

Decision No. GREYDLC 095/2022

IN THE MATTER

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

AND

IN THE MATTER

of an application by the **WEST COAST SPEEDWAY ASSOCIATION** pursuant to s.138 of the Act for an on-site Special Licence in respect of premises situated at North Tip Road, Cobden and known as "Greenstone Park Speedway"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The West Coast Speedway Association has made an application for a special licence to sell and supply alcohol for 12 events at premises situated at North Tip Road, Cobden, known as "Greenstone Park Speedway".

The events being held are race meetings with the licence being required for the debriefs and prizegivings.

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 15 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.

There is an estimated number of 10-90 people attending each event, with a probable age distribution of 20 plus years.

The proposed hours applied for are:

DAY	EVENT	HOURS
Saturday 15th October 2022	Opening Day	5pm to 12am
Saturday 5th November 2022	Best Pairs Stock Cars	5pm to 12am
Friday 11th November 2022	South Island Saloon Series	6pm to 12am
DAY	EVENT	HOURS
Saturday 19th November 2022	Deb the Webster Supercup Series	5pm to 12am
Saturday 10th December 2022	South Island Modified Title	5pm to 12am
Saturday 14th January 2023	WOW Hydrolink Sprint Cars	5pm to 12am
Tuesday 17th January 2023	Black Baldy Cattle Xtreme Series	6pm to 12am
Saturday 28th January 2023	TQ West Coast Champs	5pm to 12am
Saturday 11th February 2023	BNT Production Feature	5pm to 12am
Saturday 25th February 2023	West Coast Champs	5pm to 12am
Saturday 4th March 2023	Jim Bradford TQ Event	5pm to 12am
Saturday 18th March 2023	Street Stock KOC	5pm to 12am

The premise's principal entrance is from North Tip Road, Cobden.

The whole of the premises is designated as undesignated, as per the plan submitted with the application.

DECISION

The Grey District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by the West Coast Speedway Association for an on-site Special Licence for premises situated at North Tip Road, Cobden known as "Greenstone Park Speedway", subject to the following conditions:

CONDITIONS

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

DAY	EVENT	HOURS
Saturday 15th October 2022	Opening Day	5pm to 12am
Saturday 5th November 2022	Best Pairs Stock Cars	5pm to 12am
Friday 11th November 2022	South Island Saloon Series	6pm to 12am
Saturday 19th November 2022	Deb the Webster Supercup Series	5pm to 12am
Saturday 10th December 2022	South Island Modified Title	5pm to 12am
Saturday 14th January 2023	WOW Hydrolink Sprint Cars	5pm to 12am
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DAY	EVENT	HOURS
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Saturday 18th March 2023	Street Stock KOC	5pm to 12am

2. The whole of the premises area is designated undesignated for the licence period and is shown on the plan attached to this licence.
3. A certified duty 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 persons must not be served alcohol.
5. The licensee must display signage as follows:
 - a. A sign at each principal entrance to the premises, so as to be easily read by patrons, stating the ordinary hours of business during which the premises will be open for the sale of alcohol;
 - b. At every point of sale detailing restriction on the sale and supply of alcohol to minors and intoxicated persons;
 - c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises and;
 - d. 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 during the licence hours.
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 licensed area is set out on the plan submitted with the application and date stamped 27 September 2022. A note to this effect is to be made on the licence.

REASONS FOR THE DECISION

The applicant has previously held special licences with no cause for concern.

The applicant has provided a thorough application with details which demonstrate that suitable measures will be undertaken to provide the following measures with regard to the responsible sales or supply of alcohol, and that harm will be minimised by:

- Food, in the form of pies, toasted sandwiches, hotdogs and other items as per the attached menu will be available on the premises during the licence hours.
- Free water will be available at the bar and from an accessible fridge at no charge throughout the event.
- Non-alcoholic and low alcoholic beverages will be available.
- Committee members will be available to assist at the events.
- Courtesy vehicle is available.

There is one certified duty manager, Sharon Smithson, who is experienced in running licensed premises and she has run the speedway facility for the last five seasons. She will have the assistance of trained bar staff.

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 and that the applicant is suitable to hold this licence. He does not oppose this application.

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

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 s.142 of the Act.

Section 149(2) notes if a special licence issued is postponed to some other day, the licence is in force on the day on which the event or part takes place.

DATED at GREYMOUTH this 5th day of October 2022

 

Rachel M van der Geest
Chairperson/Commissioner