

Decision No. 26199

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by KADISHA TRADING COMPANY LIMITED for an on-licence pursuant to s.7 of the Act in respect of premises situated at 153 Stuart Street, Dunedin known as "Passion"

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


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. 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:-

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.

DATED at WELLINGTON this 19th day of February 1999



R Barber
Deputy Secretary



ON-LICENCE

Sections 7 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, KADISHA TRADING COMPANY LIMITED is authorised to sell and supply liquor on the premises situated at 153 Stuart Street, Dunedin and known as "Passion", 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 manager 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 is to be sold or supplied on a Sunday after 3.00 am; or Good Friday; or Christmas Day to any person other than persons who are present on the premises for the purpose of dining.
- (c) Liquor may be sold only on the following days and during the following hours:
 - (i) At any time on any day Monday to Friday and at any time on Saturday until 3.00 am the following day to any person who is present on the premises (except on the Thursday before Good Friday and on Christmas Eve when sales shall cease at 12.00 midnight).
 - (ii) At any time on Sunday, Good Friday and Christmas Day to any person who is present on the premises for the purpose of dining.
- (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 LICENSED PREMISES

In terms of Regulation 7 of the Sale of Liquor Regulations 1990 the sale, supply or consumption of liquor is authorised in the basement level, beer garden and ground floor of the premises only. The premises located at 153 Stuart Street, Dunedin are more precisely identified as outlined in a plan date stamped as received by Tribunals Division on 2 November 1998.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence shall be displayed at the principal entrance to the premises. The entrance from Stuart Street is designated as the principal entrance.

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 19th day of February 1999

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R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY

