

Decision No. GREYDLC 245/2023

IN THE MATTER

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

AND

IN THE MATTER

of an application by **LAKE BRUNNER SUPPLIES MOANA LIMITED** pursuant to s.127 of the Act for the renewal of an Off-Licence in respect of premises situated at 2137 Arnold Valley Road, Moana and known as "On The Spot Moana"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

This is an application by Lake Brunner Supplies Moana Ltd for the renewal of the Off-Licence in respect of premises situated at 2137 Arnold Valley Road, Moana and known as "On The Spot Moana".

The applicant is a company incorporated on 18 March 2019 number 7338318. The directors are Stephanie Jane Ching and Dale Gray.

The general nature of the business is that of a grocery store and cafe which stocks a wide range of household goods, grocery items and fresh produce.

The applicant currently holds an Off-licence number 055/OFF/04/2019 with trading hours of Monday to Sunday 7.00am to 8.00pm.

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

The principal entrance is from Arnold Valley Road, Moana.

The whole of the premises is undesignated, as per the plan attached to the application.

DECISION

The Grey District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by Lake Brunner Supplies Moana 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 2137 Arnold Valley Road, Moana and known as "On The Spot Moana", 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 hours:

Monday to Sunday - 7am to 8pm

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. No alcohol may be sold other than -
 - a. Beer that complies with the applicable New Zealand food standard for beer; or
 - b. Mead that complies with the applicable New Zealand food standard for mead; or
 - c. Fruit or vegetable wine that complies with the applicable New Zealand food standard for fruit or vegetable wine; or
 - d. Grape wine that complies with the applicable New Zealand food standard for grape wine; or
 - e. A food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
4. While alcohol is being supplied free as a sample, water is to be provided free of charge at the place where the samples are being supplied.
5. The "single alcohol area" for the premises is as described on the plan dated 7 November 2023 and attached to this decision. A note to this effect is to be made on the licence.
6. The "single alcohol area" for the premises is as shown on the plan submitted by the applicant. In terms of that single alcohol area, the licensee must ensure that:
 - a. No alcohol is displayed, promoted or advertised outside the single alcohol area; and
 - b. No products that are not alcohol are displayed, promoted or advertised inside the single alcohol area.
7. A properly appointed 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.
8. The Licensee must display signage as follows:
 - a. At every point of sale 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.

9. The whole of the premises is undesignated.

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 7 November 2023. 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 since December 2019.

There have been no changes or variations to the layout of the premises since their last renewal.

The single-alcohol area has been clearly defined on the premises plan attached to this application.

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 5th day of December 2023



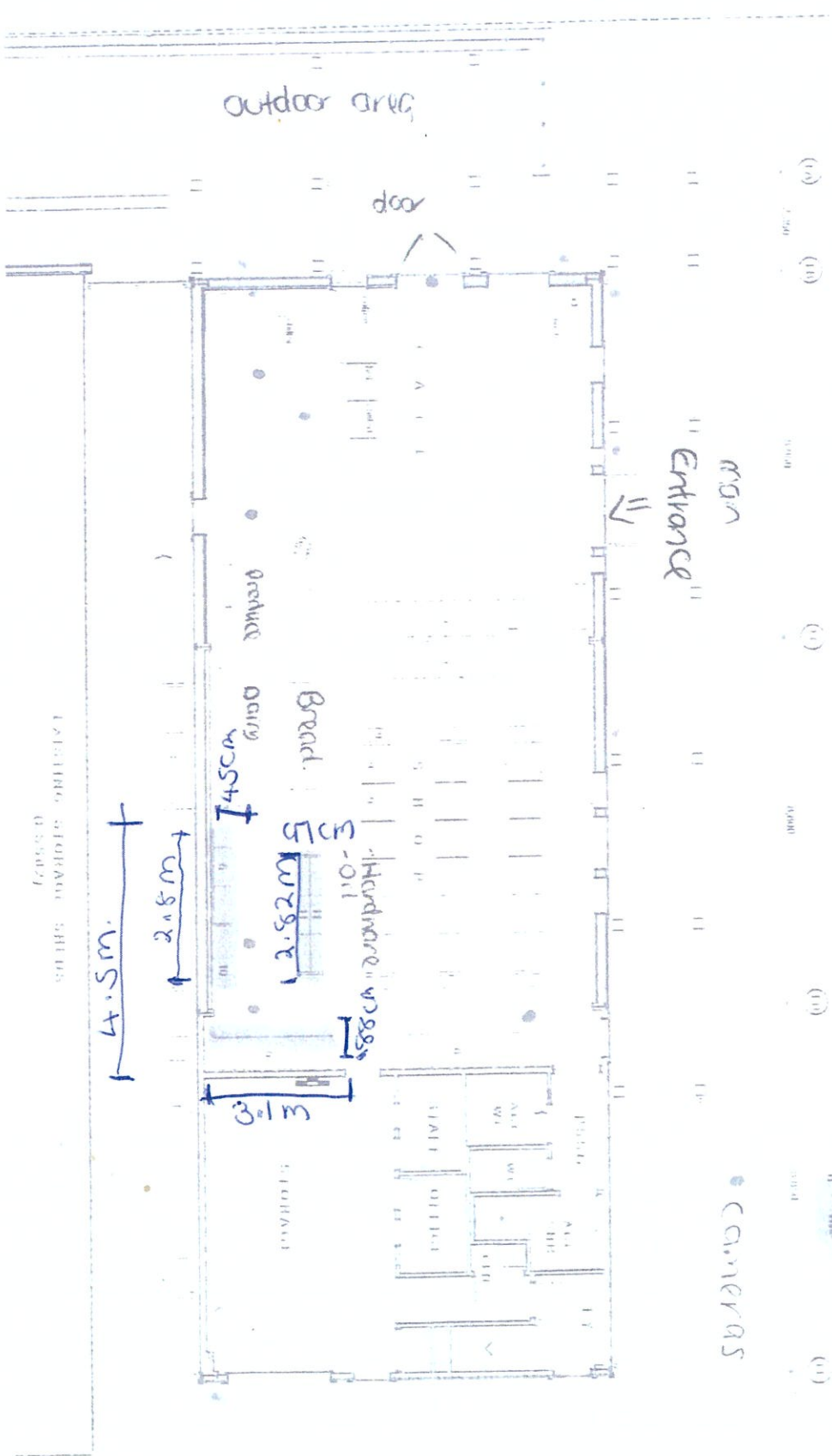
Rachel M Van der Geest
Chairperson/Commissioner

OFF

GREY DISTRICT COUNCIL
 DISTRICT COUNCIL
 07 NOV 2023
 FILE No.
 FILE No. Updated floor plan

SL

with measurements.



1. Entrance
 2. Kitchen
 3. Staff
 4. Restroom
 5. Toilet
 6. W.C.
 7. Water
 8. Plaster
 9. Stairs
 10. Closet