

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

**AND**

**IN THE MATTER** of an application for a special licence pursuant to s. 137 in respect of premises situated at 206 Golf Links Road, Hokitika and known as Hokitika Golf Club by Hokitika Golf Club (Inc).

**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**

The applicant seeks a special licence for an event referred to in the application as a Police Sports Association Golf Tournament.

The event will occur on Saturday 31 October 2020, Sunday 1 November 2020, Monday 2 November 2020 and Tuesday 3 November 2020. The hours for the Special Licence will be from 10.00AM until 11.00PM on each day.

A report from the Inspector concludes that the applicant is suitable to operate the event under a special licence.

A report from the Medical officer of Health does not oppose the grant of a licence.

A report from the Police has no objection to the grant of a licence.

**Evaluation of Evidence**

I have considered the application on the basis of the uncontested reports received and the complete file which has been made available to me. The application was not publicly notified. The matter can, therefore, be dealt with on the papers.

The applicant is the Hokitika Golf Club which is an incorporated Society and is, accordingly, permitted to hold a special licence. The application includes a plan of the Hokitika Golf Clubhouse which shows the area to be covered by the licence. There is a pointless aspect to the plan which fails to identify the proposal to have two tents on the course at the 12<sup>th</sup> and 16<sup>th</sup> holes to provide "on-course refreshments" including a range of food. The Inspector has asserted that the tents will not be part of the licensed area; I assume that all participants will be aware of that. The Inspector has also advised that the Golf Course will be closed to the general public during the tournament. I am not sure what the effect of the tents not being part of the licensed area is. If the application is correct then I can be sure that alcohol will be provided at the Clubhouse and at the "two small tents" but it seems to me that the application is made on the basis that it is only the Clubhouse that is the "licensed premises". I don't think that it is a pivotal matter given the identity of the clientele, but I raise the issue as a matter of consistency. It seems to me that the entire premises at 206 Golf Links Road is being used for the supply and consumption of alcohol and that the licence should be clear about that as should the application and the Inspector's report.

The application and the supporting reports do not state specifically why the application has been applied for. There could be several reasons for the application; the event could exceed the permitted hours or days



of opening, there may be people attending the event who are not members of the club or there may be some other purpose that I can't identify.

The hours applied for are not readily able to be accommodated by the Club's substantive licence and obviously there will be a number of people taking part in the tournament who are not members of the Club. I am left with the concluding assumption that the purpose of the application is to allow people who are not members of the Club on the premises for the purposes of attending the tournament and to allow trading hours beyond those that have been approved for the substantive licence.

I have not identified any compelling reasons for requiring any of the land or buildings to be designated. Management of the event will fall to a particular person, Brett Herbert Martelletti, who is identified in the application as the appointed manager.

#### **Decision and Reasons**

I am satisfied as to those matters provided for in s.142 of the Act.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **125-2020** and I direct that a licence be issued pursuant to s.64 of the Act.


The terms and conditions will be:

The Licence may be exercised for the sale and supply of alcohol to any person attending the premises at 206 Golf Links Road on Saturday 31 October 2020; Sunday 1 November 2020; Monday 2 November 2020; and Tuesday 3 November 2020 from 10.00AM and 11.00PM on each day.

Pursuant to section 147 (3)(b) of the Act drinking water shall be freely available to all customers from each point of supply at all times that the licence is being exercised.

The licensee shall appoint Brett Herbert Martelletti as the manager of the event.

Dated at Hokitika this 30<sup>th</sup> day of October 2020

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**Chairman, Westland District Licensing Committee**

