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Decision No. 2020/78/ON

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by J & S Chou

Investments Limited pursuant to s.127 of the Act for renewal of an on-licence endorsed pursuant to s.37 of the Act (B.Y.O.) in respect of premises situated at 380 George Street, Dunedin, known

as "Chopsticks 101"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by J & S Chou Investments Limited for the renewal of an alcohol on-licence in respect of their premises situated at 380 George Street, Dunedin, and known as the "Chopsticks 101". The licence is endorsed pursuant to s.37 of the Act which makes special provision to identify the premises as having a BYO licence.

The application is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 20 October 2023, that being the anniversary date of the licence and three years from the most recent date of expiry and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 12th day of November 2020

Kevin Mechen

Decision No. 2020/26/OFF

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by General

Distributors Limited pursuant to s.127 of the Act for renewal of an off-licence in respect of premises situated at 43 Mailer Street, Dunedin, known as

"Countdown Mailer Street"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by General Distributors Limited for the renewal of an alcohol off-licence in respect of their premises situated at 43 Mailer Street, Dunedin, and known as "Countdown Mailer Street".

The applicant sought a variation to include a single, end of aisle shelf facing the rear of the store. Except for the extended shelving, all other conditions will roll over.

The application was duly advertised and no public objection was received. However, the reporting agencies, the Police, Medical Officer of Health and Licensing Inspector, all opposed the extension to the single alcohol area. They believe the end of aisle display was contrary to section 112(1) of the Act in that it did not limit shopper's exposure to alcohol displays and promotions but would increase that exposure.

The applicant, for a variety of reasons, has withdrawn the variation component of the renewal application.

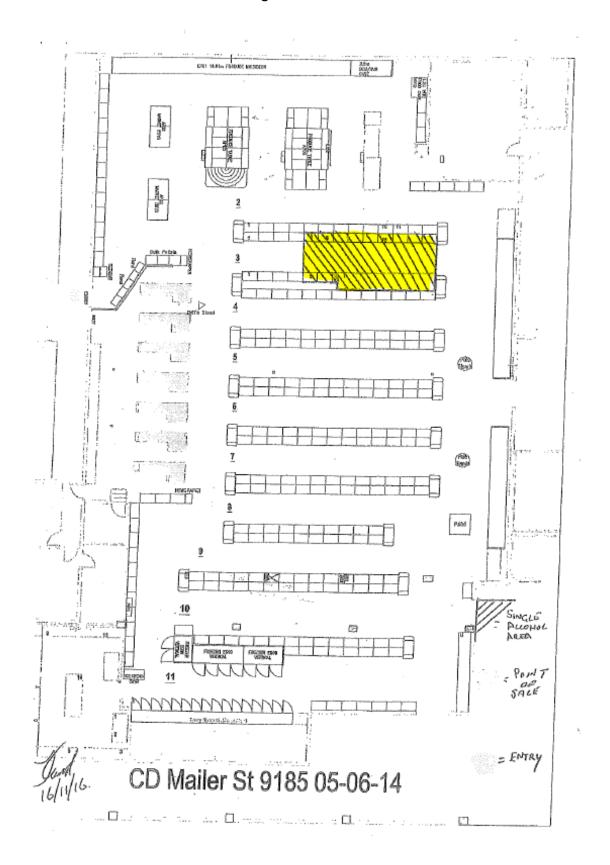
There is a lot of caselaw regarding this matter from the Alcohol Regulatory and Licensing Authority, High Court and Court of Appeal. The circumstance in each case is slightly different which would bring site specific argument but, while it would have been an 'interesting' test for the Committee, we will now consider the renewal alone.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 17 April 2023, that being the anniversary date of the licence and three years from the most recent date of expiry and authorise the issue of a replacement licence and notice of renewal. The plan submitted showing the original single alcohol area remains current.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen

Countdown Mailer Street Single Alcohol Area



Decision No. 2020/32/OFF

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by Gift Saint 2019

Limited pursuant to s.127 of the Act for renewal of an off-licence, endorsed pursuant to s.40 of the Act (remote seller), in respect of premises situated at 3/111 Hillside Road, Dunedin, known as "Gift Saint"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Gift Saint 2019 Limited for the renewal of an alcohol off-licence, endorsed as a remote seller, in respect of their premises situated at 3/111 Hillside Road, Dunedin, and known as "Gift Saint".

This is the first renewal for the premises and is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 1 October 2023, that being three years from the first anniversary of the licence and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 12th day of November 2020

Kevin Mechen

Decision No: 2020/31/OFF

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Green Man

Brewery limited pursuant to s.127 of the Act for renewal of an off-licence in respect of premises situated at 9 Grange Street, Dunedin, and known

as "Green Man Brewery"

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Mr C Weatherall Members: Mr A Noone

Cr D Benson-Pope

HEARING at Dunedin on 30 October 2020

Appearances: Mr Yue Xu (Maxwell) – for the applicant

Mr T Mole – Licensing Inspector

Ms T Paterson – for Medical Officer of Health

Sgt I Paulin – Police Alcohol Harm Prevention Officer

Dr Anura Jayasinghe – Medical Officer of Health – in attendance

Mr Carlo Bell – Chief Licensing Inspector/Environmental Health Team Leader

- In attendance

Mr K Mechen – Secretary to DLC/Alcohol Advisor Mrs L Adamson – Governance Support Officer

INTRODUCTION

- [1] This is an application for the renewal of the off-licence by Green Man Brewery Limited for their premises situated at 9 Grange Street, Dunedin, and known as the "Green Man Brewery".
- [2] The licensee took over the premises in 2015 and was entitled to apply for the off-licence because the Committee believed the principal business carried on at the premises was the manufacture of alcohol (section 32(1)(d) of the Act).
- [3] The application was publicly notified and did not attract any public opposition.
- [4] However, after their visit to the premises during the renewal process, the reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have opposed the renewal of the licence because they believe the business is no longer producing alcohol and therefore should not hold the off-licence.

