

October 2023 Contents

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

SP - Encore Events - 40th birthday
SP - Forbury Park Bowling Club - 2 x functions
SP - Green Island Rugby Club - Blair 40th birthday
SP - Green Island Rugby Club - Conrodders 50th Anniversary
SP - Green Island Rugby Club - wedding celebration
SP - Metonymic Trust - Lines of Flight Music Festival
SP - Middlemarch Bowling Club - practice sessions etc
SP - Middlemarch Bowling Club - tournaments and games
SP - NZ Federation of Young Farmers - Social
SP - Ombrellos Kitchen & Bar - Beerfest Brewers evening
SP - Otago Racing Club - 2 x weddings
SP - Otago Racing Club - larger race meetings
SP - Otago Racing Club - Melbourne Cup Day
SP - Otago Racing Club - small race meetings
SP - Pop Up Productions NZ Limited - Spring Awakening
SP - Robert Milne - The Mentallist album release
SP - Rudd House Brewery - Otago Farmers' Market
SP - Simon Vare - Dead Rockers Ball Portobello
SP - St Clair Golf Club - Engagement Party
SP - St Clair Golf Club - Wine Community
SP - St Kilda Surf Lifesaving Club - 2023-24 season
SP - Tee Box - opening evening
SP - University of Otago Science Faculty - happy hours
SP - Zingari-Richmond Football Club - Quiz Night
TA - Best Cafe - new owner
TA - Indian Dhaba - new licensee
TA - Macandrew Bay Store - new owner
TA - St Kilda Tavern - continuation
TA - St Kilda Tavern - continuation_off-licence
CL - Chatsford - renewal
CL - South Coast Board Riders - renewal
OFF - Cableways Liquorland - new licence
OFF - Countdown Cumberland Street
OFF - Countdown Mailer Street - renewal
OFF - Dunedin Fine Wines & Spirits - renewal
OFF - Ocean Beach Hotel - renewal
OFF - The Hamper Spot - remote seller renewal
ON - Buddha Stix Restaurant - renewal
ON - Deja Vu Eats - renewal
ON - Ocean Beach Hotel - renewal
SP - Chisholm Links - 50th birthday
SP - Chisholm Links - 60th birthday
SP - Chisholm Links - Otago Sports Car Club anniversary dinner
SP - Dunedin Ice Hockey Association - game and prizegiving

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Chatsford Body
Corporate pursuant to s.127 of the Act
for renewal of a club licence in respect
of premises situated at 60 Doon Street,
Mosgiel, known as "Chatsford"

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 Chatsford Body Corporate for the renewal of an alcohol club licence in respect of their premises situated at 60 Doon Street, Mosgiel, and known as "Chatsford".

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 September 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 9th day of October 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 South Coast Board Riders Association Incorporated pursuant to s.127 of the Act for renewal of a club licence in respect of premises situated at 1 Esplanade, Dunedin, known as "South Coast Board Riders"

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 South Coast Board Riders Association Incorporated for the renewal of an alcohol club licence in respect of their premises situated at 1 Esplanade, Dunedin, and known as the "South Coast Board Riders".

The applicant seeks a change to their licence hours. Currently they can sell alcohol from 10.00 am each day, however, after discussion with the Licensing Inspector, are now seeking a 3.00 pm opening each day. The closing times are to remain the same. This is more in line with their operating practice. They have also agreed to fence off the outside area when it is to be used for club functions.

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

The Licensing Inspector has assessed the application against the criteria in the Act and is satisfied that the premises is being operated properly. The change in licence hours 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 amended hours, until 28 August 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. The Committee also notes their commitment to fencing off the outside area when there is a function.

DATED at Dunedin this 9th day of October 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 off-licence pursuant to s.99 of the Act in respect of premises situated at 2 Mellor Street, Dunedin, and known as “Cableways Liquorland”

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Mr C Weatherall
Members: Ms K Elliot
Ms M Laufiso

HEARING at Dunedin on 13 September 2023

Appearances: Mr Kamaldeep - for the Applicant
Mr D Lamont – for the Applicant

Ms A Blair – Licensing Inspector
Sgt S Jones – Dunedin Police Alcohol Harm Prevention Officer
Mr A Whipp – Medical Officer of Health Delegate
Dr N Jackson – Witness via AVL

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

Procedural Issues

- [1] The Police advise the evidence of Dr Jackson has been accepted by the Applicant and therefore there is no requirement for her to be called to give evidence.
- [2] The Police also stated they received the opening statement from the Applicant the night before so, in the interests of natural justice, requests an adjournment to read. The Committee advised that everyone received the information at the same time and, because it related to opening statements, there was no requirement for pre-circulation of the documents. The Applicant was entitled to present them in their opening. The hearing would continue, and an adjournment taken if required later.

INTRODUCTION

- [3] This is an application for a new off-licence for the premises situated at 2 Mellor Street, Dunedin, and known as “Cableways Liquorland”. The premises has changed ownership.

- [4] The new owner of the business is DKA Hospitality Limited which has a sole director and shareholder, Mr Kamaldeep. He resides in the Wellington Region.
- [5] The hours sought by the Applicant are Sunday to Tuesday 10.00 am to 9.00 pm, Wednesday and Thursday 10.00 am to 10.00 pm, and Friday and Saturday 9.00 am to 10.00 pm. The premises would be designated a supervised area.
- [6] Public notice of the application did not attract any public objections and neither the Medical Officer of Health nor Licensing Inspector opposed the grant of the licence.
- [7] The Police, however, have opposed the application to seek the addition of two conditions to the licence relating to the price of single unit sales of beer, cider and RTDs as well as external advertising and promotion of alcohol.

HEARING

- [8] The Chair advised that while the legislation had changed, this application was notified before the changes therefore the 'old' rules for the hearing will apply.

Mr Lamont

- [9] Mr Lamont is the former owner of the premises and is helping the new owner as required. He emphasised that the business is Mr Kamaldeep's, and that he has no other interest other than helping with the transition and to ensure the integrity of the business is maintained.
- [10] He said this business was different to most because of the depth of experience of the staff that have been retained by the Mr Kamaldeep. The business has been operating in the area for about 35 years and there have been no problems identified by any agency. Mr Lamont acknowledged there were a lot of deprived people living in the area of the premises, however, they were known by the staff who help where they can.
- [11] There are now about 2500 products for sale at the premises and of those, about 20 products would be less than the \$6.00 per unit being sought by the Police. The 'offending' units are universally sold around Dunedin. Mr Lamont said they received information from a supplier that the 7% ABV supplied by them would be packaged in 4 packs as well as the current singles. He suggested the singles the supplier currently had would be discontinued when the 24 pack supplies were depleted. When asked, Mr Lamont said he had no idea what motivated the change by the supplier.
- [12] Mr Lamont said the imposition of the conditions would adversely affect the premises. There are nearby premises that would not be subjected to the same conditions which would give them a competitive advantage. The condition proposed is best dealt with by regulation, so it applied to everyone in the industry at the same time.
- [13] The Committee asked Mr Kamaldeep how many premises he owned. They were told he had seven premises: two in Kapiti, one each in Lower Hutt, Upper Hutt, and Christchurch. He also owned the "The Rope and Twine" in South Dunedin, and "Cableways Liquorland". The premises in Christchurch was an off-licence while the rest were on-licensed premises. He said there have been no issues with any of the other premises.
- [14] Mr Kamaldeep said he is in Dunedin every two weeks and visits both premises. He said he had a partner at the "The Rope and Twine", Mr A Singh, who also keeps an eye on "Cableways Liquorland." He is in daily contact with this person. When he was asked about his relationship with Mr Singh, Mr Kamaldeep said he was like family and kept oversight of both his Dunedin premises. He was neither a director nor shareholder of either company.

- [15] There are good managers at “Cableways Liquorland” including a former Dunedin Licensing Inspector. All the staff are experienced and know and understand their communities.
- [16] When asked, Mr Kamaldeep said there were daily meetings at the premises but to date, only one had been documented.
- [17] When asked how they monitored purchasing patterns of customers, Mr Kamaldeep said the staff were experienced. They talk to each other regularly so anyone that caused some sort of concern would be discussed. A lot of the customers are tradies on the way home from work. They stop and purchase one or two and then head away.
- [18] Ms Blair asked about his comment that price as a determining factor would be an unfair burden on the under privileged. They would ‘need to’ spend more to get their alcohol which would make less money available to purchase essential items for the family. People better off would not be impacted in the same way.
- [19] The Police asked about a failed Controlled Purchase Operation at the “Cloverlea Tavern” in Palmerston North. Mr Kamaldeep said he was the duty manager when a sale was made to a minor and had his manager’s certificate suspended for 28 days. He said he left the business because there was insufficient support for the staff.
- [20] Mr Lamont was asked to explain his comment that “The Police have incorrectly intimated that Cableways is responsible for crimes in the area where alcohol is a factor”. He said in the 25 years he had been owner of the premises the Police had never come to them about any offence in the area. He said if the premises had been a source of the alcohol involved with offended the Police would have visited.
- [21] Sgt Jones said the purpose of the proposed condition was to instil ‘moderation’ with regards to alcohol. Mr Lamont said he struggled with the idea that reducing harm comes from forcing them to buy more. Single unit sales help people who are trying to ‘sort themselves out’ by drinking smaller quantities. Increasing the price will affect the people already struggling financially.
- [22] When asked about his involvement at the premises, Mr Lamont said he would work 3-to-4-part days per month, mainly when there are absences. He is also working in an advisory role while the Applicant establishes himself properly.
- [23] When asked about the management of the premises, Mr Kamaldeep said when he purchased the business, he was told all the staff would remain and this was confirmed by the staff themselves when he spoke to them. In response to another question, he said they have a meeting each month during which all staff get to tell him what has happened. They are informal, but valuable meetings. When anything goes wrong, it is recorded in a book kept at the premises and he is advised at the time. He said they have had only one formal meeting where notes were kept in the four months he has had the premises.
- [24] Mr Kamaldeep was asked about the Host Responsibility Policy being used and he admitted it was from the previous owners. The same staff have been retained so they are familiar with the policy.
- [25] The Committee asked about the comment in the Host responsibility Policy about “Alcohol with excessive alcohol content will not be available for sale”. Mr Lamont said products like Absinth was not sold at the premises. The same staff are at the premises, so it is not being stocked under the new management. When asked if they sold the test tubes full of vodka, Mr Lamont said they were not sold at this premises.

Sgt Jones

- [26] Sgt Jones is the Alcohol Harm Prevention Officer for the Dunedin Police. He presented Dr Jackson's brief of evidence which had been accepted.
- [27] He said that some of the alcohol-related harm in the area must have been contributed to by alcohol purchased from this premises. He said there was a correlation between deprivation and alcohol-related harm. He also told the Committee that the Alcohol Regulatory and Licensing Authority had indicated that the Commerce Act did not impact on their ability to impose price restrictions.
- [28] He presented his own brief of evidence, and it was accepted. He also presented the pre-circulated exhibits. Sgt Jones said his exhibits show the relationship between deprivation and alcohol-related harm in the community. As an example, he produced summaries of three offences involving alcohol in the area near to the premises.
- [29] Sgt Jones explained that the evidence of Dr Jackson related to young people's exposure to alcohol advertising and promotions and their likelihood of heavy drinking and early onset of drinking.
- [30] The Police confirmed they were seeking a condition prohibiting the sale of single units at \$6.00 or less and the prohibition of external advertising.
- [31] Mr Lamont asked Sgt Jones if he had been to the premises to discuss any issues, or if he was aware of any police going to the premises about issues. He said he, and he was unaware of any other member of Police, had not been to the premises to discuss alcohol-related issues.
- [32] When asked if the incidents cited by Sgt Jones had been during the time the Applicant had been at the premises, he said they were earlier, but the Police attended such incidents on a daily/weekly basis. When questioned, he said the data was from a four-year period. The Pivot Table at Exhibit M provides totals for various offences where alcohol is considered a contributing factor. There were 254 incidents in the four years of data collection.
- [33] The Committee asked about the Police seeking no external advertising. Sgt Jones said they would like to see all external advertising of alcohol removed because exposure of young people to advertising is harmful. He reminded the Committee that they had imposed an advertising condition when they heard to "Henry's" application.
- [34] When asked if he had confidence in the new management of the premises, Sgt Jones said he had heard how the previous operator had managed the premises but was not sure about the new owner. He said he was 'confused' about the company structure as it was now.

