



# AGENDA

## Timaru District Licensing Committee Hearing Monday, 23 February 2026

**Date** Monday, 23 February 2026

**Time** 9:00 am

**Location** Council Chamber  
Timaru District Council  
King George Place  
Timaru

**File Reference** 1824434

## **Timaru District Council**

**Notice is hereby given that a meeting of the District Licensing Committee will be held in the Council Chamber , Timaru District Council, King George Place, Timaru, on Monday 23 February 2026, at 9:00 am.**

### **Timaru District Licensing Committee Members**

(Chair) Commissioner Sharyn Cain, Mayor Craig Rowley (Mackenzie District Council), Cllr Sandy McAlwee (Mackenzie District Council).

Reserve Members: Mark Adams (Mackenzie District Council), Jan Spriggs (Mackenzie District Council).

Quorum – no less than members including at least one external member

### **Local Authorities (Members' Interests) Act 1968**

Committee members are reminded that if you have a pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the meeting table.

Paul Cooper

**General Manager Regulatory (DLC Secretary)**

**Order Of Business**

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- 1      Apologies**
- 2      Declaration of Conflicts of Interest**

### 3 Reports

#### 3.1 Application for OFF Licence by KSK PVT Limited (Super Liquor - Showgrounds Timaru)

**Author:** Claire Copeland, Executive Assistant Regulatory and Transport

**Authoriser:** Paul Cooper, General Manager Regulatory

##### **Recommendation**

That the Timaru District Licensing Committee considers all evidence provided to them in considering the application for OFF Licence by KSK PVT Limited (Super Liquor – Showgrounds Timaru).

##### **Purpose of Report**

- 1 To consider the information provided by all parties regarding the application for OFF Licence by KSK PVT Limited (Super Liquor – Showgrounds Timaru).

\*Please note:

Public objectors will be heard from 11am and may not be taken in the order listed in the agenda, please make yourself available from this time.

##### **Attachments**

1. Timaru District Licensing Committee - Agenda - Super Liquor (Showgrounds Timaru)
2. 401.2024.24.1 - Application for New Off Licence - KSK PVT Limited - Super Liquor Showgrounds - Redacted
3. Letter - MoH Opposition Report - Super Liquor Showgrounds 24.01.2025
4. Letter - Police Opposition Reports - Super Liquor Showgrounds - 22.01.2025
5. Letter - MOH Cameron Duff - Application for new OFF Licence - KSK PVT Limited - Super Liquor / Showgrounds 03.02.2025
6. Letter - Sargeant Samantha Stewart - Opposition to application for new OFF Licence - KSK PVT Limited - re Super Liquor / Showgrounds Timaru 18.08.2025
7. Letter - Off Licence - Inspectors Report - Super Liquor Showgrounds, Timaru - 02.09.2025 - Redacted
8. Brief of Evidence for Sharon Ruth Hoogenraad - KSK PVT Limited Application for Off Licence at Showgrounds
9. Brief of Evidence Sergeant Samantha Stewart - KSK PVT Limited Application for Off Licence at Showgrounds
10. Submission - Sergeant Samantha Stewart - KSK PVT Limited Application for Off Licence at Showgrounds
11. Brief of Evidence - Dr Cheryl Brunton - MOH - KSK PVT Limited Application for Off Licence at Showgrounds
12. Submission - Dr Cheryl Brunton - 13.02.2026
13. Opening Legal Submission - John Young - KSK PVT Limited for a new off-licence -11.02.2026

14. **Statement of Evidence - Gurjeet Singh Application -KSK PVT LIMITED for a new Off-Licence**
15. **Statement of Evidence - Witness - Halinka (Linka) Newton**
16. **Related documentation - Witness- Halinka (Linka) Newton**
17. **Submissions in support of application - A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11 - Redacted**
18. **Submission - Objector - Gordon Rosewall - Redacted**
19. **Submission - Objector - Ruth Swale - Redacted**
20. **Submission - Objector - Julie Calder**
21. **Submission - Objector - Stephen Campkin**
22. **Submission - Objector - Dennis Veal**
23. **Submission - Objector - Alister Deans - Redacted**
24. **Submission - Objector - Dougal Hunter-Sinclair - Redacted**
25. **Submission - Objector - Marcus Kempf - Redacted**
26. **Submission - Objector - Tui Williams - Redacted**
27. **Submission - Objector - Wendy Christie - Redacted**

## Timaru District Licensing Committee

### Agenda



#### Notice:

I give notice that a meeting of the Timaru District Licensing Committee will be held as follows:

Date: Monday, 23<sup>rd</sup> February 2026  
Time: commencing 9.30am sharp and allowing until 5pm  
Venue: Timaru District Council, Council Chambers, 2 King George Place, Timaru

