

Buller District Licensing Committee (BDLC)

Annual Report to the Alcohol Regulatory and Licensing Authority

For the Period 01/07/18-30/06/19

1. Overview of the BDLC workload

1.1 Structure and personnel

Secretary: Rachel Patricia Townrow

Committee as at 30/06/19

Chairperson	Councillor Graeme Thomas Neylon
Committee Members	Councillor Phillip John Rutherford (Deputy Chairperson) Terence Neil Archer Councillor Jamie Cleine Hamish Macbeth
Licensing Support Officer:	Gail Dickson (Buller District Council employee)

The Chairperson (or Deputy Chairperson) decides all uncontested applications on their own. A quorum for opposed applications is still maintained with the remaining committee members.

1.2 BDLC Meetings and Hearings

The Chairperson (or Deputy Chairperson) generally makes their decision on uncontested application on an as received basis.

There were two hearings held within the past year. One for a new Manager's Certificate which was declined. The other hearing was for a new off-licence (stand alone bottle store). The application drew a number of objections from the public, most of which had no standing, but were of concern to the general public mainly because they felt Westport did not need another bottle store. The applicant (who also has two bottle stores in other areas) and the application met the criteria under section 105 and the application was duly granted, though the licence has yet to be issued.

2. BDLC Initiatives

As the Chairperson is not resident in Westport, all of the 'on the paper decisions' are made using email as the method of correspondence. This has worked well and resulted in a faster turn-around of applications.

Reminders are sent to applicants of special licences for the previous Christmas/New year periods, and ANZAC day. This has meant that applicants for annual events during this period are well aware of the 20 working day timeframe for applications, and there were not any issues with late applications last year.

We encourage applicants for licences to make an appointment to discuss prior to lodgment or at time of lodgment of their application. This helps with receiving any outstanding information required in a timely manner.

Our aim is to process all uncontested applications within 30 working days. If this has not been achieved, the reason is usually of a resource availability nature. As FENZ have not been reporting on our applications for licences for approximately 2 years, we usually have to wait the full 15 day working period before an inspector's report can be finalized and sent to the DLC for a decision.

Special licences for funerals or funeral after functions held at licensed Clubs: By agreement with the DLC, Police and Community and Public Health, we do not require a "meeting" for these decisions, this is mostly due to time constraints as obviously the applicant cannot give 20 working day notice for a funeral function. We consider it an obligation to our community to provide this service. Both the decision and licence are standardly worded.

In 2017, application forms were reviewed by all three West Coast councils and updated to be used as a shared resource. This included additional information being requested so that inspectors can better report on the applications which will in turn result in better information provided to the DLC for them to consider when making decisions. Earlier this year, the application forms were reviewed again by all three councils, and some changes have been made to improve efficiencies.

3.0 Local Alcohol Policy

There has been no further progress on a Buller Local Alcohol Policy to date. Though there are local alcohol ban areas in both Westport and Reefton.

4.0 Current legislation

As per last year's comment, the new Act continues to bring out varied interpretation in discussions. The NZ Institute of Liquor Licensing Inspectors (NZILLI) is the main source for gaining information and resolution of issues but often also highlights further anomalies within the Act and the varying ways DLC's and inspectors are interpreting it.

The continuing requirement for Temporary Authority applications to be heard by a full committee and not just the Chairperson when no objections have been received remains an issue as there is usually pressure to get these out to allow new owners to commence operating. There does not appear to be any reason why unopposed applications cannot be dealt with by the Chairperson as the temporary authority is limited to the conditions of the existing licence and the legislation would only need to be amended to require Police approval to ensure the suitability of the applicant to hold a Temporary Authority.

The Act does not clearly identify time frames around the Hearing process.

