

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 3 Wallace Street,
Franz Josef and known as Te Waonui
Forest Retreat by Waiho Investments
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.

The applicant makes and states a case for a decision in a well documented application. No changes to existing terms and conditions are sought.

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.

Waiho Investments is a New Zealand limited Company and can, accordingly continue to hold an On-licence. The Company is part of the Scenic Hotel Group which is a Company that has extensive experience in the New Zealand Hotel industry, 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.

The hotel is currently closed as a result of the macro-tourism effects of the covid-19 pandemic

Designations have been considered and a change was proposed but, on reflection, not proceeded with. The existing designations are able to be continued with although the licensee may need to direct attention to the layout of the reception area and its relationship to the ground floor bar and lounge. I suspect that the Inspector may be able to assist with the finer points if required.

The existing days and hours, Monday to Sunday from 10.00AM to 3.00AM 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 caters for "high-end users" of the tourist industry. I have also noted that the policy is under-pinned by a document referred to as an "Alcohol Management Plan". This is a new concept to me and for the record it reads well and is a clear indication as to the staff commitment to a safe and responsible alcohol environment.

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 **014-2022** and I direct that renewed on-licence 56/ON/028/2019 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 10.00am to 3.00am 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 3 Wallace Street, Franz Josef.
- (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 14 December 2021, in place at all times.
 - (ii) The Principal Entrance is to be described as "The entrance off Wallace Street, Franz Josef in to the reception area".
 - (iii) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers at the bar and in the gaming room at all times that the licence is being exercised.
 - (iv) Each of the following parts of the premises are designated as:
 - (i) Supervised Area: Ground Floor Lounge and Front Bar

Dated at Hokitika this 8th day of February 2022



Chairman, Westland District Licensing Committee

