

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 42 Main Road, Hari Hari and known as Hotel Hari Hari by Bravo Twenty Twenty Limited

AND

IN THE MATTER of an application for an off-licence pursuant to section 99 in respect of premises situated at 42 Main Road, Hari Hari and known as Hotel Hari Hari by Bravo Twenty Twenty 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.

Bravo Twenty Twenty Limited is operating under the provisions of a Temporary Authority at the Hotel Hari Hari. The Hotel Hari Hari is an important component of the Hari Hari community both in terms of the service provided to the tourist industry and as a community facility. 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 a document titled "Host Responsibility Policy" which purports to be designed to ensure that people attending the premises will be in an environment that is comfortable and welcoming and where alcohol is served responsibly. It seems to me that the policy document is suitable for the premises to which it relates.

The days and hours sought are Monday to Sunday from 10.00am until 3.00am the following day for the On-licence and Monday to Sunday from 10.00am until 11.00pm for the Off-Licence. The days and hours would appear to me to be appropriate for the type of business. I note that they are similar to those that exist.

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.

The Police have no objection to the application.

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

Evaluation of Evidence

I have not identified any particular amenity and good order issues. There is some outside seating but I think that it is far enough away from any part likely to be affected as to not require any specific intervention.

The applicant is a New Zealand limited company and the sole director and shareholder is Damien James Kampjes who, according to the Inspector, has some experience in operating a licensed premises. I do recall the application made by Mr Kampjes for a Manager's Certificate. I was impressed at the time with the references accompanying the application.

There is a plan supporting the application which shows the extent of the licensed premises including the interior and exterior parts. The applicant proposes that the two bar areas, the outside deck area and the bottle store should be Designated as Supervised areas. This is a proposal that has been considered by the Inspector as appropriate for the premises and in my view and the proposal seems to be sound.

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.

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

Decision

The applications are granted on the papers pursuant to s.202(1) of the Act as Decision Numbers **024-2021** and **023-2021** and I direct that licenses be issued pursuant to s.64 of the Act.

On-licence

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 10.00AM to 3.00AM the following day to any person lawfully on the premises.

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 1.00pm 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 12 November 2020, in place at all times.
- (ii) The Principal Entrance is to be described as "the entrance to the building from State Highway 6 opening into the customer reception area".
- (iii) The extent of the licensed area is to be that which is shown on a plan accompanying the application dated 12 November 2020.

- (iv) 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.

Off-licence

The terms and conditions will be:

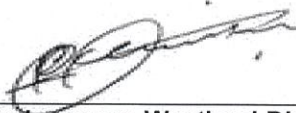
- (a) Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday from 10.00AM to 11.00PM the same day.
- (b) No alcohol is to be sold on or delivered from the premises on Good Friday, Easter Sunday, Christmas Day or before 1.00pm on ANZAC Day.
- (c) While alcohol is being supplied free as a sample, drinking water shall be freely available at any tasting location.
- (d) The Principal Entrance is to be described as "the entrance to the building from State Highway 6 opening into the customer reception area".
- (e) The extent of the licensed area is to be that which is shown on a plan accompanying the application dated 12 November 2020.

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 20th day of February, 2021.



Chairperson, Westland District Licensing Committee

