

Notice of Meeting:

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

Date: Monday 14 November 2022

Time: 09:30 am - Super Liquor Cumberland Street

Venue: Plaza Conference Room, Civic Centre, The Octagon, Dunedin

Sandy Graham Chief Executive Officer

District Licensing Committee

Renewal of Off-Licence Application – Super Liquor Cumberland Street PUBLIC AGENDA

MEMBERSHIP

Chairperson Colin Weatherall

Members Rakei Amohau

Karen Elliot

Senior Officer Kevin Mechen, Secretary, District Licensing Committee

Governance Support Officer Lauren Riddle

Lauren Riddle Governance Support Officer

Telephone: 03 477 4000 Lauren.Riddell@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 RENEWAL OF OFF-LICENCE, SUPER LIQUOR CUMBERLAND STREET – FROM SECRETARY, DISTRICT LICENSING COMMITTEE

Department: Civic

APPLICATION DESCRIPTION

Applicant's Name: Kitt Enterprises Limited

Site Address 867 Cumberland Street, Dunedin

Trading Name: Super Liquor Cumberland Street

Style of Licence Off-licence

Application Number OFF-5602-2006

Date received by Council 1 June 2022

EXECUTIVE SUMMARY

- This is a report for an application for the renewal of an off-licence for "Super Liquor Cumberland Street" situated at 867 Cumberland Street, Dunedin. The criteria found at section 131 of the Sale and Supply of Alcohol Act 2012 (the Act) apply to this application.
- The applicant is seeking to extend the footprint of the bottle store and to move the entry from the rear of the premises to the Cumberland Street frontage. There is no change to the trading hours being sought.
- There have been no public objections received. All the reporting agencies, the Police, Medical Officer of Health and Licensing Inspector have opposed the application.

APPLICANT AND APPLICATION

- 4 The applicant, Kitt Enterprises Limited, has had the premises since 2003.
- The premises was originally in the workshop space of a BP Service Station after the workshop closed. Initial access to the premises was via the front from the carpark area for the workshop. However, the entry was moved to the rear of the premises so there was no connection to the service station.



- The BP has closed and the applicant has negotiated with the owner to extend their premises into the whole building and to relocate the main entrance to the front for ease of access and for the safety of staff.
- 7 The applicant is not seeking any change to the trading hours of the premises.
- The application mentions there are plans for a proposed development on the site but there is no indication regarding the future of the applicant's store.

PUBLIC NOTICE

- 9 Public Notice of the application did not attract any objections.
- 10 However, each of the reporting agencies have submitted adverse reports.

Medical Officer of Health

- 11 The Medical Officer of Health Delegate has opposed the application because the premises is located within a population of people at particular risk of alcohol related harm. The increase in the footprint of the store will enable an increase in stock levels therefore enabling a higher turnover of alcohol. this will increase the alcohol-related harm within this population. The sections of the Act cited are:
 - a) The Object of the Act (s.105(1)(a)) is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly, and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.
 - b) The design and layout (s.105(a)(e)).
 - c) The effects of the renewal of this licence on the amenity and good order of the locality (s.106)(2)) in relation to current and possible future noise levels and nuisance and vandalism.

Police

- 12 The Police have opposed the renewal on the following grounds:
 - a) Section 105(1)(a) Object of the Act: the sale of high alcohol content, single serve alcohol cheaply does not align with the object of the Act. The premises is situated in a vulnerable community and the sale of such products, and the exposure to external advertising of alcohol, will increase alcohol-related harm.
 - b) Section 105(1)(b) Suitability of the Applicant: selling single serve, high alcohol content drinks at a cheap price puts the suitability of the applicant into question.
 - c) Section 105(1)(h) & (i) Amenity and Good Order: the area surrounding the premises has the highest calls for Police service for alcohol-related incidents in Dunedin City. Parties in Castle Street regularly spill onto the street blocking traffic. The applicant's premises is the closest source of off-licence alcohol to the problem areas.

Licensing Inspector

13 The Licensing Inspector makes similar comments to the previous two agencies. The Inspector comments that an increase of the store footprint has the potential to increase the range of product available and volume sold. At the time of the agency visit to the store, there was a very



high volume of alcohol stacked in the aisles with movement within and between aisles was limited.

- 14 The premises is situated in an area experiencing considerable alcohol-related harm. Amenity and order issues arise from the amount of alcohol consumed in the area and calls to the noise service occur on a regular basis. Rubbish is an issue and can be attributed to alcohol use.
- 15 The applicant's store is the nearest to the problem areas.

CONCLUSION

- The application before the Committee is for the renewal of an off-licence situated in the heart of the student accommodation area in North Dunedin.
- 17 They are seeking to extend their store footprint and to relocate the entrance to the Cumberland Street side of the building.
- There are plans attached to the application showing a possible redevelopment of the site. There is no timeline associated with the plans and the future of the store is not mentioned.
- 19 The reporting agencies have opposed the application.
- 20 The hearing will give the parties an opportunity to put forward their respective positions.

