

Notice of Meeting:

I hereby give notice that an ordinary meeting of the District Licensing Committee will be held on:

Date: Friday 18 February 2022
Time: 10.00 am
Venue: Edinburgh Room, Municipal Chambers, the Octagon, Dunedin

Sandy Graham
Chief Executive Officer

District Licensing Committee**New World Gardens – Opposed Off-Licence Application****PUBLIC AGENDA**

MEMBERSHIP**Chairperson**

Colin Weatherall

Members

Rakei Amohau
Karen Elliot

Senior Officer

Kevin Mechen, Secretary, District Licensing Committee

Governance Support Officer

Lynne Adamson

Lynne Adamson
Governance Support Officer

Telephone: 03 477 4000
Lynne.Adamson@dcc.govt.nz
www.dunedin.govt.nz

Note: Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

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1 APOLOGIES

At the close of the agenda no apologies had been received.

2 CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

PART A REPORTS

REPORT FOR OPPOSED OFF-LICENCE: "NEW WORLD GARDENS", 6 NORTH ROAD, DUNEDIN – FROM SECRETARY, DISTRICT LICENSING COMMITTEE

Department: Civic

APPLICATION DESCRIPTION

Applicant's Name:	Basnef Limited
Site Address	6 North Road, Dunedin
Trading Name:	New World Gardens
Style of Licence	Supermarket
Application Number	OFF-10-2021
Date received by Council	07 October 2021

EXECUTIVE SUMMARY

- 1 This is a report for an application for a new off-licence for the premises situated at 6 North Road, Dunedin, and known as "New World Gardens". The criteria found at section 105 of the Sale and Supply of Alcohol Act 2012 (the Act) apply to this application.
- 2 The applicant is not seeking any changes to the current licence.
- 3 There has been no public opposition to the application. Neither of the reporting agencies have opposed this application. However, the Licensing Inspector opposes this application.

APPLICANT AND APPLICATION

- 4 The Directors and Shareholders of the applicant company, Basnef Limited, have owned and/or operated New World supermarkets for the past 15 years.
- 5 The applicant took possession of the New World Gardens on 01 November 2021. They are not seeking any changes from the current licence, including the single alcohol area required for supermarkets.
- 6 The hours sought are Monday to Sunday, 7.00 am to 10.00 pm. These are the same as the current licence, although the premises usual trading time is 7.30 am to 9.00 pm.

PUBLIC NOTICE

- 7 The application was publicly notified in the Otago Daily Times on 13 and 20 October 2021. No objections were received from the community.

Opposition

- 8 Neither the Police nor Medical Officer of Health opposed the application. However, the Licensing Inspector has concerns and therefore opposed the grant of the licence.
- 9 When the premises was visited by the reporting agencies during the licensing process the Inspector noted there were several 500 ml imported, high percentage alcohol beers on display for sale. They included beers with 12% alcohol by volume and were being sold as individual 500 ml cans.
- 10 The Inspector believes it is inappropriate for supermarkets to sell these types of products, especially in the North Dunedin area which is an area of high-risk with respect to alcohol related harm.

COMMENT

- 11 The applicant was sent a copy of the opposition report. They advised that after reviewing the sales of these products most have been, or will be, removed. Those that are part of the New World Group range must be stocked as part of the franchise agreement.

CONCLUSION

- 12 The Committee has asked for the matter to be heard so they may gain an understanding of the product the Inspector's concerns and to get a commitment from the applicant that where possible, such products will not be made available in the future.

Signatories

Author:	Kevin Mechen - Secretary, District Licensing Committee
Authoriser:	

Attachments

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PUBLIC NOTICE

Section 101(a), Sale and Supply of Alcohol Act 2012

Basnef Limited has made application to the District Licensing Committee at Dunedin for the grant of an Off Licence number OFF-10-2021 in respect of the premises situated at 6 North Road Dunedin and to be known as Gardens New World.

The general nature of the business to be conducted under the licence is Supermarket.

The applicant seeks the licence on the following hours:

Monday to Sunday from 7.00 am to 10.00 pm

First publication date: Wednesday, 13 October 2021

Second publication date: Wednesday, 20 October 2021

Objections Close 5:00 pm Wednesday, 3 November 2021

- The application may be inspected during ordinary office hours at the office of the Dunedin District Licensing Committee at 50 The Octagon, Dunedin, or on-line at www.dunedin.govt.nz/alcohol-applications
- No objection to the issue of a licence may be made in relation to a matter other than a matter specified in section 105(1) of the Sale and Supply of Alcohol Act 2012
- Any person who is entitled to object and who wishes to object to the issue of the application may, not later than 15 working days after the date of the first publication of this notice, file a notice in writing of the objection with the Secretary of the Dunedin District Licensing Committee at 50 The Octagon, PO Box 5045, Dunedin 9058

Application for an Off-Licence

Incomplete applications will not be processed

- The application must be accompanied by the correct fee (see page 2)
- When a licence has been granted it will not be issued until the Annual Fee has been paid
- Administration will notify the public of this application via the Dunedin City Council website and the Otago Daily Times (advertising is included in the application fee). The contact person will be emailed a copy of the public notice to be displayed on the premises
- If you have any queries while completing this form please contact Administration on 03 474 3481 or email dla@dcc.govt.nz

Please read and complete the following checklist before submitting the application

- Planning & Building Certificates ☐
- Certificate of Incorporation (or equivalent document) ☒
- Written statement from the owner of the building or property giving you approval to sell alcohol from the premises ☒
An email is acceptable, this can be sent to dla@dcc.govt.nz with the name of the premises and applicant included as a reference
- **Supermarket or Grocery Stores** must provide a **scale floor plan** showing the single area and any sub area for the display and promotion of alcohol ☒
- **All other premise types** must provide a **scale floor plan** of the premises showing the principal entrance, and the areas where alcohol is to be sold, with an indication of whether the area is to be:
 - Undesignated - anyone of any age allowed
 - Supervised - minors must be with their parent/guardian
 - Restricted - R18
- Location map showing location of 'sensitive' locations (e.g., school, early childhood facilities, hospitals, churches, etc.) together with a Risk Mitigation plan detailing how you will ensure impact upon the community will be minimised (e.g. control of noise and litter; parking; dispersal of patrons) ☒
- Copy of Host Responsibility Policy ☒
- If the application is for a **Grocery Store** you will also need to complete a Statement of Projected Annual Sales Revenue Declaration and have it **verified by a chartered accountant** ☐
- Letter of authorisation for a consultant where a consultant is completing form ☐

