



Notice of Reserve Trust Meeting

Notice is hereby given that a Reserve Trust Meeting will be held in the **Ballina Shire Council Chambers**, Cnr Cherry & Tamar Streets, Ballina on **Wednesday 25 January 2012 commencing at 12 noon**

Business

1. Apologies
2. Declarations of Interest
3. Deputations
4. Committee Reports

A handwritten signature in black ink, appearing to read 'Paul Hickey', with a long horizontal line extending from the end of the signature.

Paul Hickey
General Manager

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- 1. Apologies**
 - 2. Declarations of Interest**
 - 3. Deputations**
-

1. Apologies

2. Declarations of Interest

3. Deputations

4. Committee Reports

4.1 Ballina Hockey Club - Submission of DA for Liquor Licence

File Reference	Property Administration Licences - Ballina Hockey Club
CSP Linkage	Diverse and balanced land use
Delivery Program	Open Space and Reserves
Objective	To obtain Reserve Trust approval to lodge a Development Application for a change in use for the Ballina Hockey Club

Background

Council at its December 2011 Ordinary meeting gave in principle support for the Ballina Hockey Club to lodge a development application to operate as a sporting club at the Ballina Hockey Club complex at Kingsford Smith Reserve in order for the Club to be able to obtain a liquor licence.

In providing this support Council acknowledged that:

- a) any development consent obtained will provide strict operating conditions that minimise any impact of the Club on the existing amenity of the locality
- b) The development consent will assist the Hockey Club in obtaining approval for a sporting club liquor licence
- c) Funds raised from the sale of liquor are to be reinvested into the complex and to assist with asset renewal, such as the future replacement of the synthetic surface
- d) This in principle support does not in any way pre-empt the outcome of the assessment of the subject development application.

Following discussions with the Land and Property Management Authority the Hockey Club are now asking Council, in its capacity as Reserve Trust Manager for approval to lodge the Development Application. If this approval is received, the Club will then make application to the Crown for their consent to the proposal. The Club acknowledges that the approval of the Trust Manager in no way infers approval of the development application.

Key Issues

- Reserve Trust approval

Information

The report from the December 2011 Ordinary meeting is included as an attachment. The resolution resulting from that report was as follows:

1. *That Council provides in principle support for the Ballina Hockey Club to lodge a development application to operate as a sporting club at the Ballina Hockey Club complex at Kingsford Smith Reserve.*
2. *In providing this support Council acknowledges that:*
 - e) *any development consent obtained will provide strict operating conditions that minimise any impact of the Club on the existing amenity of the locality*
 - f) *The development consent will assist the Hockey Club in obtaining approval for a sporting club liquor licence*
 - g) *Funds raised from the sale of liquor are to be reinvested into the complex and to assist with asset renewal, such as the future replacement of the synthetic surface*
 - h) *This in principle support does not in any way pre-empt the outcome of the assessment of the subject development application.*
3. *That Council receive a report on the development of a policy that will assist Council in managing future requests for licences of this type.*

FOR VOTE - Cr Silver, Cr Cadwallader, Cr K Johnson, Cr Smith, Cr Hordern, Cr Wright, Cr J Johnson, Cr Brown

AGAINST VOTE - Cr Meehan

ABSENT. DID NOT VOTE - Cr Moore

No additional information is provided as part of this report.

Legal / Resource / Financial Implications

There are no financial or legal implications to Council in having a Development Application lodged for this change in use.

Consultation

There have been on-going discussions between the Hockey Club and LPMA.

Options

The options are to provide approval or not provide Reserve Trust approval for the lodgement of the development application. Based on the resolution from the December meeting the recommendation is to provide approval.

RECOMMENDATIONS

That Ballina Shire Council, as the Reserve Trust Manager for Kingsford Smith Oval, approves the lodgement of a development application for a change in use of the Ballina Hockey Club to a "sporting club".

Attachment(s)

1. Report from December 2011 Ordinary meeting.

10.8 Ballina Hockey Club - Sporting Facility Liquor Licence

10.8 Ballina Hockey Club - Sporting Facility Liquor Licence

File Reference	Ballina Hockey Club
CSP Linkage	Resilient and adaptable communities
Delivery Program	Community Planning
Objective	To consider whether Council wishes to support a proposal by the Ballina Hockey Club for a sporting club liquor licence as part of the new hockey complex at Kingsford Smith Reserve.

Background

The new synthetic hockey field at Kingsford Smith Reserve has now been operating for a period of over six months and from all reports it has been well received by the community.

The Ballina Hockey Club who manage this facility, and who were largely responsible for ensuring the facility was built (aside from Council's financial contribution of almost \$500,000), have now approached Council with respect to a proposal to establish a sporting club liquor licence for the complex.

There is no adopted policy of Council to guide staff in assessing the merits of this proposal and on that basis the report that follows seeks to obtain a Council policy position on this request.

Key Issues

- Benefits and dis-benefits of a licence
- Type of licence being proposed
- Ownership of land
- Implications for other sporting clubs

Information

Following discussions with a range of staff and other interested parties such as the NSW Police, the Ballina Hockey Club has written to Council asking that support be provided to an application to obtain a sporting club liquor licence for the Hockey complex. A copy of the Club's correspondence is attached to this report.

Briefly the issues under consideration are as follows:

- The Hockey Club advises that the licence is needed to assist in generating funds to ensure the on-going viability of the complex. This is an important point in that the Hockey Club are somewhat different to other sporting groups in that the facility they are using has a limited life and will be very

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expensive to replace. Therefore funds need to be set aside for future asset replacement. This is somewhat different to sports such as cricket, soccer, rugby etc where a sporting field has an unlimited life, albeit that they do need on-going maintenance, seeding etc.

- The Hockey Club is not satisfied with the traditional function liquor licence, under which the majority of other sporting clubs operate. A function licence identifies the days each year when the licence is in operation, with a limit of 52 days. This works for most sporting clubs as they nominate the days when games are scheduled. However the Hockey Club wishes to have greater flexibility to include training days, meetings and other specified functions to maximise flexibility.
- Originally it was envisaged that there would be some form of reciprocal relationship between the Hockey Club and the Ballina Seagulls Rugby League Club, however the Hockey Club has advised that both clubs agree this is not working. The Hockey Club has also advised that the Rugby League Club has no objection to the Hockey Club having its own licence, although this has not yet been confirmed in writing.
- There appear to be differing viewpoints of the NSW Police's position on this proposal, with Council staff being of the opinion that the Police do not support it, whereas the Hockey Club believe they are receptive to the idea, which is similar to the method of operation used at the Goonellabah Hockey Club complex. An elected Council position will assist the relevant authorities in making a final decision on the application.
- The final approval for a liquor licence application rests with the NSW Office of Liquor, Gaming and Racing (OLGR), based on feedback from organisations such as Council and the NSW Police. However the OLGR cannot approve such an application unless the Hockey complex has development consent as a "sporting club".
- The current development consent for the complex only provides for a "sporting facility" therefore the Hockey Club will need to submit a development application to operate as a sporting club. The Regulatory Services Group advises that an approval to operate as a sporting club should be able to be obtained, although any consent will contain strict operating conditions such as opening hours, similar to that proposed in the submission.
- A sporting club approval does provide an opportunity for a greater range of uses at the hockey complex, albeit that Council can limit many of those uses through appropriate consent conditions.
- As the complex is on crown land, the land owner is the Land and Property Management Authority (LPMA). Council is the reserve trust manager, however there could be some complexities if the LPMA see the licence as a commercial activity, in that the LPMA may either wish to obtain a share of the revenue or may not even consider such a licence appropriate. They may also decline to sign any development application for the Hockey Club to act as a sporting club. The position of the LPMA could well depend on the elected Council's preferred position.

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- The Hockey Club, as per their submission, have identified a number of restrictions under which the proposed licence would operate (i.e. closing at 10pm, no take away alcohol etc).

It is fair to say that sections within Council are of the opinion that the proposed licence should not be supported as:

- All other sporting groups on Council owned or controlled land operate effectively under the standard function licence. Other sporting groups have also been advised that such a sports club licence would not be supported by Council
- Council should not be supporting the consumption of alcohol
- The sale of alcohol can result in management issues for the sporting club, Council in overseeing sporting fields and the NSW Police
- Council has been working with Federal Government's Good Sports Program, which is a program that has been developed and is run by the Australian Drug Foundation in response to the Australia wide association of alcohol and sport. The program aims to assist sporting clubs manage alcohol responsibly and reduce alcohol related problems such as binge and underage drinking.

The program also tries to encourage sporting clubs to look at other means of fund raising and not rely on the sale of alcohol. The program is supported by the NSW Police and NSW Sport and Recreation and through councils provides information and assistance to clubs. In response to this program staff have actively promoted the program and supported the limited licensing of alcohol for sporting clubs to the 52 events a year.

Extensive information on the program is available at the following web site www.goodsports.com.au with some of the key points from that web site being:

The Good Sports program is an initiative of the Australian Drug Foundation (ADF) to develop safer and healthier communities. The program helps sporting clubs manage alcohol responsibly and reduce alcohol related problems such as binge and underage drinking. Good Sports is recognised in the community health sector for its extensive research. The program is evidence-based and evaluation continues on an on-going basis.

Displaying the Good Sports logo sends an important message to club members and the community. It confirms that the club promotes a responsible attitude towards alcohol and that it provides a safe environment for players, members, families and supporters.

How does the program work?

The key strategy of Good Sports is the accreditation program. The three level accreditation criteria consist of a set of alcohol management standards for clubs that serve and consume alcohol. Clubs are required to move through the levels in a set amount of time (maximum 5 years), maintaining all the criteria from previous levels as they do so.

10.8 Ballina Hockey Club - Sporting Facility Liquor Licence

One of the key benefits to clubs of registering in the free program is the support that they receive in changing culture. A Good Sports Project Officer assists club committee members through the entire process.

*A study of more than 500 young people found:
- more than 30% of 13-17 year olds had participated in unsupervised drinking at a sports club... 71% of these had never been asked for proof of age.[1]*

*Another survey among sporting club members found:
- 51% of drinkers at sports clubs are consuming alcohol at harmful or hazardous levels.[2]*

*A study of community football clubs in 2000 showed:
- 13% of 18-20 year olds drank 13 or more standard drinks each time they visited the club
- 83% left the club as the driver of a vehicle. [3]
- 70% of males (30% of females) believe drinking is an important tradition at their club.*

*Further, more recent research conducted in community sports clubs across Australia found:
-20% of men aged 18-30 consume 10 or more standard drinks each time they visit the club. [4]*

[1] Survey conducted by Australian Drug Foundation, Centre for Youth Drug Studies (CYDS) 1994

[2] Survey conducted by CYDS 1999, Hazardous Levels as defined by National Health and Medical Research Council of Australia

[3] Survey conducted by CYDS 2000

[4] National Attitudes and Behaviours study-conducted by CYDS 2004

It is fair to say that the provision of the sporting club liquor licence does appear to contradict the objectives of the Good Sports program.

The concern that the Hockey Club now has is that they do not wish to lodge a development application to obtain approval as a "sporting club", unless there is in principle support from the Council on this licence proposal. This in principle support does not mean any development application will be approved or even the application for the liquor licence will be approved, as that will be assessed by the NSW Police and OGLR.

As there are some objections from Council staff and there is no firm policy position on this at an elected Council level, it is considered appropriate to seek Council's position on this issue.

Sustainability Considerations

- **Environment**
There is not considered to be any environmental impacts from this proposal.

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- **Social**
There could be both social benefits through increased social use of the facilities or dis-benefits through the detrimental impact of alcohol.
- **Economic**
The proposal is aimed to generate additional funds to improve the complex and to assist with asset renewal, and possibly attract additional games.

Legal / Resource / Financial Implications

There are no immediate legal / resource or financial implications from this report.

Consultation

The liquor licence application is subject to a range of consultation by OGLR and any development application would be subject to Council's standard exhibition processes.

Options

At this point in time the Hockey Club is only seeking Council's in principle support for the proposed sporting club liquor licence. As mentioned, even if with in principle support, there are still both the development and liquor licence applications to be processed.

Therefore the options to Council are to provide or not provide that support. As there is no firm Council policy position on this matter both options have been included in the recommendation.

RECOMMENDATIONS

Option A

1. That Council provides in principle support for the Ballina Hockey Club to lodge a development application to operate as a sporting club at the Ballina Hockey Club complex at Kingsford Smith Reserve.
2. In providing this support Council acknowledges that:
 - a) any development consent obtained will provide strict operating conditions that minimise any impact of the Club on the existing amenity of the locality
 - b) The development consent will assist the Hockey Club in obtaining approval for a sporting club liquor licence
 - c) Funds raised from the sale of liquor are to be reinvested into the complex and to assist with asset renewal, such as the future replacement of the synthetic surface

4.1 Ballina Hockey Club - Submission of DA for Liquor Licence

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d) This in principle support does not in any way pre-empt the outcome of the assessment of the subject development application.

3. That Council receive a report on the development of a policy that will assist Council in managing future requests for licences of this type.

OR

Option B

1. Council does not support the establishment of a sporting club liquor licence at the Ballina Hockey Club complex as a fully licensed facility is nearby, this support would be inconsistent with the majority of other sporting clubs in the shire, and Council's preference is not to support or promote alcohol consumption at sporting fields.

Attachment(s)

1. Correspondence from Ballina Hockey Club

10.8 Ballina Hockey Club - Sporting Facility Liquor Licence



**BALLINA HOCKEY &
SPORTS COMPLEX**



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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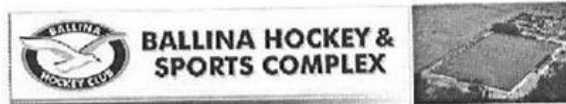
9. The 2011 hockey season (typically around 20 weeks in duration, excluding Finals) included scheduled training and games on Tuesday evenings (training) Wednesday evenings (Twilight or Veterans Competitions games), Thursday evenings (games occasionally after training) and Friday evenings (games approximately 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.

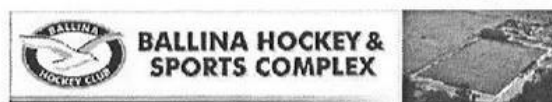
We see the sale of alcohol as ancillary to the sporting endeavours. It is not our primary focus.

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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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SPORTS COMPLEX**



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7th December 2011

The General Manager
Ballina Shire Council
44 Cherry Street
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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:

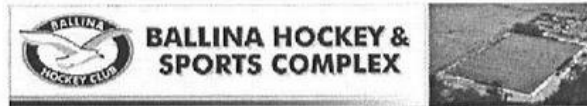
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2. The sale of liquor will provide invaluable funds to the Complex to assist with meeting the ongoing operational costs, further ensuring its commercial viability. All funds made by the facility will be channelled back into promoting, administering 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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4.1 Ballina Hockey Club - Submission of DA for Liquor Licence



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

7th December 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.);
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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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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 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

Gary Anderson
Turf Project Manager

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