Signatories

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

Attachments

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Application for Off-Licence Renewal

Incomplete applications will not be processed

- The application must be accompanied by the correct fee (see page 2)
- 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

le	lease read and complete the following checklist before submitting the application	√
	 Supermarket or Grocery Stores must provide a scale floor plan showing the sir area and any sub area for the display and promotion of alcohol 	ngle 🔲
	 Location map showing location of 'sensitive' locations (e.g., school, early childhood facility 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; park dispersal of patrons) – (not required for Remote sellers) 	sure
	Copy of Host Responsibility Policy	Ġ
	 If the application is for a Grocery Store you will also need to complete a Statemer Gross Annual Sales Revenue Declaration and have it verified by a charter accountant 	
	Letter of authorisation for a consultant where a consultant is completing form	



1

Calculate your fee

Select 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	

Select 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 10.00 pm	3
Trading hours points	

Select the number of enforcement holdings and add to the points:

Number of enforcement holdings in the last 18 months	Points
None	0
1	10
2 or more	20
Enforcement points	

Add the premises points, trading hour's points and the enforcement points together to get the total:

Premises points:	Trading hours points	Enforcement points	O Total points	15

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 Renewal

Section 127, Sale and Supply of Alcohol Act 2012

TO The Secretary

Dunedin District Licensing Committee

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

Con	Contact Person				
Full N	Full Name: Tosh McCarthy				
Phone	e No.:				
	e No.: 0275 3				
Email	laddress: tosh.m	cça	rthy a xtracon	12	
Posta	I address for documents:	P. (D. Ba 164		
			W bosquel		
Prefe	rred mode of contact:	èil	hoc		
Det	tails of the Applicant				
1	legal name/s of the person/				eeds from alcohol sales:
Inclu	ide any other names you may b	e knov	vn by e.g. maiden names, alia	5	7.75
Appl	licant status please select from	n the b	elow options		
	Individual		Partnership		Body Corporate
	Public Company		Private Company	П	Club
_					
	Trustee		Local Authority		Licencing Trust
	Government Department or other instrument of the Crown		Manager under the Protection of Personal Property Rights Act 1988		Board, organisation or other body



3

Dunedin DLC - Off Licence Renewal Application - DDLC-OFFRENEW-V2-2021

Have there been any changes to the licensee status? Yes Mo
(A change would include a change of any shareholders, directors or partners)
If yes, detail changes:
Address:
Occupation:
(if individual)
(if individual) Applicants place and date of birth:
Postal address for documents:
Is this your principal business?
Please state any other businesses:

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
	NA	
(1	Ise a separate sheet if necessary)	



Dunedin DLC - Off Licence Renewal Application - DDLC-OFFRENEW-V2-2021



Details of Premises
Trading name: Super Lyonor Cumberland
Name of the building (if applicable):
Address of premises: 867 Cumbaland Si
Dunedi-
Does the building have a current Building Warrant of Fitness (BWOF)?
What is the maximum occupancy of your entire premises including outside areas?
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:
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 Show Couly Date 16.15/2



				• sale in			
Business	Details						
What is the	general natu	ire of the bu	siness condu	cted under th	ne licence?		
☐ Tav	ern		☐ Grocery ☐ Supermarket				
☐ Hot	el		■ Bottle Store				
☐ Other (specify)							
On which d	ays and durir	ng which hou	ırs do you to	sell alcohol:			
Day	□ Mon	□ Tues	□ Weds	☐ Thurs	□ Fri	□ Sat	□ Sun
Start time	10am	10an	10an	10an	10an	10an	10an
End time	Sp	8 pm.	10pm	100	10pm	10pm	bps
Will there be any changes to the current licenced hours?							
Yes No If yes, detail:							
	<i>o</i> s	Den C	revious	emo	سسسليد		
Is the sale of alcohol the principal purpose of the business?							
	oplicant supp	ly or sell any	goods other	r than alcoho	I and food?	☐ Yes	□✓No
Does the a food?	pplicant prov	ide any serv	ices other th	an those rela	ted to the sa	ale or supply	of alcohol or
Yes No If yes, provide details:							
DUNEDIN CITY C O UN C I L Accordance a reference of treats Dunedin DLC - Off Licence Renewal Application - DDLC-OFFRENEW-V2-2021							



	Manager De	etails		
Provide the below details for each manager or proposed manager				
Full Name	Date of Birth	Managers Certificate Number	Expiry Date	
Brendan Wayne	19/1/80	O69 (cert 463 2014	19/11/23	
Jade Samara J Hughes.	22/5/98	OA Ce+ 182/2019	4723	
Brandon Luke McMurdo	28/10/95	2021	renewo I odgeg	
Michael Starley Pallerson	31/10	069 (cert) 083 /2021	renewal	
(Use	a separate sheet	if necessary)		

(Use a separate sheet if necessary)
Conditions
1) What steps are taken to prevent the sale and supply of alcohol to prohibited people (minors
and intoxicated people)?
We don't run or encarage pranctions that could encarage excessive anneity, the early tool is at the a
2) How does the applicant train staff to ensure compliance with the Act?
6 Stold currently how, their Outy Manager , are
also required to complete severise and SLH train
Training is organized a cotton address of responsibility of
3) What other steps does the applicant take to promote the responsible consumption of
alcohol?
We have no alcohol , low alcohol in store
displayed and if anyone is having functions
we encourage them to provide these as well
Signed Date Place Masgaf
DUNEDIN CITY COUNCIL Dunedin DLC - Off Licence Renewal Application - DDLC-OFFRENEW-V2-2021



DUNEDIN kaunihera a-rohe o OITY COUNCIL Otepoti		DISTRICT LICENSING COMMITTEE 14 November 2022			
Mana	agers Details Co	nhoued			
Sophie May Louise	ngers Details Co 12/9/00, Overlicent/or	19/2021.	renewal lodged		
Madeon Rose Blore.	246/a Osalce+/16	3 2021	26/11/22.		
BIG E.					



