

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Omdeva Limited pursuant to s.99 and s100 of the Act for an on-licence in respect of premises situated at 12 Thames Street Oamaru 9400 known as “**The Last Post**”

BEFORE THE WAITAKI DISTRICT LICENSING COMMITTEE

Chairman: Cr Jim Hopkins

DECISION – ON PAPERS

This is an application by Omdeva Limited for an on-licence in respect of premises situated at 12 Thames Street Oamaru 9400 known as “**The Last Post**”.

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.

Reports have been received from The Waitaki District Council Licensing Inspector, The New Zealand Police and The Medical Officer of Health.

Based on the information provided to us on the complete file, we have determined to grant the application on the papers.

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 pursuant to s.14 to s.16 of the Act.

The applicant's attention is drawn to:

1. Section 56 of the Act - Display of signs:

The holder of an on-licence issued for the premises or an off-licence (other than an off-licence issued for premises for which a club licence is held) must ensure that for each principal entrance to the premises there is displayed at all times 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 (or, in the case of an on-licence endorsed under section 37, open for the consumption of alcohol).

2. Section 57(1) of the Act – Display of licence:

The holder of an on-licence or an off-licence (other than an off-licence issued for premises for which a club licence is held or a remote-sale off-licence) must ensure that at all times a copy of the licence, together with a statement of all conditions subject to which it is issued, is displayed:

- a) attached to the inside of the premises concerned; and
- b) so as to be easily read by people entering each principal entrance.

The entrance from 12 Thames Street, Oamaru is designated as the principal entrance.

3. Section 214(3) of the Act – Manager to be on duty at all times and responsible for compliance:

At all times while a manager is on duty on any licensed premises, the full name of the manager must be prominently displayed inside the premises so as to be easily read by people using the premises; and the person named as manager at any time is to be treated for the purposes of this Act as the manager at that time.

The licence is approved and will be subject to the following conditions:

- a) No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not present on the premises to dine.
- b) Alcohol may only be sold or supplied on the following days and during the following hours when the premises are being operated as a Restaurant:
Monday to Sunday 8.00am to 2.00am the following day.
- c) Water must be freely available to customers on the premises while the premises are open for business.
- d) The following steps must be taken to ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed:
 - i) Display of 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.
- e) The following steps must be taken to ensure that the provisions of the Act relating to the management of the premises concerned are observed:
 - i) Display of 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.
- f) The following steps must be taken to promote the responsible consumption of alcohol:
 - i) Alcohol must only be sold, supplied and consumed within the area marked on the plan submitted with the application.
- g) The following steps must be taken to promote the responsible consumption of alcohol:
 - i) The licensee must implement and maintain the steps proposed in their host responsibility policy aimed at promoting the reasonable consumption of alcohol.
- h) The phone numbers of local taxi companies must be prominently displayed and a free phone available for patrons to call those companies. Signage regarding alternative transport options is also to be displayed.

OTHER RESTRICTIONS AND REQUIREMENTS TO BE NOTED ON THE LICENCE

Section 51 - Non-alcoholic drinks to be available; Section 52 – Low alcoholic drinks to be available; Section 53 – Food to be available; Section 54 – Help with information about transport to be available; Section 56 – Display of signs; Section 57 – Display of licences; Section 214 – Manager to be on duty at all times and responsible for compliance.

The Licensed Premises:

In terms of s.105 (e) of the Act the premises, situated at 12 Thames Street Oamaru 9400 are more precisely identified in a plan dated as accepted by the District Licensing Committee on **12 March 2024**.

The licence may issue immediately and expire on 12 March 2025 that being one year from the date of issue, unless renewed.

DATED at OAMARU this 22nd day of March 2024



Chair
Waitaki District Licensing Committee