SSAA Regulations 2013 – Forms, as noted by our Licensing Support Officer

- Form 9 (On-licence) has **still not yet** been amended to include reference to Easter Sunday under Condition (a).
- Forms 12 and 13 (special licences) of the Regulations still contain incorrect reference to sections of the Act. The correct reference should be **Subpart 7 of Part 2** which was confirmed by the Ministry of Justice shortly after the full SSAA came into force. Form 11 was subsequently amended on 11/12/15, but forms 12 and 13 have not.
- There is an application form for a temporary authority (Form 16) but there is no regulation form for the actual "order".
- It would be helpful to have an area on all licence application forms under conditions asking the applicant to verbally identify the designations of the premises, and a description of each designation. It doesn't seem to matter how much information you give applicants,

they still do not know what designations are, particularly “supervised”. We have added this to our application forms, and it has been very helpful.

5.0 Ways the Sale and Supply of Alcohol Act 2012 is achieving its object.

Licensees and managers alike are more aware of their obligations under the Act, and are more likely to discourage certain behaviours and enforce compliance due to penalties/fines they may receive under the Act.

6.0 Any other matter the TA might wish to draw to the attention of the Authority

It would be helpful if there was some avenue for Licensing support staff to request help/advice/opinions of other licensing admin staff or even inspectors. Under the new Act, some Administration Officers, particularly in smaller councils, have had to take on roles, and deal with both public and licensee enquiries, that previously an inspector would have dealt with. It is noted that the NZILLI listserve is a helpful tool for inspector’s to glean information, however it would also be beneficial for Administration Officers being able to access, or have some other forum for communication.

7.0 Statistical Information


Territorial Authority statistical/fees return for applications received during the reporting year ending 30 June 2019, number of BDLC decisions made, and current listing of licensed premises is attached.



Rachel Townrow
SECRETARY
BULLER DISTRICT LICENSING COMMITTEE

Contacts at Buller District Council

DLC Secretary:	Rachel Townrow	03 788-9111	rachel@bdc.govt.nz
Chief Licensing Inspector:	Sean Judd	03 788 9614	sean@bdc.govt.nz
Licensing Administrator:	Gail Dickson	03 788 9637	gail@bdc.govt.nz



Buller District Licensing Committee Decisions

Note: the number of decisions does not accurately reflect the number of “applications” decided, as some decisions were for waivers granted under section 208, and there will be two decisions for those applications.

The BDLC determined the following applications for the 2018-2019 year:

Type	2017-2018	2018-2019
On-licence new	1	1
On-licence variation	0	0
On-licence renewal	18	13
Off-licence new	0	3
Off-licence variation	0	1
Off-licence renewal	9	3
Club licence new	0	0
Club licence variation	0	0
Club licence renewal	1	11
New manager’s certificates	33	33
New manager’s certificate declined	2	5*
Renewal of manager’s certificates	62	57
Renewal of manager’s certificate declined	0	0
Temporary Authorities	0	2
Special licences	56	59

* one manager’s certificate declined as result of hearing, four manager’s certificates declined as sufficient information to meet the criteria was not received or the applicant left the district before completing the process.

End of Year Financial Return (ending 30 June 2019) for ARLA
Territorial Authority: Buller District Council

INCOME

Application Fees	\$43,991.44
Annual Fees	\$26,880.83

Fees Payable to ARLA

On-Off-Club Licences	\$138.00	\$172.50	\$621.00	\$0.00	\$0.00	\$931.50
Annual Fees	\$138.00	\$310.50	\$1,656.00	\$0.00	\$0.00	\$2,104.50
Manager Certificates						\$2,357.50
						\$5,393.50

On-licence, off-licence and club licence applications received

Application Type	Very Low	Low	Medium	High	Very High
On-licence new					
On-licence variation					
On-licence renewal	3	2	6		
Off-licence new			3		
Off-licence variation			1		
Off-licence renewal		1	2		
Club licence new					
Club licence variation					
Club licence renewal	5	2			
Total number	8	5	12	0	0
Total Fee paid	138.00	172.50	621.00	0.00	0.00

