

BULLER DISTRICT LICENSING COMMITTEE : AGENDA FOR DETERMINATION OF APPLICATIONS

Date: 30 July 2016 – 19 August 2016

Venue: Reefton / Westport

Chair: Graeme Neylon Committee Members: for TAs only: also Hamish Macbeth, Phil Rutherford

Decision	Year	Lic/Cert	Type	Lic No	BDC Ref	Name1	Premises	Approved/Declined
DLC/096	/2016	TA	On licence	54/TA/013/2016	TA16014	Big Hill Farm Ltd	Little Wanganui Hotel	Approved <i>SP</i>
DLC/096	/2016	TA	Off licence	54/TA/014/2016	TA16015	Big Hill Farm Ltd	Little Wanganui Hotel	Approved <i>SP</i>
DLC/097	/2016	CERT	New	54/CERT/029/2016	MC160017	Charlene Joy Marychurch	Berlins	Approved <i>SP</i>
DLC/098	/2016	CERT	Renewal	54/CERT/055/2015	MC150020	Joanna Maree Ireland	Reefton Four Square	Approved <i>SP</i>
DLC/099	/2016	CERT	Renewal	54/CERT/030/2016	MC090004	Christopher Gerard Mein	Miners on Sea	Approved <i>SP</i>
DLC/100	/2016	ON	Renewal	Declined	ON100003	Porto Bello Bar and Grill Limited	Porto Bello Bar and Grill	Approved <i>SP</i>
DLC/101	/2016	SP	On site	54/SP/025/2016	SP160024	Reefton Workingmens Club	Reefton WMC	Approved <i>SP</i>
DLC/102	/2016	TA	New	54/TA/015/2016	TA16017	Melanie Blundell and Paul Clarkson	Mokihinui Tavern	Approved <i>SP</i>
DLC/103	/2016	ON	Renewal	54/ON/008/2016	ON150002	Wild Coast Ltd	Pancake Rocks Café	Approved <i>SP</i>
DLC/104	/2016	CERT	Renewal	54/CERT/031/2016	MC130034	Deborah Ann Pitama	Ikamatua Hotel	Approved <i>SP</i>
DLC/105	/2016	CERT	Renewal	54/CERT/032/2016	MC120025	Angela Marie Rolton	Countdown	Approved <i>SP</i>
DLC/106	/2016	CERT	Renewal	54/CERT/060/2015	MC110043	Wayne Roger Eggers	Little Wanganui Hotel	Approved <i>SP</i>

Decision No.: DLC/106/2016
Buller DLC ref.: MC110043
ARLA ref: 54/CERT/060/2015

IN THE MATTER

Section 228 of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by WAYNE ROGER EGGERS for renewal of manager's certificate pursuant to s.224 of the Act

DECISION FOR UNCONTESTED RENEWAL OF MANAGER'S CERTIFICATE

Authority

The functions, powers and duties of the District Licensing Committee is delegated to the committee chairperson under section 191(2) of the Sale and Supply of Alcohol Act 2012 where no objections have been filed, and no matters of opposition have been raised by the Police, Medical Officer of Health or the Inspector in respect of an application manager's certificate.

Summary and Evaluation of Evidence

There have been no objections received in regards to this application and as such I am able to consider it on the papers put before me. The applicant, Wayne Roger Eggers, is seeking renewal of his manager's certificate first granted in September 2015 and this is his first renewal application.

The applicant is currently a joint shareholder and a director of the company holding the licence for the Little Wanganui Hotel. During the time the applicant has operated these premises there have been no adverse reports received about the management of these premises. The applicant has the required relevant qualifications and has some experience in managing licenced premises.

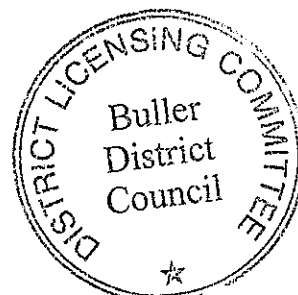
The NZ Police have no objections to this application and there is a favourable report from the Chief Licencing Inspector. There is nothing in the papers put before me that would indicate that Mr Eggers is not a suitable person to hold a manager's certificate. I am satisfied that the applicant appears to be able to manage licenced premises with the aim of contributing to the reduction of alcohol related harm by not selling alcohol to intoxicated persons and ensuring that these persons do not remain on the premises. Mr Eggers also promotes food and low and non-alcohol beverages to patrons.

Decision

The application appears to comply with the criteria required for the renewal of a managers certificate as set out in s.227 of the Act and therefore I grant the application Wayne Roger Eggers for renewal of his managers certificate.

