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Decision No. 2021/10/CL

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Brighton Club Incorporated pursuant to s.127 of the Act for renewal of a club licence in respect of premises situated at 1038 Brighton Road, Brighton, known as "Brighton Club"

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 Brighton Club Incorporated for the renewal of an alcohol club licence in respect of their premises situated at 1038 Brighton Road, Brighton, and known as the "Brighton Club".

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 13 July 2024, 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 21st day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Tautuku Fishing Club Dunedin and Haast Incorporated pursuant to s.127 of the Act for renewal of a club licence in respect of premises situated at 2 Southdale Road, Dunedin, known as "Tautuku Fishing Club"

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 Tautuku Fishing Club Dunedin and Haast Incorporated for the renewal of an alcohol club licence in respect of premises situated at 2 Southdale Road, Dunedin, and known as the "Tautuku Fishing Club".

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 27 May 2024, 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 July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Wakari Bowling Club Incorporated pursuant to s.127 of the Act for renewal of a club licence in respect of premises situated at 10 Mayfield Avenue, Dunedin, known as "Wakari Bowling Club"

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 Wakari Bowling Club Incorporated for the renewal of an alcohol club licence in respect of premises situated at 10 Mayfield Avenue, Dunedin, and known as the "Wakari Bowling Club".

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 27 July 2024, 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 29th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by West Harbour Bowling Club Incorporated pursuant to s.127 of the Act for renewal of a club licence in respect of premises situated at 104 Ravensbourne Road, Dunedin, known as "West Harbour Bowling Club"

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 West Harbour Bowling Club Incorporated for the renewal of an alcohol club licence in respect of their premises situated at 104 Ravensbourne Road, Dunedin, and known as the "West Harbour Bowling Club".

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 3 May 2024, 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 21st day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2021/15/OFF

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Mitchells Tavern
Limited pursuant to s.127 of the Act
for renewal of an off-licence in respect
of premises situated at 289 South
Road, Dunedin, known as "Mitchells
Tavern"

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 Mitchells Tavern Limited for the renewal of an alcohol off-licence in respect of their premises situated at 289 South Road, Dunedin, and known as "Mitchells Tavern".

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 11 June 2024, 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 29th day of July 2021

Kevin Mechen
Secretary
DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Sandymount Kilns Distillery 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 71 Sandymount Road, Otago Peninsula, Dunedin, and known as "Sandymount Kilns 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 Sandymount Kilns Distillery Limited for an off-licence, endorsed as a remote seller, in respect of their premises situated at 71 Sandymount Road, Otago Peninsula, Dunedin, and known as the "Sandymount Kilns Distillery".

The application is in respect of **new** premises in which the production and remote selling of alcohol is the principal business.

The application was duly advertised and no objection or notice of desire to be heard has been received. However, it was revealed during the interviews that the applicant had been producing and selling alcohol without a licence and premises was not registered as required by the Food Act. As soon as the applicant became aware of the requirements immediate steps were taken to ensure compliance. The Licensing Inspector also noted issues with their applicant's website and has offered suggestions to remedy the faults.

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 off-licence authorising the sale and supply of alcohol for consumption off 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 [section 59\(3\)](#) 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) **Orders may be taken at any time on any day**
Deliveries may be made 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 AND PRINCIPAL ENTRANCE/S

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 12th day of July 2021

Kevin Mechen
Secretary
DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2021/50/ON

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Bowey's Pool
Lounge Limited pursuant to s.127 of
the Act for renewal of an on-licence in
respect of premises situated at 79
Crawford Street, Dunedin, known as
"Bowey's Pool Lounge and Bar"

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 Bowey's Pool Lounge Limited for the renewal of an alcohol on-licence in respect of their premises situated at 79 Crawford Street, Dunedin, and known as the "Bowey's Pool Lounge and Bar".

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 29 May 2024, 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 30th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Dingo & Dingus Limited for an on-licence pursuant to s.99 of the Act in respect of premises situated at 132 Stuart Street, Dunedin, and known as "Comes First Chicken Diner"

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 Dingo & Dingus Limited for an on-licence in respect of premises situated at 132 Stuart Street, Dunedin, and known as "Comes First Chicken Diner". The general nature of the business to be undertaken is that of a restaurant.

The application results from a change of licensee. The premises is currently operating under a 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; AND,
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 1.00 am the following day: EXCEPT THAT on the Thursday before Good Friday, and on Easter Saturday, and on Christmas Eve and on the day before Anzac Day, alcohol may only be sold between 11.00 am and 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 2 June 2021. The entrance from Stuart Street is designated as the principal entrance.

DATED at Dunedin this 12th day of July 2021

Kevin Mechen
Secretary
DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2021/45/ON

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Otago Peninsula
Trust pursuant to s.127 of the Act for
renewal of an on-licence in respect of
premises situated at 430 Portobello
Road, Dunedin, known as "Glenfalloch"

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 Otago Peninsula Trust for the renewal of an alcohol on-licence in respect of their premises situated at 430 Portobello Road, Dunedin, and known as the "Glenfalloch".

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. There was some discussion about the occasions when another alcohol vendor is on site and how this is to be managed.

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 May 2024, 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 21st day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2021/49/ON

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Hospitality Leases
Limited pursuant to s.127 of the Act
for renewal of an on-licence in respect
of premises situated at 10 Smith
Street, Dunedin, known as "Kingsgate
Hotel Dunedin"

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 Hospitality Leases Limited for the renewal of an alcohol on-licence in respect of their premises situated at 10 Smith Street, Dunedin, and known as the "Kingsgate Hotel Dunedin".

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 5 June 2024, 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 30th day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2021/47/ON

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Mitchells Tavern
Limited pursuant to s.127 of the Act
for renewal of an on-licence in respect
of premises situated at 289 South
Road, Dunedin, known as "Mitchells
Tavern"

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 Mitchells Tavern Limited for the renewal of an alcohol on-licence in respect of the premises situated at 289 South Road, Dunedin, and known as "Mitchells Tavern".

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 11 June 2024, 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 30th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by The Food
Company Limited pursuant to s.127 of
the Act for renewal of an on-licence in
respect of premises situated at 125
Vogel Street, Dunedin, known as
"Precinct Food"

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 Food Company Limited for the renewal of an alcohol on-licence, also endorsed as a caterer, in respect of their premises situated at 125 Vogel Street, Dunedin, and known as the "Precinct Food".

The applicant is seeking to amending their trading hours to better reflect their business. The current trading hours are Monday to Sunday 10.00 am to 2.00 am the following day. They are wanting to have these hours changed to Monday to Sunday 8.00 am to 1.00 am the following day.

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. The Inspector does not believe the change in hours will have any impact on alcohol related harm.

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, with the amended hours, until 7 June 2024, 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 21st day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2021/48/ON

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by The English Pub
Company Limited pursuant to s.127 of
the Act for renewal of an on-licence in
respect of premises situated at 3
Crawford Street, Dunedin, known as
"The Duke of Wellington"

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 English Pub Company Limited for the renewal of an alcohol on-licence in respect of their premises situated at 3 Crawford Street, Dunedin, and known as the "The Duke of Wellington".

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 10 June 2024, 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 30th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER
AND

of the Sale and Supply of Alcohol Act 2012

IN THE MATTER

of an application by Akuhata Limited for an on-licence pursuant to s.99 of the Act in respect of premises situated at 4 King Edward Street, Dunedin, and known as "The Kensington"

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 Akuhata Limited for an on-licence in respect of the premises situated at 4 King Edward Street, Dunedin, and known as "The Kensington". The general nature of the business to be undertaken is that of a tavern.

The application results from a change of licensee. The premises are currently operating under a 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; AND,
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 8.00 am to 2.00 am the following day: EXCEPT THAT on the Thursday before Good Friday, and on Easter Saturday, and on Christmas Eve and on the day before Anzac Day, alcohol may only be sold between 8.00 am and 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.
 - (ii) The gambling area of the premises is designated a restricted area; the bar areas are designated supervised areas; the restaurant is undesignated.
- (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 26 May 2021. The entrance from Ardnore Drive is designated as the principal entrance.

DATED at Dunedin this 21st day of July 2021

Kevin Mechen
Secretary
DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by JRK97 Investments
Limited pursuant to s.127 of the Act
for renewal of an on-licence in respect
of premises situated at 19 Ruskin
Terrace, Dunedin, known as "The
Waterloo 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 JRK97 Investments Limited for the renewal of an alcohol on-licence in respect of their premises situated at 19 Ruskin Terrace, Dunedin, and known as the "The Waterloo 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 29 May 2024, 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 July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Dunedin Jazz, Cabaret and Performing Arts Trust pursuant to s.138 of the act for a special licence in respect of the premises situated at 31 Albany Street, Dunedin, and known as "Albany Street Jazz Loft"

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 Jazz, Cabaret and Performing Arts Trust for a special licence for the premises situated at 31 Albany Street, Dunedin, and known as the "Albany Street Jazz Loft".

