

Decision number: 055-2024

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

AND

IN THE MATTER of an application by **Crack
On Limited** pursuant to s127
of the Act for the renewal of
the ON Licence in respect of
premises situated at 28 Main
Road, Franz Josef Glacier
known as "**Snakebite
Brewery**"

BEFORE THE WESTLAND DISTRICT LICENSING COMMITTEE

The Application

Crack On Limited applies for the renewal of the ON Licence in respect of premises situated at 28 Main Road, Franz Josef Glacier known as "Snakebite Brewery."

The business appears to be that of a Class 1 restaurant/cafe in the centre of the township. It operates as a restaurant during the day and early evening but morphs into a tavern style activity later in the evening.

The current days and hours are **Monday to Sunday 8.00am to 3.00am the following day. No changes are sought.**

These hours are within the default national maximum trading hours for ON licensed premises.

The application was publicly notified on the council website from the 26th of September 2023. No objections were received from members of the public.

Reasons for the Decision

Both the Police and the Medical Officer of Health raised any matters in opposition around the legal footprint of the site, and they also had concerns about the length of alcohol service and supervision of patrons.

The inspector reports that the amenity and good order of the area has not been reduced by more than a minor extent and that the applicant has appropriate staff training and policies to properly manage the sale, supply and consumption of alcohol.

A split designation applies with the premises becoming a Supervised Area from 11.00pm each night.

As the oppositions were not resolved initially, the renewal was set down for hearing due to the provisions of Section 134 of the Act.

Subsequently the Police and MOoH have revised their stances and withdrawn their oppositions.

The public hearing date is now vacated. I deal with the application on the papers.

The licensee is to ensure that the licensed area is physically defined so that patrons do not take alcohol out of the approved area. We suggest a sign prominently displayed in the outdoor area containing words to the effect of "*The tables, and patrons with alcohol, must remaining within the paved area at all times.*"

We also note that the hours of alcohol service are extensive as flagged by the agencies. Franz Josef does have a relatively unique business model and licensed premises must adapt to the needs of the attending public.

Long hours of alcohol availability must be respected and overtly managed. There is nothing in this application that suggests to us that the business operates in an adverse manner and we expect it to stay that way.

As a matter of completeness, I grant a waiver for the late filing of the renewal.

Overall, I am satisfied as to the matters to which we must have regard as set out in s.131 of the Act.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by **Crack On Limited for the renewal of the ON Licence in respect of premises situated at 28 Main Road, Franz Josef Glacier known as "Snakebite Brewery"** subject to conditions.

We refresh the licence conditions to reflect best practice.

Conditions:

The ON licence is subject to the conditions listed below:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours:
Monday to Sunday 8.00am to 3.00am the following day;
 2. No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day to any person other than a person who is on the premises to dine;
 3. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
 4. The whole of the premises is designated as a **Supervised Area** from 11.00pm each night; The Northern Courtyard becomes unlicensed from 10.00pm.
 5. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages.
 6. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted;
 7. A properly appointed certificated, or Acting or Temporary, manager must be on duty at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises;
 8. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises;
 9. The Licensee must display:
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- a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
- b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol.
- c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.

The renewal will be for three years from the expiry of the current licence and a replacement licence is to be issued.

DATED at Hokitika this 13th day of May 2024



Murray Clearwater
Chairperson/Commissioner
Westland District Licensing Committee