Mr Xu

- [5] Mr Xu, also known as Maxwell, is the manager at the "Green Man Brewery" and works full time at the premises. He voiced his sincere gratitude for the time and help provided by the agencies during his time at the brewery.
- [6] He said when the owner bought the premises, he looked at importing new brewing equipment with the view to exporting beer to the Chinese market. Unfortunately, there were delays getting the equipment to New Zealand and the contracts he had arranged were subsequently lost.
- [7] The owner tried to find an alternative distributor but was unsuccessful. They tried a 'Kombucha' partnership with a local business, but this was also unsuccessful. The owner is still looking for opportunity in overseas markets, including China, while at the same time is marketing the business for sale. However, they are still looking at exporting local product for an overseas market. They would like the licence to be renewed so they could sell the brewery as a going concern.
- [8] When asked by the Committee what percentage of their product was exported compared to the local market, Mr Xu said they only sold beer and kombucha locally but exported more products such as berry products and lollies.
- [9] Mr Xu was asked what the media would be told today when compared to the 2015 Otago Daily Times (ODT) article. He replied that he wasn't with the brewery when the article was written, and he wouldn't be the right person to ask. He said the pandemic has also had an impact on the plans for the business.
- [10] The Committee asked about the bottling capability of the brewery because they, the Committee, has been made aware that there is no beer being brewed and, in the evidence, it states that the imported bottling plant doesn't work so there is no capacity to bottle anything. Mr Xu said he was told the old plant was removed because it didn't work efficiently. The new equipment was not installed correctly therefore did not work and overseas orders were lost. When asked if the bottling plant worked now, he said that because they have not brewed anything form about the end of 2016 it hasn't been used. The focus has been on finding new overseas markets.
- [11] The Inspector asked if Mr Xu could tell the Committee how many sales were made in the last week. Mr Xu said there had been no sales.
- [12] When asked, Mr Xu admitted he was not a professional brewer but did work in the brewery. He said they have not produced any beer because they did not have a market for it. The local market is small and very competitive, so the owner is looking for overseas markets. He said he is still marketing local products overseas such as various foods and non-alcoholic drinks such as oat milk. However, they want to find overseas markets so they can export beer.
- [13] Mr Xu was asked about the ability of the premises to start producing beer if the business was sold. He said they would be able to start but the boiler hasn't been used or tested since 2017. It operates using LPG therefore needs tested to ensure it is safe to use.
- [14] Ms Paterson asked why the beer in the two vats shown during the licensing inspection was not bottled. Mr Xu said there were no customers therefore there was no point. If someone did come in, they could fill a rigger manually, but Mr Xu said the beer was now too old.

- [15] The Police asked about his position at the brewery. Mr Xu said he worked fulltime. He tries to make kombucha when it is warm enough, prepares local product for export and cleans the equipment. The kombucha cannot be made during the winter but this will be started again when the temperatures warm up. The alcohol content of kombucha is 0.5% alcohol by volume (abv) therefore does not attract the excise tax.
- [16] The Committee sought clarification on the excise taxes paid since Mar 2019, Mr Xu said there had been no payments made because there has been no beer made or sold.

Sgt Paulin

- [17] Sgt Paulin is the Police Alcohol Harm Prevention Officer for the Dunedin area. He asked for the application to be struck out because the applicant has admitted there is no alcohol being produced therefore the premises does not meet the criteria to have an off-licence. The Inspector and Medical Officer of Health Delegate agreed with the Police. The reports and evidence of the agencies can be taken as read.
- [18] After a brief adjournment the Committee has agreed that the hearing should be stopped at this point and a decision given now with the formal decision to follow.

DECISION

- [19] The application is opposed because the reporting agencies do not believe the business, a brewery, is producing alcohol and therefore should not have an alcohol off-licence.
- [20] Section 32 of the Act describes the kinds of premises that can be granted an off-licence. Section 32(1)(d) of the Act is relevant in this matter:
 - "(1) An off-licence may be issued only –

.....

- (d) for premises where (in the opinion of the licensing authority or licensing committee concerned) the principal business carried on is the manufacture of alcohol; or..."
- [21] After visiting the premises as part of the relicensing process, the reporting agencies were of the opinion the premises is no longer operating as a brewery and subsequently opposed the renewal of the licence.
- [22] Mr Xu represented the owner of the premises and was very forthcoming with his responses to the questions put to him.
- [23] Me Xu admitted to the Committee that the premises was not producing beer and had not done so since the end of 2016 or early 2017.
- [24] Unfortunately, by their own admission, the premises is not currently producing alcohol and has not done so for a number of years. The premises is therefore no longer eligible to hold an off-licence so this renewal application must be declined.
- [25] During the hearing Mr Xu explained the owner was still looking for export markets and had listed the premises for sale as a going concern. The cancellation of the licence should not be an impediment to either option. If the premises returns to brewing beer for export only an off-licence would not be required, nor would domestic sales to local, licensed retailers. The off-licence would only be required if the intention is to sell directly to the public.

- [26] If the premises is sold there would be some work required to get the premises operating again. From what we have heard, the equipment would need some work to make it operable and in the case of the boiler, recertified as safe to operate. These matters will take some time, and, with the right advice, a new owner would be encouraged to apply for an off-licence so that it was processed in tandem with getting the brewery functioning again. This is assuming a new owner wanted to sell directly to the public.
- [27] In the matter of the renewal of licence number 069/OFF/17/2015 for "Green Man Brewery", the application is declined.
- [28] The applicant will have 10 working days after the date of the decision in which to lodge an appeal with the Alcohol Regulatory and Licensing Authority if they are dissatisfied with the outcome.
- [29] If there is no appeal lodged, the licence will be cancelled on 27 November 2020, that being after the appeal period has lapsed.