CLOSING

Ms Blair

- [35] Ms Blair said the premises were currently operating on a temporary authority. They have agreed to reduced hours and the first licence is for one year so their performance can be reviewed then.
- [36] The premises sold a limited range of single units and generally they were greater than \$6.00 per unit.
- [37] Ms Blair does not oppose the grant of the licence.

Sgt Jones

- [38] Sgt Jones said the premises was undergoing a transition with a new owner after the 25 years. However, the new owner does not live in Dunedin therefore is relying on local managers.
- [39] He said he has outlined the alcohol-related harm in the area. While not able to be proved, some of the alcohol involved in that harm will have been purchased from this premises. There is caselaw that states there did not need to be a causal nexus between harm and a particular premises.
- [40] The Police emphasised that they were not seeking a prohibition on the sale of single units or that they must be made into multi-packs, but they instead want a minimum price greater than \$6.00 per unit. Sgt Jones said the World Health Organisation states that price can influence the volume and types of alcohol consumed. He believes the imposition of a minimum price may reduce alcohol-related harm in the area.
- [41] Sgt Jones said that minimising the exposure of alcohol advertising to young people is also important when trying to reduce harm.

Mr Lamont

- [42] Mr Lamont said external advertising is not critical to the Applicant. They are just seeking consistency across the city. He said individual retailers should not be singled out.
- [43] He said the Police were not opposed to the grant of the licence, but they did want two conditions attached to it. They also 'fear' an absentee owner. The Applicant has had the premises for three months and there hasn't been an issue. They are operating with the same staff as the previous owner so there is continuity for the business.
- [44] Mr Lamont does not believe a minimum price will achieve what the Police anticipate. People who buy single units are trying to drink responsibly by having small quantities.
- [45] Cableways Liquorland is unique, both in its location and the range of products in the store. Their product is not cheap when compared to other premises.
- [46] The deprivation in the area is not as high as the Police indicate. There are areas of deprivation, but this is true of most areas in Dunedin.
- [47] There has been no objection to the licence, even the Police have not opposed the granting of the licence. The application is for a new off-licence. It will need to be renewed after one year so there is an opportunity for the premises to be reviewed at that time. At that time there may be evidence to justify including specific but, after three months trading, there has been no suggestion of any issues with how the premises is operated.

DECISION

- [48] This matter relates to a new off-licence for a suburban premises. This is a unique situation with an absentee licensee only visiting the premises monthly, but the staff have been retained from the previous licensee that owned the premises for 25 years without issues. Mr Lamont, one of the former licensees, has also availed himself to assist the new owner while he becomes established. This has allowed continuity for the premises and clientele.
- [49] The Police opposed the application to seek the addition of two discretionary conditions on the licence: the prohibition of external advertising and single unit sales priced at \$6.00 or less.

- [50] The Applicant has indicated that external advertising is not critical to their operation, and this is evident in the limited advertising currently on the premises. The premises is on a prominent corner with a very visible wall which is used for limited advertising. The Committee recently imposed a condition on an off-licence for "Henry's" where external, fixed advertising was restricted to black text on white only along with the premises name or logo. The Committee believes this is appropriate in this matter.
- [51] The price point being sought by Police is more difficult. The premises has a limited range of single units for sale and, according to the Licensing Inspector, the majority are above the \$6.00 mooted by the Police.
- [52] The Applicant has pointed out that setting a minimum price would unfairly disadvantage them when nearby premises do not have the same condition, and it would impact on a lot of customers who do not have much discretionary money and are using the 'cheaper' single units as a way of controlling their alcohol consumption. They are being responsible. Setting a minimum price may lead people to purchase more of a product or a higher alcohol content drink to get better value for money.
- [53] While the Authority and other committees around the country have set minimum prices, each application must be considered on its merits and against the evidence presented.
- [54] The Applicant in this matter, while new, has established and experienced staff who have carried on after the sale of the business. They know their customers and are mindful of the individuals' situations.
- [55] The Committee is not convinced that the imposition of a minimum price will address the alcohol-related harm in the community.
- [56] We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and we grant the applicant an off-licence authorising the sale and supply to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises.
- [57] The Applicant's attention is drawn to ss.56 and 57(a) of the Act obliging the holder of an off-licence to display:
- a) 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 liquor; AND,
 - b) 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,
 - c) A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.
- [58] The 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:

Sunday to Tuesday	10.00 am to 9.00 pm
Wednesday and Thursday	10.00 am to 10.00 pm
Friday and Saturday	9.00 am to 10.00 pm

- (c) The whole of the premises is designated a supervised area.
- (d) External, fixed advertising to be restricted to black text with only the company name/logo.
- (e) 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.
- (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 alcohol to minors and the complete prohibition on sales to intoxicated persons.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

[59] 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 October 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 General
Distributors Limited pursuant to
s.127 of the Act for renewal of an off-
licence in respect of premises
situated at 309 Cumberland Street,
Dunedin, known as "Countdown
Cumberland Street"

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

HEARING at Dunedin on 7 July 2023

Appearances: Ms A Arthur-Young – Council for Applicant
Ms P Mitchell-Anyon – to assist
Mr P Radich – for Applicant

Ms T Morrison – Licensing Inspector
Mr A Whipp – Medical Officer of Health Delegate
Sgt S Jones – Police Alcohol Harm Prevention Officer
Witness A – Evidence given in confidence.

Dr L Gordon – Counsel for Objector, Students for Sensible Drug Policy Ōtepoti-
Dunedin (SSDP)

Mr K Mechen – Secretary to DLC/Alcohol Advisor
Ms J Lapham – Governance Support Officer

INTRODUCTION

- [1] This was an application for the renewal of an alcohol off-licence for the premises situated at 309 Cumberland Street, Dunedin, and known as "Countdown Cumberland Street". The Applicant was not seeking any changes to the conditions on the licence.
- [2] Public notice of the application resulted in an objection from Students for Sensible Drug Policy Ōtepoti-Dunedin (SSDP).
- [3] The Police opposed the renewal of the licence and sought the addition of two new conditions to the licence: that there was a prohibition of the sale of single serve units of beer and cider in containers 500ml or less and that there was no advertising or promotion of alcohol on the exterior of the premises.

Procedural Matters

- [4] Ms Arthur-Young advised she intended to present evidence which was considered by the Applicant to be confidential and sought an order of non-publication relating to that evidence and that the Committee revert to closed chambers proceedings for the presentation of the evidence. For the Applicant, she stressed the evidence Mr Radich intended to present was not for consumption to people outside the parties to this application. The Committee issued non-publication orders for evidence to be presented by Mr Radich.
- [5] Ms Arthur-Young raised concerns with Police production of Aurora reporting information and potential breaches of privacy but did not take issue with the inclusion of the redacted versions of the evidence. Sgt Jones sought to amend his evidence relating to the Aurora reports and sought an order for non-publication relating to those pages of evidence. The Committee accepted the amendment of evidence to redacted versions and granted an order for non-publication related to those documents.
- [6] In filing the papers for the day's proceedings, SSDP produced witness statements from multiple Otago University students. Dr Gordon for SSDP was asked if orders of non-publication would be sought for the contents of witness statements. Ms Arthur-Young stipulated the inclusion of such evidence in this type of proceedings was unusual and stated she did not intend to question the witnesses. Dr Gordon confirmed discussions were had with the witnesses however each had determined the non-publication orders were not required or to be sought. Accordingly, the Committee made no such order relating to those witness briefs.
- [7] The Police advised Dr Jackson was unavailable today so her evidence would not be presented.

Status of Objector

- [8] Ms Arthur-Young stated there was no general right to object to an application. The Objector must establish their greater interest than the public generally. While SSDP are interested in the greater alcohol-related harm in North Dunedin, they needed to demonstrate a greater interest in the application before the Committee. In the Otago Daily Times on 7 July 2023, the SSDP were quoted as saying they will oppose all off-licence applications.
- [9] Dr Gordon stated that while SSDP had no general right to oppose the application, they had a geographical right. Their offices were 750m from the premises with most of their members living within 500-800m of the premises. They had a lot of evidence related to the premises to be presented to the Committee.
- [10] Dr Gordon stated there were about 260 members in SSDP. The group was also affiliated to other groups as part of the Otago University Students' Association (OUSA). Members were also represented on a range of task groups, for example, the 'Alcohol Task Group'. SSDP was affiliated to the OUSA and had an office in the OUSA Clubs and Societies Rooms in Albany Street.
- [11] The Licensing Inspector said that she had looked at the pre-circulated information and did not find the information provided by SSDP to be relevant. The application was for the renewal of an off-licence for a supermarket.
- [12] Sgt Jones said he had no issue with the standing of SSDP. They represented the student population in Dunedin.
- [13] Mr Whipp had no issue with SSDP being a party to the proceedings.
- [14] Ms Arthur-Young said that while a geographical radius of 1-2 km was useful, it was not a compelling reason. The test for an objector was that they had a 'greater interest' in this application.

- [15] In response, Dr Gordon submitted the geographical distance was sufficient grounds to establish a greater interest and that there was no minimum limit on what proportion of the population they represented. Dr Gordon highlighted testing the perceived quality of the evidence was not relevant at the stage of determining standing however in her opinion the contents of SSDP's witness statements were relevant to the application in question.
- [16] Following deliberation, the Committee determined SSDP did have standing in this matter. They represented the interests of a student population which was proximal to the premises. The Committee was cognisant the premises was one of the main supermarkets used by students to purchase their groceries and alcohol. The known frequency of custom by students in conjunction with the proximity to the student area of Dunedin sufficiently persuaded the Committee SSDP had standing in this application.

HEARING

- [17] Ms Arthur-Young presented an opening submission which is accepted.
- [18] She said the Applicant was not seeking any change to the current licence conditions. The premises was in the Dunedin CBD and was operated in a responsible manner. The customer base came from across Dunedin and included the student population. The Applicant understood the locality in which it was situated and operated appropriately. Staff at this store engaged with customers in a different way to that found in suburban stores where regular customers were known by staff.
- [19] The store had not failed any Controlled Purchase Operation (CPO) and there had been no recent incidents recorded by the premises.
- [20] The sale of single serve, high strength beer in 500ml containers was stopped in April 2022 after discussion with the Licensing Inspector at that time.
- [21] General Distributors Limited was a good licensee and they were suitable to hold an off-licence.
- [22] Neither the Licensing Inspector nor Medical Officer of Health opposed the renewal of the licence. Similarly, the Police and SSDP did not oppose the renewal, but the Police were seeking the addition of two conditions to the licence related to external advertising and promotion of alcohol and a prohibition of single sales of beer or cider in vessels of 500ml or less, excluding craft beer. SSDP were seeking an earlier closing time on Thursday, Friday and Saturdays, the shifting of the single alcohol area, or having the area enclosed so it was separated from the main body of the store, and they had concerns at single unit sales being less than \$6.00 per unit.

Witness A

- [23] Witness A was the first witness for the Police. Due to availability, the Committee granted leave for Witness A to be called early and received their evidence. Police requested Witness A's evidence and examination occur in a non-public component of the hearing which the Committee granted. Witness A's evidence related to intoxicated people being in the store generally. The witness said the Applicant's in-house training stated intoxicated people should not be removed unless they were creating a disturbance. They could be sold non-alcoholic products only. The witness stated he had not seen any breaches of the law in any premises he had visited. His concerns resulted from interviews with three separate Countdown staff from outside the Dunedin territorial area and comments they made about training. He admitted he had not contacted the store manager nor Mr Radich who provided national oversight of alcohol-related matters for the Applicant.
- [24] In response to a question from Sgt Jones, Witness A agreed the presence of an intoxicated person on a licensed premises was illegal pursuant to the Act.

Mr P Radich

- [25] Mr Radich is the 'Alcohol Responsibility Manager' for Woolworths New Zealand Limited (Woolworths). General Distributors Limited was a wholly owned subsidiary of Woolworths. Mr Radich's statement was presented and accepted.
- [26] He said that when he became aware of the evidence of Witness A, he tried to contact them by phone and email but had been unsuccessful.
- [27] Mr Radich told the Committee the Applicant had 190 stores in New Zealand. In response to a question, he said they considered beer and cider to be high strength if the alcohol by volume (ABV) was 7% or higher. However, the agreement with the former licensing inspector was the removal of single units of mainstream beer that was greater than 5% ABV and in vessels 500ml or more.
- [28] When asked by the Licensing Inspector, he confirmed the store had excluded single units of high strength, mainstream beer since April 2022. It has had an impact on alcohol sales but after talking to the previous Licensing Inspector, he considered it the 'right thing to do' for this premises. Staff at the store were pleased with the change. They are now committed to their removal but said they may be reintroduced in the form of four packs. The Applicant had been working with breweries for the past three years to have the higher strength beers packaged into four packs. They had set themselves the deadline of October 2023 to have this implemented. It was noted returning the products to the store in such a way would be compliant with the conditions sought by Police.
- [29] The Police asked Mr Radich about the store's policy regarding not approaching shoplifters. Mr Radich said that only applied to untrained staff in the stores. Trained staff were to be informed and they would make the approach. If an intoxicated person was identified before they entered the store, they would be denied entry. Security was employed at the store, and they were there to assist in the store if required. With respect to the policy relating to intoxicated persons being on site to purchase non-alcoholic items, Mr Radich explained this was developed with the assistance of Inspector H Milne while he still worked at the Police National Headquarters.
- [30] In further explanation, Mr Radich opined in circumstances where intoxicated persons are found on site, selling them food items may help them manage their intoxication. He reflected on the Act in that a licensee or duty manager can take reasonable steps to remove them from the premises and, in his opinion, completing a transaction for non-alcoholic items is a reasonable and safe step to facilitate their movement out of the store.
- [31] In response to a question from Mr Whipp about small single serve wine options at the store, Mr Radich said that there was a limited range of small bottles available in store.
- [32] Mr Whipp confirmed the Applicant was aware the premises was within the Dunedin Alcohol Ban area and queried if they would be willing to increase signage detailing this fact to better inform customers. Mr Radich confirmed willingness and that signage would be added as requested.
- [33] The Committee asked what happened to broken alcohol packages and was told the store made up four packs which were sold for a minimum of \$8.00 per pack.
- [34] It was pointed out to Mr Radich that there was a container with free fruit for children near the entrance to the store, beside where the single alcohol area was situated. Mr Radich said he would arrange for the stand to be moved as soon as possible. When asked for specificity, Mr Radich said the free fruit container would be moved the same day.
- [35] When asked about training of staff, the Applicant said they had about 3000 staff undergo training each year. However, after hearing the evidence of Witness A, the training provided would be reviewed.

Ms T Morrison

- [36] Ms Morrison was a Licensing Inspector for the Dunedin City Council. There was no opposition from the Inspector, and she had nothing further to add to the initial report for the application.

Mr A Whipp

- [37] Mr Whipp is the Medical Officer of Health Delegate. He did not oppose the application and had nothing further to add.

Sgt S Jones

- [38] Sgt Jones is the Police Alcohol Harm Prevention Officer for Dunedin. He advised the Police no longer sought a condition relating to external advertising. They were now seeking conditions relating to no sales of single units less than or equal to \$6.00 per unit and that the single alcohol area be designated a restricted area.

Sgt I Paulin

- [39] Sgt Paulin was the acting Senior Sergeant Co-ordinator Alcohol Harm Prevention based at Police National Headquarters and was called as a Police witness.
- [40] He described walking to the Police Station from the Courts with Sgt Jones and finding two known people sitting at a bus stop in Cumberland Street drinking alcohol. The bus stop is outside the Applicant's store and is inside the Dunedin Alcohol Ban area, so they spoke to the two people. He asked the person he was talking to if he would tip the contents of the container out, but the offender continued to consume the alcohol. He was issued an 'Alcohol Infringement Offence Notice'. Sgt Jones dealt with the second person.
- [41] When they were walking back to the Courts, S/Sgt Paulin saw the offender leaving the Applicant's store with what appeared to be a can of Tui Strong Lager. When challenged that the Applicant does not sell Tui Strong Lager as a single unit, S/Sgt Paulin could not confirm it was Tui lager, or that it was alcohol. He said the person was showing signs of intoxication when he was spoken to and appeared to be under the influence when he was seen leaving the store.
- [42] When asked what alcohol was being consumed in the first instance, S/Sgt Paulin said it was Speight's Gold Medal Ale. He was informed the Applicant did not sell this product as single units and admitted he was not aware of that fact.

Sgt Jones

- [43] Sgt Jones presented his Brief of Evidence, and it was accepted. He also introduced his exhibits.
- [44] As he appeared as a witness, S/Sgt Paulin examined Sgt Jones. He asked about the deprivation of the area and Sgt Jones said there were vulnerable people living in the area as well as homeless people, more so now after the Covid pandemic.
- [45] When asked, Sgt Jones acknowledged the data presented in his exhibits did not identify the type of alcohol or where it was purchased from, but it did indicate the locations of incidents where alcohol was a contributing factor.
- [46] The Applicant pointed out that the alcohol shown to be held by 'Simon' in his exhibits is not sold by the Applicant at Countdown Cumberland Street. Sgt Jones said General Distributors Limited does sell the product, but he was unsure about Countdown Cumberland Street. He had no evidence to suggest the alcohol had been purchased at the Applicant's premises.
- [47] When asked if he was aware of any other single alcohol area in New Zealand being designated, Sgt Jones said he was not aware of any within the Dunedin catchment. He was also unaware of any off-licences generally with a restricted designation. When asked about

the management of the area if it was to be designated, he said it would need to be managed like any other responsible licensee would manage their premises.

- [48] The purpose of a single alcohol area was to restrict exposure of alcohol to people under 18-years of age. If the area had a restricted designation the licensee would be required to ask minors found in the area to leave.
- [49] Ms Arthur-Young asked why the Police believe the Applicant is breaching the Act when someone stole alcohol. Sgt Jones said when a minor successfully stole alcohol, the Applicant had not intervened therefore the alcohol was 'supplied' to the minor.
- [50] Ms Arthur-Young sought clarification on what Police anticipated would happen when parents with their child/children wanted to purchase alcohol with their shopping. Sgt Jones responded he hoped the adults would decide not to purchase alcohol. Ms Arthur-Young challenged that parents would be required to leave their children unattended in the supermarket and whether Police believe this to be reasonable. Sgt Jones reiterated his earlier response that he would hope parents would decide not to purchase alcohol.
- [51] The Committee asked if the Police had filed any applications with the Alcohol Regulatory and Licensing Authority (ARLA) regarding this premises. Sgt Jones said they had not filed anything and when prompted, admitted there was no evidence of any breach of the Act.
- [52] When asked about the 'agreement' the Applicant had made with the former licensing inspector, Sgt Jones said he believed it would no longer be used if Mr Radich left his employment. Sgt Jones stated this was one reason he sought a condition around single sales of alcohol.

Dr L Gordon

- [53] Dr Gordon was counsel for the Objector, SSDP. She said SSDP did not believe the current conditions on the licence allowed the Applicant to achieve both 'arms' of the object of the Act. The premises was situated in an area of particular vulnerability and that harm cannot be allowed to continue. They also believed the amenity and good order of the locality would increase by more than a minor extent if the licence was not renewed.
- [54] She said the inclusion of extra conditions should not be seen as a punishment. They would be put in place to mitigate the alcohol-related harm in the area.
- [55] SSDP is concerned at the 10.00 pm closing time, especially on Thursday, Friday and Saturday nights when people purchase 'top-up' alcohol on their way into town. They also had issue with the number of entrances into the single alcohol area and that alcohol is clearly visible from outside the area.

Mr S Kipri

- [56] Mr Kipri was a member of SSDP. His evidence was presented and accepted.
- [57] He told the Committee the Applicant sold alcohol in a way that did not mitigate the harm caused. He also believed the single alcohol area did not limit exposure of alcohol as far as was reasonable and that the area should be redesigned to better limit exposure to people in the store.
- [58] Mr Kipri gave evidence of making online purchases from Countdown and having them delivered to his accommodation. He stated that no proof of age was sought.
- [59] When questioned by the Applicant, he agreed the range and types of alcohol able to be sold in supermarkets was limited by statute and that there were no end of aisle displays at the store. When he was asked about making purchases online, he accepted he was asked to declare his age before continuing the purchase. He said that two purchases were delivered and left on their flat steps and with a third delivery, the driver had a brief interaction with an occupant of

the flat. When questioned further, Mr Kipri admitted the deliveries were not from Countdown Cumberland Street.

[60] The Committee asked if he had complained about the deliveries. Mr Kipri said he had not; he had been too busy.

[61] Mr Kipri accepted SSDP represented the views of the membership but that they did facilitate workshops with the wider student population.

Dr M Beres

[62] Dr Beres was an Associate Professor in Sociology at the University of Otago. Her evidence was presented and accepted. Her primary area of research is sexual assault.

[63] In answer to a question, Dr Beres stated that alcohol was an issue identified in her studies as well as other drugs. She did not ask about the alcohol purchase habits in the surveys used as part of her research.

Mr J Whelan

[64] Mr Whelan is the President of the Students for Sensible Drug Policy Ōtepoti/Dunedin. He presented his brief of evidence, and it was accepted.

[65] He said that the University of Otago had a reputation for its party culture in which alcohol was a major factor. According to Mr Whelan, harm was rife in the city and the student population made up a large number of the affected people.

[66] The ability to purchase cheap alcohol was one of the issues and Countdown Cumberland Street enabled this to happen, with some alcohol being priced as low as \$1.00 per standard drink. The sale of cheap bottles of wine was a concern because of the number of restaurants in Dunedin with BYO as an option. Students went to these places often with an underlying intention of getting drunk. A lot of students frequented the Applicant's premises to buy alcohol to pre-load before getting into the on-licensed venues around the central city.

[67] When asked if the 'culture' revolved around partying and alcohol consumption, Mr Whelan said this was a nation-wide issue, not just in Dunedin.

Ms T Rademeyer

[68] Ms Rademeyer was a second-year law student at the University of Otago. She presented a statement, and it was taken as read. She said that while she was not a member of SSDP, she supported what they were trying to achieve. Ms Rademeyer gave testimony of her own experiences with alcohol during the time she had been in Dunedin.

[69] She told the Committee she had a friend living across the road from Countdown Cumberland Street. When she was visiting and they were running out of alcohol, they would go across to the store and top-up for the night.

[70] When asked if she had any direct evidence that the Applicant was not suitable to hold a licence, Ms Rademeyer preferred not to answer.

Mr L Akers

[71] Mr Akers was a member of SSDP and an Otago Co-Regional Manager for KnowYourStuffNZ Charitable Trust. He was a Community Support Worker for PACT. He arrived in Dunedin during O-Week 2023. He presented a statement, and it was accepted.

[72] He said in his role he often gave advice about alcohol harm because people were less inhibited discussing this issue. He said other drugs were used in limited quantities.

[73] Mr Akers described some alcohol related incidents however could not state where the alcohol was purchased.

Mr I Stücki

- [74] Mr Stücki is a member of SSDP and is a sitting member of the SSDP Alcohol Task Group (ATG). He presented a statement, and it was accepted. Mr Stücki arrived in New Zealand with his family in 2019 and moved to Dunedin to study law in 2022.
- [75] He compared his life where he came from with Dunedin and stated that life in Dunedin is 'paradise'. However, as he progressed with his study, he found consumption of alcohol to be a release from the pressure he felt. Countdown Cumberland Street was where he purchased most of his alcohol. He said the reason for relaying how his life had been would help the Committee and Applicant understand how easy access to alcohol in a stressful environment led to harm. Mr Stücki said people drank to get drunk with large volumes of alcohol being standard.
- [76] When asked, Mr Stücki said if he had finished what he had been drinking by 8.00 pm, he would walk to the supermarket to get more. Between 50 – 75% of the time it would have been after 9.00 pm.
- [77] In response to a question from the Committee, Mr Stücki said being intoxicated was part of being a student in Dunedin. He said if you didn't get drunk you were not part of the student life.

