

Decision No. GREYDLC073/2018

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012 (the Act)

AND

IN THE MATTER

of an application by **GREYMOUTH RETURNED SERVICES ASSOCIATION INCORPORATED** pursuant to s.127 and s. 120 of the Act for a renewal and variation of the Club Licence in respect of premises situated at 181 Tainui Street, Greymouth known as the "Greymouth RSA"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The Greymouth Returned Services Association Incorporated has applied for a renewal of the Club Licence in respect of premises situated at 181 Tainui Street, Greymouth known as the Greymouth RSA.

The general nature of the activity is that of a club and has been operating for a number of years. The premise is zoned as commercial land with the rear section owned by the RSA located on residential land. The block the premise is situated on consists of both commercial buildings, business and residential homes. The main principal entrance is from Tainui Street.

The applicant seeks the retention of the existing days and hours of operation:

1. Monday to Sunday - 9am to 12 midnight
2. New Year's Eve - 9am to 1am
3. Anzac Day - 5am to 12 midnight

The applicant has applied for a variation of the premise area which the inspector notes is more reflective of what the club is used for. The application is for the whole premise area excluding the gaming room to be classed as undesignated to allow for family dining.

REASONS FOR THE DECISION

The applicant has operated for many years and has not come to notice of the reporting agencies in an adverse manner.

The principal activity is a club and the inspector reports that the amenity and good order of the area has not been adversely affected and that the applicant has sound host responsibility practices.

There is no evidence before the Committee which would suggest that the applicant would manage the premises in any way which would contravene the requirements of the Act.

The report from the Grey District Licensing Inspector advises he does not oppose the application and recommends the licence be renewed for a further period of three years.

The Police and Medical Officer of Health raise no matters in opposition.

The application and variation was notified in the Council website on 13 June 2018 and no public objections have been received.

I am satisfied that the applicant has sufficient staff and adequate training to manage the Club in accordance with the Act.

As no objection to the application has been filed and no matters of opposition have been raised by the inquiring agencies, the application has been considered pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 by the Chairperson of the District Licensing Committee sitting alone.

Overall I am satisfied as to the matters to which we must have regard as set out in s.105 and s.106 and s.131 of the Act.

DECISION

The Grey District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 approves an application by the Greymouth RSA for a renewal and variation of the Club Licence in respect of premises 181 Tainui Street, Greymouth known as the "Greymouth RSA" subject to conditions.

Conditions:

The licence is subject to the conditions listed below:

1. Alcohol may be sold and supplied on the following days and hours:
 - Monday to Sunday - 9am to 12 midnight
 - New Year's Eve - 9am to 1am
 - ANZAC Day - 5am to 12 midnight
2. The bar premise, family and general room and adjoining hall area is designated as undesignated. Gaming area is a restricted area.

3. The licensee must take all practicable steps to ensure that
 - there are all times a secretary of the club, and
 - Within 10 working days of the appointment of a new secretary, the Secretary of the Grey District Licensing Committee is told the name of the new secretary, and
 - All proceeds from the sale of liquor belong to the club;
4. The licensee must take the following steps to ensure that the provisions of the Act relating to the sale or supply of alcohol to prohibited persons are observed: minors and intoxicated person must not be served alcohol.
5. The following steps must be taken to ensure that the provisions of this Act relating to the management of the premises concerned are observed:
Certified manager to be on duty whenever the bar is open.
6. Drinking water is to be provided to patrons free of charge at all times.
7. Food as listed by the applicant to be available on the premises during the licence hours.
8. Low and non-alcoholic beverages must be available for sale and supply from the bar at all times.
9. Signage for alternative form of transport to be displayed with staff to assist patrons with arranging transport.
10. The licensee must ensure that no alcohol is sold or supplied to any person for consumption on the premises unless the person is –
 - A member of the club,
 - Is on the premises at the invitation of, and is accompanied by, a member of the club, or
 - An authorised visitor,
11. The following other steps must be taken to promote the responsible consumption of alcohol:
 - Evidence of age documents will be requested where appropriate.
 - The Licensee must ensure the provisions of the Act relating to the sale and supply of alcohol to minors and intoxicated persons are observed, and signage displayed detailing restrictions on the sale and supply of alcohol to such persons.
12. The Licensee must ensure the following items are prominently displayed:
 - A sign at the premises, so as to be easily read by patrons, stating the ordinary hours of business during which the premises will be open to sale of alcohol.
 - A copy of the licence, and of the conditions of the licence, attached to the premises so as to be easily read by persons attending the premises.
 - A sign prominently displayed at the premises, which identifies by which name the manager for the time being on duty.

13. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

The Premises area as set out on the plans submitted with the application and date stamped 14 June 2018. A note to this effect is to be made on the licence.

DATED at GREYMOUTH this 19 day of July 2018



Alan T O'Connell
Chairman/Commissioner

