

Decision No. GREYDLC148/2020

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application by the **GREYMOUTH RETURNED SERVICES ASSOCIATION INCORPORATED** pursuant to s.138 of the Act for an on-site Special 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 has made application for a special licence to sell and supply alcohol to cover these specific events in the club.

The proposed events and hours applied for are as follows:

Saturday 12 December 2020	7pm to 12 midnight	Fun Evening for RSA members and Friends
Friday 25 December 2020	11am to 2pm	Xmas Lunch for Needy Veterans
Thursday 31 <sup>st</sup> December 2020	3pm to 1am	New Year's Eve Celebrations
Saturday 13 February 2021	7pm to 11pm	Music Quiz – Team Quiz Night
Saturday 20 March 2021	7pm to 11pm	Fun Evening with Music
Saturday 17 April 2021	7pm to 11pm	An evening of Dance
Saturday 8 <sup>th</sup> May 2021	7pm to 11pm	Social Evening
Saturday 12 June 2021	7pm to 11pm	Dancing and Fun Evening
Saturday 17 <sup>th</sup> July 2021	7pm to 11pm	Quiz Evening for Teams
Saturday 14 August 2021	7pm to 11pm	Fun Music Evening
Saturday 18 <sup>th</sup> September 2021	7pm to 11pm	Fun Evening for Members and Friends
Saturday 16 <sup>th</sup> October 2021	1pm to 11pm	Fun Evening and Quiz

The Bar, Family and General Room and adjoining Hall area are designated as undesignated area.

The Gaming Area of the Premises are designated restricted to all under the age of 18 years of age.

The expected numbers attending the events are approximately 100 people with the probable age of people attending being 18 to 80 years.

**The premises are as set out on the plan submitted with the application and date stamped 25 November 2020. A note to this effect is to be made on the licence.**

## **DECISION**

The Grey District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 grants an application by the Greymouth Returned Services Association for an on-site Special Licence for the premises at 181 Tainui Street, Greymouth known as the Greymouth RSA, for the following event subject to the following conditions:

Conditions:

The events and hours applied for are to be as follows:

Saturday 12 December 2020	7pm to 12 midnight	Fun Evening for RSA members and Friends
Friday 25 December 2020	11am to 2pm	Xmas Lunch for Needy Veterans
Thursday 31 <sup>st</sup> December 2020	3pm to 1am	New Year's Eve Celebrations
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1. Drinking water must be freely available at no charge to patrons.
2. Food as listed by the applicant to be available on the premises on each occasion this licence is operated.
3. Low and non-alcoholic beverages must be available for sale and supply from the bar at all times.
4. Noise levels to be monitored at all times by the duty manager.
5. A certificated manager must be on duty at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed at the premises.
6. Courtesy vehicle to be available on request with advice and assistance on alternative forms of transport available to patrons from the licensed premises.
7. The majority of the premises is designated as undesignated.
8. The Gaming Room is designated as a restricted area.

9. The Licensee must ensure that the following items are prominently displayed:
  - a. A sign at the premises, so as to be easily read by patrons, stating the hours of business during which the premises will be open for sale or supply of alcohol under the special licence.
  - b. A copy of the special 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 name the manger on duty.
10. 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
  - a. All service staff must be trained in their responsibilities under the Sale and Supply of Alcohol Act 2012.
  - b. Evidence of age documents will be requested where appropriate.
11. The licensee must ensure that 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. Payment of the fee prescribed under the Sale and Supply of Alcohol (Fees) Regulations 2013

### **REASONS FOR THE DECISION**

The applicant has previously operated Special Licences and has 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 reports of the Police and Medical Officer of Health raise no matters in opposition.

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.

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.

Provision for food has been made and described as a constant food supply.

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

Low and non-alcoholic drinks are available throughout the evening.

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 12 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.

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 11<sup>th</sup> day of December 2020

  
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Rachel M Van der Geest  
Chairperson/Commissioner

