

Decision No. 1036/94 ✓

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by YOUNG-CHUL LIM for an on-licence pursuant to s.7 of the Act in respect of premises situated on the 2nd Floor, 82-84 Hinemoa Street, Rotorua, known as "South Pacific Karaoke Bar"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley

Members: Mr R J S Munro

Mr J W Thompson

DECISION

This is an application by Young-Chul Lim for an on-licence in respect of premises situated on the 2nd Floor, 82-84 Hinemoa Street, Rotorua, known as "South Pacific Karaoke Bar". The general nature of the business to be undertaken will be that of a nightclub.

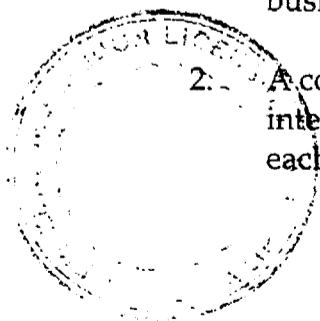
The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.13 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 for the purpose of attending any function or entertainment (whether live or not).

The licence may issue immediately.

The applicant's attention is drawn to s.25 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.



The entrance from Hinemoa Street is designated as the principal entrance.

The licence will be subject to the following conditions:

- (a) The licensee shall have available for consumption on the premises, at all times when the premises are open for the sale of liquor, a reasonable range of non-alcoholic refreshments.
- (b) Liquor may be sold only on the following days and during the following hours:

Monday to Sunday 6.00 pm to 3.00 am the following day

- (c) At all times when the premises are authorised to be open for the sale of liquor, food of a range and style similar to that shown on any menu submitted or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, shall be conveniently available for all patrons and the availability of those foodstuffs shall be notified to them by appropriate notices throughout the premises.

- (d) (i) When the premises are being operated as a nightclub or entertainment venue the whole of the premises is designated as a supervised area.
- (ii) During such time that the premises are being operated as a venue for social functions:

promoted by any person or association of persons other than the holder of the licence,

OR

at which liquor is not being sold or supplied,

the whole of the premises is undesignated.

- (e) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
 - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.



- (iii) When the premises are operating as a nightclub or entertainment venue display a prominent sign at the principal entrance of the premises as follows:


"Warning: Admission to these licensed premises of persons under the age of 20 years is subject to restrictions."

- (iv) When the premises are operating as a venue for private social functions display a prominent sign at the principal entrance to the premises informing the public that the premises are closed for a private function.

DEFINITION OF LICENSED PREMISES

In terms of Reg. 7 of the Sale of Liquor Regulations 1990 the sale or supply or consumption of liquor is authorised in the premises generally. The premises, located on the 2nd Floor, 82-84 Hinemoa Street, Rotorua are more precisely identified in a plan submitted with the application and date stamped as received by Tribunals Division on 9 May 1994.

DATED at WELLINGTON this *22nd* day of July 1994


J C Flanagan
Secretary

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