Calculate your fee

Find your premise type:

Type of premises	Points
Supermarket, grocery store, bottle store	15
Off-licence in a hotel or tavern	10
Remote sale premises or premises not otherwise specified	5
Winery cellar doors	2
Premises points	

Find the latest time you intend to sell alcohol:

Latest alcohol sales time	Points
Off licences closing before 10.00 pm or earlier	0
Off licences closing after 10.01 pm	3
Trading hours points	

Add the premises points to the trading hours points to get your total points =

Use the table below to work out the fee payable:

Total points	Risk rating	Application fee (GST Inc)	Annual Fee (GST Inc)	Total fee required
0-2	Very low	\$368.00	\$161.00	\$529.00
3-5	Low	\$609.50	\$391.00	\$1000.50
6-15	Medium	\$816.50	\$632.50	\$1449.00
16-25	High	\$1,023.50	\$1,035.00	\$2058.50
26 plus	Very high	\$1,207.50	\$1,437.50	\$2645.00

Application for Off-licence

Section 100, Sale and Supply of Alcohol Act 2012

TO the Secretary

Dunedin District Licensing Committee

Application for an Off-Licence is made in accordance with the particulars set out below:

Endorsements (tick if applicable)

- ☐ Auctioneer – s39
- ☐ Remote (internet) seller – s40

Contact Person

Full Name: Craig John Broderick

Phone No.: 03-4782850

Mobile No.: 021-860526

Email address: Craig.Broderick@newworld-si.co.nz

Postal address for documents: 9 La rue St Balduin until 3/10/21
6 North Rd, Dunedin 9010

Preferred mode of contact: Email

Details of the Applicant

Full legal name/s of the person/s or company who will receive any proceeds from alcohol sales:
Include any other names you may be known by e.g. maiden names, alias

BASNEF Limited

Applicant status please select from the below options

<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input type="checkbox"/> Body Corporate
<input type="checkbox"/> Public Company	<input checked="" type="checkbox"/> Private Company	<input type="checkbox"/> Club
<input type="checkbox"/> Trustee	<input type="checkbox"/> Local Authority	<input type="checkbox"/> Licencing Trust
<input type="checkbox"/> Government Department or other instrument of the Crown	<input type="checkbox"/> Manager under the Protection of Personal Property Rights Act 1988	<input type="checkbox"/> Board, organisation or other body

Address: 6 North Rd, Dunedin 9010
Occupation: Supermarket.
(if individual) <input type="checkbox"/> Male <input type="checkbox"/> Female <input checked="" type="checkbox"/> Other
(if individual) Applicants place and date of birth:
Postal address for documents: 9 Lanark St, Balclutha until 31-10-21 46 6 North Rd, Dunedin 9010.
Is this your principal business? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please state any other businesses:
Further details where the applicant is a company or an incorporated society
For a company (whether incorporated under the Companies Act 1993 or equivalent foreign legislation), give full legal names of directors: (use a separate sheet if necessary) Craig John Broderick Julie Helen Broderick
Where the applicant is a private company give full details of each person who holds any shares issued by the company as follows: full name, address, date of birth, place of birth, designation in company and percentage of shares held (use a separate sheet if necessary) Craig John Broderick, 9 Lanark St, Balclutha DOB [REDACTED] - Palmerston North, owner/operator Julie Helen Broderick, 9 Lanark St, Balclutha DOB [REDACTED] Greymouth, owner/operator.
Private companies please state the following: Authorised Capital: 1000 Paid up capital: 1000.

Where the applicant is a **public company** give full details of each person who holds 20 percent or more of the shares, or any particular class of shares, issued by the company, as follows: full name, address, date of birth, place of birth, designation in company (*use a separate sheet if necessary*)

Further details where the applicant is a partnership

Full details of each partner as follows: Full legal name, address, date of birth, place of birth

Signature of each partner (*use a separate sheet if necessary*)

Body Corporates please state the authority under which incorporated:

Criminal Convictions

Please state all criminal convictions against any applicants including Directors or Shareholders (*except convictions for offences to which the Criminal Records (Clean Slate) Act 2004 applies*)

Full Name	Conviction	Date of Conviction
	N/A	
<i>(Use a separate sheet if necessary)</i>		

Details of Premises

Proposed trading name: New World Gardens

Current trading name (if applicable): New World Gardens

Name of the building (if applicable):

Address of premises: 6 North St, Dunedin 9010

Does the applicant own the premises? ☐ Yes ☒ No

If "no" Full legal name and address of the owner:

Foodsuffs South Island, Ltd, 167 Main Nth Rd,
Waimiri, Christchurch 8052

A written statement is required from the owner of the building or property giving you approval to sell and supply alcohol from the premises. This can be sent to dla@dcc.govt.nz with the name of the premises and applicant included as a reference

What type of lease does the applicant have and when does it expire?

lease xx 4

Is the licence conditional on completion of building work? ☐ Yes ☒ No

If yes detail:

Does the building have a current Building Warrant of Fitness (BWOFF)? ☒ Yes ☐ No

What is the maximum occupancy of your entire premises including outside areas? 630

Please describe in detail the number and nature of the toilet arrangements e.g.: number of toilets male and female, number of urinals, unisex facilities and accessible facilities:

We Are a Supermarket, 2 toilets is available
by check outs

Fire Evacuation Declaration - Fire and Emergency Act 2017

Which of the following fire evacuation statements applies to you?

If unsure, check with Fire and Emergency New Zealand

- ☒ The owner of the building in which the premises is situated provides and maintains an evacuation scheme as required by section 76 Fire and Emergency Act 2017
- ☐ Because of the building's current use, the owner is not required to provide and maintain an evacuation scheme
- ☐ Because of the nature of the building, the owner is exempt from the requirement to provide and maintain an evacuation

Signed Date 7/10/21

Business Details

Is there a current alcohol licence for the premises? Yes ☒ No ☐ Type: On/Off/Club

Licence number: 069/0FF/18/2018 expiry: 14-12-2021

What is the general nature of the business to be conducted under the licence?

