

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 & POWER BOAT CLUB INCORPORATED** 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 & Power Boat Club Incorporated has made application for a special licence to sell and supply alcohol for two events.

The premises hold no other Alcohol Licence.

The applicant has applied for two events described as:

Friday and Saturday 7/8 February 2020	5.00pm to 12midnight	2020 Sailing regatta
Saturday and Sunday 22/23 February 2020	4.00pm to 8pm	Clean up and Working Bee

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 & Power Boat Club Inc 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 7/8 February 2020	5.00pm to 12midnight	2020 Sailing regatta
Saturday and Sunday 22/23 February 2020	4.00pm to 8pm	Clean up and Working Bee

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 on the premises;
7. Substantive food must be available for consumption on the premises throughout the licence period as per information supplied with the application.
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 17 January 2020. 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 less than 100 patrons with the probable age for the first event expected to be between 18 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.

Bottled water will be available free of charge and both events there will be BBQ food 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.

After speaking to the applicant it was to allow this late application however there will be no more acceptance for lateness again.

This is the third such occasion an application has been received late and after reminders having been sent on this occasion (and possibly the other occasions) any approach made at the time of application for a waiver for lateness due to having forgotten will be declined without hesitation.

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 28 day of January 2020



Alan T O'Connell
Chairman/Commissioner