The applicant has requested a special licence for a series of Live Jazz Performances. The first two performances have been set but the remaining dates and performers are still to be confirmed. The following table outlines the dates and times:

Friday 23 July 2021	6.00 pm to 11.00 pm	Duncan Haynes Trio
Friday 20 August 2021	6.00 pm to 11.00 pm	George McLaurin Quartet
Friday 17 or 18 September 2021	6.00 pm to 11.00 pm	TBC
Saturday 22 or 23 October 2021	6.00 pm to 11.00 pm	TBC
Saturday 26 or 27 November 2021	6.00 pm to 11.00 pm	TBC
Saturday 10 or 11 December 2021	6.00 pm to 11.00 pm	TBC
Saturday 18 or 19 February 2022	6.00 pm to 11.00 pm	TBC
Saturday 18 or 19 March 2022	6.00 pm to 11.00 pm	TBC

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 Licensing 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 advise 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 21st day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

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 an extended area in front of the premises situated at 135 Stuart Street, Dunedin, and known as "Albar"

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 an extended area in front of their premises situated at 135 Stuart Street, Dunedin, and known as "Albar".

The applicant has requested a special licence for an extended area for the All Black Games to be held on Saturday 10 July and Saturday 25 September 2021. The extended area will be from 3.00 pm to 2.00 am the following day and they have requested the area be designated a supervised area for the duration of the extension.

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.

Details of what is happening in Dunedin for the second test match have not been released at this time. While it would be easy to assume the same would apply, we would rather await the detail before considering the second part of the application.

Based on the information at hand, 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 for the first date as requested. 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 5th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Bath Street Tap Room Limited 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 Bath Street Tap Room Limited 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 cater for the 'French for Rabbits Music Gig' to be held on Saturday 31 July 2021 between 6.00 pm and 12.00 midnight. They have requested the premises be designated a restricted 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.

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 advise the applicant that, although the special licence was granted on this occasion, future applications received within 20 working days of an event that cannot be reported on by the reporting agencies will be declined unless there are exceptional circumstances.

DATED at Dunedin this 28th day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

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 King's High School Old Boys' Dinner on Thursday 12 August 2021 between 6.00 pm and 11.30 pm. They have requested the premises be designated a supervised area for the duration of the dinner.

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 29th day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

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 the 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 to host Dine Dunedin and Various Events to be held on the following dates and times:

Friday 6 August 2021	7.00 pm to 10.00 pm	Dine Dunedin Formal Dinner
Friday 13 August 2021	7.00 pm to 10.00 pm	Dine Dunedin Dinner in Black
Friday 3 September 2021	7.00 pm to 11.00 pm	Dunedin Officer's Centenary Cocktail
Saturday 20 November 2021	7.00 pm to 11.00 pm	Tansley Canape Birthday Dinner
Wednesday 23 March 2022	6.00 pm to 10.00 pm	Abercrombie Tours Dinner
Saturday 9 April 2022	6.00 pm to 10.00 pm	Abercrombie Tours Dinner
Sunday 23 October 2022	6.00 pm to 10.00 pm	Abercrombie Tours Dinner
Wednesday 9 November 2022	6.00 pm to 10.00 pm	Abercrombie Tours Dinner
Wednesday 23 November 2022	5.00 pm to 9.00 pm	Opportunity Tours Dinner

They have requested the premises be designated a supervised area on each of the occasions.

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 for this event however the person responsible is very experienced and was the holder of a manager's certificate until recently. The applicant is therefore exempt from having a certified manager present 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 21st day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

Of the Sale and Supply of Alcohol Act 2012

AND
IN THE MATTER

Of an application by Forbury Park Bowling Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 121 Victoria Road, Dunedin, and known as "Forbury Park 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 Forbury Park Bowling Club Incorporated for a special licence for their premises situated at 121 Victoria Road, Dunedin, and known as the "Forbury Park Bowling Club".

The applicant has requested a special licence for two birthday celebrations. The first is Joshua Fitton Abernethy's 21st on Saturday 21 August and the second, Erron James Dargaville's 50th on Saturday 28 August 2021. Both functions will run from 7.00 pm to 12.00 midnight. They have requested their premises be designated a supervised area for the duration of each 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.

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 Licensing 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 29th day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2021/141/SP

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Green Island Bowling Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 183 Main South Road, Green Island, and known as "Green Island 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 Green Island Bowling Club Incorporated for a special licence for their premises situated at 183 Main South Road, Green Island, and known as "Green Island Bowling Club".

The applicant has requested a special licence for a Bingo Fundraiser Night to be held on Saturday 14 August 2021 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.

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 14 day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2021/137/SP

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Kaikorai Rugby Football Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 25A Lynn Street, Dunedin, and known as "Kaikorai 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 Kaikorai Rugby Football Club Incorporated for a special licence for their premises situated at 25A Lynn Street, Dunedin, and known as the "Kaikorai Rugby Football Club".