- ☐ Tavern ☐ Grocery ☒ Supermarket
- ☐ Hotel ☐ Bottle Store
- ☐ Other (specify)

Please select which days and during which hours you intend to sell alcohol:

Day	<input checked="" type="checkbox"/> Mon	<input checked="" type="checkbox"/> Tues	<input checked="" type="checkbox"/> Weds	<input checked="" type="checkbox"/> Thurs	<input checked="" type="checkbox"/> Fri	<input type="checkbox"/> Sat	<input type="checkbox"/> Sun
Start time	7am	7am	7am	7am	7am	7am	7am
End time	10pm	10pm	10pm	10pm	10pm	10pm	10pm

Is the sale of alcohol intended to be the principal purpose of the business? ☐ Yes ☒ No

If no, specify what is the principal purpose of the business?

We are a Supermarket.

Does the applicant supply or sell, or intend to supply or sell, any goods other than alcohol and food?

☒ Yes ☐ No

If yes, provide details: General Merchandise

Does the applicant provide, or intend to provide, any services other than those related to the sale or supply of alcohol or food?

☐ Yes ☒ No

If yes, provide details: _____

What designation(s) are required for the premises?

☒ Undesignated (people of any age are permitted)

☐ Supervised (people under 18 years must be accompanied by parent or legal guardian)

☐ Restricted (people under 18 years not permitted)

If different designations are required for different areas, please describe:

We are a Supermarket - There there is no designated areas

Manager Details			
Provide the below details for each manager or proposed manager			
Full Name	Date of Birth	Managers Certificate Number	Expiry Date
As Attached			

(Use a separate sheet if necessary)

Conditions

- 1) What experience and training in relation to premises licensed to sell and/or supply alcohol does the **applicant** have?

Both have been owner/operators of New World Stores for 15 years. Previously Craig was Store Manager at a new world for 5 years and Julie has worked in Restaurant/Bar for 20 years.

- 2) What steps will be taken to prevent the sale and supply of alcohol to prohibited people (minors and intoxicated people)?

Our Customer Services team are trained to spot "at risk", intoxicated and underage customers.

- 3) How does the applicant intend to train staff to ensure compliance with the Act?

We use "Red Seed" training. A training system developed by Foodstuffs South Island. All customer services are required to do the web based training course and pass the relevant tests.

- 4) What other steps does the applicant propose to promote the responsible consumption of alcohol?

All sales of liquor need to be authorised by a trained supervisor. No matter what age, we will not sell to people in school uniforms. We live by and adhere to our Most Responsibility Policies.

Signed



Date

7/10/21

Place

Balclutha





15 September 2021

The Manager
Dunedin District Licensing Agency
Dunedin City Council
Dunedin

Dear Sir/Madam

**RE: BASNEF LIMITED - GARDENS NEW WORLD – 6 NORTH ROAD, DUNEDIN – OFF
LICENCE**

As owners of the above premises, Foodstuffs (South Island) Properties Limited has no objection for a licence being applied for and granted, for the sale of liquor under the Sale & Supply of Alcohol Act 2012.

Yours faithfully

A handwritten signature in black ink, appearing to read "Clayton Young".

Clayton Young
PROPERTY MANAGER



Page 1 of 2

Company Extract

BASNEF LIMITED

3934920

NZBN: 9429030571266

Entity Type:	NZ Limited Company
Incorporated:	31 Jul 2012
Current Status:	Registered
Constitution Filed:	No
Annual Return Filing Month:	February

Ultimate holding company:	No
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Company Addresses

Registered Office

9 Lanark Street, Balclutha, 9230, NZ

Address for Service

9 Lanark Street, Balclutha, 9230, NZ

Directors

BRODERICK, Craig John

9 Lanark Street, Balclutha, Balclutha, 9230, NZ

BRODERICK, Julie Helen

9 Lanark Street, Balclutha, Balclutha, 9230, NZ

Shareholdings

Total Number of Shares:	1,000
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Extensive Shareholdings:	No
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998	2158931	BRODERICK TRUSTEE SERVICES LIMITED
		9 Lanark Street, Balclutha, Balclutha, 9230, NZ
1		BRODERICK, Craig John
		9 Lanark Street, Balclutha, Balclutha, 9230, NZ
1		BRODERICK, Julie Helen
		9 Lanark Street, Balclutha, Balclutha, 9230, NZ



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Company Extract
BASNEF LIMITED
3934920
NZBN: 9429030571266

For further details relating to this company, check <http://app.companiesoffice.govt.nz/co/3934920>
Extract generated 08 September 2021 12:35 PM NZST

Duty Managers

Gardens New World

Full Legal Name	Date of birth	Sex	Cert Number	Issue date	Expiry date
Craig John Broderick			070/Cert/7/2020	16/01/2020	24/12/2022
Julie Helen Broderick			070/CERT/23/2021	21/06/2021	21/04/2024
McKenzie Broome			Applied 8/9/21		
Victoria Jackson			069/CERT/116/2018	20/06/2018	20/06/2022
Kathleen Grace Bagge			069/CERT/43/2018	15/03/2019	19-Mar-22
Debbie Lloyd			GM/CERT/283/2014	8-Jul-14	8-Jul-21
Selena Carnahan			069/CERT/475/2016	30-Nov-16	30-Nov-23
Sudesh Jamwal			GM/069/CERT/529/2014/R	18/12/2015	18/12/2021
Kate Thompson			GM/069/CERT/516/2016	19/12/2016	19/12/2023
Vilaiporn Rojjanai			069/CERT/01/2017	10/01/2017	10/01/2024
Hannah Powell			Application being prepared this week.		

NEW ZEALAND DRIVER LICENCE
DRIVER IDENTITY INFORMATION

Surname
BRODERICK
First Names
JULIE
HELEN

CERTIFIED TRUE COPY OF A DOCUMENT
PRESENTED TO ME AS AN ORIGINAL

Signed *K.T. Seymour*
Date 12-11-20

Address

K.T. Seymour, JP
#13122
BALCLUTHA
Justice of the Peace for New Zealand

CONDITIONS C/E **NEW ZEALAND DRIVER LICENCE**
DRIVING ENTITLEMENT INFORMATION

CLASS	ENDG	ISSUED	EXPIRES
1			

CERTIFIED TRUE COPY OF A DOCUMENT
PRESENTED TO ME AS AN ORIGINAL

Signed *K.T. Seymour*
Date 12-11-20

K.T. Seymour, JP
#13122
BALCLUTHA
Justice of the Peace for New Zealand

NEW ZEALAND DRIVER LICENCE
DRIVER IDENTITY INFORMATION

Summary
BRODERICK
First Names
CRAIG
JOHN
Date of birth [REDACTED]
Licence [REDACTED]
Donor Status [REDACTED]
Address [REDACTED]

