

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

**AND**

**IN THE MATTER** of an application for an on-licence pursuant to s. 99 in respect of premises situated at 5 Weld Street, Hokitika and known as Korath Thai by Korath Group 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**

I am in possession of a copy of the complete file relating to this application.

Korath Group Limited is establishing a new venture at 5 Weld Street, Hokitika being a restaurant to be known as Korath Thai which is a premises best described as a restaurant. The applicant is a New Zealand Registered Company and is, accordingly, permitted to hold an alcohol licence.

The application is detailed and appears to have been made with conviction. The application includes an Host Responsibility Policy which purports to be designed to ensure that people attending the premises will enjoy themselves in a safe and responsible environment.

The undertaking is being established in a commercial building in Hokitika that was previously occupied by the House of Travel. The premises is clearly identified on the Resource Management and Building Code Certificate that has been issued by the Council.

The days and hours sought are Monday to Sunday from 9.00am until 1.00am the following day. The days and hours would appear to me to be appropriate for the type of business being established.

The Inspector has reported and has concluded that the applicant is suitable to hold a licence, the hours proposed are satisfactory and that the nature of the premises is satisfactory.

**Evaluation of Evidence and Reasons**

I have not directly identified any particular amenity and good order issues.

I have not identified any compelling reason to have any part of the premises designated. There is a plan supporting the application which shows the extent of the licensed premises. The complete file is clear that the premises will operate as a table service only.



I have considered the application on the basis of the uncontested reports received and I have noted that there have also been no public objections. The matter can, therefore, be dealt with on the papers.

The Police do not have any objection to the application and the Medical Officer of Health has no opposition.

I am satisfied as to those matters provided for in s.105 of the Act.

It is worth observing that this is a new venture which could be regarded as surprising given the effects of the Covid pandemic on the country, Region and District. I am sure that the Westland District Council would not be averse to me extending the Council's best wishes to the applicant and the business as they add to the flavours and services available in Hokitika.

### **Decision**

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **014-2021** and I direct that a licence be issued pursuant to s.64 of the Act.

The terms and conditions will be:

- (a) Alcohol may be sold only on the following days and during the following hours:  
  
Monday to Sunday from 9.00AM to 1.00AM the following day to any person  
  
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.
- (b) 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 application dated 27 August 2020, in place at all times.
  - (ii) The Principal Entrance is to be described as "the entrance to the building opening from Weld Street, Hokitika".
- (c) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers at all times that the licence is being exercised.
- (d) The extent of the licensed premises is that which is shown on a plan accompanying the application dated 27 August 2021.

### **Duration**

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force—

- (a) either—

(i) until the close of the period for which it was last renewed; or

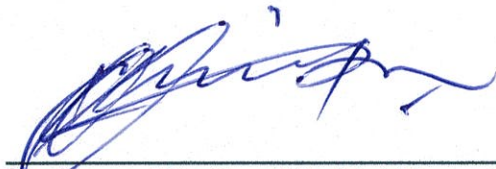
(ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but

(b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—

(i) until the close of the period of 3 years after the period for which it was last renewed; or

(ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Dated at Hokitika this 4<sup>th</sup> day of February 2021.



Chairman, Westland District Licensing Committee