Paul Cooper, DLC Secretary

#### District Licensing Committee members (quorum is three members):

Commissioner: Sharyn Cain  
Members: Mayor Craig Rowley (Waimate District Council)  
                  Clr Sandy McAlwee (Waimate District Council)  
Reserve Member: Clr Mark Adams & ClrJan Spriggs (Mackenzie District Council)

#### 1. Welcome and Housekeeping – Paul Cooper (DLC Secretary)

##### Housekeeping

- Please note, this hearing will be visually and audio recorded.
- Mobile phones and electronic devices must be switched off or on silent at all times.
- Breaks, including a 30-minute lunch adjournment, will be taken at the Chair's discretion.
- Please enter and exit the room quietly while proceedings are in session.
- Members of the public must remain seated until called to speak.
- Proceedings are not to be disrupted; no questions or comments are permitted unless invited by the Chair or the District Licensing Committee.

#### 2. Introduction - Commissioner Sharyn Cain

#### 3. Declaration of Conflict of Interest

Members of the Committee to confirm that they do not have a conflict of interest in relation to the application.

#### 4. Overview of the Proceedings

The Chairperson will outline the process for the hearing of evidence from the parties.

#### 5. Procedural matters to be decided

#### 6. Application by KSK PVT Limited (Super Liquor / Showgrounds Timaru)

To be heard:

- John Young - Applicants Legal Representative
- Gurjeet Singh – Applicant

#1824137

Timaru District Licensing Committee  
23<sup>rd</sup> February 2026

**Witnesses**

- Halinka Newton (known as Linka) – Franchise Manager Super Liquor
- Nicola Nimo (In support of application)
- Shane Clarke (In support of application)
- Nicky Donkers (In support of application)
- Murray Roberts (In support of application)

**7. Reporting agencies reports/evidence**

To be heard:

- Sharon Hoogenraad, Chief Licensing Inspector, Timaru District Council
- Sergeant Samantha Stewart, New Zealand Police
- Dr Cheryl Brunton, National Public Health Service

**8. Public objections:**

To be heard:

- Dr Grant Hewison, Counsel for objector Gordon Rosewell
- Objector 1 - Gordon Rosewell ([online](#))
- Dr Grant Hewison, Counsel for objector 2 - Ruth Swale
- Dr Grant Hewison, Counsel for objector 3 - Julie Calder
- Objector 4 - Stephen Campkin
- Objector 5 - Dennis Veal
- Objector 6 - Alister Deans
- Objector 7 - Dougal Hunter-Sinclair
- Objector 8 - Marcus Kempf
- Objector 9 - Tui Williams
- Objector 10 - Wendy Christie

Please note that the public objections may not be heard in the order listed, depending on availability and the progression of the hearing.

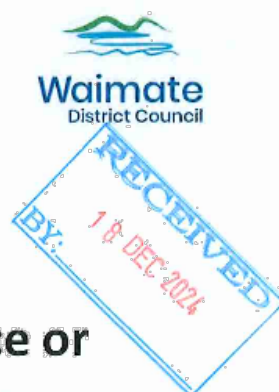
**9. Final comments**

The committee may provide the opportunity for final comments and points of clarification.

**10. Closing Submissions**

May be presented, or a due date will be advised.

**11. Exhibits**



## Application for Off-Licence or Renewal of Off-Licence

Sale and Supply of Alcohol Act 2012 – Sections 100 and 127(2)



For office use:	
Premise name:	Super Liquor Showgrounds
Application no:	24/406
Fee paid:	\$ 866.50
Checked:	
Receipt no:	3026843

#058701

## Application for Off-Licence or Renewal of Off-Licence

Form 4

Sections 100 and 127(2), Sale and Supply of Alcohol Act 2012

### 1. Type of Application

Off-Licence – New ✓	Off-Licence – Renewal
Endorsements (if applicable):	
Section 39 – Auctioneer	Section 40 – Remote Sellers of Alcohol

### 2. Details of Applicant

Company name or full legal name(s) if individual to be on licence:  
KSK PVT Limited

Is a licence already held for the premises or conveyance concerned:  
Yes (if yes, state kind of licence):  
No ✓

Applicant status:

Natural person	Trustee
Private company ✓	Partnership
Club	Public company
Local authority	Incorporated society

For an applicant that is a natural person or persons:

Gender: \_\_\_\_\_ Male \_\_\_\_\_ Female

Residential address: \_\_\_\_\_

Occupation: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Contact number: \_\_\_\_\_ Mobile number: \_\_\_\_\_

Email address: \_\_\_\_\_

For an applicant that is not a natural person or persons:

Contact name: Gurjeet Singh

Postal address: \_\_\_\_\_

Contact number: \_\_\_\_\_ Mobile number: \_\_\_\_\_

Email address: \_\_\_\_\_

Application for Off-Licence or Renewal of Off-Licence  
Mackenzie, Timaru, Waimate District Licensing Committee

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Business details (describe principal business, any other businesses): Bottle Store

### Criminal Convictions

Have you (or in the case of a company – any director / partner) ever been convicted of an offence (including traffic but not parking)?

