

July 2023 Contents

Types of licence: CLU = Club
 OFF = OFF
 ON = ON
 SP = Special
 TA = Temporary Authority

SP - Chisholm Links - Kings High School Old Boys' Dinner.pdf
SP - Compass Group NZ - FIFA WWC Fan Zone.pdf
SP - DCC_Olveston House - Owheo Quartet Concerts.pdf
SP - Eastern Boating and Fishing Club - annual events.pdf
SP - Forbury Park Bowling Club - 2 x birthdays.pdf
SP - Green Island Bowling Club - 60th birthday party.pdf
SP - Green Island Rugby Club - bingo evenings.pdf
SP - Hurricane Rodders - Smaill birthday.pdf
SP - Kaiorai Rugby Football Club - birthday & school fundraiser.pdf
SP - No8 Distillery - Otago Farmers Market.pdf
SP - Simon Charles VARE - Dead Rockers Ball.pdf
SP - Southern Rugby Football Club - A Night with Murray Deaker.pdf
SP - St Clair Golf Club - 2 x functions.pdf
SP - St Clair Golf Club - Gardner fundraiser.pdf
SP - The Craic Irish Tavern - extended area for the FIFA WWC and Bledisloe Test.pdf
TA - Cableways Liquorland - continuation.pdf
TA - Papa Chou's Yum Cha & Chinese Dining - continuation.pdf
TA - St Kilda Tavern_on - change of ownership.pdf
TA -St Kilda Tavern_off - change of ownership.pdf
CL - Brighton Rugby Football Club - renewal.pdf
CL - Otago Indoor Bowls Association - renewal.pdf
OFF - Caversham Liquor - renewal.pdf
OFF - Karitane General Store and Kitchen - renewal.pdf
OFF - Pak 'n' Save - renewal.pdf
OFF - Quicker Liquor - renewal_declined.pdf
OFF - The Baaa Sports Bar & Grill - renewal.pdf
ON - Bluestone on George - renewal.pdf
ON - Cableways Bar and Bistro - new licence.pdf
ON - Eleven Bar & Club - renewal_declined.pdf
ON - Etrusco at the Savoy - renewal.pdf
ON - Futomaki Port Chalmers - renewal.pdf
ON - Maggies - renewal.pdf
ON - Mayfair Theatre - renewal.pdf
ON - The Baaa Sports Bar & Grill - renewal.pdf
ON - University of Otago - renewal.pdf
SP - Albar - extended area for the FIFA WWC and Bledisloe Cup.pdf
SP - Brew Bar - extended area for FIFA WWC and Bledisloe Cup.pdf
SP - Chisholm Links - 50th birthday party.pdf
SP - Chisholm Links - Chitma birthday.pdf

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Brighton Rugby
Football Club Incorporated pursuant to
s.127 of the Act for renewal of a club
licence in respect of premises situated
at 1047 Brighton Road, Brighton, known
as "Brighton Rugby Football 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 Rugby Football Club Incorporated for the renewal of an alcohol club licence in respect of their premises situated at 1047 Brighton Road, Brighton, and known as the "Brighton Rugby Football 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 5 May 2026, 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 10th day of July 2023

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 Indoor Bowls
Association Incorporated pursuant to
s.127 of the Act for renewal of a club
licence in respect of premises situated
at 105 Victoria Road, Dunedin, known as
"Otago Indoor Bowls Association"

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 Indoor Bowls Association Incorporated for the renewal of an alcohol club licence in respect of their premises situated at 105 Victoria Road, Dunedin, and known as the "Otago Indoor Bowls Association".

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 16 June 2026, 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 28th day of July 2023

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 Frank and Sandra Shum Limited for an off-licence pursuant to s.99 of the Act in respect of premises situated at 267 South Road, Dunedin, and known as "Caversham Liquor"

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Mr C Weatherall
Mr R Amohau
Ms M Laufiso

HEARING at Dunedin on 18 May 2023

Appearances: Ms B Yee – for the Applicant
Mr R Shum – for the Applicant

Ms T Morrison – Licensing Inspector
Sgt S Jones – Dunedin Police Alcohol Harm Prevention Officer
Dr N Jackson – Witness (via Zoom)

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

Procedural Issues

- [1] Sgt Jones advised the Committee that Insp H Milne's evidence will not be presented formally but would be used when he presents his own evidence. This is being done at the advice of Police National Headquarters.

HEARING

- [2] The matter before the Committee is the renewal of an off-licence for a premises that has been with the same licensee since it opened in 2003.
- [3] There was no public objection and neither the Medical Officer of Health nor the Licensing Inspector raised any issues of concern. However, the Police have opposed the renewal and seeks the addition of two conditions to the licence relating to external advertising and promotion of alcohol and the sale of single serve units.

Ms B Yee

- [4] Ms Yee is the daughter of the Applicant. She is now running the business after the passing of her mother Mrs S Shum. She was accompanied by her cousin, Mr Shum.
- [5] Ms Yee presented her evidence, and it was accepted.
- [6] She said this was a family business that started with a grocery store about 60 years ago. The Caversham Four Square Supermarket was also licensed. The supermarket has since been sold and is no longer licensed.
- [7] Ms Yee told the committee they have over 20 years' experience selling alcohol, and, in that time, they have not had any issues identified. They know and understand their customers' needs and want to provide the best service they can for them especially those in the immediate area of the premises.
- [8] They are aware that the premises is situated in a low socio-economic area. However, they do not have issues with disorderly behaviour in the area. They actively discourage loitering in the area and the homeless are not part of their customer base.
- [9] Ms Yee said they do not sell cheap alcohol like the supermarkets, and they do not advertise specials. Most of the signage on the exterior of the premises has been there for over 10 years and they have never been raised as an issue in the past. There are no prices displayed on the outside, unlike other off-licensed premises in Dunedin. She said they have reviewed their premises and removed some small signs from the entry area. Ms Yee said they want to reduce harm in the community and will reduce the signage but will wait for some clarity from the Committee.
- [10] In the past, Ms Yee said they have helped customers reduce alcohol harm, with their consent, by helping them purchase smaller quantities and non-alcohol options. They have not identified any customer who enters the store multiple times through a day to buy single units. They usually buy a single to take home and drink.
- [11] Ms Yee said they know their regular customers who buy RTD singles. They are mainly tradespeople, usually over 25 years of age, and retired people. The younger student age people do not frequent the store. RTD singles are not sold in large volumes. Most of the regular customers will only buy one or two units. When asked, Ms Yee said they would sell up to a dozen single RTD units per week. Ms Yee stated the single RTD cans are not advertised and that their location in the store is not prominent.
- [12] Ms Yee said the object of the Act is clear that it is to minimise harm from 'excessive or inappropriate' consumption of alcohol, not all consumption of alcohol, especially from a single serve. The Act looks to balance an adult's ability to enjoy alcohol in moderation with harm that can result from excessive or inappropriate consumption.
- [13] The Police want to remove the ability for single units to be sold. Ms Yee believes such a move is unreasonable for both the store and the community in which it sits. A lot of the single unit products sold are supplied to be sold individually while others are a result of damaged packaging. They need to recover costs when there has been damaged packaging. Typically, the 500ml units are supplied to be sold as single units. They are not cheap to buy when compared to the supermarkets however, some are on display in coolers because this is what customers expect and Ms Yee said it is a way to keep their customers.
- [14] Ms Yee believes the sale of single units helps to minimise harm. If a customer buys a single unit, that is all they can drink. If they buy a multipack, they can drink a lot more. Some people

may be on a budget. If they cannot buy the single unit, or two, they would be 'forced' to buy a multipack and in some cases, will do this rather than buy groceries to the harm of other family members. We want people to drink responsibly and believe the sale of single units helps with this goal. The sale of single units also meets the Act's objective of minimising excessive or inappropriate consumption of alcohol. People also have the right of freedom of choice. If they want to buy a single unit of beer or RTD, it should be their right to do so, and the Applicant allows them that right.

- [15] The Committee asked for confirmation of the hours sought for the licence when, online, the hours are a lot less. Ms Yee said they are seeking a continuance of the current hours which are Monday to Sunday, 8.00 am to 10.00 pm. They want to retain flexibility in the trading practice, for example, in the days leading up to Christmas and during the Covid control period, they remained open until 9.00 pm. They occasionally get someone knocking on the door to get in when they see someone still on site. They are usually elderly people who have lost track of time. It is usually within 15 minutes of the doors being locked but still within the licence times.
- [16] Regarding the external signage, the Applicant said it was supplied by the various companies and it hasn't changed in several years. There is a lot of graffiti in the area and the Applicant is aware that the removal of signage from the walls may lead them to be the target of graffiti. When it was pointed out that there were a lot of murals painted on walls in the city that do not attract graffiti, Ms Yee said she had not thought of that and would consider it if necessary.
- [17] The Licensing Inspector asked about the signage sitting around the bollards at the entrance. The Applicant said the signage is in place so the bollards are more visible to the elderly.
- [18] The Police asked if it would be more responsible to advertise something like Coca-Cola. Ms Yee responded that their premises is a bottle store, and such signage would cause confusion being situated next to the Night 'n Day. Ms Yee also raised the risk that advertising such products may increase the risk of young people entering their store which may also cause harm.
- [19] The Committee asked what was done to discourage people loitering near the store. Ms Yee said in the past, people were approached and asked to move on. Some people got abusive while others claimed to be busking. The neighbouring Night 'n Day also ask people to move on. There have been occasions when the Police have been called. Most of the people want to go into the Night 'n Day because Caversham Liquor does not sell cigarettes.
- [20] When asked, Ms Yee said intoxication is not generally an issue at the store. They are generally closed by 8.30 pm so people do not travel from the central city to purchase alcohol from them.
- [21] The Police asked how Woodstock RTDs came from the supplier. Ms Yee said they came in 18 packs but were broken down to help reduce alcohol consumption for their regular customers. In response to another question, the Applicant said they broke the large packs so they didn't force multiple item purchases when the customer only wants a single.

Ms T Morrison

- [22] Ms Morrison is a Licensing Inspector. She had nothing further to add to the initial report filed for the application.
- [23] The Committee asked if there were any concerns with the Applicant. Ms Morrison said her only involvement with the Applicant has been during this renewal process. She said she was unaware of any alcohol licensing concerns for this premises.

Dr N Jackson

- [24] Dr Jackson is the former Executive Director of Alcohol Healthwatch and is now employed by the NZ Police. She presented her evidence, and it was accepted.
- [25] She said that there was evidence that the advertising and promotion of alcohol lead to an earlier starting age for drinking alcohol. Research in New Zealand also demonstrates that youth exposed to alcohol advertising had higher levels of consumption.
- [26] The Applicant's premises was situated in a community at the higher end of deprivation. Evidence from such areas is that drink for drink, the harm is greater than less deprived areas. Dr Jackson acknowledged she has not visited the premises or the area and is unaware of what other facilities are in the vicinity of the premises.
- [27] The Committee asked about the signage at the Applicant's premises. Dr Jackson said the branding and images of products led to normalisation in high-risk areas. While CPTED (Crime Prevention Through Environmental Design) principles are important, the Woodstock branding on the exterior of the premises is worse than the sight of some bottle on a shelf. Given the applicant previously informed the Committee that behind the signage are shelves containing spirits, Dr Jackson was asked if there were potential risks associated with full alcohol bottles being displayed on the streetside. Dr Jackson acknowledged it would not be ideal however the display of individual bottles would not be as prominent as branded signage. Dr Jackson proffered the applicant could apply a frosted decal to the window as well to mitigate this risk.

Sgt S Jones

- [28] Sgt Jones is the Alcohol Harm Prevention Officer for the Dunedin Police. He presented his evidence and introduced his exhibits. It was accepted.
- [29] As part of his inquiries into the application, Sgt Jones said he used the NZ Police National Geospatial Mapping Platform which showed the location of harm where alcohol was a contributing factor within an 800m radius of the Applicant's premises. On another map, the events logged in the Computer Aided Resource Dispatch (CARD) system are also shown. The period used for the data was a three-year period up to 3 May 2023.
- [30] The Committee confirmed that the Police were seeking the prohibition of single unit sales of beers, cider in vessels 500 ml or less and RTDs. They asked why the Police were not excluding the single sales of low alcohol products. Sgt Jones said it was about the appropriateness of selling any single units and the prices at which they are sold.
- [31] Clarification was sought on the maps presented as exhibits. Sgt Jones said he did not have the numbers of each of the incidents but each dot on the maps represents at least one incident, but there could also be multiple incidents at that location. The validity of the information presented in the maps was questioned after it was determined the number and location of other off-license premises was misrepresented. Sgt Jones informed the CARD and NIA reported information is accurate however premises information may be incorrect.
- [32] The Committee asked what the relevance of the photos of the person drinking in the centre of town to the current application. Sgt Jones said it showed the inappropriateness of selling single units because such people will visit the Applicant's premises.

- [33] The Inspector asked about the external advertising compared to other off-licence premises in Dunedin. Sgt Jones said he was unaware of any other premises with the same amount of advertising as the Applicant's premises.
- [34] The Committee asked if the Police have been required to visit this premises. Sgt Jones said there has been no need other than during the relicensing process.

CLOSING

Ms Morrison

- [35] This is a longstanding family business, and, during that time, there has been little change. While there has been no harm attributed to the premises, there have been changes in the alcohol harm reduction strategies implemented by the Applicant. The Inspector is unsure why the Applicant wishes to retain their 8.00 am opening time.
- [36] The Inspector supports the position of the Police with respect of the single serve sales so there is consistency across Dunedin. The external advertising is more of a concern for the Inspector. The CPTED principles has 'line of site' as an important consideration. With the windows covered with branding of alcohol, there is no safety for the staff. There is no other premises with so much advertising. Times are changing and the Inspector believes the premises should as well.

Sgt Jones

- [37] This is a busy premises catering for the local community and people using the main arterial route. However, the area in which the premises is situated is a low socio-economic area with high deprivation. The data presented demonstrates the area has extreme issues.
- [38] The sale of single serve units is not in line with the Object of the Act. There is case law that indicates there does not need to be a causal nexus to the premises itself.
- [39] The Police ask that there are two conditions added to the licence:
- [40] No alcohol advertising or promotion on the exterior of the building; and,
- [41] No single sales of RTDs, beer or cider 500ml or less (excluding craft beer).

Ms Yee

- [42] The Applicant said Caversham Liquor is not the only contributor to harm in the area. There are other off-licences within the area defined by the Police. Ms Yee also commented that the Police data is evolving. For example, those shown as having been recorded as drunk driving, would have been caught driving through the area and unlikely to have bought their alcohol from their store. The data is being drawn from a small minority of the community.
- [43] The Police described the premises as being busy and with a large range of beers and RTDs. We may be busy but not to the same extent as competitors. The store does not carry a large range of beer: it has a limited range only.
- [44] The Applicant said they would be disadvantaged if they could not sell single items like their competitors. While alcohol is the cause of harm in the community, it is the amount consumed that is the determinant of harm. They sell singles to people, and that is all they can consume. If they were forced to sell multipacks, more would be consumed with the potential for more harm.

- [45] Ms Yee said they were passionate about their community and do what they can to support it. She said they talk to the people, almost act as counsellors for some, and the talks cover a range of issues, not just alcohol related.
- [46] With regards to 'Simon', the subject of the Police exhibits, he is not a customer at the premises. He has in fact been trespassed from the premises, along with his son, on several occasions. He has not been seen in the area for several years. Ms Yee said she would like to think he was penalised by the Police in some way for breaching the alcohol ban
- [47] Ms Yee said advertising and single sales should be debated in Parliament, not in the hearing setting. However, they were not averse to changing the signage if the Committee could give some guidance.

DECISION

- [48] This matter relates to the renewal of an off-licence which is opposed by the Police. The Police are seeking the inclusion of conditions relating to the external advertising and promotion of alcohol and the sale of single serve units.
- [49] The Committee finds that the advertising on the exterior of the premises is unsuitable and will give the Applicant six months from the date of this decision to remove the branding of alcohol and any lifestyle images. It is recommended that the Applicant considers frosting on the windows.
- [50] In a recent decision of the Committee, Aysonic Limited, DnDLC 2022/26/OFF, a condition was added to that licence restricting advertising to black text only along with the company name and/or logo. The same condition will be applied to this application.
- [51] The issue of single serve sales was considered at length. The Committee finds that single serve sales are appropriate for this location.
- [52] The Applicant presented information relevant to their location. They identify customers who purchase single units and understand their reasons for doing so. They have operated businesses in this community for about 60 years. They know and understand their customer base and believe that single sales are a good option for them as a business, and the community in which it sits.
- [53] Each application must be considered on its merits and in this matter, it is appropriate to allow single serve sales to take place.
- [54] The Committee also makes the following recommendations:
- a) That Ms Yee obtains a manager's certificate.
 - b) That the Applicant updates their understanding of s.214 of the Act (acting managers).
 - c) That the Applicant ensures the Authority in Wellington are advised of the company structural changes once Mrs S Shum's estate is finalised.
- [55] We are satisfied as to the matters to which we must have regard as set out in s.131 of the Act and therefore renew the licence until 12 December 2025, that being the anniversary date of the licence and three years from the most recent date of expiry. The renewed licence will be subject to the following conditions:
- a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day
 - b) Alcohol may be sold only on the following days and during the following hours:

Monday to Sunday 9.00 am to 10.00 pm

- c) The whole of the premises is designated a supervised area.
- d) While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being supplied.
- e) External, fixed advertising to be restricted to black text with only the company name/logo.
- f) 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 liquor to minors and the complete prohibition on sales to intoxicated persons.

DATED at Dunedin this 5th day of June 2023

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 Baby Loaf Limited pursuant to s.127 of the Act for renewal of an off-licence in respect of premises situated at 130 Stornoway Street, Karitane, known as "Karitane General Store and Kitchen"

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 Baby Loaf Limited for the renewal of an alcohol off-licence in respect of premises situated at 130 Stornoway Street, Karitane, and known as the "Karitane General Store and Kitchen".

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 23 June 2026, 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 10th day of July 2023

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 McDonald Holdings Limited for an off-licence pursuant to s.99 of the Act in respect of premises situated at 86 Hillside Road, Dunedin, and known as “Pak ‘n’ Save Dunedin”

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Mr R Amohau
Members: Mr C Weatherall
Ms K Elliot

HEARING at Dunedin on 12 May 2023

Appearances: Mr I Thain – Counsel for the Applicant
Mr W McDonald – for the Applicant

Ms T Morrison – Licensing Inspector
Sgt S Jones – Dunedin Police Alcohol Harm Prevention Officer
Dr N Jackson – Witness (via Zoom)

Mr K Mechen –Secretary to DLC/Alcohol Advisor
Ms L Riddle – Governance Support Officer

Procedural Issues

- [1] The Police stated they had only received the un-redacted brief of evidence for the Applicant on the morning of the hearing and therefore did not have sufficient time to consider the document.
- [2] The Committee commented they only received the document on the morning as well, but the redacted information only related to commercially sensitive information and would not impact on the hearing.

INTRODUCTION

- [3] This matter relates to the renewal of the off-licence for the premises situated at 86 Hillside Road, Dunedin, and known as “Pak ‘n’ Save Dunedin”. The application is for a rollover of the present conditions.
- [4] Public notification of the renewal did not attract any public objection. Neither the Medical Officer of Health nor Licensing Inspector opposed the renewal.

- [5] However, the Police have opposed the renewal stating the sale of single serve, high alcohol content alcohol at cheap prices is contrary to the object of the Act and, because the Applicant sells such products, their suitability must be in doubt. They also raise concerns about the amenity and good order of the locality.
- [6] To mitigate their concerns, the Police recommend the imposition of two conditions: no external advertising or promotion of alcohol, and no single serve sales of beer, cider or RTDs in containers 500ml or less, excluding craft beer.

HEARING

Applicant

- [7] Mr Thain, for the Applicant, emphasised this was a licence renewal. The criteria to consider are different for renewals, in particular the amenity and good order of the locality.
- [8] The Police have not submitted complete opposition. Their concerns would be addressed by the inclusion of two additional conditions to the licence. However, the Police raised the matter of the Applicant's suitability as well as other areas of concern.
- [9] The Applicant's single alcohol area has not changed and meets the requirements of s.113 of the Act. Section 114 of the Act prohibits advertising and promotion of alcohol outside the single alcohol area, and to limit exposure of people outside of the area. The law prohibits external advertising and therefore there is no such advertising on the exterior of the premises.
- [10] Mr Thain suggests there is no need for a condition prohibiting advertising and promotion of alcohol on the exterior of the premises. It is contrary to the law therefore unnecessary.
- [11] If the Police are seeking a prohibition on advertising in flyers and on television, this is already covered in other government legislation. It is not in the control of the Applicant but is done from a national office.
- [12] The Applicant believes the Police suggested condition to prohibit the sale of single serve beer and cider is unreasonable. Section 117 of the Act allows conditions to be added to a licence if they are not inconsistent with the Act and are reasonable. The Courts have determined that anything that is disproportionate to the issue, is unreasonable. Something is 'disproportionate' when it goes further than is required and if the costs outweigh any possible benefit. Shopper inconvenience could be considered unreasonable.
- [13] There is no evidence that small, low volume, single serve sales causes harm. The application relates to a drive to destination supermarket, not a bottle store. If a single unit is bought, that is all that can be consumed. If more is bought, more can be consumed.
- [14] Craft beer is also a 'grey' area. Products are changing all the time so how would 'craft beer' be defined. Such a condition would be difficult to comply with.
- [15] The legislation prohibits the sale of alcohol to people under 18 years of age and intoxicated people. The Applicant errs on the side of caution and staff are instructed to watch for young people and people who repeatedly purchase alcohol. The majority of people who purchase alcohol consume it responsibly. Providing an opportunity to buy single units allows people to better manage their alcohol consumption. If they are 'forced' to buy more, they may continue drinking. It also allows people to budget. Some people will go without other grocery items to buy alcohol.
- [16] Mr Thain said the Applicant does not deliberately break the manufacturers' packaging. They are sold as intended. However, packages sometimes break when they have been shifted within the store and these are sold as single units. The Applicant has indicated they would repackage in some way, so they are not sold as single units.

- [17] Pak 'n' Save Dunedin is in an area not surrounded by residential activity and is a destination for Dunedin shoppers generally. It is not a 'drop in' place for people to get a top up for the night. When the Dunedin Local Alcohol Policy (LAP) was being developed, the area was not considered a problem area.
- [18] The definition of harm in the Act is that caused by the excessive or inappropriate consumption of alcohol. Mr Thain said the Act does not seek to prevent consumption, just excessive or inappropriate consumption. An off-licence cannot control where the consumption occurs.

Mr W McDonald

- [19] Mr McDonald is a director of the applicant company, McDonald Holdings Limited. They operate the store under a franchise agreement with Foodstuffs South Island Limited. He presented his evidence, and it was accepted.
- [20] He said they take their licence very seriously. They have had the licence for a long time and will not do anything to jeopardise that. This message is conveyed to the staff.
- [21] There is no need to 'push' alcohol onto people. Staff keep a watch for people behaving badly, are intoxicated or underage. They are told it is acceptable to refuse a sale if they are unsure and the store has received complaints because of this but supervisors are told not to take risks.
- [22] Mr McDonald said single serve units are a recent category. They do not see large quantities leaving the store. When staff see a person enter the store early and buy alcohol, they take extra notice of them and will often refuse sales. The Applicant decided some time ago that single serve units would be sold off a shelf only. They are not stored in chillers, so they are sold at ambient temperature.
- [23] The alcohol content in the single serve units is generally 4 – 4.5% alcohol by volume (abv), but there are some at 6.5 and 7.2%. The majority are in 500ml containers with most of the craft beer in 330ml cans. There are some 'premium' bottles of 600ml, for example, Heineken Lager.
- [24] When asked what he thought a craft beer was he said it was blurred. Emerson's Brewery made craft beers, but they were also sold on tap in some on-licence premises. Some beers from the United Kingdom and Japan came in larger volume containers but they were sold in small quantities.
- [25] Mr McDonald was asked about the photos in the Police evidence. He said they no longer represented what is happening in the store – some of the products no longer existed but were in stock at the time. Mr McDonald said he took some photos from a nearby Countdown supermarket and commented that they had single units for sale in the chiller and had some products not found at Pak 'n' Save.
- [26] Ms Morrison asked why single units from broken packs were sold and if they would be willing to bundle them up so they are not sold as singles. Mr McDonald said the single units were an inconvenience. Damaged stock cannot be returned unless it was damaged in transit to the store. When a carton is broken, the staff are told to wash the unbroken units and put them on the shelf. They sell them because they listen to what their customers want. They don't shop exclusively from Pak 'n' Save and when they go to other stores, they see single units being sold. The majority of customers are sensible, so they offer the single units from broken packaging. However, if required, they will bundle them together in some way.
- [27] The shopping trolley in the alcohol area is used to display items the store wanted to move quickly. Mr McDonald acknowledged it was not a professional look, but it was an effective way to have the mainstream products on the floor. The higher alcohol content products are not put in the trolley. The price put on the products is the per unit cost, with rounding, from the broken cartons. The trolleys were only used for a few days every two or three weeks.

- [28] In response to a question from the Police, Mr McDonald said external advertising was in the way of flyers but that is reducing. The future is electronic advertising with social media and websites. A national marketing team makes up the flyers, put the advertisements in the newspapers and arranges the billboards.
- [29] Sgt Jones asked if he thought alcohol was something needed in the household. Mr McDonald said it was a discretionary purchase that gave satisfaction and pleasure to people.
- [30] The Committee asked how the age of the purchaser is verified when the items are 'click and collect'. Mr McDonald said they use the online process developed and used by Foodstuffs South Island. In response to another question, he said the store's duty managers were given examples of breaches in other premises. The rules around students/young people and groups of young people were reinforced at meetings. Since the Covid-19 lockdown, the store has had a lot of new staff so there are regular meetings to keep them current with what is happening.
- [31] Training is provided with the use of the Foodstuffs South Island training packages. They cover many things including alcohol sales and security. When a staff member is going for a manager's certificate, they are required to be interviewed by the Licensing Inspector before the application is processed.

Dr N Jackson

- [32] Dr Jackson is the former Executive Director of Alcohol Healthwatch. She presented her evidence in a personal capacity on the impacts of alcohol-related signage on alcohol use behaviours. Her evidence was accepted.
- [33] There was no examination of the evidence.

