related to the sale or supply of alcohol and food? Yes No

If yes: What is the nature of those other goods or services?

9. Certified manager details

When alcohol is being sold or supplied to the public a certified manager (appointed under Section 217 of the Sale and Supply of Alcohol Act 2012) must be on duty at all times.

9a. How many certified managers have been or will be employed?

9b. Manager details

Name	KARYN ANNE GRANT		
Address	152 DEVON ST EAST NEW PLYMOUTH		
Certificate no.	033645092	2010	Expiry date / /

Name	KEVIN JAMES GIBSON		
Address	152 DEVON ST EAST NEW PLYMOUTH		
Certificate no.	03364031181	2008	Expiry date / /

Name	MEREDITH BOOL		
Address	17 OMATA ROAD NEW PLYMOUTH		
Certificate no.	16M06/1713	033/64/965/2007	Expiry date 10/1/2014

Name			
Address			
Certificate no.	/ / /		Expiry date / /

please turn over

10. Conditions

10a. What systems (including staff training) does the applicant propose to put in place to ensure compliance with the Sale and Supply of Alcohol Act?

Staff will be indoctrinated fully incl. host responsibility
 All patron in appearance under 25 yrs, no intoxicated persons
 mystery shopping, Dining encouraged, Drink safe workshops encouraged?

10b. What steps does the applicant propose to take to prevent the sale of alcohol to prohibited people?

ID mandatory if appearance under 25 yrs NO ONE allowed to
 become intoxicated or intoxicated to remain, primary purpose
 dining, no multiple purchases stock piling. Staff trained, education
 encouraged.

10c. In the event the evidence of age documents are required, what documents will the applicant request?

HANZ 18+ NZ DRIVERS LICENCE
 PASSPORT

10d. To what extent, and where, is drinking water intended to be available to patrons?

Free drinking water will be available to
 patrons on request & made available with
 purchase of alcohol.

(i) If no access to mains water supply, what potability of water is intended to be available?

10e. State the experience and training of applicant.

The applicants have been hospitality operators since 1997.
 Previous to then they have both been in trade.
 Since mid 1980's & both have been actively involved in industry

10f. What action does the applicant intend to take to mitigate any adverse effects on neighbouring land use from activities, such as amplified music?

THE WILL BE NO AMPLIFIED

10g. Provide details of type and range of the following to be available for purchase.

Food

Cafe counter food, Fish n Chips, Salads, hot dogs
 Sandwiches!

Non-alcoholic refreshments

coffee, coke range, juices, iced drinks
 non alcoholic sodas

Low alcohol beverages

SKINlager lite

10h. What steps does the applicant propose to take in regard to:

Provision of assistance with or information about alternative forms of transport?

TAXI & ALTERNATIVE TRANSPORT NUMBERS
 WILL BE PROVIDED
 STAFF WILL PHONE IF REQUESTED

Promoting responsible consumption of alcohol?

Menus available, water offered with alcohol sales,
 No alcohol promotions or discounting.

please turn over

Conditions continued

10i. For renewal licences

Are there any other changes sought to the present conditions of the licence?

Yes
Please specify below

No

What are the changes sought?

What are the full reasons for the changes sought?

11. Amenity and good order details

To support your application please supply the information required and answer the questions listed below.

11a. Provide a scale floor plan which also shows the design and layout of the premises. Include seating and tables, a list of facilities, CCTV placement and security lighting.

11b. The reporting agencies must consider the effects the issue of the licence will have on amenity and good order.

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

NA

(ii) How many residential neighbours would you have within 50 metres?

NA

(iii) Internal layout. Can the entire premises be seen by the cashier? Where there are blind spots, are there mirrors or CCTV installed? Is the internal lighting inside the premises suitable?

NO CCTV - THE LICENCED AREA IS IN CLEAR VIEW OF STAFF

(iv) Are there windows providing good visibility into and from the premises and the street?

N/a

(v) Does the lighting outside the premises discourage loitering? Does the lighting allow staff to check ID's etc.?

N/a.

(vi) What security systems do you have and state location (outdoor lighting, indoor/outdoor CCTV, other?)

well in public area.

(vii) Will you employ security staff and when will they be used?

NA.

(viii) How many security staff hold a Certificate of Approval and formal registration or qualification? If so what?

Na.

please turn over

Amenity and good order details continued

11c. Noise

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

N/A

(ii) Do you have a noise management plan or acoustic report?

N/A

(iii) What sound proofing has been undertaken?

N/A

11d. What outside advertising involving alcohol will you be doing? Design drawings of your advertising would be of assistance.

- Newspaper/magazine Shop windows
 On your premises - roof/other Street/footpath signs

11e. Systems and staff training

(i) Are you involved in any mystery shopper/pseudo CPO programmes?

market pulse international. Bi monthly.