Note: As per the Criminal Records (Clean Slate) Act 2004, if you have no convictions in the last 7 years, you need not declare any convictions prior to that date other than convictions relating to imprisonment or indefinite disqualified from driving. Refer to <http://www.justice.govt.nz/privacy/clean-slate.html>

If yes, give details:

For a company (whether incorporated under the Companies Act 1993 or equivalent foreign legislation), full legal names and addresses of directors:

Name: Gurjeet Singh

Address:

Date of birth:

Name: KSK PVT Limited

For a private company incorporated under the Companies Act 1993:

Authorised capital: \$100

Paid up capital: \$100



Full details of each person who holds 20% or more of the shares, or of any particular class of shares, issued by the company:

Name: Gurjeet Singh

Address:

Date of birth:

Place of birth: India

Designation: Director

Face value of shares: 100%

For a partnership, full details of each partner as follows:

Name:

Address:

Date of birth: Place of birth:

Signature:

Name:

Address:

Date of birth: Place of birth:

Signature:

Name:

Address:

Date of birth: Place of birth:

Signature:

### 3. Details of Premises

Address of premises:

Tenancy 3, 233 Evans Street, Smithfield, Timaru

Any name, trading name, or name of building:

Super Liquor Showgrounds

If not owned by applicant:

Tenure (state whether to be held as leasehold, or under tenancy agreement or licence):

Leasehold, 12 years

Full legal name and address of owner: Timaru Mega Centre LP

Is the licence conditional on completion of building work:

Yes

No ✓

If yes, state kind of licence:

#### 4. Details of Conveyance

Kind (e.g. ship, railway carriage, bus etc):

Tenure (i.e. owned by applicant or operated under charter, lease or licence):

If not owned by applicant, full legal name and address of owner:

Any registration number:

Any home base address:

Any name used or proposed for conveyance:

Is licence conditional on completion of construction work:

Yes

No

If yes, state details:

#### 5. Details of Managers

Manager 1:

Full legal name: Gurjeet Singh 7991

Address:

Date of birth:

2 December 2026

Certificate number / expiry: 58/CERT/00029/2014 expires

**Manager 2:**

Full legal name: Baljendra Singh

Address: [REDACTED]

Date of birth: [REDACTED]

March 2025

Certificate number / expiry: 60/CERT/199/2015 expires 5

**6. Business Details**

General nature of the business to be conducted by applicant in the premises if licence granted:

Supermarket

Grocery store

Tavern (across the bar)

Standalone bottle store

Hotel (across the bar)

Other ☒If other: **Bottle Store**

Is sale of alcohol intended to be principal purpose of business:

Yes ☒

No

If no, intended principal purpose of business:

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Is applicant engaged, or intending to be engaged, in the sale or supply of any goods other than alcohol and food, or in the provision of any services other than those directly related to the sale or supply of alcohol and food: Yes ☒ No

If yes, nature of other goods or services: Cigarettes, vaping products

On which days and hours does the applicant intend to sell alcohol under this licence:

Monday to Sunday 8am to 9pm

## 7. Conditions

Experience and training of applicant:

Guri Singh has worked in the industry for 11 years and has held a Manager's Certificate for 11 years.

He owns (some in partnership) several other licenced premises. These are Super Liquor stores – Octagon, Waimate, Temuka, and Geraldine, and the Crown Hotel (Temuka) and the Village Inn in Geraldine.

He has never failed a CPO since I have owned these businesses.

What steps does the applicant propose to prevent the sale and supply of alcohol to prohibited people?

- Posters will be located close to the tills warning intoxicated people and minors will not be served, and asking people to drink responsibly
- A group sales policy will ensure all people 25 and under will need to provide ID, regardless of whether they are buying
- Any person who looks to be 25 or years of age or younger will be requested to provide identification
- The "SCAB" test will be used to determine if any potential customer appears intoxicated, and if they are they will be asked to leave, after first offering to organise transport home.

What other steps does the applicant propose to take aimed at promoting the responsible consumption of alcohol?

- Will not provide excessive discounts
- Customer service will be important in the store

What other systems (including training systems), and staff in place (or to be in place) for compliance with the Act?

- Point of sale system will be incorporated into the till
- Staff will be required to participate in the Alcohol.Og.NZ ServeWise programme which is a national e-Learning tool developed for sellers and servers of alcohol.
- Staff will also be required to complete acknowledgement forms when they complete the Super Liquor Academy online programme every six months.