CERTIFIED TRUE COPY OF A DOCUMENT
PRESENTED TO ME AS AN ORIGINAL
Signed *K.T. Seymour*
Date *12.11.20*

K.T. Seymour, JP
#13122
BALCLUTHA
Justice of the Peace for New Zealand

NEW ZEALAND DRIVER LICENCE
DRIVING ENTITLEMENT INFORMATION

CONDITIONS C/E
CLASS/ENDO
1 [REDACTED]

CERTIFIED TRUE COPY OF A DOCUMENT
PRESENTED TO ME AS AN ORIGINAL
Signed *K.T. Seymour*
Date *12.11.20*

K.T. Seymour, JP
#13122
BALCLUTHA
Justice of the Peace for New Zealand



CLUTHA DISTRICT COUNCIL

NOTICE OF RENEWAL MANAGER'S CERTIFICATE

Sections 226 Sale and Supply of Alcohol Act 2012

CRAIG JOHN BRODERICK

Your Manager's Certificate No. 070/CERT/7/2020 is renewed.

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of Managers' Certificates, unless again renewed, this certificate expires on the:-

24th December 2022

Dated at Balclutha this 16 January 2020



Ian McCabe
For the Secretary
CLUTHA DISTRICT LICENSING COMMITTEE

This renewal replaces certificate No. 070/CERT/17/2017



CLUTHA DISTRICT COUNCIL

NOTICE OF RENEWAL MANAGER'S CERTIFICATE

Sections 226 Sale and Supply of Alcohol Act 2012

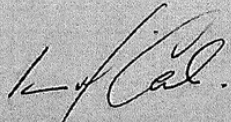
JULIE HELEN BRODERICK

Your Manager's Certificate No. 070/CERT/23/2021 is renewed.

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of Managers' Certificates, unless again renewed, this certificate expires on the:-

21st April 2024

Dated at Balclutha this 21 June 2021



Ian McCabe
For the Secretary
Clutha District Licensing Committee

This renewal replaces certificate No. 070/CERT/10/2015

8019

069/OFF/18/2018

OFF-LICENCE

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

PURSUANT to the Sale and Supply of Alcohol Act 2012, BA and NC Murray Limited is authorised to sell or deliver liquor on or from the premises situated at 6 North Road Dunedin and known as Gardens New World to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises.

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

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

CONDITIONS

This licence is subject to the following conditions:

- (a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day
- (b) Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday 7.00 am to 10.00 pm
- (c) No alcohol may be sold other than—
 - i) beer that complies with the appropriate New Zealand food standard for beer; or
 - ii) mead that complies with the appropriate New Zealand food standard for mead; or
 - iii) fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - iv) grape wine that complies with the appropriate New Zealand food standard for grape wine; or
 - v) a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
- (d) While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being provided
- (e) Only the area delineated on the attached plan is a permitted area for the display and promotion of alcohol.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence must be displayed at the principal entrance(s) to the premises as outlined in the plan received by the Dunedin District Licensing Committee on 7 November 2011. The entrance from North Road is designated as the principal entrance.

DURATION

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

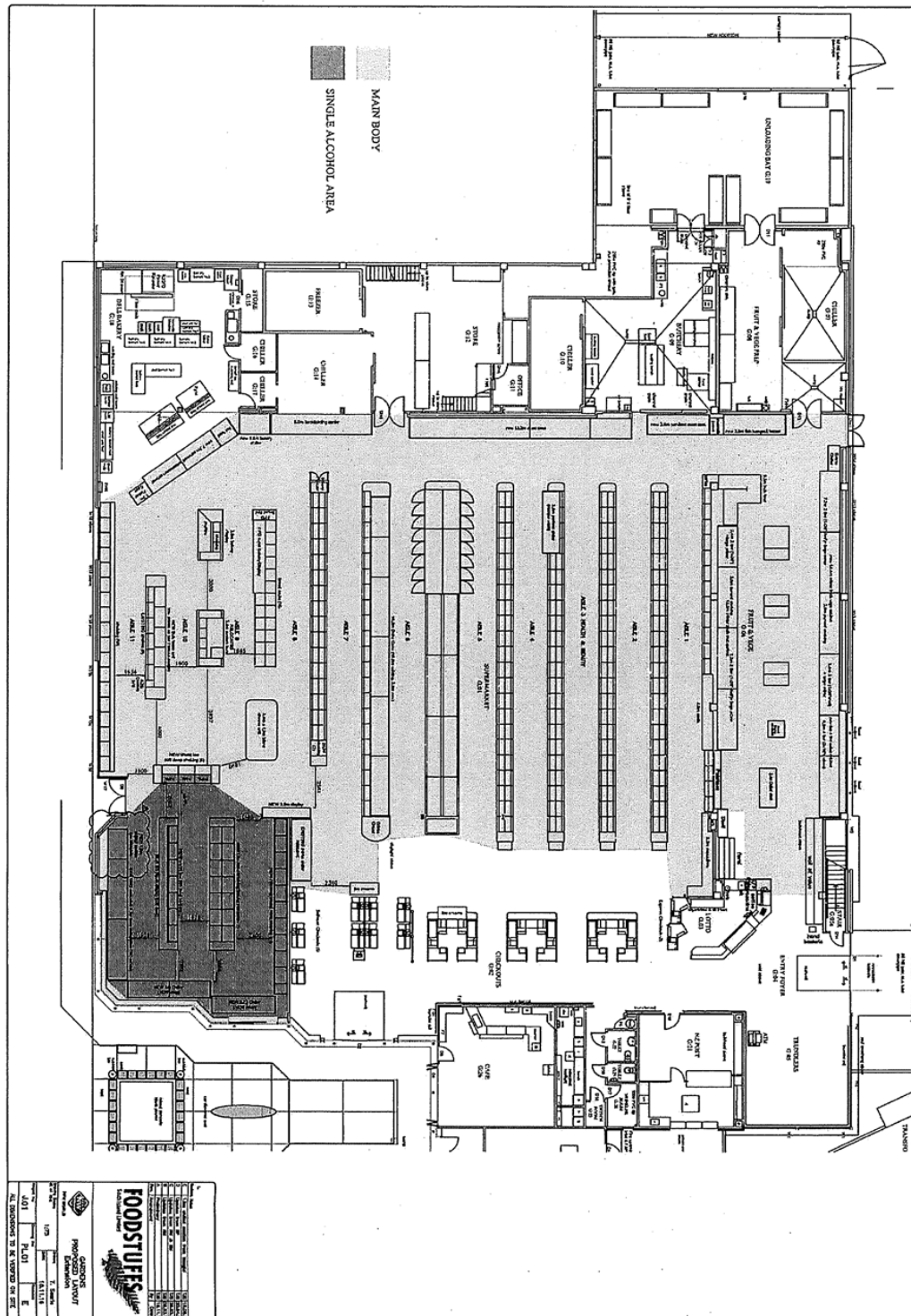
- (a) either -
 - i) until the close of the period for which it was last renewed; or
 - ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the certificate is duly made before the certificate would otherwise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

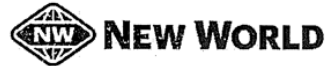
ORIGINALLY DATED at Dunedin this 14th day of December 2011

Kevin Mechen
Kevin Mechen
Secretary
DUNEDIN DISTRICT LICENSING COMMITTEE

NOTE: This licence is renewed and reprinted on 14 February 2019

This licence expires on the 14th day of December 2021





HOST RESPONSIBILITY POLICY

1. MINORS

- All staff are conversant with the requirements of the Sale and Supply of Alcohol Act 2012, which prohibits the sale of alcohol to persons under the age of 18 years. An authorised Duty Manager appointed pursuant to section 212 of the Act will be on duty and present in the check-out area at all times alcohol is being sold unless there are exceptional circumstances, in which case a replacement authorised Duty Manager must be present in his or her place as soon as practicable.
- Signage is displayed on the premises stating minors will not be served.
- Staff may require any person appearing to be under the age of 25 years to produce proof of identification.
- The accepted forms of identification are: photo NZ drivers licence, passport, 18+ card, Kiwi Access card. Identification will be requested where any doubt as to age exists.
- Where proof of age cannot be produced and doubt exists as to age sales will not be made to that person.
- New World will not sell alcohol to anyone in school uniform even if that person shows valid identification proving they are aged 18 or over.

2. INTOXICATION

- All staff are aware that the Sale and Supply of Alcohol Act 2012 prohibits the sale of alcohol to intoxicated persons and the presence of intoxicated persons on licensed premises.
- Signage is displayed on the premises stating intoxicated persons will not be served.
- Staff have been trained in how to recognise the signs of intoxication.
- Alcohol will not be sold to any person displaying signs of intoxication.

3. NON-ALCOHOLIC AND LOW-ALCOHOL BEVERAGES

- A range of non-alcoholic and low-alcohol beverages are available for purchase.

4. LIQUOR PROMOTIONS

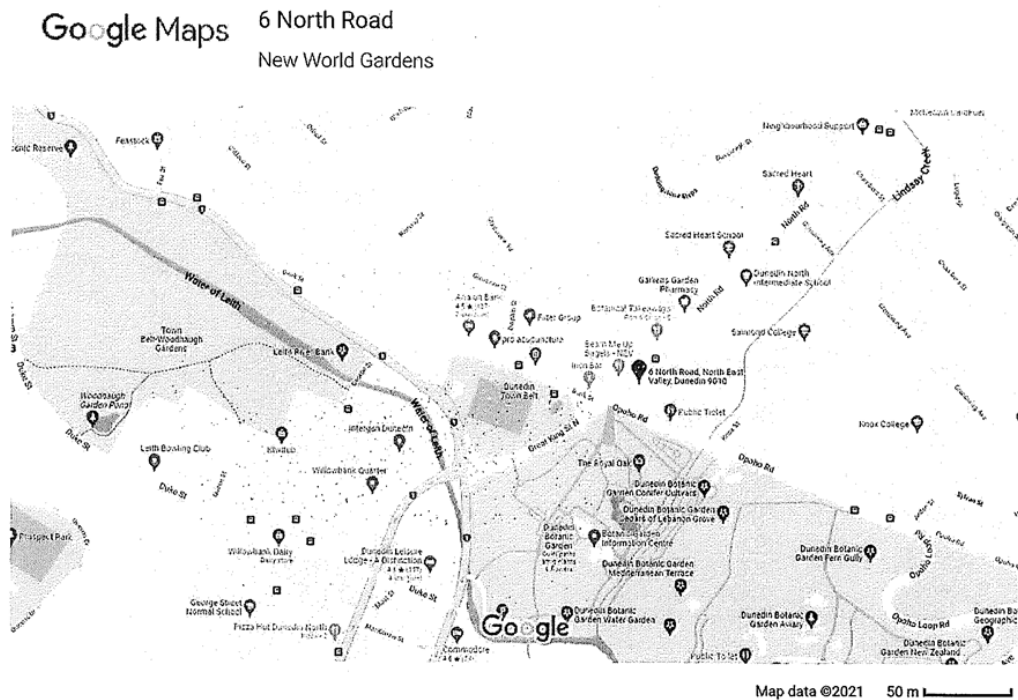
- New World does not condone the excessive consumption of alcohol, and encourages you to drink responsibly.
- No promotions encouraging the rapid consumption of alcohol or consumption of an excessive volume of alcohol will be either initiated or conducted on these premises.

Refusal of service should be viewed as an indication we are concerned for your welfare. It is pointed out that staff must comply with their legal obligations under the Sale and Supply of Alcohol Act 2012

Thank you for your support and patronage

04/10/2021

6 North Road - Google Maps



6 North Road

North East Valley
Dunedin 9010



Directions



Save



Nearby



Send to your
phone



Share



4GW9+2Q Dunedin

Photos

<https://www.google.com/maps/place/6+North+Road,+North+East+Valley,+Dunedin+9010/@-45.8548905,170.5172981,17z/data=!3m1!1e4m5!3...> 1/2

INSPECTOR'S REPORT ON LICENCE APPLICATION

Applicant	BASNEF LIMITED
Trading Name	New World Gardens
Address of premises	6 North Road Dunedin
Type of licence	Off licence
Pathway number	OFF-10-2021
Application type	New application
Date of application	7 October 2021
Interviewee	Craig Broderick
Date of interview	4 November 2021

Applicant details

BASNEF LIMITED
Company number: 3934920
NZBN: 9429030571266
Incorporation Date: 31 Jul 2012
Company Status: Registered
Entity type: NZ Limited Company

Craig John BRODERICK and Julie Helen BRODERICK are the directors, and the directors and shareholders of BRODERICK TRUSTEE SERVICES LIMITED that are the principals behind BASNEF LIMITED.

