

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

**AND**

**IN THE MATTER** of an amendment to an application for a  
special licence pursuant to s. 137 by  
Whataroa Golf Club in respect of  
premises known as The Whataroa Golf  
Club at the Whataroa Domain, 15 Main  
Road, Whataroa.

**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.

**Background:**

On 28 April 2022 a decision was made to grant an application for a Special Licence for an event to be held on Sunday 8 May 2022. I have been advised that the Golf Tournament to have been held on that day was cancelled because of weather inclemency and a decision was made by the Club to transfer the Tournament to Sunday 29 May, 2022. I am not able to find any Authority in The Sale and Supply of Alcohol Act 2012 That I can rely on that allows a licensee to make an application to vary the terms of a granted special licence. On the other hand I think that the Whataroa golf Club should be able to exercise some control over its activities and given that the control of the weather is outside the Club's jurisdiction it seems sensible that the Westland District Licensing Committee should attempt to find a way forward to assist the Golf Club. On the face of it, Section 283 of the Act could be used but not by the applicant. Section 283 is reserved for specific applications for amendments to a special licence being made in the name of an Inspector or the Police. I have turned my mind to the parts of the Act relating to the functions of Licensing Committees and the powers of a Committee and I have satisfied myself that the provisions are satisfactorily general to allow a discretion to be exercised on the basis of disruption to an event on the basis of inclement weather.

The circumstances that now exist do not dissuade me from the context of the original decision and the rationale identified at that time. I do not know if the reporting parties all agree that the change sought should be agreed to. I do not know if the application has been advertised; it was not initially and so I presume that the change would not in itself alter the need or otherwise for advertising. It is, after all a community event and I have no doubt that the community of Whataroa is well aware of the change.

I have simply been asked by a Council Staff member who acts as an advisor to the Licensing Committee to make an amendment to the original Special Licence and I willingly do so on the basis that I have a high regard for the procedural wisdom found in the Licensing Committee Secretariat. It may well be that a payment of a further fee or part thereof would be warranted and I will leave this to the Secretary.

The change to the date does not alter any of the conditions to the licence; the date will change but the times will remain and Lisa Marie Stevenson will be the manager of the alcohol service as initially determined.

**Decision and Reasons**

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

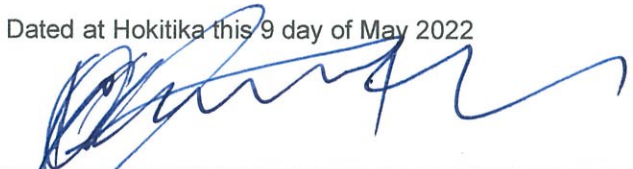
The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **043.1-2022** and I direct that a licence be issued pursuant to s.64 of the Act.

The terms and conditions will be those that were attached to the original licence with the exception that the date may now be shown as 29 May 2022.

The Secretary must advise the Tri-reporting agencies of the changed date.

If considered necessary the secretary should invoice the Golf Club for up to at least 50% of the Special Licence fee for costs associated with providing a changed licence for the Club.

Dated at Hokitika this 9 day of May 2022



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