Are any changes sought to the present conditions of the licence: Yes No If

NA

What are the full reasons for the changes sought: NA

## 8. Signature and Date

I acknowledge that I understand my obligations as prescribed by the Sale and Supply of Alcohol Act 2012:

Signature



Position: Licensing Consultant

Date: 12 December 2024

*If this form is being completed online, you will not be able, or required to sign this form and the online lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.*

When complete, please email this form to the email address below.

For assistance please contact:

Liquor Licensing  
Timaru District Council  
2 King George Place  
PO Box 522  
Timaru 7940

Lodgement Email: [liquoradmin@timdc.govt.nz](mailto:liquoradmin@timdc.govt.nz)

Phone: 03 687 7200

### Payment of Fees

Please make payment at the time of lodgement to the following bank account:

Timaru District Council

02 0888 0269159 00

For new licences, please contact us for an invoice prior to lodging your application.

Reference: Invoice number (if renewal)

Particulars: Applicant name

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## Notes

- 1 This form must be accompanied by the prescribed fee.
- 2 Within 20 working days after filing this application with the District Licensing Committee (or 10 working days if it is an application for renewal), the applicant must give public notice of it in form 7. The notice must be given in compliance with regulation 36, 37, or 38 of the Sale and Supply of Alcohol Regulations 2013 (whichever applies to this application).
- 3 Except in the case of a conveyance, within 10 working days after filing this application with the District Licensing Committee, the applicant must ensure that notice of this application in form 7 is attached in a conspicuous place on or adjacent to the site to which this application relates (unless the Secretary of the District Licensing Committee agrees that it is impracticable or unreasonable to do so).

## Checklist

Please read and complete this checklist BEFORE submitting the application.

Include with application form:

Photo of principal entrance.

Host responsibility policy.

Floor plan showing:

- Each area to be designated as an:
  - Undesignated area (any person of any age may be present on the premises); or
  - Supervised area (persons under 18 may be present, but only if accompanied by a parent or legal guardian. Those under 18 cannot be sold alcohol); or
  - Restricted area (no person under 18 may be present on the premises)
- Principal entrance.
- Location of CCTV cameras.
- Location of any security lighting.

Copy of menu(s).

Fire evacuation form.

In addition, new premises require:

Copies of planning consent (new applications only).

Copies of all relevant building certificate consents.

For body corporate applicant - copy of certificate of incorporation.

CPTED checklist.

Amenity and good order questionnaire.

Statement by owner of premises not objecting to issue of liquor licence

**Attachment 1: Fire Evacuation Form**

*Sections 100(d) and 127(2)(e), Sale and Supply of Alcohol Act 2012*

Premises: Retail unit 3

Premise address: 233 Evans Street, Smithfield, Timaru

Applicants name: Timaru Mega Centre LP

Applicants address: 233 Evans Street, Timaru

Contact name: Paul Hudson

Contact phone number: [REDACTED]

Email address: [REDACTED]

**The applicant states that (tick one):**

The owner of the building in which the premises are situated provides and maintains an evacuation scheme as required by Section 76 of the Fire and Emergency New Zealand Act 2017 (copy over page); or

~~because of the building's current use, its owner is not required to provide and maintain such a scheme; or~~

~~because of the nature of the building, its owner is exempt from the requirement to provide and maintain such a scheme.~~

Please note that this is a legal document. Any questions please contact Fire and Emergency New Zealand at [www.fireandemergency.nz](http://www.fireandemergency.nz) or phone 03 684 1200.

Signature of applicant:

Designation: Director, KSK PVT Limited

Date: 9 December 2024

A copy of this document may be sent to Fire and Emergency New Zealand (FENZ) for its information.