If a variation, which licence conditions do you wish to change?
Increase the footpart to encompase
the previous BP area as it is now absed.
Full reason for the variation or cancellation: Entrance would revert back to the front of
the building. With the closure of the source
station the amount of vehicles on sile has
decreased.



PREMA HOLDINGS LTD POBOX43 **DUNEDIN**

0274730914

greg@gjpaterson.co.nz

16 May 2022

DLA **Dunedin City Council** P O Box 5045 **DUNEDIN 9054**

Dear Sir/Madam

RE: 867 CUMBERLAND STREET DUNEDIN

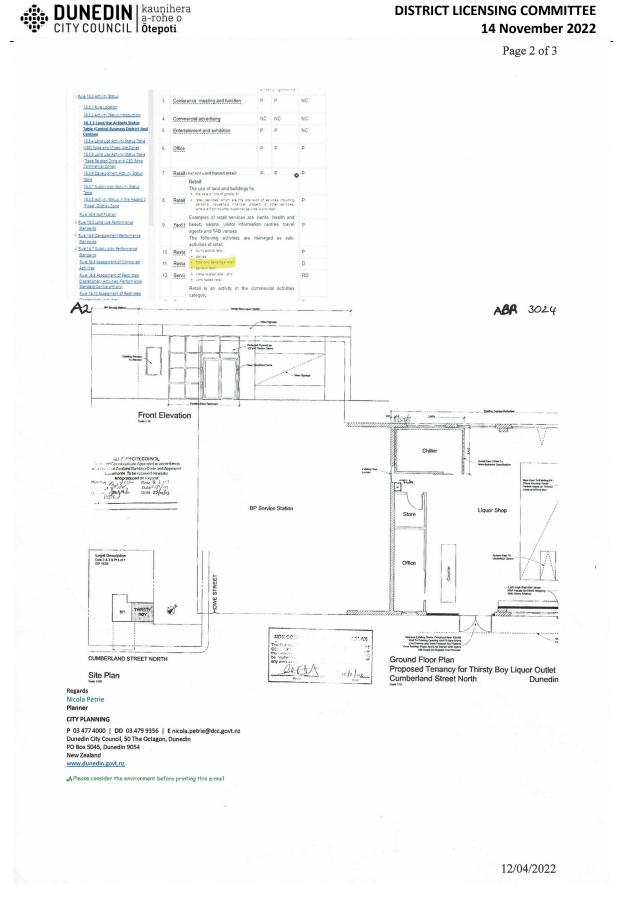
I confirm I am the owner of the above site.

My tenant Kitt Enterprises Limited is wanting to expand their business to incorporate part of the site recently occupied by BP Dunedin North and I am writing in support of that.

If you have any queries, please do not hesitate to contact me.

Kind regards

Greg Paterson Prema Holdings Ltd



Super Liquor Cumberland 867 Cumberland Street

Dunedin

Mitigation of Risk which could impact the Local Community

The store is equipped with 9 cameras. These are regularly monitored and reviewed.

The surroundings of the store and carpark area are regularly checked to ensure there are no underage persons waiting around to try and entice someone to purchase alcohol for them.

The premises are kept clean and tidy inside and out and staff pick up any rubbish found outside. This hopefully encourages .more people to dispose of their rubbish in a proper way.

We do not excessively discount product and do not rum promotions that encourage excessive consumption of alcohol.

Where possible we encourage the promotion of cans rather than glass especially at peak times, for example "O" week and Re "O" week.

During busy periods in the student terms or when an event creates a large amount of customers we have a staff member on the door checking ID's and for any intoxicated persons. Their role is also to keep a close eye on the surrounding area in case of any disturbance or young people milling around.

The SCAB tool is at the counter to remind staff of the signs they need to be looking for regarding intoxicated persons.

Any incident is recorded in the incident book.

Staff training is ongoing to ensure all are constantly aware and reminded of their responsibilities under the Sale and Supply of Alcohol 2012 and to the community.

https://mail.google.com/mail/u/0/?tab=rm&ogbl#inbox?projector=1



SuperLiquor Cumberland

867 Cumberland Street Dunedin

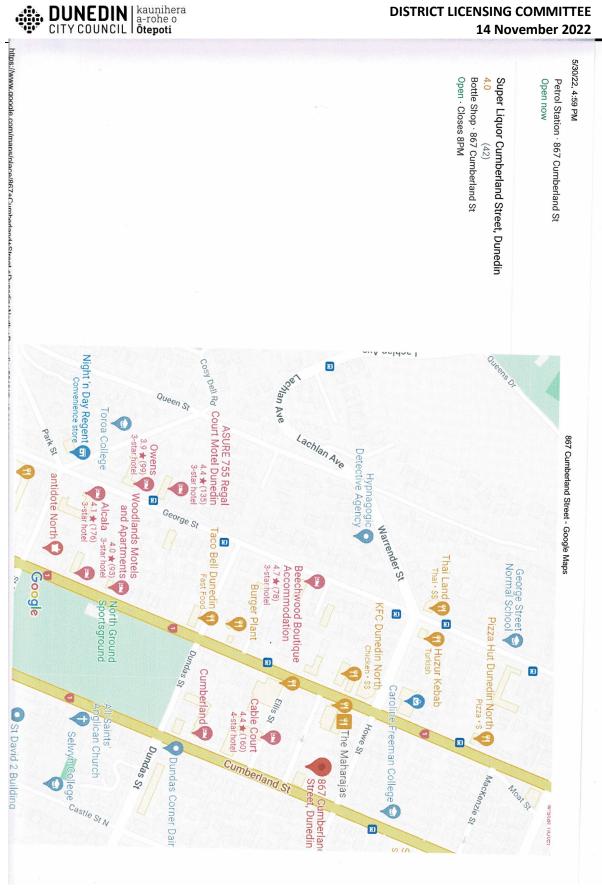
Host Responsibility Policy

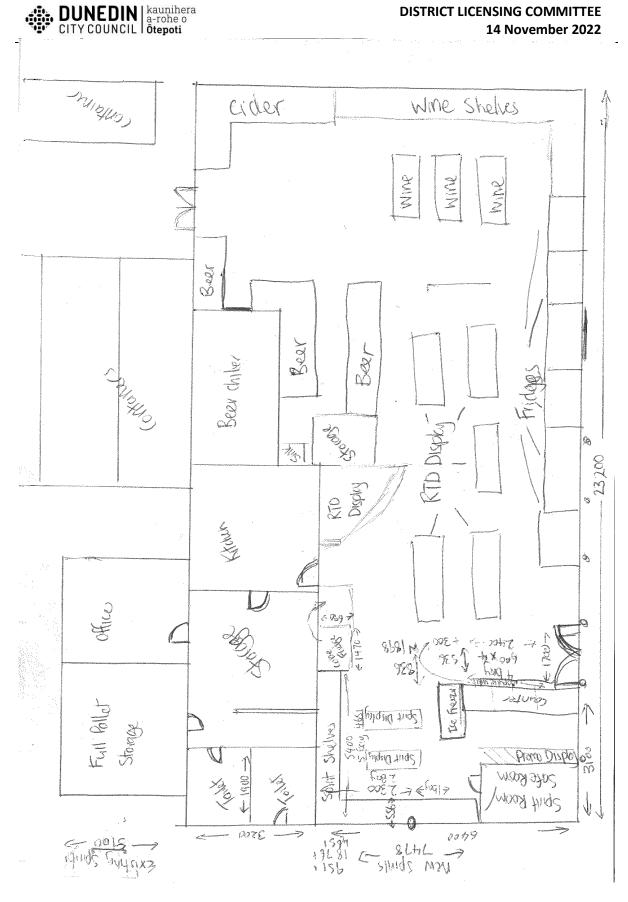
Under the Sale and Supply of Alcohol Act 2012

The management and staff of Super Liquor Cumberland believe that we have a responsibility to provide an environment that is not only comfortable and welcoming but also where alcohol is sold responsibly. Because of this the following Host Responsibility Policy has been implemented:

- We provide a range of non-alcoholic drinks, including low alcohol beer, fruit juices, soft drinks and water.
- It is against the law to serve minors or have them on our premises without parental/legal guardian supervision.
- If we believe you look under 30 we will ask for identification. If you are part of a Group then all will be asked to provide ID.
- Acceptable forms of identification are: photo New Zealand drivers licence, HANZ 18+ card/Kiwi Card or a current passport.
- We regularly check our outside camera and also walk outside to ensure no underage person is trying to entice any other person to purchase alcohol for them.
- Patrons who are visibly intoxicated WILL NOT be served and will be asked to leave the premises. We will promote transport options to get you home safely.
- We will display signage required under the Sale and Supply of Liquor Act.
- We will maintain a training and management policy to give out staff the skills and support they need to do their job responsibly.

WE'RE RESPONSIBLE HOSTS! THAT'S WHAT FRIENDS ARE FOR!







INSPECTOR'S REPORT OFF LICENCE RENEWAL **APPLICATION**

Applicant Kitt Enterprises Limited

Trading Name Super Liquor Cumberland Street

Address of premises 867 Cumberland Street

Type of licence OFF

Pathway number OFF-5602-2006 Application type Renewal Date of application 1 June 2022

Interviewee Trish McCarthy, Brendan McCarthy

7 July 2022 **Date of interview**

Applicant details

Kitt Enterprises limited Name Company Number

271662

NZBN 9429039847652 Incorporation date 26 April 1985 Company Status Registered

NZ Limited Company **Entity Type** Directors Patricia McCARTHY Kenneth McCARTHY

Shareholders Patricia McCarthy and Kenneth McCarthy 49.95%

Patricia McCarthy 25% Kenneth McCarthy 25% Corrina Maree McCarthy 0.03% Brendan Wayne McCarthy 0.03%

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

Super Liquor Cumberland is part of the Super Liquor franchised stores located throughout the country.

The store offers a range of RTD's, wines, spirits, ciders, local and imported beers.

Given the location of the premises within the heart of the student area the vast majority of customers come from the student population. This thought is reinforced by the volume of RTD products available for sale which are known to be popular with this demographic.

Previously access to this store was via a back entrance - due to the fact that the premises had been located next to a petrol station. The petrol station has now been removed and the applicant now wishes to increase the footprint of the store into the area that was previously occupied by the petrol station. This is a significant increase(approximately 50%) to the footprint of the store. The proposed change will see the entry point for the store moved from the rear of the premises to Cumberland Street.

Site Location (zoning/surrounding uses or activities)

A resource consent allows the activity – granted in February 2003 -RMA 2002-0913

Immediately opposite these premises is Caroline Freeman College, home to approximately 300 first year university students.

The premises are within easy walking distance of the student residential area including Castle Street which has a serious reputation for alcohol related harm.



A proposed accommodation build is planned for development at the corner of Cumberland and Howe. This is a site consisting of three, seven bedroom apartments. It is anticipated that these will be let to university students.

Manager details

Current Manager's Certificate holders are

| Brendan Wayne McCARTHY Jade Samara HUGHES | 069/cert/463/2014 Expires 19/11/2023 | 069/cert/182/2019 Expires 4/7/2023 | 069/cert/067/2021 Expires 11/5/2025 | 069/cert/083/2021 Expires 5/5/2025 | 069/cert/099/2021 Expires 25/5/2025 | 069/cert/163/2021 Expires 26/10/2022 | Rebekah Pearl BARTON | 069/CERT/088/2022 Expires 7/7/2023 | 069/CERT/088/2022 Expires 7/7/2023 | 069/CERT/088/2022 Expires 7/7/2023 | 069/CERT/088/2022 Expires 7/7/2023 | 069/CERT/088/2022 | 0

Applications expected from

Nil

Licensing hours sought

The applicant is seeking licensed hours of Monday – Tuesday 10.00am- 8.00pm Wednesday to Saturday 10.00am – 10.00pm Sunday 10.00am – 6.00pm

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

Yes. Extension of the licensed area.

Designation sought

Supervised

Correct signage on display?

1.	Copy of licence at principal entrance	Yes
2.	Duty Manager	Yes
3.	Prohibited persons	Yes
4.	Availability of food	NA
5.	Transport options	NA

Host Responsibility

- 1. Minors U30 are asked for ID
- Intoxication SCAB tool located at front counter. Assessment made before sale and during busy periods e.g., orientation, Flo-week etc security are located outside the premises for the purpose of identifying age and intoxication

Does the premises utilise DCC owned footpath?

No

What is the maximum occupancy number for the premises?

Unknown. Previously limited to 50 due to one method of egress – could be increased if extension to footprint is granted.

Public Notification process

Notified in ODT on 4 June 2022 and 11 June 2022

Public Objections (interest in the application/reasons for)

No objections



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:

Primarily the Act requires that the sale of alcohol should be undertaken safely and responsibly, and that harm should be minimised.

Due to the high density of students in the immediate locality of these premises there is concern regarding harm caused as a result of high alcohol consumption. The area is known for street and flat parties with alcohol obtained from OFF licence premises of which Super Liquor Cumberland is one such premises. Street parties are associated with high levels of broken glass and rubbish, multiple noise complaints associated with alcohol fuelled party noise and anti-social behaviour which results in harm to both people and properties.

Alteration of the footprint to these premises will reinstate the entrance from Cumberland Street – a high profile traffic area – State Highway 1. The increase to store size has the potential to allow for a greater range and volume of alcohol to be displayed which in turn could lead to an increase in consumption by the student population – an already at-risk community.

There is concern that this new footprint will provide a greater area for external promotion of alcohol via street front signage which in turn may result in increased consumption. The applicant has verbally stated that no exterior advertising will be used on these premises but has not voluntarily accepted this as a condition of the licence.

Sales of single serve, high alcohol, low-cost beers and ciders occur within this store. For example, Haagan Strong 500ml is retailed at \$3.50. Each can contains 2.8 standard drinks per can at a cost of 1.24 per standard drink. The products are sold chilled which would indicate they are for immediate consumption. There is potential for such products to increase alcohol related harm.

It is for these reasons that I believe the application does not meet the object of the act.

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

There are no known issues of suitability with this applicant.

(c) any relevant local alcohol policy:

Meets the requirements of the LAP

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

Monday – Tuesday 10.00am- 8.00pm Wednesday to Saturday 10.00am – 10.00pm Sunday 10.00am – 6.00pm

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

A new store layout is proposed. Currently the store is accessed from the rear of the premises and has a single counter. It was noted that at the time of the licensing visit the store contained a very high volume of alcohol stacked in the aisles and room to manoeuvre between the aisles and in the single chiller was very limited. Photographs are included in this report file.



(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:

(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:

No

(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:

An extension to store size could result in an extension of product lines and/or volume of product on display. The immediate vicinity is known to have considerable amenity and good order issues. Increased sales of alcohol will have a negative impact on amenity and disorder.

(i) the amenity and good order of the locality

- (a) Noise. There are significant noise issues recorded in this area which are known to be fuelled by excessive alcohol consumption.
- **(b) Nuisance and vandalism.** Significant nuisance and acts of wilful vandalism issues are related to alcohol consumption in this area.
- (c) Licensed premises in the vicinity. New World Gardens, Leith Liquor and Meenan's are all OFF licenced premises within the vicinity.

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

- (a) Building. The premises does not require a BWOF
- (b) Sale of food. Not required.
- (c) Fire. No issues as at 8 June 2022
- (d) **Security.** Employed at times when high volumes are anticipated. Security cameras are in operation. See attached email detailing changes proposed for security cameras within the new store.
- **(e) Training systems.** Staff are required to complete Servewise training and Super Liquor training

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

Opposition has been received from both Medical Officer of Health delegate and Police. Please refer to the attached opposition.

Inspector's comment

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

The increase to the footprint of this store with the potential for an increase in range and volume of alcohol provided is of concern.

The location of this store is within an area of considerable alcohol harm, amenity and good order issues arise from the amount of alcohol that is consumed within this area. Calls to the noise service occur on a very regular basis throughout the student campus and in particular during O Week, Flo Week, St Patricks Day and Melbourne Cup Day. Rubbish within the area is an issue and can be attributed to alcohol use – alcohol which is purchased from OFF licence premises.

The application fails to meet the Object of the Act (s105 (a)) and Considering the Effects of renewal of the licence on the amenity and good order of the locality (s106).

For these reasons the application is opposed.

Consideration should be given to imposing conditions onto any licence renewal for these premises with regard to:

- Limits to the range and volume of product to be displayed for sale
- No exterior advertising permitted other than Super Liquor branding
- No sales of single serve RTD's and high alcohol, low-cost beer products (with the exception of small batch craft beers)

Alison Blair

DUNEDIN | kaunihera a-rohe o Otepoti

Licensing Inspector

(1mB)

30 August 2022





Central Police Station 25 Great King street Private Bag 1924 DUNEDIN Telephone (03) 4714800 Fax (03) 479 9363

8th July 2022

Re: Super Liquor Cumberland Street, Dunedin

Dear Sir/Madam

On 01/06/2022 Police received an application from Kitt Enterprises Limited for the renewal of the Off-Licence for the premises known as Super Liquor Cumberland Street.

This is a busy premises situated on the corner of Cumberland St and Howe St. The target market for this premises is the student population that resides nearby.

It is undisputed that this student population is regarded as a vulnerable community in regard to Alcohol Harm.

As such Police oppose the renewal of this licence under Section 105:

- (a) Object of the Act
- (b) Suitability of the applicant
- (h) amenity and good order
- (i) amenity and good order already badly effected

It also falls short of section 106(iii), in regard to number of current premises of the same kind in the area.

Object of the Act

- (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 minimized.
- (2) for the purposes of subsection (1), the harm caused by the excessive or inappropriate consumption of alcohol includes-
- (a) any crime, damage, death, disease, disorderly behavior, illness or injury, directly or indirectly caused or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and

Sgt Ian Paulin - Dunedin Police – Alcohol Harm Reduction Officer

<u>ian.paulin@police.govt.nz</u> DDI- 4714980 Cell 021 1914981



(b) any harm to society generally or the community, directly or indirectly caused or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behavior, illness or injury of a kind described in paragraph (a)

The sale of single serve, high octane alcohol at a cheap price does not align with the object of the act in that the vulnerable community in which this premises is situated are exposed to higher levels of harm. Furthermore, the advertising of alcohol on the external surrounds of the premises is exposing an already vulnerable community to further harm.

Suitability of the Applicant

Single sales of high octane alcohol at a cheap price adversely effects the suitability of the applicant.

Amenity and good order

Police records of alcohol related incidents in the area indicate that Castle Street is one of the worst area for calls for Police service in Dunedin City. Frequent parties, often spilling onto and blocking Castle St are attended by Police. Alcohol consumed at these events are all purchased at nearby off-licences, of which Super Liquor Cumberland is the closest. Whilst Police have no statistics that directly correlate alcohol harm back to this premises, it is almost certain alcohol purchased at this premises results in nearby harm. The NZ Police Geospatial mapping application has provided the map below showing the location of the premises well within an area of the highest deprivation.

Super Liquor Cumberland



2



Conditions Sought

To mitigate further risk, Police seek the following licence conditions:

- 1) No external Alcohol advertising or promotion
- 2) No single sales of beer or cider 500ml or less (excluding craft beer)

For your consideration,

Steve Jones Sgt SJCT35 Dunedin Police



Te Whatu Ora **Health New Zealand**

18 August 2022

The Secretary District Licensing Agency **Dunedin City Council** PO Box 5045 **DUNEDIN 9058**

Attention: Kevin Mechen

Dear Kevin

RE: SALE AND SUPPLY OF ALCOHOL ACT 2012 - APPLICATION FOR RENEWAL OF OFF LICENCE - Super Liquor Cumberland.

I refer to a renewal of Off Licence for the applicant, Kitt Enterprises Limited, for the premises situated at 867 Cumberland St, Dunedin. Received in our office on the 3^{rd of} June 2022.

I have considered this application with respect to the public health issues involved. This report advises that the application is opposed and the grounds for our opposition are as follows.

On 7th July 2022 visited the above premises and met with Trish McCarthy and Brendan McCarthy with Sgt Steve Jones and Licensing Inspector Alison Blair. During the visit the premise was assessed for compliance with its licence conditions and strategies used to ensure the safe and responsible supply of alcohol. And a discussion of the variation and increased footprint of the premises.

Section 4 Object

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.

Section 105 Criteria for issue of licences

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

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

Section 106 Considering the effects of issue or renewal of licence on amenity and good order of locality (2)(a) current, and possible future noise levels

(b) current, and possible future, levels of nuisance and vandalism

This premises is located within a population at particular risk of alcohol related harm, in the heart of the university area. It is surrounded by student housing, including numerous residential halls (11 within a 1km radius). It is one street over from Castle Street which, as can be seen from media coverage, is often the location of nuisance and disorder. The purposed doubling of their shop foot-print could enable them to increase their stock levels therefore enabling a higher level of units sold, therefore in my view could increase the alcohol related harm in an area as mentioned above is a population at risk. I oppose the issue of this licence.

Ngā mihi/Yours sincerely

Aaron Whipp

Delegated by the Medical Officer of Health, under section 151 of the Sale and Supply of Alcohol Act 2012 Public Health Service, Southern, Te Waipounamu

Te Whatu Ora - Southern

Private Bag 1921, Dunedin 9054

Waea: 03 476 9800

Te Whatu Ora - Southern

PO Box 1610, Invercargill 9840

Waea: 03 211 8500

Te Whatu Ora - Southern

PO Box 2180, Wakatipu, Queenstown 9349

Waea: 03 450 9156







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Kevin Mechen

From: Brendan McCarthy <slcumby@gmail.com>
Sent: Wednesday, 24 August 2022 04:32 p.m.

To: Alison Blair

Subject: Super Liquor Cumberland Security

Hi Alison here are the details regarding Security

Cameras

Existing Super Liquor Cameras

1 DVR x 8 Cameras (internal shop)

1 DVR x 4 Cameras (2 x entrance)

(2 x tills)

1 PTZ internal remote viewing Camera

Existing BP Cameras

- 3 x internal Cameras
- 2 x external Cameras (under canopy)
- 1 x wired ready for camera to be attached (under canopy)

Proposed Additional Cameras

- 3 x External 2 x on the southside of the building viewing opposite directions
 - 1 x west side of the building facing the rear carpark

(with a monitor by the counter where staff can view these cameras)

- 3 x Internal Camera 1 x facing new proposed new entrance
 - 1 x above proposed til facing customers being served
 - 1 x facing proposed spirits area

Security

I have security on at all busy times,

One of my Duty Managers Brandon McMurdo (Muzz) also has his C.O.A security qualification,

He also at his other job is head security at Dunedin Social Club

he works approx 90% of the time when security is required, if when for some reason he is not working eg: weekend off or sickness the only other staff that I allow to check ID's other than myself are Duty Managers.

O-Week + Re-O-Week

Monday - Friday (Approx) 2pm - 8pm

Saturday (Approx) 12pm - 10pm

Certain factors can influence having security on as a example with the weather during this

year's re-oweek we were very quiet with the rain & did not require security on the Tuesday & Wednesday

All St Patrick's day

No matter what the weather a percentage of people tend to start to drink early so having security on all day minimises the chances of customers overdoing it.

DUNEDIN | kaunihera a-rohe o CITY COUNCIL | Ōtepoti

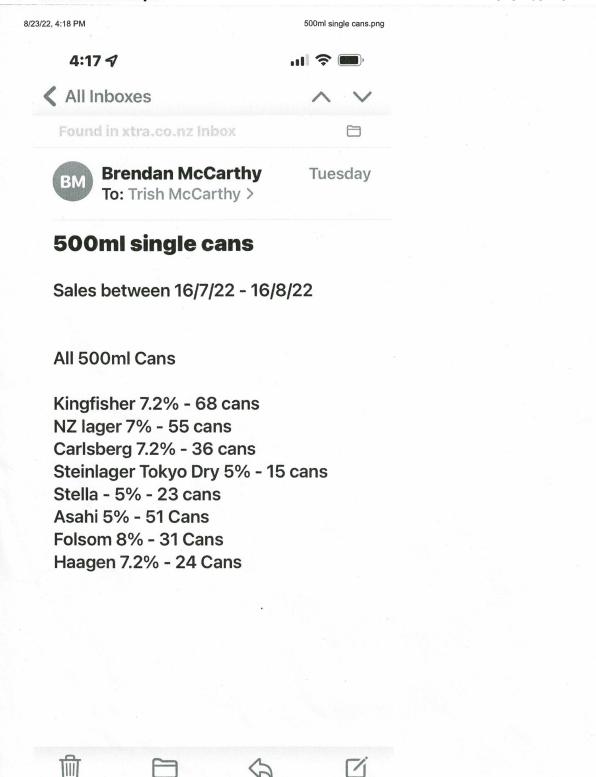
Every Saturday night when its not during University holidays or exam periods Approx 4pm - 8pm

Any events that causes us to be busier than usual Eg, Concerts, St Patrick's Day, Hyde St Party

Any other information needed please let me know

Brendan McCarthy 0273752863







Kevin Mechen

From: Alison Blair

Sent: Thursday, 21 July 2022 01:48 p.m.