DATED at Dunedin this 9th day of November 2020

Kevin Mechen

Decision No. 2020/33/OFF

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by Larnach Castle

Limited pursuant to s.127 of the Act for renewal of an off-licence in respect of premises situated at 145 Camp Road, Pukehiki, Otago Peninsula, known as "Larnach Castle"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Larnach Castle Limited for the renewal of an alcohol off-licence in respect of their premises situated at 145 Camp Road, Pukehiki, Otago Peninsula, and known as the "Larnach Castle".

The application is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 7 November 2023, that being the anniversary date of the licence and three years from the most recent date of expiry and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 24th day of November 2020

Kevin Mechen

Decision No. 2020/30/OFF

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by the partnership

of Michael Tshering John Wilson and Julien Philippe Jean Delavoie (the "Applicant") for an off-licence pursuant to s.99 of the Act, endorsed pursuant to section 40 of the Act (remote seller), in respect of premises situated at 20 Chamberlain Street, Dunedin, and known as "No.8"

Distillery"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by the partnership of Michael Tshering John Wilson and Julien Philippe Jean Delavoie (the "Applicant") for an off-licence, endorsed as a remote seller, in respect of premises situated at 20 Chamberlain Street, Dunedin, and known as the "No.8 Distillery".

The application is in respect of premises in which the principal business is the sale of alcohol.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The premises is for a remote seller therefore there will be no pick-ups from the abovementioned address.

Although sales are made remotely, the licensee must ensure a certified manager is appointed to the business at all times.

Remote sellers have different requirements to other premises. The first is a response to the fact the buyer is not confronted at the time of purchase and to this end, regulation 14 of the Sale and Supply of Alcohol Regulations 2013 details the requirements imposed on licensees to ensure prohibited people do not purchase alcohol. This regulation is reproduced here for clarity:

14 Reasonable steps to verify that people not under purchase age

(1) The procedures described in subclauses (2) to (4) are reasonable procedures for the purposes of complying with <u>section 59(3)</u> of the Act (which requires the holder of an off-licence to take reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale (and, if a person other than the buyer is to receive it, to verify that the receiver) is not under the purchase age).

- (2) In the case of an order made using an internet site, the procedure is to—
 - (a) ask the prospective buyer to declare, by ticking an on-screen box, that he or she is 18 years of age or over (and, where a prospective receiver is involved, that the prospective receiver is also 18 years of age or over)—
 - (i) once when the prospective buyer first enters the internet site; and
 - (ii) again, immediately before the sale of any alcohol is completed; and
 - (b) refuse to sell alcohol to the prospective buyer unless, on both occasions, he or she declares that he or she is 18 years of age or over (and, where a prospective receiver is involved, also declares that the prospective receiver is 18 years of age or over).
- (3) In the case of a telephone order, the procedure is to—
 - (a) ask the prospective buyer to declare, orally, that he or she is 18 years of age or over (and, where a prospective receiver is involved, that the prospective receiver is also 18 years of age or over)—
 - (i) once when the conversation concerned begins; and
 - (ii) again, immediately before the conversation is completed; and
 - (a) refuse to sell alcohol to the prospective buyer unless, on both occasions, he or she declares that he or she is 18 years of age or over (and, where a prospective receiver is involved, also declares that the prospective receiver is 18 years of age or over).
- (4) In the case of an order made on a physical order form, the procedure is to—
 - (a) ensure that the form—
 - (i) requires the prospective buyer to sign the form at a place at or near its end; and
 - (ii) contains 2 requests for the prospective buyer to declare, by ticking a box, that he or she is 18 years of age or over (and, where a prospective receiver is involved, that the prospective receiver is also 18 years of age or over)—
 - (A) one at the beginning of the form; and
 - (B) the other, immediately before the place on the form where the prospective buyer is required to sign it; and
 - (b) refuse to sell alcohol to the prospective buyer unless he or she has ticked both boxes and signed the form.

Regulation 15 describes the information to be provided by remote sellers. When using an internet website, the licence holder must display prominently on the website, any catalogue produced and every receipt issued for alcohol sold remotely:

- (a) The licence holder's name and licence number
- (b) The date the licence expires.
- (c) And in addition to this either a legible image of the licence, or a clearly identified link to such image, must be clearly displayed on the website.

The licence will be subject to the following conditions:

- (a) No alcohol shall be delivered on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on Anzac Day.
- (b) Alcohol may be sold from the premises at any time on any day, and delivered somewhere else for consumption off the premises, only on the following days and during the following hours:

Monday to Sunday 6.00 am to 11.00 pm

- (c) The licensee shall ensure that the provisions of regulation 14 of the Sale and Supply of Alcohol Regulations 2013 relating to the sale and supply of liquor to prohibited persons are observed and shall display appropriate signs on the Internet web page detailing the statutory restriction on the supply of alcohol to minors.
- (d) The Licensee must display on its website and in its catalogue and on every receipt issued for alcohol sold remotely:
 - (i) The licence holder's name and licence number;
 - (ii) The date on which the licence expires;
 - (iii) A legible image of the licence, or a clearly identified link to such image, to be displayed in a prominent place on the website.

DISPLAY OF LICENCE

A copy of this licence must be displayed in a prominent position on the website or, as an alternative, a clearly identified link to such an image to be displayed.

DATED at Dunedin this 2nd day of November 2020

Kevin Mechen

Decision No. 2020/34/OFF

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by Grant and

Sandra Millar Limited pursuant to s.127 of the Act for renewal of an offlicence in respect of premises situated at 145 Forbury Road, Dunedin, known as "St Clair Four

Square"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Grant and Sandra Millar Limited for the renewal of an alcohol off-licence in respect of their premises situated at 145 Forbury Road, Dunedin, and known as the "St Clair Four Square".

The application is for a roll-over of the present conditions and there is no change to the single alcohol area within the premises.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 30 October 2023, that being the anniversary date of the licence and three years from the most recent date of expiry and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 24th day of November 2020

Kevin Mechen

Decision No. 2020/29/OFF

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

<u>IN THE MATTER</u> of an application by Stem Bottle Shop

Limited for an off-licence pursuant to s.99 of the Act, endorsed pursuant to section 40 of the Act (remote seller), in respect of premises situated at 745 Brighton Road, Brighton, and known as

"Stem Bottle Shop"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Stem Bottle Shop Limited for an off-licence, endorsed as a remote seller, in respect of premises situated at 745 Brighton Road, Brighton, and known as the "Stem Bottle Shop".

