

IN THE MATTER

of the Sale and Supply of Alcohol Act  
2012

AND

IN THE MATTER

of an application by Jay Sambho  
Holdings Limited pursuant to s.99 and  
s100 of the Act for an on-licence in  
respect of premises situated at 360A  
Thames Highway Oamaru North Oamaru  
9400 known as “**Indian and Nepalese  
Kitchen**”

BEFORE THE WAITAKI DISTRICT LICENSING COMMITTEE

Chairman: Cr Jim Hopkins

DECISION – ON PAPERS

This is an application by Jay Sambho Holdings Limited for an on-licence in respect of premises situated at 360A Thames Highway Oamaru North Oamaru 9400 known as “**Indian and Nepalese Kitchen**”.

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 360A Thames Highway, 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:

- 1 Alcohol may be sold only on the following days and during the following hours:  
**Monday to Sunday 11.00am to 9.30pm.**
- 2 No alcohol is to be sold or supplied on Good Friday, Easter Sunday, Christmas Day or before 1pm on ANZAC Day to any person other than persons who are present on the premises for the purpose of dining.
- 3 A manager must be on duty at all times alcohol is being sold or supplied and is responsible for compliance.
- 4 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. A minimum of three types of food should be available. The range of food should include those on the menu provided with the application or substantial food items such items as paninis, pizzas, lasagne, toasted or fresh sandwiches, wedges, pies, filled rolls and/or salads.
- 5 The licensee must ensure that signs are prominently displayed within the licensed premises detailing information regarding alternative forms of transport from the premises and must take steps to provide assistance with or information about alternative forms of transport from the premises including the contact details of the local taxi companies.
- 6 The licensee must implement and maintain acceptable processes aimed at promoting the responsible consumption of alcohol.
- 7 The licensee shall have in place and make available to all staff a host responsibility plan detailing the steps to be taken by the licensee to ensure a safe drinking environment.
- 8 The licensee must have available for consumption on the premises at all times, a reasonable range of low-alcohol and non-alcohol refreshments. Non-alcohol and low alcohol drinks must be readily available at reasonable prices.
- 9 Drinking water is to be freely available to patrons.
- 10 The licensee shall ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and shall display appropriate signage 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 people.
- 11 Licensee to ensure steps are taken to reduce harms caused by excessive or inappropriate consumption of alcohol.

The Licensed Premises:

In terms of s.105 (e) of the Act the premises, situated at 360A Thames Highway Oamaru North Oamaru 9400 are more precisely identified in a plan dated as accepted by the District Licensing Committee on **29 September 2023**.

The licence may issue immediately and expire on 29 September 2024 that being one year from the date of issue, unless renewed.

**DATED** at OAMARU this 29<sup>th</sup> day of September 2023

  
Chair  
Waitaki District Licensing Committee

