

Objection to Off-Licence Application

14th September 2018

To the District Licensing Committee

OBJECTION TO APPLICATION FOR NEW OFF-LICENCE BY PRIYA NZ LTD FOR THE PREMISES SITUATED AT 509 MT ALBERT ROAD, THREE KINGS (TRADING AS SUPER LIQUOR)

We write in relation to the application by Priya NZ Ltd (the Applicant) for a new off-licence for premises located at 509 Mt Albert Rd, Three Kings (the application).

In accordance with section 102 of the Sale and Supply of Alcohol Act 2012 (the Act) the Puketāpapa Local Board (the Local Board) objects to the application.

1. Greater interest

Section 102(1) of the Act requires that a person making an objection has a greater interest in the application than the public generally. In addition to fulfilling the local government representative function for the Puketāpapa area, including the site concerned, the Local Board is also responsible for a number of the sensitive sites in the vicinity of the site, and is located at 560 Mt Albert Rd, within 500m of the site. We have also been contacted by members of the community both for assistance with making objections and to urge us to object in our advocacy and representative function.

2. Grounds for objection

2.1 Object of the Act will not be met

The opening of another off-licence in the area will not contribute to the safe and responsible sale, supply and consumption of alcohol. In particular another off-licence will contribute to the negative impact of clustering, given the high level of density in the area and in particular the location of two existing off-licences within 200m of the site.

This application will also not minimize harm from excessive or inappropriate use. There are already instances of public drinking leading to vandalism, property damage, crime and a perception of low personal safety in the area around the site. To add more alcohol in to this setting would increase this visible harm, and likely increase the less visible harm happening in private too.

Further to this the application indicates that the main purpose of the business is **not** the sale of alcohol, in contradiction of other aspects of the application.

2.2 Days on which and the hours during which the applicant proposes to sell alcohol

The Local Board considers the hours proposed excessive, noting that the proposal is to trade until 10pm, later than the Auckland Alcohol Plan (under appeal) allows for. The application itself

mentions two different times for operation, 7am to 10pm in Section B and 9am to 10pm in Section C. We consider both of those options excessive.

As the site is on a walking route used by many school children, from primary, intermediate and secondary schools, we consider it also inappropriate for the site to be open when school travel is underway, in particular 7.30am to 9.30am and 2.30pm to 4.30pm. We note that at Mt Roskill Grammar School in particular school students often arrive late and leave late, to allow for free periods and extra curricular activities.

2.3 Whether the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence

If the Applicant is successful in obtaining a new off-licence the Local Board is concerned that the amenity and good order of the locality would be reduced to more than a minor extent. This is particularly pertinent given the around 20m road frontage of the shop, as opposed to the usual of around 6m. The visibility of the shop will be high, on a busy arterial route.

2.3.1 Nearby sensitive sites

Please see the attached map of the locality, with the red ring indicating approximately 2km from the site at 509 Mt Albert Rd. We have recorded sensitive sites, and areas of high level of social housing (mostly Housing New Zealand state housing), as well as the existing off-licences. At the time of submitting this objection we are aware of the following sensitive sites in these categories, within or on the edge of the 2km ring. In regard to both Early childhood education premises and Places of worship these can be difficult to locate so this should be regarded as the minimum in the locality.

2.3.1.1 Sites particularly close to 509 Mt Albert Rd

The committee will note that there is a particular cluster of sensitive sites very close to the proposed site. These include a school (Three Kings School), a public library (Mt Roskill Library), a park with a 24 hour liquor ban (Three Kings Reserve), another park that has a memorial function (Wahine Toa Park), a retirement village that also has a memorial function (Ranfurly Veterans Home), and two churches (Three Kings Congregational and Pursuit Church which meets regularly at the Fickling Convention Centre). A predominantly state housing area is also located nearby, including a medium density low rise apartment building for people with disabilities.

It should also be noted that there is significant further housing development anticipated to the north and north west of the site, in the Fletchers' quarry site (private medium density housing) and the area Housing New Zealand intends to intensify over the next five to ten years. The town centre area is zoned to allow for medium density as well.

2.3.1.2 Schools

There are 15 schools within the 2km radius, including three high schools – Mt Roskill Grammar School, Marcellin College and Onehunga High School. The first two have a relatively high proportion of Pasifika students.

