

Decision No. GREYDLC048/2019

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application by **WEST COAST HISTORICAL AND MECHANICAL SOCIETY INCORPORATED** for the renewal and variation of an On Licence pursuant to s.100 of the Act in respect of premises situated at 316 Rutherglen Road, Paroa, Greymouth known as "Shantytown Heritage Park"

**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

This is an application by the West Coast Historical and Mechanical Society Inc. for the renewal of an On Licence in respect of premises situated at 316 Rutherglen Road, Paroa, Greymouth known as "Shantytown Heritage Park".

The general nature of the business is that of a hotel and events centre. The applicant does not hold an off licence.

This application was duly notified as a renewal with no variation and no objections were received.

The hours and premises applied for and advertised were required to be notified again with no objections being received.

The committee is satisfied as to the matters that it must have regard to as set out in sections 105 and 106 of the Act.

**DECISION**

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by the West Coast Historical and Mechanical Society Inc. for the renewal of an On-licence in respect of premises situated at 316 Rutherglen Road, Paroa and subject to conditions

## **CONDITIONS OF LICENCE**

The licence is subject to the conditions listed below:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours:
  - a. Monday to Sunday 8am to 1am the following day (8am to 12 midnight on the Thursday before Good Friday, Easter Saturday, Christmas Eve and the day before Anzac Day) to any other person who is present on the premises.
2. No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day or before 1.00pm on ANZAC Day to any person other than persons who are:
  - a. present on the premises for the purpose of dining.
3. The whole of the premises as defined in the plans dated 27 March 2019 is designated as undesignated and is more clearly defined on aerial maps "A" and "B" with the areas on Map B being for "special occasions" only. (special occasions being defined as weddings and conferences and the likes).
4. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises or from across the bar. Water jugs are to be placed on dining tables.
5. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale of alcohol a reasonable range of non-alcoholic refreshments.
6. Low-alcohol beverages must be available for sale and supply on the premises.
7. Food must be available for consumption on the premises at all times the premises is open for the sale of alcohol, in accordance with the example menu submitted with the application for this licence, or menu variations of a similar range and standard.
8. The licensee must ensure that customers can readily access free, comprehensive information about alternative forms of transport from the premises including ensuring staff can give customers that information when requested.
9. The following other steps must be taken to promote the responsible consumption of alcohol:
  - a. All service staff must be trained in their responsibilities under the Sale and Supply of Alcohol Act 2012.
  - b. Evidence of age documents will be requested where appropriate.
  - c. The Licensee must ensure the provisions of the Act relating to the sale and supply of alcohol to minors and intoxicated persons are observed, and signage displayed detailing restrictions on the sale and supply of alcohol to such persons.
10. The licensee must ensure the following items are prominently displayed:

- a. A sign at the premises, so as to be easily read by patrons, stating the ordinary hours of business during which the premises will be open to sale of alcohol.
- b. A copy of the licence, conditions of the licence, and plans/aerial maps of the licensed areas attached to the premises so as to be easily read by persons attending the premises.
- c. A sign prominently displayed at the premises, which identifies by which name the manager for the time being on duty.

11. Payment of the fee prescribed under the Sale and Supply of Alcohol (Fees) Regulations 2013.

### **REASONS FOR THE DECISION**

The applicant has operated this business compliantly for many years and has met with the Inspector and Medical Officer of Health to discuss more fully the variation sought for the premise area.

The application was advertised with no objection or notice of desire to be heard being received.

There were no objections received from the Police and Medical Officer of Health

Accordingly I will deal with the matter on the papers.

The licensee is the owner of the land and buildings.

The Heritage Park is open as a tourism attraction between the hours of 8.30am – 5pm daily. In the evenings they are available for private functions, bookings and events with a large conference centre to cater for such events.

The current licence premise includes the café, hall and saloon bar. The saloon bar is designated as a supervised area with all other areas undesignated. No outdoor areas had been included.

The newly submitted plan changes the premises to include a much larger area with three separate outdoor drinking areas with all areas being undesignated. These are now covering the King Dick's café, the Welshman's Conference Centre, the Miners Hall, the Golden Nugget Saloon and the Foundry.

The outdoor licenced areas applied for covers the sawmill area, part of the Train line, the stamper battery and waterwheel. In addition to these areas it also includes the walkway leading from the stamper battery and water wheel areas back to the main street. A copy of aerial maps details the areas is included in the application and is needed to be able to fully understand where the licence premises areas are.

The sawmill area, train line, stamper battery, water wheel and foundry area will only be used as specified drinking areas for special events such as wedding's and conferences. These areas have been highlighted on the plans. The applicant expects the areas would be used for events occurring between 1 to 6 times per year.

The applicant has explained that when a "special event" is taking place they will have extra monitoring of these areas by experienced staff and the committee expects this

to be strictly adhered to. The area directly outside of the buildings onto the street is also to be strictly monitored.

The premise areas are fully explained by the Inspector and agreed to by the Committee.

The Licensing Inspector does not have any issues with the variation nor the suitability of the applicant.

The Committee is satisfied that after reviewing the application and reports with respect to the section 105 and 106 considerations, that the application for a renewal on-licence should be approved.

### CONCLUSION

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

DATED at GREYMOUTH this 07 day of May

2019



Alan T O'Connell

Chairman/Commissioner

