

Decision No. GREYDLC 004/2023

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application by **PLATFORM 40 LIMITED** for the renewal of an On Licence pursuant to s.127 of the Act in respect of premises situated at 40 Koe Street, Moana and known as "Platform 40".

**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

Platform 40 Ltd has made an application for the renewal of an On Licence for premises situated at 40 Koe Street, Moana and known as "Platform 40".

The applicant is an incorporated partnership, number 8202905 and holds a current On-Licence No 55/ON/002/2021. The directors are Alison Mary Franzmann and Ihaka Weepu.

The general nature of the business is that of a restaurant and bar. The current licence hours are Monday to Sunday 8am - 1am. The hours applied for are Monday to Sunday 9am - 1am.

The premises are zoned township in the Grey District Plan. The principal entrance to the premises is from 40 Koe Street, Moana.

The whole of the licenced area shall be designated undesigned, as per the plan attached to the application.

**DECISION**

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by Platform 40 Limited for the renewal of an ON Licence in respect of premises at 40 Koe Street, Moana and known as "Platform 40", subject to the following conditions:

**CONDITIONS OF LICENCE**

1. Alcohol may be sold only on the following days and during the following hours:  
Monday to Sunday 9am to 1am the following day.
2. No alcohol is to be sold on the premises 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 the purpose of dining.
3. The bar premises area is designated as undesigned, as per plan provided.

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 and low alcoholic refreshments.
5. Potable drinking water must be available free for patrons at all times when the premises are open for the sale and supply of alcohol.
6. 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.
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 information, advice and assistance on alternative forms of transport.
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 principal entrance to the premises, so as to be easily read by patrons, stating the ordinary hours of business during which the premises will be open for the 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 name the manager for the time being on duty.
11. The renewal will be for three years from the anniversary of the last renewal of the licence and a replacement licence is to be issued.
12. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

**The premises are as set out on the plan submitted with the application and date stamped 15 November 2022. 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 a restaurant and bar and are of a kind for which an on-licence may be granted.

The applicant has operated their On Licence without incident or cause for concern.

The directors both hold a Managers Certificate and both have over 10 years experience in the industry.

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. He does not oppose the application.

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.

It is noted that while the suggested change by the Licensing Inspector to the licence hours from 8am - 1am to 9am - 1am, was completed at the time of application, it should have been completed with a variation to this application. The applicant has advised the Licensing Inspector that their premises are not opened to the public prior to 9am, therefore there is no reason to be licenced from 8am. The Police and Medical Officer of Health do not oppose the reduced hours and no objections were received by members of the public. I therefore will accept the reduced hours.

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 3rd day of January 2023

 

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Rachel van der Geest  
Chairperson/Commissioner