

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by Star & Garter 2023  
Limited pursuant to s.99 and s100 of the  
Act for an on-licence in respect of  
premises situated at 9 Itchen Street  
Oamaru 9400 known as “**Star and  
Garter Restaurant**”

**BEFORE THE WAITAKI DISTRICT LICENSING COMMITTEE**

Chairman: Cr Jim Hopkins

**DECISION – ON PAPERS**

This is an application by Star & Garter 2023 Limited for an on-licence in respect of premises situated at 9 Itchen Street Oamaru 9400 known as “**Star and Garter Restaurant**”.

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 9 Itchen 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:

**1. HOURS:**

- a) Alcohol may be sold only on the following days and during the following hours:  
Inside: Monday to Sunday 9.00am to 12.00 midnight  
Outside: Monday to Sunday 9.00am to 8.30pm –
- b) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00pm on Anzac Day except to any person who is:
- (i) residing or lodging on the premises; or
  - (ii) present on the premises to dine.

- 2. FOOD:** A range of food choices must be readily available at reasonable prices at all times that the premises are open. Menus must be visible, and food should be actively promoted. The range or style of food will be as shown on any menu submitted. Alternatively, the range of food should include such items as paninis, pizzas, lasagne, toasted or fresh sandwiches, wedges, pies, filled rolls, or salads. A minimum of three types of food should be available.
- 3. WATER:** Drinking water must be freely available to customers in the following location: placed on tables when customers are seated and available on request.
- 4. NON AND LOW ALCOHOL DRINKS:** A range of non-alcoholic and low-alcoholic drinks must be readily available at reasonable prices.
- 5. TRANSPORT:** Information relating to safe transport options including the local Taxi business telephone numbers must be displayed and readily available to customers.
- 6. DESIGNATED AREAS:** The premises as a whole is undesignated.
- 7. SIGNAGE:** Signage must be displayed at each point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- 8. RESTRICTIONS:** The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed.
- 9.** 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 and the responsible consumption of alcohol.

The Licensed Premises:

In terms of s.105 (e) of the Act the premises, situated at 9 Itchen Street Oamaru 9400 are more precisely identified in a plan dated as accepted by the District Licensing Committee on 20 December 2023.

The licence may issue immediately and expire on 20 December 2024 that being one year from the date of issue, unless renewed.

**DATED** at OAMARU this 20<sup>th</sup> day of December 2023

  
Chair  
Waitaki District Licensing Committee