**Fire and Emergency New Zealand Act 2017**

- 75 Relevant building defined for purposes of sections 76 to 79
- (1) In sections 76 to 79, relevant building means a building, or part of a building used for 1 or more of the following purposes:
    - (a) the gathering together, for any purpose, of 100 or more persons;
    - (b) providing employment facilities for 10 or more persons;
    - (c) providing accommodation for 6 or more persons (other than in 3 or fewer household units);
    - (d) a place where hazardous substances are present in quantities exceeding the prescribed minimum amounts, whatever the purpose for which the building is used;
    - (e) providing an early childhood education and care centre (other than in a household unit);
    - (f) providing nursing, medical, or geriatric care (other than in a household unit);
    - (g) providing specialised care for persons with disabilities (other than in a household unit);
    - (h) providing accommodation for persons under lawful detention (not being persons serving a sentence of home detention or community detention, or serving a sentence of imprisonment on home detention, or on parole subject to residential restrictions imposed under section 15 of the Parole Act 2002);
    - (i) any other prescribed purpose.
  - (2) However, in sections 76 to 79, relevant building does not include premises of a mission (as defined in section 2(1) of the Diplomatic Privileges and Immunities Act 1968).
  - (3) In this section, early childhood education and care centre has the same meaning as in section 310 of the Education Act 1989.
- 76 Owner must provide and maintain evacuation scheme for relevant building
- (1) The owner of a relevant building must provide an evacuation scheme that is designed to enable evacuation from the scene of a fire or an alarm of fire safely to a place of safety within a reasonable time.
  - (2) The owner of a relevant building must maintain an evacuation scheme that has been approved by FENZ under section 77.
  - (3) However, the owner of a relevant building is not required to provide or maintain an evacuation scheme for the building if—
    - (a) the building is used for a purpose specified in section 75(1)(b) or (c); and
    - (b) the building has an automatic sprinkler system; and
    - (c) the owner of the relevant building notifies FENZ, in writing and in the prescribed form (if any), that the building does not require an evacuation scheme.
  - (4) A person who knowingly contravenes subsection (1) or (2) commits an offence and is liable on conviction, —
    - (a) in the case of an individual, to a term of imprisonment not exceeding 6 months or to a fine not exceeding \$75,000, or both;
    - (b) in any other case, to a fine not exceeding \$150,000.
  - (5) In this section,—
    - automatic sprinkler system means an automatic sprinkler system that satisfies the minimum standard required by regulations made under section 192(1)(c)
    - evacuation scheme means an evacuation scheme that complies with regulations made under section 192(1)(b).

**Attachment 2: Public Notice of Application***Form 7**Sections 101, Sale and Supply of Alcohol Act 2012*

Company name or full legal name of applicant: KSK PVT Limited

Has made an application to the Timaru ~~Mackenzie~~ ~~Waimate~~ District Licensing  
Committee for the Issue ~~Renewal~~ of an

On ~~Off~~ ~~Club~~ ~~Endorsed On~~ ~~Endorsed Of~~  
in respect of the premises situated at: Unit 3, 233 Evan Street, Timaru

Or the (specify kind of conveyance):

Known as: Super Liquor Showgrounds

The general nature of the business conducted (or to be conducted) under the licence is:

<del>Hotel</del>	<del>Tavern</del>	<del>Restaurant</del>
<del>Bottle Store</del>	<del>Club</del>	<del>Supermarket</del>
<del>Entertainment / Night Club</del>	<del>Auctioneer</del>	<del>Remote Seller</del>
<del>Winery</del>	<del>BYO</del>	<del>Function Centre</del>
<del>Caterer</del>	<del>Others</del>	

The days on which and the hours during which alcohol is (or is intended to be) sold under the licence are  
(specify days and hours): Monday to Sunday 8am to 9pm

*The application may be inspected during ordinary office hours at the office of the Timaru / Mackenzie /  
Waimate District Licensing Committee at 2 King George Place, Timaru.*

*Any person who is entitled to object and who wishes to object to the issue of the licence may, not later  
than 15 working days after the date of the publication of this notice, file a notice in writing of the  
objection with the Secretary of the District Licensing Committee at Timaru District Council, PO Box 522,  
Timaru 7940.*

*No objection to the issue of a licence may be made in relation to a matter other than a matter specified  
in section 105(1) of the Sale and Supply of Alcohol Act 2012.*

*No objection to the renewal of a licence may be made in relation to a matter other than a matter  
specified in section 131 of the Sale and Supply of Alcohol Act 2012.*

Application for Off Licence or Renewal of Off-Licence  
Mackenzie, Timaru, Waimate District Licensing Committee

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12 December 2024

The Secretary  
Timaru District Licensing Committee  
Timaru District Council  
PO Box 522  
Timaru 7940

Dear Sir/Madam

**APPLICATION FOR OFF-LICENCE – KSK PVT LIMITED (Super Liquor Showgrounds)**

I wish to lodge an application on behalf of KSK PVT Limited for a new off-licence under section 100 of the Sale and Supply of Alcohol Act 2012. The premises to which the application relates are at 233 Evan Street, Timaru. The trading name of the premise is Super Liquor Showgrounds.

An Alcohol Licensing Building and Planning Certificate has been applied for.

This letter contains additional information (as requested in the attachment Council checklist as follows:

- Council's Application for Off-Licence form, completed (Attached as a separate document);
- Photograph of the principal entrance;
- Host Responsibility Policy;
- Floor Plan showing designation of areas, principal entrance, location of CCTV cameras and any security lighting location;
- A site plan;
- Letter of authorisation for the use of consultant;
- Copy of the Certificate of Incorporation;
- An assessment of the criteria in Section 105 of the Sale and Supply of Alcohol Act 2012;
- Fire evacuation form;
- CPTED checklist;
- An assessment of Amenity and Good Order (included in the assessment of the Section 105 criteria)
- Details of Managers
- Statement by owner not objecting to the issue of liquor licence

Also included in this letter is an assessment of criteria in Section 105 of the Sale and Supply of Alcohol Act 2012;

If there is any further information needed to process this application, I am happy to supply it on request.

