

Notice of Meeting:

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

Date: Monday 8 September 2025
Time: 9.30 am
Venue: Council Chamber, top floor, Dunedin Public Art Gallery, the Octagon, Dunedin

Sandy Graham
Chief Executive Officer

District Licensing Committee
Opposed Off-Licence Renewal – Bottle O Andersons Bay
PUBLIC AGENDA

MEMBERSHIP

Chairperson	Katie Lane
Members	Colin Weatherall Pieter Van De Klundert
Senior Officer	Kevin Mechen, Secretary, District Licensing Committee
Governance Support Officer	Jean Cockram

Jean Cockram
Governance Support Officer

Telephone: 03 477 4000
Jean.cockram@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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PART A REPORTS

REPORT FOR OPPOSED RENEWAL OF OFF-LICENCE FOR "BOTTLE O ANDERSONS BAY", 500 ANDERSONS BAY ROAD, DUNEDIN – FROM SECRETARY, DISTRICT LICENSING COMMITTEE

Department: Civic

APPLICATION DESCRIPTION

Applicant's Name:	McCarthy Enterprises Limited
Site Address	500 Andersons Bay Road, Dunedin
Trading Name:	Bottle O Andersons Bay
Style of Licence	Off-licence (Bottle Store)
Application Number	OFF-7179-2006
Date received by Council	4 March 2025

EXECUTIVE SUMMARY

- 1 This is a report for an application by McCarthy Enterprises Limited for the renewal of an off-licence for their premises situated at 500 Andersons Bay Road, Dunedin, and known as "Bottle O Andersons Bay". 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.
- 3 Public notice of the application did not attract any public objections however both the Medical Officer of Health Delegate and Chief Licensing Inspector have opposed the renewal of the licence. The Police did not report on the application.

APPLICANT AND APPLICATION

- 4 The applicant company, McCarthy Enterprises Limited, has equal directors and shareholder, Patricia and Kenneth McCarthy. The premises was first licensed by the Applicant in 2007.
- 5 The Applicant is not seeking any changes to the conditions of the licence.
- 6 The premises has been on the market for sale for some time. There was a suggestion a sale was imminent but it did not eventuate.

- 7 The company structure has recently been changed. Both Mr and Mrs McCarthy have been removed as directors and Ms Corrina McCarthy has replaced them as the sole director of the business.

PUBLIC NOTICE

- 8 Public notice of the application did not attract any objection.
- 9 The Medical Officer of Health Delegate and Chief Licensing Inspector have both opposed the
renewal of the licence. The Police did not report on the application.

Objections

- 10 The Medical Officer of Health Delegate has opposed the licence renewal for the following reasons:
 - a) The current closing time of 10.00 pm increases the potential for excessive alcohol consumption and associated alcohol-related harms, for example road crashes and alcohol-related injuries. It is suggested that a reduction in licence hours will see a reduction in alcohol-related harm.
 - b) The suitability of the Applicant is in doubt. Wanting to retain the 10.00 pm closing time is inconsistent with the object of the Act which is that the sale, supply, and consumption of alcohol is undertaken safely and responsibly and that the harm caused by the excessive or inappropriate consumption of alcohol is minimised.
- 11 The Chief Licensing Inspector has opposed the application for the following reasons:
 - c) McCarthy Enterprises Limited had their renewal application for Bottle O Mosgiel declined in May 2024. The directors of the company, Mr and Mrs McCarthy, were directors of MJ Enterprises Limited which had the renewal application for Quicker Liquor declined in July 2023. Both licences were declined because of suitability issues.
 - d) Errors in the current application for Bottle O Andersons Bay were highlighted to the Applicant but they remain unchanged. The Inspector is not confident the Applicant will undertake the sale and supply of alcohol responsibly.
- 12 There was a suggestion that Mr and Mrs McCarthy would be removed as directors and shareholders of the company. At the time of writing the opposition report, no changes had been made. A change in directors has since been notified but Mr and Mrs McCarthy are still the sole shareholders of the business.

