

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

AND

IN THE MATTER of an application for the renewal of an
Off-licence pursuant to s. 127 in respect
of premises situated at 12 Main Road
Franz Josef Glacier and known as The
Blue Ice Cafe by Blue Ice Investments
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.

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 suitable to continue holding the license.

The Police have no objection to the renewal applications.

The Medical Officer of Health has no opposition to the renewal applications.

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 renewal application does not seek to alter any of the existing conditions.

Blue Ice Investments Limited is a New Zealand limited Company and can, accordingly hold an Off licence. 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 application suggests that the bulk of off-sales are to patrons who take their purchases to their holiday accommodation.

There are existing designations and the renewal application does not seek to change them.

There is a plan accompanying the applications that shows the extent of the designations. In addition, the plan shows the two points of sale for off-sales. Both points are the two bar areas which are an integral part of the On licence and restaurant operations.

The existing days and hours, Monday to Sunday from 8.00AM to 11.00PM each day of operation will continue.

The renewal application includes a copy of the premises Host Responsibility Policy which is a comprehensive document that relates to the operation of the whole premises and proactively addresses those matters that are essential behavioral areas in a place where alcohol is served, sold and consumed.

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 **052-2020** and I direct that renewed off-licence 56/OFF/049/2018 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 from 8.00AM 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 into the ground floor restaurant from state highway 6 at Franz Josef".
- (e) The extent of the licensed area is shown on a plan accompanying the application for renewal dated 20 March 2020.
- (f) Each of the following parts of the premises are designated as:
 - (i) Supervised area: the entire premises over both floors as well as the decks and veranda areas from 10.30pm until 11.00pm (off-licence sales only)

Dated at Hokitika this 5th day of May 2020



Chairman, Westland District Licensing Committee

