

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Division Limited** for
an on-licence pursuant to s.99 of the Act
in respect of premises situated at **3
Kitchener Street, Martinborough**
known as **“Pinocchio”**

BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE

Chairperson: Vivien Napier

DECISION

This is an application by **Division Limited** for an on-licence in respect of premises situated at **3 Kitchener Street, Martinborough**, known as **“Pinocchio”**.

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

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 ss.3, 4 and 105 of the Act and we grant the applicant an on-licence authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises subject to the following conditions:

1. No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1pm on Anzac Day to any person who is not present on the premises to dine
2. Alcohol may be sold and supplied on the premises on such days and during such hours as the premises are being operated as a Restaurant but not other than on the following days and during the following hours:
Monday to Sunday 9.00 am to 1.00 am the following day
3. The whole of the premises is designated as an undesignated area.
4. Drinking water is to be freely available to customers while the premises are open for business at the following place or places: At servery and on the dining tables.
5. The licensee must 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 and low-alcohol beverages.
6. Food must be available for consumption on the premises as follows: At all times when the premises are authorised to be open for the sale of alcohol, a range of food choices must be readily available. Menus must be visible and food should be actively promoted.
7. The licensee must ensure that signs are prominently displayed within the licensed premises detailing information regarding alternative forms of transport from the premises.
8. The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol
9. The licences must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons

10. The licence is subject to the payment of fess as required by the Sales and Supply of Alcohol (Fees) Regulations 2013;
11. The entrance to the premises at 3 Kitchener Street Martinborough is designated the principal entrance for the purpose of the Act.


The applicant's attention is drawn to ss. 56, 57 and 214 (3) of the Act obliging the holder of an on-licence to display:-

1. A sign attached to the inside or outside of the premises, so as to be easily read by people immediately outside the entrance, stating the ordinary hours of business during which the premises are open for the sale of alcohol; 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; AND
3. A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.

THE LICENSED PREMISES

The premises, situated at 3 Kitchener Street, Martinborough are more precisely identified in a plan date stamped as received by the South Wairarapa District Licensing Committee on 20 July 2014.

DATED at Martinborough this day of 20th day of October 2014



Vivien Napier
Chairperson
South Wairarapa District Licensing Committee



ON-LICENCE

Sections 14-16 and 64, Sale and Supply of Alcohol Act 2012

PURSUANT to the Sale and Supply of Alcohol Act 2012 (The Act), **Division Limited** is authorised to sell and supply liquor on the premises situated at **3 Kitchener Street, Martinborough** and known as "**Pinocchio**", to any person for consumption on the premises and to let people consume alcohol there.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with with subpart 7 of part 2 of the Act.

CONDITIONS

This licence is subject to the following conditions:

1. No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1pm on Anzac Day to any person who is not present on the premises to dine
2. Alcohol may be sold and supplied on the premises on such days and during such hours as the premises are being operated as a Restaurant but not other than on the following days and during the following hours:
Monday to Sunday 9.00 am to 1.00 am the following day
3. The whole of the premises is designated as an undesignated area.
4. Drinking water is to be freely available to customers while the premises are open for business at the following place or places: At servery and on the dining tables.
5. The licensee must 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 and low-alcohol beverages.
6. Food must be available for consumption on the premises as follows: At all times when the premises are authorised to be open for the sale of alcohol, a range of food choices must be readily available. Menus must be visible and food should be actively promoted.
7. The licensee must ensure that signs are prominently displayed within the licensed premises detailing information regarding alternative forms of transport from the premises.
8. The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol
9. The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons
10. The licence is subject to the payment of fees as required by the Sales and Supply of Alcohol (Fees) Regulations 2013;
11. The entrance to the premises at 3 Kitchener Street Martinborough is designated the principal entrance for the purpose of the Act.

THE LICENSED PREMISES

The premises, situated at , are more precisely identified as outlined in a plan date stamped as received by the South Wairarapa District Licensing Committee on **20 July 2014**.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence must be displayed at the principal entrance to the premises. The entrance from **3 Kitchener Street, Martinborough** is designated as the principal entrance.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provision of the Act relating to the suspension and cancellation of licences, this licence continues in force –

- (a) Either –
 - i. Until the close of the period for which it was last renewed; or
 - ii. If it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) If an application for the renewal of the licence is duly made before the licence would otherwise expire, either –
 - i. Until the close of the period of 3 years after the period for which it was last renewed; or
 - ii. If it has never been renewed, until the close of the period of 4 years after the day it was issued.

DATED at Martinborough this 20th day of October 2014


Paul Crimp
Secretary
South Wairarapa District Licensing Committee



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, the licence expires on: **20 October 2015**