

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 19 Tancred
Street, Hokitika and known as Kitchen
Hokitika by Kitchen Hokitika New
Zealand 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 and is accompanied by documents that explain how the premises is operated in a manner conducive to the safe and responsible sale, supply and consumption of alcohol.

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. The applicant continues to be a private company and is entitled to hold a licence.

No changes to the existing terms and conditions are proposed and the opening days and hours will remain as Monday to Sunday from 8,00am to 2.00am the next day and Monday to Sunday from 8,00am to 11.00pm.

I am satisfied that there continues to be no requirement for any designations.

There are no amenity and good order issues to consider.

I am familiar with the premises and the quality standard that The Kitchen provides from the welcome to the farewell. Of particular note is the staff orientation package that accompanies the application. This is a premises that takes its hospitality obligations seriously and that responsible approach is obvious from the moment one enters the premises and engages with, generally, Jim Lysaght or another friendly staff member.

The applicant, unsurprisingly, continues to have a relevant and specific Host Responsibility Policy.

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

Decision

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **180-2019** and I direct that renewed on-licence 56/ON/101/2018 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) except when the licensee also holds a special licence for the premises no alcohol is to be sold on the premises on Good Friday, 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) alcohol may be sold only on the following days and during the following hours:
Monday to Sunday from 8.00AM to 2.00AM the following day; EXCEPT that the outside dining area on the pavement shall be licensed from 8.00am to 11.00pm on Monday to Sunday only.
- (c) the following steps must be taken to promote the responsible consumption of alcohol:
 - There shall be food available, similar to that described in the menu which accompanied the application dated 18 October 2019, at all times that the premises are being used for the sale and supply of alcohol.
 - At all times that alcohol is being sold or supplied there shall be a *Host Responsibility Policy* in place similar to that which accompanied the application dated 18 October 2019.
- (d) The Principal Entrance is to be described as "The entrance from Tancred Street".
- (e) 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.
- (e) The extent of the premises is that area shown on a plan submitted with the application for renewal dated 18 October 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

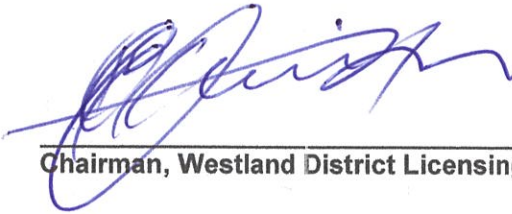
(ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but

(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 15th day of November 2019



Chairman, Westland District Licensing Committee

