

Decision No. GREYDLC 049/2023

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application by **SAMPAN HOUSE  
NEW ZEALAND LIMITED** for the  
variation and renewal of an On Licence  
pursuant to s.120 and s.127 of the Act in  
respect of premises situated at 35 Albert  
Street, Greymouth and known as  
“Sampan Restaurant”

**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

Sampan House New Zealand Ltd has made an application for the renewal and variation of an on-licence for premises situated at 35 Albert Street, Greymouth and known as “Sampan Restaurant”.

The applicant is a registered company, number 9429047311350 and holds a current on-licence number 55/ON/02/2019. The shareholders are Shenhang Ou Yan and Louisa Ou Yan. Shenhang Ou Yan is the sole director of the company.

The general nature of the business is that of a restaurant with current applied licensed hours of Monday to Sunday, 11am - 1am.

After meeting with the Police, Medical Officer of Health and the Alcohol Licensing Inspector, where the reasoning behind a 1am closing time was discussed, the applicant has requested a variation to the closing hour from 1am to 12am.

The premises are zoned commercial and this activity is permitted within this zone.

The principal entrance to the premises is from 35 Albert Street, Greymouth.

The whole of the premises are 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 Sampan House New Zealand Limited for the renewal of an ON licence in respect of premises at 35 Albert Street, Greymouth and known as “Sampan Restaurant”, subject to the following conditions:

## **CONDITIONS OF LICENCE**

1. Alcohol may be sold and consumed on the premises only on the following days and during the following hours:  

**Monday to Sunday 8am to 12am the following day.**
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 present on the premises for the purpose of dining.
3. The whole premise is designated as undesignated as per the plan attached to the application.
4. 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.
5. 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.
6. Water is to be provided freely at no cost to patrons.
7. Low-alcohol beverages must be available for sale and supply on the premises.
8. 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.
9. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
10. 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.
11. 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.

12. 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 15 March 2023. 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 restaurant and is 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. Shanhang Ou Yan holds a current managers certificate, is involved in the day-to-day running of the business and is an experienced licensee.

The Licensing Inspector details in his report that the applicant has the appropriate systems, staff and training to comply with the law and is suitable to hold this licence.

The Inspector reports that the premises is located in the town centre and close to the public library and as the business is a restaurant, there is no harm to surrounding businesses.

The Licensing Inspector advises 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. He does not oppose the application.

The Police and Medical Officer of Health 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.

It is noted that the previous licence held an endorsement for BYO. As this restaurant is also selling alcohol, the consumption of BYO alcohol is covered in condition 1.

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 1st day of May 2023

*Randevest*



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Rachel van der Geest  
Chairperson/Commissioner