CLOSING

Ms Morrison

- [78] Ms Morrison said she did not oppose the renewal of this licence. However, she made the following points:
- a) Police opposed the application to get two conditions added to the licence regarding the sale of single serve, high strength products at a cheap price, and external advertising. She agreed with the Police decision to remove the reference to external advertising because it was not done at this premises.
 - b) The Police position regarding single unit sales of alcohol had merit, especially if the price point for these units is lifted. Ms Morrison believes the Committee should consider the conditions imposed on nearby off-licensed premises.
 - c) SSDP did not produce any evidence linking alcohol purchased from Countdown Cumberland Street with the alcohol-related harm cited by their witnesses. Ms Morrison does not believe much weight can be placed on the evidence of SSDP.
 - d) The evidence produced by the Applicant regarding training and procedures at the store were, in Ms Morrison's opinion, robust and detailed.
 - e) The Applicant appeared forthcoming and willing to address concerns raised by the agencies.

- [79] Ms Morrison reiterated her initial position of no opposition.

Mr Whipp

- [80] Mr Whipp commented on the agreement between the Applicant and the former Licensing Inspector. Because that Inspector was no longer in that position, he believed it would be appropriate to formalise the agreement by way of an additional condition on the licence.
- [81] The Applicant also indicated a willingness to advertise the presence of the alcohol ban to customers before they left the premises.

Sgt Jones

- [82] Sgt Jones stated that the student community was regarded as one of the highest risk and vulnerable communities regarding alcohol harm in New Zealand. Data was produced showing locations of alcohol-related incidents in the area around the premises. He said that alcohol consumed in these incidents was purchased locally and Countdown Cumberland Street was the largest off-licence in the area.
- [83] He pointed out that while the Applicant claimed there was no direct link between the alcohol consumed and the Applicant's premises, the Police cited *Lion Liquor Retail Limited* [2018] NZHC 1123 where the Court said at [68] that "*Requiring proof of a causative link is not only unrealistic but is contrary to the correct legal position.*"
- [84] To support his view that a condition relating to single unit sales of high strength beers should be imposed, Sgt Jones cited two cases: *Two Brothers Wholesale Limited* [2021] NZARLA 32 and *Licensing Inspector & NZ Police v Nekita Enterprises Limited* [2021] NZARLA 139-145.
- [85] Sgt Jones believed the Applicant's evidence was mainly opinion and lacked credibility. He did not believe the Committee should place any weight on the evidence presented by the Applicant.
- [86] The Police indicated that they believe the Applicant was aware of the harm caused by high strength, single unit sales and that lead to the 'handshake' agreement with the Licensing Inspector. They believed the agreement should be included as a condition of the licence.
- [87] Reference was made to the Committee's imposition of conditions relating to single unit sales on the licences of two local premises and believed the same should apply to this licence. The Police recommend no single sales of beer or cider priced at or below \$6.00 per unit be sold.
- [88] Sgt Jones said the premises had a lack of systems in place to prevent minors from taking alcohol from the single alcohol area and leaving the store. He believed the imposition of a restricted designation for the single alcohol area would minimise risk to staff and the community and would minimise exposure of alcohol to young people and should be viewed favourably by a suitable applicant.

Dr Gordon

- [89] The Objector, SSDP, argued that the licence, in its current form, was unable to meet both 'arms' of the object of the Act, that the Applicant was not suitable, the trading hours were too long, and that the amenity and good order of the locality would likely increase by more than a minor extent if the licence renewal was refused.
- [90] Dr Gordon cited *Auckland Council v Woolworths New Zealand Limited* [2021] NZCA 484, where Clark J at paragraph [68] recognised that restrictions on supply by a given off- licensee may be justified although the licensee conducted its business lawfully, provided there is reason to think the premises contributes to excessive or inappropriate consumption. This mandated the DLC to restrict the sale and supply of alcohol even when the licensee is acting, in every other aspect, within the requirements of the legislation.
- [91] SSDP presented detailed and sometime upsetting evidence of the harms in the area around the supermarket. They submitted that the Applicant was unable to meet the second 'arm' of the object of the Act, the minimisation of harm, due to the high levels of alcohol harm in the area. Particular vulnerabilities in the area include:
- a) A large concentration of young people living away from home for the first time.
 - b) Promotion of the University of Otago as the 'party' university which may attract those who are at particular risk of alcohol-related harm.
 - c) A flattening culture synonymous with a drinking culture.

- d) A recent shift away from venues in town towards purchasing and drinking alcohol in non-supervised places.
 - e) Health and mental health factors that can be caused or exacerbated by the availability of alcohol.
 - f) Student safety issues relating to harassment, sexual harm, alcohol dependency, and criminal activity (as victim and perpetrator).
- [92] It is noted in the Applicant's documents that they acknowledge that it had a shared responsibility to prevent alcohol-related harm and they aim to be an industry leader in the responsible service of alcohol. However, there is little detail regarding the minimisation of alcohol harm in vulnerable communities.
- [93] SSDP asked the Committee to have specific regard to the higher risk Thursday, Friday and Saturday nights and the higher risk times of day, with that risk being later in the evening. They would also like the Committee to consider how a 'dollar per unit ratio' could be imposed as a condition on the licence.
- [94] SSDP have indicated that they were willing to engage with the Applicant to work towards effective interventions to address the vulnerabilities of the community.

Ms Arthur-Young

- [95] In closing, Ms Arthur-Young for the Applicant made the following points:
- a) The Applicant was not seeking any changes to the conditions of its licence and neither the Licensing Inspector nor Medical Officer of Health had opposed the application.
 - b) The premises had been part of Dunedin's community for over 20 years.
 - c) Staff were well trained, and the store had modern and extensive processes in place.
 - d) The company stopped selling single units of high strength, mainstream beer in April 2022 and did not engage in external advertising or promotions.
 - e) The Police evidence in opposition was almost identical to evidence produced at other recent hearings and raised issues irrelevant to this application. They also changed their position during the hearing, asking for different conditions than those originally stated in their opposition.
 - f) The Objector presented personal experiences of alcohol-related harm in the student community and suggested the Applicant was unsuitable to hold a licence. They also suggest the amenity and good order would increase by more than a minor extent if the licence is not renewed. However, the Objector is not opposed to the renewal of the licence, just that extra conditions should be added to the licence and the trading hours reduced.
 - g) Both the Police and Objector recommend the addition of conditions to mitigate their concerns, but do not oppose the renewal per se.
 - h) The Police appeared to be seeking the same conditions across off-licences in Dunedin. The Authority recently criticised a District Licensing Committee for failing to make a "merit-based assessment" and "placing undue weight on policy consideration and generalised objections" (*Otautau Hotel 2017 Limited v Grove* [2023] NZARLA 37 at [81]). The Authority found the Committee had attempted to introduce policy concerns by effectively setting a cap on off-licensed premises.
 - i) The Police had, after their initial report, decided to seek a restricted designation on the premises. To the knowledge of the Applicant, and Police, such a condition had not been imposed on any supermarket in New Zealand. Such a condition would have unintended

consequences, especially for those lawful shoppers who have their children with them. The suggested condition was unreasonable and lacked an evidential basis.

j) Police now sought a condition that restricts the sale of single units of beer and cider to greater than \$6.00 per unit. This was not in their initial opposition nor has there been any evidence produced of the harm caused by these products. Parliament restricts the types of alcohol able to be sold at supermarkets and have decided not to control the price of alcohol.

[96] The imposition of discretionary conditions on a licence must be reasonable. The Objector's counsel noted in closing that any conditions must *"emerge from the DLC's evaluative capacity from its consideration of the evidence it has received."* There had been no evidence produced to justify the imposition of the conditions sought by the parties.

DECISION

[97] The Applicant was seeking to renew the off-licence for Countdown Cumberland Street. They did not seek any changes to the conditions of the licence.

[98] A public objection was received from Students for Sensible Drug Police Ōtepoti/Dunedin who sought a reduction in the premises' trading hours for alcohol on Thursday to Saturday, and the closing in of the single alcohol area so there is only one entry to the area.

[99] The Police opposed the renewal to seek the addition of two conditions to the licence. The first related to the external advertising and promotion of alcohol. This was later withdrawn by the Police because the Applicant does not engage in this practice, and it is expressly prohibited in the Act.

[100] The second condition was the prohibition of the sale of single units of high strength, cheap beer and cider. The premises ceased the sale of such products in April 2022.

[101] Prior to the beginning of the hearing, the Police changed their position to seek a condition prohibiting the sale of single units of beer and cider at or below \$6.00 per unit. They also sought a 'restricted' designation on the single alcohol area.

[102] In relation to the condition to restrict the sales of single units of high strength beer and cider, there had been no evidence produced that such products are the drivers of harm alluded to by the Police. The Committee members had visited the premises on multiple occasions across time and found the agreement reached between the Applicant and previous inspector to be bona fide. While the Committee accepted the Applicant acted in good faith in relation to the agreement with the previous inspector the Committee will impose such a condition to formalise the agreement.

[103] The Police changed their position regarding single unit sales to one that would prohibit sales of any single unit less than \$6.00 per unit. The change in position was first noted in their submissions tabled prior to the hearing. The Police were required to state their position within 15 days of them receiving the application. In *Sargent v. Kapiti Supermarket Limited* [2015] NZARLA 194, the Authority said at [16] *"After the expiration of the 15 day period and at the hearing before the DLC, the Police were not entitled to alter their original stance. ... [I]t is important that District Licensing Committees and the Authority require compliance with the statutory obligations of the reporting agencies. Too often recently have reporting agencies failed in this regard and as a result breaches of natural justice have occurred. This must not be permitted to continue. Finally, the waiver provisions contained in s.208 of the Act will seldom apply as the neglect or omission will usually be wilful."*

[104] However, regarding the price point mooted by the Police, they based the amount on decisions made by the Authority and higher Courts. The decisions cited related to bottle stores situated in different settings to this premises. The Committee must make a decision based on

evidence produced and, in this case, such evidence is absent, accordingly the Committee cannot be satisfied such a condition was reasonable nor evidence-based in relation to this application and does not impose the condition sought.

- [105] The restricted designation sought pursuant to section 119 of the Act was also raised just prior to the hearing but the Committee will make comment. We find the imposition of such a condition to be a disproportionate response to the benefits that would be achieved if the condition was imposed. A designation will not stop a person, young or otherwise, determined to steal products from the store. The unintended consequences of imposing such a condition, for example parents/caregivers with children being 'penalised' when they want to make a lawful purchase by not being able to keep their children with them, outweigh any benefits the Police may envisage. Designating the single alcohol area would not prevent young people being exposed to alcohol in shopping trolleys or prevent them from seeing into the single alcohol area.
- [106] Section 241 of the Act relates to the supply of alcohol to minors and would be the grounds for Police filling a section 280 application to suspend or cancel the Applicant's off-licence. By Police's admission, there is no active matter before ARLA relating to this licence nor evidence warranting such an application, this called into question the Police rationale for seeking a restricted designation of the single alcohol area. The Committee does not view the theft of alcohol by a minor as supply.
- [107] SSDP have asked for the area to be closed off so there was only one entry to the single alcohol area to further limit exposure of alcohol to customers. The idea was canvassed when the Act was being developed but Parliament chose not to pursue the idea. The single alcohol area is compliant with the existing legislation and the Committee finds imposing a condition as sought by SSDP to be disproportionate and unreasonable.
- [108] The current trading hours of the premises are within those set out in the Local Alcohol Policy and within the Act. It has been suggested that people purchase alcohol to 'pre-load' on their way to the central city. The premises is in the Alcohol Ban area therefore consuming alcohol in the area around the store would be in breach of the Ban. The Applicant has agreed to put signage near the exit from the store advising people of the ban area. The Committee finds the current hours appropriate for the premises.
- [109] While there were objections to the application, neither the Police nor SSDP were opposed to the renewal of the licence per se.
- [110] The Committee must have regard to the matters outlined in s.131 of the Act. We are satisfied that the Applicant is selling alcohol safely and responsibly and that the Applicant is suitable to hold a licence.
- [111] The days on which and hours during which alcohol can be sold from the premises are appropriate and comply with Dunedin's Local Alcohol Policy.
- [112] The single alcohol area in the store complies with the requirements of s.113 of the Act and we consider the imposition of a designation and requirement to 'close in' the area to be unreasonable.
- [113] The Applicant has appropriate systems, staff and training to comply with the law. The Police mentioned a policy stating intoxicated people were to be served to get them out of the store without issues. However, this did not appear to be founded on fact and the witness giving the evidence made no attempt to verify the situation with the Applicant.
- [114] There was no evidence presented that would lead the Committee to the conclusion that the amenity and good order of the locality would be increased by more than a minor extent if the licence was not renewed.

