

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application for a special licence
pursuant to s. 137 by TOSQ Wines
Limited in respect of premises known as
the Heartland World Heritage Hotel,
Haast at Haast/Jackson Bay Road, Haast
Junction, Haast.

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

A special licence is sought for the purposes of selling bottled wine at the Heartland World Heritage Hotel on the occasion of the Haast Whitebait Festival. The event will occur on Saturday 5 October 2019. It appears from the file that the Whitebait festival is around a series of food and merchandising stalls at the Heartland World Heritage Hotel.

The applicant is a private company which is apparently involved in wine sales and supporting merchandise.

A report from the Inspector concludes that the applicant is suitable to hold a special licence.

The Police have no objection to the grant of the licence.

The Medical Officer of Health has no opposition to the grant of the licence.

Evaluation of Evidence

I have considered the application on the basis of the uncontested report received and the complete file which has been made available to me. The application was not publicly notified. The matter can, therefore, be dealt with on the papers. I have formed the view that the application is clear and well made and covers those matters that are important in providing a responsible alcohol service.

I note that the application nominates Susan Nancy Thompson to be the manager. Ms Thompson is the holder of a General Manager's Certificate.

I am assuming that TOSQ is the holder of a Licence in Wanaka but the complete file is silent in this regard although the Inspector has stated that the Applicant is a wine producer and is a regular attendee at markets and wine festivals and is involved in the remote sale of wine. The complete file lacks any documents to support this, but I am sure that the Inspector has conscientiously enquired into the application.

Essentially, the applicant company will be selling bottles of wine at the Haast Whitebait festival. I have formed the view from reading the Complete File that the applicant is no stranger to such events and probably has gained considerable experience in the past which should give the comfort necessary for a confident approval of the application.

I am a little surprised that the inspector and the other agencies have not commented on the nature of the containers. I suspect that it may be an academic issue and that TOSQ is known to be and has a reputation as a responsible player. I also suspect that most people do not purchase 750ml bottles with the intention of immediate consumption; but just to be on the safe side and exercising reasonable caution there will be a condition prohibiting the sale of bottles with tops removed.

I am not of the view that any designations are required.

Decision and Reasons

I am satisfied as to those matters provided for in s.142 of the Act.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number 145-2019 and I direct that a licence be issued pursuant to s.64 of the Act.

The terms and conditions will be:

The Licence may be exercised for the sale and supply of alcohol to any person lawfully attending the Haast Whitebait Festival to be held at the Heartland World Heritage Hotel site at Haast Junction on Saturday 5 October 2019 from 11.00am to 2.00pm.

Pursuant to s. 213(1) of the Sale and Supply of Alcohol Act 2012, Susan Nancy Thompson is appointed to be the manager for the occasion of the event to which the application refers.

Pursuant to section 116(2)(c) of the Act, drinking water shall be freely available to all customers at each point of consumption while alcohol is being supplied free as a sample at all times that the licence is being exercised.

No bottles are to be sold with the seal cap or cork removed.

Dated at Hokitika this 27th day of September 2019



Chairperson, Westland District Licensing Committee

