

**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 State Highway  
Number 6, Lake Moeraki and known as  
Lake Moeraki Wilderness Lodge by  
Gerard McSweeney and Anne  
Saunders.

**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.

A report from the Inspector advises that the applicant is operating a well-run establishment and that he has no objection to the renewal application.

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.

The entity of Lake Moeraki Wilderness lodge is a Partnership of Gerard David McSweeney and Anne Saunders and can, accordingly hold an On-licence. The premises is not open to the general public for bar trading purposes and all alcohol is supplied to guests who are staying on the premises.

I am satisfied that there are no amenity and good order issues to consider,

There are existing designations and there is no intention to alter them as part of the renewal process.

The existing days and hours, Monday to Sunday from 10.00AM to 2.00AM the next day, of operation will continue.

The renewal application is accompanied by a Host responsibility Policy which is appropriate for the nature of the premises. The application also includes a plan that demonstrates the extent of the licensed premises

**Decision and Reasons**

In some ways it is a regret that the applicants have to conform to the same renewal procedures that the seediest bar in a metropolitan area has to. It is my experience that the applicants have devoted themselves to the successful operation of a high standard tourist facility focusing on quality hospitality and environmental experience. However, the Act does not make allowance for individual standards of excellence and rightly takes a broad view of licensing generally.


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 **035-2020** and I direct that renewed on-licence 56/ON/073/2017 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 2.00am the next 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 that which is demonstrated on a plan referred to as Appendix 5 in the renewal application dated 2 February 2020.
- (c) In addition to the general obligations of a licensee 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 2 February 2020, in place at all times.
  - (ii) The Principal Entrance is to be described as "The entrance to the reception area of the premises".
  - (iii) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers in the bar/Lounge at all times that the licence is being exercised.
  - (iv) Each of the following parts of the premises are designated as:
    - (i) Supervised Area: The rooms referred to as the Moeraki lounge and the Red Dog Saloon.

Dated at Hokitika this 2<sup>nd</sup> day of April 2020



Chairman, Westland District Licensing Committee

