

**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 42 Hamilton Street, Hokitika and known as Hokitika Club by Hokitika 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**

The applicant seeks a special licence for an event referred to in the application as a 21<sup>st</sup> Birthday celebration.

The event will occur on Saturday 10 December 2022 from 6.00PM until 1.30AM the following 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 has no opposition to 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 application is very clear as to the range of measures that the applicant will take with regard to the provision of food and low and non-alcoholic beverages to assist to maintain a safe and hospitable environment.

The applicant is the Hokitika Club which is an incorporated Society and is, accordingly, permitted to hold a special licence.

I have observed previously with similar applications for the Hokitika Club that the application and associated documents do not actually state the reason for the Special licence. Clearly, there is a 21<sup>st</sup> birthday involved but the reason for the licence should be of a statutory nature rather than a celebratory nature. The Act does not require special licenses to be granted for 21<sup>st</sup> birthdays. A special licence would be required if the hours of operation exceeded those that are provided for in the Club Licence or if the event was to attract participants to the premises who had no right to be on the premises because of membership restrictions.

The hours applied for are from 6.00pm on Saturday 10 December 2022 to 1.30AM the following day. These hours can be accommodated by the Club's substantive licence. 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 a birthday celebration.

I can readily come to the view that the Westland District licensing Committee can have confidence in the Club's application as it is a licence holder of considerable experience with Special licenses in particular. If the applicant operates the function in accordance with the statements made in the application then the District Licensing Committee will be able to have some confidence that the occasion will be a success insofar as the sale and supply of alcohol is concerned..

I have not identified any amenity or good order issues and the designation on the substantive licence is appropriate to apply for this application.

### **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 **119-2022** 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 on Saturday 10 December, 2022 from 6.00PM until 1.30AM the next day.

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

The gaming Room is to be designated a restricted area.

Dated at Hokitika this 4 day of December 2022



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**Richard Simpson**  
Chairman, Westland District Licensing Committee