CONCLUSION

- 13 This application for the renewal of an off-licence has been opposed because the Applicant has previously had a licence renewal declined because of suitability issues. Another premises operated by a different company, but with the same directors, also had its licence renewal declined.
- 14 There has now been a change in the directors for the applicant company but the shareholding has remained the same.

- 15 This hearing is an opportunity for the Applicant to satisfy the Committee the change in directors for the company will make a difference and that they now have the processes and systems in place to ensure the sale and supply of alcohol is undertaken properly.

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

McCarthy Enterprises Limited has made application to the District Licensing Committee at Dunedin for the renewal of an off licence number OFF-7179-2006 in respect of the premises situated at 500 Andersons Bay Road Dunedin and known as Bottle O Andersons Bay

The general nature of the business conducted under the licence is Bottle Store.

The applicant seeks the licence on the following hours:
Monday to Sunday 8.00 am to 10.00 pm.

First publication date: Wednesday, 12 March 2025
Second publication date: Wednesday, 19 March 2025

Objections Close 5:00 pm Thursday, 17 April 2025

- 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 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 ☐

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: 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 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:

Contact Person

Full Name: Corrine McCarthy
Phone No.: (03) 455 3737
Mobile No.: [REDACTED]
Email address: tbearcitybay@gmail.com
Postal address for documents: P.O. Box 164
Preferred mode of contact:

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

McCarthy Enterprises

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

Have there been any changes to the licensee status? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>(A change would include a change of any shareholders, directors or partners)</i> If yes, detail changes:
Address:
Occupation:
(If individual) <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other
(If individual) Applicants place and date of birth:
Postal address for documents: <div style="text-align: center; font-family: cursive; color: blue; font-size: 1.2em;">P.O. Box 164 Mosgiel</div>
Is this your principal business? <input type="checkbox"/> Yes <input type="checkbox"/> No Please state any other businesses:

Criminal Convictions		
Please state all criminal convictions against any applicants including Directors or Shareholders <i>(except convictions for offences to which the Criminal Records (Clean Slate) Act 2004 applies)</i>		
Full Name	Conviction	Date of Conviction
(Use a separate sheet if necessary)		

Details of Premises

Trading name: The Bottle O Andy Bay

Name of the building (if applicable):

Address of premises: 460 Andersons Bay Rd

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

What is the maximum occupancy of your entire premises including outside areas? N/A

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:

1 Unisex

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 [Signature] Date 4/3/25

Business Details

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

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

On which days and during which hours do you to sell alcohol:

Day	<input type="checkbox"/> Mon	<input type="checkbox"/> Tues	<input type="checkbox"/> Weds	<input type="checkbox"/> Thurs	<input type="checkbox"/> Fri	<input type="checkbox"/> Sat	<input type="checkbox"/> Sun
Start time	10 am	10 am	9.30 am	9.30 am	9.30 am	10 am	11 am
End time	6 pm	6 pm	7/8 pm	8/9 pm	9 pm	9 pm	6 pm

Will there be any changes to the current licenced hours? ☐ Yes ☒ No

(An extension to the existing hours may require resource consent, check with City Planning Department)

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 **parent or legal guardian**)
☐ Restricted (people under 18 years not permitted)

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

☐ Yes ☒ No If yes, detail:
.....

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

If no, provide details:
.....

Does the applicant supply or sell any goods other than alcohol and food? ☒ Yes ☐ No

If yes, provide details: Smokes, vapes,

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:

Manager Details			
Provide the below details for each manager or proposed manager			
Full Name	Date of Birth	Managers Certificate Number	Expiry Date
Lorna Marie Smith (mccall)		069/CEH/321/2015	30 June 27
Chad Francis John Goodman		069/CEH/185/2019	8 July 26
Ben Allan Jones		069/CEH/068/2023	1 May 27

(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)?

SCAB tool assessment
We ask ID for anyone who look under 30

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

We have a training folder of SCAB tool at counter, staff are monitored to ensure ID requests of compliance of intoxication.