General nature of the business (description/background/previously licensed)

New World Gardens is a supermarket situated in Dunedin North.

Site Location (zoning/surrounding uses or activities)

Suburban Centre Zone

Manager details

Current Manager's Certificate holders are

SUDESH JAMWAL
SELENA JANE CARNAHAN
KATE THOMSON
VILAIPORN ROTJANI
DEBORAH MERCIA LLOYD
MCKENZIE PEARL BROOME
HANNAH MARIE POWELL
KATHLEEN GRACE BAGGE
CRAIG JOHN BRODERICK
JULIE HELEN BRODERICK
VICTORIA ROSE JACKSON

Licensing hours sought

Monday to Sunday from 7.00 am to 10.00 pm

Are there any changes from the existing licence or Temporary Authority?

Yes. Naming protocols for the group is to now be known as "New World Gardens" rather than "Gardens New World".

Designation sought

None

Correct signage on display?

1. Copy of licence at principal entrance Yes

- | | |
|------------------------------|-----|
| 2. Duty Manager | Yes |
| 3. Prohibited persons | Yes |

Host Responsibility

1. MINORS

- All staff are conversant with the requirements of the Sale and Supply of Alcohol Act 2012, which prohibits the sale of alcohol to persons under the age of 18 years. An authorised Duty Manager appointed pursuant to section 212 of the Act will be on duty and present in the check-out area at all times alcohol is being sold unless there are exceptional circumstances, in which case a replacement authorised Duty Manager must be present in his or her place as soon as practicable.
- Signage is displayed on the premises stating minors will not be served.
- Staff may require any person appearing to be under the age of 25 years to produce proof of identification.
- The accepted forms of identification are: photo NZ drivers licence, passport, 18+ card, Kiwi Access card. Identification will be requested where any doubt as to age exists.
- Where proof of age cannot be produced and doubt exists as to age sales will not be made to that person.
- New World will not sell alcohol to anyone in school uniform even if that person shows valid identification proving they are aged 18 or over.

2. INTOXICATION

- All staff are aware that the Sale and Supply of Alcohol Act 2012 prohibits the sale of alcohol to intoxicated persons and the presence of intoxicated persons on licensed premises.
- Signage is displayed on the premises stating intoxicated persons will not be served.
- Staff have been trained in how to recognise the signs of intoxication.
- Alcohol will not be sold to any person displaying signs of intoxication.

Does the premises utilise DCC owned footpath?

No

What is the maximum occupancy number for the premises?

The Building Compliance Officer has advised that the occupancy should not exceed 630

Public Notification process

The application was advertised in the Otago Daily Times of 13 and 20 October 2021

Public Objections (interest in the application/reasons for)

None

Section 105 Criteria

In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:

(a) the object of this Act:

See Inspector's comment

(b) the suitability of the applicant: (any previous issues)

See Inspector's comment

(c) any relevant local alcohol policy:

The activity and the hours applied for comply with the 2018 Local Alcohol Policy

(d) the days on which and the hours during which the applicant proposes to sell alcohol:

Current trading hours are Monday to Sunday from 7.30am - 9.00pm

(e) the design and layout of any proposed premises:

Section 112 applies to this application. The section requires that the licence must describe one area within the premises as a permitted area for the display and promotion of alcohol. The applicant seeks that the Single Alcohol Area approved at the issue of the licence to the previous occupier be continued with.

(f) whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:

The premises is a supermarket and sells a large range of food products, ready to eat prepared food, snack food and other and other household items.

(g) whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:

None

(h) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence:

See Inspector's comments

(i) the amenity and good order of the locality

(a) Noise. There is no history of noise issues associated with the premises.

(b) Nuisance and vandalism. No issues that can be directly associated with the premises.

(c) Licensed premises in the vicinity. The nearest off licensed premises are Super Liquor Cumberland (700 metres) and the nearest supermarket is New World Centre City (2.2km)

(j) whether the applicant has appropriate systems, staff, and training to comply with the law:

(a) Building. The premises is within the Gardens Mall building that has a current BWOFF.

(b) Sale of food. The premises is not required to be registered with Dunedin City Council

(c) Fire. FENZ approval (based on Covid Level restrictions) was gained 7 October 2021

(d) Security. Yes.

(k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103

None

Inspector's comment

This report is prepared for the District Licensing Committee's consideration.

The visit to the premises on 4 November revealed that the store was retailing several 500 ml imported, high alcohol beers as per the table below

Name	Size in mls	Alcohol Content	Price	Standard Drinks	\$ per SD
Siberian Crown Lager	1000	5.3%	7.99	4.2	1.90
El Diablo Extra Strong	500	12%	5.49	4.73	1.16
Royal Dutch Post Horn	500	8.5%	4.19	3.35	1.85
Royal Dutch Premium Strong	500	12%	6.19	4.73	1.31
Folsum Cold Filtered Brew	500	8%	3.29	3.12	1.05
Bavaria 8.6 Black	500	7.9%	3.99	3.1	1.29

I believe that it is inappropriate for supermarkets to sell these types of products, particularly one is such an area of high-risk with respect to alcohol-related harm.

The object of the Act is reproduced below

4 Object

(1) The object of this Act is that—

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

I opine that the sale of these products is contrary to the object of the Act.

The applicant is constrained somewhat by the requirements of Foodstuffs to display for sale certain products. If the applicant is freely selling these high-risk products then their suitability to hold a licence must be in question.

I oppose the issue of the licence.



19 November 2021

Tony Mole
Licensing Inspector

From: [Melissa Joyce](#)
To: [Dunedin Licensing Agency](#)
Subject: No Opposition OFF-10-2021 Gardens New World
Date: Thursday, 4 November 2021 02:32:42 p.m.
Attachments: [image002.png](#)
[image004.png](#)

4 November 2021

Ref: OFF-10-2021
Application received: 7 October 2021
Applicant: Basneff Limited
Application type: New Off
Premises: Gardens New World
Premises address: 6 North Road, Dunedin

Dear DLC Secretary,

This application is not opposed.