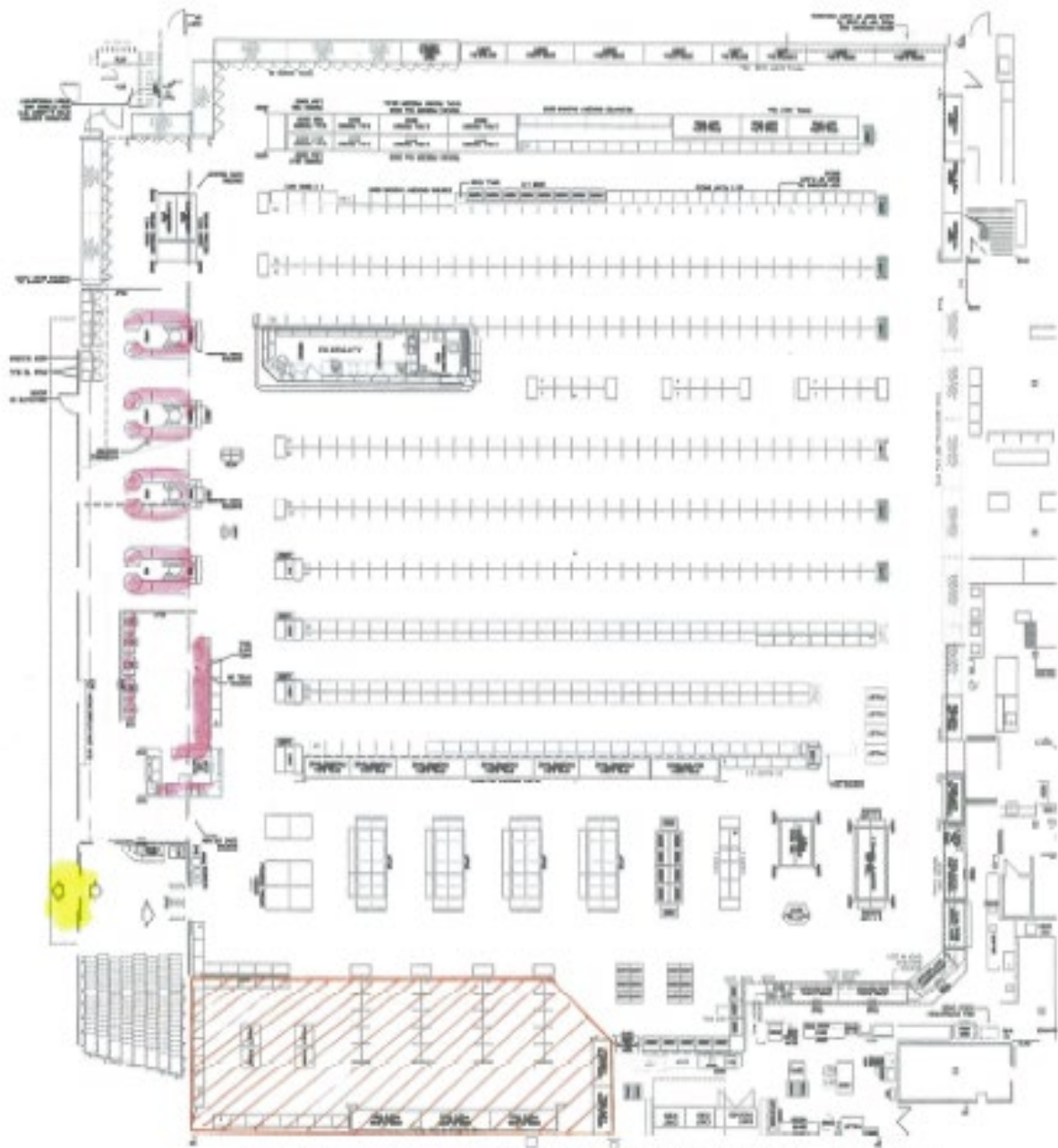
- [115] The Applicant has not sold single cans of high strength beer at the premises since April 2022 after an agreement was made with a former Licensing Inspector. They were actively working with the producers of such products to have them packaged as four packs. Any broken packages are re-packaged into four packs for sale in the store. Upon consideration, the Committee believes the imposition of a condition prohibiting the sale of single cans of mainstream beer greater than 5% ABV and in vessels 500ml or more would formalise the informal agreement.
- [116] 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 new condition and an unchanged single alcohol area, until 17 April 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 12th day of October 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Countdown Cumberland Street – Floor Plan



CD Dunedin Central 9190 02-11-16

SINGLE
ALCOHOL
AREA

POINT
OF
SALE

ENTRY
20/2/20

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by General
Distributors Limited for an off-licence
pursuant to s.99 of the Act in respect
of premises situated at 43 Mailer
Street, Dunedin, and known as
“Countdown Mailer Street”

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

HEARING at Dunedin on 6 July 2023

Appearances: Ms A Arthur-Young – Counsel for the Applicant
Ms P Mitchell-Anyon – to assist
Mr P Radich – 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
Dr N Jackson – Witness (via Zoom)

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

Procedural Issues

- [1] Counsel for the Applicant raised the matter of confidential material they would like to present. However, before this, they emphasised the material should not be circulated or copied and therefore sought a non-publication order for all confidential material.
- [2] The Applicant also questioned the evidence Dr Jackson was to present because there was no advertising outside the single alcohol area, including the exterior of the premises. Ms Arthur-Young recommended Dr Jackson be excused.
- [3] Sgt Jones and the other reporting agencies said they had not seen the private and confidential information therefore could not comment at that point.
- [4] The Committee accepted the confidential information would remain within the hearing and therefore ordered the confidential portion of the day’s proceedings to be heard non-public. Regarding Dr Jackson, it was for the Police to determine whether the evidence to be produced would support their position.

INTRODUCTION

- [5] The matter before the Committee was an application for the renewal of the alcohol off-licence for "Countdown Mailer Street, situated at 43 Mailer Street, Dunedin.
- [6] Public notice of the application did not attract any public opposition and neither the Medical Officer of Health nor Licensing Inspector oppose the renewal of the licence.
- [7] Police opposed the application. They believed the sale of single serve, high strength alcohol at a cheap price, as well as the external advertising and promotion of alcohol, did not align with the object of the Act. They also believed the sale of these products, and external advertising and promotion of alcohol, adversely affected the suitability of the Applicant.
- [8] The Police sought the imposition of two conditions. The first was the prohibition of the sale of single serve units of beer and cider in vessels 500ml or less (excluding craft beer). The second condition was the prohibition of external advertising and promotion of alcohol.

HEARING

Ms Arthur-Young

- [9] Ms Arthur-Young stated that the matter before the Committee was a straight forward renewal of an off-licence. The premises is a medium sized, suburban supermarket. It was a tidy and well-run premises and had been for the past 20 years. The Applicant did not seek any changes to the conditions of the licence or the single alcohol area. She said they were concerned they were required to come to a hearing for this matter.
- [10] The rules for renewal were clear. There was an ability for discretionary conditions to be added to a licence by the Committee, but they must be reasonable and not inconsistent with the Act. There were no issues with this premises so any additional condition would be unreasonable.
- [11] The opposition to the application was wide and varied. There was a lot of focus on the object of the Act and suitability of the Applicant, General Distributors Limited (GDL), a company that had approximately 170 premises throughout New Zealand. The Police also believed there were issues with the amenity and good order of the Mornington area and that by not renewing the licence, this would improve.
- [12] The Police sought a condition prohibiting external advertising or promotion of alcohol. This was not a feature on any of the premises operated by the Applicant and was expressly forbidden in the Act.
- [13] They also sought a condition prohibiting the sale of single unit sales of beer and cider. It was unclear what products the Police were referring to with this request. Ms Arthur-Young queried what would such a condition achieve?
- [14] The Committee was to consider the renewal of the off-licence for Countdown Mailer Street. The criteria for imposing discretionary conditions have been discussed in *Christchurch Medical Officer of Health v J & G Vaudrey* [2015] NZHC 2749 where the High Court stated a condition must be reasonable and consistent with the Act when weighed against all considerations. The inquiry into this renewal must be fact specific to this particular store.
- [15] Ms Arthur-Young submitted that the Committee was not there to impose conditions being sought by a member of the Police. The Police suggestion of the imposition of the two conditions was becoming more common. However, the premises subject to the conditions were generally bottle stores, had histories of serious harms being associated with them and had employment issues. These issues were not relevant to Countdown Mailer Street.

- [16] The Police questioned the suitability of the Applicant. This required a broad assessment and consideration of the Applicant's history, previous convictions and the context of the application. The Applicant did sell a small range of single unit beer and cider, and a smaller range of high percentage alcohol beer.
- [17] The Police suggested that the Applicant sold alcohol to intoxicated patrons. The Applicant rejected any such allegation. Such a statement was unfounded and inappropriate.
- [18] One of the grounds for opposition was section 105(1)(h) and (i) relating to the amenity and good order of the location. The sections quoted relate to new applications, not renewals. Ms Arthur-Young stated that even if the correct section was cited, section 131(1)(b), the Committee would need to be satisfied that if the licence was not renewed, the amenity and good order of the locality would increase by more than a minor extent. The Applicant did not believe this would be the finding of the Committee.
- [19] Ms Arthur-Young stated there was no legitimate opposition and no evidence to support any claims therefore the licence should be renewed.

Mr P Radich

- [20] Mr Radich is the Alcohol Responsibility Manager for Woolworths New Zealand Limited (Woolworths). The Applicant in this matter, General Distributors Limited, was a wholly owned subsidiary of Woolworths. He presented his evidence, and it was accepted.
- [21] Mr Radich explained that there were approximately 1800 managers in their stores authorised to sell restricted products, including alcohol. They received a four-hour long course and there was a 90-minute refresher course every 18 months. If the course was failed, the right to authorise the sale of restricted items was removed.
- [22] The Police evidence was that three duty managers from a Countdown store in Palmerston North were interviewed by an Environmental Health Officer. During the interview the managers advised they had been given internal company training to sell alcohol to intoxicated people to avoid any conflict in the stores. Mr Radich said that was not a policy of the company. If this was the case, they would not have alcohol licences. When asked by the Committee, he replied that he had been trying to contact the Environmental Health Officer in question but had been unsuccessful, so he has been unable to confirm the three were current, or past employees of Countdown. The issue had never been raised before. Mr Radich stated the matter was not raised with General Distributors directly and the Environmental Health Officer recently supported the renewal of a Palmerston North Countdown store.
- [23] Mr Radich produced training videos used as part of staff training for the Committee to view.
- [24] There was no policy stating there was to be no intervention. If attempts to de-escalate a situation were unsuccessful, an operator may 'leave it' but the matter was reported immediately, and the incident recorded in the in-store incident book. This policy was developed in consultation with a former Police Inspector who was the Manager: Alcohol Harm Prevention based at the New Zealand Police National Headquarters. Staff also use a live verbal reporting app available on their mobile devices. Security was employed at the store at the high-risk times of day.
- [25] The Police asked about situations when staff should remove themselves because they, or someone else, was in an unsafe situation. Mr Radich said that every situation was different. If a customer became belligerent or argumentative, staff were trained to step back and let another staff member deal with the situation. Under no circumstances was alcohol sold in those situations.
- [26] The Committee referred to a comment by Mr Radich made in relation to the premises no longer selling single unit high strength beer and had not done so since April 2022. Mr Radich

apologised because that referred to the Countdown Cumberland Street store, however, the removal of the products was slowly being implemented in other stores with a nationwide removal goal of October 2023. When asked what he considered were high strength beers, Mr Radich said anything 7% or higher ABV and in units 500ml or greater.

- [27] In response to another question relating to 'click and collect' purchases, Mr Radich said when alcohol was included in an order, the customer made an online declaration of age and when they arrive at a store to collect their order, evidence of age was required before the alcohol was handed over and, if required, an assessment made of the customers intoxication level was also undertaken. If there were concerns the alcohol was removed from the order and the customer reimbursed.
- [28] The Licensing Inspector asked about the Authority's decision [2017] NZARLA PH 257 when this premises had its licence suspended for 24 hours. Mr Radich said it was a problem with prices in a mailer sent out to residences. It was an issue with advertising generally, not the premises specifically. There had been no issues with this premises. Mr Radich further clarified in coming to their decision the Authority allowed GDL to select one premises to bear the collective punishment for the Applicant's wrongdoing.
- [29] Mr Radich was asked why the Applicant was removing the single unit sales. He said single units were not popular and did not make a significant impact on sales. They were moving to 4-packs and were working with the suppliers to achieve the goal. The Applicant was willing to remove any items that were seen as a problem by the Committee or agencies. Mr Radich reflected that reporting agencies needed only to communicate their concerns with him and GDL would consider the request. He highlighted a previous licensing inspector raised concerns about such products at their Cumberland Street site resulting in the removal of what that inspector considered problematic products. He emphasised that the bar for requests to remove products was not high and he was disappointed that the Sergeant did not approach him prior to the application to renew the licence. Currently, any product from broken packages must be repacked as 4-packs before they were put back on to the shelves.