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

Food items at counter, non alc options
no heavily discounted products
advise of lighter options

Signed La McLean Date 4/3/25 Place Andy Bay Bottle'o

460 Anderson Bay Rd 7

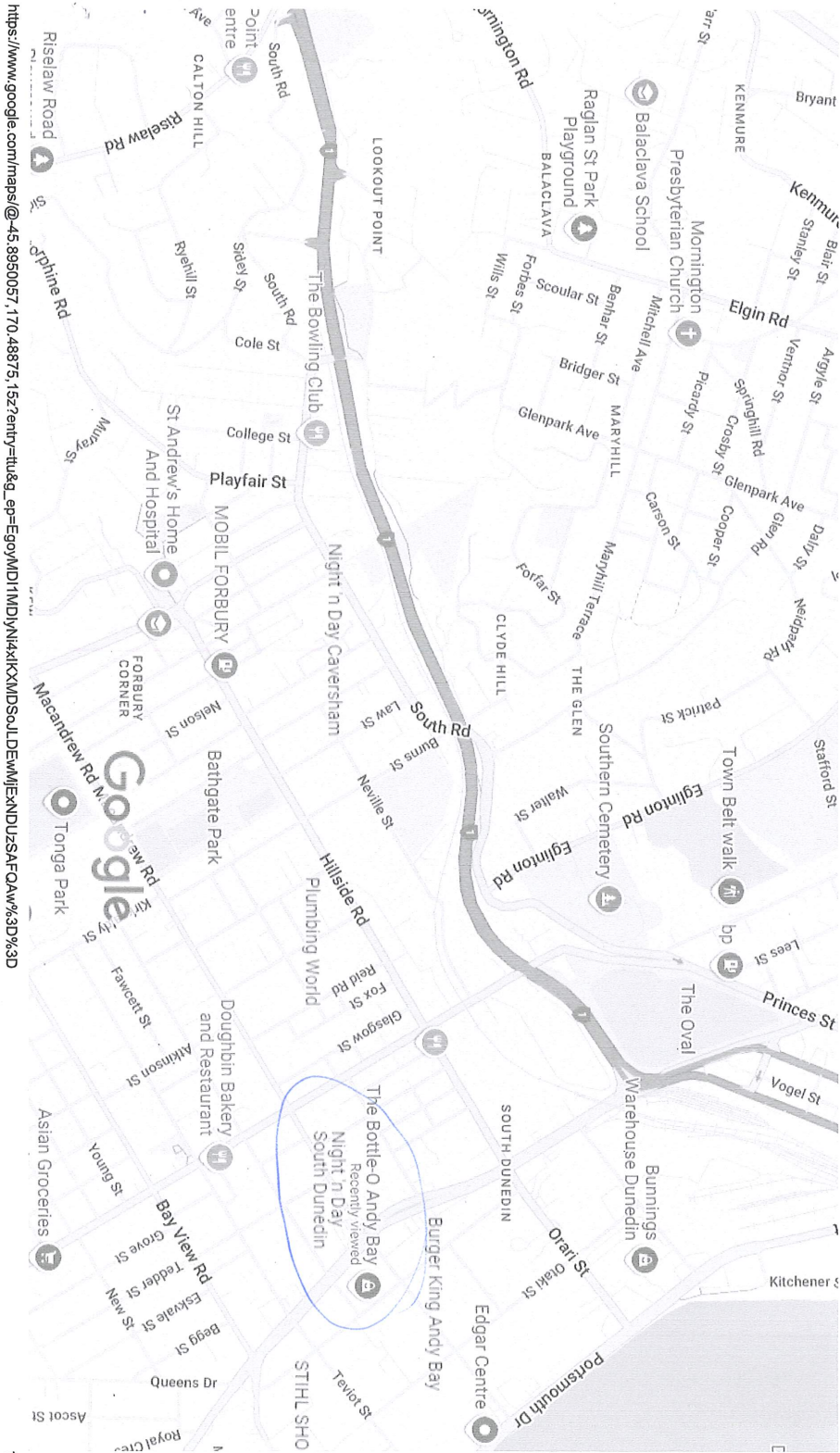


Dunedin DLC – Off Licence Renewal Application – DDLC-OFFRENEW-V2-2021

3/4/25, 1:23 PM

Google Maps

Google Maps



https://www.google.com/maps/@-45.8950057,170.48875,15z?entry=tt&g_ep=EgoyMDI1MDYxNjIyNDUzSAFQAw%3D%3D

