

IN THE MATTER

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

AND**IN THE MATTER**of an application by **LAKE BRUNNER YACHT CLUB & VOLUNTEER COAST GUARD** pursuant to s.138 of the Act for an on-site Special Licence in respect of premises situated at Lake Brunner Yacht Club, Lake Brunner Foreshore, Moana known as the "Lake Brunner Yacht Club"**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

The Lake Brunner Yacht Club & Volunteer Coast Guard has made application for a special licence to sell and supply alcohol for five events described as Yachting regatta.

The premises hold no other Alcohol Licence.

The applicant has applied for five events described as:

Friday and Saturday 1/2 February 2019	5.00pm to 12midnight	Sailing regatta
Sunday 10 February 2019	5.00pm to 6.30pm	Club regatta
Sunday 17 February 2019	5.00pm to 6.30pm	Club regatta
Sunday 17 March 2019	5.00pm to 6.30pm	Club regatta
Sunday 24 March 2019	5.00pm to 6.30pm	Club regatta

DECISION

The Grey District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 grants an application by the Lake Brunner Yacht Club & volunteer Coast Guard for an on-site Special Licence for the premises at the Lake Brunner Yacht Club Rooms, Moana Foreshore known as the Lake Brunner Yacht Club, for events subject to the following conditions:

Conditions:

1. Alcohol may be sold under the licence only on the following days and during the following hours:

Friday and Saturday 1/2 February 2019	5.00pm to 12midnight	Sailing regatta
Sunday 10 February 2019	5.00pm to 6.30pm	Club regatta

Sunday 17 February 2019	5.00pm to 6.30pm	Club regatta
Sunday 17 March 2019	5.00pm to 6.30pm	Club regatta
Sunday 24 March 2019	5.00pm to 6.30pm	Club regatta

2. The premise be classed as undesignated for the licence period and is shown on the plan attached to this licence.
3. A certificated manager must be on duty at all times when the premises are open for the sale and supply of alcohol.
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 licensee must display signage as follows:
 - a. At every point of sale detailing restriction on the sale and supply of alcohol to minors and intoxicated persons;
 - b. A copy of the licence attached to the premises so as to be easily read by persons attending the premises; and
 - c. A sign prominently displayed at the premises, which identifies by name the manager for the time being on duty.
6. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises;
7. Substantive food must be available for consumption on the premises throughout the licence period.
8. Low and non-alcoholic beverages must be available for sale and supply from the bar at all times.
9. The Licensee must provide patrons assistance with, or information about alternative forms of transport.
10. Noise levels to be monitored at all times by the duty manager.
11. Payment of the fee prescribed under the Sale and Supply of Alcohol (Fees) Regulations 2013.

The premises are as set out on the plan submitted with the application and date stamped 10 January 2019. A note to this effect is to be made on the licence.

REASONS FOR THE DECISION

The applicant has previously held a Club Licence which has lapsed. They have undertaken in their application to provide measures with regard to responsible sales or supply of alcohol and that harm will be minimised.

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

The Inspector reports expected numbers attending the first event will be approximately 50 patrons with the probable age for the first event expected to be between 17 and 70 years of age. The Inspector's report indicates that the amenity and good order of the locality will not be adversely affected by more than a minor extent.

As well as a certified duty manager, it is noted that club committee members will be in attendance to help with monitoring.

The application was not required to be publicly notified and no opposition or notice of desire to be heard has been received. Accordingly I deal with the matter on the papers.

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

The sale and consumption of alcohol will be monitored and anyone showing signs of intoxication will not be served.

Low and non-alcoholic drinks will be available.

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 first event concerned begins. In this case, that requirement has not been met, there being only 14 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.

The applicant has given reasons for the lateness and 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 again not wilful, so pursuant to section 208 of the Act waive the requirement relating to the prescribed time for lodgement of the application.

Once again there has been a late application and we wish this to be stressed to the applicant that the committee will not accept a late application again.

I am satisfied as to the matters to which we must have regard as set out in s.105 and s.142 of the Act.

DATED at GREYMOUTH this 31 day of January 2019


Alan T O'Connell
Chairman/Commissioner

