

Notice of Meeting:

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

Date: Thursday 13 February 2025
Time: 10:00 a.m.
Venue: Council Chamber, top floor, Dunedin Public Art Gallery, the Octagon, Dunedin

Sandy Graham
Chief Executive Officer

District Licensing Committee
Opposed On-License renewal for Regent Theatre
PUBLIC AGENDA

MEMBERSHIP

| | | |
|-----------------------------------|---|------------------|
| Chairperson | Katie Lane | |
| Members | Cr Lee Vandervis | Cr Marie Laufiso |
| Senior Officer | Kevin Mechen, Secretary, District Licensing Committee | |
| Governance Support Officer | Lauren Riddle | |

Lauren Riddle
Governance Support Officer

Telephone: 03 477 4000
Lauren.riddle@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.

- 6 The current hours on the licence are Monday to Saturday, 8.00 am to 2.00 am the following day, on such days and during such hours as the premises is being operated as an entertainment venue. The Applicant is not seeking any changes to these conditions.

PUBLIC NOTICE

- 7 Public notice of the application did not attract any objections.
- 8 Neither the Police nor Medical Officer of Health have raised any matters of concern.
- 9 The Licensing Inspector has raised some concerns and has requested the matter be heard by the District Licensing Committee to ensure their concerns have been addressed.
- 10 The matters raised in the Inspectors report include:
- a) The premises has been operating without a certified manager being appointed. This resulted in the Police issuing a ‘Graduated response Model’ warning. During the process, it became apparent the Trust was not maintaining the required ‘Register of Duty Managers’ as required by s232 of the Act.
 - b) While there are substantial food options available, there is a warning they may take some time (not quantified) to prepare. Intervals during performances are about 20 minutes long and this type of food cannot be taken into the theatre; this may be seen as discouraging the purchase of substantial food.
 - c) The volumes of wine served is also a concern. One can order either a ‘regular’ (185ml) or ‘large’ (250ml) pour. Assuming the wine is 12.5% ABV, the large pour is about 2.75 standard drinks which, when no substantial food can be taken into the theatre with the wine, close monitoring of the audience would be required.
- 11 The Inspector does not believe there are appropriate systems, staff or processes in place at the theatre which has lead to there being no certified managers. The ‘situation’ with the substantial food requirement may be considered contrary to the requirements of their licence.

CONCLUSION AND CONDITIONS

- 12 The Applicant in this matter has been warned for not having a certified manager appointed and are taking steps to have new managers appointed.
- 13 The availability of substantial food options for consumption during shows does need clarification to ensure compliance with the legislation.
- 14 The hearing will provide the Applicant the opportunity to assure they are taking appropriate steps to ensure compliance with the conditions of their licence.

Signatories

| | |
|-------------|--|
| Author: | Kevin Mechen - Alcohol, Psychoactive Substances and Gambling Advisor |
| Authoriser: | |

Attachments

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PUBLIC NOTICE

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

The Regent Theatre Trust of Otago has made application to the District Licensing Committee at Dunedin for the renewal of an on licence number ON-3317-2006 in respect of the premises situated at 17 The Octagon Dunedin and known as Regent Theatre

The general nature of the business conducted under the licence is Entertainment Venue.

The applicant seeks the licence on the following hours:

On such days and during such hours as the premises are being operated as an entertainment venue (whether live or not) but not other than on the following days and hours:
Monday to Saturday 8.00 am to 2.00 am the following day: EXCEPT THAT on the Thursday before Good Friday, and on Easter Saturday, and on Christmas Eve and on the day before Anzac Day, alcohol may only be sold between 8.00 am and 12.00 midnight.

First publication date: Saturday, 24 August 2024

Second publication date: Saturday, 31 August 2024

Objections Close 5:00 pm Friday, 27 September 2024

- 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 <https://www.dunedin.govt.nz/services/licensing/alcohol-licence-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 25 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:

Calculate your application fee

- **Class 1 restaurants** – restaurants with a significant separate bar area which, in the opinion of the DLC, operate that bar at least one night a week in the nature of a tavern (such as serving alcohol without meals to tables situated in the bar area)
- **Class 2 restaurants** – restaurants that have a separate bar (including small bar areas) but which, in the opinion of the DLC, do not operate that area in the nature of a tavern at any time
- **Class 3 restaurants** – restaurants that only serve alcohol to tables and do not have a separate bar area

Select your premises type:

| Type of premises | Points |
|--|--------|
| Class 1 restaurant, nightclubs, taverns, adult premises | 15 |
| Class 2 restaurant, hotels, function centres, universities, polytechnics | 10 |
| Class 3 restaurant, other premises not specified | 5 |
| Theatres, cinemas, BYO restaurants, cellar doors | 2 |

Premises points: **2**

Select the latest time you intend to sell alcohol:

| Latest alcohol sales time | Points |
|---------------------------|--------|
| 2am or earlier | 0 |
| Between 2.01am and 3am | 3 |
| 3am onwards | 5 |

Trading hours points: **0**

Select the number of enforcement findings:

| Number of enforcement findings in the last 18 months | Points |
|--|--------|
| None | 0 |
| One | 10 |
| Two or more | 20 |

Enforcement points: **0**

Add the premises points, trading hours points and the enforcement points together to get the total:

Premises points: **2** Trading hours points: **0** Enforcement points: **0** Total points: **2**

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 ON-LICENCE RENEWAL

Section 127 (2), Sale and Supply of Alcohol Act 2012

TO the Secretary, Dunedin District Licensing Committee

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

Contact person

Name: Sarah Anderson
Phone: 0275469799
Email: saraha@regenttheatre.co.nz
Postal address for service: PO Box 5036, Dunedin
Postcode: 9054

Applicant details

Applicant status (please select from the below options)

- Individual Partnership Body corporate Public company Private company
 Club Trustee Local authority Licensing trust
 Government department or other instrument of the Crown
 Manager under the Protection of Personal Property Rights Act 1988

Board, organisation or other body

Full legal name or names to be on the licence: **REGENT THEATRE TRUST OF OTAGO**

Legal name(s) of the person(s) or organisation that will receive any proceeds from alcohol sales. Include any other names you may be known by.