The applicant has requested a special licence for a double 21st for Francesa O'Malley and Angus Frew to be held on Saturday 7 August 2021 between 7.30 pm to 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 29th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Mornington Bowling Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 17 Bowler Avenue, Dunedin, and known as "Mornington 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 Mornington Bowling Club Incorporated for a special licence for their premises situated at 17 Bowler Avenue, Dunedin, and known as the "Mornington Bowling Club".

The applicant has requested a special licence for Terry Proctor's 60th Birthday Celebrations to be held on Saturday 31 July 2021 between 7.00 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.

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

DATED at Dunedin this 28th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

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 for Paula Brook's 40th Birthday Celebrations to be held on Saturday 7 August 2021 between 7.00 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.

DATED at Dunedin this 29th day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Otago Darts Association Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 253 King Edward Street, Dunedin, and known as "South Dunedin Community 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 Otago Darts Association Incorporated for a special licence for the premises situated at 253 King Edward Street, Dunedin, and known as the "South Dunedin Community Hall".

The applicant has requested a special licence for two events. The first is a Dance Club Night on Saturday 24 July and the second a 60th Anniversary Celebration to be held on Saturday 4 September 2021. Both events will run from 7.00 pm to 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.

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 21st day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Otago Racing Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 285 Gladstone Road North, Wingatui, and known as "Wingatui Racecourse"

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 Otago Racing Club Incorporated for a special licence for their premises situated at 285 Gladstone Road North, Wingatui, and known as the "Wingatui Racecourse".

The applicant has requested a special licence for two functions to be held at their venue. The first is Lou Griffin's 21st birthday on Saturday 31 July and the second is Aleisha Gaudelius' engagement party on Saturday 14 August 2021. They will both run from 6.00 pm to 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 28th day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Rebecca Ann Stewart (the "Applicant") pursuant to s.138 of the act for a special licence in respect of the premises situated at 31 Albany Street, Dunedin, and known as "The Playhouse 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 Rebecca Ann Stewart (the "Applicant") for a special licence for the premises situated at 31 Albany Street, Dunedin, and known as "The Playhouse Theatre".

The applicant has requested a special licence for the Midwinter Glamour Burlesque Show to be held on Saturday 24 July 2021 between 7.00 pm to 11.30 pm. 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 21st day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

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 various events. The following table details the events:

Saturday 7 August 2021	7.00 pm to 12.00 midnight	St Clair has Talent
Friday 20 August 2021	7.30 pm to 12.00 midnight	Merle Walker 50 th Wedding Anniversary
Saturday 28 August 2021	3.00 pm to 7.00 pm	Kevin & Tania Anderson Wedding
Saturday 9 October 2021	7.00 pm to 12.00 midnight	Spring Ball
Friday 17 November 2021	6.00 pm to 12.00 midnight	Elaine Hoskin – Model T Ford Club
Friday 10 December 2021	7.00 pm to 12.00 midnight	Christmas Function

They have requested the premises be designated a supervised area for each of the scheduled functions.

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 29th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by D W B Octagon Limited pursuant to s.138 of the act for a special licence in respect of an extended area in front of the premises situated at 12 The Octagon, Dunedin, and known as "Stuart St Mac's Brew Bar"

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 D W B Octagon Limited for a special licence for an extended area in front of their premises situated at 12 The Octagon, Dunedin, and known as the "Stuart St Mac's Brew Bar".

The applicant has requested a special licence for the two All Blacks Test Weekends to be held on Saturday 10 July and Saturday 25 September 2021. The extended area would be in place from 10.00 am to 3.00 am the following day on each of the days. They have requested the extended area to be designated a supervised area.

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.

Details of what is happening in Dunedin for the second test match have not been released at this time. While it would be easy to assume the same conditions would apply, we would rather await the detail before considering the second part of the application.

Based on the information at hand, 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 for the first date as requested. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

The second date will be considered as soon as more details are available.

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. All applications are circulated to the above-mentioned reporting agencies. If any of the agencies cannot report on an application because of the short time frames the Committee will be left with no alternative but to decline the application.

DATED at Dunedin this 21 day of June 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Ampt Entertainment Limited pursuant to s.138 of the act for a special licence in respect of an extended area in front of the premises situated at 153 Stuart Street, Dunedin, and known as "Suburbia Eatery & Nightlife"

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 Ampt Entertainment Limited for a special licence for their premises situated at 153 Stuart Street, Dunedin, and known as "Suburbia Eatery & Nightlife".