Sgt S Jones

- [34] Sgt Jones is the Alcohol Harm Prevention Officer for the Dunedin Police. He presented his evidence and exhibits, and it was accepted.
- [35] He accepted that the target market for Pak 'n' Save was Dunedin generally but said there was a focus on South Dunedin.
- [36] Sgt Jones answered questions in relation to an affidavit from Insp H Milne presented at another hearing in Dunedin. He said the National Intelligence Application (NIA) is the primary location for recording offences. The police attending an incident decide whether alcohol is a contributing factor, and this is recorded against the incident in NIA.
- [37] Mr Thain referred to the Police Exhibit I which indicated the location of NIA incidents and licensed premises. An off-licence is shown to be opposite the Applicant's premises on Hillside Road, but such a premises does not exist. Sgt Jones acknowledged that the NIA events indicated were over a three-year period. Mr Thain also pointed out to the Committee that there were on-licence premises along King Edward Street near the Applicant's premises. The object of the Act discusses alcohol-related harm caused by the excessive or inappropriate consumption of alcohol. Consumption does not take place at Pak 'n' Save. Mr Thain suggested that the data represented on the maps was not reliable.
- [38] Sgt Jones explained that NIA was a 'geospatial' tool that is used as a guide to indicate where alcohol is involved in incidents in the community.
- [39] Mr Thain quoted the Ministry of Health guidelines for safe drinking levels is 4 standard drinks per session for females and 5 standard drinks for males. A single can of high strength beer sold at the premises may contain up to 3.1 standard drinks, which is below the recommended guidelines for safe drinking.

[40] The Police included two photographs of 'Simon' holding high strength cans of beer but admitted the photos were taken outside the central Police Station. Sgt Jones said he had never seen the person near Pak 'n' Save.

[41] Sgt Jones, when asked, said he had not seen any advertising on the Pak 'n' Save building.

Ms T Morrison

[42] Ms Morrison is a Licensing Inspector for the Dunedin City Council. She had no further information to provide beyond her report for the licence renewal.

[43] When asked, Ms Morrison said there were no issues with the premises during the renewal process.

Adjournment

[44] The Committee adjourned the hearing and requested closing submissions to be presented in writing in one week.

Closing

Police

[45] The Police submitted that the sale of single serve, high strength alcohol, at a cheap price, did not align with the object of the Act. The premises is in a vulnerable community, and they are exposed to higher levels of harm. They cited *Two Brothers Wholesale Ltd* [2021] NZARLA 32 where the Authority said at [152], "... the fact that Mr Singh was willing to sell high alcohol beers on a single serve basis in a vulnerable community, establish a causal nexus between the evidence to suggest that the grant of the application, contrary to the object of the Act, will increase the risk of alcohol abuse and the relevant risk."

[46] They presented data from the Police NIA system that indicated the locations of incidents where the attending police indicate alcohol as a causative factor. The Police refer to the High Court decision [2018] NZHC 1123 *Lion Liquor Retail Limited* where the Court found there did not need to be a causal nexus between harm and a premises, however, because of the premises proximity to alcohol-related harm, it could be reasonably accepted that alcohol purchased from the premises was used, in the case cited, for pre- and side-loading.

[47] Comment was made regarding the exterior display of alcohol advertising and promotions and the evidence presented by Dr Jackson.

[48] The Police said that the continuation of single sales and the prevalence of alcohol advertising with the community were major contributors of alcohol-related harm around this premises and the wider Dunedin community. They would like the Committee to consider imposing two conditions: no alcohol advertising or promotion on the exterior of the premises; no single sales of beer or cider in vessels 500ml or less, excluding craft beer.

Applicant

[49] The Applicant does not believe the addition of the conditions suggested by the Police should be imposed.

[50] The Police was the only objector. Their grounds were the object of the Act, suitability of the Applicant, and the amenity and good order of the locality.

[51] The opposition in relation to both the object of the Act and the suitability of the Applicant is the sale of single serve sales of high strength alcohol. The amenity and good order opposition is that alcohol is a contributing factor in incidents they are called to.

- [52] The Applicant said that there is no absolute opposition, but they are using it as a mechanism to have further conditions added to the licence. The imposition of the conditions would be unreasonable as s.117 does not permit unreasonable conditions.
- [53] The Police use s.105(1)h) when discussing amenity and good order. This section only applies to new licence applications, not renewal applications. If the Committee was to consider s.131(1)(b) of the Act, they would need to be satisfied that the amenity and good order of the locality would increase by more than a minor extent by the refusal to renew the licence. In that consideration, the Committee is required to have regard to the current, and possible future, levels of noise, nuisance and vandalism in the locality of the premises. No evidence was presented that refusing the renewal would likely increase the amenity and good order of the locality by more than a minor extent.
- [54] Mr Thain pointed out that of the data presented by the Police from the NIA system, only the subset relating to noise, nuisance and vandalism can be considered in relation to amenity and good order.
- [55] The premises does not have external advertising and promotion of alcohol. It is prohibited by s.114(1)(a) of the Act.
- [56] The Police did not submit any evidence of harm caused by the sale of single serve alcohol. Mr McDonald gave evidence that he had never seen anyone drinking single serve beer or cider in the Pak 'n' Save carpark or the nearby public spaces.
- [57] Mr McDonald has a long record of compliance with the legislation and has robust systems in place at the premises. The Licensing Inspector did not raise any concerns. The only issue raised by the Police was the sale of single serve units to a vulnerable community. However, Mr McDonald and his staff understand the community in which it operates. They have a commitment and strong systems and training to ensure compliance with the Act. They actively promote low and no alcohol products and never 'loss-lead' on alcohol prices.
- [58] Parliament already restricts the types of alcohol allowed to be sold at supermarkets. They do not prevent the sale of single serve units. If the Police concern relates to price, Parliament has already decided not to control the price of alcohol.
- [59] The Applicant submits there is no valid reason to impose the condition relating to single serve containers. There is no evidence that such sales carry any greater risk of leading to alcohol-related harm than multi-container sales. If a person buys a pack containing multiple units, they are likely to drink several or all of them in one session. If they buy a single unit, that is all they can drink.
- [60] The data presented from NIA should not be relied on. The attending police are required to decide if alcohol is a contributing factor. However, this does not mean it is a result of excessive or inappropriate consumption, or that the offender or victim is intoxicated. They may only be affected or under the influence of alcohol, or the alcohol may have been stolen in a theft, burglary, or fraud.
- [61] Mr Thain said that the Committee was required to apply the legal principles set by the High Court in *Vaudrey & Bond*. They must ascertain whether the imposition of the condition is proportionate and therefore reasonable. It would not be reasonable to impose a condition prohibiting the Applicant from selling products from accidentally broken multipacks. The Applicant has indicated he is planning on discontinuing the practice for good professional retail standards. The alcohol shown in the photos of the shopping trolley are mainstream beer and cider and usually no more than 1.26 standard drinks and they are not sold chilled.
- [62] The Applicant submits that the licence should be renewed with no change to the existing conditions.

DECISION

- [63] This matter is an opposed application for the renewal of an off-licence for “Pak ‘n’ Save Dunedin”. The opposition comes from the Police and relates to the premises selling single serve units of high strength beer and cider and external advertising and promotion of alcohol.
- [64] The Committee does not consider external advertising and promotion as being relevant. The Applicant has been clear that they abide by the restrictions stipulated in s.114 of the Act which restricts on premises alcohol advertising to their single alcohol area. There is no evidence that the Applicant has been in breach of this section. The imposition of such a condition is considered unreasonable by the Committee and therefore it will not impose such a condition.
- [65] With regard to the sale of single serve beer, cider and RTDs, the Committee is aware that supermarkets cannot sell RTDs. While the applicant does sell cider and beer that may be impacted by the condition sought by the Police, the Committee does not believe the condition would be congruent with the object of the Act based on the evidence proffered. The sale of a single unit of beer or cider could be considered a form of reducing alcohol-related harm. Such a condition would ‘force’ customers to purchase multipacks of alcohol which would allow them to consume several units of alcohol, if not the whole pack, compared with the single unit if the condition was not imposed.
- [66] In the absence of evidence to support the premise that the sale of single serve units of beer and cider is a driver of alcohol-related harm, the Committee will not impose the condition sought by the Police.
- [67] We are satisfied as to the matters to which we must have regard as set out in s.131 of the Act and therefore renew the licence until 12 September 2025, 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.
- [68] Mr Whipp, of Te Whatu Ora, was excused after an apology was received. Their report did not oppose the renewal of the application.

DATED at Dunedin this 5th day of July 2023

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 MJ Enterprises
Limited pursuant to s.127 of the Act
for renewal of an off-licence in
respect of premises situated at 384
George Street, Dunedin, and known
as “Quicker Liquor”

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

HEARING at Dunedin on 14 November 2022

Appearances:

Ms P McCarthy	Applicant
Mr G Hoar	Super Liquor National Operations Manager in support of Applicant
Ms A Blair	Licensing Inspector
Sgt S Jones	Police Alcohol Harm Prevention Officer
Mr A Whipp	Medical Officer of Health Delegate
Dr N Jackson	Executive Director Alcohol Healthwatch
Insp H Milne	Manager; Alcohol Harm Prevention, Police National Headquarters
Mr K Mechen	Secretary to DLC/Alcohol Advisor
Ms L Adamson	Governance Support Officer

INTRODUCTION

- [1] This is an application for the renewal of an off-licence for the premises situated at 384 George Street, Dunedin, and known as “Quicker Liquor”.
- [2] The applicant was seeking the same conditions as the current licence however, after discussion with the Licensing inspector, agreed to amend the opening time to 10.00 am.
- [3] Public notice of the application did not attract any public objection however the Police and Licensing Inspector have opposed the application. The Medical Officer of Health has not opposed the renewal.
- [4] Police oppose the application on the grounds the object of the Act is not being met because the applicant sells cheap single serve, high alcohol content drinks in a deprived area. The

Police report the sale of such products raises questions as to the suitability of the applicant. The other area of concern is the impact on the amenity and good order of the locality with the sale of such products.

Ms McCarthy

- [5] Ms McCarthy and her husband are the joint directors and shareholders of the applicant company which was formed in 2010.
- [6] Since receiving advice of the opposition, Ms McCarthy stated they now had a policy of not selling single serve beers. She also said the 0% alcohol sales were increasing. They do not have advertising on the exterior of the premises. Mrs McCarthy also pointed out that they had amended their licence opening time to 10.00 am, instead of the current 8.00 am, after talking to the Licensing Inspector.
- [7] Mrs McCarthy told the Committee they were short staffed at the moment because of Covid. She said when breaks were required the staff shut the shop. They keep their own records and send their hours through each week for the payroll. The system is working. She said all of the staff are paid properly and they are looked after well.
- [8] Quicker Liquor is a 'satellite' of Super Liquor. Their store is not big enough to be able to carry that brand.
- [9] There are cameras inside the store and outside. They do not see assaults or other issues in the street. Ms McCarthy said they had a recent incident of shoplifting and contacted the Police but were told it was a low priority. Ms McCarthy interpreted the Police response to this incident as a lack of interest and has since refrained from reporting similar incidents to Police.
- [10] The Committee asked about the no single serve sales of alcohol. Ms McCarthy said the minimum sale is two cans of beer. She said they did not sell any beer of greater than 7.2% alcohol which is Kingfisher Beer. They do not sell the 8% beer seen in supermarkets and Four Square stores in Dunedin. She said there needed to be a level playing field in Dunedin.
- [11] When asked, Ms McCarthy said Kyle (Kyle Black) and Debs (Debiere Adam) worked out the staffing for the store. Staff knew when it was time for a break, and when they are there by themselves, they just shut the store and go back to the staff only area. Ms McCarthy confirmed she does not create weekly rosters for Quicker Liquor however understands generally which staff work when with the details being worked amongst themselves.
- [12] The Licensing Inspector asked how the store is covered for 12 hours in a day with only one staff member. Ms McCarthy said until they can find new staff, they just close the store. She said everyone is struggling to find staff at the moment.
- [13] As there was no formal roster, Ms McCarthy was asked if there was an employment contract signed by staff. She said there was and used Mr Black as an example where his contract stated he would work a minimum of 30 hours per week. The Inspector asked if records were kept because there was a requirement for staff breaks to be provided. Ms McCarthy said there were records kept in her office in Mosgiel. There were two boxes of records.
- [14] The Committee asked if there was a log kept of when the store was open. Ms McCarthy said staff are required to set the alarm when they were not in the store. Each week they get a report from the company who monitors the alarms so they can see when there is no one present. Ms McCarthy explained she can determine when staff are taking their breaks outside the shop from this log.
- [15] Ms McCarthy was asked if she was aware there was a requirement for 10-minute breaks through a workday. She said she was. There was enough downtime each day for the breaks

to be taken however these were not rostered and depended on the shop having no customers at the time.

- [16] The Licensing Inspector said there appeared to be only three duty managers at Quicker Liquor. Ms McCarthy said the duty managers were able to work across the various premises she operates. They are aware of this when they are employed, and it was purported a clause within their employment contract empowered this.
- [17] When questioned more about the rosters and paying of staff, Mr Hoar said all franchisees are subjected to an employment audit survey by Lane Neave, who are contracted for this purpose, and Quicker Liquor did not give rise for any concern. However, when questioned by the Licensing Inspector, Mr Hoar said the surveys are based on honesty and there was no site visit by Lane Neave. Ms McCarthy told the Committee that all payroll records are kept online for one year.
- [18] In response to another question, Ms McCarthy said the contract used when staff are employed is the standard Hospitality New Zealand contract. With the assistance of a former Licensing Inspector, wording for the contract to cover multiple premises was determined.
- [19] The Medical Officer of Health Delegate asked how a person could be on a contract for one company but work at other premises owned by different companies. Ms McCarthy said that all the stores are mentioned in the contract.
- [20] When asked if self-reporting of work hours was a safe method of ensuring good health and safety and that staff were taking breaks, Ms McCarthy said as well as being required to lock the doors, she had the ability to check the cameras at any time. She said she trusts her staff to be responsible and honest.
- [21] Ms McCarthy was asked how anything could be planned if there were no rosters set, to which she replied that Mr Black was on site and the staff set their own hours of work and this is put up on the staffroom wall. At the end of a pay period, they send their timesheets in for payment.
- [22] The Police asked about the single serve sales and sought clarification on what the applicant said about 'wandering' people. She said pedestrians often came in, bought a can, and then carried on walking.
- [23] In response to a question about when there were no staff available to work, Ms McCarthy said Simon Thomas, the operator of the nearby business Beggs Ski Shop, came in and helped. Also, Ms Adam was also able to help out when needed.
- [24] The Committee asked how it was recorded when a break was taken in the store, because the alarm would not be set. Ms McCarthy said the door is supposed to be locked and times recorded. When questioned about staffing at the store, the Committee was told in busy times they preferred to have two people present but in quiet times there was only one working.
- [25] Ms McCarthy said when a person is employed, they are told what their entitlements are, including breaks, and to record everything in a daybook. Staffing has been affected by Covid and immigration regulations. She said Mr Hoar has supplied a generic roster which will be used in the future. They only use the first names of the duty managers in the signage for the safety of staff, especially the younger women. Ms McCarthy was reminded it is a legal requirement for full names of duty managers to be displayed.

Inspector H Milne

- [26] Inspector Milne's evidence was presented and accepted. There were no questions relating to the material presented. He was not aware of this hearing.

Dr N Jackson

- [27] Dr Jackson was not available to present her evidence. The Committee had copies of her evidence.
- [28] Ms McCarthy for the applicant explained she does not advertise on the external aspects of her building because she believes it is “tacky” and she does not oppose the imposition of a condition prohibiting external advertising.

Sgt S Jones

- [29] Sgt Jones presented his evidence, and it was accepted.
- [30] The Applicant commented that there needed to be a level playing field and asked if all the premises were being treated the same. Sgt Jones replied that he believed single serve sales and alcohol advertising and promotions needed to be controlled.

ADJOURNMENT

- [31] The matter was adjourned for several weeks to allow the applicant to supply employment records and the daybook to be viewed by the parties before reconvening.

RECONVENED

- [32] When the matter was reconvened, several documents were presented for viewing, including the Incident Book from the premises, three employees’ employment contracts, rosters and a photograph showing the location of the roster in the staff room. The Committee was told one of the duty managers, Ms Linzi Craig, sent her ‘hours worked’ each Monday because they were on a weekly pay cycle. Ms McCarthy proffered this information on the day proceedings reconvened inhibiting the regulatory agencies and the Committee from inspecting the information thoroughly.
- [33] The Licensing Inspector asked what system had been put in place, since the first part of the hearing, to ensure staff were taking rostered breaks. Ms McCarthy said she checks on the cameras.
- [34] The Inspector also asked why there were no rosters provided when they had been specifically requested. When the Day Book was examined, there was no record of any hours worked by the staff present. Ms McCarthy was asked how often she actually visited the premises. She replied she visited most weeks but did speak to them regularly and discussed issues. It was noted that the Day Book had not been looked at since March 2022 but Ms McCarthy said everyone was happy so there was no need. If there was any issue the staff called her. There was no record of the calls because she trusted the people put into those positions.
- [35] Ms McCarthy was asked how she could show she managed the premises. She responded by saying she paid all the bills for the premises while her son, Mr Brendon McCarthy, paid the bills for Super Liquor Cumberland Street.
- [36] The Committee noted Mr Black’s contract was not signed on behalf of the employer and there were two sets of hours on the document. Ms McCarthy could not explain the lack of employer signature and explained the two lots of hours resulted from him being a student initially and then working more hours once that ended. Ms McCarthy offered to sign the contract in front of the Committee to remedy the error. While the Committee cannot find that retrospective remedial actions are common, the Committee has some reservations about her doing this.
- [37] It was noted by the Committee that Ms Craig was employed at Super Liquor Mosgiel and asked how she, Ms Craig, could be working at Super Liquor Kaikorai when the two premises are owned by different entities. Ms McCarthy explained the two businesses were under the

same banner. She has discussed this with Hospitality NZ who said they were 'comfortable' with the system. There were tax implications, but everything was compliant. When asked if the employee work times were being recorded properly, she said they were.

- [38] The Committee asked about the roster that was presented. Ms McCarthy said they were templates provided by Mr Hoar. It was explained that the templates should be tailored for the individual premises, including when breaks are to be taken.
- [39] Mr Hoar explained that Ms McCarthy was aware of the requirement for breaks. She is paying staff properly and they are being offered their break periods. He said the applicant has been let down by 'the system' and that she was too trusting. Mr Hoar suggested the applicant sign a franchise agreement so there would be quarterly checks by the Franchise Manager for the area to help. He said there was nothing sinister in what Ms McCarthy is doing but there is a need to tidy up processes. There is nothing wrong with what she is doing.
- [40] The Committee asked the applicant how long it would take to get her new procedures in place and suggested by the end of February 2023. They were heading into a busy period owing to the influx of students into the area for the commencement of the 2023 academic year, but 28 February 2023 would be fine.
- [41] In response to a question relating to the 'on-going training' at the store, Ms McCarthy said they used the Super Liquor Training Manuals. They work through them regularly and there is also an online portal that can be used. Records of the refresher training are kept when staff sign the acknowledgement of the policies and house rules, and they are reviewed every six months.
- [42] Mr Hoar informed the Committee he would have the Quicker Liquor staff put onto the twice-yearly Super Liquor Training schedule and would have Lane Neave look at the employment practices for the premises moving forward. He further advised the Committee that he would allow Ms McCarthy to utilise Super Liquor Holdings intellectual property to support her in complying with the requirements. These resources have not previously been available to Ms McCarthy at Quicker Liquor given it is a satellite store and not a full fledged Super Liquor store.
- [43] The Committee adjourned proceedings to enable Ms McCarthy to compile the requested information and the procedures for her store. The Committee considered the information provided and determined there was insufficient detail to satisfy that the matter could be addressed on the papers and reconvened the hearing again to satisfy themselves that the Applicant understands their requirements in the legislation and the contents of the documents supplied. In a Committee Minute, the Committee requested the presence of Mr Kyle Black to appear, given over the last two hearings it became apparent he was a critical worker in the Quicker Liquor operation.

RECONVENED

- [44] The Committee commented that the information provided all referred to Super Liquor, not the Applicant's premises Quicker Liquor. They asked if there was any training or operations manual, handbooks or other documents in the Quicker Liquor name for the Committee to consider on the day.
- [45] The Applicant told the Committee that the owner of the company is MJ Enterprises Limited and that is the name that appears on the employment documents. Quicker Liquor is a satellite of Super Liquor, so they use the documents supplied for the latter company. Mr Hoar had sent a letter to the Committee outlining the relationship between the two companies in lieu of the franchise agreement requested by the Committee. Mr Hoar confirmed to the Committee that they were comfortable with Quicker Liquor using their intellectual property. They provided documents for use by the Applicant at their premises. He also said the Super

Liquor franchise manager will be visiting the premises quarterly and that a training portal was made available for the Quicker Liquor staff to use about two months earlier.

- [46] Ms McCarthy said the books were all the same. Any incident that occurs gets entered into the Incident Book. Copies of the pages were supplied because the book needed to remain at the store.
- [47] The Committee commented that they asked to see the training manual used at the store and it wasn't provided. At the least, a link to the training portal would have been helpful. When asked about training, Ms McCarthy said everyone had to complete the training, as well as ServeWise, and that it was being monitored. The folders are kept in the store and when the training is complete, they get a certificate. Once the staff member has logged into the training portal, their work can be monitored.
- [48] When asked about rostering, Ms McCarthy said three were employed and they all have manager's certificates. When required, Mr Thomas from Beggs Ski Shop helps. She said the staff were getting their breaks. The instructions regarding breaks are posted on the walls in the staff area and they are instructed to record when they are taken.
- [49] Ms McCarthy said they have replaced all the CCTV cameras with the latest technology. When something happens, the images are saved to a flash drive and taken to the Police Station.
- [50] The Licensing Inspector asked if they were aware of the requirement to notify the Police and Inspector of any changes in duty managers at the premises because some had left and at the hearing Ms McCarthy mentioned 'Dean' being the manager. None of the changes had been notified. Ms McCarthy said she was sure the notifications had been done.

CLOSING

Police

- [51] Sgt Jones said he did not believe the premises had appropriate systems, nor the staff, to operate the premises properly. They had also sold single serve, high strength beer and had external alcohol advertising and promotions on the premises. The Police recommend the renewal application is declined.

Licensing Inspector

- [52] The Inspector does not believe the Applicant has supplied the evidence to demonstrate they can operate the premises properly. They are reliant on the Super Liquor franchise to get their information and resources because MJ Enterprises is not capable of doing it themselves. They have had ample opportunity to provide information, but they haven't done so. The Inspector recommends the renewal application is declined. It is noted, the Inspector did not oppose the renewal of the licence in their section 129 report and as such, the Committee must revert to the original position of the Inspector as set out in their report. Such an approach is consistent with the Authority's view stated in *Sargent v Kapiti Supermarket Limited* [2015] NZARLA 194 where, at [15], they said the Police were not entitled to alter their original stance after the expiration of the 15 working days period in which to report. The Inspector does not have the same 15-day time constraint but, once the papers had been exchanged and the hearing started, the Committee is of the view their position cannot be altered.

Medical Officer of Health

- [53] Mr Whipp for Te Whatu Ora was not present during the final portion of the hearing and did not provide a written closing summary. The Committee accepts Te Whatu Ora's position as set out in their section 129 response to the Committee.

Applicant

- [54] Ms McCarthy believes they are good operators. They have owned the premises for over ten years with their target market being local businesses, tourists, patrons of the nearby BYO restaurants and local residents. She said they took their obligation to minimise alcohol-related harm seriously.
- [55] The premises is now part of the Super Liquor compliance and training program and will undergo quarterly audits to confirm their practice is in accordance with the legislation. They also use the Super Liquor point of sale system which requires confirmation of age if one appears under the age of 30 years.
- [56] Ms McCarthy said they have agreed to reduce their operating hours to 10.00 am to 10.00 pm daily. They also agree to the addition of the two conditions requested by the Police:
- a) No single sales of ready to drink (RTDs) options, shots, beer or cider in vessels 500ml or less (excluding craft beer)
 - b) No alcohol advertising or promotion on the exterior of the premises.
- [57] The Applicant said they believe they are suitable to hold an alcohol licence. They have invested significant capital into the business but are aware holding an alcohol licence is a privilege. However, failure to have the licence renewed will have a serious impact on their lives and those of their staff.

DECISION

- [58] This hearing is for the renewal of an off-licence for a premises that has been in the same ownership for the past ten years. It required the Committee to adjourn twice to allow time for the Applicant to gather information that should have been readily available to the agencies and Committee at the initial hearing because the grounds for the opposition had been clear in the reports supplied prior to the hearing.
- [59] It was not until the hearing began that change was made, and documents produced in an attempt to meet the requirements. The Committee was disappointed that many of the documents eventually produced were in the Super Liquor branding, and not specific to Quicker Liquor.
- [60] The Applicant had the support of Mr Hoar, the National Operations Manager for Super Liquor Holdings Limited. The Committee understands that Quicker Liquor is a 'subsidiary' of Super Liquor however, with the experience the Applicant has under that franchise, we are surprised the premises operation is not run at a similar level. The Committee was disappointed the Applicant deferred to Mr Hoar to respond to some of the questions put to her.
- [61] The Applicant had agreed to a reduction in trading hours to 10.00 am to 10.00 pm.
- [62] Section 131 of the Act details the matters the Committee must have regard when considering the renewal of a licence and directs the Committee to section 105(1)(a) to (g), (j) and (k).
- a. S.105(1)(a) – Object of the Act. There was no evidence to suggest the Object of the Act is not being met.
 - b. S.105(1)(b) – Suitability. The Committee is not confident the Applicant has the ability to continue operating the premises at the level required by the Super Liquor Holdings guidelines as explained at the hearing or at the level required by the Committee.
- Several times the Applicant was asked a direct question but left the responses to Mr Hoar. Several opportunities were provided to allow the Applicant to provide evidence of her understanding of the object of the Act and her responsibilities under the Act.

The Committee was not satisfied the changes made, or purported to be made, would be enduring changes.

- c.S.105(1)(c) – Local Alcohol Policy. The application complied with the requirements of the policy.
- d. S.105(1)(d) – Design and Layout. This was not raised as an issue for the premises.
- e. S.105(1)(f) – Sale of goods other than alcohol. This is not an issue.
- f. S.105(1)(g) – Provision of other services. This is not undertaken at this premises.
- g. S.105(1)(j) – Appropriate systems, staff and training to comply with the law. The Applicant now has the permission of the Super Liquor Holdings to use their intellectual property in relation to manuals and processes and has access to their online training portal to ensure staff meet the required standards.

The Committee was told the monitoring of the training would be done by Super Liquor Holdings and that the Applicant would know it was done when presented with a completion certificate. The documents presented at the hearing were from Super Liquor and had not been tailored to Quicker Liquor. It is of some concern these facilities were to be made available to Ms McCarthy's staff following the second adjournment and that Ms McCarthy met with the regional Franchise Manager two months earlier however none of the staff had completed or started the in-house training modules.

- h. S.105(1)(k) – Matters dealt with in s.129 reports. The Police opposed the application and recommended the inclusion of two conditions relating to the sale of single serve beer, cider, and RTDs and shots and the external advertising and promotion of alcohol.
- i. S.131(1)(b) – Whether the amenity and good order of the locality will improve by more than a minor extent if the licence is not renewed. The amenity and good order of the locality was not canvassed at the hearing other than the Police mentioning it in relation to the sale of single serve products, so this is not considered here.
- j. S.131(1)(d) – the manner in which alcohol has been sold, displayed, advertised and promoted. Evidence relating to this was not presented.

