

051/2023

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 1 Lake  
Matheson Road, Fox Glacier and known  
as the Matheson Café by C & S  
Alexander 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 opposition 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.

The applicant is a New Zealand limited company and is permitted to hold an on-licence. Christopher O'Donel Alexander and Shelley Isla Alexander are the two Directors and the Inspector notes that the Alexanders are present at the premises for about 50% of the time. 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 Matheson Café is a tourist venture that includes the sale of souvenirs, a café with a substantial menu and the sale of alcohol complimentary to the café operation. From time to time the premises are used for functions that include a food and alcohol service.

There are no existing designations. I have not identified any reason to impose designations.

The existing days and hours, Monday to Sunday from 8.00AM to 01.00AM the following day, are not subject to an application for variation. The nature of the business and the fact that from time to time "Functions" are hosted at the site leads me to the conclusion that the hours of operation are completely appropriate.

The renewal application is accompanied by a Host Responsibility Policy which is appropriate for the nature of the premises. I think that it is a good policy and consists of policy direction that is strong on commitment.

#### **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 **051-2023** and I direct that renewed on-licence 56/ON/024/2020 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 1.00am the following day.**

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 extent of the licensed area is to be all the buildings and land at 1 Lake Matheson Road, Fox Glacier.

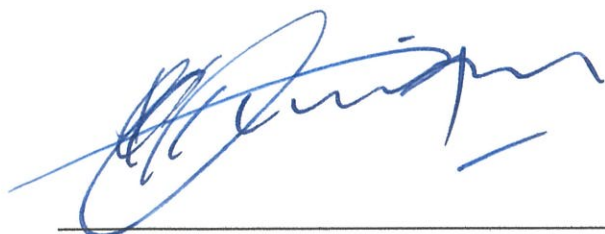
- (c) The following steps must be taken to promote the responsible consumption of alcohol:

(i) There shall be a "Host Responsibility Policy", similar to that which accompanied the Renewal application dated 15 December 2022, in place at all times.

(ii) The Principal Entrance is to be described as "The entrance from the exterior at the Southern end of the building".

(iv) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers from the café servery at all times that the licence is being exercised.

Dated at Hokitika this 11 day of May, 2023



**Richard Simpson**  
Chairman, Westland District Licensing Committee

