

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 5 Marks Road,
Haast and known as Hard Antler Bar
and Restaurant by HAB 2013 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 renewal application is made with clarity and conviction.

A report from the Inspector advises that the applicant is suitable to continue to hold a licence.

The Police advise that there is 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.

I am satisfied as to those matters provided for in s.131 of the Act.

No changes to the existing terms and conditions are proposed and the opening days and hours will remain as Monday to Sunday from 9:00am to 1:30am the following day

The applicant is a private company and the two Directors are Nicholas Robert Paul Kummer and Simon Calder Banks who are both actively involved in the business.

The bar area has been designated as a supervised area between 9am and 10pm, and the entire premises is to be restricted from 10pm until 1:30 am the following day.

Decision

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **109-2019** and I direct that renewed on-licence 56/ON/027/2015 be issued to HAB 2013 Limited 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 9:00am until 1:30am 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) 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.
- (c) The principal entrance is to be described as “the entrance off Marks Road”
- (e) The extent of the premises is that area shown on a plan submitted with the application for renewal dated 29 May 2019.

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 17th day of July, 2019



Chairperson, Westland District Licensing Committee