[63] The Committee has considered the evidence presented to it and has found the Applicant unsuitable to hold an alcohol licence. Therefore, the application to renew licence number 069/OFF/38/2017 is declined. The licence will be cancelled on 30 July 2023 to allow the Applicant time to redistribute unsold stock and arrange employment for staff.

[64] The Committee would like to emphasise that this application does not reflect on the other establishments owned by the Applicant under different entities.

DATED at Dunedin this 5th day of June 2023

Kevin Mechen
Secretary

Dunedin DISTRICT LICENSING COMMITTEE

OFF-LICENCE

Sections 17 and 64, Sale and Supply of Alcohol Act 2012

PURSUANT to the Sale and Supply of Alcohol Act 2012, Baaa Sports Bars Limited is authorised to sell or deliver alcohol on or from the premises situated at 746 Great King Street, Dunedin and known as "The Baaa Sports Bar & Grill", to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises.

The licensee is also authorised to sell alcohol on or from the premises and deliver it somewhere else.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) No alcohol is to be sold or delivered on Good Friday, Christmas Day, or before 1.00 pm on Anzac Day
- (b) Alcohol may be sold only on the following days and during the following hours:

Monday to Sunday	10.00 am to 10.00 pm
-------------------------	-----------------------------
- (c) The whole of the premises is designated as a supervised area.
- (d) While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being provided.
- (e) The licensee must ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of liquor to minors and the complete prohibition on sales to intoxicated persons.

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 Agency on 13 May 2010. The entrance from Corner Great King and Howe Streets is designated as the principal entrance.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force -

- (a) either –
 - (i) until the close of the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the certificate is duly made before the certificate would otherwise expire, either –
 - (i) until the close of the period of 3 years after the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period 4 years after the day it was issued.

ORIGINALLY DATED at Dunedin this 9th day of June 2010

Kevin Mechen
Secretary
DUNEDIN DISTRICT LICENSING COMMITTEE

NOTE: This licence is renewed and reprinted on 10 July 2023

This licence expires on the 9th day of June 2026

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Eagle Corp
Limited pursuant to s.127 of the Act
for renewal of an on-licence in
respect of premises situated at 571
George Street, Dunedin, known as
“Bluestone on George”

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 Eagle Corp Limited for the renewal of an alcohol on-licence in respect of their premises situated at 571 George Street, Dunedin, and known as “Bluestone on George”.

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 18 June 2026, 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 2023

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 DKA Hospitality Limited for an on-licence pursuant to s.99 of the Act in respect of premises situated at 2 Mellor Street, Dunedin, and known as "Cableways Bar, Bistro & Liquorland"

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 DKA Hospitality Limited for an on-licence in respect of their premises situated at 2 Mellor Street, Dunedin, and known as "Cableways Bar, Bistro & Liquorland".

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 and Tuesday | 10.00 am to 11.30 pm |
| Wednesday to Saturday | 10.00 am to 12.00 midnight |
| Sunday | 10.00 am to 10.00 pm |
- (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 times 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 following parts of the premises is designated a restricted area: Gambling area. The rest of the premises is designated a supervised area.
- (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 29 May 2023. The entrance from the carpark is designated as the principal entrance.

DATED at Dunedin this 10th day of July 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No 2023/04/ON

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Eleven 2021
Limited pursuant to s.127 of the Act
for renewal of an on-licence in
respect of premises situated at 11
The Octagon, Dunedin, known as
“Eleven Bar & Club”

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

HEARING at Dunedin on 17 February 2023

Appearances: Ms K Logan – Counsel for the Applicant

Ms T Morrison – Licensing Inspector
Sgt S Jones – Dunedin Police Alcohol Harm Prevention Officer
Mr A Whipp – Medical Officer of Health Delegate

Mr J Whelan – for Students for Sensible Drug Policy (SSDP)
Mr S Dunning – for Students for Sensible Drug Policy

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

Witnesses:	Applicant –	Police –
	Mr N Malhotra	Witness A
	Mr N Singh	Witness B
	Mr P Khattri	Witness C
	Ms E Roberts	Ms L Pope
	Mr N Brown	Ms L Carty
	Mr G Priest	Mr J Marshall
	Mr J McDouall	Mr W McIvor
	Mr D Campbell	Const. M Harvey
	Mr J Morris	Const. E Doherty
	Mr S Dewe	Const. S Lee
		S/Const. S Griffiths
		Sgt. C Lemon
		Sgt S Jones

PROCEDURAL ISSUES

- [1] At the commencement of the hearing late briefs of evidence were submitted by the Police and there were missing briefs of evidence for the applicant. There were inconsistencies with some of the statements submitted and others were not dated or signed. An opportunity was provided for the parties to correct the evidence to be submitted to ensure natural justice.
- [2] Ms Logan said it was not clear whether the Students for Sensible Drug Policy (SSDP) had standing unless they could demonstrate a link with the premises. The bar is frequented by various sectors of the community, not just students.

INTRODUCTION

- [3] This is an application by Eleven 2021 Limited for the renewal of their on-licence for the premises situated at 11 The Octagon, Dunedin, and known as the "Eleven Bar & Club".
- [4] Public notice of the application attracted an objection from the group Students for Sensible Drug Policy. They are associated with the Otago University Students' Association.
- [5] The three regulatory bodies, the Police, Medical Officer of Health and Licensing Inspector, all submitted opposition to the renewal of the licence.

HEARING

Applicant

- [6] Ms Logan said the Applicant accepts the premises has not been run well but they have been compliant with the legislation. They have not been perfect but do not believe they have been as bad as what the Police submit.
- [7] They have put in place new plans moving forward and copies of these have been circulated. Change has started for the improvement of the premises. They state they will meet the object of the Act and alcohol will be sold in accordance with the Act.
- [8] The Committee asked why the improvements have just recently started when there had been a lot of indicators there were issues at the premises. Ms Logan said Mr Khattri had increased his involvement with the premises and has started the introduction of the improvement process. While he has been a director and shareholder, Mr Khattri had not been in Dunedin until recently and was not aware of the issues. He acknowledges he should have known but now he is aware, change is taking place.
- [9] The Applicant acknowledged that suitability was at the heart of this hearing.
- [10] We record evidence that the Committee received from the various witnesses below. Not all the evidence or witnesses are highlighted in the paragraphs below, however, all relevant and admissible evidence has been considered and scrutinised by the Committee.

Ms E Roberts

- [11] Ms Roberts works behind the bar at the premises. She gave evidence that most of the clientele at the premises are students but there was a group of older males that regularly frequent the place. She stated that occasionally younger women become uncomfortable with

the behaviour of the older males. She gave evidence that staff were aware and would intervene if required, or when someone approached the bar with their concerns. She confirmed that predatory behaviour was not acceptable in the premises and that there is signage in the toilets, both male and female, giving advice about safe codes to use when they are needing help, for example, asking for non-existent drinks.

- [12] During her evidence, Ms Roberts said she received her training from Mr Singh and Mr Dewe. She said she completed the ServeWise training in January 2023 because the premises policies were changed while she was away over the summer period and that the staff had completed the training. She stated that before ServeWise, the staff were taught the signs of intoxication using the SCAB tool.

Mr P Khattri

- [13] Mr Khattri is one of the directors and shareholders of the applicant company, Eleven 2021 Limited.
- [14] Mr Khattri said he was also the sole director and shareholder of Everest Food New Zealand Limited which owned two restaurants, one in Cromwell and the other in Dunedin. He still owns the Cromwell premises. He has held a manager's certificate from 2007 until July 2022 but this had now expired. Mr Khattri confirmed he has applied for a new certificate, but this has been opposed.
- [15] Mr Khattri gave evidence he said he was made a director and shareholder of Eleven 2021 Limited in August 2021 along with Ravinder Mohan. A short time later, Mr Khattri withdrew from the company because of staff shortages at his Cromwell premises. When "Eleven Bar & Club" opened in December 2021 Mr Mohan was the sole director and shareholder and Mr Jason Marshall was the operations manager. Mr N Malhotra, Mr Mohan's son, was the general manager.
- [16] In December 2021, Mr Khattri was appointed a director of Eleven 2021 Limited and a 50% shareholder. Mr Khattri stated this was possible because Mr Marshall was experienced, and so he was not required to be involved in the operation of the premises. Mr Malhotra and Mr Singh were appointed directors in May 2022 when Mr Mohan gave up his directorship and his shares were transferred to the two new directors.
- [17] Mr Marshall resigned, and Mr Khattri gave evidence he was told Mr Malhotra took over the role of operations manager.
- [18] Mr Khattri said he visited the premises every week or two when he was in Dunedin. He said he never saw intoxicated people in the premises during his visits.
- [19] Mr Khattri said he spent most of his time in Cromwell and was unaware of the issues raised by the police. He gave evidence that he became more involved from August 2022 and this was mainly in the kitchen area and that changes have been made to the premises operation and management. Mr Khattri informed the Committee that it had been agreed that Mr Malhotra and Mr Singh will 'exit' Eleven 2021 Limited and that the paperwork for this change was meant to take effect in December 2022 with their legal team. He advises there is a delay due to the opposition to the licence renewal.
- [20] The Committee asked if the Alcohol Regulatory and Licensing Authority (ARLA) had been notified of the changes in directors and shareholders of the premises. Mr Khattri said they had not to his knowledge, and until recently, he was not aware it was a requirement. He

confirmed that notification would be done once the changes have taken place. Mr Khattri acknowledged the changes to policies and practices did not begin until after he completed the application to renew the licence. He said he was taking a much more active role in the premises and that Mr Phil Ellis, the previous owner, was being used as a consultant to review the operation of the premises.

- [21] Mr Khattri acknowledged there had been breaches of the Covid 19 regulations during the current Directorship.
- [22] Mr Khattri was asked why he has taken so long to look at the presence of drugs in the premises to which he replied he is waiting for confirmation of more information and training.

Police Witness A

- [23] At the request of the Police, the evidence of this witness, Witness A, was given in confidence with public excluded and a non-publication order issued.
- [24] Witness A said on 17 March 2022 she and friends were celebrating St Patrick's Day and started drinking at about 10.00 am. Later in the evening they arrived at the "Eleven Bar & Club" at about 8.30 pm. At that stage, Witness A said she was unaware there was an upstairs area associated with the premises.
- [25] A person Witness A learned was Mr Nikesh Singh, later bought them a round of drinks after leading them to a stairway. Before they got to the stairs, the witness gave evidence that a female staff member approached and asked them to hand their phones over because they were breaching the Covid rules, and they did not want anything filmed. The witness confirmed that Mr Singh was present when they handed their phones to the staff member.
- [26] Upstairs Witness A asked a staff member why the blinds were being pulled down and was told it was so no one could see them breaching the Covid rules. After a while a female staff member suggested they should leave because the group of males wanted to take them all to "Bob's" place. While the staff member retrieved their cell phones, Witness A and her friends finished their drinks before being taken downstairs. The witness confirmed that the staff member had to unlock the door to enable them to leave.

Ms N Brown

- [27] Ms Brown is the partner of Mr Singh.
- [28] Ms Brown said Mr Singh was banned from the "Eleven Bar" in December 2021 because he took his daughter, and her friend, to a dinner. At the time, the friend was 16 years old and could not be present in the bar without a parent or legal guardian present.

Mr D Campbell

- [29] Mr Campbell is a DJ who does occasional work at "Eleven Bar". He gave evidence and the Committee accepted that he had mistakenly taken Mr Singh's keys home on 2 September 2022, which resulted in Mr Singh having to spend the night on the couch at the premises.

Mr J Morris

- [30] Mr Morris worked as security at the premises. He gave evidence which was accepted by the Committee. In response to questions, Mr Morris said he had removed intoxicated people from the premises.

Mr S Dewe

- [31] Mr Dewe is employed by “Eleven Bar & Club” and has been a duty manager since April 2022. The Committee accepted his evidence and found Mr Dewe to be a credible witness. He was forthright and credible in his responses.

Ms L Carty

- [32] Ms Carty is a Dunedin based inspector employed by WorkSafe New Zealand. The Committee heard her evidence, and it was accepted.
- [33] She said part of her role was to investigate complaints relating to breaches of the Covid Protection Framework that were in place because of the Covid 19 pandemic. On 23 March 2022 she initiated a remote assessment of Eleven 2021 Limited after receiving a complaint. She spoke to the general manager Mr Malhotra about the complaint which related to seating of patrons, vaccine pass checks, mask wearing and social distancing at the premises. She gave evidence that Mr Malhotra claimed the Covid legislation had been misunderstood and provided explanations for the breaches and that he provided an explanation for each alleged breach in an email to her, though also acknowledged to that there had been a definite breach on 20 February 2022. He explained the manager on duty did not understand his obligations under the covid rules.
- [34] Ms Carty found that, on the balance of the evidence she had, there had been breaches of the Covid regulations.

Mr N Singh

- [35] Mr Singh is one of the directors and shareholders of Eleven 2021 Limited and he also works as a duty manager when required to do so.
- [36] Mr Singh refuted all the allegations made by Police Witness C. The Committee has read the evidence supplied by Witness C but, because examination of the evidence was not completed, little weight is given to it.
- [37] Mr Singh acknowledged carrying a coffee cup because he drinks coffee, tea or hot chocolate through an evening in response to allegations that he was drinking alcohol out of a coffee cup.
- [38] Mr Singh gave evidence he had never seen drugs being supplied to staff or security and he had not supplied drugs to anyone. His normal, day job requires him to remain drug free and they are subjected to random drug tests.
- [39] Mr Singh accepted a menu had to be retrieved from the closed downstairs bar when requested by Police during a Police visit.
- [40] On St Patrick’s Day in 2022, Mr Singh confirmed he had a few drinks and was under their influence, but he was not working that night.
- [41] Mr Singh said they have now employed more staff, security and they purchased two-way radios so staff can communicate effectively with each other while working. They now use a counter to monitor the numbers of people in the premises. All staff are required to complete the ServeWise training, as well as learn the business processes, dress code, the identification of intoxicated people using the SCAB tool, and the approved forms of identification. There is now an ‘Employee Handbook’ that is given to each staff member. Mr Singh said they now had

regular staff meetings, usually a Thursday, Friday or Saturday night at 9.00 pm. This was usually a quiet time in the night when the doors could be closed. It usually gets busy after 10.30 pm. Mr Singh said he does not get to the meetings because he works fulltime through the week and is only at the bar later as a duty manager.

- [42] Mr Singh said he has only worked in the hospitality industry for three years, with the first two being in restaurant. When he started working as a duty manager at Eleven Bar, he did not have anything to do with management of the premises. He said he was aware that, as a director, he was responsible for whatever happened in the premises. Mr Singh said he was not involved with the preparation of any of the documents for the premises and that training was generally undertaken by Mr Dewe.
- [43] When Mr Singh was asked about taking his daughter and her 16-year-old friend to the premises for a meal, he admitted taking his daughter's friend was a breach of the licence conditions.

Mr N Malhotra

- [44] Mr Malhotra is a director and shareholder of Eleven 2021 Limited.
- [45] Mr Malhotra said, in relation to the private party during the Covid regulated period, he had provided a list of attendees to security the day before the party, and the Police when it was requested. He said that, while he has a financial interest in the premises, he has not worked in the bar since May 2022 so could not answer questions relating to documents used at the premises.
- [46] Mr Malhotra gave evidence that he was aware of staff and their friends drinking after hours, until about 4-5.00 am. Staff had a drink after the close of the premises and after the cleaning had been done.

Police Witness B

- [47] Witness B is a female student from Dunedin. At the request of the Police, the evidence of this witness, Witness B, was given in confidence with public excluded and a non-publication order issued.
- [48] Witness B's evidence corroborated the evidence of Witness A for the events that took place on 17 March 2022.
- [49] The witness stated that were upstairs where there was at least one staff member behind the bar and a group of older males, 50 to 60 years of age, sitting in the outdoor part of the upper level. One of the males in that group made some sexually suggestive comments so Witness B and a friend moved away from that person. She gave evidence that the group of males continued to watch them, and one tried to 'come on to' Witness A so Witness B got between them. She told the Committee she felt disgusted because the older man was as old as her father. Witness B confirmed both witnesses left the premises when a staff member suggested they do so and were escorted to the exit where the staff member let them out.
- [50] Witness B said she understood the premises was popular last year (2022) but it is now known as not being a safe place, so it is not as popular.

Police Witness C

- [51] At the request of the Police, the evidence of this witness, Witness C, was given in confidence with public excluded and a non-publication order issued.
- [52] During cross examination Witness C became distressed and left the hearing. She did not return. In the absence of Witness C's testimony being fully tested by cross-examination, the Committee cannot place much weight on her evidence and therefore will not record it here.

Mr J Marshall

- [53] Mr Marshall was employed as the operations manager for "Eleven Bar & Club" when it first opened.
- [54] He gave evidence that he has held a manager's certificate for 20 years but has over 30 years' experience on the hospitality sector both in Australia and New Zealand. For the past 16 years he has worked as a consultant for licensed premises and in compliance roles. He said his specialist skill set is turning venues around and ensuring compliance with any applicable legislation.
- [55] He was approached by Mr Malhotra in September 2021 and asked about setting up a premises in the Octagon. After listening to what was proposed, Mr Marshall decided it would be beneficial to help the venue become established. He gave evidence that he was to be responsible for the design and set up of the premises, liaising with suppliers, opening bank accounts, employing staff, and putting in place systems to ensure the safe and well-run premises.
- [56] Just prior to Christmas 2021 Mr Marshall was made aware by staff that Mr Singh had taken underage females, his daughters and one of their friends, into the bar. He spoke to Mr Singh who told him he was the owner, so it was allowed. Mr Marshall explained it was against the legislation, that being a supervised area, a minor could only be present if accompanied by a parent or legal guardian. He also told Mr Singh his behaviour was making some staff feel uncomfortable and some felt intimidated. He was often blunt and rude, and some found him to be argumentative, especially as to how the premises was being run. Mr Marshall said he banned Mr Singh from the premises until 10 January 2022 at the request of Mr Malhotra.
- [57] In December 2021 Mr Marshall had a 15-minute meeting with Mr Malhotra and Mr Singh at the premises. He was told they wanted the two doors open, despite the Covid restrictions, and Mr Singh wanted to be allowed to return to the bar.
- [58] In response to questions relating to after shift drinks, Mr Marshall said he felt it was important for staff to have a drink after shift, especially when there was a team, so they could debrief the night. It helped the team come together.
- [59] Mr Marshall said he set up the business based on early discussions he had had with Mr Malhotra and Mr Khattri. The intentions as Mr Marshall understood it was to target the 25+ year group, be food orientated along with a little bit of live entertainment. They wanted to be able to operate in the full Covid lockdown situation so there are a lot of tables and chairs in the premises. Mr Malhotra and Mr Singh wanted to change the direction of the business and Mr Marshall confirmed to the Committee this is why he left.
- [60] The Committee asked if Mr Marshall ever saw anything of Mr Khattri that would lead him to believe he would not comply with legislation and he responded that he saw nothing to cause concern.

Constable M Harvey

- [61] Constable Harvey is a Youth Aid Constable but on Saturday 16 July 2022 she was working on the Alcohol Prevention Team (APT).
- [62] The duty manager was introduced to Constable Harvey and her fellow Policer Officer as Mr Singh. While talking to him a large male told them they were “hitting up the wrong place” and that they were “in the wrong place.” He stated he was in charge of security and that the police should not be in the premises and tried to prevent them talking to the duty manager. Mr Singh did not correct the person at that stage. When the person left after being told several times, Mr Singh advised he did not know who the person was other than he was trying to get a job at the premises.

Constable E Doherty

- [63] Constable Doherty is stationed at the Dunedin Central Police Station.
- [64] On the night of 19 February 2022, she was working with the APT for “Flo Week” with another constable in ‘mufti’ because there was a suggestion “Eleven Bar” was operating in breach of the Covid regulations.
- [65] At the premises they were advised the premises was about to close and no entry was permitted. They showed Police Identification and were granted access. Constable Doherty used her phone to record their entrance to the premises. The footage records approximately 30 – 40, mostly young patrons, in the upstairs area, with the majority dancing and holding their drinks. The patrons were not wearing masks, practicing social distancing, or remaining seated when required while at the premises.

Sergeant C Lemon

- [66] Sgt Lemon is based at the Dunedin Central Police Station.
- [67] On 10 July 2022 Sgt Lemon was working as part of the APT. At about 2.30 am he saw a patron in “Eleven Bar” leaning on a window on the Stuart Street side and appeared to be falling asleep. A security person approached him to try and remove him from the premises, but he refused. Sgt Lemon entered and asked the person to go outside. He left the premises then tried to push his way back inside and then tried to leave again.
- [68] Sgt Lemon said, in his opinion, the person was intoxicated and overtired. The patron admitted consuming four pints while he was in the bar. When the duty manager, Mr Singh, was spoken to, he agreed with Sgt Lemon’s assessment of the patron.

Constable S Lee

- [69] Constable Lee is stationed at the Dunedin Central Police Station. At about 1.00 am on Saturday 2 July 2022 she was part of an APT that conducted an alcohol compliance check in the upstairs bar at the “Eleven Bar”. She witnessed two other ATP members assess one of the patrons for intoxication. He was clearly intoxicated as he needed assistance to stand and walk and was removed from the premises. Constable Lee stated she was not present when Mr Dewe did his assessment of the patron.
- [70] While the assessment was being conducted Constable Lee observed the bar owner telling his bar staff to stop serving people who appeared intoxicated and security staff to start escorting patrons from the bar before Police could speak to them. She could not recall who the name of the owner.

Senior Constable S Griffiths

- [71] Senior Constable Griffiths is based at the Dunedin Central Police Station. On Friday 1 July 2022 S/Constable Griffiths was working as part of the APT. At about 1.00 am they carried out a licensing visit at “Eleven Bar”.
- [72] As part of the check, the duty manager, Mr Dewe, was asked about the provision of food to patrons. Mr Dewe said food from downstairs was brought upstairs when requested. S/Constable Griffiths said he asked for a menu because he could not see any menu displayed. Mr Dewe looked in several places but could not locate one and could not explain their absence. Mr Dewe spoke to another person he said was one of the owners, Mr Malhotra.
- [73] Mr Malhotra was asked about menus. He told the Police there should be some there, but their absence was an oversight. When asked where the food was prepared, Mr Malhotra escorted S/Constable Griffiths downstairs to the closed lower bar. Menus were on the bar near the locked door. No one had access to the area other than staff with keys.

Sergeant S Jones

- [74] Sergeant Jones is the Alcohol Harm Prevention Officer for the Dunedin Police. On 20 February 2022, after receiving an anonymous video clip, Sgt Jones led a police operation to the “Eleven Bar”. He explained there was anecdotal evidence that the premises was breaching the Covid regulations in place at the time. Sgt Jones found 30 – 40 patrons out of their seats, mingling and dancing upstairs. Patrons could approach the bar to purchase their own drinks, there was no enforcement of mask wearing nor were patrons required to remain in their seats.
- [75] The duty manager on duty, Mr East-O’Leary, and Mr Malhotra, both admitted being in breach of the Covid regulations. A meeting was arranged to discuss the matter further. On 28 February 2022, Sgt Jones met with Mr Malhotra, Mr East-O’Leary and Mr Dewe. Mr Malhotra was issued a ‘Graduated Response Model’ warning for their breaches of the Covid regulations. Mr Malhotra had identified himself as the operations manager and representative for the premises. He was also issued an Alcohol Infringement Offence Notice for failure to notify the agencies of management change. Mr Malhotra was given a ‘Risk Mitigation Action Plan’ which he committed to follow.
- [76] On 30 March 2022, the Licensing Inspector forwarded two images of an advertised “Bollywood Party” for 10 April 2022. The advertisement was on social media and stated, “kids’ entry was free”. Sgt Jones had a meeting with Mr Malhotra and Mr Singh as well as Mr Nupur Goyal, who had been employed as an event promoter to organise and run events, to discuss the proposed party. The party did not proceed following the concerns raised by Police.
- [77] On 2 April 2022, Sgt Jones undertook a compliance check at the premises. Upstairs the music was loud and there were about 150 people present. Mr Malhotra, the duty manager, claimed it was a private function and the list of attendees was at the door with security. Sgt Jones explained they were still required to comply with the Covid regulations and then went and checked with security who confirmed they were unaware of any list. Mr Malhotra appeared with a list of names and gave it to security. Sgt Jones asked several of the people queuing to get inside, their names were not on the list. Others he spoke to said they had been asked to write their names down on a list the previous night if they wanted to go into the premises for this ‘party’. When he spoke to the SPS Security person, Sgt Jones was told someone went

along the line the previous night to get people to write their names on the list. Sgt Jones made a formal complaint to WorkSafe advising them of the breach of Covid regulations.

- [78] On 5 December 2022, Sgt Jones visited the premises with the Licensing Inspector and Medical Officer of Health delegate and spoke with Mr Khattri as part of the licence renewal process. Mr Malhotra and Mr Singh were not present, and Mr Khattri advised that, while they were still part of the business, they no longer had anything to do with it. Mr Khattri said he was looking at buying the business for himself. Mr Khattri confirmed Mr Dewe had been appointed the Operations Manager.
- [79] In Sgt Jones' view, Mr Khattri nor Mr Dewe could not adequately answer questions relating to the premises. The books required to keep records such as incidents, duty managers' names and training, were blank. While the use of such books is not a formal requirement for the sale of alcohol, there is an expectation that licensees keep records and logs particularly when they could relate to alcohol-related harm. Sgt Jones said he believed Mr Khattri and Mr Dewe were not experienced enough to operate a premises like "Eleven Bar".
- [80] On 26 January 2023, Sgt Jones said he was working a late shift to cover the Red Hot Chilli Pepper concert. The lower part of the Octagon was closed to traffic which allowed premises with a special licence to extend their licensed area. At the December meeting with the applicant, they were reminded of the requirement for a special licence if they wanted to extend their area for the evening. They did not have a special licence, but Sgt Jones found they had extended their licensed area and it was being used by patrons. No plan showing the 'normal', approved footpath area was presented by the Police.

Mr A Whipp

- [81] Mr Whipp is delegated to carry out the role of the Medical Officer of Health. He has opposed the renewal of this alcohol licence because he does not believe the premises is practicing safe and responsible supply of alcohol.
- [82] Mr Whipp raised concern that the applicant had failed to respond to the graduated response interventions by the NZ Police which resulted from a lack of active management of the premises and a general lack of knowledge of the Act. Mr Whipp gave evidence that the lack of knowledge became evident during questioning at the time of the renewal meeting of 6 December 2022 during which both Mr Khattri and Mr Dewe displayed a poor understanding and disregard of the Act.