Annual fees for existing licences received

Application Type	Very Low	Low	Medium	High	Very High
On-licence	3	5	22		
Off-licence		2	10		
Club licence	5	2			
Total number	8	9	32	0	0
Total Fee paid	138.00	310.50	1,656.00	0.00	0.00

Managers' certificate licence applications received

Manager's certificate new	27
Manager's certificate renewal	55
Total number	82
Total Fee paid	2,357.50

Special licence applications received

	Class 1	Class 2	Class 3
Special licence	3	17	38

Temporary authority applications received: Temporary authority : 2

Permanent club charter payments received: Nil

Appendix III

Current listing of Licensed Premises Territorial Authority: Buller District

BDC reference	Licensee	Premises (TradingAs)	Expiry
CL9019	Club Buller Incorporated	Club Buller	7-Mar-22
CL9022	WESTPORT R S BOWLING CLUB INC	WESTPORT RS BOWLING CLUB	26-Mar-22
CL91102	WESTPORT GOLF CLUB INC	Westport Golf Club	2-Aug-21
CL91105	REEFTON GOLF CLUB INC.	REEFTON GOLF CLUB	2-Aug-21
CL91107	WHITE STAR RUGBY FOOTBALL CLUB INCORPORATED	WHITE STAR RUGBY CLUB	28-Sep-21
CL91126	Westport RSA Inc	Westport Returned Services Association Inc	21-Jul-20
CL9182	Karamea Golf Club	Karamea Golf Club	17-Sep-21
CL9194	REEFTON WORKINGMENS CLUB INC	REEFTON WORKINGMEN`S CLUB	2-Aug-21
CL9302	WESTPORT BOWLING CLUB	WESTPORT BOWLING CLUB	26-Jun-22
CL9303	CHARLESTON GOLDFIELDS CLUB	CHARLESTON GOLDFIELDS COMMUNITY CLUB INC	15-Jul-21
OF0009	MEDEA HOLDINGS LIMITED	Karamea Four Square Supermarket	20-Nov-19
OF090002	DIANA R STORER	KARAMEA VILLAGE HOTEL	22-Jun-22
OF100005	MINERS ON SEA LTD	THE BIG FISH	11-Jan-21
OF110003	REEFTON WORKINGMEN`S CLUB INCORPORATED	REEFTON WORKINGMEN`S CLUB	2-Aug-21
OF120002	HOTEL REEFTON 2012 LIMITED	Hotel Reefton	20-Nov-19
OF130001	Coastwest Holdings Limited	The West Coast Brewery	21-Mar-20
OF130003	Joyccs Trading Ltd	REEFTON FOUR SQUARE	12-Nov-20
OF130004	Ikamatua Hotel 2013 Ltd	Ikamatua Hotel	11-Mar-21
OF140001	Parry Acklin Limited	New World Westport	3-Jun-22
OF160001	Maruia Hot Springs Limited	Maruia Hot Springs	14-Jul-20
OF160002	Grey River Holdings Ltd	The Westport	4-Jul-20
OF160003	Gilsenan Family Super Value Limited	Reefton Super Value	19-Sep-20
OF160004	Big Hill Farm Limited	Little Wanganui Hotel	30-May-21
OF170001	Ultimate Breeding Limited	Fresh Choice Westport	1-May-21
OF180002	Reefton Distilling Co Limited	Reefton Distilling Co Limited	26-Aug-19
OF180003	Darecj Limited	Ngakawau Tavern	30-Nov-19
OF180004	S & P Private Limited	Bottle O	Decision granted, not yet issued
OF98007	PUNAKAIKI TAVERN LIMITED	PUNAKAIKI TAVERN	5-Dec-19
ON0108	COSMOPOLITAN HOTEL LIMITED	COSMOPOLITAN HOTEL	7-Nov-20
ON0201	EGMONT CANINE CENTRE LTD	Star Tavern	22-Apr-21
ON0416	PAULA & MILES CUTBUSH	ALFRESCO EATERY & ACCOMMODATION	18-Mar-21
ON060012	DOG HOLDINGS LIMITED	DENNISTON DOG BAR & RESTAURANT	19-Mar-20