Yours sincerely,

Aaron Whipp
Delegated by the Medical Officer of Health, under section 151 of the Sale and Supply of Alcohol Act 2012

Thanks,

Melissa Joyce | Administration Officer, Public Health Service | Southern District Health Board
Private Bag 1921, Dunedin 9054, New Zealand | Level 2, Main Block, Wakari Hospital, Taieri Road, Dunedin 9010
Office: 03 4769864 | fax: 03 4769858 | melissa.joyce@southerndhb.govt.nz



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From: [Dunedin AHPU](#)
To: [Southern FMC](#); [Dunedin Licensing Agency](#)
Subject: FW: [EXTERNAL] OFF-10-2021 - Basnef Limited, New World Gardens, 6 North Road Dunedin
Date: Monday, 11 October 2021 3:18:33 PM
Attachments: [0.png](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[OFF-10-2021 - Basnef Limited, Gardens New World, 6 North Road Dunedin.pdf](#)

Good Afternoon

Police have no objections to this application

FMC- please enter and then file

Regards

Ian

Ian Paulin
Sergeant
Team leader
Alcohol Harm Prevention Unit
Dunedin Police

P +64 03 4714980
M +64 21 1914981
E ian.paulin@police.govt.nz



From: Angie Symon <Angie.Symon@dcc.govt.nz>
Sent: Thursday, 7 October 2021 9:41 AM
To: Aaron Whipp <Aaron.Whipp@southerndhb.govt.nz>; Admin DHB <admin@phsouth.co.nz>; Alison Blair <Alison.Blair@dcc.govt.nz>; fire <OtagoRiskReduction@fireandemergency.nz>; Kevin Mechen <Kevin.Mechen@dcc.govt.nz>; Dunedin AHPU <Dunedin.AHPU@police.govt.nz>; Tanya Morrison <Tanya.Morrison@dcc.govt.nz>; Tony Mole <Tony.Mole@dcc.govt.nz>
Subject: [EXTERNAL] OFF-10-2021 - Basnef Limited, New World Gardens, 6 North Road Dunedin

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From: [Otago Risk Reduction](#)
To: [Dunedin Licensing Agency](#)
Subject: FW: OFF-10-2021 - Basnef Limited, New World Gardens, 6 North Road Dunedin
Date: Thursday, 7 October 2021 11:33:01 AM
Attachments: [0.png](#)
[image001.png](#)
[image002.png](#)
[OFF-10-2021 - Basnef Limited, Gardens New World, 6 North Road Dunedin.pdf](#)

Good morning,

There are no issues with this application from Fire and Emergency New Zealand's perspective. It is noteworthy however, that the applicant is required to complete a trial evacuation once the current alert level restrictions lower to alert level 1. Currently building owners are not required to undertake trial evacuations when a Covid-19 notice is in force and physical distancing requirements are in place. The applicant has been advised.

Regards

Kyle Johnston
Advisor Risk Reduction- Otago
85 Castle Street, Dunedin
PO Box 341, Dunedin, 9016
(C) 027 2307723
Email: Kyle.johnston@fireandemergency.nz
www.fireandemergency.nz



From: Angie Symon <Angie.Symon@dcc.govt.nz>
Sent: Thursday, 7 October 2021 9:41 am
To: Aaron Whipp <Aaron.Whipp@southernhb.govt.nz>; Admin DHB <admin@phsout.co.nz>; Alison Blair <Alison.Blair@dcc.govt.nz>; Otago Risk Reduction

<OtagoRiskReduction@fireandemergency.nz>; Kevin Mechen <Kevin.Mechen@dcc.govt.nz>;
Police <Dunedin.AHPU@police.govt.nz>; Tanya Morrison <Tanya.Morrison@dcc.govt.nz>; Tony
Mole <Tony.Mole@dcc.govt.nz>

Subject: OFF-10-2021 - Basnef Limited, New World Gardens, 6 North Road Dunedin



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21 October 2021

Craig John Broderick
BASNEF Ltd
9 Lanark Street
Balclutha 9230

Via email: craig.broderick@newworld-si.co.nz

Dear Craig Broderick,

PLANNING COMPLIANCE CERTIFICATE SALE AND SUPPLY OF ALCOHOL ACT 2012 – POL-2021-58 – 6 NORTH ROAD, DUNEDIN

Thank you for your recent application for a planning certificate for the purposes of the Sale and Supply of Alcohol Act 2012 for the premises called New World Gardens at 6 North Road, Dunedin.

Please find enclosed the planning certificate. I have also forwarded a copy of the certificate to the Council's alcohol licensing team for their information.

If you have any further queries regarding the planning certificate, please do not hesitate to contact me.

Yours faithfully


Elisabeth Boyle
Planner



**CERTIFICATE FOR THE PURPOSES OF SECTION 100(f)
OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012**

Planning Certificate Number:	POL-2021-58
Property Address:	6 North Road, Dunedin
Applicant:	BASNEF Ltd
Premises Name:	New World Gardens
Legal Description:	UNIT A DP 17477, UNIT C DP 17477 on LOT 1 DP 17086
Owner:	Otago Foundation Trust Board
Dunedin City District Plan:	Local Activity 1 Zone
Proposed Second Generation Dunedin City District Plan:	Suburban Centre Zone Hazard 2 (Flood) Overlay Zone Pedestrian Frontage Mapped Area (Primary)

The Dunedin City Council hereby certifies that the premises operating under the name New World Gardens, located at 6 North Road, Dunedin, meets the requirements of the Resource Management Act 1991 to operate as a licensed premises (off licence) as defined by the Sale and Supply of Alcohol Act 2012 for the following reason:

- The activity is permitted in the zone and complies with the relevant rules in the Proposed Second Generation Dunedin City District Plan.

Explanation

The Proposed 2GP was notified on 26 September 2015, and some of the plan's rules had immediate legal effect. In this instance, none of the relevant rules are under appeal and are therefore regarded as operative.

In the proposed 2GP, Licenced Premises are not a stand-alone activity and are always treated as secondary to another activity (and defined as *Ancillary licenced premises*). In this instance, the proposed ancillary licenced premises are considered secondary to the activity of *Food and Beverage Retail*. Food and Beverage Retail is a sub-category of *Retail*.

In terms of the Proposed Second Generation Dunedin City District Plan, the subject site is located in the **Suburban Centre Zone**. Within this zone, which is a Commercial and Mixed Use zone, Retail is a permitted activity pursuant to Rule 18.3.3.7.b (minimum car parking and vehicle loading performance standards apply). Ancillary licenced premises have the same activity status as the underlying activity pursuant to Rule 18.3.3.2.b.

The applicant intends to sell liquor between 7am and 11pm Monday to Sunday.

Advice Notes

1. This activity must comply with the operative performance standards for noise, glare, location and electrical interference outlined in the Operative Dunedin City District Plan or the Proposed Second Generation Dunedin City District Plan.
2. New signage must comply with the operative rules set out in the Operative Dunedin City District Plan or the Proposed Second Generation Dunedin City District Plan, or else obtain resource consent. The alteration to any existing sign or the erection of a new sign may require resource consent.
3. This certificate has been assessed under the Resource Management Act 1991, the Dunedin City District Plan and the Proposed Second Generation Dunedin City District Plan. It does not remove the need to comply with other legislation and Dunedin City Council regulations. These include the Dunedin City Council Local Alcohol Policy.


Elisabeth Boyle
Planner

Authorised by:



Campbell Thomson
Senior Planner

Issue Date: 21 October 2021

5 November 2021

The Secretary
Dunedin District Licensing Committee
P O Box 5045
Dunedin

Dear Sir/Madam

Building Compliance Certificate
Sale and Supply of Alcohol Act 2012
6 North Road Dunedin-New World Gardens

The above premises have been inspected by an officer of the Council for suitability for an **Off Licence** under Section 100(f) Sale and Supply of Alcohol Act 2012.

The premises contain systems, features and attributes that meet the requirements of the New Zealand Building Code to the extent required by the Building Act 2004.

The premises contain fire safety features and sanitary facilities to safely cater for a maximum of **630** people. It is the licence holder's responsibility to ensure the maximum number of people using the premise at any one time is not exceeded.

Yours faithfully



Amy Barney
Building Compliance Officer

Reference: BCC-2021-23

DCCBCA-F5-BCC-1B-v4.0

ALCOHOL LICENCE APPLICATIONS

Off-10-2021 – Basnef Limited, Gardens New World, 6 North Road, Dunedin. First notice. Closes Wednesday, 3 November 2021.

On-13-2020 – Aika and Co (2016) Limited, Indigo Room, 26 Moray Place, Dunedin. Second notice. Closes Thursday, 28 October 2021.

On-4249-2006 – Pubco Holdings Limited, The Ale House, 200 Rattray Street, Dunedin. First notice. Closes Thursday, 4 November 2021.

On-24-2021 – Distinction Leisure Lodge Dunedin Limited, Dunedin Leisure Lodge – A Distinction Hotel, 30 Duke Street, Dunedin. First notice. Closes Wednesday, 3 November 2021.

Visit www.dunedin.govt.nz/alcohol-applications for full details of the applications.

ALCOHOL LICENCE APPLICATIONS

Off-10-2021 – Basnef Limited, Gardens New World, 6 North Road, Dunedin. Second notice. Closes Wednesday, 3 November 2021.

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On-4249-2006 – Pubco Holdings Limited, The Ale House, 200 Rattray Street, Dunedin. Second notice. Closes Thursday, 4 November 2021.

Visit www.dunedin.govt.nz/alcohol-applications for full details of the application.

Kevin Mechen

From: Craig Broderick <Craig.Broderick@newworld-si.co.nz>
Sent: Thursday, 9 December 2021 05:55 p.m.
To: Kevin Mechen
Subject: RE: Off-licence application - opposed

Hi Kevin,

Thanks for your time on the phone.

Just to confirm the discussion with the Inspector when he visited the store with the Health Inspector.

1. The liquor Area is one of the best – location in store, out of main traffic flow.
 2. Concerns of the sale of 500ml cans – Too cheap - price per standard drink was the guideline he was using(I think). People only buying them to get pissed. This came across as a personal opinion. I said I have no Evidence that 500ml cans products are causing harm. I couldn't agree or disagree with him on his point. I said I can look at deleting products that are not part of the NW Group range as this is a store decision. NW Ranged products are part of my Franchise Agreement and he would need to talk to Foodstuffs about that.
- 2 products in particular were the Siberian Crown Lager 1lt & the El Diablo Extra Strong. These two products have been deleted. The Siberian is still on the shelf as it is such a slow seller it will take a number of weeks/months to sell through. The El Diablo had ok sales and has sold through(our last sale was on 19-11-2021).
Royal Dutch Post Horn – we are still stocking this but I'm happy to delete it as it also has slow sales.
Royal Dutch Premium Strong – this was deleted(last sale 28-11-2021)
Folsum Cold Filtered Brew – still stocking . Has reasonable sales. As it's not ranged with the NW group I can either look at increasing the price or deleting.
Bavaria 8.6 Black 500ml – Still stocking. Has reasonable sales. As it's ranged for the NW Group I am obliged to stock this product.
- Summary :
- Siberian Crown Lager 1lt – on Deletion
 - El Diablo Extra Strong 500ml – Deleted
 - Royal Dutch Post Horn – stocking. Will probably delete due to slow sales anyway.
 - Royal Dutch Premium Strong 500ml – Deleted
 - Folsum Cold Filtered Brew 500ml – Still Stocking. Ability to Delete or move price.
 - Bavaria 8.6 Black 500ml – Still stocking. Ranged with NW Group.

There was no conversation that there would be an objection to my Liquor Licence from the Inspectors visit. The 1st time I was aware of an issue with our licence was when I received an email about a hearing on the 19th of January.

Appreciate your time & listening.

Regards

Craig Broderick
Owner Operator
New World Gardens
P 03 473 6840
M 021 860526
E craig.broderick@newworld-si.co.nz



NEW WORLD

www.newworld.co.nz

From: Kevin Mechen [mailto:Kevin.Mechen@dcc.govt.nz]

Sent: Friday, 3 December 2021 3:07 pm

To: Craig Broderick <Craig.Broderick@newworld-si.co.nz>

Subject: Off-licence application - opposed

You don't often get email from kevin.mechen@dcc.govt.nz. [Learn why this is important](#)

CAUTION: External Sender

Hi Craig

Sorry, this week isn't going as it was planned!

I will call you on Monday but in the meantime, attached is the opposition report from the Licensing Inspector.

I will give you a on Monday morning.

Take care

Kevin

Kevin Mechen

ALCOHOL, PSYCHOACTIVE SUBSTANCES AND GAMBLING ADVISOR

SECRETARY: DISTRICT LICENSING COMMITTEE

P 03 477 4000 | **DD** 03 474 3426 | **M** 027 605 6027 | **E** kevin.mechen@dcc.govt.nz

Dunedin City Council, 50 The Octagon, Dunedin

PO Box 5045, Dunedin 9054

New Zealand

www.dunedin.govt.nz

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Thank you.