

**IN THE MATTER  
AND  
IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

of an application by EDIBLE SOLUTIONS LIMITED for an on-licence pursuant to s.100 of the Act in respect of premises situated at 23 WILSON ROAD, WAIHI BEACH known as "THE PORCH".

**Before the Western Bay of Plenty District Licensing Committee**

Commissioner: M Jones  
District Licensing Committee Members

**Decision**

This is an application by EDIBLE SOLUTIONS LIMITED for an ON-Licence in respect of premises situated at 23 WILSON ROAD, WAIHI BEACH known as "THE PORCH".

The general nature of the business to be undertaken is that of a restaurant.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and we grant the applicant an on-licence authorising the sale and supply of liquor, for consumption on the premises, to any person who is present on the premises.

The applicant's attention is drawn to s.56, s.57 and s.214 (3) of the Act obliging the holder of an on-licence to display:-

1. A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of liquor; AND
2. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance; AND
3. A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.

The entrance from 23 Wilson Road is designated as the principal entrance.

The licence will be subject to the following conditions:

- (a) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not present on the premises to dine.
- (b) Alcohol may be sold only on the following days and during the following hours:  
On such days and during such hours as the premises are being operated as a Class 1 Restaurant but not other than on the following days and hours:  
Monday to Sunday 9.00 am to 1.00 am the following day




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- (c) Drinking water is to be freely available to customers from the bar.
- (d) The following steps must be taken to promote the responsible consumption of alcohol:
  - (i) The licensee must ensure that all staff comply with the host responsibility plan submitted with the application for an on-licence detailing the steps to be taken by the licensee to ensure a safe drinking environment.
- (e) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
  - (i) Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
  - (ii) Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of alcohol to minors and intoxicated persons adjacent to every point of sale.
- (f) The whole of the premises is an undesignated area.

### **The Licensed Premises**

The premises, situated at 23 WILSON ROAD, WAIHI BEACH are more precisely identified in a plan date stamped as received by the Western Bay of Plenty District Licensing Committee on 4 July 2017.

**DATED** at Tauranga on the 31<sup>st</sup> day of July 2017

  
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Michael Jones  
**Commissioner**  
**Western Bay of Plenty District Licensing Committee**  
Application No: 6883

