

Decision No. GREYDLC 123/2022

IN THE MATTER

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

AND

IN THE MATTER

of an application by **MOANA HOTEL ON LAKE BRUNNER LIMITED** for the renewal of an On Licence pursuant to s.127 of the Act in respect of premises situated at 34 Ahau Street, Moana known as "Hotel Lake Brunner Ltd".

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Moana Hotel on Lake Brunner Ltd has made an application for the renewal of an On Licence for premises situated at 34 Ahau Street, Moana and known as "Hotel Lake Brunner Ltd".

The applicant is an incorporated company, number 4002478 and holds a current On-Licence No 55/ON/09/2017. The shareholders are Robyn Christine Verstappen and Phillip John Barnett.

The general nature of the business is that of a hotel, restaurant and bar, with applied licensed hours of Monday - Sunday 8am - 3am.

The premises are zoned township and the principal entrance to the premises is from 34 Ahau Street, Moana.

The bar area, restaurant, beer garden and front deck of the premises are to be designated as undesignated as per the plan attached to the application.

DECISION

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by Moana Hotel on Lake Brunner Limited for the renewal of an ON Licence in respect of premises at 34 Ahau Street, Moana and known as "Hotel Lake Brunner Ltd", subject to the following conditions:

CONDITIONS OF LICENCE

1. Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday 8am to 3am the following morning.
2. No alcohol 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.
3. The licensed premise area is classed as undesignated areas as per plan attached to the application.
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.
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 on designated days or must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed 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 for the sale of alcohol.
 - b. A copy of the licence, plan of the remise area, 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 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.

The premises are as set out on the plan submitted with the application and date stamped 1 November 2022. A note to this effect is to be made on the licence.

REASONS FOR THE DECISION

The business carried out upon the premise is that of a hotel, restaurant and bar and are of a kind for which an on-licence may be granted.

The applicant has operated their On Licence for a number of years without incident. Robyn Verstappen has 10 years experience in the industry and is the holder of a current general managers certificate.

The Licensing Inspector details in his report that the applicant has the appropriate systems, staff and training to comply with the law, including seven qualified duty managers.

The Licensing Inspector's report indicates that the amenity and good order of the locality will not be adversely affected by more than a minor extent should this application be granted, and that the applicant is suitable to hold this licence. He does not oppose the application.

It is noted that the Medical Officer of Health recommends a reduction in the licensed hours from 3am. He does not oppose the application.

The Police do not oppose the application. No undertakings are sought by the agencies.

This application was duly notified on Council website 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 and it is satisfied as to the matters that it must have regard to as set out in sections 4, 105,106 and 131 of the Act.

DATED at GREYMOUTH this 7th day of December 2022



Rachel van der Geest
Chairperson/Commissioner