

Decision No. GREYDLC 074/2023

IN THE MATTER of the
Sale and Supply of Alcohol Act
2012 (the Act)

AND

IN THE MATTER of an
application by **MITCHELLS
MANAGEMENT 2023 LIMITED**
for a new On Licence pursuant to
s.100 of the Act in respect of
premises situated at 1946-1962
Kumara-Inchbonnie Road,
Mitchells and known as "Lake
Brunner Eco Lodge".

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Mitchells Management 2023 Ltd has made an application for a new On-Licence for premises situated at 1946-1962 Kumara-Inchbonnie Road, Mitchells and known as "Lake Brunner Eco Lodge".

The applicant is a limited company incorporated on 7 February 2023, number 9429051102395. The directors and shareholders are Brenda Marie Lynch and Anna Christine McNab.

The premises are owned by Mitchells 2021 Limited and the directors and shareholders are Paul David Lynch and Anna Christine McNab with Shaun Norman Lynch a shareholder.

The general nature of the business is that of lodge accommodation, bar and restaurant.

The premises are zoned commercial in the Grey District Plan and this activity is permitted within this zone. The principal entrance to the premises is from 1950 Kumara-Inchbonnie Road, Mitchells.

The outside deck area, including a 7 metre x 15 metre grassed area directly in front of the deck, is to be included in the licenced area.

The dining room, lounge, library, pool room and outside deck and grass areas will be designated as undesignated as per the plan attached to the application.

The applied for licensed days and hours are Monday to Sunday, 8am to 1am the following day.

DECISION

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by Mitchells Management 2023 Limited for a new ON-licence in respect of premises at 1946-1962 Kumara-Inchbonnie Road, Mitchells and known as "Lake Brunner Eco Lodge", subject to the following conditions:

CONDITIONS:

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

Monday to Sunday 8am to 1am 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 who is 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 bar.
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 dining room, lounge, library, pool room and outside deck and grass areas are designated as undesignated, as per the plan attached to the application.
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 menus 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. Information, advice and assistance about alternative forms of transport from the licensed premises must be provided to patrons.
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 2013.

The premise licensed area is set out on the plan submitted with the application and date stamped 13 June 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 lodge accommodation, bar and restaurant and are of a kind for which an on-licence may be granted.

The applicant has provided in their application host responsibility details which demonstrate that suitable measures will be undertaken to provide the following measures with regard to the responsible sales or supply of alcohol, and that harm will be minimised by:

- Food as per the attached menus will be available on the premises during the licence hours.
- Free water will be available at the bar at no charge.
- Non-alcoholic and low alcoholic beverages will be available.
- Transport from the premises will be arranged if required.

Brenda Lynch currently holds a managers certificate and is involved in the day-to-day operation of the business. She has been involved in the industry since July 2022, including overseeing the running of a restaurant and bar.

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

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. He does not oppose the application.

There is only one duty manager listed, however the licensing inspector reports that a second staff member is working towards their manager's certificate. The addition of a second duty manager is encouraged, to support the current manager.

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.

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 29th day of June 2023



Rachel van der Geest
Chairperson/Commissioner

