

Decision No. 285/2000

IN THE MATTER

of the Sale of Liquor Act 1989

AND

IN THE MATTER

of an application by **WAITAKERE LICENSING TRUST** pursuant to s.18 of the Act for renewal of an on-licence in respect of premises situated at 159 Lincoln Road, Henderson, Waitakere City known as "Lincoln Green Motor Hotel"

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 Waitakere Licensing Trust for renewal of an on-licence in respect of premises situated at 159 Lincoln Road, Henderson, Waitakere City, known as "Lincoln Green Motor Hotel".

The applicant also seeks to vary the hours authorised for the sale of liquor in all parts of the premises other than that part known as "Peaches Bar". The hours currently in force are:

- (i) At any time on any day to any person who is for the time being living on the premises whether as a lodger or an employee of the licensee, or otherwise.
- (ii) (a) Monday to Saturday 9.00 am to 1.00 am the following day to any person who is present in the Peaches Bar.
(b) Monday to Saturday 9.00 am to 3.00 am the following day to any person who is present in any other part of the premises.
- (iii) (a) On Sundays, Good Friday and Christmas Day 9.00 am to 1.00 am the following day to any person who is present in the Peaches Bar for the purpose of dining.
(b) On Sundays, Good Friday and Christmas Day 9.00 am to 3.00 am the following day to any person who is present in any other part of the premises for the purpose of dining.

The variation seeks an opening time of 7.00 am and a closing time of 3.00 am.

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.22 of the Act. We renew the licence until 23 June 2001, that being the anniversary date of the licence and three years from the last renewal, and authorise the issue of a replacement licence and a renewal certificate.

DATED at WELLINGTON this 3rd day of March 2000

R Barber
Deputy Secretary



PURSUANT to the Sale of Liquor Act 1989, WAITAKERE LICENSING TRUST is authorised to sell and supply liquor on the premises situated at 159 Lincoln Road, Henderson and known as "Lincoln Green Motor Hotel", for consumption on the premises:

- (a) 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
 - (b) Any person who is present on the premises for the purpose of dining; or
 - (c) Any person who is present on the premises for the purpose of attending any function or entertainment (whether live or not); or
 - (d) Any other 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 is to be sold or supplied on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on ANZAC Day to any person other than persons who are:
 - (i) For the time being living on the premises whether as a lodger or an employee of the licensee or otherwise
 - (ii) 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 to any person who is for the time being living on the premises whether as a lodger or an employee of the licensee, or otherwise.
 - (ii) Peaches Bar

Monday to Saturday	9.00 am to 1.00 am the following day
Sunday	9.00 am to 1.00 am the following day (9.00 am to 12.00 midnight on the Thursday before Good Friday, Easter Saturday, Christmas Eve, and the day before ANZAC Day) to any person who is present on the premises.
 - (iii) The remainder of the premises

Monday to Saturday	7.00 am to 3.00 am the following day
Sunday	7.00 am to 1.00 am the following day (7.00 am to 12.00 midnight on the Thursday before Good Friday, Easter Saturday, Christmas Eve, and the day before ANZAC 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 set out 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 notice throughout the premises.
- (e) Each of the following parts of the premises is designated as a supervised area: **Every bar.**
- (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 display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of liquor to minors and the complete prohibition on sales to intoxicated persons.

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 premises generally. The premises located at 159 Lincoln Road, Henderson are more precisely identified as outlined in a plan stamped as received by the Liquor Licensing Authority on 6 May 1996.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence shall be displayed at the principal entrance to the premises. The entrance into the reception area is designated as the principal entrance.

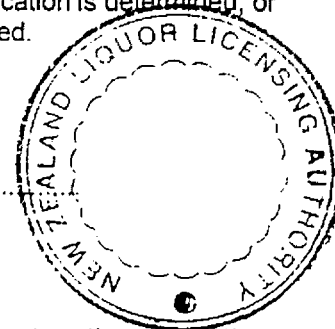
DURATION

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 23rd day of June 1995

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R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY



NOTE: This licence replaces licence no. 006/ON/15/96.
This licence shall expire on the same expiry date (or anniversary) as that of the licence it replaces or, if renewed, of the most recent renewal certificate.