

?IN THE MATTER of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER of an application for the renewal of an
On-licence pursuant to s. 127 in respect
of premises situated at 80 Gibson Quay,
Hokitika and known as the Pioneer
Hotel by Hokitika Pioneer Hotel Limited.

**DECISION OF THE WESTLAND DISTRICT LICENSING COMMITTEE ON AN UNCONTESTED
APPLICATION**

Authority:

Pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 and a Council resolution dated 28 November 2013, the functions, powers and duties of the Westland District Licensing Committee are delegated to the committee chairperson where no objection has been filed, and no matters of opposition have been raised by the Police, the Medical Officer of Health or an Inspector. There is no Local Alcohol Policy in place for the District.

Summary of Evidence

The complete file has been made available to me.

No changes are sought to the existing licence conditions.

A report from the Inspector advises that the applicant is suitable to continue holding a licence.

The Police have no objection to the renewal application.

The Medical Officer of Health has no opposition to the renewal application.

Evaluation of Evidence

I have considered the application on the basis of the uncontested reports received. The matter is able to be dealt with on the papers.

Hokitika Pioneer Hotel Limited is a New Zealand limited Company and can, accordingly hold an On-licence. The Company is represented on the premises by Michelle Carol Smith and William John Gardyne who are Managing Directors and the Shareholders of the Applicant Company. There is no question as to the suitability of the Applicant Company.

I am satisfied that there are no amenity and good order issues to consider.

There are existing designations and they are shown on a plan accompanying the renewal application. The designations involve the gaming area and the bar area. The gaming area is a restricted area and the bar is supervised. The garden bar and the dining areas are not designated. All parties seem to be content with this arrangement, as am I. I would encourage the inspector, however, to have a close look at the workability of the southern entrance and the way in which minors access the dining areas. It seems to me that access to the dining area can only be achieved by way of a portion of the bar area. If minors are to enter the premises for the purposes of dining, they must do so without encroaching on a designated area. I would anticipate that this matter will be attended to and be resolved by the time of the next renewal.

The existing days and hours, Monday to Sunday from 10.00AM to 2.00AM the following day, of operation will continue.

The renewal application is accompanied by a Host responsibility Policy which is appropriate for the nature of the premises which is a hotel that is part of the residential area. I think that it is a good policy and it appears to me to be specific to the Pioneer Hotel.

Decision and Reasons

I am satisfied as to those matters provided for in s.131 of the Act.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **049-2022** and I direct that renewed on-licence 56/ON/046/2021 be issued pursuant to s.64 of the Act.

The renewal is for a period of three years from the date of expiry and is subject to the following conditions:

- (a) Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday 8.00am to 2.00am the following day.
- (b) except when the licensee also holds a special licence for the premises, no alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not—
 - (i) residing or lodging on the premises; or
 - (ii) present on the premises to dine.
- (c) The extent of the licensed area is to be all the buildings at 80 Gibson Quay, Hokitika.
- (d) The following steps must be taken to promote the responsible consumption of alcohol:
 - (i) There shall be a "Host Responsibility Policy", similar to that which accompanied the Renewal application dated 24 January 2022, in place at all times.
 - (ii) The Principal Entrance is to be described as "The entrance off Gibson Quay, Hokitika".
 - (iii) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers at the bar at all times that the licence is being exercised.
 - (iv) Each of the following parts of the premises are designated as shown on a plan accompanying the renewal application dated 24 January 2022:
 - (i) Supervised Area: Bar area
 - (ii) Restricted area: Gaming area.

Dated at Hokitika this 23 day of May, 2022


Richard Simpson
Chairman, Westland District Licensing Committee