The application is in respect of premises in which the sale of alcohol would be an appropriate complement to the kind of goods sold from the premises.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The premises is a remote seller who also prepares and delivers food in the area. it was noted on the website for the food business that 'pick ups' were allowed from the address however this is not allowed with a remote seller's licence. Clarification was sought from the applicant who made an assurance that this would not be happening with alcohol.

With that assurance we are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and we grant the applicant an off-licence authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises.

Although sales are made remotely, the licensee must ensure a certified manager is appointed to the business at all times.

Remote sellers have different requirements to other premises. The first is a response to the fact the buyer is not confronted at the time of purchase and to this end, regulation 14 of the Sale and Supply of Alcohol Regulations 2013 details the requirements imposed on licensees to ensure prohibited people do not purchase alcohol. This regulation is reproduced here for clarity:

14 Reasonable steps to verify that people not under purchase age

- (1) The procedures described in subclauses (2) to (4) are reasonable procedures for the purposes of complying with <u>section 59(3)</u> of the Act (which requires the holder of an off-licence to take reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale (and, if a person other than the buyer is to receive it, to verify that the receiver) is not under the purchase age).
- (2) In the case of an order made using an internet site, the procedure is to—

- (a) ask the prospective buyer to declare, by ticking an on-screen box, that he or she is 18 years of age or over (and, where a prospective receiver is involved, that the prospective receiver is also 18 years of age or over)—
 - (i) once when the prospective buyer first enters the internet site; and
 - (ii) again, immediately before the sale of any alcohol is completed; and
- (b) refuse to sell alcohol to the prospective buyer unless, on both occasions, he or she declares that he or she is 18 years of age or over (and, where a prospective receiver is involved, also declares that the prospective receiver is 18 years of age or over).
- (3) In the case of a telephone order, the procedure is to—
 - (a) ask the prospective buyer to declare, orally, that he or she is 18 years of age or over (and, where a prospective receiver is involved, that the prospective receiver is also 18 years of age or over)—
 - (i) once when the conversation concerned begins; and
 - (ii) again, immediately before the conversation is completed; and
 - (a) refuse to sell alcohol to the prospective buyer unless, on both occasions, he or she declares that he or she is 18 years of age or over (and, where a prospective receiver is involved, also declares that the prospective receiver is 18 years of age or over).
- (4) In the case of an order made on a physical order form, the procedure is to—
 - (a) ensure that the form—
 - (i) requires the prospective buyer to sign the form at a place at or near its end; and
 - (ii) contains 2 requests for the prospective buyer to declare, by ticking a box, that he or she is 18 years of age or over (and, where a prospective receiver is involved, that the prospective receiver is also 18 years of age or over)—
 - (A) one at the beginning of the form; and
 - (B) the other, immediately before the place on the form where the prospective buyer is required to sign it; and
 - (b) refuse to sell alcohol to the prospective buyer unless he or she has ticked both boxes and signed the form.

Regulation 15 describes the information to be provided by remote sellers. When using an internet website, the licence holder must display prominently on the website, any catalogue produced, and every receipt issued for alcohol sold remotely:

- (a) The licence holder's name and licence number
- (b) The date the licence expires.
- (c) And in addition to this either a legible image of the licence, or a clearly identified link to such image, must be clearly displayed on the website.

The licence will be subject to the following conditions:

- (a) No alcohol shall be delivered on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on Anzac Day.
- (b) Alcohol may be sold from the premises at any time on any day, and delivered somewhere else for consumption off the premises, only on the following days and during the following hours:

Monday to Sunday 8.00 am to 8.00 pm

(c) The licensee shall ensure that the provisions of regulation 14 of the Sale and Supply of Alcohol Regulations 2013 relating to the sale and supply of liquor to prohibited persons are observed and shall display appropriate signs on the Internet web page detailing the statutory restriction on the supply of alcohol to minors.

- (d) The Licensee must display on its website and in its catalogue and on every receipt issued for alcohol sold remotely:
 - (i) The licence holder's name and licence number;
 - (ii) The date on which the licence expires;
 - (iii) A legible image of the licence, or a clearly identified link to such image, to be displayed in a prominent place on the website.

DISPLAY OF LICENCE

A copy of this licence must be displayed in a prominent position on the website or, as an alternative, a clearly identified link to such an image to be displayed.

DATED at Dunedin this 2 day of November 2020

Kevi<mark>n M</mark>echen

Decision No. 2020/75/ON

<u>IN THE MATTER</u> of the Sale and Supply of Alcohol Act

2012

AND

<u>IN THE MATTER</u> of an application by 1908 Café

Portobello Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 7 Harington Point Road, Portobello,

known as "1908 Café"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by 1908 Café Portobello Limited for the renewal of an alcohol on-licence in respect of their premises situated at 7 Harington Point Road, Portobello, and known as the "1908 Café".

The application is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 22 September 2023, that being the anniversary date of the licence and three years from the most recent date of expiry and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 2nd day of November 2020

Kevin Mechen

Decision No. 2020/76/ON

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

<u>AND</u>

IN THE MATTER of an application by Al Sultan Restaurant

Limited for an on-licence pursuant to s.99 of the Act in respect of premises situated at 4 Hanover Street, Dunedin, and known

as "Al Sultan Restaurant"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Al Sultan Restaurant Limited for an on-licence in respect of their premises situated at 4 Hanover Street, Dunedin, and known as "Al Sultan Restaurant". The general nature of the business to be undertaken is that of a restaurant.

Although the premises has previously been licensed it had been vacant for some time and the previous licence had expired.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and we grant the applicant an on-licence authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises.