Ms T Morrison

- [83] Ms Morrison is an Environmental Health Officer and Licensing Inspector employed by the Dunedin City Council. During the renewal interview process, Ms Morrison said there were several issues with the application submitted, including requesting trading hours with a closing time that fell outside those allowed by the Dunedin Local Alcohol Policy. During the interview, the applicant could not produce a list of the current duty managers for the premises and there was no documented training system in place. At the time of the licence being sought 12 months earlier, an On-licence Toolkit was left with the applicant but, while it is not a requirement to do so, it had not been implemented.
- [84] Mr Khattri asked for tri-agency training for their staff, and he was advised that, while the agencies were keen to assist, it would not be possible until after March 2023.

- [85] During a monitoring visit on 9 July 2022, Ms Morrison said she observed an intoxicated person within the premises. She said she pointed the person out to Mr Singh who was stationed at the Stuart Street entrance to the premises but did not wait to see how the person was dealt with. Her evidence was that the premises complied with all other areas of the Act.
- [86] When asked by the Committee if they were of a mind to renew the licence if Ms Morrison has a position for any conditions that should be imposed to reduce alcohol-related harm, she advised the licence should be for a truncated period and the applicant should provide evidence of staff training, processes within the premises, and that general record keeping being maintained to the satisfaction of the Committee and agencies. Ms Morrison also has the view that, if both downstairs and upstairs are open at the same time, there should be a duty manager in each of the areas. The upstairs area is predominantly used from 10.00 pm as a nightclub and her suggestion was that this may be best designated a restricted area.

Mr J Whelan

- [87] Mr Whelan is the president of the Students for Sensible Drug Policy Ōtepoti Dunedin (SSDP), a group associated with the Otago University Students' Association (OUSA). They opposed the renewal of this on-licence.
- [88] SSDP advocates for harm prevention interventions to mitigate the effects of the opioid epidemic which has reached New Zealand. The risk is amplified by the student and youth community and SSDP believe they are at risk of abuse, both of alcohol and other drugs. This demographic is identified as high risk in the Dunedin Local Alcohol Policy. They raised an issue the overdoses, particularly when combined with alcohol, leads to respiratory depression which can lead to brain damage after five minutes and death after 12 minutes.
- [89] "Eleven Bar" is patronised by students and SSDP, as part of risk mitigation, seek conditions attached to that licence regarding polysubstance intoxication and overdose response training, a clear policy on places of safety in the premises and that Naloxone, in the form of Nyxoid, is a required part of the premises first aid supplies and that all staff, including security, are trained in its use.
- [90] Mr Whelan also explained the work of the Red-Light group which encourages premises to promote an initiative where patrons who feel threatened in any way can approach staff and ask for help by ordering a 'red light' drink. He noted that "Eleven Bar" does not appear on the list of participating premises and that SSDP's position is that because the applicant is not part of the initiative, the Applicant does not demonstrate a higher level of suitability required for such a high-risk premises.
- [91] When asked, Mr Whelan acknowledged that the SSDP objected to this application without direction from the OUSA.

Closing

Applicant

- [92] The applicant raised that it does not believe SSDP has standing at the hearing and that it is not clear how they have a greater interest greater than the public generally and that their submissions should be set aside. The Applicant submitted if it is accepted that SSDP have standing, that the evidence relates mainly to opioid use and not matters that are to be considered by the Committee.

- [93] The applicant believes they have demonstrated they have been compliant with the legislation for the sale and supply of alcohol. It was submitted that there was no evidence that intoxicated people were served alcohol, no evidence of past harm has been presented and that intoxicated people are removed from the premises.
- [94] The Applicant re-iterated that, Mr Ellis, the former owner of the premises, has been engaged to help Mr Khattri and Mr Dewe to develop training and management plans to use going forward. Despite acknowledgement at the commencement of the hearing that suitability was an issue to be determined by the Committee, the Applicant's position is that it does not need to prove it's suitability. Mr Khattri has over 10 years' experience in licensed premises and there have been no issues in that time. Counsel for the Applicant acknowledged that Mr Khattri has accepted he should have been aware of earlier issues but that he now has a significant presence in the premises as well as a greater awareness of what is happening.
- [95] The Applicant re-iterated its position that while there is an allegation there was a breach of the Covid regulations, it was unclear what rules were in place at the time. There was no prosecution or infringement notice issued by the Police or WorkSafe therefore the Committee is being asked to act as the arbiter for the Covid legislation.
- [96] The applicant also drew the Committee's attention to the following issues and matters:
- a) The applicant provided a Risk Management Action Plan to the Police, and, despite the Police submissions, there is no legal requirement to provide training records.
 - b) The women who gave evidence for the Police chose to enter the premises, accepted the free drinks from Mr Singh, freely handed their cell phones to the staff member and could leave when they chose to. They made their own decisions at the time.
 - c) There is nothing unlawful in supplying free drinks to patrons.
 - d) Mr Singh took responsibility for taking his daughter and her friend to dinner at the premises. He said he was not aware of the designation at the time.
 - e) There was insufficient evidence that Mr Malhotra illegally signed documents on behalf of Mr Mohan.
 - f) Mr Khattri confirmed to the Committee they were not seeking licence hours outside those allowed in the Local Alcohol Policy.
 - g) The applicant indicated a willingness to have a 'restricted' designation on the upstairs area. Mr Khattri has indicated there will be more emphasis on food service in the future and asks that the 'restricted' designation applies from 10.00 pm.
 - h) They said that there would be a second duty manager working if both levels were being operated at the same time.
 - i) The manuals and handbooks for the premises are undergoing a review with the assistance of Mr Ellis and this will be ongoing. All staff have completed ServeWise training. The applicant is willing to keep the Committee informed as the documents are updated.
 - j) The alcohol data supplied by the Police is not premises specific and the Licensing Inspector indicated in her evidence that it was unlikely the amenity and good order in the area would improve if the licence was not renewed.
 - k) The Police stated the premises operated outside their licensed footprint, but no evidence of the footprint was provided.

Police

- [97] The Police submitted that the premises is in the central part of Dunedin and targets young adults, most notably the student population.
- [98] Applications for the cancellation of the licence as well as the managers certificates for Mr Malhotra, Mr Singh and Mr Dewe have been heard by the Authority but no decision has been released. The reasons submitted relate to the mismanagement of the premises and non-compliance with the Act.
- [99] Other matters raised by Police include:
- a) Failure to comply with other legislation must be considered when assessing suitability. Evidence was produced that the Applicant breached the Covid regulations by operating their premises in a 'normal' manner. The breaches were acknowledged by the applicant.
 - b) A failure to ensure the necessary systems, staff and training were implemented to ensure the safety of staff and patrons.
 - c) Failure to notify the Authority of changes to the structure of the applicant company and the Inspector and Police of duty managers working within the business.
 - d) The Applicant's representative, Mr Malhotra, was asked to return a completed Risk Mitigation Action Plan within 72 hours. This was submitted late, and Police suggest this demonstrates a lack of suitability.
 - e) No evidence of training has been received by the Police nor WorkSafe despite it being requested.
 - f) Witnesses A and B gave evidence of being supplied free alcohol and having their cell phone taken from them before being allowed upstairs. The door to this part of the premises had been locked and the witnesses were subjected to inappropriate sexual advances by an older patron.

Licensing Inspector

- [100] The Licensing Inspector does not believe the Applicant is suitable to hold an alcohol licence due to an overall lack of systems, record keeping, and staff training within the premises. The Inspector submitted that there is lack of understanding of the conditions of the licence as well as other legislative requirements and that the documents produced by the Applicant are not robust and do not meet the basic requirements.
- [101] Other points raised by the Licensing Inspector that were relied on to indicate lack of suitability include:
- a) Lack of knowledge of the Act, the Covid-19 regulations, and the Dunedin Local Alcohol Policy.
 - b) Failure to notify the Authority of Director/Shareholder changes in the company structure.
 - c) Intoxicated people being found on the premises.
 - d) Inadequate systems, staff training provisions and record keeping procedures.
- [102] Evidence was presented that after the premises closes, staff often stay for drinks beyond the 60 minutes permitted in section 255 of the Act, and there does not appear to be any supervision of the staff drinks.

[103] The Inspector believes the upstairs area, which is operated more as a nightclub, should more appropriately be designated a 'restricted' area. When the two levels of the premises are being used, the Inspector suggests there should be a dedicated duty manager for each area.

[104] The Inspector stated that the Applicant's actions are not those expected of any person or entity wishing to hold an alcohol licence. If the licence was renewed, it would suggest to the wider hospitality industry that the Applicant's actions have been acceptable.

Medical Officer of Health

[105] The Medical officer of Health submits that, despite repeated questioning, the three Directors of the company failed to satisfy the Committee that they could safely operate the premises according to the Act. They demonstrated a lack of knowledge of the operation and requirements needed to operate a premises in Dunedin.

[106] He raised some of the systems used at the premises were only implemented in the few months leading up to the hearing. Evidence suggested that a very low level of training is provided to new staff.

[107] The Medical Officer of Health also submitted that there are questions around the ability of the Applicant to abide by the legal requirements of a licensed premises as demonstrated by the breaches of the Covid-19 regulations.

SSDP

[108] SSDP has no confidence that the Applicant has the capacity to meet the object of the Act. They submit the Applicant has also failed to demonstrate it has the appropriate systems, staff and training to comply with the legislation. SSDP believes the Applicant failed to achieve the second part of the object of the Act which is to minimise the harm caused by the excessive or inappropriate consumption of alcohol.

[109] SSDP believe that the Applicant has not only failed to minimise operational alcohol-related harm, but they have actively created additional, unnecessary alcohol-related harm by the choices and actions of the Applicant.

[110] They submit that the renewal of this licence would be a breach of the object of the Act and that conditions cannot be added to a licence to 'bridge the gap' to meet the object (*Young v. Lyger Investments Limited*, [2018] NZARLA 299).

[111] SSDP's position is that the history of the Applicant's failure to comply with the legislation and its failure to minimise alcohol-related harm, added to the polysubstance abuse that is now commonly seen in premises, poses future risk to the vulnerable population that frequents the premises. They do not believe the Applicant has any insight or understanding of its actions and their consequences and that the Applicant has shown no understanding of the vulnerabilities of the community.

DECISION

[112] The Committee has before it an application for the renewal of an on-licence. All the regulatory agencies opposed the renewal and there was an objection from Students for Sensible Drug Policy Ōtepoti-Dunedin.

SSDP – Status as objector

- [113] The Applicant has raised in the closing submissions an issue as to whether SSDP have a standing in the proceeding and whether or not SSDP have a greater interest in the application than the public generally as required under section 128(1) of the Act.
- [114] The Applicant did not raise this in their opening submissions or during the hearing. The issue is only raised in the closing submissions at which stage SSDP had no opportunity to respond.
- [115] SSDP is an Otago University Students Association affiliated organisation. SSDP's Charter requires that 75% of the members belong to the Otago University Students Association or the Otago Polytech Students Association to demonstrate their connection with the student population. The Committee has long recognised OUSA as having a greater interest than the public generally in student-centric areas and licensed premises. The committee has heard in evidence the premises in question is frequented by and holds functions targeted at students, including graduation celebrations. The Committee therefore recognises and finds SSDP to have standing as an objector in this matter and demonstrated this throughout the proceedings by including them in all aspects as afforded by section 204 of the Act.

Witness C's Evidence

- [116] The Applicant has raised that Witness C's evidence remains untested due to them leaving the hearing and refusing to complete cross-examination. The Committee agrees that the evidence is untested therefore the little weight is placed on this evidence.

SSDP evidence

- [117] The Committee acknowledges the information provided by SSDP in respect of the Red-Light initiative and the risks associated with drug use combined with alcohol consumption. This information has been considered during deliberations.

COVID-19 Law Breach

- [118] It is not for the committee to be the arbiter for breaches of COVID 19 law, however any unlawful behaviour by the Company is relevant in respect of the suitability to hold an alcohol licence.
- [119] On the balance of the evidence presented, the Committee has found that for consideration for these proceedings, the Applicant breached the law in respect of COVID regulations. The evidence and video footage presented by Police demonstrate clear and blatant disregard for COVID regulations including no social distancing, no seated tables, no use of masks as required and dancing on the dance floor. This finding is in relation to alcohol-related harm only.

Breaches of Alcohol Licensing Law

- [120] There is a history of the Applicant breaching alcohol licensing law and issues around the suitability of directors. One of the directors, Mr Singh, while not an owner at the time, breached one of the conditions of the licence by taken a minor whom he was not a guardian of, to the premises resulting in the manager, Jason Marshall, having to ban him for a period of time.
- [121] It is also acknowledged by the Applicant that on 7 July 2022 there was a breach of the condition of licence in that menus were not present for the patrons. Further evidence was also presented of there being insufficient food available during trading hours. A sign on a wall

that snacks are available is insufficient information for patrons to order food and for alcohol licensing requirements.

- [122] Police have presented evidence of intoxication including direct evidence of an officer assessing a patron as being intoxicated using the SCAB tool on 2 July 2022 and video footage of a patron asleep and intoxicated on 10 July 2022 which was acknowledged by the Applicant. While the Committee is unable to make any finding of intoxication, the concerns were prevalent, and reinforced by testimony by applicant witnesses, and needs to be taken into account.
- [123] Evidence has also been raised by Police witnesses that alcohol consumption occasionally continued after the trading hours, and this was acknowledged by the Applicant.
- [124] Further, the Committee is aware that the Applicant is currently awaiting the result of five applications for cancellation or suspension of their licence. While this is a matter for ARLA to consider and determine, through the course of the hearing, we were presented evidence of the alleged breaches and take that into account for the purposes of this hearing.

Behaviour towards patrons

- [125] We have heard evidence from two teenage female patrons around behaviour of others towards them on 17 March 2022. Their evidence was compelling and raises serious concerns around the suitability of the Applicant. On the evening in question, Mr Singh and Mr Malhotra took a group of teenage females to the closed upstairs bar. We acknowledge that while closed, it was still during trading hours. The patrons were told that they needed to hand over their cell phones before entering the upstairs bar. Once in the bar the witnesses described that there was a group of middle-aged men that made them feel uncomfortable and there were unwanted sexual advances. The patrons were given free drinks (having given evidence that they were already intoxicated) and left when an employee told them they should leave. A very real concern is that those patrons were locked in the bar and needed the employee to unlock the door in order for them to leave.

Drinking on the Job

- [126] Evidence has been raised that Mr Singh in particular would drink Whiskey from a coffee cup while undertaking his duty manager role. However, no direct evidence was provided to substantiate that claim.
- [127] Evidence was also presented by Police that Mr Singh slept the night on a couch at the Eleven Bar following closing. We make no findings in respect of these allegations. We heard evidence from Mr Singh and the DJ that worked the evening he slept on the couch, and we accept that it was a result of the DJ accidentally leaving with Mr Singh's keys and do not see the matter as relevant for this decision.

Quad Shots

- [128] Witness C had given written evidence that quad shots were poured on the premises and given to the Applicant and patrons. However, Witness C's evidence is untested, and no finding can be made.

Staff Training

- [129] A significant issue raised by the agencies is the lack of training provided to staff and duty managers. This history of a lack of training was acknowledged by the Applicant. The Applicant has undertaken to improve the quality of their training, however the Committee is not confident that this has or will take effect. While there is no legislative requirement for the

provision of, and documentation of, training is essential for the reduction of alcohol-related harm. It is essential for directors and employees to have knowledge of the legislative requirements and ensure that alcohol is being lawfully sold and for harm to be reduced. Documentation of any training provided helps reassure the agencies, and Committee, of the nature and quality of the training and that it was undertaken by staff.

- [130] One example of the Applicant's lack of knowledge is that they were not aware and did not notify ARLA of company changes on numerous occasions which constitutes breaches of the Act. A further example is that the Applicant applied to sell alcohol until 4.00 am when the Local Alcohol Policy forbids sales after 3.00 am.

Security – Certificate of Approval

- [131] The Police have raised the point that the Applicant contracted security that did not have a certificate of approval. As long as security is sufficient the Committee form the view that the Applicant was entitled to rely on the security company to ensure accreditation and makes no adverse finding in this respect.

The Directors

- [132] The Applicant consists of three directors, Mr Khattri, Mr Singh and Mr Malhotra. Mr Malhotra has given evidence that he will no longer continue as a director should the licence be granted. It was clear in evidence that there is discord between the directors and should the licence be granted it is unclear as to what company changes intend to be made. Mr Khattri has given evidence that he intends to continue as a sole director, but no documentation has been provided to the committee that this is assured.

Food Safety

- [133] Ms Pope noticed there was an anomaly with the calibration tests required to be completed for their Food Safety Plan which indicated dishonest recording. However, there was no evidence of wrongdoing, and she was unaware of any previous issues. No finding can be made by the Committee.

Immigration Investigation

- [134] There is an ongoing investigation into another company owned by one of the Directors. This was not relevant to this application so cannot be considered.
- [135] The Committee must consider the criteria listed in s.131 of the Act which refers to the matters set out in s.105(1)(a) to (g), (j) and (k):
- a. S.105(1)(a) – object of the Act. The Committee finds that the manner in which the upstairs part of the premises is being operated is contrary to the object of the Act.
 - b. S.105(1)(b) – suitability of the Applicant. The Committee finds the Applicant unsuitable to hold a licence. The directorship and shareholding of the premises continues to change without notification to the Authority in Wellington. Despite being advised of applications for the cancellation and/or suspension of the licence being made to the Authority for various breaches of the legislation, they continue to operate in a manner that is contrary to the legislation. They do not appear to understand their obligations as a licensee.
 - c. S.105(1)(c) – local alcohol policy (LAP). The premises is operating within the parameters of the Dunedin LAP. However, the renewal application sought a closing time outside the LAP, but the Applicant told the reporting agencies this was done in error.

- d. S.105(1)(d) – days and hours the Applicant proposes to sell alcohol. The Applicant requested to retain the current 8.00 am to 3.00 am the following morning because they want to provide a licensed café and dining in the downstairs part of the premises.
- e. S.105(1)(e) – design and layout of the premises. The premises has two distinctly different part – the downstairs area which is operated through the day as a café and restaurant, and the upstairs area which is operated as a nightclub.
- f. S.105(1)(f) and (g) – the sale of goods other than alcohol, refreshments and food or the provision of services other than those directly related to the sale of alcohol refreshments and food. Evidence was not offered to suggest either of these occurred.
- g. S.105(1)(j) – appropriate systems, staff and training to comply with the law. The premises has been operating for over a year and the Applicant does not have comprehensive policies and procedures in place.
- h. S.105(1)(k) – matters raised by the reporting agencies. The agencies gave evidence of young people being placed in situations that compromised their safety and breaches of the Covid-19 regulations that were implemented for the safety of patrons and staff.

[136] Section 131(1)(b) requires the Committee to consider whether the amenity and good order of the locality would be likely to be increased by more than a minor extent if the licence was not renewed. This matter was not raised during the hearing therefore is not considered here.

[137] The Committee, weighing up the evidence presented to it, finds the Applicant unsuitable to hold an alcohol licence. Licence number 069/ON/40/2021 is therefore cancelled effective immediately.

DATED at Dunedin this 5th day of July 2023

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 Gianone
Holdings Limited pursuant to s.127 of
the Act for renewal of an on-licence
in respect of premises situated at 8A
Moray Place, Dunedin, known as
"Etrusco at the Savoy"

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 Gianone Holdings Limited for the renewal of an alcohol on-licence in respect of their premises situated at 8A Moray Place, Dunedin, and known as the "Etrusco at the Savoy".

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 19 July 2026, 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 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/59/ON

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Quencel's
Limited pursuant to s.127 of the Act
for renewal of an on-licence in
respect of premises situated at 41
George Street, Port Chalmers, known
as "Futomaki Port Chalmers"

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 Quencel's Limited for the renewal of an alcohol on-licence in respect of premises situated at 41 George Street, Port Chalmers, and known as "Futomaki Port Chalmers".

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 June 2026, 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 2023

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 Mr Magpie Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 46 Stuart Street, Dunedin, known as "Maggies"

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 Mr Magpie Limited for the renewal of an alcohol on-licence in respect of their premises situated at 46 Stuart Street, Dunedin, and known as "Maggies".

This is the first renewal for the premises. The Applicant has requested that the 'restricted' designation on the premises after 9.00 pm is changed to a 'supervised' designation. All other conditions are to remain unchanged.

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 and that the change in designation after 9.00 pm is appropriate.

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 changed designation, until 9 June 2026, 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 21 day of July 2023

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 Mayfair Theatre Charitable Trust pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 100 King Edward Street, Dunedin, known as "Mayfair Theatre"

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 Mayfair Theatre Charitable Trust for the renewal of an alcohol on-licence in respect of their premises situated at 100 King Edward Street, Dunedin, and known as the "Mayfair Theatre".

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 14 June 2026, 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 10th day of July 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/54/ON

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Baaa Sports Bars
Limited pursuant to s.127 of the Act
for renewal of an on-licence in
respect of premises situated at 746
Great King Street, Dunedin, known as
“The Baaa Sports Bar & Grill”

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 Baaa Sports Bars Limited for the renewal of an alcohol on-licence in respect of their premises situated at 746 Great King Street, Dunedin, and known as the “The Baaa Sports Bar & Grill”.

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 9 June 2026, 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 10th day of July 2023

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 pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 660 Cumberland Street, Dunedin, and known as “Auahi Ora”, “University Union Events Footprint”, “The Staff Club”, and “U-Bar”

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

HEARING at Dunedin on 13 April 2023

Appearances:

Mr D Sim – Counsel for Applicant
Mr S Baughan – for Applicant
Mr A Lowry – for Applicant
Ms C Gallop – for Applicant

Ms T Morrison – Licensing Inspector
Sgt S Jones – Police Alcohol Harm Prevention Officer

Mr J Whelan – for Objector, Students for Sensible Drug Policy
Ōtepoti/Dunedin
Mr S Dunning – for Objector
Mr M Phillips – for Objector
Dr L Gordon – Counsel for Objector

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

PROCEDURAL ISSUES

- [1] The Licensing Inspector voiced concern at the late evidence being provided which gave little time to consider its contents. The Committee agreed and gave the parties an option to seek an adjournment if required.

INTRODUCTION

- [2] This matter relates to the renewal of an alcohol on-licence for the University of Otago. The licence covers five distinct areas on the campus, the “University of Otago Union”, “Gazebo Lounge”, “University of Otago Staff Club”, “St David Café”, and the “U-Bar”.
- [3] The application is for a rollover of the current conditions which has licensed hours of Monday to Sunday, 12.00 noon to 1.00 am the following day. The “U-Bar” has a closing time of 3.00 am with a one-way door from 2.30 am. The premises is undesignated except for the “U-Bar” which is designated a supervised area.
- [4] Public notification of the renewal application attracted an objection from the group called Students for Sensible Drug Policy Ōtepoti/Dunedin (SSDP).

HEARING

Applicant

- [5] Mr Sim for the Applicant stated that the University of Otago and the objector have the same goals except for the inclusion of a condition relating to the requirement to have Naloxone in the form of *Nyxoid* available in their first aid supplies and to ensure all staff, including security staff, are trained in its use. Currently the drug is not available for use in the premises.
- [6] The Applicant also made the following statements:
 - a) The Applicant is a longstanding licensee that has not had any issues.
 - b) The licensed areas are predominantly cafes except for the U-Bar.
 - c) The U-Bar is in the basement area of the Union building and is used as an entertainment venue. It opens late in the day and is available for use by bands. It is currently the only student focussed venue in Dunedin.
 - d) The Staff Club is open as a café throughout the day and is available for functions.
 - e) The Otago Union is now known as “Auahi Ora”.
 - f) The Gazebo Lounge is now used as a dining hall and functions area.
- [7] The University of Otago is very conscious of the effects of alcohol on students. There is a lot of alcohol-related harm and concerns in the North Dunedin area, but they are unrelated to these premises. They submitted that the best place for alcohol to be consumed is in a licensed premises where there is active monitoring of patrons, not in off-licence situations where there is no control.
- [8] Mr Sim said they have been in discussions with the objector. He said the objector stated they weren’t opposed to the renewal, but they were concerned at the lack of information available, especially as it relates to the control of the licensed areas.
- [9] The University offered to develop an Alcohol Venue Management Plan for their premises to sit behind the licence. All of the information was available, but it needed to be formalised into one document. Mr Sim said they could work with the objector to collate the information but there was insufficient time to have it ready for this hearing. In response to a question from the Committee, Mr Sim said they would include the regulatory agencies in the process.
- [10] Mr Sim said that the condition suggested by the objector was inappropriate. *Nyxoid* is, according to the American Association of Drugless Practitioners (AADP), available as an ‘over the counter’ product used to treat a person suffering from opioid overdose. The University said it was unreasonable to expect staff members to administer a medication. When

consulted, Student Health said they were not sure it would be appropriate for premises to have and administer such a product.

Mr S Baughan

- [11] Mr Baughan is the General Manager of the University Union. He presented his evidence, and it was accepted.
- [12] He said the University Union has been reconfigured and refurbished but there has been no change to the operation of the licence. The area was the former Food Court. Their intention is to sell alcohol at evening events from 5.00 pm. There have been about 12 functions this year to date. There is an à la carte restaurant and alcohol is available if requested. The area is also available for private functions.
- [13] He said the U-Bar was only used when there was entertainment available. It was not open just for the sale of alcohol. There had to be a band or some other entertainment to have it open. When it is open, it is generally from 9.00 pm to 1.00 am the following day. When questioned, Mr Baughan said people could not remove alcohol from the bar area.
- [14] The Staff Club is for staff only and it is generally open between 8.00 am and 4.00 pm. This facility is available for functions at weekends and semester breaks.
- [15] The St David Café is open between 8.00 am and 4.00 pm during the semester. There is no alcohol currently sold in this area, and it is the busiest café on campus. When the complex is used for events, such as meetings and conferences, alcohol is available during breaks in the concourse.
- [16] The Gazebo Lounge is now used as a dining hall for Tairua College, seven days per week. During semester breaks, this area is popular for events. Alcohol is only available at events. It was confirmed this area would remain the dining hall for the Tairua College for the foreseeable future.
- [17] With reference to an advertisement promoting alcohol posted on social media and highlighted by SSDP, Mr Baughan said it had been placed by the band performing at U-Bar on that night. They have now made it a rule that when a band books the venue, they are not to advertise or promote alcohol. Mr Baughan informed the Committee the premises does not advertise the price of alcohol on any of their external advertising.
- [18] The Committee asked how long it was thought the Venue Management Plan would take to pull together. Mr Baughan suggested one month would be long enough. It would allow time for it to be done properly and without rushing.
- [19] In response to a question from Dr Gordon, Mr Baughan said he believed the University offered safe places for the student population. The U-Bar is a safe, supervised area for them to consume alcohol and when someone becomes intoxicated, they can be removed to a place of safety. He said that alcohol was not generally available for purchase in their premises, but was usually available at functions and events.
- [20] When asked how the University could improve safety around preloading, Mr Baughan suggested there could be more events to encourage the students to attend and if they wanted to drink, it would be in a controlled environment.

Ms C Gallop

- [21] Ms Gallop is the Director of Student Services. She presented evidence and it was accepted.

