

Decision No. GREYDLC003/2021

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application by **WEST COAST HISTORICAL AND MECHANICAL SOCIETY** pursuant to s.138 of the Act for an off site Special Licence in respect of premises situated at 316 Rutherglen Road, Paroa, Greymouth known as "Shantytown Heritage Park"

**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

The West Coast Historical and Mechanical society has applied for a Special Licence in respect of the premises situated at 316 Rutherglen Road Greymouth, known as Shantytown.

The applicant holds an On Licence No: 55/ON/63/2016 issued on 13 May 2019 expiring on the 9 May 2022. The hours of the licence are currently 8am to 1am Monday to Sunday.

The applicant has applied for an off site Special Licence to sell 120 Bottles of branded beer for an event to celebrate Shantytown's 50<sup>th</sup> Anniversary.

The hours applied for are:

Saturday 23 January	Shantytown 50 <sup>th</sup> Birthday	10am to 4pm
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The event has an estimated number of 1000 of people of all ages attending the event. While the event has an estimated number of 1000 people attending, the premises area and bottles for sale are limited to 120.

We make the observation that applications for special licences are required by section 137 of the Act to be filed with the District Licensing Committee's secretariat at least 20 working days before the day on which the event concerned begins. In this case, that requirement has not been met, there being only 10 working days between the time of application and the proposed event. Section 137(2) of the Act allows us to consider an application for a special licence that is filed inside 20 working days prior to the event if we are satisfied that the need for a special licence could not have been foreseen earlier. This has not been the case for this application, where the failure to apply in the prescribed time appears to be a matter of neglect or omission. However, the secretariat and inspector, with the co-operation of Police and the Medical Officer of health, have been able to complete the required reports at short notice. We are

satisfied that the neglect or omission was not wilful, so pursuant to section 208 of the Act waive the requirement relating to the prescribed time for lodgement of the application.

### **DECISION**

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by the West Coast Historical and Mechanical Society Inc. for the Special licence in respect of premises situated at 316 Rutherglen Road, Paroa and subject to conditions

### **CONDITIONS OF LICENCE**

The licence is subject to the conditions listed below:

1. Alcohol may be sold and supplied on the following day and hours.

Saturday 23 January	Shantytown 50 <sup>th</sup> Birthday	10am to 4pm
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2. The Licence area as per the plan provided is designated as undesignated.
3. The Licensee must take the following steps to ensure that the provision of the Act relating to the steps and supply of alcohol to prohibited persons are observed:
  - minors and intoxicated person must not be served alcohol
4. Drinking water is to be provided to patrons free of charge at all times
5. Signage for alternative form of transport to be displayed with staff to assist patrons with arranging transport.
6. The holder of the Managers certificate shall be on duty and on the premises at all times during the licence hours.
7. The following other steps must be taken to promote the responsible consumption of alcohol:
  - a. Evidence of age documents will be requested where appropriate.
  - b. 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.
8. The Licensee must ensure the following items are prominently displayed:
  - a. 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.
  - b. 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.
  - c. A sign prominently displayed at the premises, which identifies by which name the manager for the time being on duty
9. Any alcohol at the OFF licence site is not to be consumed on the premises.

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

**The Premise area is as set out on the plan submitted with the application and date stamped 11 January 2021. A note to this effect is to be made on the licence.**

**DATED** at GREYMOUTH this 18<sup>m</sup> day of January 2021

  
Rachel M Van der Geest  
Chairperson/Commissioner