The applicant's attention is drawn to ss.56 and 57(a) of the Act obliging the holder of an on-licence to display:-

- A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of alcohol; <u>AND</u>,
- 2. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance; <u>AND</u>,
- 3. A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.

The licence will be subject to the following conditions:

- (a) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day to any person who is not present on the premises to dine.
- (b) Alcohol may be sold only on the following days and during the following hours:

Monday to Sunday 11.00 am to 12.00 midnight

(c) The following steps must be taken to promote the responsible consumption of alcohol:

- (i) A range of food choices must be readily available at all times that the premises is open. Menus must be visible, and food should be actively promoted. A minimum of three types of food should be available. The range or style of food will be shown on any menu submitted. Alternatively, the range of food should include such items as paninis, pizzas, lasagne, toasted or fresh sandwiches, wedges, pies, filled rolls, and/or salads.
- (ii) A range of low alcohol and non-alcoholic drinks must be readily available at all time the premises is open.
- (iii) Water must be freely available at all times that the premises is open.
- (d) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (e) The licensee must ensure that signs are prominently displayed within the licensed premises detailing information regarding alternative forms of transport from the premises.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence must be displayed at the principal entrance(s) to the premises as outlined in the plan received by the Dunedin District Licensing Committee on 7 October 2020 The entrance from Filleul Street is designated as the principal entrance.

<u>DATED</u> at Dunedin this 11th day of November 2020

Kevin Mechen Secretary

Decision No. 2020/77/ON

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

<u>IN THE MATTER</u> of an application by Saer Bowl Line

Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 38 Kaikorai Valley Road, Dunedin,

known as "Bowl Line"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Saer Bowl Line Limited for the renewal of an alcohol on-licence in respect of the premises situated at 38 Kaikorai Valley Road, Dunedin, and known as "Bowl Line".

The application is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 4 October 2023, that being the anniversary date of the licence and three years from the most recent date of expiry and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 13th day of November 2020

Kevin Mechen

Decision No. 2020/81/ON

<u>IN THE MATTER</u> of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

<u>IN THE MATTER</u> of an application by AND Dejavu

Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 115 Stuart Street, Dunedin, known as

"Deja Vu Eats"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by AND Dejavu Limited for the renewal of an alcohol on-licence in respect of their premises situated at 115 Stuart Street, Dunedin, and known as the "Deja Vu Eats".

This is the first renewal for the premises and is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 2 September 2023, that being three years from the first anniversary of the licence and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 12th day of November 2020

Kevin Mechen

Decision No. 2020/74/ON

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by India Gate

Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 102 Princes Street, Dunedin, known as

"India Gate Restaurant"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by India Gate Limited for the renewal of an alcohol on-licence in respect of their premises situated at 102 Princes Street, Dunedin, and known as the "India Gate Restaurant".

The application is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 17 October 2023, that being the anniversary date of the licence and three years from the most recent date of expiry and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 2nd day of November 2020

Kevin Mechen

Decision No. 2020/82/ON

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by Navnik NZ Limited

for an on-licence pursuant to s.99 of the Act in respect of premises situated at 18 Mailer Street, Dunedin, and

known as "Indian Twist"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Navnik NZ Limited for an on-licence in respect of their premises situated at 18 Mailer Street, Dunedin, and known as "Indian Twist". The general nature of the business to be undertaken is that of a restaurant.

The application results from a change of licensee but there is no temporary authority.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and we grant the applicant an on-licence authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises.

The applicant's attention is drawn to ss.56 and 57(a) of the Act obliging the holder of an on-licence to display:-

- 1. A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of alcohol; AND,
- 2. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance; <u>AND</u>,
- 3. A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.

The licence will be subject to the following conditions:

- (a) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day to any person who is not present on the premises to dine.
- (b) Alcohol may be sold only on the following days and during the following hours:

Sunday to Thursday 10.00 am to 11.00 pm

Friday and Saturday 10.00 am to 12.00 midnight

- (c) The following steps must be taken to promote the responsible consumption of alcohol:
 - (i) A range of food choices must be readily available at all times that the premises is open. Menus must be visible, and food should be actively promoted. A minimum of three types of food should be available. The range or style of food will be shown on any menu submitted. Alternatively, the range of food should include such items as paninis, pizzas, lasagne, toasted or fresh sandwiches, wedges, pies, filled rolls, and/or salads.
 - (ii) A range of low alcohol and non-alcoholic drinks must be readily available at all time the premises is open.
 - (iii) Water must be freely available at all times that the premises is open.
- (d) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (e) The licensee must ensure that signs are prominently displayed within the licensed premises detailing information regarding alternative forms of transport from the premises.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence must be displayed at the principal entrance(s) to the premises as outlined in the plan received by the Dunedin District Licensing Committee on 14 October 2020. The entrance from Mailer Street is designated as the principal entrance.

DATED at Dunedin this 10th day of November 2020

Kevin Mechen Secretary

Decision No. 2020/83/ON

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by DJ Hotels Limited

pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 53 Stuart Street, Dunedin, known as "Law

Courts Hotel"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by DJ Hotels Limited for the renewal of an alcohol on-licence in respect of their premises situated at 53 Stuart Street, Dunedin, and known as the "Law Courts Hotel".

This is the first renewal for the premises and is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 1 November 2023, that being three years from the first anniversary of the licence and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 17th day of November 2020

Kevin Mechen

Decision No. 2020/84/ON

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by Sal's Pizza

Dunedin Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 354 Great King Street, Dunedin, known as "Sal's Authentic New York

Pizza"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Sal's Pizza Dunedin Limited for the renewal of an alcohol on-licence in respect of the premises situated at 354 Great King Street, Dunedin, and known as "Sal's Authentic New York Pizza"

This is the first renewal for the premises and is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 11 October 2023, that being three years from the first anniversary of the licence and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 24th day of November 2020

Kevin Mechen

Decision No. 2020/79/ON

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Pans (NZ)

Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 137 St Andrew Street, Dunedin, known as

"The Victoria Hotel"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Pans (NZ) Limited for the renewal of an alcohol on-licence in respect of their premises situated at 137 St Andrew Street, Dunedin, and known as "The Victoria Hotel".

