

10.8 Ballina Hockey Club - Sporting Facility Liquor Licence



KINGSFORD SMITH PARK
BENTINCK STREET
BALLINA NSW 2478
www.ballinahockey.org.au

30th November 2011

The General Manager
Ballina Shire Council
44 Cherry Street
Ballina NSW 2478

Dear Paul,

Proposed On-Premises (Sporting Facility) Liquor Licence for Ballina Hockey & Sports Complex

Thank you for meeting Tony Porter and myself on Monday 28th November.

Further to our meeting we anticipate that the sale of alcohol pursuant to the proposed Liquor Licence for Ballina Hockey & Sports Complex will be best conducted as follows:

1. The Liquor Licence proposal is ancillary to the Club and facility operations;
2. The sale of liquor will provide invaluable funds to the Complex to assist with meeting the ongoing operational costs, further ensuring its commercial viability. All funds made by the facility will be channelled back into promoting, administering and fostering our great sport and others;
3. The Complex must generate significant funds annually to cover the replacement costs of the turf surface (sinking fund) and to provide further facilities to enhance the Complex (for example, multi-purpose change-rooms, toilets and showers together with an upper level viewing platform (already discussed with Council) to be shared with cricket, Grand Stands, etc.);
4. The Club proposes an On-Premises Licence (Sporting Facility) (referred to as "**Sporting Facility Licence**") as the preferred form of licence as it provides for the greatest flexibility and is specifically suited to sporting clubs;
5. The sale of alcohol within the licensed area will only be undertaken whilst there is a sporting activity (games, training, meeting or fundraiser) in progress or following such an event. As can be seen by our Licence Application, Ballina Hockey Club has specifically stated this as a condition of the Licence. We **do not** foresee patrons remaining at the Complex for a prolonged time after their game solely on the basis of the sale of alcohol;
6. The complex is securely fenced thereby providing the opportunity to supervise the sale of alcohol in an efficient manner;
7. No glass containers will be sold (in order to protect the playing surface and players);
8. The proposed Liquor Licence does not permit the sale of takeaway alcohol. This is a requirement of the Sporting Facility Licence;

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9. The 2011 hockey season (typically around 20 weeks in duration, excluding Finals) included scheduled training and games on Tuesday evenings (training) Wednesday evenings (Twilight or Veterans Competitions games), Thursday evenings (games occasionally after training) and Friday evenings (games approximately every second week) and also on Saturday (games), Saturday evenings (games) and Sunday (games approximately every second week). It is probable that players and spectators may like to enjoy a drink during and immediately following these sessions. Additionally, Futsal runs a competition in the Complex on Monday evenings.

Typical numbers of patrons potentially consuming alcohol during these events are likely to be:

- Tuesday to Friday - 1 to 10 persons per day
- Saturday - 1 to 30 but up to 100 at Finals (depending on the grade playing)
- Sunday - 1 to 20 persons;

10. During the off season, and in keeping with our promotion of the multi-sport approach to the use of the complex, we propose to run summer modified hockey competitions and continue to host futsal (modified soccer) and cricket related activities, each of which may offer the opportunity for the Complex to raise valuable funds by way of alcohol sales. Typical numbers of patrons potentially consuming alcohol during these events is likely to be between 1 and 20 persons each event;
11. Essentially, if there is sufficient on-site patronage for our canteen to operate, we also hope to be able to sell alcohol. If it appears that the inconvenience of manning the canteen and bar (for example, Thursday evening) on any of these days does not achieve sufficient benefit then the Complex/Club will not pursue this activity. However, the Club wishes to have the flexibility to do so. We do not anticipate selling alcohol on every day of the season, but we do not wish to breach our Licence should a mistake be made;
12. The Club is working on promoting the ability to host more senior grade hockey semi-finals and grand finals in Ballina (currently almost exclusively hosted in Lismore). Should we be successful in this endeavour we would expect up to 100 patrons per Semi Final or Final or 500 per Grand Final. *At this time, the likelihood of holding a Grand Final is remote;*
13. As the Gold Coast has gained hosting rights for the 2018 Commonwealth Games, there is a strong possibility that Ballina could host an international game/s as warm-up to the main competition. Should the Club be successful in attracting such game/s we might expect up to 5000 patrons to attend with around 1000 of those potentially consuming alcohol. We will shortly be making a Delegation to Hockey New Zealand to use our surface as its training and warm-up game base. An ex-Ballina player is the Assistant Coach of the New Zealand Men's Team;
14. Our desire in obtaining a liquor licence is to provide sufficient flexibility to cater to the above listed opportunities;
15. We are prepared to amend our closing time to 10pm to conform with our Development Consent;

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16. The Club participates in the **Good Sports Program** and two (2) of our Club members (Tony Meldrum and Michelle Anderson) have held the position of Regional Coordinator of this program.
The Club is fortunate to include 10 members who have obtained their RSA accreditation.

We attach the following for your consideration, by way of summary:-

- A. Fact Sheet – On-Premises (Sporting Facility) Licence
- B. Ballina Hockey Club's letter to Office of Liquor, Gaming and Racing dated 18th May 2011 (together with all related Licence Application attachments)
- C. Council's letter to Ballina Hockey Club dated 23rd September 2011.

Our Tony Porter spoke to the local Licensing Police, Sgt. Wayne Crotty, on Friday 25th November 2011 who indicated that the Sporting Facility Licence was the most appropriate for the Complex and the Hockey Complex at Goonellabah, run by Far North Coast Hockey, now operates effectively under a Sporting Facility Licence (having previously operated under a Function Licence). The Police had raised **only 2 objections** to our Sporting Facility Licence Application:-

- I. Our closing time was to conform to the Development Approval for the Complex as it related to noise. We have agreed to amend our application accordingly. See paragraph 14 above; and
- II. We were to obtain a Development Approval for the sale or supply of alcohol. We met with Council staff in an attempt to determine the best way of achieving the same. This prompted the Council letter set out in paragraph C above.

Effectively, Council staff have suggested that Ballina Hockey Club should become a Registered Club in order to sell alcohol.

We respectfully suggest that a **Registered Club, simply, will not work**. The sale of alcohol will be made in the same Clubhouse that houses the canteen. Amongst many other reasons, children would be unable to buy 'a bag of lollies' without adult supervision. Adults would be unable to enter the Clubhouse to avoid the elements without the need to sign in. The additional staffing arrangements required for the 'sign in' of our not for profit organisation would make the licence unworkable leading to potential, yet unintentional, breaches of the licence. We doubt that a Registered Club will permit the consumption of alcohol at any point within the fenced area of the Hockey Complex. Patrons will want to surround the field to view a game, with or without a drink in hand. They are unlikely to always wish to stay within the confines of the Clubhouse or its set area. Ballina Hockey Club has no intention of obtaining Poker Machines.

Instead, Ballina Hockey Club is committed to promoting and improving this already international standard sporting facility to be the pride of our Shire. Part of that process is to be able to sell alcohol in relatively low volumes, but sufficient to bolster the Clubs funds to continue the improvement of the Complex. Being a Registered Club would hinder that process. In fact, there would seem little benefit in us becoming a Registered Club.

We see the sale of alcohol as ancillary to the sporting endeavours. It is not our primary focus.

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On Friday 30th September Council's Naomi McCarthy advised our Gary Anderson that, whilst Council felt that Ballina Hockey Club should be a Registered Club, it would entertain the idea of BHC obtaining a Function Licence, but not a Sporting Facility Licence. Ballina Hockey Club is bemused by this decision given the endorsement of the Licensing Police towards the Sporting Facility Licence.

A **Function Licence** has its limited, albeit rigid, benefits but is not suited to Ballina Hockey Club's situation as:-