- [22] She said that the University was always willing to work with groups and to consider best practice as it relates to the safety and wellbeing of students, including responses to emergencies.
- [23] However, after discussing the carrying and use of Naloxone at the licensed areas with Student Health, the University is of the view that it would not be appropriate for the University to hold Naloxone or to expect any of its staff (including bar staff) to make judgements around when it is to be used and then to administer the drug. Ms Gallop noted that this was the same view of the Proctor about the Campus Watch staff.
- [24] The issue of drug use has not been raised by OUSA, Māori or Pacifica groups. The student voice is very important to the University, but this has not been brought to the University's attention. There has been no evidence presented that this is causing harm. If evidence is presented, an appropriate response would be considered after taking advice.
- [25] When asked how the University addresses alcohol-related harm, Ms Gallop said they work to support the students. There are a number of initiatives the University is involved in and working together with, including:
- a) Sophia Charter.
 - b) Dunedin City Council.
 - c) Emergency services.
 - d) Know Your Stuff – a group that is available for large events. They test substances for consumers so they can be reassured of what they are taking.
 - e) Red Frog – a group that provides volunteer staff to keep a watch out for the welfare of attendees and to help create safe events.
 - f) Otago University Students' Association (OUSA).
 - g) Good One Register – students can register their parties. They are advised of good host responsibility and other responsibilities they may need to consider. The register is with the OUSA.
- [26] When there is an event, the University works closely with the above-mentioned groups as well as the Proctor and Campus Watch.
- [27] Ms Gallop said that the students wanted to take responsibility for themselves, so the top-down approach is not working. It is an 'all of society' problem, not just in the tertiary sector.
- [28] Sgt Jones asked about the 'hold on to your friends' group. Ms Gallop said it was an initiative by students and alumni to support people talking to each other. It is not a part of the University per se.
- [29] When asked by Dr Gordon if the University was against the use of Naloxone, Ms Gallop said there would need to be a lot of research undertaken before the product was introduced.

Ms T Morrison

- [30] Ms Morrison is a Licensing Inspector for the Dunedin City Council. She had no evidence to submit other than her initial report.

Sgt S Jones

- [31] Sgt Jones is the Dunedin Police Alcohol Harm Prevention Officer. He had no evidence to produce.

Mr J Whelan

- [32] Mr Whelan is the President of the Students for Sensible Drug Policy Ōtepoti/Dunedin. He presented their evidence, and it was accepted.
- [33] He said the SSDP did not oppose the renewal of the licence but believed there was unclear information included in the application for renewal and they wanted the information regarding opioid use to be presented and the condition relating to Naloxone added to the licence. Following a question by the Committee, Mr Whelan conceded the ambiguity around the entity applying for the licence was an issue of naming convention and that SSDP are now aware of the entity who is seeking the licence.
- [34] The objection by SSDP related to:
- a) The lack of clarity of information included with the application.
 - b) U-Bar operates as a nightclub but is included on the same licence as other areas. The University actively puts on gigs at this venue.
 - c) While there are no changes to the operation of Auahi Ora, the licence allows alcohol to be sold from midday during the week.
- [35] SSDP believe this is an opportunity to set high standards for premises. There are no changes to the licence being sought but the selling practices will change.
- [36] Mr Whelan commented that the addition of Nyxoid to first aid supplies would be a positive move towards a higher standard for the University. The main issue is that people do not report illicit drug use and it is the experience of SSDP that such drugs are being used in these venues. Having Nyxoid available may help prevent deaths from overdose in the future. When asked, Mr Whelan said there may be one premises in Dunedin that has Nyxoid available, but they are working at getting it more widespread.
- [37] Mr Sim commented that most of the issues mentioned will be covered in the Venue Management Plan and this was acknowledged by Mr Whelan.
- [38] Ms Morrison asked if Mr Whelan was aware of any issues in the premises and he replied that he was not aware of issues, but they were looking at future-proofing the premises.

Mr M Phillips

- [39] Mr Phillips is the co-regional manager of KnowYourStuffNZ (KYSNZ) for Otago. He gave evidence on behalf of SSDP, and it was accepted. The following points were made:
- [40] The results of waste-water testing indicated MDMA consumption is higher in the Southern Districts.
- [41] MDMA consumption within the student population in Dunedin is considerable and many users are concerned about the adulteration and/or contamination of substances with highly potent opioids.
- [42] Highly potent opioids pose a serious health risk, and they are not readily detectable because of technology limitations. Poisoning can occur within minutes of consumption with potent opioids causing cardiac arrest in less than 15 minutes and brain damage within 10 minutes. Premises need to be prepared for opioid poisoning to occur, especially because of the prevalence of polysubstance consumption.

- [43] Nyxoid is the best option. It is a simple, non-invasive medication that is easy to administer. It is not a pharmacy only medicine and is able to be handed out to KYSNZ 'clients' who are likely to consume opioids.
- [44] When asked, Mr Phillips said there were over 300 opioid related deaths between 2017 and 2021 and they were all preventable. The University needs to understand that unless they are prepared, something is going to happen to a student on their premises.
- [45] Mr Phillips acknowledged there were some legal, ethical and medical reasons why it was inappropriate for bar staff to administer Nyxoid. However, it was easy to use and although there were potential allergy issues, clinical trials did not show these. It does not cause harm, but it does prevent harm. There is a very low risk with its use. Mr Sim raised the issue of potential risks with the use of Nyxoid and the recipient being on various medications and asked how the bar staff were expected to know what a person is taking and whether it was acceptable to put the staff in that position. Mr Phillips said there was a very low risk of an interaction with another substance and that potential allergic reactions are recorded on the MedSafe factsheet because it was a requirement, but he did not believe it was an accurate representation of the risk.
- [46] The Licensing Inspector asked how the risks associated with opioid use could be relayed to people. Mr Phillips said it required community involvement, discussion with peers, good websites, etc. He believed licensees needed to better promote harm reduction initiatives and have safe places on premises.
- [47] The Police asked about the availability of Nyxoid. Mr Phillips said it was not readily available and they are working with Pharmac to try and get the product subsidised. Each pack contains two doses which should be enough for a premises and costs approximately \$90.00.

Adjournment

- [48] The parties agreed to adjourn the matter for four weeks to allow time for the Alcohol Venue Management Plan to be collated by the University with the assistance of the parties. Following a request from the Applicant, an additional week to finalise the alcohol venue management plan was granted by the Committee.

Closing

Objector

- [49] SSDP recorded their disappointment that some of their feedback on the AVMP was not taken on board and at their limited consultation in the genesis of the document. There is no acknowledgement of the harms associated with sexual violence and polysubstance overdose with alcohol-related harm in the AVMP.
- [50] SSDP believes the AVMP is not perfect, but it is acknowledged as making progress in understanding the management of alcohol on campus.
- [51] They recommend the licence is renewed for the truncated period of 18 months to allow time for the AVMP to become embedded in practice.

Applicant

- [52] The Applicant has completed the Alcohol Venue Management Plan (AVMP), and this has been endorsed by the regulatory bodies. The SSDP made some suggested edits to the document which, while not all have been adopted, were made before submitting the Plan to the Committee.

- [53] After the hearing and preparation of the above-mentioned, the Applicant seeks to remove the licensed areas in the St David's Café and the Gazebo Lounge.
- [54] In addition they seek to amend the licence hours for the other areas as follows:
- | | | |
|----|-----------------------------------|--|
| a) | Auahi Ora | 4.00 pm to 1.00 am the following day |
| b) | University Union Events Footprint | 4.00 pm to 1.00 am the following day |
| c) | The Staff Club | 12.00 noon to 1.00 am the following day |
| d) | U-Bar | 4.00 pm to 3.00 am the following day |
| e) | Caterer's on-licence | 12.00 noon to 1.00 am the following day. |
- [55] The AVMP has been prepared to be a 'working document' which may be varied and enhanced with time with appropriate consultation with the agencies and others. They do not believe the document itself should be a condition of the renewed licence but accept a condition that they are required to maintain an AVMP.
- [56] The University does not accept it is appropriate to have as a condition that Naloxone/Nyxoid should be kept on the premises. The University acknowledges the risks associated with drug and polysubstance abuse and this is included in the AVMP. There are ethical and legal reasons, including employment law, such a condition would raise.
- [57] Pricing of alcohol drinks was raised during the hearing. The University is committed to the National Guidelines on alcohol promotion. It will consider ongoing input from interest groups regarding pricing. However, it must be acknowledged that the University must be free to take commercial considerations into account in its operation of the premises.

DECISION

- [58] This matter relates to the renewal of an on-licence that covers five distinct areas of the University campus. There was no opposition from the regulatory agencies, but the Students for Sensible Drug Policy Ōtepoti/Dunedin objected for the following reasons:
- a) The Object of the Act – SSDP questioned who the legal entity was holding the licence.
 - b) The application did not provide the necessary information to determine the boundaries of the areas covered by the licence.
 - c) Whether the Applicant has appropriate systems, staff and training to comply with the law, including security for the premises.
 - d) Would like a discretionary condition added that the licensee undertakes appropriate drug overdose and polysubstance/mixed substances overdose recognition and response training with all staff and that the licensee holds Naloxone (Nyxoid) as part of its first aid supplies and that all staff are trained in its use.
- [59] The SSDP is accepted as a group with an interest greater than the public generally and was afforded the status of objector with all necessary requirements as set out in 204 of the Act.
- [60] The Committee has considered the evidence presented to it and looks to s.131 of the Act which details the matters to consider:
- a) S.105(1)(a) – object of the Act. No evidence was presented to suggest the object of the act is not being met by the Applicant.
 - b) S.105(1)(b) – suitability. The Committee did not hear any evidence to suggest the Applicant was not suitable to hold an alcohol licence. In objecting, SSDP did not seek the application for renewal be refused and during proceedings commented about the possible negative impacts if the premises were to be shut down.

- c) S.105(1)(c) - Local Alcohol Policy. The applicant meets the requirements of the local policy.
- d) S.105(1)(d) – days and hours of operation. The Applicant amended their application to have the start times for the various areas later than the current licence.
- e) S.105(1)(e) – design and layout of the premises. The Applicant has removed the St David Café and The Gazebo Lounge from the area covered by the licence.
- f) S.105(1)(f) and (g) – the sale and supply of goods and services other than those directly related to alcohol. The University is a tertiary education provider. The main purpose of all areas, other than the U-Bar, is to provide non-alcoholic refreshments to the tertiary community. The sale of alcohol, when it does take place, tends to be in conjunction with functions. The U-Bar is used as a live entertainment venue.
- g) S.105(1)(j) – appropriate systems, staff and training to comply with the law. No evidence was produced to suggest their systems, staffing and training was not appropriate.
- h) S.105(1)(k) – matters raised in reports by the regulatory agencies. No issues were raised – the agencies did not oppose the licence renewal.

[61] The Committee also considered the matters relating to opioid and polysubstance use in the premises. This is a matter for the University to be mindful of, but it is beyond the scope of the Sale and Supply of Alcohol Act. There is no necessity to impose any condition relating to the keeping of Naloxone in first aid supplies. The training of staff is a requirement, but it is for the University to decide whether identification of opioid/polysubstance overdose should be included after they have made their own inquiries.

[62] The Committee has considered the AVMP presented and, when one considers the location of the premises in relation to the main student accommodation area, it is a valuable document, and we are grateful to the University and other parties involved in its development. The Committee does not consider it necessary to include a condition relating to the document but will attach it to this decision to encourage all parties to refer to it and comply with its direction.

[63] We are satisfied as to the matters to which we must have regard as set out in s.131 of the Act and therefore renew the licence, with the removal of the two areas and amended trading hours, until 26 February 2026, 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.

[64] We have considered the option of a truncated renewal period but do not consider it necessary on this occasion.

DATED at Dunedin this 10th day of July 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

2023

Alcohol & Venue Management Plan

University of Otago

University of Otago

ALCOHOL & VENUE MANAGEMENT PLAN

Contents.

Page

- 2. Overview & Stakeholders
- 3. Harm Minimisation Activities Undertaken by the Union

Section One

- 4. Sophia Charter
- 5. Union Operational Structure (fig1)
- 6. Management / Hours of operation
- 7. Campus map of licensed premises
- 8. Designation of Premises / Minors (fig2, pg8)
- 9. Intoxication Identification
- 10. Intoxication Assessment Tool (fig 3)
- 11. Place of Safety / Transport / Signage
- 12. Staff Training Register
- 13. Training Register (fig4) / Observation and Management
- 14. Alcohol Promotions / Incidents
- 15. Incident Report Form (fig 5)
- 16. Provision of Food & Beverage / Functions & Events / Safe Drinking Environment
- 17. Noise Management / Security Plan & Campus Watch
- 18. Licensed Premises Inspection / Complaints Procedure

Section Two - Venues

- 19. Union Bar (UBAR)
- 20. UBAR Host Responsibility
- 21. UBAR Beverage List
- 22. The Staff Club
- 23. The Staff Club Host Responsibility
- 24. The Staff Club Menu
- 25. The Staff Club Beverage List
- 26. Auahi Ora
- 27. Auahi Ora Host Responsibility / Menu
- 28. Auahi Ora Beverage
- 29. University Union Events Footprint
- 30. University Union Events Building Ground Floor Plan
- 31. University Union Caterers On Licence
- 32. University Union Caterers Storage Plan
- 33. Appendices – Risk Mitigation Plan
- 35. Catering Compendium

Overview & Stakeholders

The University of Otago (UoO) holds a licence under the Sale and Supply of Alcohol Act 2012. Activities under the licence are the immediate responsibility of the University of Otago Union - the structure of which is set out below. The licence authorises on-licensed activity within four defined premises: The Staff Club, Auahi Ora, the University Union Events Footprint and U-Bar.

The Staff Club is located within a stand-alone building on campus and the other premises comprise defined areas within the Student Union Building - as depicted on the diagrams which are included in this Alcohol & Venue Management Plan (AVMP).

In addition, the licence includes a caterer's extension authorising the delivery of alcohol to independently promoted events from within the defined area of the Student Union shown on the diagram included in this AVMP.

UoO understands and accepts its responsibilities as a licensee and will ensure that the requirements and expectations of the Sale and Supply of Alcohol Act 2012 are adhered to.

As a licensee under the Sale and Supply of Alcohol Act 2012, the University of Otago is committed to achieving the Object of the Act which requires that:

- the sale, supply, and consumption of alcohol should be undertaken safely and responsibly, and
- the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

To achieve the Object of the Act the University will ensure that activities conducted under the licence:

- are deliberate, considered, and optimised towards minimising alcohol related harm; and
- are purposefully chosen, having actively considered the environment in which the licensed premises and catered venues are located, and the nature of our majority student/ youth clientele; and
- acknowledge the vulnerabilities of the student/ youth community connected to the University and work to mitigate adverse consequences of those vulnerabilities.
- reflect awareness that, although our activities might be undertaken safely and responsibly, they can contribute to alcohol-related harm elsewhere.

As licensee the University of Otago will seek to maximise its ability to minimise alcohol-related harm by:

- considering the University of Otago's wider pastoral care obligations and applying these, as appropriate, to its licensed activities.
- working closely with Campus Watch which provides pastoral care across campus 24/7, and is an integral part of the University of Otago's wider pastoral care activities; and
- actively engaging and working in partnership with the local alcohol reporting agencies and the Dunedin District Licensing Committee; and
- actively engaging with the Otago University Student Association (OUSA) (and, through it, with its affiliated groups), Te Rōpū Māori Student Association and other relevant groups including but not limited to: the Red Frogs (operated by Citipointe Church); the Sophia Charter (Multiagency); the Good One Register (Multiagency); Red Light New Zealand and Students for Sensible Drug Policy .

Harm Minimisation Activities undertaken by The Union

As stated above, the Unions approach to licensed activities is deliberately considered and carefully chosen to minimise alcohol-related harm. Set out below are the details of the Union achieves this:

- The **hours** of our licensed activities are appropriate for our clientele and are aimed at creating opportunities for our students and young people to socialise and find entertainment at our supervised and alcohol-controlled venues.
- Our **prices** are carefully set to balance the financial stability of our venues, with responsible access to alcohol, and with maximising the attractiveness of our venues to students and young people.
- The focus of our activities is on **entertainment** rather than the consumption of alcohol, as we offer live music, we host events for student clubs, and provide comfortable environments for our students and young people to relax and socialize.
- We offer a wide **selection** of food, non-alcoholic drinks, and alcoholic drinks at a range of prices to provide variety and shift the focus away from the consumption of alcohol.
- Our venues offer a **community** for our students and young people, with our well-trained staff being friendly, warm, and approachable to build a relationship with our clientele so we can better manage our premises.
- We **consult** with our community and with wider strategic partners to ensure what we offer is attractive, and how we engage with our clientele is effective.
- Our **training and operations** are based on evidence based best practice methods, and we utilise resources created by Te Whatu Ora, the Health Promotion Agency (HPA), and other government agencies and key harm-reduction organisations.
- We actively **work in partnership** to enhance our capacity for harm reduction with the University, and with other harm reduction organisations.

This AVMP is intended as a practical and workable document that outlines the plans UoO has in place to ensure the responsible service and management of alcohol. The plan is to make sure that all aspects relating to the sale of alcohol and host responsibility requirements are incorporated into the operation of the licence. It also provides a reference tool for the management and employees to enable them to familiarise themselves with specific management controls and conditions with regard to alcohol.

This AVMP is a living document that will be reviewed annually in February for the year following or more frequently if regulatory or operational needs require. Subject to any of the overriding conditions of the licence, this plan can be updated or amended as required, including for the following reasons:

- Changes in Sale and Supply of Alcohol Act 2012.
- Changes to the Local Alcohol Policy.
- Changes in detail such as menus, staff, security providers, and contact details.

Where any proposed amendment represents a more than minor change to any mode of operation under the licence UoO will consult with regulatory agencies, as part of the District Alcohol partnership (DAP) before that change is made.

As part of our ongoing relationship with key stakeholders of the University, and to ensure the best outcomes for all our customers, including students, we will also actively engage with relevant stakeholders (including those identified above) and consult with them as appropriate on any significant changes to this AVMP.

Upon any amendment being made a revised copy of this AVMP can be viewed at any time upon request by the regulatory agencies.

The Sophia Charter/ Te Kawenata Sophia

As part of UoO's commitment to social responsibility and in collaboration with the stakeholders listed in the Sophia Charter we will work towards supporting student social activities in a manner that minimises alcohol related harm by providing well supervised and safe environments in our licensed premises, as part of our catering licence and in support of OUSA events where we can add value and assurance. <https://www.otago.ac.nz/about/social-responsibility/sophia-charter/>

Other University Harm Minimisation Activities

In addition to the activities which form a key part of its work through the Sophia Charter, the University engages in many other activities which are directed in whole or in part at Alcohol Harm Minimisation. These include:

- Education in connection with use of alcohol - delivered through Residential Colleges and the Locals' Programme
- Support and Counselling in connection with alcohol use - provided through Student Health, Residential Colleges, the Pacific Islands Centre, and Te Huka Mātauraka
- Welfare management provided through Residential Colleges and Campus Watch
- The setting and enforcement of behavioural expectations (including in connection with alcohol use) through Residential College Rules and the Student Conduct Statute <https://www.otago.ac.nz/administration/policies/otago029948.html>
- Control of alcohol on campus through the Alcohol Regulations 2014 <https://www.otago.ac.nz/administration/policies/otago081807.html>

The University also undertakes extensive teaching and research relevant to Alcohol Harm Minimisation.

As the division of the University with responsibility for licenced activities on campus, the University Union will engage with those responsible for these activities and, where relevant, co-operate with them in their activities and in the management of the activities under the alcohol licence .

This AVMP is presented in two sections. Section One describes requirements of the licence common to all licensed venues on campus including the catering licence. Section Two will provide specific details that are unique to each of the licensed venues.

Section One

The University of Otago Union

All activities under the licence are managed by the University of Otago Union (“the Union”) which has operational responsibility for ensuring that the requirements of the Act, the Licence and this AVMP are met.

Operational Structure

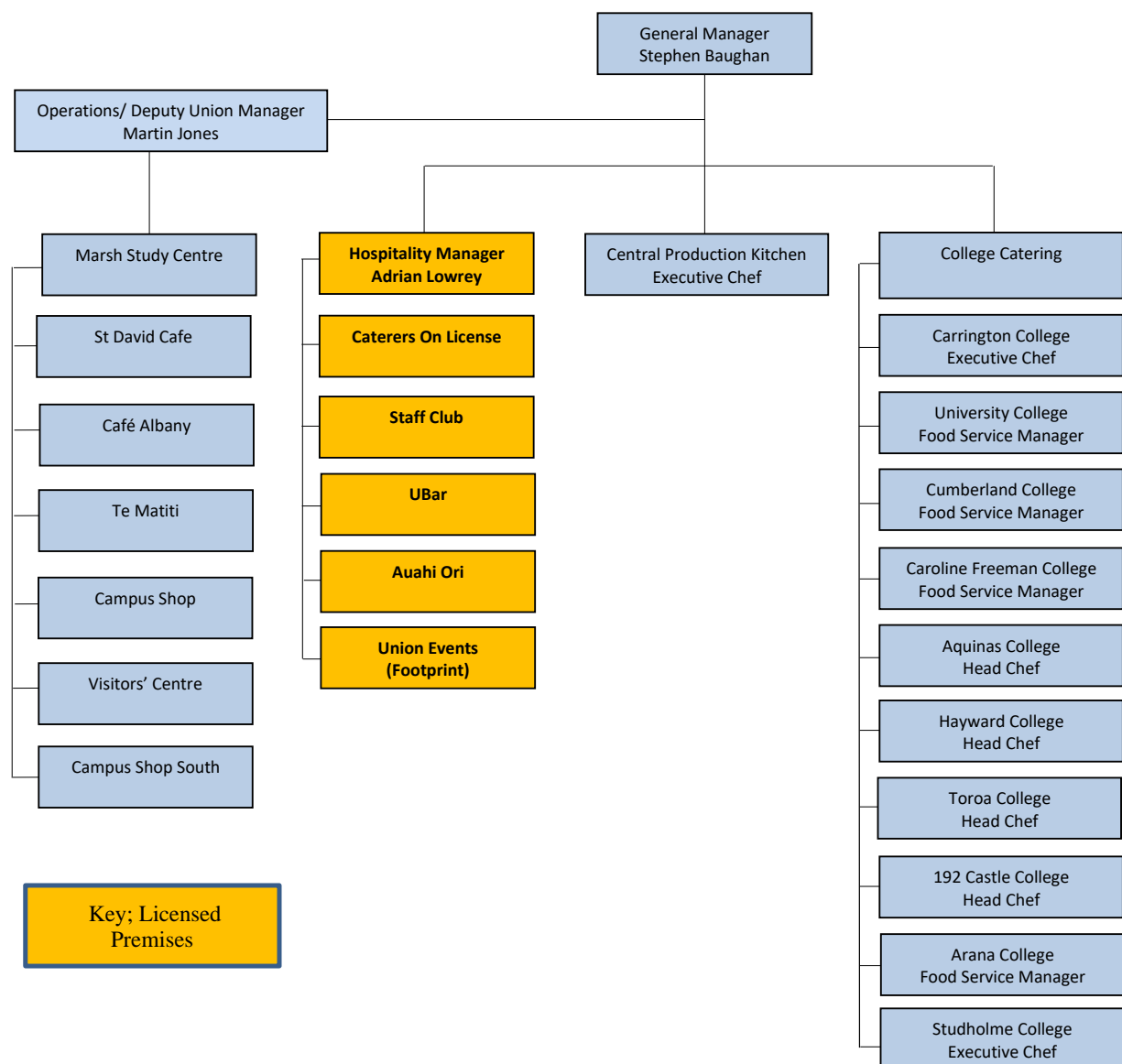


Fig.1

Management of Licensed Venues

The Hospitality Services Manager (HSM), reporting to the Union General Manager, is immediately responsible for the overall management of the business. The venue Duty Manager(s) are responsible for the day-to-day running of the licensed venues.

The Duty Manager is in control of the running of the venue on shift and will take control of any situation that may lead to a breach of the provisions of the Act.

Target Market

Our target market is students, staff, visitors for both casual and events.

Hours of Operation

Venue	Current Operating Hours	Licensed Hours
Union Bar (UBAR)	Wednesday to Saturday 2100 - 0300	1600 - 0300
Staff Club	Regular Hours: Monday to Friday 0800 - 1600 <i>Events: Evenings & weekends</i>	1200 - 0100
Auahi Ora	Monday to Friday 0900 - 1600	1600 - 0100
University Union – Events Footprint	As arranged for specific events.	1600 - 0100
Catering On Licence	As required by event promoter	1200– 0100

Venue Safety and Maximum Capacities

The maximum capacities of the on-licensed areas and of those parts of the Student Union used for Events are as depicted on the diagrams included in this AVMP.

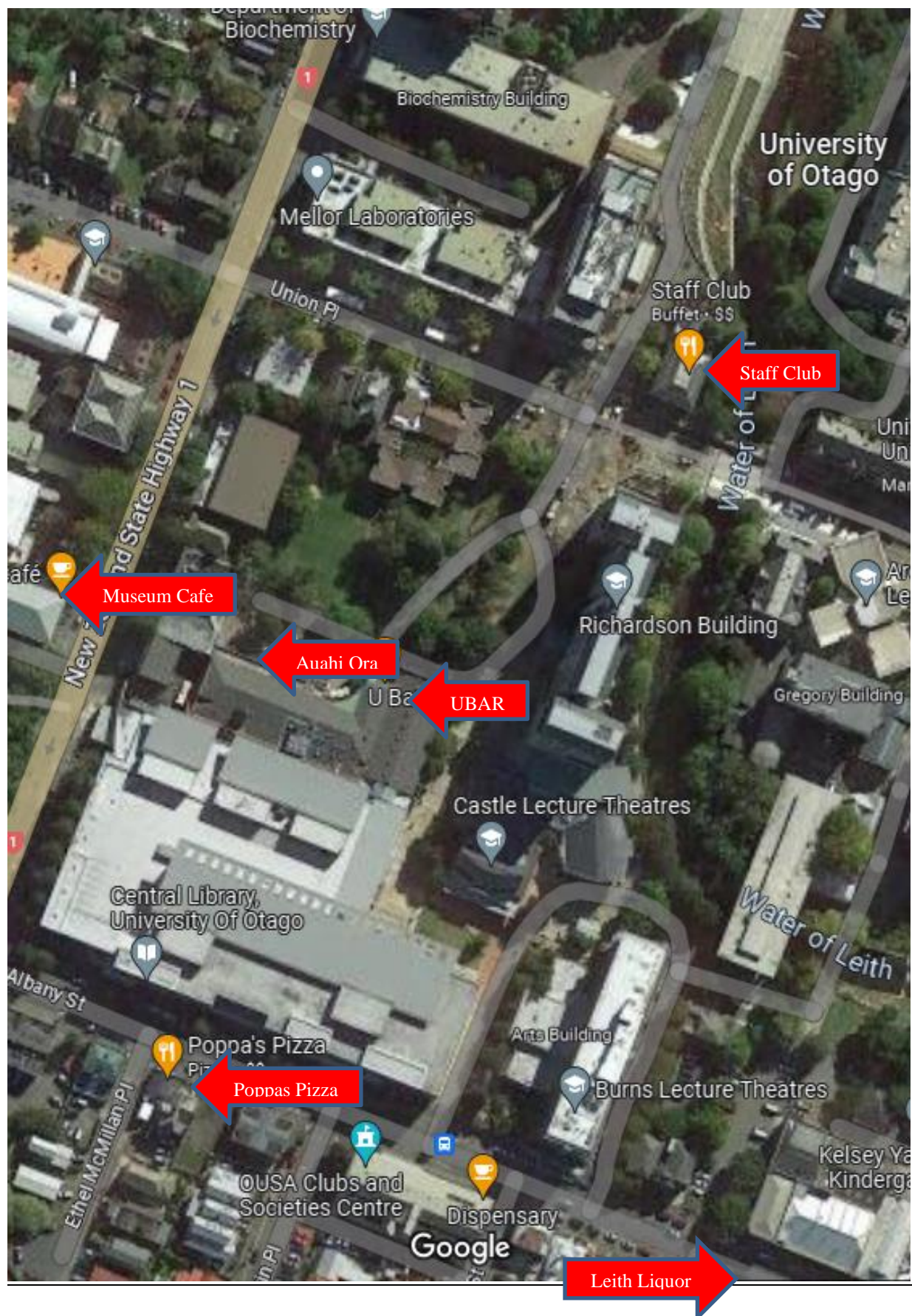
Where an event is catered at a venue for which the capacity is not included in this plan, the agreement with the promoter will confirm the appropriateness of the venue for the numbers catered to.