The application is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 20 October 2023, that being the anniversary date of the licence and three years from the most recent date of expiry and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 13th day of November 2020

Kevin Mechen

Decision No. 2020/80/ON

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Olive or Twist

Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 311 George Street, Dunedin, known as

"Zanzibar"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Olive or Twist Limited for the renewal of an alcohol on-licence in respect of their premises situated at 311 George Street, Dunedin, and known as "Zanzibar".

This is the first renewal for the premises and is for a roll-over of the present conditions.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 5 September 2023, that being three years from the first anniversary of the licence and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 12th day of November 2020

Kevin Mechen

Decision No. 2020/186/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Beachlands

Speedway Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 130 Friendship Drive, Waldronville, and known as "Beachlands Speedway"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Beachlands Speedway Incorporated for a special licence for their premises situated at 130 Friendship Drive, Waldronville, and known as "Beachlands Speedway".

The applicant has requested a special licence for the NZ Streetstock Title to be held at their venue on Thursday 7 January 2021 between 4.00 pm and 2.00 am the following day. They have requested the premises be designated a supervised area for the occasion.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. However, it is pointed out by the Inspector that the end time for the event is beyond that stated in the Local Alcohol Policy unless there are exceptional circumstances.

On this occasion the applicant has stated that the event is only held in Dunedin every ten years. We are satisfied that this does make it an exceptional occasion for the club. Previously we were advised by the club that they notify the occupants of neighbouring properties of all events. We assume this has been done on this occasion so they will be aware of the later closing time for this event.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen Secretary

Decision No. 2020/196/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Chisholm Park Golf

Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 16 Tahuna Road, Dunedin, and known as

"Chisholm Links"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Chisholm Park Golf Club Incorporated for a special licence for their premises situated at 16 Tahuna Road, Dunedin, and known as the "Chisholm Links".

The applicant has requested a special licence to host the Mornington Health Centre Christmas Function to be held on Saturday 5 December 2020 between 7.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for the function.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 16th day of November 2020

Kevin Mechen

Decision No. 2020/212/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Dunedin City

Council pursuant to s.138 of the act for a special licence in respect of the premises situated at 230 Moray Place, Dunedin, and known as "Dunningham

Suite"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Dunedin City Council' Public Library for a special licence for their premises situated at 230 Moray Place, Dunedin, and known as the "Dunningham Suite".

The applicant has requested a special licence to host an event, 'Shooting the Breeze: A Landmarks Conversation', on Friday 4 December 2020 between 5.00 pm and 7.00 pm. They have requested the premises be designated a supervised area for the event.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

There is no certified manager at this event however the person responsible has relevant experience. The applicant has therefore been granted an exemption by the Dunedin Licencing Committee from having a certified manager present for the event pursuant to section 213(2) of the Act.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 23rd day of November 2020

Kevin Mechen

Decision No. 2020/176/SP

<u>IN THE MATTER</u> of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Dunedin City

Council pursuant to s.138 of the act for a special licence in respect of the premises situated at 42 Royal Terrace, Dunedin,

and known as "Olveston House"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Dunedin City Council for a special licence for their premises situated at 42 Royal Terrace, Dunedin, and known as "Olveston House".

The applicant has requested a special licence for two events. The first is 'A Night to Die For' on Friday 4 December between 7.00 pm and 10.00 pm. The second is a 'Murder Mystery Night' on Friday 11 December 2020 between 7.00 pm and 9.30 pm. They have requested the premises be designated a supervised area for the evenings.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen

Decision No. 2020/185/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by Eastern Rugby

Football Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 133 Matanaka Drive, Waikouaiti, and known as "East Otago Rugby Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Eastern Rugby Football Club Incorporated for a special licence for their premises situated at 133 Matanaka Drive, Waikouaiti, and known as the "East Otago Rugby Club".

The applicant has requested a special licence for the East Otago Musical Theatre production 'Penny Black' to be held on Wednesday 2 December between 7.00 pm and 10.00 pm and Thursday 3 December 2020 between 7.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for the production.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen

Decision No. 2020/192/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Friends of The

Globe Theatre Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 104 London Street, Dunedin, and

known as "The Globe Theatre"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Friends of The Globe Theatre Incorporated for a special licence for their premises situated at 104 London Street, Dunedin, and known as "The Globe Theatre".

The applicant has requested a special licence for the production "Aladdin the Pantomime" to be held on the following days and times:

Thursday 3 December 2020	6.30 pm to 9.30 pm
Friday 4 December 2020	6.30 pm to 9.30 pm
Saturday 5 December 2020	1.00 pm to 3.00 pm
Tuesday 8 December 2020	6.30 pm to 9.30 pm
Wednesday 9 December 2020	6.30 pm to 9.30 pm
Thursday 10 December 2020	6.30 pm to 9.30 pm
Friday 11 December 2020	6.30 pm to 9.30 pm
Saturday 12 December 2020	1.00 pm to 3.00 pm
Sunday 13 December 2020	1.00 pm to 3.00 pm

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

There is no certified manager at this event however the person responsible has relevant experience. The applicant has therefore been granted an exemption by the Dunedin Licencing Committee from having a certified manager present for the event pursuant to section 213(2) of the Act.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020



Decision No. 2020/209/SP

<u>IN THE MATTER</u> of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

<u>IN THE MATTER</u> of an application by Green Island

Rugby Football Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 82 Neill Street, Green Island, and known as "Green

Island Rugby Football Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Green Island Rugby Football Club Incorporated for a special licence for their premises situated at 82 Neill Street, Green Island, and known as the "Green Island Rugby Football Club".