Full list of schools: Mt Roskill campus (three schools, Mt Roskill Primary, Mt Roskill Intermediate and Mt Roskill Grammar School), Frost Rd; St Therese School, Mt Albert Rd; Three Kings School, cnr Mt

Albert and Mt Eden Rds; Carlson Special School, St Andrews Rd; Sunnydene Special School, Smallfield Ave; Dominion Rd School, Dominion Rd; Iqra Academy, Carr Rd; Hillsborough Primary, Belfast St; Royal Oak Primary, Manukau Rd; Marcellin College, Mt Albert Rd; Royal Oak Intermediate, Trafalgar St; Onehunga High School, Queenstown Rd; Our Lady of the Sacred Heart School, Banff Rd.

2.3.1.3 Early childhood education premises (not including home-based services):

Early childhood services can be considered sensitive sites as young children viewing people purchasing and consuming alcohol publicly can view it as normal activity.

Current sites we are aware of: Mt Roskill Kindergarten, Akarana Ave; Mt Roskill Early Childhood Centre, Somerset Rd; Little Pearls, Radnor Rd; Hillsborough Playcentre, Currie Ave; Carlson Kindergarten, St Andrews Rd; Brilliant Minds, Carr Rd; Little Scholars, Carr Rd; Little Kiwis Playhouse, Mt Eden Rd; Kindercare Three Kings, Shackleton Rd; Pitter Patter, Dominion Rd.

2.3.1.4 Places of worship:

In regard to places of worship some of these denominations practice temperance, and would find the nearby location of an additional off-licence, and increased public drinking and alcohol harm as a result, particularly egregious. Mt Roskill was one of the final parts of New Zealand to allow alcohol to be sold in the area, only voting to go “wet” in the late 1990s.

Sites we are currently aware of: Three Kings Congregational Church, Mt Albert Rd; St Johns, Mt Albert Rd; Pursuit Church (uses the Fickling Centre, Mt Albert Rd); St Therese, Mt Albert Rd; Universal, Carr Rd; Carmelite Monastery, Mt Albert Rd; Hills Church, Hillsborough Rd; St Francis Friary, Hillsborough Rd; Jesus Calls, Carr Rd; Christian Truth Church, Carr Rd; St Andrews, St Andrews Rd; Latter Day Saints, Pah Rd; Salvation Army Worship and Family Centre, Mt Albert Rd; St Giles, Dominion Road (on boundary); Niuean Christian Church, Dominion Rd; Congregational Church of Samoa, Dominion Rd; St Margaret’s, Hillsborough Rd.

2.3.1.5 Parks with 24 hour liquor bans

At the time of the adoption of liquor bans in Puketāpapa’s parks the Local Board agreed to 24 hour bans for only a small number of parks in the local network. In each case the Local Board was satisfied that there was sufficient evidence of existing day time alcohol-related harm in that park to justify the 24 hour ban. None of these bans have been challenged.

Full list of 24 hour liquor ban parks within 2km: Fearon Park, Harold Long Reserve, Three Kings Reserve, Keith Hay Park, Mt Roskill War Memorial Park, Hillsborough Reserve,

All of these parks host sports fields and facilities, and we are particularly aware of the negative impact of broken glass from alcohol receptacles on these areas, which sadly we see all too often at these parks (and elsewhere).

Mt Roskill Town Centre, which is not a park but was reviewed and covered by the liquor bans at the same time, is also a 24 hour liquor ban area and within 2km of the site.

2.3.2 Whether the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences

Our map notes that there are at least 15 existing off-licences within 2km of the site. In particular there are two located very nearby – Three Kings Liquor at 501D Mt Albert Rd, and Countdown Three Kings at Three Kings Plaza opposite the site.

We note the clear existing harm evidenced in the area in the **attached** Alcohol Healthwatch report, and express concern about the clustering impact that a further off-licence would have. We would like to call Dr Nicki Jackson from Alcohol Healthwatch as an expert witness at the hearing to address these issues.

The proposed site would be a large format Super Liquor, selling large quantities of alcohol at low prices, which would increase competition at the lower end of the market in the area, resulting in potentially irresponsible retail behavior by competitors, particularly those nearest, such as selling to minors, and lowering the average prices of alcohol.

We understand that a police report on details of nearby incidents will likely be lodged for this application, and that local residents will be submitting details of incidents they have seen themselves. We intend to gather more evidence of this ahead of the hearing. We also note that the on-licence across the road from the site, The Brass Boxer/The Copper Thief, previously known as The Thirsty Whale, has been locally well-known for alcohol-related harm spilling out in to the carpark area.

3. Hearing

The Puketāpapa Local Board wishes to be heard in relation to this objection. We also request that the hearing be held locally, in the Three Kings community.

Yours sincerely,



Harry Doig

Chair

Puketāpapa Local Board