Health and Safety compliance in connection with the premises and activities covered by this AVMP is assured through University's Workplace Health and Safety Management System:

<https://www.otago.ac.nz/health-safety/management/index.html>. It is acknowledged that the adequacy of ventilation within premises is an issue that is required to be managed.

University of Otago Campus Location of licensed Premises

- Licensed venues in the block vicinity indicated by arrows.



Designation of the Premises:

The designations in force for our licence are:

Undesignated	University Union The Staff Club Auahi Ora University Union Events Footprint
Supervised	Union Bar (UBAR)

Undesignated Area - persons of any age may be in this area regardless of whether they are accompanied by a parent or legal guardian. They may consume alcohol, but they may not purchase it. Any alcohol consumed by a minor must be purchased by the parent or legal guardian and supplied to the minor by that person.

Supervised Area- persons under 18 may be present only if accompanied by a parent or legal guardian. They may consume alcohol, but they may not purchase it. Any alcohol consumed by a minor must be purchased by the parent or legal guardian and supplied to the minor by that person.

Minors

The only forms of ID that have been approved under the Sale and Supply of Alcohol Regulations 2013 are.

- Any current passport
- A current New Zealand photo driver's licence
- HANZ 18+ card (NB. valid 10 years from date of issue, no longer issued)
- Kiwi Access card

Anyone under the assumed age of 25 must be asked for ID by bar staff before any service of alcohol, even if there is a doorman on.

If someone cannot produce any ID, the situation is to be referred to the Duty Manager.

A date of birth chart is below and is also available for staff reference at the (tills, & notice board).

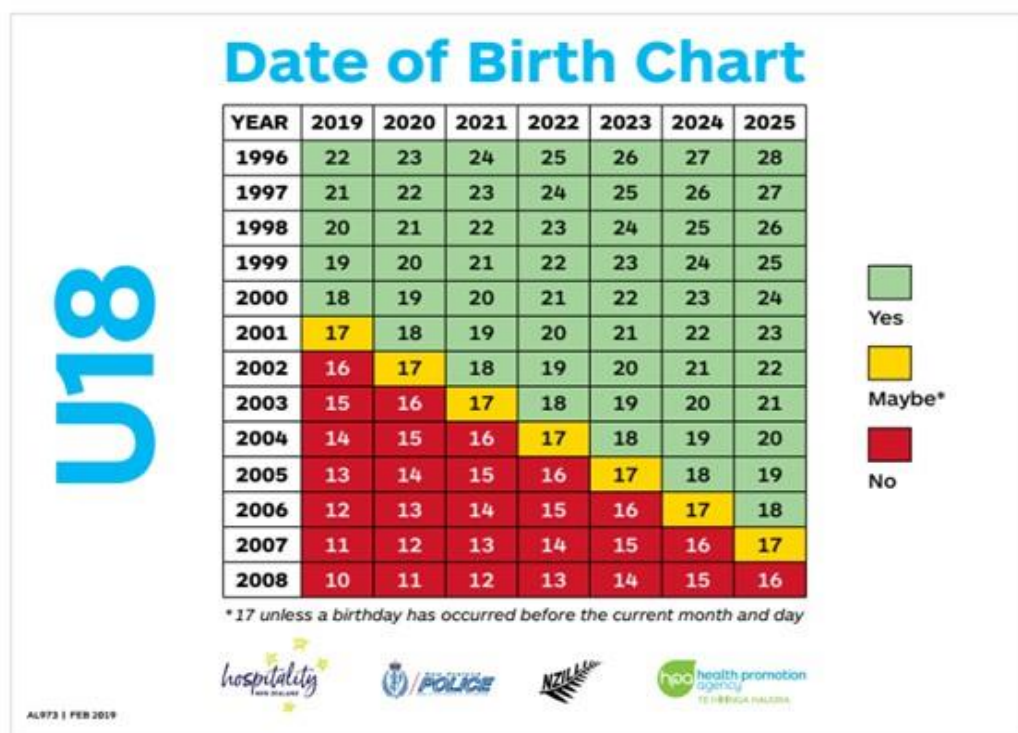


Fig. 2

Intoxication

Offences: Sale and supply of alcohol to an intoxicated person (S. 248), allowing a person to become intoxicated (S.249), allowing intoxication on licenced premises, allowing disorderly conduct on licensed premises (S253).

Additional offence: Irresponsible promotion of alcohol (S. 237), Sale of spirits in vessels exceeding 500 ml (S. 254).

Intoxication definition (S.5) – Intoxicated means observably affected by alcohol, other drugs, or other substances (or a combination of 2 or all these things) to such a degree that 2 or more of the following are evident:

- a) Appearance is affected.
- b) Behavior is impaired.
- c) Co-ordination is impaired
- d) Speech is impaired

How to identify an Intoxicated customer

The below tool should be used to assess intoxication. A copy of this is available for staff reference (on the notice board).

Intoxication assessment tool			
Indicators may include but are not limited to:			
	Sober	Influenced	Intoxicated
Speech	Coherent, clear speech, normal tone/volume, may be talkative.	May be overly talkative, opinionated and interrupts, may stumble over words, becoming loud, inappropriate language, jokes, comments.	Slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical, unintelligible.
Coordination	Coordinated, balanced, standing without help or support.	Slowed or delayed reactions, swagger or occasional staggers or sways.	Spills drinks, stumbles, trips, weaves, walks into objects, unable to stand unaided or sit straight.
Appearance	Tidy, clear eyes, alert.	Vacant or blank expression, smell of alcohol on breath, may look untidy.	Bloodshot eyes, eyes glazed, inability to focus, tired, asleep, dishevelled.
Behaviour	Behaving sensibly but may be more relaxed.	Overly friendly or withdrawn, inappropriate or risky actions, argumentative, annoying, fading attention, increased consumption rate.	Seriously inappropriate actions or language, aggressive, rude, belligerent, obnoxious behaviour affecting other customers.
	Monitor & serve responsibly	Intervene	Deny & remove
Intoxication definition	INTOXICATED means observably affected by alcohol, other drugs, or other substances (or a combination of two or all of those things) to such a degree that two or more of the following are evident: (a) appearance is affected; (b) behaviour is impaired; (c) coordination is impaired; (d) speech is impaired.		

Fig. 3

What to do:

1. Inform your manager immediately
2. Stop service
3. Inform your team to stop service
4. Highlight the customer
5. Support your peers

What management will do:

1. Remove the customer
2. Get the customer to a place of safety e.g Taxi
3. Offer the customer (bottled) water at door
4. Inform the customer's friends

This customer cannot be on the premises unless it is not safe to remove them, in which case they will be put in our Place of Safety while transport home can be arranged for them.

Anyone put into the Place of Safety (Safe Zone) should be recorded in the incident report.

Place of Safety (Safe zone)

Despite the best measures, people can still become intoxicated and may need help. To address this, we have a Place of Safety where they can be looked after. Our designated 'Place of Safety' is indicated on the site plans.

It is well-lit, relatively quiet, and out of the way, and ensures people in need of care will not disrupt or be disrupted by other customers. Anyone requiring medical assistance or assessment for intoxication can be taken here and cared for properly. Under no circumstances can anyone be left unattended in the Place of Safety. A designated staff member or security staff specifically assigned to the unwell customer must focus on the customer's wellbeing for the duration any customer is within the Place of Safety and assist until responsibility for their care can be passed to an appropriate third party.

Safe Transport

We have a range of transport information available: Clear and prominent signage will be displayed behind the bar.

- The university safety patrol car operates between 11pm till 3am
- Dunedin Taxis (03)477 7777
- City united taxis (03) 477 1771
- Green Cabs (03) 464 7336

Staff will assist to ensure safe transport options.

1. These details are on a poster by the bar.
2. Our phone is available to our customers for this purpose
3. Wifi is available if someone needs to use it for Uber/Ola

Signage

The following required signage is displayed:

Food Available	Bar & Point of Sale
Free Water Available	Bar & Point of Sale
Copy of Licence	At the principal entrance
Licenced Hours	At the principal entrance
Full name of Duty Manager	At the principal entrance
Host Responsibility Statement	Point of sale
Alternative Forms of Transport	Point of sale
Prohibited Persons (Minors and Intox)	Point of sale

In addition to required signage, additional signage will be displayed in support of harm minimisation activities and services. Such signage may include information regarding Te Whare Tāwharau, RU OK, Red Light New Zealand, the Good One Register and drug harm reduction materials. Information about the complaints process will also be appropriately displayed.

Staff Training

A digital Duty Managers Register will be checked regularly and updated with any change in personnel. UoO, will ensure that all staff (including casual staff) are appropriately trained in their responsibilities under the Act and this AVMP, we will keep written training records as provided to the licensing inspector.

Areas to be covered in training are.

- Induction
- Health and Safety
- Host Responsibility Statement
- The law and our licence
- How to prevent/limit/deal with intoxication
- Assessing customers for intoxication
- Supply to minors
- Management of incidents of apparent harassment, including sexual harassment
- Customer removals/how to hand over responsibility for welfare/when to call the police.
- Effective communication with other staff and patrons
- Food Control Plan

In addition to general training, appropriate inductions will be provided to all staff before events and in relation to any anticipated out-of-the-ordinary elements of regular shifts.

All staff will be expected to complete the “ServeWise” www.servewise.alcohol.org.nz online module and will be entitled (on presentation of their certificate of completion) to being remunerated for their time doing so.

We also encourage all staff senior to obtain their LCQ and manager’s certificates. UoO will meet the cost for this training on the understanding that the staff member works for at least 6 months after obtaining the qualification.

The responsibility for signing off training is with the Venue Supervisor/Duty manager. All documentation will be kept on record for internal auditing purposes as well as being available to any agencies at any time upon request.

Training processes will be linked to annual performance review.

Training Register

University of Otago Staff Training Register Licensed Premises						
<div>- Risk Mitigation - Host Responsibility Awareness - Assessing Customers for Intoxication</div> <div>- Duty of care - Communication</div>						
Date	Full name	Training type	Provided by	Employee signature	Duty Manager signature	Notes

Fig. 4

Observation and Management

Managers can proactively observe and manage customers. Sufficient staff will be always rostered to ensure managers are not diverted from their responsibilities to do so by unmanageable requirements to serve behind the bar, carry out administrative tasks in the office, or any other distraction.

Managers, security and bar staff alike will monitor customers for signs of intoxication throughout the night. Staff will assess customers when they come to the bar or are serving them at their table. Managers and security staff will circulate the venue and keep a keen eye on all customers. Those who show signs of intoxication will be spoken to and assessed thoroughly and appropriate intervention will take place.

Managers and security staff will assess all customers as they enter the venue for signs of intoxication. Those who show signs of intoxication will be refused entry, as will anyone we believe has been 'pre-loading' or 'sideloading' and is likely to become intoxicated once the alcohol already consumed is absorbed. Customers will also be denied entry if security or managers believe they are likely to cause other problems in the venue, such as being violent or quarrelsome to maintain a safe environment for everyone.

Alcohol Promotions

All alcohol promotions adhere to the National Guidance on alcohol promotions – on-licensed premises. Additionally, the University licensed premises will adhere to the Prohibited Activities policy under the University Alcohol regulations 2014. Venues will not actively advertise alcoholic beverages and will take all practical steps to ensure no third-party advertising of the same will take place on campus (www.otago.ac.nz/administration/policies/otago081807.html) or on University media.

Incident Report/Manager book

Any incidents which disturb or detract from the enjoyable and safe atmosphere within our venue or surrounding area or which have involved the administration of First Aid are noted down on shift and recorded in the incident report/shift report book.

The duty manager, security, and any senior staff working are responsible for making notes and reporting incidents in the Shift's logbook. The manager is responsible for acting upon the reports, and always the key responsibility is the safety of both staff and customers.

Please refer to the Risk Management Plan (RMP) (appendix 1) for further information

Name and contact		
Date and time		Shift DM:
Location	Outside/bar/ main room/stage room/toilets/entrance/band room	
Other details		

Company: _____ **Supervisor:** _____

Incident type:	Fake ID	Threats	Intoxication	Refusal to leave	Intentional damage
	Fighting	Assault	Theft	Urination	Trespassed
Other:					
Response:	Warning		Removal	Trespass warning	Force
If force used reasoning:					
ID obtained:	Yes/No		Name		
Description: Age/Gender/Race					

Injuries:	Yes/No	Staff and/or patron:
Medical attention: (Including first aid)	Yes/No	Details of injury:

Contacts called	Time:	Details: Time stayed/Information given/Helpfulness/Time arrived
Campus watch		
Police		
Ambulance		

15

Provision of Food and Other Beverages

Substantial food is always available while we are open for the sale and supply of alcohol. In bar areas food will be promoted to customers through signs and menus, and by our staff.

Water will be freely available from a self-service water station located at the bar. If the venue reaches 50% of the total capacity, then it's the manager on duty's responsibility to have a second water station which will be located at the bar as well.

We stock a range of non-alcoholic and low-alcohol beverages, as are set out on our menus.

Functions and Events

We undertake functions and events suitable and appropriate to the style of venue. Examples include alumni events, academic, professional and corporate conferences, weddings, birthday events, product launches, etc.

Functions and event management will be tailored to the occasion.

- We will brief staff on the function/event details before each occasion.
- All staff will be reminded about the responsibilities under the Act, including intoxication.
- We will ensure that the person organising the function/event is aware of customer behavior expectations, our obligations regarding intoxicated persons and minors, and that any decisions by the Manager on Duty are final.

All functions and events will have food options, non and low-alcohol beverages options, and free water, available always.

Safe Drinking Environment

- We will ensure that empty glasses and bottles are cleared promptly
- Violent, quarrelsome, insulting, or disorderly customers will not be tolerated on the premises and will be removed.
- We will regularly check to ensure that the toilet facilities are kept clean and safe
- We display our host Responsibility Statement at the venue.

All staff are responsible for bringing any customer behavior concerns to the attention of the Duty Manager.

The Duty Manager will take control of any situation that may arise.

Noise Management

As the business is that of hospitality, it is automatically deemed to be potentially high risk in terms of adverse noise levels, nuisance, or vandalism.

All premises will adhere to the submitted noise management plan while lawfully operating & the Duty Manager is responsible for monitoring the noise and music levels and ensuring that they are kept to a reasonable level.

- All staff will be made aware of neighbours and acceptable levels of noise and will bring any concerns to the Duty Manager.
- Bottles will not be emptied into outside rubbish bins at a time that could annoy neighbors.
- Limiters on the stereo system/placement of speakers & bass speakers outside.

Should the unexpected occur and a noise complaint be received, it will be dealt with initially by the Duty Manager.

We have a Noise Management Plan that all Duty Managers are aware of.

Noise Plugs will be available to staff on request.

Security Plan & Campus Watch

Security is externally contracted.

The number of Security personnel is determined having regard to the nature of the event (including the numbers attending) and the details of the venue - including points of ingress and egress. All security staff must display a current COA when working and adherence will be monitored by the UoO.

Appropriate event specific briefings will be held with security staff. The general role of the security staff includes ensuring prohibited persons do not gain entry to the premises, checking ID, 'roaming' through the premises to monitor patron behavior and keeping the immediate outside environment to an appropriate level of behavior.

Should any incident occur that is beyond the control of the manager on duty, the Police will be called.

Campus Watch provide custodial care across campus 24/7, they are not regarded or relied on as a security resource but act as an integral part of the Unions pastoral care for vulnerable students.

Licensed Premises Inspections:

As part of our licence, we may have periodic checks from the following agencies: Police, Council Licensing Inspectors & Medical Officer of Health compliance officers.

Police, licensing inspectors & Medical officers may ask for assistance from licensees, managers, and staff on a visit to licensed premises. Assistance must be given and it is an offense not to do so.

Police, licensing inspectors & Medical officers are not required to identify themselves in their monitoring and enforcement roles when on licensed premises.

The Duty Manager will be the main liaison with the agency representatives and assist them as required.

The Duty Manager and Security on the shift will introduce themselves to the agency and

1. inform of any possible intoxication,
2. inform of any minors accompanied by a parent or legal guardian, and the place they can be located on the premises,
3. Advise of any issues so there would not be misunderstandings.
4. Ensure these agencies are welcomed and can walk through without incident. Any visits and inspections by the agencies will be recorded (in the manager log)

Complaints Process:

We will take any issues raised with us seriously and will commit to resolving any issues as quickly and effectively as possible.

In the first instance, issues or complaints may be raised with the relevant Duty Manager. This can be done in person, by telephone, email. Contact details will help us report back on issues raised.

Complaints may also be raised at any time with the Union General Manager: (stephen.baughan@otago.ac.nz).

All complaints will be investigated and any appropriate action required to resolve the issue, taken. Complainants will be responded to as soon as practicable and will be advised of any actions taken.

We will also keep a copy of all issues raised and actions taken in response for our records

Section Two

Union Bar (UBAR)- Supervised Licence

640 Cumberland St, Dunedin 9054

Opening Times

Wednesday to Saturday 2100 – 0100 (Term time only)

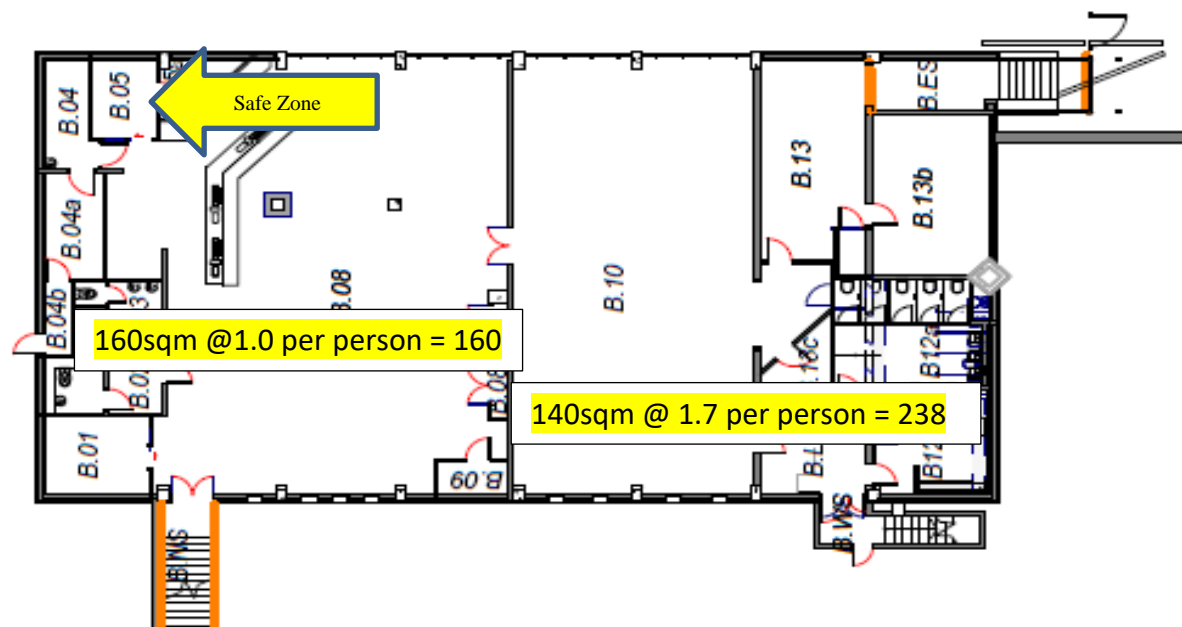
Licensed 1600 – 0300

One Way Door policy 0230

Capacity 398

Class of Venue

Tavern/bar/Nightclub, comprising 2 main areas as well as a band waiting room (Green Room)



Staffing

Security of between 3 – 6 Wed-Sat,

Bar staff 3 – 10 including Duty manager, depending on ticket sales.

Patrons are ID checked and assessed for intoxication at the door. Continuous assessment of patrons inside the venue for Intoxication and/or behaviour.

All incidents are communicated to the Duty manager and head of Security. All Incidents to be entered into the Incident Report Form.

Staff will ensure that any person removed from the venue due to intoxication is assessed and supervised until responsibility for their care can be passed on to an appropriate third party such as campus watch or suitably responsible friends. If this cannot be achieved, then the person will be cared for at the above indicated Venue Safe Area until such arrangements can be made. (Refer section 252(3), Sale and Supply of Alcohol Act 2012).

UBAR Host Responsibility



U Alcohol will not be served to minors.

U Intoxicated people are not permitted in our venue and no alcohol will be sold to anyone who is intoxicated.

U If you look under **25**, we will need to see a current legal form of identification.

- NZ Drivers licence
- Passport
- Kiwi access card

U We have safe transport options, please ask our staff

U Alcohol bought into Union Bar is not permitted and will be confiscated.

U There is always free water available at the bar

U Food is always available for purchase.

Our Host RESPONSIBILITY

- We provide and actively always promote food options for purchase. Menus are always visible.
- We provide and actively promote a range of low-alcohol and non-alcoholic drinks, including, low-alcohol beer, Juice range and soda. Water is always available and free of charge.
- It is against the law to serve alcohol to minors. If we are in doubt about your age, we will ask for identification.
- Customers who are visibly intoxicated will not be served alcohol, will be asked to leave the premises, and will be encouraged to take advantage of safe transport options.
- Our policy is zero tolerance for aggressive, coercive, or violent behaviour.
- We promote a range of transport options to get you home safely. These include taxi services or campus watch.
- We encourage people to have a designated driver. We will make the driver's job more attractive by providing free non-alcoholic beverages. Please let us know if you are the designated driver.
- We make sure all these services are well promoted - you won't have to go looking for them.
- We maintain a training and management policy to give our staff the skills and support they need to do their job responsibly.
- We pride ourselves on being a responsible host.

Food Menu



Food Available

Toastie	\$3
- Ham and Cheese	
- Corn and Cheese	
- Pineapple and Cheese	
Hash Brown sticks	\$3
Large spring roll	\$3

Water is always available please ask staff

UNIONBAR

<u>PRODUCT</u>	<u>PRICE</u>
BOTTLED BEER	
Zeffer Cider	\$11.00
Corona	\$10.00
Steinlager Pure Light 2.5%	\$ 8.00
ON TAP	
Speights GMA handle	\$ 8.00
Speights Summit ultra	\$ 8.00
Emmerson's Super Quench	\$12.00
Speights Jug	\$13.00
SPIRITS & LIQUEURS	
Smirnoff Vodka	\$10.00
Gordons Gin	\$10.00
Jose Cuervo Gold Tequila	\$10.00
Bacardi White Rum	\$10.00
Coruba Dark Rum	\$10.00
McKenna Bourbon	\$10.00
Johnny Walker Red Whisky	\$10.00
Bombay Sapphire	\$11.00
Jack Daniels	\$10.00
Jameson	\$10.00
Absolut Vanila	\$ 9.00
Jägermeister	\$10.00
Galliano Amaretto	\$11.00
Galliano Yellow	\$11.00

<u>PRODUCT</u>	<u>PRICE</u>
Galliano Black	\$11.00
Galliano White	\$11.00
Baileys	\$ 9.00
Kahlua	\$ 9.00
Frangelico	\$11.00
Midori	\$10.00
Suntory Lena	\$10.00
Suntory Blue Curacao	\$10.00
Archers Peach Schnapps	\$ 9.00
Apple Sourz	\$ 9.00
Malibu	\$ 9.00
Southern Comfort	\$ 9.00
Vok Butterscotch	\$ 9.00
Vok Triple Sec	\$ 9.00
WINE	
Kopiko Bay Sauvignon Blanc	\$ 9.00
Kopiko Bay Piot Gris	\$ 9.00
Kopiko Bay Pinot Noir	\$ 9.00
NON-ALCOHOLIC	
McCoy Range Glass	\$ 4.00
(Orange, Apple, Cranberry, Pineapple)	
Post mix	
(Pepsi, Pepsi Max, Lemonade, Ginger Ale)	
V Can	\$ 4.00
RTDS	
Coruba & Cola	\$ 9.00
Smirnoff Soda Range	\$ 9.00
Gordons Pink Gin	\$ 9.00

The Staff Club – Undesignated Licence

80 Union place West, Dunedin 9054

Opening Times

Monday to Friday 0800 - 1600

Saturday – Sunday opens for events.