The applicant has requested a special licence to host the celebration of Nathan Lee Keane's 50th birthday on Saturday 16 January 2021 between 5.00 pm and 12.00 midnight. They have requested the premises be designated a restricted area for the occasion.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 23rd day of November 2020

Kevin Mechen Secretary

Decision No. 2020/209/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

<u>IN THE MATTER</u> of an application by Green Island

Rugby Football Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 82 Neill Street, Green Island, and known as "Green

Island Rugby Football Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Green Island Rugby Football Club Incorporated for a special licence for their premises situated at 82 Neill Street, Green Island, and known as the "Green Island Rugby Football Club".

The applicant has requested a special licence to host the Tuapeka Gold Print Staff Christmas Function to be held on Saturday 12 December 2020 between 5.00 pm and 12.00 midnight. They have requested the premises be designated a restricted area for the function.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 23rd day of November 2020

Kevin Mechen Secretary

Decision No. 2020/192/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Jason Burge (the

"Applicant") pursuant to s.138 of the act for a special licence in respect of the premises situated at 1 Grey Street, Port Chalmers, and known as "Port

Chalmers Town Hall"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Jason Burge (the "Applicant") for a special licence for the premises situated at 1 Grey Street, Port Chalmers, and known as the "Port Chalmers Town Hall".

The applicant has requested a special licence to host a performance by Darren Watson and The Dauphin of Mississippi to be held on Friday 4 December 2020 between 8.00 pm and 10.00 pm. They have requested the premises be designated a supervised area for the event.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

There is no certified manager at this event however the person responsible has relevant experience. The applicant has therefore been granted an exemption by the Dunedin Licencing Committee from having a certified manager present for the event pursuant to section 213(2) of the Act.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 23rd day of November 2020

Kevin Mechen

Decision No. 2020/189/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by Leith Pub

Company Limited pursuant to s.138 of the act for a special licence in respect of the stall situated on the Octagon Reserve, Dunedin, and known as "The

Octagon"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Leith Pub Company Limited for a special licence for a stall to be situated on the Octagon Reserve, Dunedin, and known as "The Octagon".

The applicant has requested a special licence so they can provide alcoholic refreshments to attendees at the St Andrews Day Celebrations to be held on Sunday 29 November 2020 between 11.00 am and 3.00 pm. They have requested the area in front of their stall be designated a supervised area for the event.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 16th day of November 2020

Kevi<mark>n M</mark>echen

Decision No. 2020/184/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Middlemarch

Bowling Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 26 Swansea Street, Middlemarch, and known as "Middlemarch Bowling Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Middlemarch Bowling Club Incorporated for a special licence for their premises situated at 26 Swansea Street, Middlemarch, and known as the "Middlemarch Bowling Club".

The applicant has requested a special licence for the Club tournaments and club days during the 2020/21 playing season. The following schedule details those days:

-		
Sunday 22 November 2020	1.00 pm to 10.00 pm	Bowls Tournament
Saturday 12 December 2020	1.00 pm to 10.00 pm	Bowls
Wednesday 16 December 2020	1.00 pm to 10.00 pm	Bowls
Sunday 27 December 2020	1.00 pm to 10.00 pm	Bowls
Sunday 10 January 2021	1.00 pm to 10.00 pm	Bowls
Wednesday 27 January 2021	1.00 pm to 10.00 pm	Bowls
Saturday 30 January 2021	1.00 pm to 10.00 pm	Bowls
Sunday 7 February 2021	10.00 am to 6.00 pm	Bowls
Sunday 14 February 2021	10.00 am to 6.00 pm	Bowls
Friday 19 February 2021	1.00 pm to 6.00 pm	Bowls
Wednesday 10 March 2021	1.00 pm to 6.00 pm	Bowls
Wednesday 14 April 2020	1.00 pm to 6.00 pm	Bowls

They have requested the premises be designated a supervised area during the stated times.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

There is no certified manager at this event however the person responsible has relevant experience. The applicant has therefore been granted an exemption by the Dunedin Licencing Committee from having a certified manager present for the event pursuant to section 213(2) of the Act.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen

Decision No. 2020/180/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

AND

IN THE MATTER of an application by Mornington

Tavern 2010 Limited pursuant to s.138 of the act for a special licence in respect of the premises situated at 9 Formby Street, Outram, and known as

"Outram Rodeo Grounds"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Mornington Tavern 2010 Limited for a special licence for the premises situated at 9 Formby Street, Outram, and known as the "Outram Rodeo Grounds".

The applicant has requested a special licence for the Outram Rodeo to be held on Saturday 6 February and Sunday 7 February 2021 with each day operating between 11.00 am and 8.00 pm. They have requested the area in front of the bar to be designated a supervised area.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. The applicant has operated the bar at the event for the past several years without incident. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen

Decision No. 2020/190/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

<u>IN THE MATTER</u> of an application by North East Valley

Bowling Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 139 North Road, Dunedin, and known as "North East Valley Bowling Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by North East Valley Bowling Club Incorporated for a special licence for their premises situated at 139 North Road, Dunedin, and known as the "North East Valley Bowling Club".

The applicant has requested a special licence to host the Police District CIB Christmas Function on Friday 4 December 2020 between 10.00am and 1.00 pm. They have requested the premises be designated a supervised area for the event.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 16th day of November 2020

Kevin Mechen

Decision No. 2020/191/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by New Edinburgh Folk

Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 50 Dundas Street, Dunedin, and known as "New

Edinburgh Folk Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by New Edinburgh Folk Club Incorporated for a special licence for their premises situated at 50 Dundas Street, Dunedin, and known as the "New Edinburgh Folk Club".

The applicant has requested a special licence for two events. The first is a Folk Concert on Sunday 6 December and the other a Christmas Function on Sunday 13 December 2020. Both events will run from 7.00 pm to 10.30 pm.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

There is no certified manager at this event however the person responsible has relevant experience. The applicant has therefore been granted an exemption by the Dunedin Licencing Committee from having a certified manager present for the event pursuant to section 213(2) of the Act.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen Secretary

Decision No. 2020/181/SP

<u>IN THE MATTER</u> of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by North End Rowing

Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 10 Magnet Street, Dunedin, and known as "North

End Rowing Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by North End Rowing Club Incorporated for a special licence for their premises situated at 10 Magnet Street, Dunedin, and known as the "North End Rowing Club".

