

Decision number: 058-2024

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

**AND**

**IN THE MATTER** of an application  
by **Hokitika Westland  
Returned Services Asso  
Incorporated**  
pursuant to s.120 & 127 of  
Act for the variation and  
renewal of the CLUB Licence  
in respect of premises  
situated at 24 Sewell Street,  
Hokitika known as  
**“Hokitika Westland RSA”**

**BEFORE THE WESTLAND DISTRICT LICENSING COMMITTEE**

**Hokitika Westland Returned Services Asso Incorporated** applies for the variation and renewal of the CLUB Licence in respect of premises situated at 24 Sewell Street, Hokitika, known as **“Hokitika Westland RSA.”**

The Club has 90 paid up members and seeks to renew the club licence with the existing days but with **amended hours from Monday to Sunday 8.00am to 1.30am the following day to:**

**Monday to Sunday 12.00 noon to 11.00pm. The Courtyard is unlicensed from 10.00pm.**

**This is to better align with their actual opening hours.**

The application was notified on the council’s website from the 21st of February 2024 and no objections were received from the public.

Neither the reports of the Police nor that of the Medical Officer of Health raises any matters in opposition and the applicant has not come to the adverse attention of reporting agencies during the renewal period.

Accordingly, I deal with the matter on the papers.

## **REASONS FOR THE DECISION**

The inspector reports that the amenity and good order of the area has not been reduced by more than a minor extent, and the Club has sound host responsibility practices and operates within their principal purpose.

Neither the Police nor the Medical Officer of Health has raised any matters in opposition.

However, **it appears** that this renewal has been stalled, literally for years, waiting for FENZ to sign off on a new Fire Evacuation scheme.

This is NOT a requirement of the Act. **Sections 100(d) and 127 (1)(e) requires that the applicant must provide a statement that the owner of the building maintains an evacuation scheme as required by Fire Emergency NZ.**

If there are issues with the notification of trial evacuations or fire safety issues on the site, Fire Emergency NZ has provisions under Section 286 of the Act to take action if required.

The delays are unacceptable and now the Club Licence is up for renewal again in November 2024, some 7 months away.

During this delay we also note that the Club's incorporation was dissolved by the Incorporated Societies Registry for a period of time. They are now re-registered. Procedures must be put in place to ensure that all such matters are documented and maintained by the Club.

Failing to maintain registration has been deemed by ARLA as an indicator of unsuitability to hold a licence. We do not expect any further 'offending' of this type from the Club.

Overall, I am satisfied as to the matters to which we must have regard as set out in s.120 & 131 of the Act.

The request to amend the hours is approved.

## **DECISION**

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by **Hokitika Westland Returned Services Asso Incorporated for the variation and renewal of the CLUB Licence in respect of premises situated at 24 Sewell Street, Hokitika, known as “Hokitika Westland RSA”** subject to conditions.

The renewal will be for three years from the expiry of the current licence, i.e. 29 November 2024, and a replacement licence is to be issued.

**We refresh the licence conditions to reflect best practice. We also correct the name of the applicant in line with it’s certificate of incorporation.**

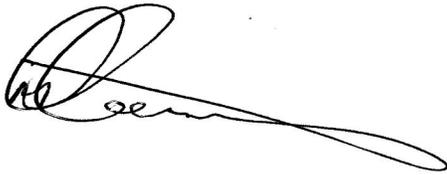
### **Conditions:**

The licence is subject to following conditions:

1. Alcohol may be sold or supplied for consumption on the premises but only on the following days and hours: **Monday to Sunday 12.00 noon to 11.00pm. The outdoor courtyard is unlicensed from 10.00pm each night.**
2. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises;
3. **While the premises are open for the sale and supply of alcohol no BYO alcohol may be consumed 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. **At all times the premises are open for the sale and supply of alcohol a range of substantive food must be readily available. A minimum of three types of food should be available. Menus must be visible, and food should be actively promoted;**
6. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
7. 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. A copy of the licence attached to the inside of the premises so as to be easily read by persons using the premises.
8. **Alcohol can be sold and supplied to guests of members of clubs with which the licensee has an arrangement for reciprocal visiting rights for members.**

**DATED** at HOKITIKA this 24<sup>th</sup> day of April 2024



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Murray Clearwater  
**Chairperson/Commissioner**  
Westland District Licensing Committee