

IN THE MATTER

of the Sale of Liquor Act 1989

AND

IN THE MATTER

of an application by **THE IVORY LIMITED** for an on-licence pursuant to s.7 of the Act in respect of premises situated on the Ground Floor, Civic Complex, 269-287 Queen Street, Auckland City known as "Starks"

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 The Ivory Limited for an on-licence in respect of premises situated on the Ground Floor, Civic Complex, 269-287 Queen Street, Auckland City, known as "Starks".

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

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.

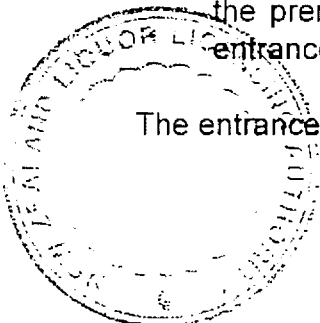
We are satisfied as to the matters to which we must have regard as set out in s.13 of the Act and we grant the applicant an on-licence authorising the sale and supply of liquor, for consumption on the premises, to any person who is present on the premises.

The licence will not issue until the Authority has received confirmation from the District Licensing Agency that all relevant clearances have been obtained. The applicant is not entitled to sell liquor until the licence issues. Unlicensed sales can result in imprisonment for up to three months or a fine of \$40,000 (ss.114(2), 151 and 152 of the Act refer).

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 Queen 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 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 present on the premises for the purpose of dining.
- (c) Liquor may be sold only on the following days and during the following hours:

At any time on any day (at any time until 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 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) 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 restriction on the supply of liquor to minors and the complete prohibition on sales to intoxicated persons.

THE 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 on the Ground Floor, Civic Complex, 269-287 Queen Street, Auckland City are more precisely identified in a plan date stamped as received by the Liquor Licensing Authority on 29 February 2000.

DATED at WELLINGTON this 10th day of March 2000

R Barber
Deputy Secretary