1. The 52 'functions' per annum would not have the flexibility to properly cater for the proposed conduct of the liquor licence outlined above.
2. The 52 'functions' per annum would not properly cater for the whole season. Hockey will be played in the Complex on more than 52 days. As a result some players/patrons may be able to buy a couple of beers or wines on one Friday night but not the next Friday night as the Clubs available functions may have 'run out'. This will lead to some disenchantment as to the professionalism of our running of the Complex
3. As Council is aware, our Club is attempting to maximise the use of the Complex at all times during the week, all year round. This was one of the major factors in our Club securing funding through the Department of Sport and Recreation.
4. It was not until half way through last season that the draw for 2011 was finalised. As the dates of each Function must be inserted into the Function Licence Application each year, this would continue to be a huge impediment towards achieving a Licence for the correct dates, particularly early in the season
5. The Club would be required to make application for the Function Licence each year. This is another layer of administration that this already busy not-for-profit organisation would need to accommodate
6. A further Function Licence would need to be granted should we secure an International match or State Titles, requiring further paperwork and administration.
7. Our Clubs professional reputation (which affects the wider community) and financial viability could be jeopardised by the whim of the Draw Committee of Far North Coast Hockey. Last season there were a number of games moved to the Ballina turf at short notice from elsewhere, some of these were the only game to be played in Ballina that day. The failure to have the flexibility to cater for hockey players and spectators desires to have a drink could impact on our reputation. Far North Coast Hockey can do it in Goonellabah without impediment, and without having to plan a 'function';
8. We are concerned that the age-old tradition of having one or two beers after training may put us in peril of breaching the Function Licence. Sgt Crotty has advised that that tradition could continue but only if the beer was brought to the Complex and provided free of charge by the Club. This seems to be an unrealistic requirement when, with the appropriate Sporting Facility Licence, the beer could be supplied from the Clubhouse and bought by Club members to the advantage of our Club

The benefits of the **Sporting Facility Licence** are:-

1. Once granted, the Sporting Facility Licence remains in place as an On-Licence. This cuts out one administrative layer to our Club;
2. Whilst the licence remains in place, it is **only activated** when games, training, meetings or fundraisers are being held. The Hockey Club **could not** open up in competition to the nearby Ballina Seagulls Rugby League Football Club nor any other Hotel or Licensed Premise;

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3. The Sporting Facility Licence was created recently in order to remedy the shortcomings of the Function Licence as it applies to Sporting Facilities. It is tailored to meet the specific need that our Club has. The Function Licence has been adapted for many years by different organisations with varying degrees of success, depending on their volume of functions;
 4. The Sporting Facility Licence provided the necessary **flexibility** to avoid the need for excessive paperwork;
 5. A separate application would not be necessary should we secure the rights to an International Fixture or State Championships;
 6. A beer after training, served from the Club fridge would not jeopardise the Licence;
 7. The right to retain the Sporting Function Licence is governed by the Licensing Police.
- Accordingly, the license will be withdrawn should the Club fail to conform to Harm Minimisation and Responsible Service of Alcohol strategies. Essentially, it will be taken away if it is used inappropriately, as opposed to the Club having to reapply each year.

We have enclosed a copy a letter of support for the Sporting Facility Licence 2011 from the Ballina Seagulls Rugby League Football Club. We hold our minor and major social functions at that venue and will continue to do so.

We greatly appreciate the enormous assistance received from Council, both practical and financial. We trust that our Club has continued to meet Council's expectations towards achieving a 'jewel in the Crown' sporting facility for the Shire. We hope that the summary of the above issues is sufficient for Council to determine that the best manner of assisting our Club achieve that goal is to endorse the granting of a Sporting Facility Licence to our Club, by way of Development Approval.

Our Licensing Application is with the Department of Liquor, Gaming and Racing and is ready to be approved pending the final hurdle, Development Approval.

Thank you in anticipation of your further assistance.

Yours faithfully

Gary Anderson
Turf Project Manager

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7th December 2011

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BALLINA HOCKEY & SPORTS COMPLEX



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7. The right to retain the Sporting Function Licence is governed by the Licensing Police. Accordingly, the license will be withdrawn should the Club fail to conform to Harm Minimisation and Responsible Service of Alcohol strategies. Essentially, it will be taken away if it is used inappropriately, as opposed to the Club having to reapply each year.

We have had extended discussions regarding the Sporting Facility Licence with Ballina Seagull's Rugby League Football Club and anticipate a letter of support for that style of Licence in the near future, following their next Club meeting. We hold our minor and major social functions at that venue and will continue to do so.

We greatly appreciate the enormous assistance received from Council, both practical and financial. We trust that our Club has continued to meet Council's expectations towards achieving a 'jewel in the Crown' sporting facility for the Shire. We hope that the summary of the above issues is sufficient for Council to determine that the best manner of assisting our Club achieve that goal is to endorse the granting of a Sporting Facility Licence to our Club, by way of Development Approval.

Our Licensing Application is with the Department of Liquor, Gaming and Racing and is ready to be approved pending the final hurdle, Development Approval.

Thank you in anticipation of your further assistance.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Gary Anderson', with a long, sweeping underline.

Gary Anderson
Turf Project Manager

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