The applicant has requested a special licence for the two All Blacks Test Weekends to be held on Saturday 10 July and Saturday 25 September 2021. The extended area would be in place from 1.00 pm to 3.00 am the following day on each of the days. They have requested the extended area to be designated a supervised area.

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.

Details of what is happening in Dunedin for the second test match have not been released at this time. While it would be easy to assume the same would apply, we would rather await the detail before considering the second part of the application.

Based on the information at hand, 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 for the first date as requested. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

The second date will be considered as soon as more details is available.

DATED at Dunedin this 5th day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2021/119/SP

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Taieri Bowling Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 12 Wickliffe Street, Mosgiel, and known as "Taieri 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 Taieri Bowling Club Incorporated for a special licence for their premises situated at 12 Wickliffe Street, Mosgiel, and known as the "Taieri Bowling Club".

The applicant has requested a special licence to host the Taieri Fishing Club Awards Night on Saturday 24 July 2021 between 7.00 pm and 11.00 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.

DATED at Dunedin this 21st day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by The Alchemist Limited pursuant to s.138 of the act for a special licence in respect of the premises situated at 12 Hanover Street, Dunedin, and known as "Hanover 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 The Alchemist Limited for a special licence for the premises situated at 12 Hanover Street, Dunedin, and known as "Hanover Hall".

The applicant has requested a special licence for two events associated with the Dunedin Science Festival. The first is 'Tiny Ruins' on Thursday 15 July between 6.30 pm and 10.00 pm and the second, 'Late Night Under the Moon' on Saturday 17 July 2021 between 6.30 pm and 9.00 pm. They have asked for the premises be designated a supervised area for both evenings.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There was initial concern at the food to be available each night, but this was resolved with the applicant. 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 12th day of July 2021

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by New Level Developments Limited pursuant to s.138 of the act for a special licence in respect of an extended area in front of the premises situated at 24 The Octagon, Dunedin, and known as "The Craic Irish Tavern & Thistle Café"

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 Level Developments Limited for a special licence for an extended area in front of their premises situated at 24 The Octagon, Dunedin, and known as "The Craic Irish Tavern & Thistle Café".

The applicant has requested a special licence for the two All Blacks Test Weekends to be held on Saturday 10 July and Saturday 25 September 2021, the Guns n Roses Concert on Sunday 21 November 2021 and New Years' Eve. The extended area would be in place from 1.00 pm to 3.00 am the following day on each of the days. They have requested the extended area to be designated a supervised area.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern however, the Licensing Inspector has reminded the Committee that the Local Alcohol Policy allows them to grant special licences for a series of related events. It is up to the Committee to consider whether the concert and New Years' Eve should be on this one licence. There are no extra conditions that need to be added to this licence.

Details of what is happening in Dunedin for the second test match, concert and New Years' Eve have not been released at this time. While it would be easy to assume the same conditions would apply across each event, we would rather await the detail before considering the rest of the application.

Based on the information at hand, 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 for the first date as requested. A copy of the special licence setting out the conditions to which it is subject is attached to this decision.

The rest of the application will be considered as soon as more details is available.

DATED at Dunedin this 5th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Kosher Enterprises Limited pursuant to s.138 of the act for a special licence in respect of the premises situated at 314 George Street, Dunedin, and known as "The Good Oil"

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 Kosher Enterprises Limited for a special licence for their premises situated at 314 George Street, Dunedin, and known as "The Good Oil".

The applicant has requested a special licence to host an ASB Corporate Function before the two All Black Test matches on Saturday 10 July and Saturday 25 September 2021. Each function will run from 5.00 pm to 7.00 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.

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. All applications are circulated to the above-mentioned reporting agencies. If any of the agencies cannot report on an application because of the short time frames the Committee will be left with no alternative but to decline the application.

DATED at Dunedin this 5th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by The Wine Institute Limited pursuant to s.138 of the act for a special licence in respect of the premises situated at 25 Moray Place, Dunedin, and known as "Dog With Two Tails"

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 The Wine Institute Limited for a special licence for the premises situated at 25 Moray Place, Dunedin, and known as "Dog With Two Tails".

The applicant has requested a special licence for Vivian's Wine Club to be held on the last Wednesday of each month as detailed below:

Wednesday 28 July 2021	7.00 pm to 10.30 pm
Wednesday 25 August 2021	7.00 pm to 10.30 pm
Wednesday 29 September 2021	7.00 pm to 10.30 pm
Wednesday 27 October 2021	7.00 pm to 10.30 pm
Wednesday 24 November 2021	7.00 pm to 10.30 pm
Wednesday 26 January 2022	7.00 pm to 10.30 pm
Wednesday 23 February 2022	7.00 pm to 10.30 pm
Wednesday 30 March 2022	7.00 pm to 10.30 pm
Wednesday 27 April 2022	7.00 pm to 10.30 pm
Wednesday 25 May 2022	7.00 pm to 10.30 pm
Wednesday 27 July 2022	7.00 pm to 10.30 pm
Wednesday 31 August 2022	7.00 pm to 10.30 pm

They have requested the premises be designated a supervised area for each of the listed dates.

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 21st day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by AND Hospitality Group Limited pursuant to s.138 of the act for a special licence in respect of an extended area in front of the premises situated at 21 The Octagon, Dunedin, and known as "Vault 21"

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 AND Hospitality Group Limited for a special licence for an extended area in front of their premises situated at 21 The Octagon, Dunedin, and known as "Vault 21".

The applicant has requested a special licence for the two All Blacks games to be held on Saturday 10 July and Saturday 25 September 2021. On each occasion they would like to extend their licensed area between 11 am and 3.00 am the following day. They have requested the premises be designated a supervised/restricted 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.

Details of what is happening in Dunedin for the second test match have not been released at this time. While it would be easy to assume the same conditions would apply, we would rather await the detail before considering the second part of the application.

Based on the information at hand, 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 for the first date as requested. 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. All applications are circulated to the above-mentioned reporting agencies. If any of the agencies cannot report on an application because of the short time frames the Committee will be left with no alternative but to decline the application.

DATED at Dunedin this 5th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Zingari-
Richmond Football Club Incorporated
pursuant to s.138 of the act for a
special licence in respect of the
premises situated at 40 Eglinton
Road, Dunedin, and known as
"Zingari Richmond 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 Zingari-Richmond Football Club Incorporated for a special licence for their premises situated at 40 Eglinton Road, Dunedin, and known as the "Zingari Richmond Rugby Football Club".

The applicant has requested a special licence for the club's Senior Prizegiving to be held on Saturday 31 July 2021 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 28th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by University of Otago Rugby Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 1A - 20 Logan Park Drive, Dunedin, and known as "University of Otago Rugby"

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 University of Otago Rugby Incorporated for a special licence for their premises situated at 1A - 20 Logan Park Drive, Dunedin, and known as "University of Otago Rugby".

The applicant has requested a special licence for host the "Dhairya Thakkar Interfaculty Gala" on Friday 23 July 2021 between 8.00 pm and 12.00 midnight. They have requested the premises be the 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.

DATED at Dunedin this 21st day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Distinction Leisure Lodge Dunedin Limited for a temporary authority authorising the holder to carry on the sale and supply of alcohol pursuant to s.136 of the Act in respect of premises situated at 30 Duke Street, Dunedin , and known as "Distinction Leisure Lodge Dunedin"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Commissioner C Weatherall

Members: Mr R Amohau

DECISION

This is an application by Distinction Leisure Lodge Dunedin Limited an order allowing them to carry on the sale and supply of alcohol pursuant to the underlying licence no. 069/ON/19/2021 in respect of the premises situated at 30 Duke Street, Dunedin, and known as the "Heritage Dunedin Leisure Lodge".

The premises is now operating as "Distinction Leisure Lodge Dunedin".

The general nature of the business to be undertaken is that of a licensed café and restaurant.

The Licensing Inspector advises that there have been no issues of concern raised in relation to the premises.

The Committee is satisfied that the applicant will operate the premises properly and therefore issues an order authorising the applicant to carry on the sale and supply of alcohol, under the same conditions as were granted initially, for a period of three months from 29 July 2021.

DATED at Dunedin this 28th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Good Good (2021) Limited for a temporary authority authorising the holder to carry on the sale and supply of alcohol pursuant to s.136 of the Act in respect of premises situated at 22 Vogel Street, Dunedin, and known as "Good Good"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Commissioner C Weatherall

DECISION

This is an application by Good Good (2021) Limited a second order allowing them to continue the sale and supply of alcohol pursuant to the underlying licence no. 069/ON/78/2019 in respect of premises situated at 22 Vogel Street, Dunedin, and known as "Good Good".

The premises continues to operate with this name.

The general nature of the business to be undertaken is that of a restaurant.

This is the second temporary authority granted to the applicant to allow continued trading while their on-licence application is determined. The conditions of the first temporary authority continue.

The Licensing Inspector advises that there have been no issues of concern raised in the time they have been operating the premises.

The Committee is satisfied that the applicant will continue to operate the premises properly and therefore issues a second order authorising the applicant to carry on the sale and supply of alcohol, under the same conditions as were granted initially, for a period of three months from 21 July 2021 .

DATED at Dunedin this 12th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Great Taste Limited
for a temporary authority authorising
the holder to carry on the sale and
supply of alcohol pursuant to s.136 of
the Act in respect of premises situated
at 12 St Andrew Street, Dunedin, and
known as "Great Taste Buffet"

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Commissioner C Weatherall
Members: Mr R Amohau
Ms K Lane

HEARING at Dunedin on 20 July 2021

Appearances: Ms De Qin Wang – Applicant
Mr Shi Cheng – in support

Mr T Mole – Licensing Inspector
Ms T Morrison – Licensing Inspector/Environmental Health Officer
Mr A Whipp – Medical Officer of Health Delegate

Ms C Hughes – Interpreter
Ms L Adamson – Governance Support Officer
Mr K Mechen – Secretary to DLC/Alcohol Advisor

INTRODUCTION

- [1] This is an application by Great Taste Limited for a temporary authority authorising the sale and supply of alcohol at the premises situated at 12 St Andrew Street, Dunedin, and known as "Great Taste Buffet", while their full licence application is being processed.
- [2] There is no requirement to give notice of the application to the Police, however this is the first application received from the applicant for this premises. For this reason, the Committee requested comment from the Licensing Inspector and the Police and distributed the Application.
- [3] The Licensing Inspector submitted an adverse report questioning the suitability of the applicant to hold an alcohol licence. The main reason was that the applicant purchased the business near the end of 2020 and continued to sell and supply alcohol unlawfully and without a licence, until the Inspector learned of the change in May 2021.

- [4] The applicant stopped the sale of alcohol as soon as the Inspector challenged them at the premises.
- [5] The Committee was advised the applicant required an interpreter because of limited English skills. Ms Hughes was engaged for this.

HEARING

Ms Wang

- [6] Ms Wang is the director of Great Taste Limited and one of the two shareholders. She is recorded as the contact person for this application.
- [7] She said when she purchased the business it was already licensed to sell alcohol and the manager had a manager's certificate. Ms Wang said she was not aware of the requirement to inform the council and obtain a temporary authority to sell alcohol.
- [8] Ms Wang said she lives in Invercargill where she looks after her family. She said she forgot to apply to the Council for a temporary authority.
- [9] When asked by the Committee, Ms Wang said she purchased the business on 17 November 2020.
- [10] The Committee asked when they became aware they needed to apply for a temporary authority. Ms Wang said before they purchased Great Taste, they knew the restaurant had a licence and the manager had a manager's certificate. When they took over the business there was a lot of paperwork and subsequently forgot about the temporary authority. As the previous owner had held a licence she thought there would not be such a hurry to get a temporary authority and she thought they could continue to sell alcohol because there was a licence already in place. When the Inspector went to the premises it was at that stage they realised they needed to get their own temporary authority.
- [11] Ms Wang said they stopped selling alcohol immediately and applied for their own temporary authority on 10 June 2021.
- [12] The Inspector asked if, when the business changed hands, if the accounts were changed and the proceeds from sales went into their own back account. Ms Wang said they did.
- [13] In answer to a question, Ms Wang said she has been involved with two other licensed premises. She said when they took over the Kwang Chow Restaurant in the Dunedin they stayed in Invercargill and the manager was responsible for the changes in Dunedin. When asked, Ms Wang said she could not remember who would have applied for the temporary authority for that premises.
- [14] Mr Cheng is the son of the former owner of Great Taste and a friend of the applicant. When asked, he said they didn't realise it was their responsibility to tell the applicant that they needed to advise the applicant that the Council needed to be informed of the sale. They had been in the restaurant industry for a long time so assumed they would know what to do. In answer to a question from the Inspector, Mr Cheng said his father was the person involved with sale of the premises.

- [15] In response to a question from the Inspector, Ms Wang said her English is not good, so she relied on several friends to help with the sale and takeover of the business despite having been involved with licensed premises in the past.
- [16] The Licensing Inspector questioned the need to continue with the hearing. The applicant had admitted selling alcohol without authority. He said he did not believe there was a need for the agencies to present evidence because the applicant's suitability was in doubt.
- [17] After a brief adjournment the Committee advised the hearing would continue. They needed to be certain the applicant had read and understood the evidence of the Inspector and Ms Morrison that had been circulated prior to the hearing and that the Applicant should continue to have the opportunity to prosecute their case to ensure natural justice.
- [18] The applicant confirmed the documents had been read and understood and they were taken as read.

Mr Mole

- [19] Mr Mole is the Licensing Inspector for the Dunedin City Council. His evidence was taken as read but he noted an error in paragraph 13 – he spoke to Jun Lin Li, not Deqin Wang.
- [20] He explained how, on 13 May 2021, while looking at a new manager's certificate application, he noted the applicant's employer at the Great Taste Buffet restaurant was Wang Deqin. He checked on the name and found that Great Taste Limited was incorporated in 12 November 2020. Deqin Wang is recorded as the sole director of the company and is an equal shareholder with Junlin Li.
- [21] Further checks revealed the following:
- a) The partnership of Deqin Wang and Jun Lin Li have held an alcohol licence for the Hong Kong Restaurant in Invercargill since 2018.
 - b) Junlin Li was a shareholder of a company that held a licence for the South City Restaurant in Dunedin from 2016. Mr Li was removed as a shareholder in October 2019.
 - c) The partnership of Deqin Wang and Jun Lin Li was granted an alcohol licence for Kwang Chow in Dunedin in February 2016. When they took over this business they applied for and were granted a temporary authority so they could continue to sell alcohol when they took over the premises in August 2015.
- [22] Mr Mole said he went to the premises with Ms Morrison and advised Ms Nan Ding to remove any alcohol from display and that none could be sold. A subsequent check found that the direction had taken effect.
- [23] A temporary authority application was submitted to the Council on 10 June 2021 and a full on-licence application on 16 June 2021.
- [24] Mr Cheng's name was recorded as the duty manager on the temporary authority application. When spoken to about this he said he had agreed to be the duty manager when there were enough bookings to make it worthwhile. He also said he did not believe he did not have a responsibility to advise the new owners of their obligations for licencing the premises.

Ms Morrison

- [25] Ms Morrison is an Environmental Health Office and Alcohol Licensing Inspector for the Dunedin City Council.
- [26] She said she accompanied Mr Mole to the Great Taste Buffet Restaurant after he learned the premises may have changed ownership. She checked the Council records and learned the change of ownership had not been advised to the council with regards to the food registration.
- [27] Ms Morrison accompanied Mr Mole to the premises and explained the requirements of the Food Registration programme. She subsequently confirmed the premises had changed ownership in December 2020. A further check on the company found they had also purchased the unlicensed premises, Zoo Café, in April 2021 and this also required new food registration.
- [28] Ms Morrison confirmed that the food registration issues were resolved as soon as they were raised with the applicant.

Mr Mole

- [29] In closing, Mr Mole reiterate that the applicant admitted selling alcohol without a licence. The maximum penalty for the unlicensed sale of alcohol, upon conviction, is a fine not exceeding \$40,000 or a term of imprisonment not exceeding 3 months.
- [30] He reminded the Committee that it was not obliged to find a link between suitability and harm. In a very recent decision, *Mainland Hospitality Limited* [2021] NZARLA 100-101, the Authority said at [93]:
- “While *Sheard* and *Nischays* were not enforcement cases in relation to manager’s certificates, they confirm that at the heart of any inquiry into suitability are considerations of character, reputation, honesty, as well as considerations relating to the operation of licensed premises.”
- [31] In Mr Mole’s view, the applicant is clearly unsuitable to hold a licence.

Ms Wang

- [32] Ms Wang admitted she made a mistake. She said she did not know she needed to apply for a temporary authority because the place was already licensed. When Mr Mole visited the premises the sale of alcohol was stopped immediately. However, she would like to start selling alcohol to customers as soon as she can.
- [33] Once she has a temporary authority Ms Wang said she would then have staff apply for manager’s certificates and hopes the Committee will give her that opportunity.

DECISION

- [34] Ordinarily an application for a temporary authority will not proceed to a hearing. There is no requirement in the Act for such an application to be circulated for comment by the agencies however, because the holder of a temporary authority has the same duties, obligations and liabilities under the Act as the holder of a substantive licence, it would be remiss of the

Committee not to seek comment when it is the first application received from the applicant for this premises.

- [35] In this matter the Licensing Inspector submitted an adverse report because the applicant, by their own admission, sold alcohol without a licence or temporary authority from 17 November 2020 to 13 May 2021.
- [36] The Committee is left with some concerns regarding the applicant's suitability to be the holder of a temporary authority. However, this is not a predetermination for the applicant's on-licence application that has been filed.
- [37] There has been little evidence from the applicant regarding their suitability to hold an alcohol licence. They have previously held alcohol licences, so they need to be afforded the opportunity to present evidence of their suitability before the Committee makes a determination of their on-licence application.
- [38] For these reasons the application by Great Taste Limited for a temporary authority for the premises situated at 12 St Andrew Street, Dunedin, is declined.

DATED at Dunedin this 28th day of July 2021

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE