

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

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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

- 1 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.
- 2 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.
- 3 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.
- 5 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.

- 6 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.
- 8 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

- 16 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.
- 18 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

Please read and complete the following checklist before submitting the application

- **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
- 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*) – (*not required for Remote sellers*)
- Copy of Host Responsibility Policy
- If the application is for a **Grocery Store** you will also need to complete a Statement of Gross Annual Sales Revenue Declaration and have it **verified by a chartered accountant**
- Letter of authorisation for a consultant where a consultant is completing form

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.

