

Decision number: 17/ON/004/2020

**IN THE MATTER** of the Sale and Supply of  
Alcohol Act 2012(the Act)

**AND**

**IN THE MATTER** of an application by **A & R  
D'ANDREA LIMITED**  
pursuant to s.127 of the Act  
for the renewal of the ON  
Licence in respect of  
premises situated at 36  
Commerce Street, Tokoroa  
known as "**ALBERICO'S  
ITALIAN RESTAURANT.**"

**BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE**

**The Application**

**A & R D'ANDREA LIMITED** applies for the renewal of the ON Licence in respect of premises situated at 36 Commerce Street, Tokoroa known as "**ALBERICO'S ITALIAN RESTAURANT.**"

The business is a Class Three low risk restaurant and was publicly notified in the South Waikato News on the 10<sup>th</sup> and 17<sup>th</sup> of June 2020. No objections were received from members of the public.

The current days and hours are:

**Monday to Sunday 11.30am to 1.00am. No changes are sought.**

The applicant has provided a detailed menu of the food options they sell and the low alcohol and non-alcoholic refreshments that are available.

The food is prepared on site and the inspector advises that it is of an acceptable variety and can be provided within a reasonable time of placing an order.

## **REASONS FOR THE DECISION**

The applicant has operated this business compliantly during the renewal period and neither the Police nor the Medical Officer of Health has raised any matters in opposition.

Overall, I am satisfied as to the matters to which we must have regard as set out in s.131 of the Act.

We intend to refresh the licence conditions to align with best practice gained over the renewal period.

Accordingly, I deal with the matter on the papers.

## **DECISION**

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by **A & R D'ANDREA LIMITED** for the renewal of the ON Licence in respect of premises situated at 36 Commerce Street, Tokoroa known as **"ALBERICO'S ITALIAN RESTAURANT"** subject to conditions.

### **Conditions:**

The licence is subject to the following conditions:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours:


**Monday to Sunday 11.30am to 1.00am the following day;**

2. No alcohol is to be sold or supplied on the Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day to any person other than a person who is on the premises to dine;
3. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
4. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages.

5. Food must be available for consumption on the premises at all times the premises is open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted;
6. A properly appointed certificated, or Acting or Temporary, manager must be on duty at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises;
7. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises;
8. The Licensee must display:
  - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
  - b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol;
  - c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises;

The renewal will be for three years from the expiry of the current licence and a replacement licence is to be issued.

**DATED** at TOKOROA this 11<sup>th</sup> day of January 2021



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Murray Clearwater  
**Chairperson/Commissioner**  
**South Waikato District Licensing Committee**