Yours faithfully



Craig Shearer  
For KSK PVT Limited

**ADDITIONAL INFORMATION (as requested in the Council Checklist and  
Amenity and Good Order Questionnaire)**

**1. Copy of Planning and Building certificate**

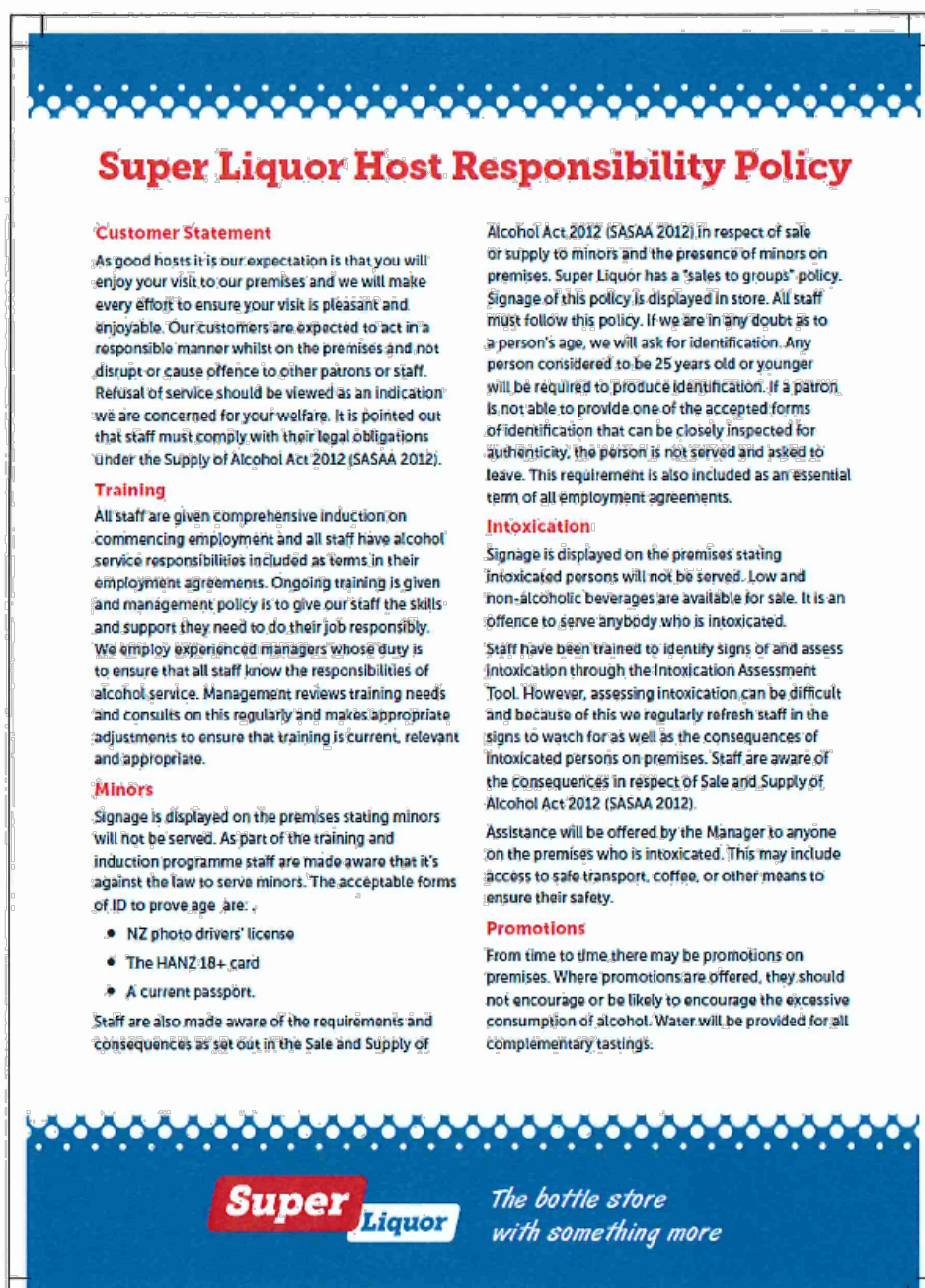
An application for a Planning and Building compliance certificate has been lodged concurrent with this application.

Land use consent was granted by Council for the wider site in 2020 (102.2020.91.1) which included the provision of food and beverage (1,020m<sup>2</sup>) on the site.

