

Notice of Meeting:

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

Date: Monday 21 November 2022
Time: 10.30 am
Venue: Plaza Conference Room, Civic Centre, the Octagon, Dunedin

Sandy Graham
Chief Executive Officer

District Licensing Committee
MOIETY – RENEWAL OF ON-LICENCE
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 RENEWAL OF ON-LICENCE, "MOIETY", 42 QUEENS GARDENS, DUNEDIN – FROM SECRETARY, DISTRICT LICENSING COMMITTEE

Department: Civic

APPLICATION DESCRIPTION

Applicant's Name:	K & S Hospitality Limited
Site Address	42 Queens Gardens, Dunedin
Trading Name:	Moiety
Style of Licence	On-licence – restaurant
Application Number	ON-30-2017
Date received by Council	28 April 2022

EXECUTIVE SUMMARY

- 1 This is a report for an application for the renewal of an on-licence for the premises situated at 42 Queens Gardens, Dunedin, and known as "Moiety". The criteria found at section 131 of the Sale and Supply of Alcohol Act 2012 (the Act) apply to this application.
- 2 The applicant does not seek any changes to the licence. The inspector considers that the sale and supply of alcohol under the current conditions are consistent with the purpose of the Act and meets the criteria at section 131.
- 3 Public notice of the application did not attract any opposition and the reporting agencies did not submit adverse reports.
- 4 The District Licensing Committee does, however, have some concerns with the disparity between the licence hours and those when the premises is operating. There is only one named, certified manager listed in the application. They have called the matter to a hearing so a discussion can take place with the applicant.

APPLICANT AND APPLICATION

- 5 The applicant company has two directors and shareholders, Ms Kim Underwood and Mr S Gasson. They have owned the business since May 2018 and the conditions of the licence have not changed.

- 6 The application is for a rollover of the current conditions.
- 7 Currently the business is open for dinner service four nights per week. There is only one named manager, but this is considered acceptable for the hours of operation.
- 8 In correspondence with the applicant they said they wanted to retain their current licence hours to allow flexibility in the future, especially as the economy improves.

PUBLIC NOTICE

- 9 The Public Notice of the renewal application did not attract any objections.
- 10 The reporting agencies have supported the renewal with the current conditions.

CONCLUSION

- 11 There is a national move to rationalise the licence hours of a premises with the actual operating hours.
- 12 In this matter, the applicant seeks Monday to Sunday, 9.00 am to 12.00 midnight. Their business is only operating Wednesday to Saturday from 5.00 pm. The applicant has staff appropriate for the hours of operation with only the one certified manager. They have indicated the premises will not open if the manager is ill.
- 13 The Committee is not aware of the premises opening prior to dinner time and questions the necessity to have the licence available from 9.00 am. They have called the matter so they can have the discussion directly with the applicant.

Signatories

Author:	Kevin Mechen - Secretary, District Licensing Committee
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Attachments

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PUBLIC NOTICE

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

K and S Hospitality Limited has made application to the District Licensing Committee at Dunedin for the renewal of an on licence number ON-30-2017 in respect of the premises situated at 42 Queens Gardens Dunedin and known as Moiety.

The general nature of the business conducted under the licence is Restaurant.

The applicant seeks the licence on the following hours:

Monday to Sunday 9.00 am to 12.00 midnight

First publication date: Wednesday, 4 May 2022

Objections Close 5:00 pm Wednesday 25th May 2022

- 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 renewal of a licence may be made in relation to a matter other than a matter specified in section 131 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 licence 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 ON-LICENCE RENEWAL

Incomplete applications will not be processed

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

The District Licensing Committee (DLC) will notify the public of this application via the Dunedin City Council website and the Otago Daily Times (the advertising cost is included in the application fee).

The contact person will be emailed a copy of the public notice to be displayed on the premises.

Please use separate pages to provide extra information where necessary.

If you have any questions while completing this form, please contact Dunedin DLC staff on 03 474 3481 or email dla@dcc.govt.nz.

Please read and complete the following checklist before submitting the application

- A copy of both the food and drinks menus
- Map showing location of 'sensitive' locations, e.g. schools, early childhood facilities, hospitals and churches
- Copy of host responsibility policy – for high risk premises please also include an alcohol management plan explaining how you will implement the points of the policy

Letter of authorisation if a consultant is completing this form on your behalf

Office use only

Date received:

