

10 October 2017

OBJECTION TO RENEWAL OF OFF-LICENCE APPLICATION

The Secretary
District Licensing Committee
Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1142

OBJECTION TO OFF-LICENCE RENEWAL APPLICATION BY R.S NZ HOLDING LIMITED FOR THE PREMISES SITUATED AT 439 ROSCOMMON ROAD, CLENDON, MANUREWA (TRADING AS Crown Liquor Clendon Wines)

We are writing in relation to the application by R.S Holding Limited (trading as Crown Liquor Clendon Wines) (the **Applicant**) to renew an off-licence for the premises at 439 Roscommon Road

In accordance with section 128 of the Sale and supply of alcohol Act 2012 (the **Act**), the Manurewa Local Board (the **Local Board**) **objects to application.**

Section 131 of the Act sets out criteria on which an objection to a renewal application can be based. The Local Board has considered each of those criteria and objects to the application for the following reasons:

When this application was first made a number of objectors, including the Local Board made objections and attended and spoke at the hearing.

At paragraph [72] of the 2014 Auckland DLC Decision, the DLC said: "[72] We agree with the evidence of Mr Brown; "the Act is not about continuing with the status quo – it is a game changer. It is about 'curbing the harm'". We consider that the applicant is not attempting to continue with the status quo. The applicant is attempting to make changes to the status quo by operating in a different manner to other licensed premises. It is considered that granting the current licence, with strict conditions, will change the status quo. **Any future operators and any current operators seeking to renew their licence should be subject to similar conditions.** If Clendon only has operators who have stringent licensing requirements then the Act can only be seen as a "game changer"."

The Board especially objects to the variation of conditions sought to:

(b) Remove: The premises will close between 3pm & 4pm during the school days & term of Finlayson Park School;

cancel (f) No single sale of: (i) beer or ready to drink spirits (RTD's) in bottles, cans, or containers of less than 440mls in volume may occur except for craft beer; and (ii) shots of pre-mixed shots;

(g) There will be no display of RTD products on the shop floor within the premises. RTD's will be stocked on the bottom shelves of the chiller toward the rear of the premise;

(h) The premise will not stock light spirits (being spirits under 14%ABV) such as Everglades, Bombara, Mad Jacks and Kristov Raspberry vodka;

(i) External advertising of alcohol is limited to no more than 50% of the shop frontage window area;

(j) There will be no advertising of alcohol products or brands outside the premises (apart from the trading name of the premises) such as (but not limited to) sandwich boards, billboards, signs, or similar forms of advertising.

The applicant has shown no evidence that this proposed variation is appropriate in light of paragraph [72] of the DLC Decision above or that the variation will meet the object of the Act to ensure the sale, supply, and consumption of alcohol will be undertaken safely and responsibly

The Manurewa Local Board **wishes to be heard** in relation to this objection.

The contact details for the Local Board are:

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Auckland Council
Private Bag 92300
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Signed by: 

10 October 2017

On behalf of the Manurewa Local Board