

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 42 Main Road Harihari and known as Hotel Harihari by Hotel Harihari Limited.

AND

IN THE MATTER of an application for the renewal of an Off-licence pursuant to s. 127 in respect of premises situated at 42 Main Road Harihari and known as Hotel Harihari by Hotel Harihari 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 reasonably well documented application.

A report from the Inspector advises that the applicant is suitable to continue holding the licenses.

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.

Hotel Harihari Limited is a New Zealand limited Company and can, accordingly hold an On-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.

I am assuming that there are existing Designations that were put in place at the time of the grant of the initial licence. The Inspector has made clear recommendations as to designations and I have not identified any reason to not adopt his recommendation.

There is a plan accompanying the applications that shows the designations requested and the extent of the licenced premises which is restricted to the "front core service area". The accommodation areas are not part of the licensed premises.

The existing days and hours, Monday to Sunday from 8.00AM to 3.00AM the following day, of operation will continue for the On-licence,. A request to alter the Off-Licence hours by extension is supported by the inspector. These hours will be Monday to Friday from 8.00am to 11.00pm.

The renewal application does refer to but is not accompanied by a Host Responsibility Policy which I think is appropriate for the nature of the premises which is a hotel that caters for different and varied users of the tourist industry. The Hotel Harihari is a significant establishment with substantial accommodation options that probably appeals to a wide range of users. The Hotel has multiple staff and Managers who all need to "sing from the same song sheet". A properly crafted, documented and implemented Host Responsibility policy would assist in removing any doubt and give clear guidance to staff and management on responsible and safe sale, supply and consumption of alcohol. I would like to think that the licensee will have addressed this issue by the time of the next renewal period.

### Decision and Reasons

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

The applications are granted on the papers pursuant to s.202 (1) of the Act as Decision Number **134-2019** and I direct that renewed on-licence 56/ON/015/2016 and renewed off-licence 56/OFF/052/2018 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:

#### **On-Licence**

- (a) Alcohol may be sold only on the following days and during the following hours:  
**Monday to Sunday 8.00am to 3.00am the following day.**
- (b) 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.
- (c) The extent of the licensed area is shown on a plan accompanying the application for renewal
- (d) the following steps must be taken to promote the responsible consumption of alcohol:
  - (i) The Principal Entrance is to be described as "The entrance into the public bar from Main Road, Harihari".
  - (ii) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers at the bar at all times that the licence is being exercised.

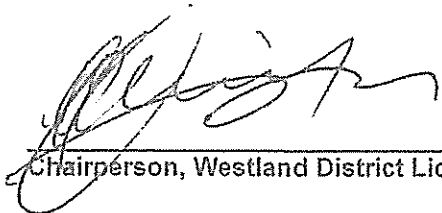
- (iii) Each of the following parts of the premises are designated as:
  - (i) Supervised Area: Public Bar
  - (ii) Supervised Area: Lounge Bar
  - (iii) Supervised area: outside grassed area adjacent to deck
  - (iv) Supervised area: outside deck off public Bar.

Off-Licence

The renewal is for a period of three years from the date of expiry and is subject to the existing terms and conditions with the exception of the following:

- (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 public bar from Main Road, Harihari".
- (e) The extent of the licensed area is shown on a plan accompanying the application for renewal

Dated at Hokitika this 9<sup>th</sup> day of September 2019

  
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Chairperson, Westland District Licensing Committee

