

Decision No. GREYDLC145/2019

IN THE MATTER

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

AND

IN THE MATTER

of an application by **BONZAI BAKERY & PIZZERIA (2015) LIMITED** pursuant to s. 120 & 127 of the Act for the Renewal and variation of the ON Licence in respect of premises situated at 31-33 Mackay Street, Greymouth known as the "Bonzai Bakery & Pizzeria"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The Application

Bonzai Bakery & Pizzeria (2015) Limited applies for the renewal of the ON Licence in respect of premises situated at 31-33 Mackay Street, Greymouth, known as the "Bonzai Bakery & Pizzeria". This general nature of business operates as a restaurant with the premises classed as undesignated.

The following days and hours of operation are sought: Monday to Sunday 8am to 11pm. These hours are within the maximum national default hours for an on-licence.

The principle entrance is from the front entrance via Mackay Street, Greymouth and is in a public places alcohol ban area.

The Applicant has applied to Council and has Council Licence to Occupy Public Space for Outdoor Dining being outside on the footpath area with dining tables and chairs.

The applicant has provided a list of substantive food options and the low alcohol and non-alcoholic refreshments that are available. Water is to be available as part of the table service and over the bar service.

The application was notified on the Council website and no objections were received by the secretariat from members of the public.

Neither the Police nor the MOH opposes the amended application to renew.

DECISION

The District Licencing Deputy Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, approves an application by the Bonzai Bakery & Pizzeria (2015) Limited for the renewal of the ON Licence in respect of premises situated at 31-33 Mackay Street, Greymouth, known as the "Bonzai Bakery & Pizzeria".

The premises are as set out on plans submitted with the application and date stamped 12 November 2019. A note to this effect is to be made on the licence.

CONDITIONS OF LICENCE

1. Alcohol may be sold for consumption on the premises only on the following days and hours:
Monday to Sunday (seven days per week) from 8.00am to 11.00pm.
2. No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1pm on Anzac Day to any person who is not
 - a. Present on the premises for the purpose of dining.
3. The premise area is designated as undesignated as per plan provided.
4. A properly appointed certified 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.
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. Water is to be provided freely at no cost to patrons from either across the bar and on restaurant tables.
6. Low-alcohol beverages must be available for sale and supply on the premises.
7. 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.
8. The licensee must provide patrons assistance with, or information about alternative forms of transport from the licensed premises.
9. 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.
10. 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 to sale of alcohol.
- b. A copy of the licence, 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 which name the manager for the time being on duty.

11. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

REASONS FOR THE DECISION

The applicant has provided an acceptable menu together with a range of non-alcoholic and low alcohol drinks displayed as available that satisfy the requirements of the Act.

The applicant has also provided an acceptable host responsibility policy.

The inspector reports that the amenity and good order of the area has not been affected by more than a minor extent. The business has not come to notice in an adverse manner during their first year of operation.

Overall I am satisfied as to the matters to which we must have in regard as set out in s. 120 and 131/132 of the Act.

Accordingly, I deal with the matter on the papers.

CONCLUSION

Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012, the Committee is satisfied that the application for a renewal of ON-licence for these premises should be granted, pursuant to the conditions set out above.

DATED at GREYMOUTH this 10 day of December, 2019



Alan T O'Connell

Chairman

