

Decision number:

069-2025

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012 ("the Act")

AND

IN THE MATTER

of an application by **The
Craypot/Jackson Bay
Haast 2024 Limited**
pursuant to s.120 and 127 of
the Act for the renewal and
variation of the ON Licence in
respect of premises situated
on The Esplanade, Jackson
Bay known as "**The Craypot**"

BEFORE THE WESTLAND DISTRICT LICENSING COMMITTEE

The Application

The Craypot/Jackson Bay Haast 2024 Limited applies for the renewal and variation of the ON Licence in respect of premises situated on The Esplanade, Jackson Bay known as "**The Craypot.**"

This business operates as a Class 3 restaurant/cafe in the remote location of Jackson Bay. There are both indoor and outdoor dining areas within the licensed area and it operates primarily over the spring, summer and autumn months.

The current days and hours for this licence are **Monday to Sunday 11.00am to 9.00pm. No changes are sought.**

These hours are within the default national maximum trading hours for an on licence of 8.00am to 4.00am.

What they do seek to vary is for the licensed area to include an additional small strip of land adjacent to their existing outdoor area.

The applicant has provided a list of substantive food options and the low alcohol and non-alcoholic refreshments that will be available at all times when the premises is open for the sale and supply of alcohol.

The food is to be prepared on-site, and the inspector is satisfied that it is of an acceptable variety and price range and will be provided within a reasonable timeframe of placing an order.

Water jugs and glasses will be available on request at all times, plus water is given to all seated customers as part of table service.

The application was publicly notified on council's website from 10th of September 2025, and no public objections were received.

A variation of the Licence To Occupy (LTO) has been sought and issued for this activity.

The Police had valid concerns in that the variation to increase the licensed area was not on the original application and was not part of their original assessment of 'unopposed'.

They have similar concerns to those held by the Medical Officer of Health who opposed the variation of the licensed area.

REASONS FOR THE DECISION

The applicant has provided an acceptable menu together with a list of both low and non-alcoholic refreshments that will satisfy the requirements of the Act.

Certificated managers are attached to the application and oversee the sale and supply of alcohol.

The Inspector reports that the amenity and good order of the area has not been reduced by more than a minor extent.

No designation is required for this low-risk activity.

However, the stalemate remained between the report of the MOoH and the resolution of the definition of the licensed area.

The area in question is adjacent to a small, angled, rock wall down to the beach. It has been there for many years and no issues have arisen. The applicant reports that only about 7.8% of total sales in the business is alcohol. It is a low risk restaurant and not a bar.

The easy answer would be to build a small fence adjacent to the rock wall, but this is forbidden by Destination Westland to protect the natural state of the environment at this location.

Against this we balance the low risk nature of the activity and very low alcohol sales. There has been no incidents in all of the many years the business has been there.

We believe the overall risk is less than minor and the renewal with variation can be approved subject to a pragmatic reassessment by the MOoH delegate.

Pursuant to section 134 of the Act I cannot grant this application on the papers while a 'live' opposition is still in place. The matter would have to be set down for a hearing.

We submitted our views to Mr. Beckhart and advised that the DLC was prepared to make a very clear statement to the licensee that they must regularly, and overtly, manage the outdoor area and remind customers of the dangers of the rock wall on the seaward side.

On that basis the MOoH have pragmatically withdrawn their opposition.

Overall, I am satisfied as to the matters to which we must have regard as set out in s. 120 and 131 of the Act.

Subject to the above, I deal with the application on the papers.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by **The Craypot/Jackson Bay Haast 2024 Limited** for the renewal and variation of the ON Licence in respect of premises situated on The Esplanade, Jackson Bay known as "**The Craypot**" subject to conditions.

As we have stated above **the licensee that they must regularly, and overtly, manage the outdoor area and remind customers of the dangers of the rock wall on the seaward side.**

If issues arise we can quickly rehear any application we have determined and the use of the outdoor area as a 'licensed area' would be re-examined.

Conditions:

The licence is subject to the conditions listed as follows:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours:
Monday to Sunday 11.00am to 9.00pm;
2. No alcohol is to be sold or supplied 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 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;
5. 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;
6. 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;
7. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises;
8. The Licensee must display:
 - 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 licence is renewed for three (3) years from the expiry of the current licence, and a Replacement Licence is to be issued.

DATED at HOKITIKA this 11th day of June 2026



Murray Clearwater
Chairperson/Commissioner
Westland District Licensing Committee