Address: **17 The Octagon Dunedin**

Occupation: **Live entertainment venue + cinema facilities**

Phone: **027-5469799**

Email: **saraha@regenttheatre.co.nz**

Applicant's place and date of birth (if an individual):

Gender (if an individual):

Have there been any changes to the licensee status? Yes No

A change would include a change of any shareholders, directors or partners.

If yes, please outline the changes:

Is this your principal business? Yes No

Please state any other businesses:

Details of conveyance

Type of conveyance (e.g. ship, bus or train):

Trading name of conveyance:

Registration number:

Address where based:

Postcode:

N/A

Business details

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

Tavern/bar Café/restaurant Hotel Nightclub Entertainment Other (specify)

On which days and during which hours do you sell alcohol?

Day Mon Tues Wed Thurs Fri Sat Sun

Start time 10am 10am 10am 10am 10am 10am 10am

End time 10:30pm 10:30pm 10:30pm 10:30pm 10:30pm 10:30pm 10:30pm

Are there any changes to the current licensed hours? Yes No

An extension to the existing hours may require resource consent, check with City Planning staff.

If yes, describe changes:

What designations apply to the premises?

Undesignated (people of any age are permitted)

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

Restricted (people under 18 years not permitted)

Is the applicant seeking any changes to the current licensed areas or designations?

Yes No If yes, provide details:

Is accommodation provided? Yes No

Is the sale of alcohol the principal purpose of the business? Yes No

If no, provide details: The Regent Theatre is a performing arts auditorium
it is also used to screen films + stage community events.

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

Yes No If yes, provide details: show merchandise

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

Yes No If yes, provide details: presenting performing arts shows,
films + other community events.

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Manager details

Provide the below details for each manager or proposed manager.

| Full name | Date of birth | Manager's certificate number | Expiry date |
|--------------|---------------|------------------------------|-------------|
| Tessa Palmer | [REDACTED] | * | |
| Ben Eaton | [REDACTED] | * | |
| | | | |
| | | | |

* completed
License Controller
Qualification & about
to schedule meeting
to complete full
qualification

Conditions

1) What provision does the applicant make for the sale and/or supply of:

i. food (describe type and range and when it will be served, attach menu)

We have three types of hot food options available - pizza, quiche or pies (please see attached menu), chips, popcorn, ice-creams, lollies & chocolate are available at all times.

ii. non-alcoholic drinks (describe type and range)

Please see attached menus for full details.

iii. low-alcohol drinks (2.5% alcohol by volume or less, describe type and range)

Please see attached menus for full details.

2) To what extent, and where, will drinking water be freely available to patrons?

Each bar in the venue has a free water dispenser beside it (two plumbed & two freestanding) w signage also.

3) If no access to mains water supply is available, how will clean drinking water be made available?

N/A.

4) What steps are taken to provide help with, and information about, transport options from the premises?

Bar staff, ushers, door staff, security & bar office staff are competent at informing patrons & providing assistance w transport options as needed. Taxis can be easily arranged. Patrons coming to a show all receive emails prior outlining show details & things to consider like transport, parking & important show timings.

5) What steps are taken to prevent the sale and supply of alcohol to prohibited people? (minors and intoxicated people)

All bar staff are trained, mentored and rostered according to knowledge + capacity to meet the obligations of the venue relating to sale + supply of alcohol. Strong monitoring during busy periods provide additional assistance if needed

6) What other steps does the applicant take to promote the responsible consumption of alcohol?

Front of house staff monitor levels of intoxication + the assistance of usher + door staff. Purchases are limited to two per customer during high drinking crowds. Free water is provided, is easily accessible + encouraged.

7) How does the applicant staff the premises to ensure compliance with the Act? Please provide the number of staff and their experience.

The Regent has approximately 30 bar staff volunteers who are rostered regularly - 6-8 across the three bars if all are in operation. The amount of staff to choose from gives us the ability to roster well based on experience + capacity.

8) For high risk premises, what arrangements will be made for security staff?

External security staff are booked and allocated throughout the building depending on the size of the audience + the type of event/show.

9) How does the applicant train staff to ensure compliance with the Act?

All staff + volunteers undergo an orientation + training program when they start. They are then mentored to more experienced volunteers + supervised in their role independently.

Signed:

Date:

05/08/2024

Place:

Regent Theatre

Privacy statement

The information you provide in this application, and any supporting documents, will be used by the Dunedin City Council to process your application under the Sale and Supply of Alcohol Act 2012. The information will be shared with the Dunedin District Licensing Committee (DLC), Dunedin District Licensing Inspectors, Police and the Medical Officer of Health as part of the approval process. If required, the information may form part of a public hearing before the DLC and may be used in any subsequent decision relating to your application. The decision will be publicly available.

If your application is publicly advertised, the associated information will be publicly available.

The DCC is required to keep a statutory register of all alcohol licence applications and anyone can request a copy of that information under the Local Government Official Information and Meetings Act 1987. This information may also be used or shared for other purposes in line with the Privacy Act 2020. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at privacy@dcc.govt.nz or 03 477 4000.