To: Alison Blair

Subject: Super Liquor Cumberland High Alcohol beer example



Sent from my iPhone



Super Liquor Cumberland – Photographs 11 August 2022.



Current premises in blue with proposed

expansion into white building. Proposed entry via Cumberland



Current entry to premises via the ear of the





Additional storage containers at rear of

building proposed to stay.



Service counter as enter store



Existing chiller to remain



Chilled and unchilled RTD display



Existing store

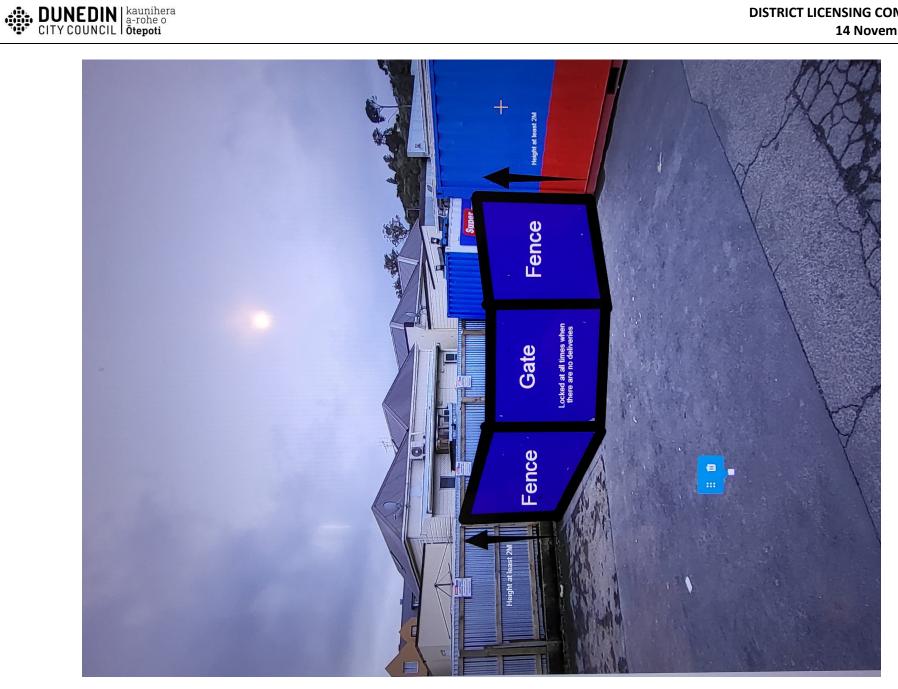


New area – currently utilised for storage



New Area currently utilised for storage.

Photographs taken 11 August 2022.





DUNEDIN | kaunihera a-rohe o otepoti



ALCOHOL LICENCE APPLICATIONS

Off-5602-2006 - Kitt Enterprises Limited, Super Liquor Cumberland Street, 867 Cumberland Street, Dunedin. First notice. Closes Wednesday, 29 June 2022.

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



ALCOHOL LICENCE APPLICATIONS

Off-5602-2006 – Kitt Enterprises Limited, Super Liquor Cumberland Street, 867 Cumberland Street, Dunedin. Second notice. Closes Wednesday, 29 June 2022.

On-9-2022 – OURFC Bookies Bar Limited, Bookies Bar, 2A – 20 Logan Park Drive, Dunedin. First notice. Closes Monday, 4 July 2022.

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





PUBLIC NOTICE DECLARATION

To the Secretary, Dunedin District Licensing Committee

Premises Name:

Super Liquor Cumberland Street

Premises Address:

867 Cumberland Street Dunedin

Reference number:

OFF-5602-2006

The Public Notice of the above application was displayed on or adjacent to the site of the premises

in accordance with the requirements of the Sale and Supply of Alcohol Act 2012

The notice was displayed (describe where):

Entrance Done - Double Sichel

From Date:

Saturday, 4 June 2022

To Date:

Wednesday, 29 June 2022

Name: Inch mcCarthy

Signature:

- Within 10 working days after filing the application with the District Licensing Committee the applicant must ensure that notice of the
 application in accordance with form 1A is attached in a conspicuous place on or adjacent to the site to which the application relates.
- The notice shall be displayed until the close of the public objection period. (The public objection period is 15 working days from the first public notice being advertised in the newspaper).
- This declaration shall be forwarded to the Secretary of the District Licensing Committee via email <u>dla@dcc.govt.nz</u>, posted to: Alcohol Licensing, Dunedin City Council, P.O Box 5045, Dunedin