

Decision No. 2179/954

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by CRAIG LESLIE HOWAN for an on-licence pursuant to s.7 of the Act in respect of premises situated at 19 Wharf Street, Tauranga known as "Straight Shooters"

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 Craig Leslie Howan for an on-licence in respect of premises situated at 19 Wharf Street, Tauranga, known as "Straight Shooters".

The general nature of the business to be undertaken will be that of a tavern. The application results from a change of licensee. The premises are currently operating under a temporary authority granted by the Tauranga District Licensing Agency.

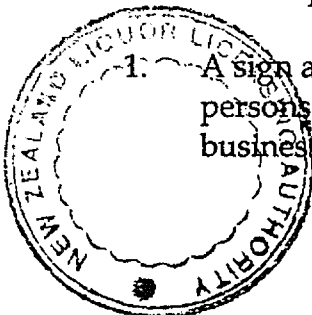
The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly we deal with the matter on the papers.

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.

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 Wharf 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) No liquor shall be sold or supplied on any Sunday or on Good Friday or Christmas Day to any person other than -
- (i) Any person who is for the time being living on the premises, whether as a lodger or an employee of the licensee, or otherwise, or
- (ii) Any person who is present on the premises for the purpose of dining:

- (c) Liquor may be sold only on the following days and during the following hours:

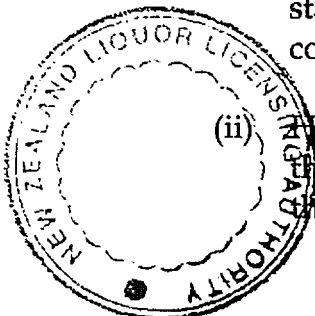
Monday to Saturday 11.00 am to 3.00 am the following day to any person who is present on the premises.

- (d) Food shall be available for consumption on the premises as follows:

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.

- (e) The whole of the premises is designated as a supervised area.
- (f) 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.




The licence will be endorsed as follows:-

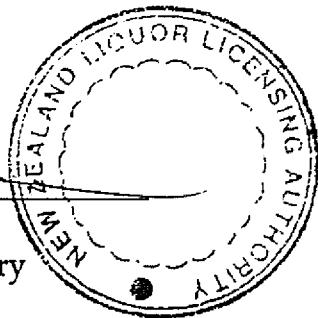
"For the purpose of this licence the hours from 12.00 midnight on a Saturday to 3.00 am on a Sunday are considered to be part of Saturday."

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 at 19 Wharf Street, Tauranga are more precisely identified in a plan date stamped as received by Tribunals Division on 7 August 1995.

DATED at WELLINGTON this *22nd* day of *September* 1995

  
R Barber  
Deputy Secretary



COPY

021/ON/20/95

ON-LICENCE

Sections 7 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, CRAIG LESLIE HOWAN is authorised to sell and supply liquor on the premises situated at 19 Wharf Street, Tauranga and known as "Straight Shooters", for consumption on the premises to any person who is present on the premises and to allow the consumption of liquor on the premises by any such person.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

CONDITIONS

This licence is 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) No liquor shall be sold or supplied on any Sunday or on Good Friday or Christmas Day to any person other than -
  - (i) Any person who is for the time being living on the premises, whether as a lodger or an employee of the licensee, or otherwise, or
  - (ii) Any person who is present on the premises for the purpose of dining:
- (c) Liquor may be sold only on the following days and during the following hours:  
Monday to Saturday 11.00 am to 3.00 am the following day to any person who is present on the premises.
- (d) Food shall be available for consumption on the premises as follows:  
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.
- (e) The whole of the premises is designated as a supervised area.
- (f) 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.

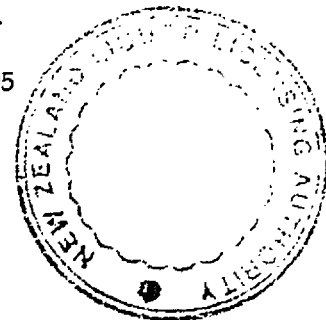
DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

DATED at WELLINGTON this 22nd day of September 1995

  
.....  
R Barber  
Deputy Secretary  
LIQUOR LICENSING AUTHORITY



- NOTE:
- (i) For the purpose of this licence the hours from 12.00 midnight on a Saturday to 3.00 am on Sunday are considered to be part of Saturday.
  - (ii) 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 at 19 Wharf Street, Tauranga are more precisely identified in a plan date stamped as received by Tribunals Division on 7 August 1995.
  - (iii) The entrance from Wharf Street is designated as the principal entrance.