

Decision No. GREYDLC 046/2024

IN THE MATTER

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

AND

IN THE MATTER

of an application by **ROCKNSUZ LIMITED** pursuant to s.127 of the Act for the renewal of an Off-Licence in respect of premises situated at 3344 State Highway 7, Ahaura and known as "Ahaura Hotel"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

This is an application by Rocknsuz Limited for the renewal of the Off-Licence in respect of premises situated at 3344 State Highway 7, Ahaura and known as the "Ahaura Hotel".

The applicant is a company incorporated on 10 March 2022, number 9429050376414. The directors are Suzanne Joan Rockhouse and Brian Trevor Rockhouse.

We make the observation that applications for Off-Licence renewals are required by section 127(b) of the Act to be filed with the District Licensing Committee's secretariat at least 20 working days before the expiry of the licence. In this case, that requirement has not been met, there being only 18 working days between the time of application and the off-licence expiry.

On 20 March 2024 the applicant applied for a waiver under Section 208 of the Act. This allows the Committee to consider an application for an off-licence renewal that is filed inside 20 working days prior to the expiry of the licence if we are satisfied that the failure to apply in the prescribed time appears not to be a matter of neglect or omission. We were satisfied that the neglect or omission for this application was not wilful, the secretariat and inspector, with the co-operation of Police and the Medical Officer of Health, were able to complete the required reports at short notice, therefore on 20 March 2024, pursuant to section 208 of the Act, the requirement relating to the prescribed time for lodgement of this application was waived by the Committee.

The applicant currently holds an Off-licence number 055/OFF/001/2023 with trading hours of Monday to Sunday, 11am to 10pm.

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

The premise is zoned as township in the Grey District Plan and this activity is permitted within this zone.

The principal entrance is from 3344 State Highway 7, Ahaura.

The area of the premises at the off-licence point of sale is designated supervised.

DECISION

The Grey District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by RocknSuz Limited for the renewal of an Off-Licence pursuant to s.100 of the Sale and Supply of Alcohol Act 2012, in respect of premises situated at 3344 State Highway 7, Ahaura and known as "Ahaura Hotel", subject to the following conditions:

CONDITIONS OF LICENCE

1. Alcohol may be sold on, or delivered from, the premises for consumption off the premises or supplied free as a sample for consumption on the premises only on the following days and during the following hours:
 - a. **Monday to Sunday 11.00am to 10.00pm**
2. No alcohol is to be sold on, or delivered from, the premises on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day.
3. While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being supplied.
4. The whole of the off-licence premises is designated as supervised.
5. 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.
6. 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 sale of alcohol;
 - c. A copy of the licence attached to the inside of the premises so as to be easily read by people entering each principal entrance.
7. 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 21 March 2024. A note to this effect is to be made on the licence.

REASONS FOR THE DECISION

The applicant has operated their Off- licence without incident or cause for concern.

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.

Police and the Medical Officer of Health do not oppose the application.

The application was duly advertised and no objection, opposition or notice of desire to be heard has been received.

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 or intention of the Act.

Overall I am satisfied as to the matters to which we must have regard as set out in s.131 and s.132 of the Act.

DATED at GREYMOUTH this 6th day of May 2024.



Rachel M Van der Geest
Chairperson/Commissioner

Grey ST

Off license
Point of sale

Camp ST

GREY DISTRICT COUNCIL
21 MAR 2024
FILE No.

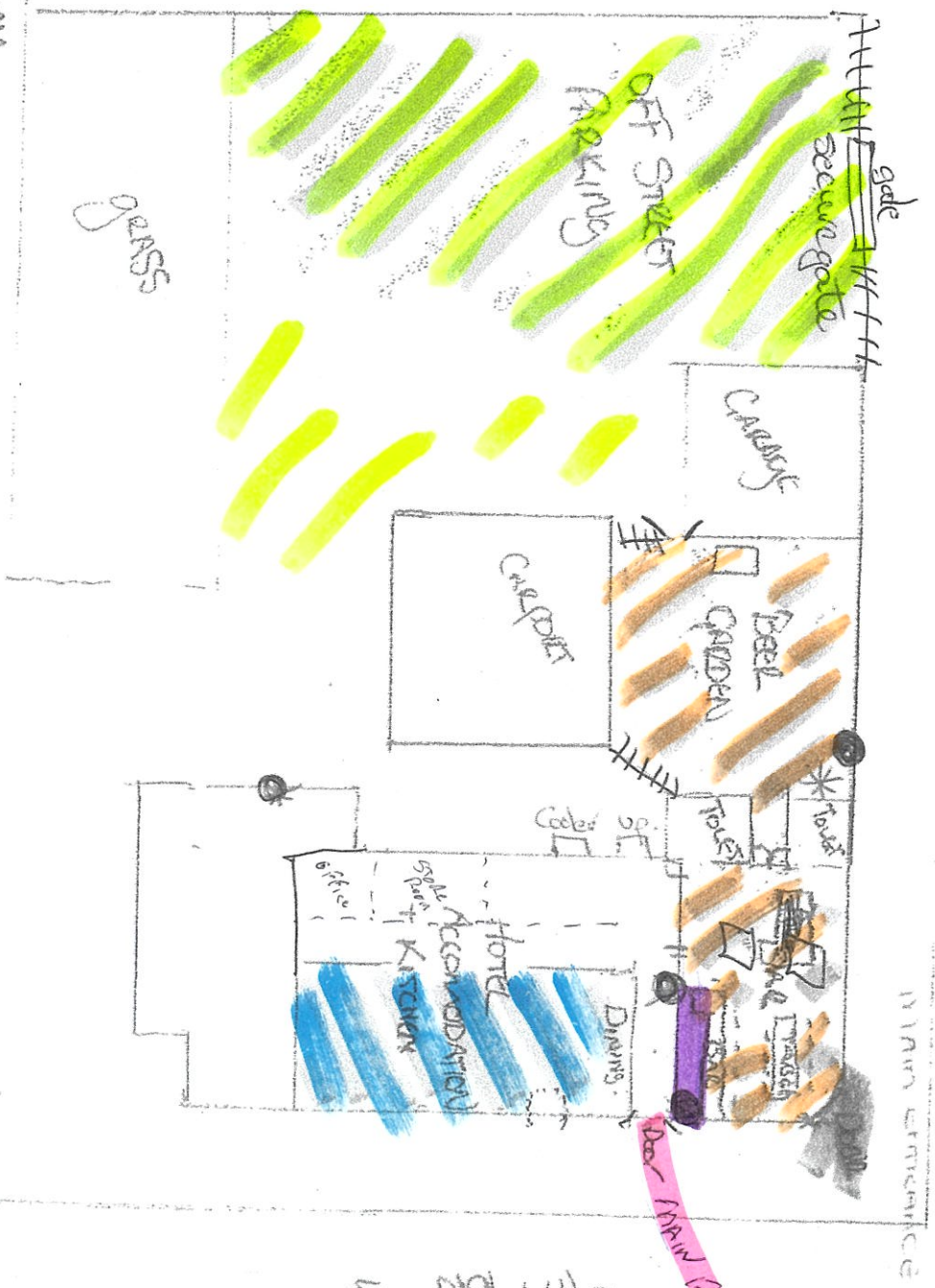
Tennis
PARKING

Car

OFF STREET PARKING
SUSPENDED AREAS
UNDERSIGNATED

Caseways

New fences



CLIFFTON ST