The applicant has requested a special licence for a fundraising Quiz Night to be held on Saturday 7 November 2020 between 6.00 pm and 10.00 pm. They have requested the premises be designated a supervised area for the evening.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence. The Fire and Emergency NZ have not responded therefore we assume there are no issues.

There is no certified manager at this event however the person responsible has relevant experience. The applicant has therefore been granted an exemption by the Dunedin Licencing Committee from having a certified manager present for the event pursuant to section 213(2) of the Act.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

We must remind the applicant that, although the special licence was granted on this occasion, there is no guarantee that future applications received within 20 working days of an event will be processed in time.

DATED at Dunedin this 2nd day of November 2020

Kevin Mechen

Decision No. 2020/175/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

<u>IN THE MATTER</u> of an application by Pirates Squash

Rackets Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 4 John Wilson Ocean Drive, Dunedin, and known as "Pirates Squash Rackets Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Pirates Squash Rackets Club Incorporated for a special licence for the premises situated at 4 John Wilson Ocean Drive, Dunedin, and known as the "Pirates Squash Rackets Club".

The applicant has requested a special licence for a Game Show Night to be held on Saturday 14 November 2020 between 7.00 pm and 1.00 am the following day. They have not requested the premises be designated for the evening.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. However, the Inspector rightly points out that the closing time requested is later than that allowed by the Local Alcohol Policy.

A communication with the applicant has allowed us to alter the closing time to 12.00 midnight and they are more than happy with a supervised designation because this is an adult evening.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevi<mark>n M</mark>echen Secretary

Decision No. 2020/183/SP

<u>IN THE MATTER</u> of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by Samgan Limited

pursuant to s.138 of the act for a special licence in respect of the premises situated at 31 Queens Gardens, Dunedin, and known as

"Toitū Otago Settlers Museum"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Samgan Limited for a special licence for the premises situated at 31 Queens Gardens, Dunedin, and known as "Toitū Otago Settlers Museum".

The applicant has requested a special licence for the Dunedin City Council's Christmas Function to be held on Friday 4 December 2020 between 5.15 pm and 8.00 pm. They have requested the premises be designated a supervised area for the duration.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

<u>DATED</u> at Dunedin this 23rd day of November 2020

Kevin Mechen

Decision No. 2020/177/SP

<u>IN THE MATTER</u> of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by St Clair Bowling

Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 13 Ings Avenue, Dunedin, and known as "St

Clair Bowling Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by St Clair Bowling Club Incorporated for a special licence for their premises situated at 13 Ings Avenue, Dunedin, and known as the "St Clair Bowling Club".

The applicant has requested a special licence to host Amanda Gray's 30th Birthday Celebrations on Saturday 14 November 2020 between 6.30 pm and 12.00 midnight.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen

Decision No. 2020/194/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by St Clair Bowling

Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 13 Ings Avenue, Dunedin, and known as "St

Clair Bowling Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by St Clair Bowling Club Incorporated for a special licence for their premises situated at 13 Ings Avenue, Dunedin, and known as the "St Clair Bowling Club".

The applicant has requested a special licence to host Aurora Energy's Christmas Function on Thursday 3 December 2020 between 12.00 midday and 5.00 pm.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen

Decision No. 2020/161/SP/a

<u>IN THE MATTER</u> of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

IN THE MATTER of an application by St Clair Golf Club

Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 20 Isadore Road, Dunedin, and known as "St Clair Golf

Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by St Clair Golf Club Incorporated for a special licence for their premises situated at 20 Isadore Road, Dunedin, and known as the "St Clair Golf Club".

The applicant has requested a special licence for the event Various Events to be held at the latter part of this year. One event, that for the Otago Boys High School Leavers' Dinner on Saturday 21 November 2020, was opposed by the Medical Officer of Health (MOH). A special licence was granted for the other events to be held at the premises. The club had requested the premises be designated a supervised area.

The MOH raised the matter that the dinner would include alcohol and a portion of the leavers would not have reached the age of 18 years.

However, after reading a submission from the school, the opposition was withdrawn so the matter can proceed with the necessity of a hearing.

Other than the matter raised by the MOH, there were no other matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence with the function hours of 6.00 pm to 12.00 midnight. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 11th day of November 2020

Kevin Mechen

Decision No. 2020/202/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

<u>IN THE MATTER</u> of an application by Taieri Rugby

Football Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 35 Reid Avenue, Mosgiel, and known as "The Taieri Rugby Football Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Taieri Rugby Football Club Incorporated for a special licence for their premises situated at 35 Reid Avenue, Mosgiel, and known as "The Taieri Rugby Football Club".

The applicant has requested a special licence to host Tara Sutherland's wedding and reception to be held on Saturday 5 December 2020 between 4.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for the occasion.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

<u>DATED</u> at Dunedin this 23rd day of November 2020

Kevin Mechen

Decision No. 2020/188/SP

IN THE MATTER of the Sale and Supply of Alcohol Act

2012

<u>AND</u>

<u>IN THE MATTER</u> of an application by Wakari Bowling

Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 10 Mayfield Avenue, Dunedin, and known as

"Wakari Bowling Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

DECISION

This is an application by Wakari Bowling Club Incorporated for a special licence for their premises situated at 10 Mayfield Avenue, Dunedin, and known as the "Wakari Bowling Club".

The applicant has requested a special licence to host Southern Hospitality's Christmas Bowls Function on Saturday 28 November 2020 between 2.30 pm and 11.30 pm.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. Fire and Emergency New Zealand pointed out the club has not maintained its Fire Evacuation Scheme however that matter has now been resolved. There are no extra conditions that need to be added to this licence.

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the special licence. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

DATED at Dunedin this 23rd day of November 2020

Kevi<mark>n M</mark>echen