

Decision No. GREYDLC117/2020

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application by **WEST COAST THEATRE TRUST** for the renewal of an On Licence pursuant to s.127 and of the Act in respect of premises situated at the 2-8 Mackay Street, Greymouth known as "Ferrari's Lounge Bar" and the Regent Theatre"

**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

This is an application by the West Coast Theatre Trust for the renewal of an On Licence situated at 2-8 Mackay Street, Greymouth known as Ferrari's Lounge Bar and the Regent Theatre.

This application was duly notified on Council's website from 14 September 2020 and no opposition or notice of desire to be heard has been received.

The current licensed hours are Monday to Sunday 11am to 1am and no changes are sought.

The premise areas includes an outdoor footpath area which has tables and chairs is classed as an undesignated area (as per approved Council outside dining licence), the Lounge Bar area being classed as a supervised area (as per submitted Plan date stamped 31 August 2017).

**The premises are as set out on plans submitted with the application and date stamped 14 September 2020. A note to this effect is to be made on the licence.**

**CONDITIONS OF LICENCE**

1. Liquor may be sold only on the following days and during the following hours:
  - a. Monday to Sunday 11am to 1am the following day.
  - b. 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 present on the premises for the purpose of dining.
2. Drinking water is to be provided to patrons free of charge from the bar.

3. The lounge bar premises area is designated as a supervised area with other areas undesignated as per the plan supplied.
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 and low-alcoholic beverages.
5. 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. Menus must be visible and food should be actively promoted.
6. The Licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
7. A properly appointed certified, or Acting or Temporary, manager must be on duty at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises.
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 the 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.
10. Payment of the fee prescribed under the Sale and Supply of Alcohol (Fees) Regulations 2013.

### **REASONS FOR THE DECISION**

This is an application by the West Coast Theatre Trust for the renewal of an On Licence situated at 2-8 Mackay Street, Greymouth known as Ferrari's Lounge Bar and the Regent Theatre.

The applicant has operated this premise compliantly with the management of the premise being experienced in the industry.

The inspector reports that the amenity and good order of the area has not been adversely affected and that the applicant has sound host responsibility practices.

The applicant has provided a host responsibility which demonstrates that suitable measures are being undertaken with regard to responsible sales and supply of alcohol and that the potential for harm is being minimised.

The application was advertised and no objection or notice of desire to be heard has been received. The Committee has received a report on the application from the Grey District Council Inspector Mr Canning. There were no objections received from the Police or Medical Officer of Health.

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 of the Act.

Overall I am satisfied as to the matters to which we must have regard as set out in section 131 and 132 of the Act.

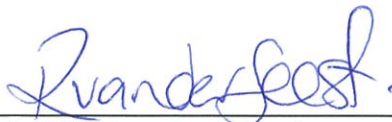
Accordingly I deal with the matter on the papers.

### **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 should be granted, pursuant to the conditions set out above.

**DATED** at GREYMOUTH this 12<sup>th</sup> day of October

2020



Rachel M Van der Geest  
Chairperson/Commissioner

