

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by
FRIEDEMANN HAGEN and
GLORIA HOWEARTH, trading
in partnership for an on-licence
endorsed pursuant to s.28 of the
Act (BYO) in respect of premises
situated on the 1st Floor, 79
Walton Street, Whangarei known
as "The Laughing Buddha"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley

Members: Mr R J S Munro
Mr J W Thompson

DECISION

Public notification of the application did not attract any objections or notices of desire to be heard. We deal with the matter on the papers.

The premises previously has been the subject of an on-licence operating as a restaurant.


We are satisfied as to the matters to which we must have regard, and we grant the applicant an on-licence endorsed in terms of s.28. A copy of the licence setting out the conditions to which it is subject is attached to this decision.

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:-

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.

DATED at WELLINGTON this 16th day of September 1996


R Barber
Deputy Secretary



COPY

002/ON/10/96

ON-LICENCE

(For Premises)

Sections 7 and 114, Sale of Liquor Act 1989

Section 28 applies to this licence.

PURSUANT to the Sale of Liquor Act 1989, the partnership of FRIEDEMANN HAGEN and GLORIA HOWEARTH ('the licensee') is authorised:

- (a) To allow the consumption of liquor in the restaurant situated on the 1st Floor, 79 Walton Street, Whangarei and known as "The Laughing Buddha" by any person who is there for the purpose of dining, if the liquor is brought to the restaurant by that person or any other person dining with that person; and
- (b) To sell and supply any food or hot beverage of which liquor is an ingredient for consumption in the restaurant by any person who is there for the purpose of dining, if the food or beverage supplied to that person contains not more than 14.33 percent alcohol by volume.

Except as stated in paragraph (b) above, this licence does NOT authorise the licensee to sell or supply liquor to any person.

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 food or hot beverages in which liquor is an ingredient, a reasonable range of non-alcoholic refreshments.
- (b) Liquor may be consumed on the premises by persons present for the purpose of dining only on the following days and during the following hours:

Monday to Sunday 11.00 am to 11.00 pm
- (c) The licensee shall have available for consumption on the premises at all times when the premises are open food of a similar standard to that described in the menu lodged with the application for a licence.

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 16th day of September 1996



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R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY



- NOTE:
- (i) In terms of Reg. 7 of the Sale of Liquor Regulations 1990, the consumption of liquor is authorised in the first floor and the downstairs deck area of the premises only. The premises, located at 79 Walton Street, Whangarei are more precisely identified in a plan date stamped as received by Tribunals Division on 26 August 1996.
 - (ii) The entrance from the upper deck area is designated as the principal entrance.