

Decision No. 187476

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by PHUOC THUAN LAM for an on-licence pursuant to s.28 of the Act (B.Y.O.) in respect of premises situated at 39 Elliott Street, Auckland City, known as "South Vietnam Restaurant"

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 Phuoc Thuan Lam for an on-licence to operate a BYO restaurant in respect of premises situated at 39 Elliott Street, Auckland City, known as "South Vietnam Restaurant". Section 28 of the Act makes special provision for endorsement of an on-licence so as to identify the premises as having a BYO licence.

The application results from a change of licensee. The premises are currently operating under a temporary authority granted by the Auckland 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.

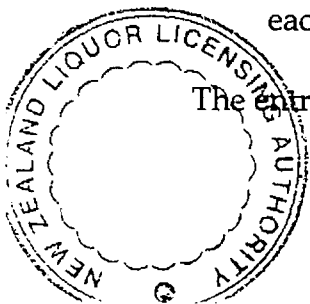
We are satisfied as to the matters to which we must have regard and we grant the applicant an on-licence endorsed in terms of s.28.

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.

The entrance from Elliott 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 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 10.30 am to 11.30 pm

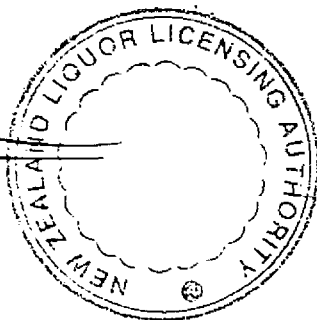
- (c) The licensee shall have available for consumption on the premises at all times when the premises are open, food of a similar standard to that described in the menu lodged with the application for a licence.

THE LICENSED PREMISES

In terms of Reg. 7 of the Sale of Liquor Regulations 1990, the consumption of liquor is authorised in the premises generally. The premises, located at 39 Elliott Street, Auckland City are more precisely identified in a plan date stamped as received by Tribunals Division on 6 September 1996.

DATED at WELLINGTON this *26th* day of *September* 1996


R Barber
Deputy Secretary



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