

IN THE MATTER

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

AND

IN THE MATTER

of an application by **IAN WILLIAM MCCANN** for a new on-licence pursuant to s100 of the Act in respect of premises situated at 1950 Kumara-Inchbonnie Road, Mitchells, Kumara known as "Lake Brunner Eco Lodge".

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Ian William McCann has applied for an on-licence situated at 1950 Kumara-Inchbonnie Road, Mitchells, known as the "Lake Brunner Eco Lodge."

The general nature of the business is that of an accommodation lodge with a restaurant and bar.

The applicant has a temporary authority for the premises, currently complying with the conditions set out in base licence 55/ON/001/2021.

The premises are zoned as commercial in the Grey District plan and this activity is permitted within the zone.

The principal entrance is from 1950 Kumara-Inchbonnie Road.

The licensed area, as per the attached site plan, is the dining room and bar, the outside deck and a grassed area directly below the deck. The deck and grassed area are an addition to the current licensed area.

The dining room and bar, deck and grassed area are to be undesignated designation, and the days and hours applied for are Monday to Sunday 8am to 1am.

DECISION

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by Ian William McCann for a new ON-licence for the premises at 1950 Kumara-Inchbonnie Road, Mitchells known as the "Lake Brunner Eco Lodge" subject to conditions.

CONDITIONS OF LICENCE

1. No liquor is to be sold or supplied on Good Friday, Easter Sunday, Christmas Day or before 1.00pm on ANZAC Day to any person other than persons who are:
 - a. For the time being living on the premises whether as a lodger or an employee of the licensee or otherwise, or

- b. Present on the premises for the purpose of dining.
2. Liquor may be sold only on the following days and during the following hours:
Monday to Sunday 8am to 1am
3. The licensed area is designated as an undesignated area.
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 a water supply prominently situated on the premises.
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 menus submitted with the application for this licence, or menu variations of a similar range and standard.
7. Transport options to be made available for patrons upon request including a telephone being made available to arrange alternative transport.
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. A properly appointed certificated or Acting or Temporary manager must be on duty at all times, within the licensed area, 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.
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 for 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.

The premises are as set out on the plan submitted with the application and date stamped 3 May 2022. A note to this effect is to be made on the licence.

REASONS FOR THE DECISION

The applicant has a current managers certificate, and is involved in the day-to-day operation of the premises. He has been involved in the industry for over 10 years.

The licensing inspector reports that the issue of this on-licence will not reduce, to more than a minor extent the amenity and good order of this locality. He does not express any concern at the suitability of the applicant, nor does he oppose the application.

The grassed area to be included in the licensed area is approximately 20 metres in length and 4 metres wide. This area will not exceed 4 metres in width so it is well clear of the premises driveway.

There are no immediate neighbours in the vicinity of the premises, and most patrons are guests staying onsite.

The applicant has provided a host responsibility policy along with a detailed menu of the food options they sell, and the low alcohol and non-alcoholic refreshments that are available.

The Grey District Council does not have a current LAP and the hours applied for are in line with the default hours as set by the Act.

The Police do not raise any matters in opposition.

The Medical Officer of Health initially opposed the application until a current water sample report for the premises was provided. The water sample report was supplied on the 7th of June and on the 9th of June the Medical Officer of Health withdrew his opposition. There are no further objections.

This application was duly notified on Council website on 3 May 2022 and no objections were received from members of the public.

Accordingly, I deal with the matter on the papers.

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 s.105, s.106 and s.107 of the Act.

The licence is valid for 12 months from the date of issue.

DATED at GREYMOUTH this 23rd day of June 2022.



Rachel M van der Geest
Chairperson/Commissioner