2. Photo of principal entrance (mock-up)



### 3. Host Responsibility Policy



**Super Liquor Host Responsibility Policy**

**Customer Statement**  
As good hosts it is our expectation is that you will enjoy your visit to our premises and we will make every effort to ensure your visit is pleasant and enjoyable. Our customers are expected to act in a responsible manner whilst on the premises and not disrupt or cause offence to other patrons or staff. Refusal of service should be viewed as an indication we are concerned for your welfare. It is pointed out that staff must comply with their legal obligations under the Supply of Alcohol Act 2012 (SASAA 2012).

**Training**  
All staff are given comprehensive induction on commencing employment and all staff have alcohol service responsibilities included as terms in their employment agreements. Ongoing training is given and management policy is to give our staff the skills and support they need to do their job responsibly. We employ experienced managers whose duty is to ensure that all staff know the responsibilities of alcohol service. Management reviews training needs and consults on this regularly and makes appropriate adjustments to ensure that training is current, relevant and appropriate.

**Minors**  
Signage is displayed on the premises stating minors will not be served. As part of the training and induction programme staff are made aware that it's against the law to serve minors. The acceptable forms of ID to prove age are:

- NZ photo drivers' license
- The HANZ 18+ card
- A current passport.

Staff are also made aware of the requirements and consequences as set out in the Sale and Supply of Alcohol Act 2012 (SASAA 2012) in respect of sale or supply to minors and the presence of minors on premises. Super Liquor has a "sales to groups" policy. Signage of this policy is displayed in store. All staff must follow this policy. If we are in any doubt as to a person's age, we will ask for identification. Any person considered to be 25 years old or younger will be required to produce identification. If a patron is not able to provide one of the accepted forms of identification that can be closely inspected for authenticity, the person is not served and asked to leave. This requirement is also included as an essential term of all employment agreements.

**Intoxication**  
Signage is displayed on the premises stating intoxicated persons will not be served. Low and non-alcoholic beverages are available for sale. It is an offence to serve anybody who is intoxicated. Staff have been trained to identify signs of and assess intoxication through the Intoxication Assessment Tool. However, assessing intoxication can be difficult and because of this we regularly refresh staff in the signs to watch for as well as the consequences of intoxicated persons on premises. Staff are aware of the consequences in respect of Sale and Supply of Alcohol Act 2012 (SASAA 2012). Assistance will be offered by the Manager to anyone on the premises who is intoxicated. This may include access to safe transport, coffee, or other means to ensure their safety.

**Promotions**  
From time to time there may be promotions on premises. Where promotions are offered, they should not encourage or be likely to encourage the excessive consumption of alcohol. Water will be provided for all complementary tastings.

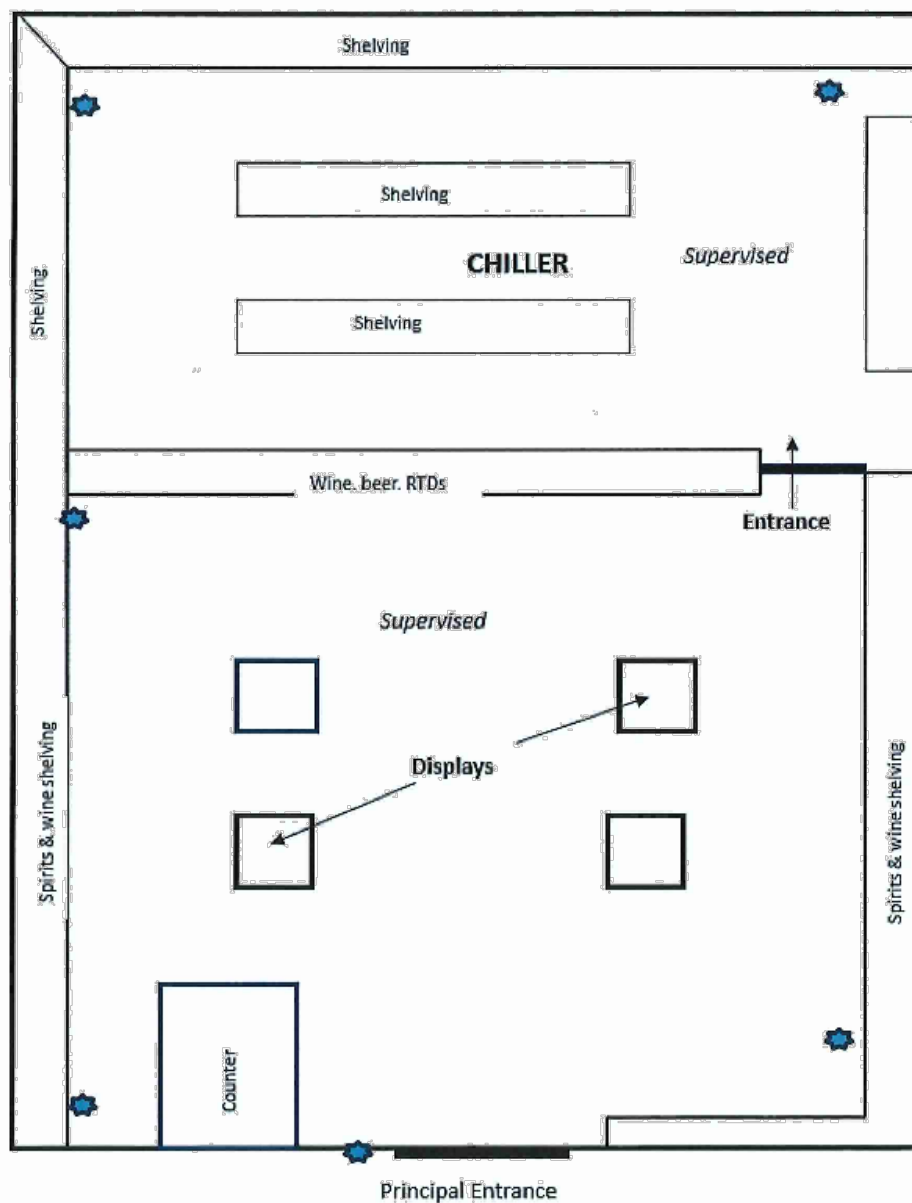
**Super Liquor** *The bottle store with something more*



