

NOTICE OF RENEWAL OF OFF LICENCE

Section 135 of the Sale and Supply of Alcohol Act 2012

Marryatt Holdings Limited
PO Box 39447
LOWER HUTT 5045

Licence **048/OFF/0013/23** replaces licence 048/OFF/0009/22

The Off Licence in respect of the premises situated at 20 Brunswick Street, Lower Hutt known as **PakN Save Lower Hutt** is renewed.

The present conditions of the Off Licence continue to apply.

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, the licence continues in force-

- Until the close of the period for which it is renewed; or
- If an application for the renewal of the licence is duly made before it would otherwise expire, until the close of the period of 3 years after the period for which it is renewed.

The period for which the licence is renewed is three years expiring on **20th July 2026**

Melissa Grace
Harward
Melissa Harward
Secretary
Lower Hutt District Licensing Committee

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Melissa Grace Harward
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2nd August 2023
Lower Hutt

Licence number
048/OFF/0013/23
Supermarket

Off-licence
Sections 17 to 20 and 64
Sale and Supply of Alcohol Act 2012



Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **Marryatt Holdings Limited** (the licensee) is authorised to sell alcohol on the premises situated at **20 Brunswick Street, Hutt Central, Lower Hutt** and known as **"Pak n Save Lower Hutt"**, to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises.

The licensee is also authorised to sell alcohol on or from the premises and deliver it somewhere else.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with subpart 7 of Part 2 of the Act.

Conditions

This licence is subject to the following conditions:

- (a) No alcohol is to be sold or delivered on Good Friday, Easter Sunday, Christmas Day, or before 1:00 pm on Anzac Day.
- (b) Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday 7:00 am to 10:00 pm
- (c) No alcohol is to be delivered to the buyer (or to any other person on the buyer's behalf) at any time after 11:00 pm on any day and before 6:00 am the following day.
- (d) No alcohol may be sold other than—
 - i. beer that complies with the appropriate New Zealand food standard for beer; or
 - ii. mead that complies with the appropriate New Zealand food standard for mead; or
 - iii. fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - iv. grape wine that complies with the appropriate New Zealand food standard for grape wine; or
 - v. a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
- (e) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed. The licensee or manager must ensure that:
 - i. alcohol is not sold to intoxicated persons;
 - ii. statutory restrictions on the supply of alcohol to minors are observed at all times and evidence of age documents are requested where necessary;
 - iii. signs clearly stating the above requirements be placed at all points of sale.
- (f) Drinking water is to be freely available to customers at all times while alcohol is being supplied free as a sample on the premises.
- (g) The only permitted area for the display and promotion of alcohol is the single alcohol area (as delineated on the attached plan).

Duration

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force—

- (a) either—
 - i. until the close of the period for which it was last renewed; or
 - ii. if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—
 - i. until the close of the period of three years after the period for which it was last renewed; or
 - ii. if it has been renewed, until the close of the period of four years after the day it was issued.

Originally dated at **Lower Hutt** this 20th day of July 2022

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Melissa Harward
Secretary

Lower Hutt District Licensing Committee



Note: This licence replaces licence number 048/OFF/0009/22

The premises situated at are more precisely identified as outlined in a plan date stamped as received by the Lower Hutt District Licensing Committee on 22nd June 2023

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, the licence expires on:
20th July 2026 unless again renewed

Decision number: 048/2023/HCDLC/277

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

AND

IN THE MATTER of an application by Marryatt
Holdings Limited pursuant to
s.17 to 20 and 64 of the Act for
an Off Licence renewal in
respect of premises situated at
20 Brunswick Street, Hutt
Central, Lower Hutt known as
Pak n Save Lower Hutt

BEFORE THE HUTT CITY DISTRICT LICENSING COMMITTEE

This is an application by Marryatt Holdings Limited for an Off Licence renewal in respect of premises situated at 20 Brunswick Street, Hutt Central, Lower Hutt, known as Pak n Save Lower Hutt.

The application was duly advertised and no objection, 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 Marryatt Holdings Limited for an Off Licence renewal is **granted** subject to conditions.

I am satisfied as to the matters to which we must have regard as set out in s.105 and s.106 of the Act.

STATUTORY CRITERIA

Sale and Supply of Alcohol Act 2012

105 Criteria for issue of licences

- (1) *In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:*
 - (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, non-alcoholic refreshments, and food, and if so, which goods:
- (g) whether the applicant is engaged in, or proposes on the premises 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:
- (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](#).

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

106 Considering effects of issue or renewal of licence on amenity and good order of locality

- (1) In forming for the purposes of [section 105\(1\)\(h\)](#) an opinion on whether the amenity and good order of a locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of a licence, the licensing authority or a licensing committee must have regard to –
 - (a) the following matters (as they relate to the locality):
 - (i) current, and possible future, noise levels:
 - (ii) current, and possible future, levels of nuisance and vandalism:
 - (iii) the number of premises for which licences of the kind concerned are already held; and
 - (b) the extent to which the following purposes are compatible:

- (i) the purposes for which land near the premises concerned is used:
- (ii) the purposes for which those premises will be used if the licence is issued.

(2) In forming for the purposes of [section 131\(1\)\(b\)](#) an opinion on whether the amenity and good order of a locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew a licence, the licensing authority or a licensing committee must have regard to the following matters (as they relate to the locality):

- (a) current, and possible future, noise levels:
- (b) current, and possible future, levels of nuisance and vandalism.

131 Criteria for renewal

- (1) In deciding whether to renew a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:
 - (a) the matters set out in paragraphs (a) to (g), (j), and (k) of [section 105\(1\)](#):
 - (b) whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:
 - (c) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made by virtue of [section 129](#):
 - (d) the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.
- (2) The authority or committee must not take into account any prejudicial effect that the renewal of the licence may have on the business conducted pursuant to any other licence.

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, and under the provisions of the Hutt City Local Alcohol Policy, **grants** an application by Marryatt Holdings Limited for an Off Licence renewal for the premises at 20 Brunswick Street, Hutt Central, Lower Hutt, trading as Pak n Save Lower Hutt, subject to conditions.

The licence is approved for renewal until 20 July 2026.

Conditions:

The licence is subject to the conditions listed on licence no.048/OFF/0013/23

DATED at LOWER HUTT this 2nd day of August 2023



Simon
Edwards

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Granted by: Simon Edwards
Chair

Melissa Grace
Harward

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Approved by: Melissa Harward
Secretary