Dr N Jackson

- [30] Dr Jackson's professional and academic career has centred on evidence-based policy and practice to reduce alcohol-related harm. Her brief of evidence was presented and accepted.
- [31] She was asked if she had seen the exterior of the Applicant's premises. Dr Jackson said she had not seen the premises and had not seen any evidence of advertising on the exterior of the premises.

Sgt S Jones

- [32] Sgt Jones is the Alcohol Harm Prevention Officer for Dunedin Police. He presented his submissions and brief of evidence, and they were accepted.
- [33] Ms Arthur-Young asked about the exhibits produced and what they represented. Sgt Jones admitted the data was 'high level' and was included to show where incidents took place where alcohol was a contributing factor. Each of the locations marked could indicate more than one incident at the location but in each case, alcohol was a contributing factor. In response to another question, he acknowledged the data did not show where the alcohol was purchased, or the type of alcohol involved.
- [34] In response to another question, Sgt Jones said there was no evidence produced that there was external advertising at this premises but did believe the Auckland District Licensing Committee's Practice Note regarding advertising was relevant.

- [35] Sgt Jones produced the statement of the Environmental Health Officer, Mr Moss, from the Palmerston North City Council. The statement was accepted but, in the absence of the author, carried little weight.
- [36] Ms Arthur-Young highlighted the fact that the training videos used by the Applicant were not challenged by the Police and this had not been raised as an issue in the application.

CLOSING

Ms Morrison

- [37] Ms Morrison said it was encouraging to hear there were discussions taking place between the Applicant and suppliers regarding packaging of alcohol. She said anything to reduce alcohol-related harm was good, for example, the reduction of the single unit sales of high strength beer.

Sgt Jones

- [38] Sgt Jones said the Police had highlighted a number of issues including the suitability of the Applicant and their sale of high strength single units of beer. To mitigate the issues, the Police sought the inclusion of two conditions to the licence;
- a. A prohibition of the sale of single units of alcohol at or less than \$6.00 per unit
 - b. That there was to be no external advertising or promotion of alcohol.
- [39] The Police said there was caselaw available that stated there did not need to be a causal link between a premises and the harm in an area. Sgt Jones said there was a district harm strategy of which single unit sales were a part. The data from the Police system showed there was alcohol-related harm in the area and that the alcohol involved can be attributed to alcohol from this premises.
- [40] While the premises did not have advertising on the exterior of the premises, the Police believed that should not mean such a condition should not be imposed.

Ms Arthur-Young

- [41] Ms Arthur-Young said there had been no evidence produced to justify the conditions being sought by the Police. There were no public objections to the application and neither the Medical Officer of Health nor Licensing Inspector oppose the licence renewal.
- [42] The evidence presented was that the premises was a well-run, tidy supermarket with a modest 'single alcohol area' and did not use 'end-of aisle' displays. The Applicant did not engage in advertising or promoting alcohol on the exterior of the premises therefore no harm of the kind mentioned in Dr Jackson's evidence can be attributed to the store. Similarly, there was no evidence that single alcohol units sold by the Applicant contribute to any of the alcohol-related harm in the area.
- [43] Section 117 of the Act allows for discretionary conditions to be imposed by a Committee. However, the finds in *Vaudrey and Bond* ([2015] NZHC 2749) were well established: discretionary conditions must be based on fact and context specific. Any response must be proportionate to the risk and harm in an area. There must be an evidential foundation for the conditions. In this matter, no evidence had been produced. Sgt Jones said he would take any action to reduce alcohol-related harm. This was not the test for the Committee to consider.
- [44] Evidence was produced of the training undertaken by staff at the store. There had been no incidents recorded at the store and no evidence of alcohol being sold to intoxicated people. Staff can sell non-alcoholic items to people under the influence of alcohol.

- [45] There was no evidence that the store had been operated in any manner other than appropriately. General Distributors looked at best practice, especially as it related to the sale of alcohol in the community.
- [46] The conditions sought by the Police were not required in law nor were they supported by evidence. The High Court and Court of Appeal clearly spelt out the test for s.117 conditions: they must be reasonable and not inconsistent with the Act. All the cases cited by the Police were case specific and unrelated to this matter.
- [47] Ms Arthur-Young found it astounding that the suitability of the Applicant was in doubt when they were selling a legal product within the provisions of the legislation.

DECISION

- [48] The application was for the renewal of an off-licence for the premises situated at 43 Mailer Street, Dunedin, and known as "Countdown Mailer Street".
- [49] There had been no public objection and neither the Licensing Inspector nor Medical Officer of Health had any matters in opposition.
- [50] The Police opposed the renewal. They believed the sale of single serve, high strength alcohol at a cheap price, and the external advertising and promotion of alcohol, did not align with the object of the Act and adversely affected the suitability of the Applicant. The Police also cited sections 105(1)(h) and (i) with regards to the amenity and good order of the locality in which the premises was situated which were not relevant to applications to renew licences.
- [51] The Police believed the addition of two conditions to the licence: no advertising or promotion of alcohol on the exterior of the premises and no single serve sales of beer or cider in vessels 500ml or less, excluding craft beer, would mitigate their concerns.
- [52] Counsel for the Applicant pointed out it is contrary to the legislation for there to be any alcohol advertising or promotion outside the single alcohol area approved for the premises pursuant to section 114(1)(a) of the Act. The Committee agreed with counsel and found it to be unreasonable to impose a condition that replicated the law and would not consider the matter further.
- [53] Counsel also points out that sections 105(1)(h) and (i) related to new applications. This application was for the renewal of a licence. The Committee considered the criteria stated in section 131(1)(b) of the Act which related to licence renewals and amenity and good order. The Committee found there had been no evidence produced that led them to believe the amenity and good order of the locality would likely be increased, by more than a minor extent, if the licence was not renewed.
- [54] Police produced 'high level' geospatial data covering a three-year period showing the locations of incidents where alcohol was a 'contributing factor'. The data was unclear how alcohol was involved in each of the incidents and the type and volume of alcohol involved.
- [55] While the Committee had been presented high level data where alcohol had been assessed as a contributing factor by attending Police staff, the Committee was mindful of the definition of alcohol harm, namely harm caused by the excessive or inappropriate consumption of alcohol. The data demonstrated alcohol as a contributing factor however did not show whether the harm was caused by inappropriate or excessive consumption. The Committee was also mindful of the Wellington Lion Liquor Retail precedent referred to by the Police.
- [56] The Committee had not been presented with any evidence to suggest the irresponsible sale of alcohol from this premises. The Police were concerned single serve units of beer and cider were drivers of harm. The Committee did not find a correlation between the sale of single

units and harm. Removing this option and 'forcing' people to purchase multiple units was, they believed, far more likely to lead to alcohol-related harm.

[57] In determining the renewal of a licence, the Committee must have regard to the following matters detailed in s.105 (1)(a) to (g), (j) and (k) and s.131(b), (c) and (d):

- a) S.105(1)(a) – object of the Act. The Committee finds the Applicant is not selling alcohol in a manner contrary to the object of the Act.
- b) S.105(1)(b) – suitability of the Applicant. The Applicant in this matter has been found to be suitable to hold an off-licence.
- c) S.105(1)(c) – local alcohol policy. The premises is compliant with the relevant parts of the Dunedin Local Alcohol Policy.
- d) S.105(1)(d) – trading days and hours. No change to the current days and hours of trade are being sought.
- e) S.105(1)(e) – design and layout of the premises. There have been no changes to the premises, and this has not been challenged.
- f) S.105(1)(f) and (g) – the sale of other goods and provision of other services. The premises is a supermarket that sells food and other items for use around a home. No other services are provided.
- g) S.105(1)(j) – systems, staff and training at the premises. This premises is part of a national chain of supermarkets and comes under their national training and staffing guidelines.
- h) S.131(1)(b) – amenity and good order. No evidence was produced that leads the Committee to believe the amenity and good order of the locality would increase by more than a minor extent if the licence renewal was declined.
- i) S.131(1)(d) – the manner alcohol has been sold, displayed, advertised and promoted. The Committee is satisfied alcohol is being sold responsibly. The legislation is clear that the advertising and promotion of alcohol can only take place in the approved, single alcohol area. This area has not been raised during the hearing and the Applicant has not asked for the area to be changed.

[58] For a discretionary condition to be added to a licence the Committee must be satisfied it was reasonable and not inconsistent with the Act. In the absence of any compelling evidence, the Committee found the imposition of a condition relating to single unit sales of beer and cider to be unreasonable.

[59] The Committee were satisfied as to the matters to which they must have regard as set out in s.131 of the Act and therefore renew the licence until 17 April 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. The current single alcohol area would remain unchanged.

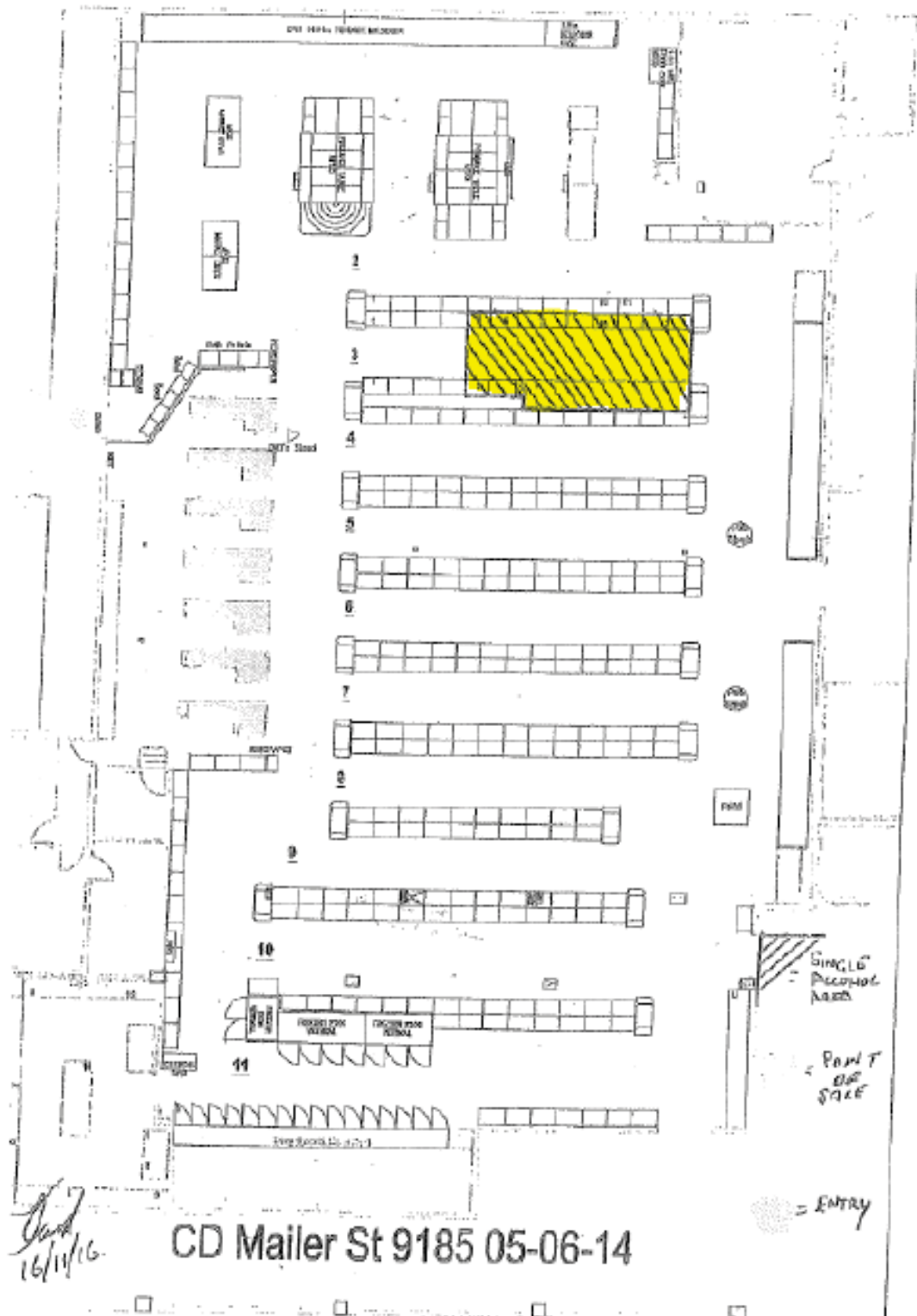
DATED at Dunedin this 13th day of October 2023

