

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

AND

IN THE MATTER of an application for a club licence
pursuant to s. 99 in respect of premises
situated at 206 Golf Links Road and
known as Hokitika Golf Club
Incorporated.

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

I am in possession of a copy of the complete file relating to this application.

It would appear that the applicant has inadvertently allowed an existing licence to expire without renewal and now has to deal with the statutory consequences of applying for a new licence.

The application is almost sufficiently detailed; However some clarification of some aspects of the management of the undertaking were required by the inspector. The applicant Club responded accordingly and the complete file includes emails concerning the responses to additional information sought. In addition the hours of operation were also amended from those initially sought through the application.

The Inspector has reported and has offered no objection to the application. The days and hours proposed are Monday to Friday from 12.00 Noon until 6.00PM and Saturday, Sunday and Public Holidays from 12.00 Noon until 8.00pm.

The Police have no objection to the grant of this new on-licence.

The Medical Officer of Health was, initially, opposed to the grant of this new licence but after further enquiry changed the stance to no-opposition.

Evaluation of Evidence and Reasons

I have considered the application on the basis of the uncontested reports received and I have noted that there have also been no public objections. The matter can, therefore, be dealt with on the papers.

The application is made to provide for the needs of members and users of the Hokitika Golf Club and the hours broadly reflect those needs. I do note that the applicant intends that the facilities should be available to others, in particular, 'weddings, birthdays and other celebrations'. The applicant should be in no doubt that the hours sought may not always be suitable and that special licenses may need to be applied for sometimes.

I am satisfied as to those matters provided for in s.105 of the Act.

I have not identified a need for any designations.

The applicant is experienced in the hospitality industry and is suitable to hold and operate a licence for the premises as sought. It would be helpful at the time of renewal of the licence that the applicant has

considered and put in place a Host Responsibility policy (or similar document) which clearly describes the way in which alcohol will be sold, supplied and consumed at the Golf Club.

Decision

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **028-2019** and I direct that a licence be issued pursuant to s.64 of the Act.

The terms and conditions will be:

- (a) Alcohol may be sold only on the following days and during the following hours:

Monday to Friday from 12.00 Noon to 6.00PM.

Saturday, Sunday and Public Holidays from 12.00 Noon to 8.00PM.

Except when the licensee also holds a special licence for the premises no alcohol is to be sold on the premises on Good Friday, Easter Sunday, 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) The Principal Entrance is to be described as “The main front door to the Clubhouse”.
- (c) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers from the bar and from the kitchen and at the water fountain at all times that the licence is being exercised.
- (d) The area to which the licence applies is that area shown boarded in yellow and the Bar area on a plan accompanying the application and date stamped as received on 28 February 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 11th day of March 2019.


Chairperson, Westland District Licensing Committee

