

Decision No. GREYDLC151/2020

**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** for a renewal and variation to an On Licence pursuant to s.127 and s 120 of the Act in respect of premises situated at 2137 Arnold Valley Road, Moana known as "On the Spot Lake Brunner."

**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

This is an application by the Lake Brunner Supplies Moana Limited for a renewal of an On Licence with variation situated at 2137 Arnold Valley Road, Moana known as On the Spot Lake Brunner.

The Variation is a change to the licenced area – the premises will be relocated within the existing site to be an exact mirror image of the current building, with the same layout and licenced area. The new store will be completed in April 2021.

The applicant is a private company incorporated under the Companies Act 1993 on 18 March 2019.

The general nature of the business is that of a cafe with applied licensed hours of Monday to Sunday 8am to 9pm.

It is noted that the café is situated in the same building as that of the off licence for the supermarket known as On the Spot Lake Brunner and includes an outside dining area.

The principal entrance to the premises is the entrance from Arnold Valley Road, Moana.

This application was duly notified on Council website and no objections were received from members of the public.

The applicant has provided a menu of the options with low alcohol and non-alcoholic refreshments are available.

Having considered the application, the application for a new on-licence is granted, on the conditions set out below, for the reasons set out in this decision.

## **DECISION**

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012, approves an application by the Lake Brunner Supplies Moana Limited for a new ON licence for the premises at 2137 Arnold Valley Road, Moana known as "On the Spot Lake Brunner" subject to conditions.

## **CONDITIONS OF LICENCE**

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

### **Monday to Sunday 8am to 9pm**

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 premise for to dine on the premises.
3. The whole of the premise is designated as an undesignated area.
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 refreshments.
5. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
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. 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.
9. Advice and assistance about alternative forms of transport is available to patrons from the licensed premises.
10. 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 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.

**The premises are as set out on the plan submitted with the application and date stamped 10 November 2020. A note to this effect is to be made on the licence.**

### REASONS FOR THE DECISION

The applicant is described in the Inspectors report as a company with directors and shareholders being Stephanie Jane Ching and Dale Ronald Gray. The Inspector believes the applicant company is suitable to operate a licenced premise.

The Inspector reports that the amenity and good order of the area has not been adversely affected and that the applicant has sound host responsibility practices.

The Police and Medical Officer of Health raise no matters in opposition.

A Certificate of Compliance has been sought and issued for this activity.

The floor plan shows the layout of the premises. All of the premise area is undesignated.

It is understood that the applicant will move into a new building within the existing site by April 2021. The new building will have the same floor plan as the current building.

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.

Overall I am satisfied as to the matters to which we must have regard as set out in s.105 and s.106 of the Act.

Accordingly, I deal with the matter on the papers.

**DATED** at GREYMOUTH this 21<sup>st</sup> day of December

2020

  
 Rachel M Van der Geest  
 Chairperson/Commissioner

