

Decision No. GREYDLC 148/2019

IN THE MATTER

of Sale and Supply of Alcohol Act 2012 (the Act)

AND

IN THE MATTER

of an application by **MOANA HOTEL ON LAKE BRUNNER LIMITED** pursuant to s. 120 & 127 of the Act for the Renewal and variation of the OFF Licence situated at 34 Ahau Street, Moana known as the "Moana Hotel"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The Application

This is an application by the Moana Hotel on Lake Brunner Ltd for a renewal and variation of Off Licence situated at 34 Ahau Street, Moana known as the "Moana Hotel."

This application was duly notified on Council website and no objections were received.

The off licence operates as an 'across the bar' operation within the hotel under the same name but with the more restrictive hours of Monday to Sunday 11am to 11pm.

The premises meet the criteria of s. 32(1)(a) for the kind of premises that can continue to hold an Off-Licence under the Act, due to the principal business being that of a hotel with across the bar off sales.

The licence will expire three years from the last anniversary of the renewal of the licence.

DECISION

The licence is subject to the following conditions:

1. Alcohol may be sold on, or from, the premises for consumption off the premises and supplied free as a sample for consumption on the premises, only on the following days and hours: **Monday to Sunday 11am to 11pm.**
2. No alcohol is to be sold or delivered on Good Friday, Easter Sunday or Christmas Day or before 1pm on Anzac Day.
3. The licence premise areas are classed as undesignated.
4. The licensee to have available on the premises drinking water which is to be freely available to customers, while alcohol is being supplied free as a sample on the premises;

5. The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons;
6. A sign attached to the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of off licence liquor;
7. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through any principal entrance;
8. A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.
9. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

REASONS FOR THE DECISION

The application is complete and contains all the supporting documents as required under s.100 of the Act. It was duly advertised and no objection, opposition or notice of desire to be heard has been received.

The committee has received a detailed report on the application from the Grey District Council Inspector supportive of the application and variation being granted. The Police and Medical Officer of Health offer no matters in opposition

Overall I am satisfied as to the matters to which we must have regard as set out in the Act. Accordingly, I will deal with the matters on the papers.

The committee is satisfied that after reviewing the application with respect to the section 105 considerations, that the application to renew the licence should be granted.

CONCLUSION

Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012, I am satisfied that an off-licence renewal and variation application should be granted, pursuant to the conditions set out above.

DATED at GREYMOUTH this 10 day of December

2019



Alan T O'Connell

Chairman/Commissioner