Kevin Mechen

Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Countdown Mailer Street Single Alcohol Area



IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Sri Sai Liquor Limited for renewal of an off-licence pursuant to s.127 of the Act in respect of premises situated at 111 George Street, Dunedin, and known as "Dunedin Fine Wines & Spirits"

BEFORE THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

- [1] This is an application for the renewal of an off-licence for the premises situated at 111 George Street, Dunedin, and known as "Dunedin Fine Wines & Spirits".
- [2] Public notice of the application attracted opposition from two groups, Students for Sensible Drug Policy Ōtepoti/Dunedin (SSDP) and Hold On To Your Friends (HOTYF). In their objections, they cited all ss.105 and 131 grounds relating to licence renewals and in particular the object of the Act, suitability of the Applicant, the days and hours during which the Applicant sells alcohol and the amenity and good order of the location.
- [3] While the Medical Officer of Health and Licensing Inspector did not oppose the application, the Police did oppose. Police recommended two conditions relating to single unit sale and external advertising and promotion of alcohol added to the licence.
- [4] A pre-hearing conference was convened to determine the standing of the two public objectors. The reporting agencies, Police, Medical Officer of Health and Licensing Inspector have automatic standing.
- [5] Counsel for the two Objectors argued they had standing because of the geographic proximity of their offices to the premises and that both parties had a specific interest in alcohol harm in the community. They submit they represent the interest of the student population in Dunedin.
- [6] After the pre-hearing conference the Committee set out in its minute dated 1 September 2023, that the Committee accepted both SSDP and HOTYF met the geographic proximity test for standing but they did not have an interest greater than the public generally in this specific application and therefore had no standing in this matter.
- [7] The Committee acknowledged on 30 August 2023 the Sale and Supply of Alcohol (Community Participation) Act 2023 received Royal Assent. The amended Act prescribes, where proceedings for an application have commenced but had not been determined before the

enactment of the amended Act, the Committee must apply the procedures specified in the earlier Act as if the amended Act had not been enacted. Accordingly, the Committee applied the legal test in the Sale and Supply of Alcohol Act 2012 prior to 30 August 2023 as the objection was filed and proceedings commenced prior to this date.

- [8] In a submission from the Applicant's counsel dated 29 August 2023, the Applicant had consented to the imposition of the conditions being sought by the Police. They are:
- a) No single sales of beer, cider or RTDs priced at or below \$6.00 per unit are to be sold.
 - b) No alcohol advertising or promotion on the exterior of the premises.
- [9] The Committee are satisfied that all material matters arising from the Police objection may be considered satisfied by the imposition of the two conditions. The Police confirmed their opposition could be withdrawn if the two conditions are added to the licence and that a public hearing would not be required.
- [10] There being no other matters for the Committee the application was considered without a hearing.
- [11] The Committee is satisfied with the matters to which they must have regard as set out in s.131 of the Act. The abovementioned conditions, by consent, are imposed and have been added to the off-licence.
- [12] The licence is renewed until 16 July 2026, that being three from the date of expiry and authorise the issue of a replacement licence and notice of renewal.

DATED at Dunedin this 17th day of October 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 Ocean Beach Hotel Limited pursuant to s.127 of the Act for renewal of an off-licence in respect of premises situated at 134 Prince Albert Road, Dunedin, known as "Ocean Beach Hotel"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

This is an application by Ocean Beach Hotel Limited for the renewal of an alcohol off-licence in respect of their premises situated at 134 Prince Albert Road, Dunedin, and known as the "Ocean Beach Hotel".

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

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

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

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 23 September 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 9th day of October 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 Sarah Dianna McLauchlan (the “Applicant”) pursuant to s.127 of the Act for renewal of an off-licence, endorsed pursuant to s.40 of the Act, in respect of premises situated at 19 Lynwood Avenue, Dunedin, known as “The Hamper Spot”

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 Sarah Dianna McLauchlan (the “Applicant”) for the renewal of an alcohol off-licence, endorsed as a remote seller, in respect of the premises situated at 19 Lynwood Avenue, Dunedin, and known as the “The Hamper Spot”.

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 it meets the requirements for a remote seller.

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 26 September 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 9th day of October 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 Asian Garden
Hospitality Limited pursuant to s.127
of the Act for renewal of an on-
licence in respect of premises
situated at 678 George Street,
Dunedin, known as “Buddha Stix
Restaurant”

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

This is an application by Asian Garden Hospitality Limited for the renewal of an alcohol on-licence in respect of their premises situated at 678 George Street, Dunedin, and known as the “Buddha Stix Restaurant”.

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

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

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

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 5 September 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 9th day of October 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 AND Dejavu Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 115 Stuart Street, Dunedin, known as "Déjà Vu Eats"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

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

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 2 September 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 20th day of October 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 Ocean Beach Hotel Limited pursuant to s.127 of the Act for renewal of an on-licence in respect of premises situated at 134 Prince Albert Road, Dunedin, known as "Ocean Beach Hotel"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

This is an application by Ocean Beach Hotel Limited for the renewal of an alcohol on-licence in respect of their premises situated at 134 Prince Albert Road, Dunedin, and known as the "Ocean Beach Hotel".

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

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

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

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and therefore renew the licence until 23 September 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 9th day of October 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 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 Kim Gray's 50th Birthday Party on Saturday 25 November 2023 between 7.00 pm and 12.00 midnight. They have requested the premises be designated a supervised/restricted area for the duration of the function.

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

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

DATED at Dunedin this 24th day of October 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/208/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 Jenny Parker's 60th Birthday Party to be held on Saturday 14 October 2023 between 7.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for the duration.

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

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

DATED at Dunedin this 9th day of October 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 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 for the Otago Sports Car Club's 75th Anniversary Dinner to be held on Saturday 11 November 2023 between 7.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for the duration of the dinner.

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

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

DATED at Dunedin this 24th day of October 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 Ice Hockey Association Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 105 Victoria Road, Dunedin, and known as "Dunedin Ice Stadium"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

This is an application by Dunedin Ice Hockey Association Incorporated for a special licence for the premises situated at 105 Victoria Road, Dunedin, and known as the "Dunedin Ice Stadium".

The applicant has requested a special licence for the Adult League Finals & Prizegiving to be held on Saturday 28 October 2023 between 7.00 pm and 10.30 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.

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

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

This application was submitted very late. However, after considering the circumstances for the late submission, the Committee has accepted it on this occasion. We must remind the applicant there is no guarantee that applications received within 20 working days of an event will be processed in time.

DATED at Dunedin this 27th day of October 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 Encore Events Limited pursuant to s.138 of the act for a special licence in respect of the premises situated at 261 Tomahawk Road, Dunedin, and known as "Lochend Woolshed+

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 Encore Events Limited for a special licence for the premises situated at 261 Tomahawk Road, Dunedin, and known as "Lochend Woolshed".

The applicant has requested a special licence for a 40th Birthday Celebration to be held on Friday 10 November 2023 between 7.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for the duration of the function.

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

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

DATED at Dunedin this 24th day of October 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 the Adam's 50th Wedding Anniversary on Saturday 4 November and Sarah Dougherty's 40th Birthday Celebration to be held on Saturday 11 November 2023. Each function will run from 7.00 pm to 12.00 midnight and they have 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 24th day of October 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 for Nicola Blair's 40th Birthday Celebration to be held on Saturday 28 October 2023 between 6.00 pm and 12.00 midnight.

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

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

DATED at Dunedin this 17th day of October 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 "Green Island Rugby Club".

The applicant has requested a special licence for the Conrodders 50th Anniversary Night to be held on Saturday 21 October 2023 between 5.00 pm and 12.00 midnight.

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

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

DATED at Dunedin this 17th day of October 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 for Robyn & Samantha Dick's wedding celebration to be held on Saturday 4 November 2023 between 6.00 pm and 12.00 midnight.

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

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

DATED at Dunedin this 24th day of October 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/214/SP

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Metonymic Trust pursuant to s.138 of the act for a special licence in respect of the premises situated at 1 Grey Street, Port Chalmers, and known as "Port Chalmers Town Hall"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

This is an application by Metonymic Trust for a special licence for the premises situated at 1 Grey Street, Port Chalmers, and known as the "Port Chalmers Town Hall".

The applicant has requested a special licence for the 'Lines of Flight Music Festival' to be held on Friday 27 October and Saturday 28 October 2023 between 7.00 pm and 12.00 midnight on each of the evenings. They have requested the premises be designated a supervised area for the duration of the festival.

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 24th day of October 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 Middlemarch Bowling Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 26 Swansea Street, Middlemarch, and known as "Middlemarch Bowling Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

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

The applicant has requested a special licence for a series of Bowls Practice, Membership Drive with Social Evenings and Community Challenge to be held on:

Friday 10 November 2023	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Friday 24 November 2023	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Friday 15 December 2023	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Wednesday 27 December 2023	1.00 pm to 9.00 pm	Community Bowls Challenge
Friday 12 January 2024	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Friday 19 January 2024	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Friday 2 February 2024	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Friday 9 February 2024	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Friday 16 February 2024	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Friday 1 March 2024	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Friday 15 March 2024	5.00 pm to 10.00 pm	Bowls Practice & membership drive
Friday 12 April 2024	5.00 pm to 6.30 pm	Bowls Practice & membership drive

They have requested the premises be designated a supervised area for the duration of each list event.

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

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

DATED at Dunedin this 24th day of October 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 Middlemarch Bowling Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 26 Swansea Street, Middlemarch, and known as "Middlemarch Bowling Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

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

The applicant has requested a special licence for a series of Tournaments and Club Days during the 2023/2024 Season. The following table outlines the dates and times that apply to this licence:

Wednesday 1 November 2023	1.00 pm to 6.30 pm	Bowls
Saturday 4 November 2023	1.00 pm to 6.30 pm	Bowls
Wednesday 6 December 2023	1.00 pm to 6.30 pm	Bowls Tournament
Thursday 7 December 2023	10.00 am to 10.00 pm	Bowls Tournament
Saturday 9 December 2023	1.00 pm to 7.00 pm	Bowls
Wednesday 24 January 2024	12.00 midday to 6.30 pm	Bowls
Saturday 27 January 2024	1.00 pm to 6.30 pm	Bowls
Sunday 28 January 2024	9.30 am to 10.00 pm	Bowls Championship Singles
Sunday 4 February 2024	9.30 am to 10.00 pm	Bowls Tournament
Wednesday 6 March 2024	1.00 pm to 6.30 pm	Bowls
Thursday 4 April 2024	1.00 pm to 6.30 pm	Bowls
Saturday 13 April 2024	1.00 pm to 6.30 pm	Bowls

They have requested the premises be designated a supervised area for the duration of the days.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern regarding the licence itself. They have, however, commented that the club may wish to consider obtaining its own club licence and cited s.41 of the Act which states *“A special licence must not be issued in circumstances where (in the opinion of the licensing committee concerned) it would have been more appropriate for the applicant to apply for a club licence...”* the club may wish to consider this going forward.

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 24th day of October 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 The NZ Federation of Young Farmers Clubs Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 22 Garthmyl Road, Middlemarch, and known as "The Stables"

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 NZ Federation of Young Farmers Clubs Incorporated for a special licence for the premises situated at 22 Garthmyl Road, Middlemarch, and known as "The Stables".

The applicant has requested a special licence for the event Strath Taieri Young Farmers Social to be held on Saturday 14 October 2023 between 7.30 pm and 1.30 am the following day. They have requested the premises be designated a supervised area for the duration of the social.

