Matamata-Piako District Licensing Committee



IN THE MATTER

of the Sale and Supply of Alcohol

Act 2012

<u>AND</u>



of an application by Te Aroha Golf Club Incorporated for a **club licence** pursuant to section 99 of the Sale and Supply of Alcohol Act 2012.

Licence Number:

013/CL/019/2015

File Number:

162.2015.1052.1

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Teena Cornes

DECISION ON THE PAPERS

This is an application by the Te Aroha Golf Club Incorporated for a club licence in respect of a premises situated at 5122 State Highway 26 known as the Te Aroha Golf Club Incorporated.

The general nature of the premises is that of a golf club. This premises has held a club licence for a number of years but had inadvertently allowed it to lapse, therefore a new licence application is required.

The days and hours which the applicant proposes to sell alcohol are:

Monday to Friday Saturday, Sunday & Public Holidays 10.00am to 10.00pm 10.00am to 12 midnight

These days and hours are consistent with the previously held licence and the requirements of the Council's Provisional Local Alcohol Policy.

The application was notified in the Piako Post on August 5th &12th 2015 . No objections were received.

The application was referred to the Police, Medical Officer of Health and Inspector for comment as required by s.103. None of the reporting agencies have raised any matters in opposition to the application. The certificates required by s.100(d) and (f) have been received.

The criteria that must be considered in determining a club licence are set out in s.105 of the Sale and Supply of Alcohol Act 2012. These are:

- (a) the object of this Act:
- (b) the suitability of the applicant:
- (c) any relevant local alcohol policy:



- (d) the days on which and the hours during which the applicant proposes to sell alcohol:
- (e) the design and layout of any proposed premises:
- (f) whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, and food, and if so, which goods:
- (g) whether the applicant is engaged in, or proposes on the premiser to engage PIAKO in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:
- (h) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence:
- (i) whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—
 - (i) they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but
 - (ii) it is nevertheless desirable not to issue any further licences:
- (j) whether the applicant has appropriate systems, staff, and training to comply with the law:
- (k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103

The object of the Act is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

The Licensing Inspector reporting on the application has stated in his report that the applicant has the necessary experience and is suitable to operate a licensed premises. He has also noted that in his opinion the amenity and good order of the locality would not be likely to reduce by more than a minor extent if the licence is issued. His recommendation is for the application to be granted subject to conditions.

I am satisfied as to those matters to which I must have regard and grant the applicant a club licence for a period of 1 year pursuant to s104.

Sections 110 and 111 of the Act detail the compulsory and discretionary conditions that may be imposed on the licence. The hours for alcohol to be sold, sought by the Club, extends out to 10.00pm on most days and up to midnight on Saturdays, Sundays and Public Holidays. It is therefore appropriate that the sale of alcohol at these later times is undertaken in a safe and responsible manner. A condition has been imposed requiring an experienced manager to be on duty for tournaments and after 7.00pm.

The applicant's attention is drawn to s.259 of the Act which makes it an offence to not comply with certain requirements and restrictions imposed by or under this Act, specifically sections 46 to 63 as they may apply to this licence and s.231(1). A copy of these sections is attached for the applicant's information.

The applicant must also comply with all of the conditions specified on the licence.

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The licence is subject to the following conditions:

a) Alcohol may only be sold under the licence on the following days and during the following hours:

Monday to Friday 10.00am to 10.00pm Saturday, Sunday and Public Holidays 10.00am to 12midnight

- b) The Club must take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:
 - a. The holder of a manager's certificate must be on duty at the following times when alcohol is being sold or supplied under the licence: - At any tournament and when the club is open after 7.00pm
 - b. All staff will be trained in their responsibilities under the Act.
 - c. Evidence of age documents will be requested from any person appearing to be under the age of 25.
 - d. A sign shall be prominently displayed inside the premises which identifies the name of the manager on duty or the person responsible for the management of the sale and supply of alcohol under the licence.
- c) The Club shall have a reasonable range of food available for consumption on the premises at all times when alcohol may be sold under the licence. The food shall be of the range and types of food submitted with the application but must be no less substantial than snack foods in the nature of pies, sandwiches, filled rolls, pizza or the like. The availability of these foodstuffs shall be notified to patrons by appropriate notices throughout the premises.
- d) The Club must ensure that drinking water will be made readily available at the bar to all attendees, free of charge.
- e) The following steps shall be taken by the Club to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale of alcohol to minors and the complete prohibition of sales to intoxicated persons, and
 - ii) Photo identification is required to be produced by the customer when staff are in doubt of their age.
- f) The Club shall have a reasonable range of low alcohol and non-alcoholic refreshments available for consumption on the premises at all times when alcohol may be sold under this licence.

<u>Dated</u> at Te Aroha this 9th day of September 2015

Teena Cornes Chairperson

Matamata-Piako District Licensing Committee