

Decision No. GREYDLC 083/2022

**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 Inc"

**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

The Greymouth RSA Inc have made an application for a special licence to sell and supply alcohol for a funeral, to allow non-members to attend.

The event has an estimated number of between 60 and 90 people attending with a probable age distribution of 5 to 95 years old.

The principal entrance is off 181 Tainui Street, Greymouth.

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 2 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 is the case for this event, with the failure to apply in the prescribed time appearing not to be a matter of neglect or omission. 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 for those events was not wilful, so pursuant to section 208 of the Act waive the requirement relating to the prescribed time for lodgement of the application.

The proposed days and hours applied for are as follows:

<b>DAY</b>	<b>EVENT</b>	<b>HOURS</b>
Wednesday 14th September 2022	Funeral	1pm to 7pm

The Club Licence No. 55/CLUB/77/2015 hours are Monday to Sunday 9am to 12 midnight.

The bar premise, family and general room, and adjoining hall area are designated as undesignated and the gaming area is designated restricted, as per the plan provided.

## **DECISION**

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

### **Conditions**

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

<b>DAY</b>	<b>EVENT</b>	<b>HOURS</b>
Wednesday 14 September 2022	Funeral	1pm to 7pm

2. The bar premise, family and general room and adjoining hall area are designated as undesignated and the gaming area is designated restricted as per the plan attached to this licence.
3. A certificated manager must be on duty and on the premises 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.
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:
  - a. minors and intoxicated persons 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. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcoholic beverages.
7. Food must be available for consumption on the premises on each occasion this licence is operated.
8. Drinking water is to be provided free of charge from a water supply prominently situated on the premises.
9. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
10. Noise levels are to be monitored at all times.
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 13 September 2022. A note to this effect is to be made on the licence.**

**REASONS FOR THE DECISION**

The applicant has held numerous special licences in the past with no concerns.

The applicant has provided in their application, host responsibility details which demonstrate that suitable measures will be undertaken with regard to the responsible sale or supply of alcohol and that harm will be minimised. These measures include:

- Food in the form of sandwiches, hot and cold rolls, savouries, cakes and slices and other items available as per the attached menu.
- Free water will be available at no charge throughout the event.
- Non-alcoholic and low alcoholic beverages are available for sale.
- A courtesy van is available.

There are two experienced duty managers listed.

The Licensing Inspector has no objections to the application and reports the applicant is suitable to hold this licence.

Police and the Medical Officer of Health have no objections to the application.

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.

I am satisfied as to the matters to which we must have regard as set out in Sections 105 and 104 of the Act.

**DATED** at GREYMOUTH this 14th day of September 2022

 

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Rachel M van der Geest  
Chairperson/Commissioner