

Decision number: 048/2021/HCDLC/268

**IN THE MATTER** of the Sale and Supply of  
Alcohol Act 2012

**AND**

**IN THE MATTER** of an application by Hard  
Seltzer Company New Zealand  
pursuant to ss.22 and 64 of the  
Act for a Special licence in  
respect of premises situated at  
c/- 13 Hamerton Street Naenae,  
Lower Hutt, known as "Native  
Hard Sparkling"

**BEFORE THE HUTT CITY DISTRICT LICENSING COMMITTEE**

This is an application by Hard Seltzer Company New Zealand for a Special licence in respect of premises situated at c/- 13 Hamerton Street Naenae Lower Hutt, known as "Native Hard Sparkling".

The application was duly notified and no opposition or notice of desire to be heard has been received. Accordingly I deal with the matter on the papers.

Pursuant to the Sale and Supply of Alcohol Act 2012, the application by Hard Seltzer Company New Zealand for a Special licence is **granted** subject to conditions.

I am satisfied as to the matters to which we must have regard as set out in s.142 and s.143 of the Act.

**STATUTORY CRITERIA**

**Sale and Supply of Alcohol Act 2012**

*142 Criteria for issue of special licences*

- (1) *In deciding whether to issue a special licence, the licensing committee concerned must have regard to the following matters:*
  - (a) *the object of this Act:*
  - (b) *the nature of the particular event for which the licence is sought and, in particular, –*

- (i) whether the applicant is engaged in, or proposes at the event to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods; and
- (ii) whether the applicant is engaged in, or proposes at the event to engage 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:
- (c) the suitability of the applicant:
- (d) any relevant local alcohol policy:
- (e) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of the licence:
- (f) the days on which and the hours during which the applicant proposes to sell alcohol:
- (g) the design and layout of the premises concerned:
- (h) whether the applicant has appropriate systems, staff and training to comply with the law:
- (i) any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas:
- (j) any steps the applicant proposes to take to ensure that the requirements of this Act in relation to the sale and supply of alcohol to prohibited persons are observed:
- (k) the applicant's proposals relating to –
  - (i) the sale and supply of non-alcoholic drinks and food; and
  - (ii) the sale and supply of low-alcohol drinks; and
  - (iii) the provision of help with or information about alternative forms of transport from the premises:
- (l) any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under [section 141](#).

(2) The licensing committee must not take into account any prejudicial effect that the issue of the special licence may have on the business conducted pursuant to any other licence.

#### 143 Additional requirements for large-scale events

- (1) If, in the opinion of the licensing committee concerned, an application for a special licence relates to a large-scale event, the committee may do any or all of the following:
  - (a) require the applicant to provide the committee with a management plan describing how the applicant proposes to deal with matters such as security, monitoring, interaction with local residents, and public health concerns:

- (b) require the applicant to provide the committee with a certificate by the territorial authority that the proposed use of the premises meets the requirements of the [Resource Management Act 1991](#) and of the building code:
- (c) require the applicant to liaise with the Police and the territorial authority on planning for the event.

(2) In deciding whether to issue a special licence, the licensing committee concerned may have regard to the following matters (in addition to the matters stated in [section 142\(1\)](#)):

- (a) whether, and how well, the applicant has complied with any requirement under subsection (1)(a):
- (b) whether, and how well, the applicant has complied with any requirement under subsection (1)(c), and whether the Police and the territorial authority are satisfied with any liaison that has taken place.

## **REASONS FOR THE DECISION**

No objections raised by reporting agencies.

## **DECISION**

The District Licensing Committee Chair, acting pursuant to the Sale and Supply Of Alcohol Act 2012 **grants** an application by Hard Seltzer Company New Zealand for a Special licence for the premises at c/- 13 Hamerton Street Naenae Lower Hutt, for the event “The Wellington Healthy Living & Allergy Free Show”, subject to conditions.

### **Conditions:**

The licence is subject to the conditions as listed on licence No. 048/S/0058/21 attached.

**DATED** at LOWER HUTT this 11<sup>th</sup> day of August 2021

Simon  
Edwards

Digitally signed by Simon  
Edwards  
Date: 2021.08.10  
20:03:03 +12'00'

**Granted by: Simon Edwards  
Chair**

Dominic Scott-Jones

Digitally signed by  
Dominic Scott-Jones  
Date: 2021.08.12  
13:49:47 +12'00'

**Approved by: Dominic Scott-Jones  
Secretary**

