

Notice of Decision



Decision No. 57/ON/530/2024

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by D.O.T.I Eatery and Bar Limited for an on-licence pursuant to s.99 of the Act in respect of premises situated at 71 Carters Road, Amberley known as "D.O.T.I Eatery and Bar Limited"

BEFORE THE Hurunui District Licensing Committee

Commissioner: Mr M Ward

DECISION (ON THE PAPERS)

This is an application by D.O.T.I Eatery and Bar Limited for an on-licence in respect of premises situated at 71 Carters Road, Amberley, known as "D.O.T.I Eatery and Bar Limited".

The general nature of the business to be undertaken is that of a Restaurant with the hours authorised for the sale of alcohol between Thursday to Monday from 11.30am to 10.00pm.

The application was duly advertised and no objection or notice of desire to be heard has been received.

In their reports, the Police, Medical Officer of Health, and District Licensing Inspector have raised no matters in opposition to this application.

We note that the territorial authority is yet to issue the certificate(s) required under s.100(f) of the Act, certifying that the proposed use of the premises meets the requirements of the Resource Management Act 1991 and the Building Code. We understand that matters relating to these certificates are being attended to by the applicant. Accordingly, it is our decision to grant this licence but require that it not be issued until these certificates are received.

We are satisfied as to the matters to which we must have regard as set out in s. 105 of the Act and we grant the applicant an on-licence authorising the sale and supply of alcohol, to any person for consumption on the premises and to let people consume alcohol there.

The licence may issue upon receipt of the necessary certificates under s.100(f).

Requirements on holders of on-licences

The applicant's attention is drawn to ss. 51 to 54 of the Act where it is a requirement for all holders of an on-licence to ensure that:

- (1) at all times when the premises are open for the sale and supply of alcohol, there is available for sale and consumption on the premises, at reasonable prices, a reasonable range of non-alcoholic drinks.
- (2) at all times when the premises are open for the sale and supply of alcohol, a reasonable range of food is available for sale and consumption on the premises, in portions suitable for a single customer, at reasonable prices and within a reasonable time of being ordered.
- (3) ensure that, at any time customers are lawfully on the premises there is readily available free, comprehensive, and accurate information about the forms of transport from the premises that are available at that time.

The applicant's attention is drawn to ss. 56 and 57 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 alcohol; AND
- (2) A copy of the licence, together with a statement of all conditions subject to which it is issued, attached to the inside of the premises so as to be easily read by people entering each principal entrance.

Dated at Amberley this 17th day of May 2024

Andrew Brown

Secretary
Hurunui District Licensing Committee