Dated at Reefton this 19th day of August 2016

Graeme Neylon
CHAIRPERSON
BULLER DISTRICT LICENSING COMMITTEE



IN THE MATTER

Section 228 of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Angela Marie Rolton for renewal of manager's certificate pursuant to s.224 of the Act

DECISION FOR UNCONTESTED RENEWAL OF MANAGER'S CERTIFICATE

Authority

The functions, powers and duties of the District Licensing Committee is delegated to the committee chairperson under section 191(2) of the Sale and Supply of Alcohol Act 2012 where no objections have been filed, and no matters of opposition have been raised by the Police, Medical Officer of Health or the Inspector in respect of an application for manager's certificate.

Summary and Evaluation of Evidence

There have been no objections received in regards to this application and as such I am able to consider it on the papers put before me. The applicant, Angela Marie Rolton, is seeking renewal of her manager's certificate first granted in August 2012 and this is her second renewal application.

The applicant is currently employed at Countdown Westport. During the time the applicant has been employed at these premises there have been no adverse reports received about the management of these premises. The applicant has the required relevant qualifications and has some experience in managing off-licenced premises but has no experience in managing on-licenced premises. Her original manager's certificate was issued with Ms Rolton giving a voluntary undertaking that she would only use her certificate in off-licenced premises.

The NZ Police have no objections to this application and there is a favourable report from the Chief Licencing Inspector. There is nothing in the papers put before me that would indicate that Ms Rolton is not a suitable person to hold a manager's certificate.

I am satisfied that the applicant appears to be able to manage off- licenced premises with the aim of contributing to the reduction of alcohol related harm by not selling alcohol to intoxicated persons and that she checks ID to ensure that alcohol is not sold or supplied to minors.

Decision

The application appears to comply with the criteria required for the renewal of a managers certificate as set out in s.227 of the Act and therefore I grant the application from Angela Marie Rolton subject to her voluntary undertaking remaining in force to only use her managers certificate in off-licenced premises.

Dated at Reefton this 19th day of August 2016



Graeme Neylon
CHAIRPERSON
BULLER DISTRICT LICENSING COMMITTEE



IN THE MATTER

Section 228 of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Deborah Ann Pitama for renewal of manager's certificate pursuant to s.224 of the Act

DECISION FOR UNCONTESTED RENEWAL OF MANAGER'S CERTIFICATE

Authority

The functions, powers and duties of the District Licensing Committee is delegated to the committee chairperson under section 191(2) of the Sale and Supply of Alcohol Act 2012 where no objections have been filed, and no matters of opposition have been raised by the Police, Medical Officer of Health or the Inspector in respect of an application for a manager's certificate.

Summary and Evaluation of Evidence

There have been no objections received in regards to this application and as such I am able to consider it on the papers put before me.

The applicant, Deborah Ann Pitama, is seeking renewal of her manager's certificate first granted 2012 and this is her second renewal application. The applicant is currently employed at the Ikamatua Hotel. During the time the applicant has been employed at these premises there have been no adverse reports received about the management of these premises. The applicant has the required relevant qualifications and has some experience in managing licenced premises.

The NZ Police have no objections to this application and there is a favourable report from the Chief Licencing Inspector. There is nothing in the papers put before me that would indicate that Ms Pitama is not a suitable person to hold a manager's certificate.

I am satisfied that the applicant appears to be able to manage licenced premises with the aim of contributing to the reduction of alcohol related harm that may be caused by excessive or inappropriate consumption of alcohol and that she checks ID to ensure that alcohol is not sold or supplied to minors. Free alternative transport options are also offered at the Ikamatua Hotel which the applicant readily promotes to patrons.

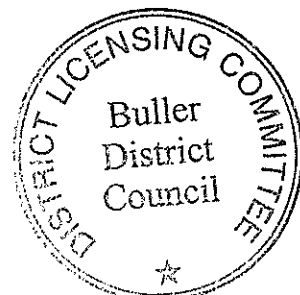
Decision

This application appears to meet the criteria as required under s.227 of the Act I therefore grant the application from Deborah Ann Pitama for renewal of her manager's certificate.

Dated at Reefton this 19th day of August 2016



Graeme Neylon
CHAIRPERSON
BULLER DISTRICT LICENSING COMMITTEE



IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by WILD COAST LIMITED for an on-licence pursuant to s.14 of the Act in respect of premises situated at 4296 SH6, Punakaiki known as "Pancake Rocks Cafe"

BEFORE THE Buller District Council

Chairman: Graeme Neylon

Authority of Chairperson – Uncontested Application

The functions, powers and duties of the District Licensing Committee is delegated to the committee chairperson under section 191(2) of the Sale and Supply of Alcohol Act 2012 when no objection has been filed, and no matters of opposition have been raised by the Police, Medical Officer of Health or the Inspector in respect of the following applications:

- An application for a licence
- An application for a manager's certificate
- An application for renewal of a licence or manager's certificate

Decision

This is an application by Wild Coast Limited for an on-licence in respect of premises situated at 4296 SH6, Punakaiki, known as "Pancake Rocks Cafe".