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 9th day of October 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 Loboski
Hospitality Services Limited pursuant
to s.138 of the act for a special
licence in respect of the premises
situated at 10 Clarendon Street,
Dunedin, and known as “Ombrellos
Kitchen & 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 Loboski Hospitality Services Limited for a special licence for their premises situated at 10 Clarendon Street, Dunedin, and known as “Ombrellos Kitchen & Bar”.

The applicant has requested a special licence to host a Beerfest Brewers Night to be held on Friday 3 November 2023 from 12.00 midnight to 1.00 am the following day. They have requested the premises be designated a supervised area for the evening.

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

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

DATED at Dunedin this 9th day of October 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 Racing Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 285 Gladstone Road North, Wingatui, and known as "Wingatui Racecourse"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

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

The applicant has requested a special licence for two weddings. The first to be held is the Barringer wedding on Saturday 21 October 2023 between 12.00 midday and 12.00 midnight. The second is the Cook wedding to be held on Saturday 28 October 2023 between 12.00 midday and 12.00 midnight.

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

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

DATED at Dunedin this 17th day of October 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 Racing
Club Incorporated pursuant to s.138
of the act for a special licence in
respect of the premises situated at
285 Gladstone Road North, Wingatui,
and known as “Wingatui
Racecourse”

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

This is an application by Otago Racing Club Incorporated for a special licence for their premises situated at 285 Gladstone Road North, Wingatui, and known as the “Wingatui Racecourse”.

The applicant has requested a special licence for the Larger Race Meetings to be held on:

Friday 8 December 2023	2.00 pm to 11.00 pm	<i>Forbury Park Trotting Club</i>
Saturday 3 February 2024	11.00 am to 8.00 pm	<i>White Robe Lodge Day</i>
Sunday 2 June 2024	11.00 am to 8.00 pm	<i>Rugby at the Races</i>

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 9th day of October 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 Racing Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 285 Gladstone Road North, Wingatui, and known as "Wingatui Racecourse"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

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

The applicant has requested a special licence for the Melbourne Cup Day 2023 to be held on Tuesday 7 November 2023 between 11.00 am and 8.00 pm.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. There will be an Alcohol Management Plan in place to be followed through the day. 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 9th day of October 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 Racing Club Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 285 Gladstone Road North, Wingatui, and known as "Wingatui Racecourse"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

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

The applicant has requested a special licence for a series of small race meetings to be held on the following days:

Thursday 19 October 2023	11.00 am to 6.00 pm	Halloween Raceday
Sunday 28 April 2024	11.00 am to 6.00 pm	Pink Ribbon Day
Saturday 25 May 2024	11.00 am to 6.00 pm	Winter Warmer Raceday
Sunday 30 June 2024	11.00 am to 6.00 pm	ORC members Raceday

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 9th day of October 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 Pop Up Productions NZ Limited pursuant to s.138 of the act for a special licence in respect of the premises situated at 31 Albany Street, Dunedin, and known as "The Playhouse Theatre"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

This is an application by Pop Up Productions NZ Limited for a special licence for the premises situated at 31 Albany Street, Dunedin, and known as "The Playhouse Theatre".

The applicant has requested a special licence for the Spring Awakening performances to be held on the following days:

Wednesday 01 November 2023	6.00 pm to 11.30 pm	Student Preview Night
Thursday 02 November 2023	6.00 pm to 11.30 pm	
Friday 03 November 2023	6.00 pm to 11.30 pm	
Saturday 04 November 2023	6.00 pm to 11.30 pm	
Sunday 05 November 2023	3.00 pm to 8.30 pm	Matinee
Wednesday 08 November 2023	6.00 pm to 11.30 pm	
Thursday 09 November 2023	6.00 pm to 11.30 pm	
Friday 10 November 2023	6.00 pm to 11.30 pm	
Saturday 11 November 2023	6.00 pm to 11.30 pm	

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

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

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

DATED at Dunedin this 24th day of October 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 Robert Vinson
Milne (the “Applicant”) pursuant to
s.138 of the act for a special licence
in respect of the premises situated at
1 Grey Street, Port Chalmers, and
known as “Port Chalmers Town Hall”

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

This is an application by Robert Vinson Milne (the “Applicant”) for a special licence for the premises situated at 1 Grey Street, Port Chalmers, and known as the “Port Chalmers Town Hall”.

The applicant has requested a special licence for The Mentallist Collective Album Release to be held on Saturday 21 October 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.

DATED at Dunedin this 9th day of October 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 Rudd House Brewery 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 Rudd House Brewery 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 has developed a boutique brewery and has sought a special licence for the Otago Farmers' Market. The dates covered by this licence are the following Saturday mornings between 7.30 am and 12.30 pm each day:

2 December 2023	6 January 2024	3 February 2024
9 December 2023	13 January 204	10 February 2024
16 December 2023	20 January 2024	
23 December 2023	27 January 2024	
30 December 2023		

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 24th day of October 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 853 Portobello Road, Portobello, and known as "Coronation 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 853 Portobello Road, Portobello, and known as the "Coronation Hall".

The applicant has requested a special licence for the Dead Rockers Ball Portobello (Halloween Edition) to be held on Saturday 28 October 2023 between 7.30 pm and 11.15 pm. They have requested the premises be designated a restricted area for the duration of the ball.

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 17th day of October 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 Lana Tall & Hayden Wilkinson's Engagement Party to be held on Saturday 14 October 2023 between 7.00 pm and 12.00 midnight. They have requested the premises be designated a supervised area for the duration of the function.

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

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

DATED at Dunedin this 9th day of October 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/204/SP

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 to host the 'Wine Community' tastings to be held on Sunday 26 November 2023 between 11.00 am and 9.00 pm. They have requested the premises be designated a supervised area for the duration of the day.

The reporting agencies (Police, Medical Officer of Health and Licensing Inspector) have not raised any matters of concern. The tastings will take an hour for each group with very limited tasting sizes. The club's bar will not be operating on this day. 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 9th day of October 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 Kilda Life Saving Club 1939 Incorporated pursuant to s.138 of the act for a special licence in respect of the premises situated at 25 John Wilson Ocean Drive, Dunedin, and known as "St Kilda Surf Lifesaving 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 Kilda Life Saving Club 1939 Incorporated for a special licence for their premises situated at 25 John Wilson Ocean Drive, Dunedin, and known as the "St Kilda Surf Lifesaving Club".

The applicant has requested a special licence for a series of events over the 2023/24 season. The following schedule outlines the days and times during which this special licence shall apply:

Saturday 04 November 2023	5.00 pm to 12.00 midnight	Open Day
Friday 24 November 2023	5.00 pm to 12.00 midnight	Wine & Cheese Night
Saturday 09 December 2023	5.00 pm to 12.00 midnight	Santa Pub Crawl
Saturday 16 December 2023	5.00 pm to 12.00 midnight	Christmas Do
Saturday 20 January 2024	5.00 pm to 12.00 midnight	Dress like Bricey
Sunday 28 January 2024	5.00 pm to 12.00 midnight	IRB Interclub Prize Giving
Sunday 18 February 2024	5.00 pm to 12.00 midnight	South Island Sands After Do
Saturday 24 February 2024	5.00 pm to 12.00 midnight	Otago IRB Champs Prize Giving
Saturday 02 March 2024	5.00 pm to 12.00 midnight	IRB After Do
Saturday 09 March 2024	5.00 pm to 12.00 midnight	Darts Competition Night
Sunday 24 March 2024	5.00 pm to 12.00 midnight	IRB After Do
Saturday 11 May 2024	5.00 pm to 12.00 midnight	Prize Giving

They have requested the premises be designated a supervised area for the duration of each session.

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 these events 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 17th day of October 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 Tee Box Limited pursuant to s.138 of the act for a special licence in respect of the premises situated at 128 Crawford Street, Dunedin, and known as "Tee Box"

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 Tee Box Limited for a special licence for the premises situated at 128 Crawford Street, Dunedin, and known as "Tee Box".

The applicant has requested a special licence for the Opening Night of 'Tee Box - Indoor Virtual Golf Centre' to be held on Friday 13 October 2023 between 5.30 pm and 9.30 pm. They have requested the premises be designated a restricted area for the duration of the event.

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

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

DATED at Dunedin this 9th day of October 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.138 of the act for a special licence in respect of the premises situated at 730 Cumberland Street, Dunedin, and known as "Physics Department, Science 3 Building"

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 University of Otago Science Department for a special licence for their premises situated at 730 Cumberland Street, Dunedin, and known as the "Physics Department, Science 3 Building".

The applicant has requested a special licence for two Science 3 Happy Hours to be held on Friday 27 October 2023 and Friday 1 March 2024 between 5.30 pm and 8.30 pm on each occasion. They have requested the premises be designated a supervised area for the duration of each evening.

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

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

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

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 24th day of October 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 Zingari-
Richmond Football Club Incorporated
pursuant to s.138 of the act for a
special licence in respect of the
premises situated at 40 Eglinton
Road, Dunedin, and known as
"Zingari-Richmond Football Club"

DECISION OF DUNEDIN DISTRICT LICENSING COMMITTEE

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

DECISION

This is an application by Zingari-Richmond Football Club Incorporated for a special licence for their premises situated at 40 Eglinton Road, Dunedin, and known as the "Zingari-Richmond Football Club".

The applicant has requested a special licence for a club Quiz Night to be held on Friday 27 October 2023 between 7.00 pm and 10.00 pm.

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

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

DATED at Dunedin this 24th day of October 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 Best Café Limited
for a temporary authority authorising
the holder to carry on the sale and
supply of alcohol pursuant to s.136 of
the Act in respect of premises situated
at 30 Stuart Street, Dunedin, and known
as “Best Café”

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Commissioner C Weatherall

DECISION

This is an application by Best Café Limited an order allowing them to carry on the sale and supply of alcohol pursuant to the underlying licence no. 069/ON/08/2017 in respect of premises situated at 30 Stuart Street, Dunedin, and known as the “Best Café”.

The premises will continue to operate as the “Best Café”.

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

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

The Committee is satisfied that the applicant will operate the premises properly and therefore issues an order authorising the applicant to carry on the sale and supply of alcohol, under the same conditions as were granted initially, for a period of three months from 1 November 2023.

DATED at Dunedin this 27th day of October 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE

Decision No. 2023/26/TA

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Aaravyaan 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 57 Musselburgh Rise, Dunedin, and
known as "Indian Dhaba"

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Commissioner C Weatherall

DECISION

This is an application by Aaravyaan Limited for an order allowing them to carry on the sale and supply of alcohol pursuant to the underlying licence no. 069/ON/19/2023 in respect of premises situated at 57 Musselburgh Rise, Dunedin, and known as the "Indian Food Plaza".

The premises is now operating as "Indian Dhaba".

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

The Licensing Inspector advises that there have been no issues of concern raised in relation to the premises. The applicant has experience operating restaurants, but they have not been licensed. An experienced duty manager is being employed.

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 12 October 2023.

DATED at Dunedin this 12th day of October 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 FJS Love 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 497
Portobello Road, Macandrew Bay, and
known as “Macandrew Bay Store”

DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE

Chairperson: Ms K Lane

DECISION

This is an application by FJS Love Limited for an order allowing them to carry on the sale and supply of alcohol pursuant to the underlying licence no. 069/OFF/26/2017 in respect of the premises situated at 497 Portobello Road, Macandrew Bay, and known as the “Macandrew Bay Store”.

The premises will continue to operate as the “Macandrew Bay Store”.

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

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 30 October 2023.

DATED at Dunedin this 27th day of October 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 C Weatherall

DECISION

This is an application by Dunedin Hospitality Limited a second 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 premises situated at 2 Prince Albert Road, Dunedin, and known as the "St Kilda Tavern".

The premises is continuing to trade using this name.

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

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 tavern.

The Committee is satisfied that the applicant will operate the premises properly and therefore issues a second order authorising the applicant to carry on the sale and supply of alcohol, under the same conditions as were granted initially, for a period of three months from 21 October 2023.

DATED at Dunedin this 17th day of October 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 C Weatherall

DECISION

This is an application by Dunedin Hospitality Limited for a second 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 premises continues to operate under this name.

The general nature of the business to be undertaken is that of an off-licence associated with a tavern.

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 tavern.

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 further period of three months from 21 October 2023.

DATED at Dunedin this 17th day of October 2023

Kevin Mechen
Secretary

DUNEDIN DISTRICT LICENSING COMMITTEE