Licensed 1200 - 0100

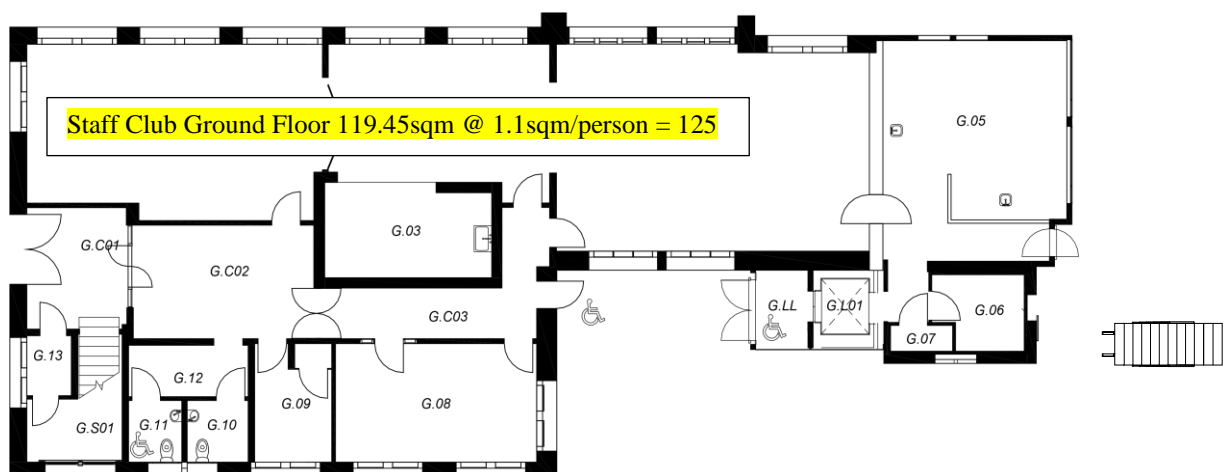
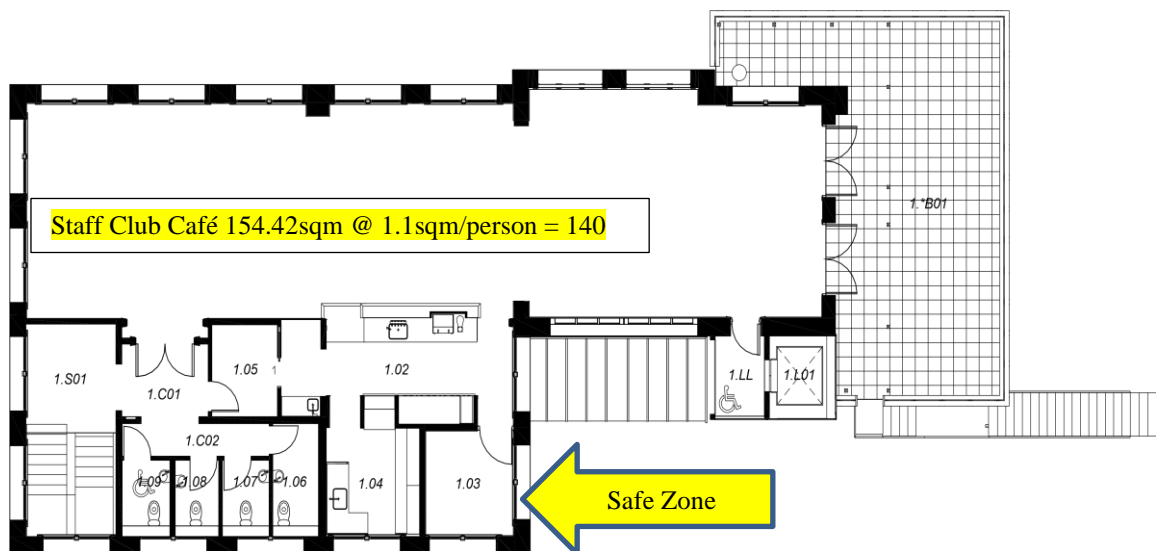
Capacity 271 (Ground & 1st Floor)

Class of Venue

Café/Restaurant/Events

Staffing

Staffing dependent on event, ID checked at bar for any patron who looks 25 or under.



Host Responsibility



- Alcohol will not be served to minors.
- Intoxicated people are not permitted in our venue and no alcohol will be sold to anyone who is intoxicated.
- If you look under **25**, we will need to see a current legal form of identification.
 - NZ Drivers licence
 - Passport
 - Kiwi access card
- We have safe transport options, please ask our staff.
- Alcohol bought into Union Bar is not permitted and will be confiscated.
- There is always free water available at the bar.
- Food is always available for purchase.

Our Host RESPONSIBILITY

- We provide and actively always promote food options for purchase. Menus are always visible.
- We provide and actively promote a range of low-alcohol and non-alcoholic drinks, including, low-alcohol beer, Juice range and soda. Water is always available and free of charge.
- It is against the law to serve alcohol to minors. If we are in doubt about your age, we will ask for identification.
- Customers who are visibly intoxicated will not be served alcohol, will be asked to leave the premises, and will be encouraged to take advantage of safe transport options.
- Our policy is zero tolerance for aggressive, coercive, or violent behaviour.
- We promote a range of transport options to get you home safely. These include taxi services or campus watch.
- We encourage people to have a designated driver. We will make the driver's job more attractive by providing free non-alcoholic beverages. Please let us know if you are the designated driver.
- We make sure all these services are well promoted - you won't have to go looking for them.
- We maintain a training and management policy to give our staff the skills and support they need to do their job responsibly.
- We pride ourselves on being a responsible host.

Staff Club Sample Menu

- The Staff Club operates a daily full cabinet menu from Monday to Friday.
- Additionally, the Staff Cub offers a catering compendium for events and daytime group bookings.

Working Lunch One

Popcorn chicken, Wong bok slaw, bao-bun (DF)
Moroccan lamb skewers, romesco, mint, cucumber, lemon yoghurt (GF)
Spinach & pesto wraps, falafel, rocket, feta, caramelised red onion relish. (V)
Spiced saffron and almond cous cous. (V+)
Caesar Salad (DF)
Seasonal fresh fruit kebabs (GF)
Freshly brewed coffee, selection of teas and herbal infusions

Working Lunch Two

Vegetarian ravioli, tomato kasundi, shaved parmesan (V)
Thai rice noodle salad, aga dashi tofu, roast peanuts, chilli lime vinaigrette. (GF, V+)
Spinach & pesto wraps, falafel, cos lettuce, feta | caramelised red onion relish. (V)
Vegetarian Quesadillas (V)
Greek salad (V, GF)
Chocolate berry cheesecake slice. (V+)
Freshly brewed coffee, selection of teas and herbal infusions

Banquet Lunch

Main

House smoked salmon niçoise with coriander dressing. (GF, DF)
Roast kumara, pulled lamb shank croquettes & chipotle mayo.
Thai fish cakes with hollandaise & fennel slaw. (GF)
Vegetable ravioli with tomato kasundi (V)
Roast pumpkin, broccoli, French beans with sesame seeds & spring onion (GF, V+)

Dessert

Chocolate torte (V)
Fresh fruit (GF, V+)
Freshly whipped cream | natural yoghurt (GF, V)
Freshly brewed coffee, selection of teas and herbal infusions

DF = Dairy Free
GF = Gluten Free
V = Vegetarian
V+ = Veg

Staff Club Beverage List



The Chiller

Panhead Oat Stout	12.00
Panhead Super Charger, APA	12.00
Panhead Pilsner	12.00
Steinlager Pure	9.00
Corona, Lager	9.00
Zeffer Crisp Apple Cider	9.00
Speights Ultra Low Carb	8.00
Speights Gold Medal Ale	8.00
Speights Summit Zero Lager 0%	8.00
Mac's Mid Vicious 2.5%	8.00

Premix

Smirnoff Red Vodka	9.00
Bacardi Mojito	10.00
Bacardi Pin Colada	10.00
Gordons Pink Gin & Soda	9.00

Sparkling Wine

Lindauer Special Reserve	55.00
Daniel Le Brun Non-Vintage	85.00

White Wine

	Gls	Btl
Wither Hills Chardonnay	10.00	50.00
Kopiko Bay Sauv Blanc	9.00	35.00
The Ned Sauv Blanc	12.00	57.50
Roaring Meg Pinot Gris	12.00	57.50
Roaring Meg Rose	12.00	57.50

Red Wine

Bannockburn Pinot Noir	12.00	57.50
Kopiko Pinot Noir	9.00	35.00
Wither Hills Merlot	12.00	60.00
Trinity Hill Cabernet	12.00	57.50
Huntaway Syrah	12.00	57.50

Non-Alcoholic

Mac's Ginger Beer	4.00
Allganics Juice Range	4.00
V Green	4.00
V Blue Sugar Free	4.00
Pepsi	3.00
7 Up	3.00
Still Water NZ Natural	3.00
Sparkling Water NZ Natural	3.00

Auahi Ora – Undesignated Licence

640 Cumberland St, Dunedin 9054

Opening Times

Monday to Friday 0900 - 1600

Monday to Friday 1600 – 0100 & Saturday/ Sunday available for events.

Licensed 1600 - 0100

Capacity 320

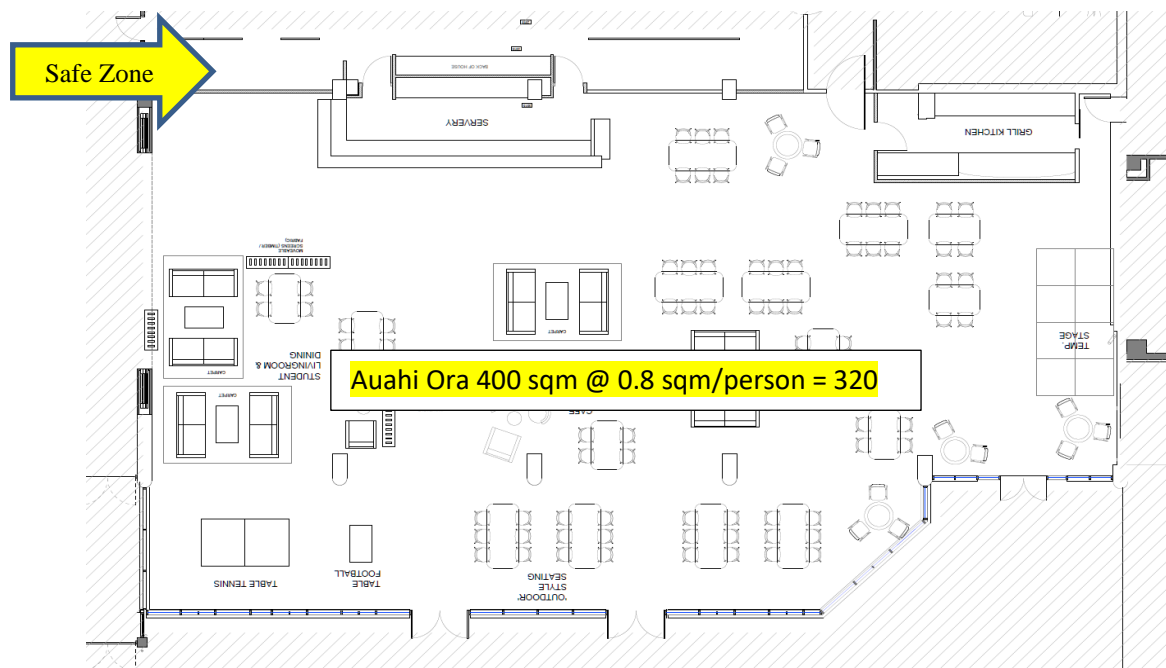
Class of Venue

Café/Bar/Events

Operation: A daytime student social space offering a range of cook to order and countertop food options. Security and staffing numbers dependent on event numbers, style, and duration.

For organized events requiring security ID and Intoxication checked at entrance, for open events/evening Id will be checked for all patrons at the bar. Staff, Security, and Duty Manger to monitor patrons throughout the evening. All incidents to be reported to the Duty Manger and head of security.

All Incidents to be entered into the Incident Report Form.



Auahi Ora



- Alcohol will not be served to minors.
- Intoxicated people are not permitted in our venue and no alcohol will be sold to anyone who is intoxicated.
- If you look under **25**, we will need to see a current legal form of identification.
 - NZ Drivers licence
 - Passport
 - Kiwi access card
- We have safe transport options, please ask our staff.
- Alcohol bought into Union Bar is not permitted and will be confiscated.
- There is always free water available at the bar.
- Food is always available for purchase.

Our Host RESPONSIBILITY

- We provide and actively always promote food options for purchase. Menus are always visible.
- We provide and actively promote a range of low-alcohol and non-alcoholic drinks, including, low-alcohol beer, Juice range and soda. Water is always available and free of charge.
- It is against the law to serve alcohol to minors. If we are in doubt about your age, we will ask for identification.
- Customers who are visibly intoxicated will not be served alcohol, will be asked to leave the premises, and will be encouraged to take advantage of safe transport options.
- Our policy is zero tolerance for aggressive, coercive, or violent behaviour.
- We promote a range of transport options to get you home safely. These include taxi services or campus watch.
- We encourage people to have a designated driver. We will make the driver's job more attractive by providing free non-alcoholic beverages. Please let us know if you are the designated driver.
- We make sure all these services are well promoted - you won't have to go looking for them.
- We maintain a training and management policy to give our staff the skills and support they need to do their job responsibly.
- We pride ourselves on being a responsible host.

Auahi Ora Menu

Auahi Ora

Snacks

Steak Fries tomato sauce (GF / DF / V)	8
Halloumi & Pea Fritters smoked tomato relish (GF,V)	10
Auahi Ora Fries Loaded bacon / onions / gravy / mozzarella	12
Carrot Bhaji coconut yoghurt, fruit chutney (GF/V+)	8

Small Plate

Pulled Pork Spring Roll (3) mixed slaw / Soy, dipping sauce	12
Fried Chicken Wings mixed slaw / Culley's sriracha mayo (DF)	12
Squid & Fish Fried fennel salt / remoulade sauce	16
Hawker Roll pulled pork / slaw / pickles & chipotle mayo	12
beef brisket / slaw/ pickles & chipotle mayo	12
jackfruit / slaw /sprouts /pickles (V/DF)	12

Bit Bigger

Brisket Burger bbq pulled brisket/smoked cheese /pickles lettuce / brioche bun	16
Steak Sandwich grilled Sirloin / tomato /cheddar /battered onion rings beetroot relish on sour dough	16
Spinach Ravioli roast pumpkin cream / walnut crumb (V)	14
Java Chicken Curry steamed rice /roti	14

Salad

Caesar Ish bacon /poached egg (cold) /shaved parmesan ranch dressing	12
Thai Beef lettuce / sprouts / tomato's / cucumbers shaved beef (GF/DF)	14
Garden Salad tossed greens /sprouts cucumber cherry tomatoes (GF/DF/V)	6

Sweet

Warm Chocolate Brownie dark chocolate sauce / vanilla bean ice-cream	8.5
Rocky Road Cheesecake berry compote	8.5
Apple Flan custard / ice-cream	8.5
Ice Cream Sundae Hershey chocolate sauce	8.5



Auahi Ora Beverage List

Drinks

Beer

Speights GMA	\$6
Speights Summit	\$6
Corona	\$9
Orange Roughy	\$9
Pan Head Super Charger	\$9
Steinlager Light (2.5%)	\$6
Zeffer Passionfruit cider	\$10

RTD

Gordons pink Gin	\$8
Smirnoff	\$9
- Lemon & Lime	
- Peach & Lime	
- Pineapple & Lime	
- Cranberry & Lime	

Spirits

Jose Cuervo Tequila	\$10
---------------------	------

Smirnoff Vodka	\$10
McKenna Bourbon	\$10
Coruba Rum	\$10
Bacardi Rum	\$10
Johnny Walker Red	\$10

Wine

Kopiko Bay range	\$9
- Pinot Noir	
- Pinot gris	
- Sav	

Non-Alcoholics

McCoy juice	\$4
- Orange	
- Apple	
- Pineapple	

V Range	\$4
- Green	
- Sugar free	
- Watermelon	
- Citrus	

Coffee R L

Espresso
Long Black
Americano
Flat white
Latte
Mocha
Milks

University Union Events Footprint

Large events are arranged from time-to-time within the University Union Events Footprint on the ground floor of the Union building and as shown on the plan on page 30), with alcohol served from the Auaha Ora bar being able to be consumed throughout the area of the Footprint, i.e. Auahi Ora, Union Foyer, Union Common Room and Union Hall.

Each such event shall be the subject of an event management plan detailing at least the following:

- The entity organising and having overall responsibility for the event.
- Those entitled to attend, how they may be identified and the numbers expected.
- The event time.
- The numbers of Duty Managers and Bar and other staff required.
- The external security staff required.
- The time from which the one-way door will operate.
- The key stakeholder groups to be engaged with over the event and any specific arrangement made with them for their support or participation.

The security for events in the University Union Events Footprint shall be such as to ensure that patrons/guest remain within the Footprint at all times. (Any event involving access to spaces outside the Footprint shall be the subject of a Special Licence).

Licensed Venue Specifics

Monday to Sunday as requested.

Licensed 1200 - 0100

Maximum Capacity 1500 (Including Staff & Security)

Class of Venue

Bar/Events

Catering Compendium including Food and Beverage Items. (See appendix 2)

University Union Events

- Alcohol will not be served to minors.
- Intoxicated people are not permitted in our venue and no alcohol will be sold to anyone who is intoxicated.
- If you look under **25**, we will need to see a current legal form of identification.
 - NZ Drivers licence
 - Passport
 - Kiwi access card
- We have safe transport options, please ask our staff.
- Alcohol bought into Union Bar is not permitted and will be confiscated.
- There is always free water available at the bar.
- Food is always available for purchase.

Our Host RESPONSIBILITY

- We provide and actively always promote food options for purchase. Menus are always visible.
- We provide and actively promote a range of low-alcohol and non-alcoholic drinks, including, low-alcohol beer, Juice range and soda. Water is always available and free of charge.
- It is against the law to serve alcohol to minors. If we are in doubt about your age, we will ask for identification.
- Customers who are visibly intoxicated will not be served alcohol, will be asked to leave the premises, and will be encouraged to take advantage of safe transport options.
- Our policy is zero tolerance for aggressive, coercive, or violent behaviour.
- We promote a range of transport options to get you home safely. These include taxi services or campus watch.
- We encourage people to have a designated driver. We will make the driver's job more attractive by providing free non-alcoholic beverages. Please let us know if you are the designated driver.
- We make sure all these services are well promoted - you won't have to go looking for them.
- We maintain a training and management policy to give our staff the skills and support they need to do their job responsibly.
- We pride ourselves on being a responsible host.

Union Hall, Capacity = 625

Union Common Room, Capacity = 510

Union Foyer, Capacity = 178

Auahi Ora . Capacity = 320

Safe Zone

North

University of Otago Caterers On-Licence

The Caterers on-licence operates from the designated space with the University Union Building depicted on the following plan.

Catering Operating Times

Monday to Sunday 0800 - 0100

Licensed Activity 1200 - 0100

Event Catering

The University Union Caterers offer a comprehensive range of services to any campus location and also off-campus. (Toitū Otago Settlers Museum and the Dunedin Public Art Gallery, to name but a few, of the unique Dunedin venues in our portfolio).

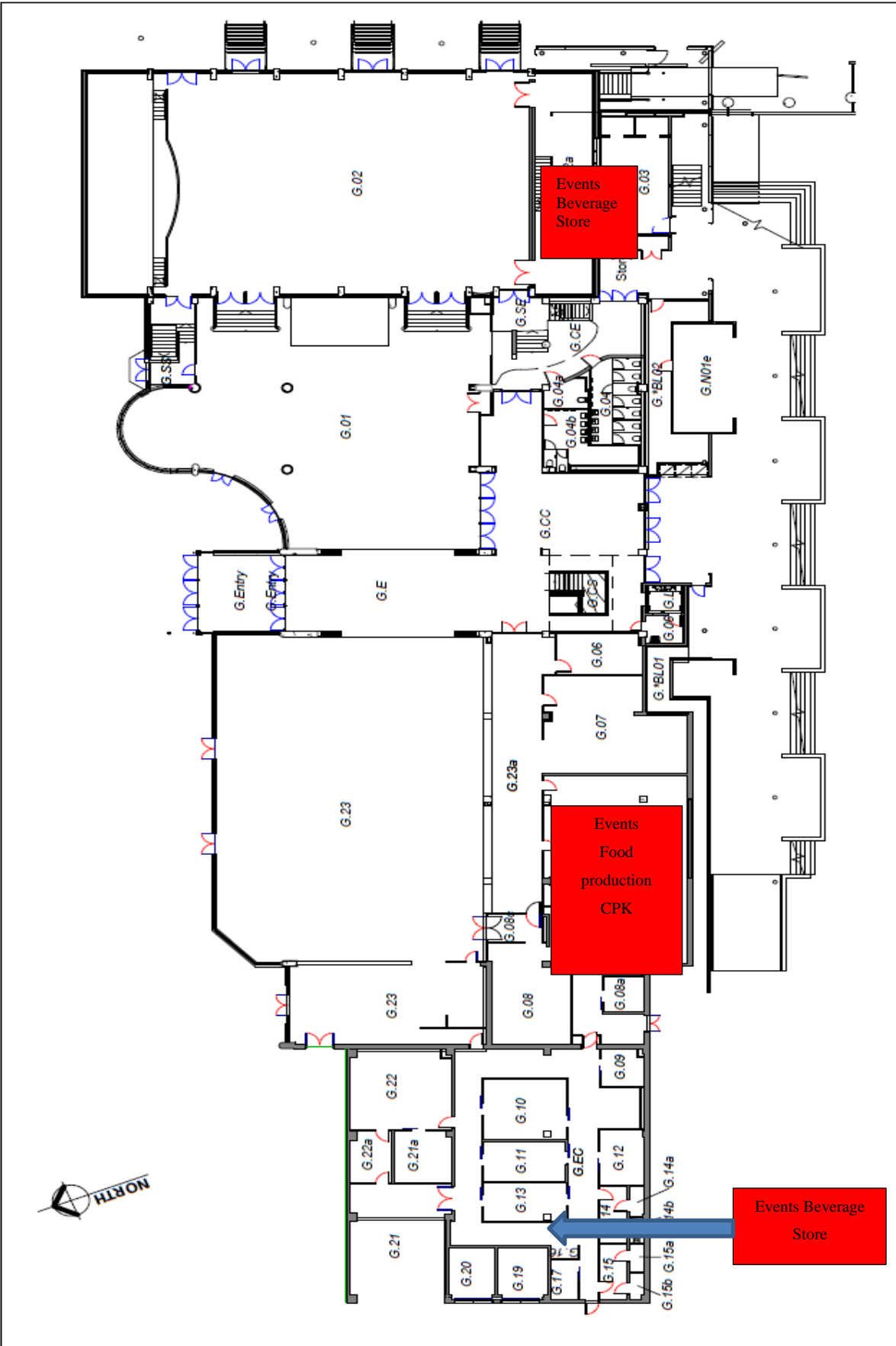
Catering is undertaken for gatherings promoted by parties other than the University of Otago Union (as defined in the organisation chart included in this plan). Every event catered to must have an identified promoter with whom an arm's length agreement is entered which sufficiently defines the event, the organiser's overall responsibility for its management, and the staffing to be provided by the University of Otago Union.

In any case where, having regard to matters identified in the Risk Management Plan attached as Appendix 1, the appropriate and safe management of a catered event reasonably requires engagement of security personnel, the agreement with the promoter will define the nature and extent of security required and where the responsibility for the arranging that security lies.

Catering Compendium including Food and Beverage Items. (See appendix 2)

Union Building Ground Floor Plan

Events Catering Store indicated.



Appendices.

Appendix 1

Risk Mitigation Plan

Identified Hazard	Hazardous Event Associated Risk (i.e. what may occur to lead the hazard to cause harm)	Hazard Action/Risk Control Plan Update controls as required	Actions to be taken if harm occurs.
Excessive Noise	Hearing damage. Increased risk of other hazards due to impeded hearing. Neighbouring properties effected.	Event Manager on site at all times monitoring level or noise. Earplugs are available for workers and event/venue attendees. Neighbouring properties are on university grounds and are unoccupied during major events that may cause harm. Decibel limit.	Remove patron from area of noise. Advise patron to seek medical advice.
Crowd Crushing	Injury of persons.	Security roaming through crowd and/or stationed at pressure points to control behaviour and direct crowd. Bars are located at opposite end of venues to entertainment to encourage crowd dispersal.	Injured patrons taken Accident & Emergency for assessment and treatment, or ambulance called. Staff to follow instructions given by first responder. Security and police on hand to control behaviour and remove those exhibiting anti-social or dangerous behaviour.
Unruly behaviour/assault	Injury of persons. Patrons using excessive force on each other causing injury. Vandalism to nearby sensitive locations.	Conduct regularly monitoring of patron's behaviour throughout the event in order to recognize potential incidents. Campus watch patrol University and surrounding areas. Ensure adequate resources and trained staff are in attendance. Security roaming through crowd and/or stationed at pressure points to control behaviour. Campus Watch on University grounds to assist when needed. Duty Manager and senior team members patrol events with cell phones and/or radios.	Security to remove those showing unruly behaviour. Incident report to be filed and police called when necessary. Offender trespassed from premises. Campus Watch to assess situation and call police when necessary.
Intoxication	Impaired Speech, co-ordination, appearance & behaviour. Aggression, loss of self-control. Person becomes a risk to oneself and/or others. Alcohol poisoning, Drug, or polysubstance overdose. Loitering or damage to neighbouring properties.	Actively enforced Host Responsibility Policy & appropriate signage always displayed. Continuous monitoring of patrons at events. Regular toilet checks. Free water available at all times.	Ambulance called for any intoxicated patron believed to be at real risk of harm to self. Welfare Check of any others before responsibility for care is handed to other third parties. Policed called to assist any patron believed to be of harm to others. Water and food, safe transport, and support offered to any patron showing early signs of becoming intoxicated.

		<p>A range of substantial & desirable food readily available at low cost.</p> <p>Safe transport option available in the form of a taxi or Campus Watch.</p> <p>Monitored security cameras on campus. Campus Watch to intervene with unruly behaviour.</p> <p>Fully trained Duty Manager on site.</p> <p>Staff trained in first aid.</p> <p>Bar staff to monitor consumption, engage in conversation and make eye contact with each customer who purchases a beverage over the bar. Staff to intervene when necessary.</p> <p>All staff trained in "SCAB" method.</p>	
Drug use	<p>Coordination is impaired.</p> <p>Aggressive behaviour.</p> <p>Overdose.</p>	<p>Bag search conducted by security on arrival.</p> <p>Areas likely to be used for drug use (toilets etc.) patrolled regularly.</p> <p>Monitored security cameras on campus. Campus Watch to intervene with unruly behaviour.</p>	<p>Ambulance called for any intoxicated patron believed to be of harm to self.</p> <p>Policed called to assist any patron believed to be of harm to others.</p> <p>Water and food, safe transport, and support offered to any patron showing early signs of becoming intoxicated.</p> <p>Offender trespassed from premises.</p>

Conference & Events

University of Otago



List of Contents

Introduction	Page 3
Hospitality Events Team	Page 4
Catering Packages	Page 5
Menus	
Morning & Afternoon Tea	Page 6
Lunch Menu	
Working Lunch	Page 7
Salad Lunch	Page 7
Buffet Lunch	Page 8
Boxed meals	Page 9
Finger Food Platters	Page 10
Canapes	Page 11
Dinner Buffet	Page 12
Banquet Menu	Page 13
Beverage	Page 14

Introduction

From meetings to dinners, conferences to exhibitions your every need is catered for by the professional, friendly team at the University of Otago's Conference and Events Catering Services.

Specialising in designing exceptional event experiences, your function, event, showcase or seminar logistics and menus will be tailored to ensure your guests are welcomed and celebrated in line with your expectations, budget and timeline. When you work with Conference and Events you can be sure that we will work with you, for your guests.