The general nature of the business to be undertaken is that of a Restaurant.

There have been no objections received in regards to this application and as such I am able to consider it on the papers put before me.

The applicant, Wild Coast Limited, is seeking renewal of their on-licence to operate the premises known as Pancake Rocks Café located at 4300 State Highway 6 Punakaiki.

Wild Coast Limited is a New Zealand Limited Company with Grant James Parrett and Kirsty Helen Henderson holding a 1% share each with the remaining 98% of shares being held by Wild Coast Trust. Grant Parrett and Kirsty Henderson are trustees of Wild Coast Trust along with Christchurch solicitor Kelvin Grant Reid. There have been no changes to the applicants details since an on-licence was issued 12 months ago.

The applicant is not involved in the day to day operation of the premises this is in the hands of Patrick Volk who is the holder of a current managers certificate. There have been no complaints or adverse reports received regarding the management of these premises since the on-licence was first issued to the applicant.

The NZ Police and the Medical Officer of Health have no objections to the granting of this application and a favourable report has been received from the Chief Licencing Inspector. There is nothing in the papers put before me that would indicate that the applicant is not suitable to be the holder of an on-licence.

The applicant is seeking operating hours of 5.00pm to 11.00pm Monday to Sunday although the public notices published in the Greymouth Star had the proposed operating hours as 5pm onwards Monday to Sunday. No objections were received regarding the application and the wrong information on the proposed operating hours has had no material effect on this application.

The Pancake Rocks Café operates in the hours before 5pm but the applicant will not have alcohol on display and alcohol will only be available for sale from 5pm each day by way of a drinks menu that will go on the dining tables along with the evening dining menu. There has been no change to the layout of the café and all the areas used for dining are visible from the bar area. The café is to remain undesignated. The premises provide for the sale of food and beverages along with a small gift/clothing retail area.

The premises are located in the commercial zone opposite the Pancake Rocks and with no residential dwellings in the area the effect on the amenity and the good order of the neighbourhood are minimal given the scale of the activity.

The nominated manager, Patrick Volk, has ten years of experience operating licenced premises and the applicant has stated that there is a duty manager on site at all times alcohol is available.

Staff training takes place monthly and includes recognising signs of intoxication and ways of preventing excessive consumption of alcohol. A host responsibility policy is in place which emphasises the promotion of non-alcohol beverages and water along with alternative transport options for patrons. Free water is available on the premises and food is always available either over the counter or from the evening menu.

The applicant will need to ensure that all staff are acutely aware that sale and/or supply of alcohol on these premises before 5pm each day will be in breach of the on- licence conditions.

A report was received from the NZ Fire Service indicating that they had no objections to the granting of this application.

I am satisfied that the sale and supply of alcohol will be undertaken safely and responsibly by the applicant and that any harm that may be caused by the excessive or inappropriate consumption of alcohol should be minimised.

The application appears to meet the criteria required under s.131 of the Act and I therefore grant the application from Wild Coast Limited for renewal of the on-licence for premises known as Pancake Rocks Café subject to conditions as noted below.

The licence may issue immediately.

The On-Licence will be subject to the following conditions:

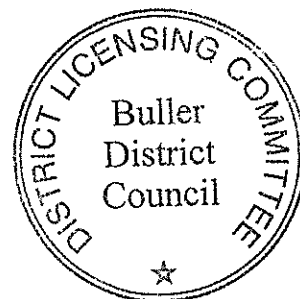
1. No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00pm on Anzac Day to any person who is not: (i) residing or lodging on the premises; or (ii) present on the premises to dine.

2. Alcohol may be sold only on the following days and during the following hours: Monday to Sunday 5.00pm-11.00pm to any person EXCEPT THAT on the Thursday before Good Friday; and on Easter Saturday; and on Christmas Eve; and on the day before Anzac Day, alcohol may only be sold between 8.00am and 12.00midnight.
3. Drinking water must be freely available at all times while the premises are open for the sale and supply of alcohol.
4. The following steps must be taken to promote the responsible consumption of alcohol:
 - (i) A Host Responsibility Policy must be maintained and displayed and the Licensee must ensure all staff receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
 - (ii) A range of food choices must be readily available at reasonable prices at all times that the premises are open. Menus must be visible and food actively promoted.
 - (iii) A range of non-alcoholic and low-alcoholic drinks must be readily available at reasonable prices.
 - (iv) Information relating to safe transport options must be readily available to customers. A phone must also be available on request for customers to arrange safe transport.
5. The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) ID is to be requested from any person who looks under 25 years of age.
 - (ii) There must be no sale or supply of alcohol to minors or intoxicated persons.
 - (iii) There must be displayed at every point of sale appropriate signs detailing these restrictions.
6. The whole of the licensed area is undesignated.
7. The applicant's attention is also drawn to ss.56-57 and 214(3) of the Act obliging the licence holder to display:-
 - (i) A sign at each principal entrance to the premises attached to the inside or outside of the premises, so as to be easily read by persons immediately outside the entrance, stating the ordinary hours of business during which the premises will be open for the sale of alcohol; AND
 - (ii) A copy of the licence including conditions, must be attached to the inside of the premises at the principal and secondary entrances, so as to be easily read by persons immediately outside the entrance. The entrance to the premises from State Highway 6 is designated as the principal entrance. AND
 - (iii) A sign prominently displayed inside the premises, which identifies by name the manager for the time being on duty.
8. No off-licence sales permitted on these premises.

DATED at Westport this 11 August 2016



Graeme Neylon
CHAIRPERSON
BULLER DISTRICT LICENSING COMMITTEE



Decision:
Buller DLC ref:

DLC/102/2016
TA16017

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER of an application Partnership of Melanie Blundell and Paul Clarkson for temporary authority for an on-licence for premises situated at 18-20 Lewis Street, Mokihinui and known as "Mokihinui Tavern"

BEFORE THE BULLER DISTRICT LICENSING COMMITTEE

Chairperson: Cr Graeme Neylon
Committee Members: Hamish Macbeth
Phillip Rutherford

DECISION

There have been no objections received regarding this application and as such the Buller District Licencing Committee is able to consider it on the papers put before it.

The Act allows for three members of the District Licencing Committee to consider this application on the papers put before them without having to physically convene a meeting of the committee. A joint decision can then be made.

The applicant, a partnership of Melanie Blundell and Paul Clarkson, has recently entered into a 12 months lease to buy agreement with the current owner of the premises known as Mokihinui Tavern located at 18-20 Lewis Street, Mokihinui. The applicant is seeking a temporary authority to allow the continued operation of the Mokihinui Tavern while they apply for a new on-licence. The underlying licence is 54/ON/004/2016.

The given takeover date is 1st September 2016 when the lease takes effect and the nominated duty manger is Melanie Blundell who is the holder of a current manager's certificate.

The NZ Police have no objection to the granting of this application and a favourable report has been received from the Chief Licencing Inspector. There is nothing in the papers put before the District Licencing Committee that would indicate that the applicant is not suitable to be the holder of a temporary authority to operate on- licenced premises.

There are no changes proposed to the current layout of the premises which consist of a public bar area with an adjoining dining area and an overflow dining area. There is an outdoor deck area which can be accessed externally or through the main bar area and a separate smokers area is located on the opposite side of the building.

There is no accommodation provided on the premises.

The holder of a temporary licence is required to pay any annual licence fees due in respect of the underlying licences.

Buller District licencing Committee members Neylon, Rutherford and Macbeth have considered the papers put before them and are satisfied that this application meets the criteria as required

under s.136 of the Act and that the sale and supply of alcohol will be done responsibly and safely by the applicant any harm that may be caused by excessive or inappropriate consumption of alcohol will be minimised.

We therefore grant the application from the partnership of Melanie Blundell & Paul Clarkson for a temporary authority to operate an on-licence at the premises known as Mokihinui Tavern (to be known as "The Old Boiler Bar & Café") for three months from 1 September 2016 and authorise the issue of the Order subject to conditions.

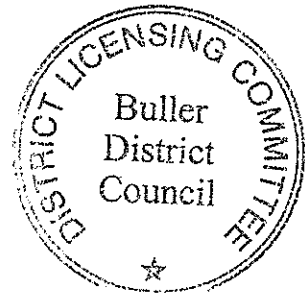
The applicant's attention is drawn to s.136 of the Act obliging the holder of the Order to:

1. Ensure that the on licence licences remain in force for the term of the Order.
2. Comply with the same duties, conditions, obligations and liabilities as required by the current on-licence 54/ON/004/2016.
3. Comply with the conditions of the Order.

DATED at Westport on the 10th day of August 2016



**Chairperson
Buller District Licensing Committee**



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

AND

IN THE MATTER of an application by **REEFTON WORKINGMENS CLUB** (the licensee) for Special Licence pursuant to ss. 22 and 64 of the Act for premises situated at 55 Bridge Street and known as REEFTON WORKINGMEN'S CLUB.

BULLER DISTRICT LICENSING COMMITTEE
UNCONTESTED APPLICATION DECISION

Chairperson: Graeme Neylon

Authority of Chairperson

The functions, powers and duties of the District Licensing Committee is delegated to the committee chairperson under section 191(2) of the Sale and Supply of Alcohol Act 2012 when no objection has been filed, and no matters of opposition have been raised by the Police, Medical Officer of Health or the Inspector in respect of an application for a licence.

Decision

There have been no objections received in regards to this application and as such I am able to consider it on the papers put before me.

The applicant, Reefton Workingmens Club Incorporated, is seeking a special licence to allow for the sale, supply and consumption of alcohol at a series of six events scheduled over the next four months to be held at their premises located at 55 Bridge Street Reefton.

The applicant currently holds a club licence which only allows the sale and supply of alcohol to authorised customers on these premises. In this case an authorised customer is a member of the Reefton Workingmens Club or is a person on the premises at the invitation of, and is accompanied by, a member of the Reefton Workingmens Club.

The applicant is applying for a special licence as some persons attending these events may not fit into the category of an authorised customer.

The applicant has been granted special licences on a number of occasions for various events, including similar events to some of those in this application, without any incidents being reported. Nor have there been any adverse reports received from the Police in relation to any of these events.

The NZ Police and the Medical Officer of Health have no objections to the granting of this application and a favourable report has been received from the Chief Licencing Inspector. There is nothing in the papers put before me that would indicate that the applicant is not suitable to be the holder of a special licence.

The applicant is intending holding the events as set out below with operating hours varying according to the nature of the events. The operating hours sought are fair and reasonable

and are within the operating hours of the applicants on-licence and are well within the default hours as defined by the Act.

The applicant also has an off-licence as part of the Club licence it holds for the premises at 55 Bridge Street, but this application is seeking on-licence sales only and it is not envisaged that off-licence sales will be made to those attending the events under the special licence the Club is seeking.

The layout of the club premises will not be materially altered for these events and is considered adequate for these events.

The premises are currently undesignated which allows those under 18 years to be present but the applicant is reminded that under 18 years may not be supplied alcohol unless accompanied by their parent or legal guardian.

The Club is located on the edge of the commercial area in Reefton and has adequate parking on the site and in the adjoining streets. While there are residential properties close by it is not expected that the amenity or good order of neighbourhood will be affected by these events other than in a minor way. Given that the events will only be held on the dates and times listed and no complaints have been received from past similar events any negative effects will only be of short duration.

The applicant has nominated Kathryn Banks as the manager for these events and Ms Banks is the holder of a current manager's certificate. The applicant has indicated that additional bar staff will be employed for these events. All staff will ask for ID from those who look under 25 years of age and staff will refuse to serve intoxicated persons and patrons who show aggression or act violently will be removed from the premises.

Low alcohol and non-alcohol beverages and free water will be available at these events and food will be provided by the Reefton RSA Ladies for the two birthday parties and the Classic Car Rally. The Reefton Rodeo Committee will be providing a supper for the barn dance event and the applicant will be providing a light evening meal for the Country Music event. Food will also be available over the bar as per the conditions of the Club's on -licence during all the events.

For all the events a courtesy vehicle will be available as will a telephone for those wishing to arrange for alternative transport home.

From the papers put before me I am satisfied that the applicant will be able to sell and supply alcohol safely and responsibly at the planned events and that any harm that may be caused by excessive or inappropriate consumption of alcohol will be minimised by the actions of the applicant and the nominated manager and staff.

The application appears to meet the criteria as required under s.142 of the Act and as such I grant the application from the Reefton Workingmens Club Incorporated for a special licence to hold a series of six events over the next four months at their premises subject to the conditions noted below.

Conditions to be imposed

The licence will be subject to the following conditions:

- (a) Alcohol may be sold or supplied only on the following days and hours:
Friday 12/08/16 Ray Chandler Birthday Party

Saturday 20/08/16 Reagan Stuart Birthday Party
Saturday 27/08/16 Reefton Rodeo Barn Dance Fundraiser
Sunday 11/08/16 Classic Car Rally
Wednesday 05/10/16 Inangahua Arts Council
Sunday 27/11/16 Buller Country Music Club

- (b) Free potable drinking water must be available for the duration of the licence.
- (c) Alcohol may be sold in the following types of containers only: glass and cans
- (d) The following steps must be taken to promote the responsible consumption of alcohol:
 - (i) Food must be available for consumption for the duration of the licence.
 - (ii) The licensee must have available for consumption, at all times when alcohol is being sold or supplied, a reasonable range of non-alcoholic and low alcohol refreshments.
 - (iii) Transport options signage must be displayed. A phone must also be available on site to contact an alternative form of transport if required.
- (e) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) ID is to be requested from any person who looks under 25 years of age.
 - (ii) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be displayed at every point of sale appropriate signs detailing these restrictions. Any intoxicated persons may not enter or remain on the premises.
- (f) The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Act. The manager appointed for the purpose of this licence is to be Kathryn Melva Banks. A sign must be displayed identifying the duty manager.

DATED at Westport this 10 August 2016



Graeme Neylon
CHAIRPERSON
BULLER DISTRICT LICENSING COMMITTEE

Application No.: ON100003
Decision No.: DLC/100/2016

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

AND

IN THE MATTER of an application by **PORTO BELLO BAR AND GRILL LTD** (the licensee) for On-Licence pursuant to ss. 14 of the Act for premises situated at 62 Palmerston St, Westport and known as PORTO BELLO BAR AND GRILL.

BULLER DISTRICT LICENSING COMMITTEE
UNCONTESTED APPLICATION DECISION

Chairperson: Graeme Neylon

Authority of Chairperson

The functions, powers and duties of the District Licensing Committee is delegated to the committee chairperson under section 191(2) of the Sale and Supply of Alcohol Act 2012 when no objection has been filed, and no matters of opposition have been raised by the Police, Medical Officer of Health or the Inspector in respect of the following applications:

- An application for a licence
- An application for a manager's certificate
- An application for renewal of a licence or manager's certificate

Decision

There have been no objections received regarding this application and as such I am able to consider it on the papers put before me.

On 30th June 2014 an application was filed with the Buller District Licencing Committee by Porto Bello Bar and Grill Limited for renewal of an on-licence for the premises known as Porto Bello Bar and Grill located at 62 Palmerston Street Westport.

The application was filed prior to the expiry of the existing on-licence for these premises and the required public notices appeared in the Westport News on 26/06/14 and 3/07/14. No objections were received and the application was not opposed by the NZ Police or the Medical Officer of Health.

A request for further information was emailed to the applicant in August 2014 and the application was put on-hold while awaiting the required further information. Since that date no further information has been forwarded and a subsequent review of the NZ Company Office records show that Porto Bello Bar and Grill limited has been placed in liquidation and has ceased trading.

Attempts to make contact with the applicant have proved fruitless and this matter has remained undetermined since August 2014.

The report received from the Chief Licencing Inspector indicates that there is no alternative other than to decline this application as the premises have remained closed for more than 12 months now and it has proven impossible to make any contact with the applicant.

I am unable to be satisfied as to the matters specified in the criteria in s.127 of the Act to which I must have regard to and as such the application for renewal of on-licence from Porto Bello Bar and Grill Limited is declined.

DATED at Westport this 8 August 2016



Graeme Neylon
CHAIRPERSON
BULLER DISTRICT LICENSING COMMITTEE

IN THE MATTER

Section 228 of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Christopher Gerard Mein for renewal of manager's certificate pursuant to s.224 of the Act

DECISION FOR UNCONTESTED RENEWAL OF MANAGER'S CERTIFICATE

Authority

The functions, powers and duties of the District Licensing Committee is delegated to the committee chairperson under section 191(2) of the Sale and Supply of Alcohol Act 2012 where no objections have been filed, and no matters of opposition have been raised by the Police, Medical Officer of Health or the Inspector in respect of an application for renewal of manager's certificate.

Summary and Evaluation of Evidence

There have been no objections received in regards to this application and as such I am able to consider it on the papers put before me. The applicant, Christopher Gerard Mein, is seeking renewal of his manager's certificate first granted 2009 and this is his third renewal application.

The applicant is currently employed at Miners on Sea a licenced restaurant located in the Buller. During the time the applicant has been employed at these premises there have been no adverse reports received. The applicant has the required relevant qualifications and has experience in managing licenced premises.

The NZ Police have no objections to this application and there is a favourable report from the Chief Licencing Inspector. There is nothing in the papers put before me that would indicate that Mr Mein is not a suitable person to hold a manager's certificate.

I am satisfied that the applicant appears to be able to manage licenced premises with the aim of contributing to the reduction of alcohol related harm that may be caused by excessive or inappropriate consumption of alcohol and that he checks ID to ensure that alcohol is not sold or supplied to minors. The applicant also provides non -alcohol beverages and free water available to patrons and ensures that food is available with a comprehensive menu on offer.

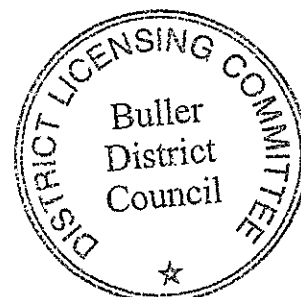
Decision

This application appears to meet the criteria as required under s.227 of the Act I therefore grant the application from Christopher Gerard Mein for renewal of his manager's certificate.

Dated at Reefton this 8th day of August 2016



Graeme Neylon
CHAIRPERSON
BULLER DISTRICT LICENSING COMMITTEE



IN THE MATTER

Section 228 of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Joanna Maree Ireland for renewal of manager's certificate pursuant to s.224 of the Act

DECISION FOR UNCONTESTED RENEWAL OF MANAGER'S CERTIFICATE

Authority

The functions, powers and duties of the District Licensing Committee is delegated to the committee chairperson under section 191(2) of the Sale and Supply of Alcohol Act 2012 where no objections have been filed, and no matters of opposition have been raised by the Police, Medical Officer of Health or the Inspector in respect of an application for renewal of manager's certificate.

Summary and Evaluation of Evidence

There have been no objections received in regards to this application and as such I am able to consider it on the papers put before me. The applicant, Joanna Maree Ireland, is seeking renewal of her manager's certificate first granted 2015 and this is her first renewal application.

The applicant is currently employed at SuperValue in Reefton which operates an off-licence only. The applicant has indicated that she has no experience in on-licence premises and had previously given a voluntary undertaking that she would only use her manager's certificate in off-licence premises. During the time the applicant has been employed at these premises there have been no adverse reports received.

The applicant has the required relevant qualifications and has some experience in managing off-licenced premises. The NZ Police have no objections to this application and there is a favourable report from the Chief Licencing Inspector. There is nothing in the papers put before me that would indicate that Ms Ireland is not a suitable person to hold a manager's certificate. I am satisfied that the applicant appears to manage off-licenced premises with the aim of contributing to the reduction of alcohol related harm that may be caused by excessive or inappropriate consumption of alcohol and IDs are checked to ensure alcohol is not sold/supplied to minors.

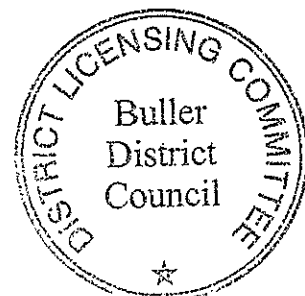
Decision

This application meets the criteria as required under s.227 of the Act I therefore grant the application from Joanna Maree Ireland for renewal of her manager's certificate with her voluntary undertaking to only use her manager's certificate in off-licensed premises remaining in force.

Dated at Reefton this 8th day of August 2016



Graeme Neylon
CHAIRPERSON, BULLER DISTRICT LICENSING COMMITTEE



IN THE MATTER

Section 64 of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Charlene Joy Marychurch for a new manager's certificate pursuant to s.221 of the Act

DECISION FOR UNCONTESTED NEW MANAGER'S CERTIFICATE

Authority

The functions, powers and duties of the District Licensing Committee is delegated to the committee chairperson under section 191(2) of the Sale and Supply of Alcohol Act 2012 where no objections have been filed, and no matters of opposition have been raised by the Police, Medical Officer of Health or the Inspector in respect of the following applications:

- An application for a licence
- An application for a manager's certificate
- An application for renewal of a licence or manager's certificate

Summary and Evaluation of Evidence

There have been no objections received in regards to this application so as such I am able to consider it on the papers put before me.

The applicant, Charlene Joy Marychurch, is seeking a new managers certificate and she has gained and supplied a copy of the required relevant qualifications.

Ms Marychurch is currently employed at Berlins, a licenced café/bar located at 1205 Lower Buller Gorge Road Westport where she has been working for the last two years. Prior to this she was employed at the Alpine Motor Inn and Café at Springs Junction between 2008-2011. A work reference has been supplied by the owner/operator of Berlins and a further character reference has also been supplied.

The applicant has some experience working in on-licenced premises and appears to have a good knowledge of the requirements of the Act and the host responsibility requirements for a good manager.

There have been no adverse reports received in regards to the management of Berlins.

The NZ Police have no objections to this application and the applicant has received a favourable report from the Chief Licencing Inspector.

There is nothing in the papers put before me that would indicate that the applicant is not a suitable person to be the holder of a manager's certificate.

