

Decision No. GREYDLC 031/2023

IN THE MATTER

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

AND

IN THE MATTER

of an application by **DUNOLLIE HOTEL 2014 LIMITED** for the renewal of an On Licence pursuant to s.127 of the Act in respect of premises situated at 110-120 Mawhera Quay, Greymouth and known as the "Railway Hotel".

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Dunollie Hotel 2014 Ltd has made an application for the renewal of an On Licence for premises situated at 110-120 Mawhera Quay, Greymouth and known as the "Railway Hotel".

The applicant is a limited company number 9429041095676 and holds a current On-Licence number 55/ON/28/2017. The shareholder is Winnie Group Trustee Ltd and the directors are Chin Wai Lau and Yu Chi Wong.

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

The Licensing Inspector and Medical Officer of Health suggested a change of hours to 10am - 3am to align with the business opening hour of 11am. This suggestion was accepted by the applicant.

The premises are zoned commercial and this activity is permitted within this zone. The principal entrance to the premises is from 110-120 Mawhera Quay, Greymouth.

The bar area, beer garden and smoking deck are designated as supervised, the gaming lounge designated restricted and the restaurant designated 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 Dunollie Hotel 2014 Limited for the renewal of an ON Licence in respect of premises at 110-120 Mawhera Quay, Greymouth and known as the "Railway Hotel", subject to the following conditions:

CONDITIONS OF LICENCE

1. Alcohol may be sold or supplied for consumption on the premises only on the following dayshours:

Monday to Sunday 10am 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 who are not:
 - 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. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
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-alcohol beverages.
5. The beer garden, smoking deck and bar premises are designated as supervised with the restaurant being undesignated. The gaming area is restricted.
6. Food must be available for consumption on the premises at all times the premises are open for the sale of alcohol, in accordance with the sample menu supplied 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.
7. A properly appointed certificated, 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. A courtesy coach to be available to patrons or information about alternative forms of transport from the licensed premises be available on request.
9. The Licensee must display:
 - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for the sale of alcohol;
 - c. A copy of the licence and plan attached to the premises so as to be easily read by persons attending the premises.
10. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 20

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.

Both directors have been involved in the industry for over 4 years and are the holders of a current general managers certificate.

A reduction in the opening hour on the licence from 8am to 10am has been accepted by the applicant as suggested by the Licensing Inspector and Medical Officer of Health to better align with the business opening hour of 11am. This change has been approved.

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

The Medical Officer of Health does not oppose the application, it is noted however that he recommends a reduction in the licensed hours end time.

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 17th day of March 2023

 

Rachel van der Geest
Chairperson/Commissioner