No occasion is too big or too small! We can organise meetings for 30 people and plan conferences for 500 people. We even manage showcase events for up to 3000 people at a time and would love to discuss what we can do for you.

Catering for your guests is easy. Simply select a menu to fit your occasion and contact the friendly Conference and Events team via email; catering@otago.ac.nz or phone; 03 479 5304 to discuss the type of occasion you are planning, your ideal venue and any specific requirements you may have. Our compendium has a variety of healthy options, using brown or whole grain bread, Olivani instead of butter, lean meats and reduced salt soy. We also offer a range of Gluten free, Vegan and Vegetarian options including plant-based buffets.

At Conference and Events, we care about people, the environment and we strive for excellence. Our front of house assistants servicing your event are students at the University of Otago, the Otago Polytechnic or one of the many Dunedin high schools illustrating our dedication to growing the future of the tourism industry in the Otago region and enriching the experiences of the younger generation.

We are socially conscious people. Where possible, we gift all leftover food to Kiwi Harvest Dunedin or an organisation with similar needs, and compost bins are now commonplace for larger conferences. All of our disposable service ware is recyclable and biodegradable showing our commitment to caring for the environment and the community.

For large conventions or exhibitions, we provide paper and glass recycling bins to give your guests the choice when it comes to waste disposal and our staff are all trained to "think green" recycling any cardboard or glass used when setting up, servicing or packing down an event. We can provide water filters for your event as a convenient and sustainable way of delegates filling their own water bottles.

Let us take care of your event logistics, menu, beverages and service. Our professional team will ensure your guests are happy, your event is memorable, and you will be contributing to the wider community while looking after the environment.

Events Team

Adrian Lowrey,
Hospitality Services Manager

021 279 5304

Hospitality Sales

03 479 5304

Event Planning

Heather Gruppelaar,

021 279 0203

Amelia Brew,

021 279 5311

Catering Packages (ex GST)

Minimum 30 Guests

All-inclusive* catering packages for conferences and symposiums.
Please contact our Hospitality Events team for further details.

Daily Delegate Package (DDP)

Morning and Afternoon Tea Breaks*

Lunch options :

Working Lunch option \$50.00** ex GST per person

Buffet Lunch option \$52.50** ex GST per person

Lunch Platter option \$55.00** ex GST per person

Includes standard Staffing & Equipment hire*

*Arrival beverages for groups can be added for \$3.50pp.

**Includes standard set up and pack down at on campus venues.

**Excludes clearing or resetting of event venue - but can be quoted on request.

Cocktail Hour Package \$32.50pp* per person ex GST

4 canapes per person

1 drink per person

Includes standard Staffing & Equipment hire*

*Includes standard set up and pack down at on campus venues.

Excludes clearing or resetting of cocktail venue - but can be quoted on request.

Exhibition Table and Chair Package \$15.00* per table ex GST

6 ft trestle table with tablecloth & chairs

*Delivery charges apply.

Excludes clearing or re-setting of the exhibition venue - but can be quoted on request.

Dietary conditions

Please advise of dietary conditions as soon as possible, the most common have already been covered within this menu range. Given sufficient notice we will do our best to accommodate those not listed, however there will be times that special dietary conditions will not be able to be catered for.

Please note that all prices within this compendium are GST exclusive and subject to price increases. We reserve the right to substitute items if necessary. Staffing charges apply for all catering outside of the packages.

Morning & Afternoon Tea Break

Minimum 20 per item

Sweet Selection \$4.00 each ex GST

Selection of homemade slices (incs GF)

Chocolate brownie (GF, V+, NF)

Orange & almond poppy seed cake (GF, DF)

Apricot shortcake (V+)

Date scone with jam & cream

Sweet fruit muffin

Rhubarb friand (GF)

Blueberry friand (GF)

Bliss ball (GF, V+, NF)

Fresh fruit skewer

Fresh whole seasonal fruit (2 pp)

Savoury Selection \$4.00 each ex GST

Pesto and feta pinwheel scone (V)

Caramelized onion & semi dried tomato quiche (V)

Broccoli & spinach quiche (V+)

Pork, apple & fennel sausage roll

Pumpkin, spinach & pine nut sausage roll (V+)

Brown lentil & tofu sausage roll (V+)

Braised lamb & rosemary pie

Chicken mushroom & leek pie

Seasonal vegetable & lentil pie (V)

Cheese & onion savoury (GF, V)

Finger sandwich (incs V) (1 pp)

Hot beverages \$3.50 ex GST

Freshly brewed coffee, selection of teas, herbal infusions & water service

Working Lunch \$27.00 ex GST

Minimum 20 Guests

[menu will include changes to cover dietary needs]

Menu One

Roast beef, Swiss cheese & salad club sandwich

Egg, cheese & tomato club sandwich (V)

Seasonal lentil and vegetable pie (V)

Vegetarian sushi roll with wasabi, ginger & soy (GF, DF, V+)

Seasonal Green salad (V)

Homemade slice (incl. GF)

Freshly brewed coffee, selection of teas, herbal infusions & water service

Menu Two

Chicken pesto & salad wrap

Roast vegetable & falafel wrap (V+)

Broccoli, pumpkin & mushroom frittata (GF, V)

Rice paper roll (GF, DF, V+)

German style potato salad with horseradish mayo (V+)

Fresh fruit skewer

Freshly brewed coffee, selection of teas, herbal infusions & water service

Lunch Salad Platter \$36.00 ex GST

Minimum 30 Guests

Menu One

Korean rare beef, spicy lettuce & cucumber with lime sesame dressing (GF, DF)

Flaked peppered salmon niçoise with lemon vinaigrette (GF, DF)

Maple roasted beetroot & caramelised pear spiced quinoa (GF, V+)

Fresh sliced fruit

Freshly brewed coffee, selection of teas, herbal infusions & water service

Menu Two

Char siu pork with choy sum salad (DF)

Shredded chicken, romaine lettuce, prosciutto crisp, boiled egg, shaved parmesan with sour dough croutons & caesar dressing

Dukkah roasted cauliflower, green pea & walnut with chimi chouri dressing (GF, V+)

Fresh sliced fruit

Freshly brewed coffee, selection of teas, herbal infusions & water service

Buffet Lunch \$30.00pp ex GST

Minimum 30 Guests

Menu One

Bread roll with butter (V)

Salads

Middle Eastern spiced quinoa & chickpea tabbouleh (GF, V+)

Mesclun salad with leafy greens, cherry tomatoes, radish & cucumber with balsamic dressing (GF, V+)

Hot Mains

Slow cooked beef & mushroom stroganoff with steamed basmati rice (GF)

Salmon fishcakes with black bean salsa & chive aioli (GF)

Potato gnocchi with tomato, spinach, basil sauce & mascarpone cheese (V)

Dessert

Fresh sliced fruit or fruit skewers

Freshly brewed coffee, selection of teas, herbal infusions & water service

<p><u>Chefs Choice Lunch Buffet \$TBC pp</u> Minimum 30 Guests, Maximum</p>
--

Boxed Meals Ex GST

[Maximum selection of two different sandwich choices per order - dietaries managed separately]
[available from 7am]

Breakfast box \$18.50

Choice of sandwich:

Ham & Swiss cheese croissant

Bacon & egg wholemeal sandwich

Falafel, hummus & salad wrap (V+)

Muesli slice

Fruit yoghurt

Whole piece of fruit

Light Lunch box \$21.00

Dagwood sandwich

Choice of filling:

Roast beef & salad

Chicken & salad

Ham & salad

Vegetarian & salad

Bag of crisps 45g

Whole piece of fruit

Tetra box juice

Lunch box menu one \$24.00

Fresh focaccia panini

Choice of filling:

Pulled pork & slaw

Roast shredded chicken, tomato & cucumber

Ham, Swiss cheese, tomato & lettuce

Falafel, hummus & salad (V+)

Homemade baked quiche (cold)

Pasta (V+) or potato salad (GF, V+) box

Homemade slice

Whole piece of fruit

Lunch box menu two \$24.00

Fresh wrap

Choice of filling:

Ham, Swiss cheese & salad

Chicken with pesto & salad

Thai beef salad

Falafel, hummus & roasted vegetable wrap (V+)

Sushi roll with wasabi, pickled ginger & soy sauce (GF, V+)

Pasta (V+) or potato salad (GF, V+) box

Sweet muffin

Whole piece of fruit

<u>Beverage selection \$3.00 pp</u>
--

Water or Fresh Up Pepsi, 7UP

Finger Food Platters Ex GST

Platters serve 15 Guests.

Fried Asian Nibble Platter (60 pieces) \$35.00

Spring roll, samosa & dumplings (V)
with sweet chili and kewpie mayonnaise dipping sauce

Savoury Pastries Platter (30 pieces) \$85.00

Selection of homemade savouries & sausage rolls with tomato relish

Sushi Platter (60 pieces) \$90.00

Selection of salmon, chicken & vegetarian sushi with
pickled ginger, wasabi, & soya sauce (GF)

Ploughman's Platter (serves 15) \$110.00

Deli meats & cheeses platter with pickles & spreads with seeded lavosh

Cheeseboard (serves 15) \$95.00

Selection of North Otago's White Stone cheese with
fruit paste, oat & rice crackers (GF, V)

Vegetarian Platter (serves 15) \$85.00

Char grilled vegetables, falafels, bhaji, spinach koftas with dipping sauce
& seeded lavosh (V)

Fruit Platter (serves 15) \$95.00

Selection of fresh sliced fruits

Dessert (40 pieces) \$80.00

Selection of petit fours

Canapés \$4.00 each ex GST

Minimum 20 per item

[Maximum selection of 8 different canapes per order]

[recommend 4 canapes per hour of service]

[available from 12noon]

Cold

Smoked salmon mousse on blini

Slow roasted beef sirloin on herb potato rosti with mushroom pesto (GF, DF)

Goat cheese mousse, beetroot relish in a pastry cup (V)

Pumpkin mousse on potato rosti with olive tapenade (GF, V+)

Sweetcorn & pea fritter with avocado salsa, chilli mayo & coriander (GF, V+)

Feta & quinoa falafel smoked tomato mousse (GF)

Hot

Thai fish cakes with peanut sambal (GF, DF)

Karaage chicken with kimchi mayo & sesame carrot pickle (GF, DF)

Pulled pork & gorgonzola croquette with chive mayo (GF)

Carrot bhaji & mango chutney with coriander & coconut yoghurt (GF, V+)

Sweet

Mini lemon meringue tart (GF)

Boysenberry tartlet with mascarpone & mint (GF)

Chocolate tart with raspberry meringue (GF)

Chocolate brownie with berry couli & caramel (GF, V+)

Salted caramel profiterole

Sample Selection \$24.00pp

[1.5 to 2.0 hour event]

Smoked salmon mousse on blini

Carrot bhaji & mango chutney with a coriander & coconut yoghurt (GF, V+)

Karaage chicken with kimchi mayo & sesame carrot pickle (GF, DF)

Goat cheese mousse, beetroot relish in a pastry cup (V)

Slow roasted beef sirloin on herb potato rosti with mushroom pesto (GF, DF)

Chocolate tart & raspberry meringue (GF)

Dinner Buffet Menus ex GST

Minimum 50 Guests, Maximum 280

Menu One \$55.00pp

Dinner roll with butter

Salads

Southwest style rice salad (GF, V+)

Tuscan roasted vegetable salad with pumpkin, parsnip & kumara, tomato, spinach with pomegranate molasses (GF, V+)

Mesclun salad with leafy greens, cherry tomatoes, radish & cucumber with balsamic dressing (GF, V+)

Hot Mains

Slow cooked Irish lamb with pearl cous cous (DF)

Beef Bourgogne with bubble & squeak

Chargrilled chicken fillet with mushroom & thyme rice pilaf

Balsamic chargrilled ratatouille with grilled halloumi (GF, V)

Panache seasonal vegetables (GF, V+)

Dessert

Chocolate gateaux with cherry compote & fresh cream

Baked New York cheesecake

Fresh fruit salad with passionfruit syrup (GF, V+)

Freshly brewed coffee, selection of teas, herbal infusions & water service

Menu Two \$67.50pp

Dinner roll with butter

Salads

Middle Eastern spiced quinoa & chickpea tabbouleh (GF, V+)

Roasted pumpkin, parsnip & kumara, tomato, spinach with pomegranate molasses (GF, V+)

Mesclun leaves, cherry tomatoes, radish, cucumber salad with balsamic dressing (GF, V+)

Hot Mains

Crusted beef loin, creamy polenta with chasseur sauce

Sticky glazed pork with glazed carrots (GF, DF)

Seared salmon fillet with miso hollandaise sauce (GF)

Dukkah roasted cauliflower, green peas & walnuts with chimi churri dressing (GF, V+)

Wok tossed seasonal greens with sesame seeds (GF, V+)

Dessert

Limoncello tiramisu

Baked New York cheesecake

Pavlova roulade with raspberry & white chocolate (GF)

Fresh fruit salad with passionfruit syrup (GF, V+)

Freshly brewed coffee, selection of teas, herbal infusions & water service

<u>Chefs Choice Dinner Buffet \$TBC pp</u>

Minimum 20 Guests, Maximum 50

Banquet Menu \$75.00pp ex GST

Maximum 280 Guests

Menu One

Bread rolls with butter (V)

Salads

Garden green salad with house dressing (GF, V+)

Hot Mains

Slow roasted Thai spiced beef sirloin with cucumber pickle & nam jim (GF, DF)

Brined roast chicken with vanilla carrot puree & whole grain mustard jus

House smoked salmon with tarator pesto

Braised tofu & shitake mushrooms with rice (GF, V+)

Twice cooked crispy potatoes with balsamic glaze & parsley (GF, V+)

Panache of vegetables (GF, V+)

Dessert platter

Apple crumble cup with pistachio (DF)

Turkish delight mousse chocolate pastry cup (GF)

Boysenberry tartlet with mascarpone & mint (GF)

Chocolate brownie with berry couli & caramel (GF, V+)

Freshly brewed coffee, selection of teas, herbal infusions & water service

Beverage Menu ex GST

PRODUCT

PRICE

WHITE WINE

	Glass 150ml	Bottle 750ml
Kopiko Sauvignon Blanc	\$6.96	\$32.17
Roaring Meg Sauvignon Blanc	\$8.69	\$41.30
Wither Hills Chardonnay	\$8.26	\$39.13
Roaring Meg Pinot Gris	\$8.69	\$41.30

RED WINE

	Glass 150ml	Bottle 750ml
Kopiko Pinot Noir	\$6.96	\$32.17
Bannockburn Pinot Noir	\$8.69	\$41.30
Huntaway Reserve Syrah	\$8.69	\$41.30

SPARKLING WINE

Lindauer Special Reserve	\$40.00	
Quartz Reef Methode Traditionelle Brut		\$52.17

BEER & CIDER

Corona Extra Lager	355ml btl	\$7.83
Steinlager Pure Lager	330ml btl	\$7.83
Steinlager Light 2.5% Lager	330ml btl	\$7.83
Speights Bottle	330ml btl	\$6.96
Speights Can	330ml can	\$6.96
Isaacs Classic Apple Cider	330ml btl	\$7.83

RTDS

Gordon's, pink gin & soda	250ml can	\$7.83
Smirnoff Soda	330ml can	\$7.83
Smirnoff Seltzer	250ml can	\$7.83

NON-ALCOHOLIC

Real McCoy Range	1.0L ctn	\$8.70
Real McCoy Range	300ml gls	\$2.61
Allganics Ginger Beer soda	330ml btl	\$3.48
Allganics Lemon, Lime & Bitter soda	330ml btl	\$3.48
Just Juice Range	2.4L btl	\$8.00
Pepsi	330ml can	\$3.00
7UP	330ml can	\$3.00

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 to extend the area in front of their premises for two events. The first is a FIFA Women's World Cup game on Sunday 30 July 2023 and the second is a Bledisloe Cup Test rugby game to be held on Saturday 5 August 2023. Both extensions would be from 11.00 am to 3.00 am the following day. They have requested the premises be designated a supervised area for the duration of each extension.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. The extended area will be subject to the 2.30 am one-way door policy.

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 18th day of July 2023

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 DWB 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 "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 DWB 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 "Brew Bar".

The applicant has requested a special licence to extend the licensed area in front of their premises for the FIFA Women's World Cup game in Dunedin on Sunday 30 July between 11.00 am and 3.00 am the following day and the Bledisloe Cup Test on Saturday 5 August 2023 from 10.00 am to 3.00 am the following day. They have requested the extended area be designated a supervised area for the duration of each occasion.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. A one-way door shall apply from 2.30 am.

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 18th day of July 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/123/SP

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 for David Pyper's 50th Birthday Party to be held on Saturday 15 July 2023 between 7.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for the duration of the party.

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 10th day of July 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/141/SP

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 for Lauryn Chitma's 21st Birthday Party to be held on Saturday 2 September 2023 between 7.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for the duration of the party.

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 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/124/SP

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 "Chisholm Links".

The applicant has requested a special licence to host a Kings High School Old Boys' Dinner to be held on Friday 21 July 2023 between 6.00 pm and 11.30 pm. They have requested the premises be designated a supervised area for the duration of 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 18th day of July 2023

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 Compass Group NZ
Limited pursuant to s.138 of the act for
a special licence in respect of the
premises situated at 1 Harrop Street,
Dunedin, and known as "Glenroy
Auditorium"

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 Compass Group NZ Limited for a special licence for the premises situated at 1 Harrop Street, Dunedin, and known as the "Glenroy Auditorium".

New Zealand and Australia are joint hosts for the 2023 FIFA Women's World Cup with Dunedin being the only host city in the South Island. The applicant has requested a special licence for the Host City Fan Festival to be held in the Glenroy Auditorium at the following times:

Thursday 20 July 2023	5.00 pm to 9.30 pm
Friday 21 July 2023	12.00 noon to 11.00 pm
Sunday 23 July 2023	12.00 noon to 8.00 pm
Friday 28 July 2023	12.00 noon to 11.00 pm
Saturday 29 July 2023	12.00 noon to 10.00 pm
Sunday 30 July 2023	12.00 noon to 7.30 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.

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 18th day of July 2023

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 Historic 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 Historic House".

The applicant has requested a special licence to host two Owheo Quartet Concerts to be held on Friday 28 July and Saturday 29 July 2023 between 6.00 pm and 7.30 pm each day. They have requested the premises be designated a supervised area for the duration of the concerts.

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 18th day of July 2023

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 Eastern Boating and Fishing Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 13 Barvas Street, Karitane, and known as "Eastern Boating and Fishing 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 Boating and Fishing Club Incorporated for a special licence for their premises situated at 13 Barvas Street, Karitane, and known as the "Eastern Boating and Fishing Club".

The applicant has requested a special licence for a series of annual Fishing Events to be held on on the following days:

Saturday 29 July 2023	2.00 pm to 7.00 pm	Fishing Club Day
Saturday 12 August 2023	4.00 pm to 7.30 pm	AGM
Saturday 16 September 2023	2.00 pm to 7.00 pm	Fishing Club Day
Friday 20 October 2023	2.00 pm to 7.00 pm	Fishing Club Day
Saturday 18 November 2023	2.00 pm to 7.00 pm	Fishing Club Day
Wednesday 24 December 2023	4.00 pm to 7.00 pm	Christmas Eve
Sunday 31 December 2023	3.00 pm to 7.00 pm	New Years' Eve Club Day
Saturday 13 January 2024	1.00 pm to 7.00 pm	Ladies Day
Sunday 28 January 2024	2.00 pm to 7.00 pm	Festiville Fishing Competition
Saturday 24 February 2024	2.00 pm to 6.00 pm	Fishing Club Day
Saturday 16 March 2024	2.00 pm to 6.00 pm	Fishing Club Day
Saturday 20 April 2024	2.00 pm to 6.00 pm	Fishing Club Day

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 27th day of July 2023

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 functions. The first is Laura Ashby's 40th Birthday on Saturday 29 July and the other, Megan Swann's Surprise 30th Birthday to be held on Saturday 12 August 2023. Both functions are to run between 6.30 pm and 12.00 midnight and the applicant has requested the premises be designated a supervised area for the duration of each.

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 18th day of July 2023

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 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 the "Green Island Bowling Club".

The applicant has requested a special licence to host a 60th Birthday Party on Saturday 5 August 2023 between 6.00 pm and 10.00 pm. They have requested the premises be designated a supervised area for the duration of the party.

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 27th day of July 2023

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 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 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 Club".

The applicant has requested a special licence to host a series of Two Fat Ladies Bingo Fundraisers to be held on the following days and times:

Wednesday 19 July 2023	6.00 pm to 9.00 pm
Wednesday 26 July 2023	6.00 pm to 9.00 pm
Wednesday 02 August 2023	6.00 pm to 9.00 pm
Wednesday 09 August 2023	6.00 pm to 9.00 pm
Wednesday 16 August 2023	6.00 pm to 9.00 pm
Wednesday 23 August 2023	6.00 pm to 9.00 pm
Wednesday 30 August 2023	6.00 pm to 9.00 pm
Wednesday 06 September 2023	6.00 pm to 9.00 pm
Wednesday 13 September 2023	6.00 pm to 9.00 pm
Wednesday 20 September 2023	6.00 pm to 9.00 pm
Wednesday 27 September 2023	6.00 pm to 9.00 pm
Wednesday 04 October 2023	6.00 pm to 9.00 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.

DATED at Dunedin this 18th day of July 2023

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 Hurricanes
Rodders Incorporated pursuant to
s.138 of the act for a special licence
in respect of the premises situated at
51 Victoria Road, Dunedin, and
known as "Hurricane Rodders"

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 Hurricanes Rodders Incorporated for a special licence for their premises situated at 51 Victoria Road, Dunedin, and known as the "Hurricane Rodders".

The applicant has requested a special licence for Mark Smaill's 50th Birthday to be held on Saturday 22 July 2023 between 7.00 pm and 1.00 am the following day.

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 18th day of July 2023

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/134/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 Lauren Buttery’s 21st Birthday to be held on Friday 4 August 2023 and the Wakari School Fundraiser to be held on Friday 8 September 2023. Both functions will be 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.

DATED at Dunedin this 27th day of July 2023

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 No8 Distillery Limited pursuant to s.138 of the act for an off-site special licence in respect of the stall situated at 20G Anzac Avenue, Dunedin, and known as "Dunedin Railway Station Carpark"

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 No8 Distillery Limited for an off-site special licence for their stall situated at 20G Anzac Avenue, Dunedin, and known as the "Dunedin Railway Station Carpark".

The applicant sets up a stall at the Otago Farmers' Market on Saturday mornings. Because of the nature of the Market a permanent licence cannot be granted therefore the applicant is reliant on special licences to market and sell their product.

This licence is to cover each Saturday morning between 9 September 2023 and 7 September 2024 inclusive. The stall will be operating between 7.00 am and 12.30 pm on each of the days.

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 2023

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 Simon Charles Vare (the "Applicant") pursuant to s.138 of the act for a special licence in respect of the premises situated at 1381 Coast Road, Karitane, and known as "Karitane 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 Simon Charles Vare (the "Applicant") for a special licence for the premises situated at 1381 Coast Road, Karitane, and known as the "Karitane Hall".

The applicant has requested a special licence for the Dead Rockers Ball Karitane to be held on Saturday 29 July 2023 between 7.30 pm and 11.15 pm. They have requested the premises be designated a restricted area for the duration of 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.

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 18th day of July 2023

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 Southern Rugby Football Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 46 Helena Street, Dunedin, and known as "Southern 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 Southern Rugby Football Club Incorporated for a special licence for their premises situated at 46 Helena Street, Dunedin, and known as the "Southern Rugby Football Club".

The applicant has requested a special licence for 'A Night with Murray Deaker' to be held on Friday 4 August 2023 between 6.00 pm and 11.00 pm. They have requested the premises be designated a supervised area for the duration of 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 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 27th day of July 2023

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 two functions. The first is the Webby/McAuley Engagement party on Saturday 19 July 2023 between 7.00 pm and 12.00 midnight. The second is the Cavanagh wedding on 24 February 2024 between 3.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for both 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 10th day of July 2023

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 a fundraising event for James Gardner to get to the World Junior Cycling Championships. The event is to be held on Saturday 22 July 2023 between 6.00 pm and 12.00 midnight and they have requested the premises be designated a supervised area for the duration of 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 10th day of July 2023

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 and Thistle"

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 and Thistle".

The applicant has requested a special licence to extend their licensed area for the FIFA Women's World Cup game on Sunday 30 July and the Bledisloe Cup Test on Saturday 5 August 2023. The extended area will be from 9.00 am to 3.00 am the following day for each event and they have requested the area be designated a supervised area.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. A one-way door policy shall apply from 2.30 am.

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 18th day of July 2023

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 DKA Hospitality
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 2 Mellor Street, Dunedin,
and known as “Cableways Liquorland”

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Commissioner R Amohau

DECISION

This is an application by DKA Hospitality Limited for a second order allowing them to continue the sale and supply of alcohol pursuant to the underlying licence no. 069/OFF/24/2022 in respect of the premises situated at 2 Mellor Street, Dunedin, and known as “Cableways Liquorland”.

The premises continues to operate as “Cableways Liquorland”.

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

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 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 10 July 2023 .

DATED at Dunedin this 10th day of July 2023

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 Wonderful
Catering 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 18 Stuart Street,
Dunedin, and known as "Papa Chou's
Yum Cha & Chinese Dining"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Commissioner R Amohau

DECISION

This is an application by Dunedin Wonderful Catering Limited for a second order allowing them to carry on the sale and supply of alcohol pursuant to the underlying licence no. 069/ON/53/2017

in respect of the premises situated at 18 Stuart Street, Dunedin, and known as "Papa Chou's Yum Cha & Chinese Dining".

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 restaurant.

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 further period of three months from 2 August 2023.

DATED at Dunedin this 21st July 2023

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 Hospitality
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 2 Prince Albert Road,
Dunedin, and known as "St Kilda
Tavern"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Commissioner R Amohau

DECISION

This is an application by Dunedin Hospitality Limited for an order allowing them to carry on the sale and supply of alcohol pursuant to the underlying licence no. 069/ON/88/2019 in respect of the premises situated at 2 Prince Albert Road, Dunedin, and known as the "St Kilda Tavern".

The premises is continuing to operate as the "St Kilda Tavern".

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

The Licensing Inspector advises that there have been no issues of concern 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 21 July 2023.

DATED at Dunedin this 11th day of July 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/14/TA

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Dunedin Hospitality
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 2 Prince Albert Road,
Dunedin, and known as "St Kilda
Tavern"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Commissioner R Amohau

DECISION

This is an application by Dunedin Hospitality Limited for an order allowing them to carry on the sale and supply of alcohol pursuant to the underlying licence no. 069/OFF/23/2019 in respect of premises situated at 2 Prince Albert Road, Dunedin, and known as the "St Kilda Tavern".

The general nature of the business to be undertaken is that of a tavern with associated bottle store.

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 21 July 2023.

DATED at Dunedin this 11th day of July 2023

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE