

Decision No. GREYDLC092/2019

IN THE MATTER

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

AND

IN THE MATTER

of an application by **POST OFFICE HOTEL (2008) LIMITED** for the renewal of an On Licence pursuant to s127 of the Act in respect of premises situated at 201 High Street, Greymouth known as the Australasian Tavern

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

This is an application by Post Office Hotel (2008) Limited for a renewal of an ON Licence in respect of premises situated at 201 High Street, Greymouth, known as the "Australasian Tavern"

The principal business is that of a tavern/restaurant and it carries undesignated and supervised designations. There is a restricted gaming area also.

The applicant has provided a detailed menu/list of food and low alcoholic and non-alcoholic refreshments that satisfies the requirements of the Act. The food is prepared on site and there is substantial menus available.

The applicant advised there is water freely available at no charge to patrons at all times from the bar as well as water available on the restaurant tables.

The application was duly notified on Council website.

Pursuant to section 134 of the Act I will deal with the matter on the papers.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, approves and application by Post Office Hotel (2008) Limited for a renewal of an ON licence for the premises situated at 201 High Street, Greymouth, known as the "Australasian Tavern" subject to conditions.

The premises are as set out on the plan submitted with the application and date stamped 19 August 2019. A note to this effect is to be made on the licence.

CONDITIONS OF LICENCE

The licence is subject to the following conditions:

1. Alcohol may be sold for consumption on the premises Monday to Sunday (seven days per week) from 8.00am to 3.00am the following morning.
2. No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1pm on Anzac Day to any person who is not
 - a. Present on the premises for the purpose of dining.
3. The bar premises area is designated as a supervised area, with the restaurant area undesignated and gaming room restricted as per plan provided.
4. 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. Water is to be provided freely at no cost to patrons from either a water supply prominently situated on the premises or from across the bar or on restaurant tables.
5. Low-alcohol beverages must be available for sale and supply on the premises.
6. 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.
7. A courtesy coach to be available to patrons or information about alternative forms of transport from the licensed premises be available upon request.
8. 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.
9. 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, and of the conditions of the licence, 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.
10. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

REASONS FOR THE DECISION

This is an application by the Post Office Hotel (2008) Limited in respect of premises situated at 201 High Street, Greymouth, which is used as a tavern and restaurant.

The application was advertised on Council website and no objection or notice of desire to be heard has been received.

It is reported that the applicant failed a Controlled Purchase Operation and a subsequent ARLA decision was a 48 hour suspension and a negative Holding in terms of s289 of the Act. As per section 297 the Holding will be removed on 19 August 2021.

The Committee has received a detailed report on the application from the Inspector supportive of the application being granted. Neither the Police nor the Medical Officer of Health has any matters in opposition.

It is noted there is no current LAP in place and the renewal of this licence is within the default hours of the Act.

There is no evidence before the Committee which would suggest that the Applicant would manage the premises in any way which would contravene the requirements or intention of the Act.

I am satisfied that after reviewing the application with respect to the Section 105, section 106 and section 131 of the Act, that the application for a renewal ON licence be granted.

CONCLUSION

Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012, the Committee is satisfied that the application for a renewal on-licence for these premises should be granted, pursuant to the conditions set out above.

DATED at GREYMOUTH this *23rd* day of *September* 2019


 Alan T O'Connell
 Chairman/Commissioner