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

N/A

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

Full staff induction - attached - how to identify & deal with intoxicated
 Monthly full staff meetings - minuted.
 Staff encouraged to attend drink safe workshops
 Staff Quiz following induction. - Incentivise upskilling.

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

11f. Business and premises

(i) Is this your first licensed premises? If so, please submit a copy of your financial plan?

NO

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

ALL When trading.

(iii) What is the target market for the business?

Families.

(iv) What is your policy regarding pricing and promotions?

no liquor discounting.

please turn over

Amenity and good order details continued

- 11g. The granting, or renewal of this application will contribute to the Object of the Act by:
- (i) Steps taken to ensure the sale, supply and consumption of alcohol will be undertaken safely and responsibly:

all staff will be given initial staff training by experienced operators. Staff training will be ongoing. & all staff will undergo formal induction
--
 - (ii) Steps taken to minimise the harm caused by the excessive or inappropriate consumption of alcohol:

'0' tolerance to unacceptable behaviour. food will be encouraged & promoted as primary activity of business. there will be no discounting or accepting of

- 11h. **For renewal licences** & deal with issues - serve responsibly - identify
- (i) Have you had any complaints from the neighbours (including confirmed noise complaints) that you are aware of?

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

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

12. Applicant's Declaration

I DECLARE that to the best of my knowledge and belief the information provided in this application form and in any supporting documentation is true and correct.

KARYN ANNE GKALI	MS
Name (print clearly)	Title
	20/08/2014
Signature	Date
NEW PLYMOUTH	
Place where dated and signed, e.g. New Plymouth	

Please note - your application, including personal information, will be available to the public and media as part of Council's decision-making process.

The Kiosk Fitzroy Beach Host Responsibility Policy.

As good hosts the expectation is guests will enjoy their time at The Kiosk.

Guests are also asked to behave in a respectful manner to other guests and staff and it will be pointed out that our staffs have legal obligations under the Sale of Liquor Act, which guests must observe.

Any refusal of service should be viewed by any recipient as an indication that we are concerned for your well-being and conscious of our obligations under the law.

- The Kiosk will provide a the sale of alcoholic beverages in a responsible manner, including monitoring and control of alcohol consumption
- A substantial range of food is always available. Menus are visible at all times.
- We provide a range of non-alcoholic drinks, low alcohol beer which are attractively presented and are available at all times. Water is freely available to customers.
- The Kiosk will maintain an effective responsible service of alcohol training to train & inform relevant employees on the responsible sale and supply of alcohol which must be completed as part of the induction process
- When appropriate, any patron may be asked for verification of identity and proof of age, before being served or sold alcoholic beverages. If such identification cannot be produced, that patron will not be served or supplied with alcohol
- Staff will tactfully intervene to prevent possible problems arising from excessive alcohol consumption by offering food, non-alcoholic alternatives and by engaging the social group to be responsible with the consumption of alcohol.
- We will provide and assist with transport options to get you home safely. Taxi numbers are displayed at the counter and staff will arrange a taxi on your behalf.
- No Person who appears intoxicated will be allowed to enter, be served or sold alcohol or to remain on the premise. The decision by any employee to withhold service cannot be revoked or overruled by another.
- At all time, when liquor is being sold or supplied to members of the public, there is a manager on duty who holds a current Managers Certificate under the sale and supply of Alcohol Act 2012