1/2

**460 Anderson's Bay Road
Dunedin**

Host Responsibility Policy

Under the Sale and Supply of Liquor Act 2012

The management and staff of The Bottle'O Anderson's Bay 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 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.2012
- 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 APPLICATION

Applicant	McCarthy Enterprises Limited
Trading Name	Bottle O Anderson's Bay
Address of premises	500 Anderson's Bay Road, Dunedin
Type of licence	OFF-Licence
Application type	Renewal
Pathway number	OFF-7179-2006
Date of application	4 March 2025

The Licensing Inspector undertook an (unannounced) routine monitoring visit to the premises on 21 July 2025.

Applicant details

McCarthy Enterprises Limited
Company number: 1145948
NZBN: 9429036861378
Incorporation Date: 27 June 2001
Company Status: Registered
Entity type: NZ Limited Company

The current directors and current shareholders are Kenneth William McCarthy and Patricia Margaret McCarthy, both of Mosgiel.

Mr and Mrs McCarthy are also current directors/shareholders of the following companies: MJ Enterprises Limited, Five Roads Alpacas Limited, Jethro Holdings Limited, and Kitt Enterprises Limited.

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

Bottle O is part of a chain of bottle stores throughout New Zealand. Previously, the applicant's store was under the Super Liquor franchise, however this changed to Bottle O late 2023.

Site Location (zoning/surrounding uses or activities)

2GP 'Trade related' – Resource Consent 3365 issued in 1995 allows the activity.

Manager details

Current Manager's Certificate Holders are:

Corinna McCarthy – Expires 30/06/27
Chad Goodman – Expires 08/07/26
Ben Jones – Expires 01/05/27

Licensing hours sought

The hours listed within the application form appear to be trading hours, however it is understood the applicant is not seeking any changes to current licensing hours (8am until 10pm daily).

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

No.

Designation sought

Supervised.

Correct signage on display?

- 1. Copy of licence at principal entrance?** Yes
- 2. Duty Manager?** Yes
- 3. Prohibited persons?** Yes

Host Responsibility

**460 Anderson's Bay Road
Dunedin**

Host Responsibility Policy

Under the Sale and Supply of Liquor Act 2012

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- Acceptable forms of identification are: photo New Zealand drivers licence, HANZ 18+ 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.2012
- 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!**

The above policy in several places incorrectly refers to the Sale and Supply of Liquor Act 2012. This applicant has held licences, across multiple premises for many years – the correct legislation is expected to be referred to. This policy also does not refer to The Kiwi Access card as an acceptable form of identification.

Does the premises utilise DCC owned footpath?

No.

What is the maximum occupancy number for the premises?

N/A

Public Notification process

ODT 12 and 19 March 2025

Public Objections (interest in the application/reasons for)

None.

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

The object of this Act:

See Inspector's Comment.

The suitability of the applicant:

See Inspector's comment.

Any relevant local alcohol policy:

No issues.

The days on which and the hours during which the applicant proposes to sell alcohol:

No issues.

The design and layout of any proposed premises:

No issues.

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.

Whether the applicant has appropriate systems, staff, and training to comply with the law:

(a) Building. BWOF Expires 09/06/25 (Covers showroom and workshop areas within the wider buildings as part of 500 Anderson's Bay Road).

(b) Sale of food. N/A

(c) Fire. No issues as of 10/03/25.

(d) Security. N/A.

Any matters dealt with in any report from the Police or a Medical Officer of Health

Opposition from the Delegated Medical Officer of Health. Police have not reported on this application and are now well outside their statutory reporting timeframe.

Whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:

No issues.

The manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.

No issues.

Inspector's comment

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

The applicant is known to both the committee and the authority, having appeared before both in recent years. Most recently the applicant appeared (as McCarthy Enterprises Limited), for Mosgiel Bottle O, which was an application declined by the committee (Decision released 31 May 2024) with a trade-out period granted. The applicant has also appeared representing MJ Enterprises (Trading as Quicker Liquor), which was an application declined by the committee (Decision released 5 July 2023) due to the licensee being found unsuitable to hold an alcohol licence. The director and shareholders of MJ Enterprises are the same Directors/Shareholders of

Jethro Holdings Limited and are the same director/shareholders again before the committee with this renewal application under McCarthy Enterprises Limited.

The previous failings of the applicant are in relation to not having appropriate staff, systems, and training in place as per section 105 (j) of the Act. Though a host responsibility policy has been provided with this application, it contains legislative reference errors and has not acknowledged one legal form of identification – these matters have been brought to the applicant's attention previously and remain un-addressed.

This calls into question the overall suitability of the applicant under section 105 (b), with similar concerns raised by the other agencies who I support under section 105 (k) of the Act.

The object of the Act therefore is also called into question regarding the applicant ensuring the sale and supply of alcohol is undertaken responsibly when there is an overall lack of organisation and awareness displayed by the applicant.

The agencies have met with and exchanged communications with the applicant and associated family members throughout April to July. The premises has been for sale; and was under offer and thought to be sold; however, the sale fell through in mid-July 2025, and there appears to be currently no other potential buyer in current negotiations.

Communications I have received have led me to believe the company structure of the applicant may be changing, with Patricia and Kenneth McCarthy potentially both being removed as director/shareholders. However, as of the date of this report, no changes have been observed on the NZ Companies register, nor has any confirmation been received of any changes being made, which may prompt a re-assessment of applicant suitability by the agencies.

For the above reasons I oppose the renewal of this application and believe the application should fail.



Tanya Morrison
Chief Licensing Inspector
26/07/25

Opposition to Renewal of Off-Licence for Bottle O Andersons Bay

Health New Zealand
Te Whatu Ora

Introduction:

This submission is presented in **opposition** to the renewal application submitted by McCarthy Enterprises Limited trading as Bottle O Andersons Bay, which seeks to maintain its current trading hours, closing at 10pm. The Medical Officer of Health requests a reduction in trading hours from 10pm to 9pm. We support this request for a reduction, as we believe it aligns with the objectives of the *Sale and Supply of Alcohol Act 2012* (the Act) and is necessary to reduce alcohol-related harm in the community.

Relevant Provisions of the Sale and Supply of Alcohol Act 2012 (NZ):

The *Sale and Supply of Alcohol Act 2012* provides a legal framework that aims to reduce alcohol-related harm, ensure the responsible sale and consumption of alcohol, and promote public health and safety. The following provisions of the Act are particularly relevant:

1. **Section 4 – Purpose of the Act:** The purpose of the Act is to:
 - *Ensure that the sale, supply, and consumption of alcohol are undertaken safely and responsibly.*
 - *Prevent the harm caused by the excessive or inappropriate consumption of alcohol.*
2. **Section 5 – Objectives:** When determining alcohol licence conditions, the Act requires that the licensing authority consider:
 - The harm caused by alcohol consumption, including crime, injury, and health problems.
 - Ensuring that alcohol is sold and consumed in a manner that minimizes the risk of harm to the community.
3. **Section 105 – Licensing Objectives:** The licensing authority is required to determine whether a licence should be granted, renewed, or amended, taking into account factors such as:
 - The object of the Act to minimize alcohol-related harm.
 - The suitability of the applicant and the premises.
 - The level of alcohol-related harm in the locality and the potential for further harm.

Grounds for Opposition:**Health New Zealand**
Te Whatu Ora

1. **Increased Alcohol-Related Harm with Extended Trading Hours:** The extension of trading hours until 10pm increases the potential for excessive alcohol consumption, particularly later in the evening. Studies have found that reducing the availability of alcohol late at night for off-licences is associated with lower consumption levels, reductions in hospital admissions for alcohol intoxication, especially for young people, and reductions in road crashes and alcohol-related injuries.¹

A reduction in trading hours, as requested by the Medical Officer of Health, from 10pm to 9pm, would reduce the availability of alcohol late at night and is consistent with the Act's objectives to minimize alcohol-related harm. By closing earlier, Leith Liquor would limit opportunities for alcohol consumption that contribute to higher risks of harm, thereby promoting a safer environment for the community.