I am satisfied that the applicant appears to be able to manage licenced premises with the aim of contributing to the reduction of alcohol related harm that may be caused by excessive or inappropriate consumption of alcohol and is aware of the requirement to have food and non-alcohol beverages available at all times.

The applicant is aware of her responsibilities regarding not serving minors and for checking ID's for those who under 25 years of age.

The application appears to meet the criteria required under s.222 of the Act therefore I grant the application from Charlene Joy Marychurch for a new manager's certificate.

Decision

I determine that the application for a new manager's certificate as noted above be granted.

Dated at Reefton this 30th day of July 2016



Graeme Neylon
CHAIRPERSON
BULLER DISTRICT LICENSING COMMITTEE

BULLER DISTRICT LICENSING COMMITTEE

Decision No. DLC/096/2016
Application no: TA16014 (On) and TA16015 (Off)

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

AND

IN THE MATTER of an application Big Hill Farm Limited for temporary authorities for an on-licence and an off-licence for premises situated at 3296 Karamea Highway, Little Wanganui and known as "Little Wanganui Hotel"

BEFORE THE BULLER DISTRICT LICENSING COMMITTEE

Chairperson: Cr Graeme Neylon
Committee Members: Hamish MacBeth
Phil Rutherford

DECISION

There have been no matters raised in opposition in regards to this application and as such the application can be considered on the papers put before at least three members of the Buller District Licencing Committee.

There have been no objections received regarding this application and as such the Buller District Licencing Committee is able to consider it on the papers put before it. The Act allows for three members of the District Licencing Committee to consider this application on the papers put before them without having to physically convene a meeting of the committee. A joint decision can then be made.

The applicant, Big Hill Farm Limited, has recently purchased the Little Wanganui Hotel located at 3296 Karamea Highway Little Wanganui. The applicant is seeking a temporary authority to allow the continued operation of the Little Wanganui Hotel under their ownership while they apply for a new on-licence and a new off-licence.

Big Hill Farm Limited is a New Zealand Company with the sole director William John Horncastle who is also a shareholder along with Gibraltar Trust Limited. The sole director and shareholder of Gibraltar Trust Limited is Patrick William Frank Wilson.

The given takeover date is 1st September 2016 and it is proposed that the existing licensees Andrea and Wayne Eggers will continue to operate the premises for one year from the settlement date and this agreement forms part of the sale and purchase agreement.

Andrea and Wayne Eggers are both holder of a current managers certificate and have been nominated in this application as the duty managers.

There have been no issues report regarding the operation of these premises while under the previous management of Andrea and Wayne Eggers.

The NZ Police have no objection to the granting of this application and a favourable report has been received from the Chief Licencing Inspector.

There is nothing in the papers put before the District Licencing Committee that would indicate that the applicant is not suitable to be the holder of a temporary authority to operate an on and off licenced premises.

The hours of operation are the existing hours allowed under the current on-licence, 54ON/010/2014, which are 8.00am to 3.00am the following day Monday to Sunday and under the current off licence, 54OFF/005/2014, which are 7.00am to 10.00pm Monday to Sunday. Both of these current licences expire on 09/08/2017.

There are no changes proposed to the current layout of the premises which consist of a public bar area, two dining areas, an outdoor deck and beer garden, guest accommodation and a private living area.

The public bar is designated as supervised with all other areas undesignated. The bottle store is accessible by an external door but there is internal access for bar staff.

The outdoor area is fenced off but is visible to bar staff through doors and windows. There is ample off-street parking at the front of the building.

The holder of a temporary licence is required to pay any annual licence fees due in respect of the underlying licences. In this instance the annual fee on the underlying licence is due 9 September 2016 and the current owners have been invoiced accordingly.

Buller District licencing Committee members Neylon, Rutherford and Macbeth have considered the papers put before them and are satisfied that this application meets the criteria as required under s.136 of the Act and that the sale and supply of alcohol will be done responsibly and safely by the applicant any harm that may be caused by excessive or inappropriate consumption of alcohol will be minimised.

We therefore grant the application from Big Hill Farm Limited for temporary authorities to operate an on-licence and an off-licence as of 1 September 2016 at the premises known as Little Wanganui Hotel.

The applicant's attention is drawn to s.136 of the Act obliging the holder of the Order to:

1. Ensure that the on and off licences remains in force for the term of the Order.
2. Comply with the same duties, conditions, obligations and liabilities as required by the current on-licence **54/ON/010/2014** and current off-licence **54/OFF/005/2014**.
3. Comply with the conditions of the Order.

DATED at Westport on the 30th day of July 2016.



**Chairperson
Buller District Licensing Committee**