The Kiosk Fitzroy Beach
August 2014



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NEW PLYMOUTH DISTRICT COUNCIL
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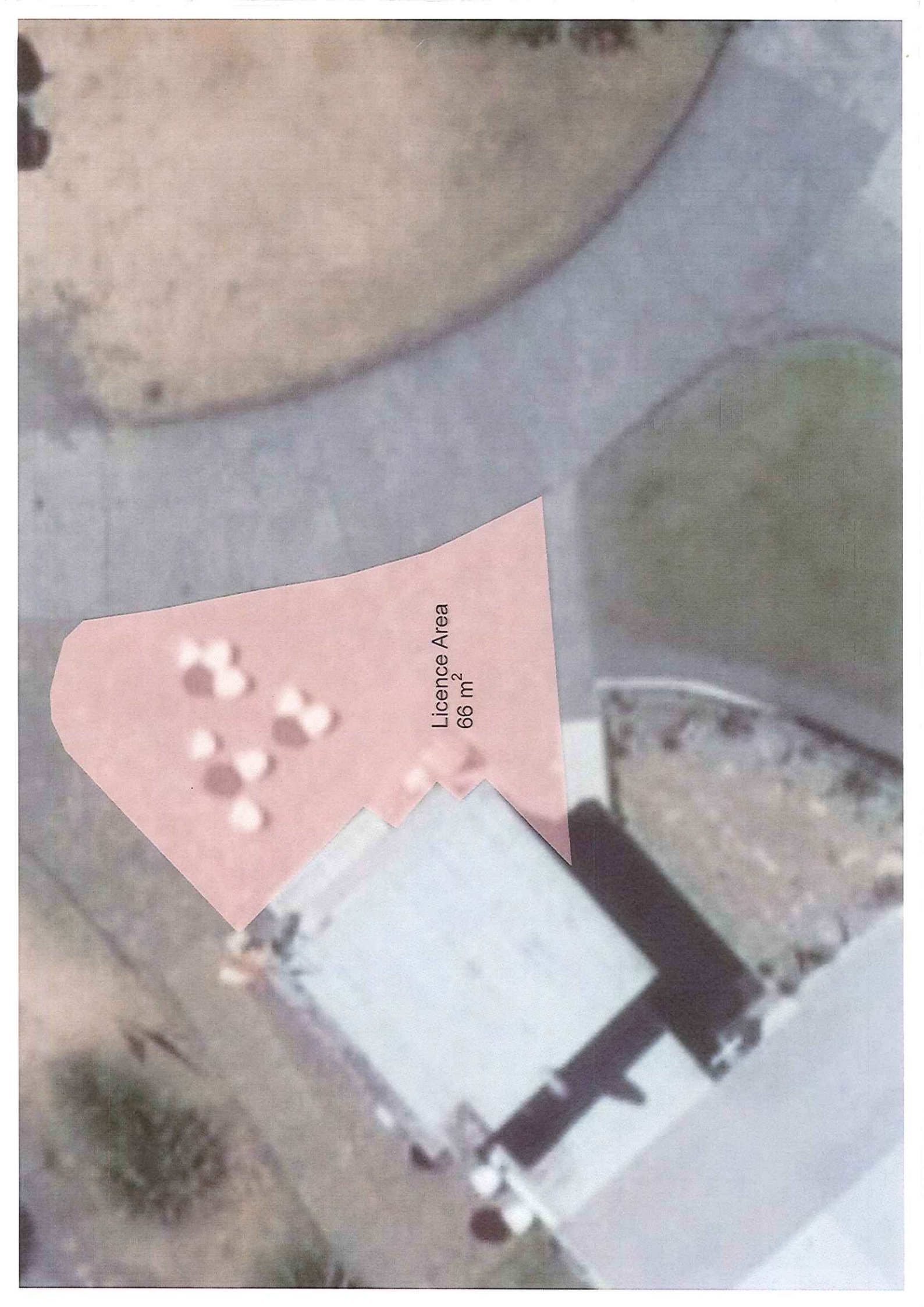
Piccolo Morso

PRINTED: **Bill Balsom**

1:500

0 2.5 5 10 15 20 25 m

General		Wastewater		Water Supply		Stormwater		Miscellaneous	
Parcel Boundary	Node	Active	Expired	Node	Active	Inlet	Active	Active	Expired
	Valve	Active	Expired	Valve	Active	Valve	Active	Expired	Active
	Miscellaneous Main	Active	Expired	Hydrant	Active	Storage Unit	Active	Expired	Active
	Active Trunk Main	Active	Expired	Expired	Expired	Active Well Up Gump	Active	Expired	Expired
	Active Rising Main	Active	Expired	Expired	Expired	Expired Well Up Gump	Expired	Expired	Expired
	Active Outfall Main	Active	Expired	Node	Active	Manhole	Active	Expired	Expired
	Active Overflow - Pump Station	Active	Expired	Expired	Expired	Expired	Expired	Expired	Expired
	Active Standard Main	Active	Expired	Meter	Active	Stormwater Pump Station	Active	Expired	Expired
	Expired	Expired	Expired	Manhole	Active	Lateral	Active	Expired	Expired
	Lateral	Active	Expired	Expired	Expired	Main	Active	Expired	Expired
	Expired	Expired	Expired	Expired	Expired	Active Trunk Main	Active	Expired	Expired
				Active	Active	Active Falling Main	Active	Expired	Expired
				Expired	Expired	Active Distribution Main	Active	Expired	Expired
				Expired	Expired	Active Scour / Glue Line	Active	Expired	Expired
				Expired	Expired	Active Rural Main	Active	Expired	Expired
				Expired	Expired	Active Rider Main	Active	Expired	Expired
				Expired	Expired	Expired	Expired	Expired	Expired
				Expired	Expired	Lateral	Active	Expired	Expired
				Expired	Expired	Active	Active	Expired	Expired
				Expired	Expired	Expired	Expired	Expired	Expired
				Expired	Expired	Main Line	Active	Expired	Expired
				Expired	Expired	Channel	Active	Expired	Expired
				Expired	Expired	Lateral	Active	Expired	Expired
				Expired	Expired	Expired	Active	Expired	Expired
				Expired	Expired	Expired	Expired	Expired	Expired

An aerial photograph of a parking lot. A red polygon highlights a specific area containing several cars. The text 'Licence Area' and '66 m²' is overlaid on this polygon. The surrounding area includes a paved road, a concrete curb, and some greenery.

Licence Area
66 m²