The Medical Officer of Health's request to reduce trading hours aligns with the harm-reduction principles outlined in the Act. By restricting the availability of alcohol, the risk of harm—such as alcohol-fuelled violence and emergency department admissions—would be reduced.

3. **Suitability of the Premises and Applicant:** Under Section 105 of the *Sale and Supply of Alcohol Act 2012*, licensing authorities must consider the suitability of the applicant and the premises, as well as the level of alcohol-related harm in the locality. The applicant's request to maintain trading hours until 10pm is inconsistent with the goals of the Act, particularly when the community is already experiencing significant harm related to alcohol consumption.

Reducing the trading hours to 9pm would be more suitable for the community, especially considering the negative impact of late-night alcohol availability on public health and safety. The applicant has a responsibility to ensure the premises operate in a way that minimizes harm and supports responsible alcohol consumption.

Conclusion:

Granting Bottle O Andersons Bay's request to maintain trading hours until 10pm would be inconsistent with the *Sale and Supply of Alcohol Act 2012*, particularly in relation to the Act's focus on minimizing alcohol-related harm. We respectfully request that the licensing authority impose a reduction of trading hours to 9pm, as this would better align with the harm-reduction principles of the Act and contribute to ensuring the responsible sale and consumption of alcohol in our community.

This is the opposition submission of Health.

**National Public Health Service
- Southern**

Private Bag 1921, Dunedin 9054
Waea: 03 476 9800

**National Public Health Service
- Southern**

PO Box 1601, Invercargill 9840
Waea: 03 211 8500

**National Public Health Service
- Southern**

PO Box 2180, Wakatipu,
Queenstown 9349
Waea: 03 450 9156

From: [White, Nikki](#)
To: [Dunedin Licensing Agency](#)
Subject: FW: Renewal - OFF-7179-2006 - McCarthy Enterprises Limited, Bottle O Andersons Bay, 500 Andersons Bay Road Dunedin
Date: Monday, 10 March 2025 09:52:41 a.m.
Attachments: [0.png](#)
[image001.png](#)
[OFF-7179-2006 - McCarthy Enterprises Limited, Bottle O Andersons Bay.pdf](#)

Hi team

No issues with this one.

Ngā mihi / Many thanks

Nikki White
Business Services Coordinator

Otago District – Dunedin
Te Kei Region
Dunedin Central Fire Station
85 Castle Street, Dunedin 9016
PO Box 341, Dunedin 9054
Mobile: 027 559 1825

nikki.white@fireandemergency.nz
www.fireandemergency.nz



From: Kirsten Allan <Kirsten.Allan@dcc.govt.nz>
Sent: Thursday, March 6, 2025 2:36 PM
To: Aaron.whipp@tewhatuora.govt.nz; Admin DHB (alcoholadmin@southernhb.govt.nz) <alcoholadmin@southernhb.govt.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>
Subject: Renewal - OFF-7179-2006 - McCarthy Enterprises Limited, Bottle O Andersons Bay, 500 Andersons Bay Road Dunedin



Alcohol Licence Application for DCC Noticeboard

First notice Wednesday, 12 March 2025

ALCOHOL LICENCE APPLICATIONS

Clu-1-2009 - Harbour Rugby Football Club Incorporated,
Harbour Rugby, 28A Albertson Avenue, Port Chalmers.
First notice. Closes Thursday, 17 April.

Off-7179-2006 - McCarthy Enterprises Limited, Bottle O
Andersons Bay, 500 Andersons Bay Road, Dunedin. First
notice. Closes Thursday, 17 April.

On-32-2017 - McLean and Stevens Sports Limited,
Metro Indoor Sports and Inflatable World, 89 Crawford
Street, Dunedin. First notice. Closes Thursday, 17 April.

On-7-2021 - E Strybosch Limited, The Duck, 494
Portobello Road, Macandrew Bay. First notice. Closes
Thursday, 17 April.

On-16-2020 - City Life Limited, Ebb - Dunedin, 82 Filleul
Street, Dunedin. Second notice. Closes Thursday, 10
April.

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

Second notice Wednesday, 19 March 2025

ALCOHOL LICENCE APPLICATIONS

Clu-1-2009 - Harbour Rugby Football Club Incorporated,
Harbour Rugby, 28A Albertson Avenue, Port Chalmers,
Second notice. Closes Thursday, 17 April.