BDC reference	Licensee	Premises (TradingAs)	Expiry
ON060014	THOMAS GRAEME MCKENZIE	SEDDONVILLE HOTEL	14-Feb-22
ON070004	MCMANUS HOTEL LIMITED	MCMANUS HOTEL	17-May-20
ON070006	DONALDOS LIMITED	DONALDO`S	13-Dec-20
ON080008	BLACK AND WHITE HOTEL LTD	BLACK & WHITE HOTEL	15-Oct-21
ON080010	CRITERION HOTEL 2008 (LTD)	CRITERION HOTEL	3-Dec-21
ON090003	DIANA R STORER	KARAMEA VILLAGE HOTEL	22-Jun-22
ON100004	WHG PUNAKAIKI RESORT LIMITED	PUNAKAIKI RESORT	30-Mar-21
ON100006	MINERS ON SEA LTD	BIG FISH BAR	11-Jan-21
ON110001	WILSON`S HOTEL (2010) LTD	WILSON`S HOTEL	20-Jun-21
ON110006	AARAV HOSPITALITY LTD	THE COPPER POT	30-Aug-21
ON120001	NEIL K DOUGHERTY AND SANDRA D HENDERSON	THE BAY HOUSE	23-May-22
ON120004	HOTEL REEFTON 2012 LIMITED	Hotel Reefton	20-Nov-19
ON120005	Golden Horse Yang Limited	Buller Cafe	23-Sep-19
ON130001	ET Resources Ltd	Last Resort Karamea	15-Aug-20
ON130003	Ikamatua Hotel 2013 Ltd	Ikamatua Hotel	11-Mar-21
ON140001	Reefton Autolodge 2014 Limited	Dawsons Hotel	4-Jul-21
ON140003	Dean Murray Bengé T/A Berlins	Berlins	19-Sep-21
ON140004	Woodsgift Limited	Pines Tavern	19-Sep-21
ON150001	BULLER DISTRICT COUNCIL	NBS Theatre	26-Mar-22
ON150002	Wild Coast Limited	Pancake Rocks Cafe	7-Jul-22
ON150003	EM & M Limited	Portside Bistro and Bar	6-Nov-19
ON150005	THE QUARRY RESTAURANT LTD	The Quarry Restaurant and Bar	6-Nov-19
ON160001	Maruia Hot Springs Limited	Maruia Hot Springs	14-Jul-20
ON160002	Grey River Holdings Ltd	The Westport	4-Jul-20
ON160003	Whetu Marama Momo	The Arms Hotel	6-Oct-20
ON160004	Darecj Limited	Ngakawau Tavern	27-Jul-20
ON160005	Old Boiler Cafe and Bar - Mokihinui Limited	Old Boiler Cafe and Bar	28-Nov-20
ON160006	Big Hill Farm Limited	Little Wanganui Hotel	30-May-21
ON160007	Uncle Jim`s Holdings Ltd	Johnny`s	20-Dec-21
ON160008	Ann Norton Limited	Yellow House Cafe and Restaurant	5-Jan-21
ON170001	Mokihinui-Lyell Backcountry Trust	Rough and Tumble Bush Lodge	1-Oct-21
ON180001	Makere Tanoa Lee	The Arms Hotel	26-Mar-20
ON93015	GRAEME & PATRICIA AHERN	PIG & WHISTLE HOTEL	9-Sep-20
ON98015	PUNAKAIKI TAVERN LIMITED	PUNAKAIKI TAVERN	5-Dec-19
ON99007	JACK SCHUBERT	JACKS GASTHOF	30-Sep-21