Off-1-2025 - Douglas James McDougall, Strath Taieri
Hotel, 25 Snow Avenue, Middlemarch. First notice.
Closes Tuesday, 29 April.

Off-7179-2006 - McCarthy Enterprises Limited, Bottle
O Andersons Bay, 500 Andersons Bay Road, Dunedin.
Second notice. Closes Thursday, 17 April.

On-5-2025 - Douglas James McDougall, Strath Taieri
Hotel, 25 Snow Avenue, Middlemarch. First notice.
Closes Tuesday, 29 April.

On-32-2017 - McLean and Stevens Sports Limited,
Metro Indoor Sports and Inflatable World, 89 Crawford
Street, Dunedin. Second notice. Closes Thursday, 17
April.

On-7-2021 - E Strybosch Limited, The Duck, 494
Portobello Road, Macandrew Bay. Second notice. Closes
Thursday, 17 April.

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details of the applications.

Closes Thursday, 17 April 2025

DN DLC LICENCE DECISION CHECKLIST



Application: New ☐ ON ☐ Pathway reference: OFF-7179-2006
 Renewal ☒ OFF ☒ Date received: 06/03/2025
 Variation ☐ CLUB ☐

Approved: _____ Granted: Yes ☐ No ☐
 District Licensing Committee
 Date considered: _____
 Date: _____ Date determined: _____

DLC Registration Number: 069/OFF/13/2023 2025/19/OFF
 Applicant: McCarthy Enterprises Limited
 Premises: Bottle O Andersons Bay, 500 Andersons Bay Road, Dunedin
 Days and hours: Monday to Sunday 8.00 am to 10.00 pm
 Are there any objections? Yes ☐ No ☒
 Comments: _____

Hearing to be called

Reports:	Received	Recommend Issue	Matters in Opposition
Licensing Inspector	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police	<input checked="" type="checkbox"/>	No Report	<input type="checkbox"/>
MOH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: _____			

Is the location of the premises suitable? Yes ☒ No ☐
 Is the applicant suitable? Yes ☐ No ☒
 Is the design and layout of the premises suitable? Yes ☒ No ☐
 Will the amenity and good order be affected? Yes ☐ No ☒
 Is the staff training and numbers adequate? Yes ☐ No ☒
 Is any proposed entertainment appropriate? Yes ☐ No ☐ N/A ☒
 Renewal: Has the premises been operated properly? Yes ☐ No ☐ N/A ☐
 Renewal: Change in conditions sought? Yes ☐ No ☒ N/A ☐
 Is a DLC hearing required? Yes ☒ No ☐

LICENCE CONDITIONS	
Trading hours: <i>(incl sacrosanct days)</i>	Monday to Sunday 8.00 am to 10.00 pm
Designation:	Supervised
Water: <i>(required for On & Club licences)</i>	
Low alcohol drinks: <i>(range, signage)</i>	
Non-alcoholic drinks: <i>(signage, type)</i>	
Food: <i>(menus, signage etc)</i>	N/A
Door Security: <i>(required? time? Lighting, queue management)</i>	
BYO/Club – Manager present?	
Comments:	<p>This application has been opposed by the Licensing Inspector and MoH Delegate. The Police did not submit a report and are now well outside the reporting time.</p> <p>The MoH Delegate's report mainly speaks to the closing time of the premises. The report was written prior to the legal advice received that Dunedin's LAP is still current.</p> <p>The applicant company has Kenneth and Patricia McCARTHY as the directors and shareholders.</p> <p>The Inspector states that the applicant recently had a renewal declined at the Bottle O Mosgiel. They have also had another premises declined, albeit a different company but same directors and shareholders.</p> <p>The previous applications were declined because of a lack of suitability, inappropriate staffing, training, and systems in the premises. The Inspector states that little has changed with this premises.</p> <p>The premises is on the market for sale and it was thought a sale was imminent but it did not come to fruition.</p> <p>There was also a suggestion there was going to be a complete change in directors and shareholders but again, nothing has happened.</p> <p>The application is opposed.</p>