6. Floor Plan showing each designated area, principal entrance, location of CCTV cameras and security lighting location (GFA = 117m<sup>2</sup>)

★ Security cameras

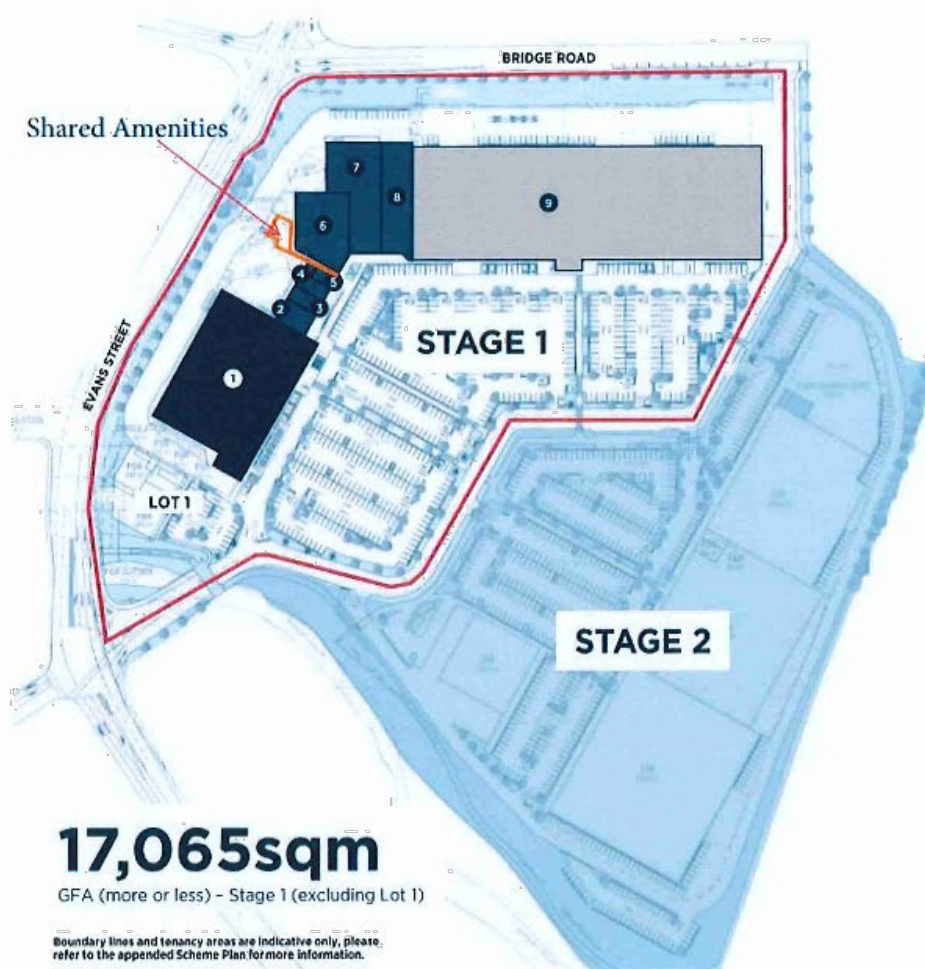
● Security lighting ample natural light and existing lights under 10m wide veranda



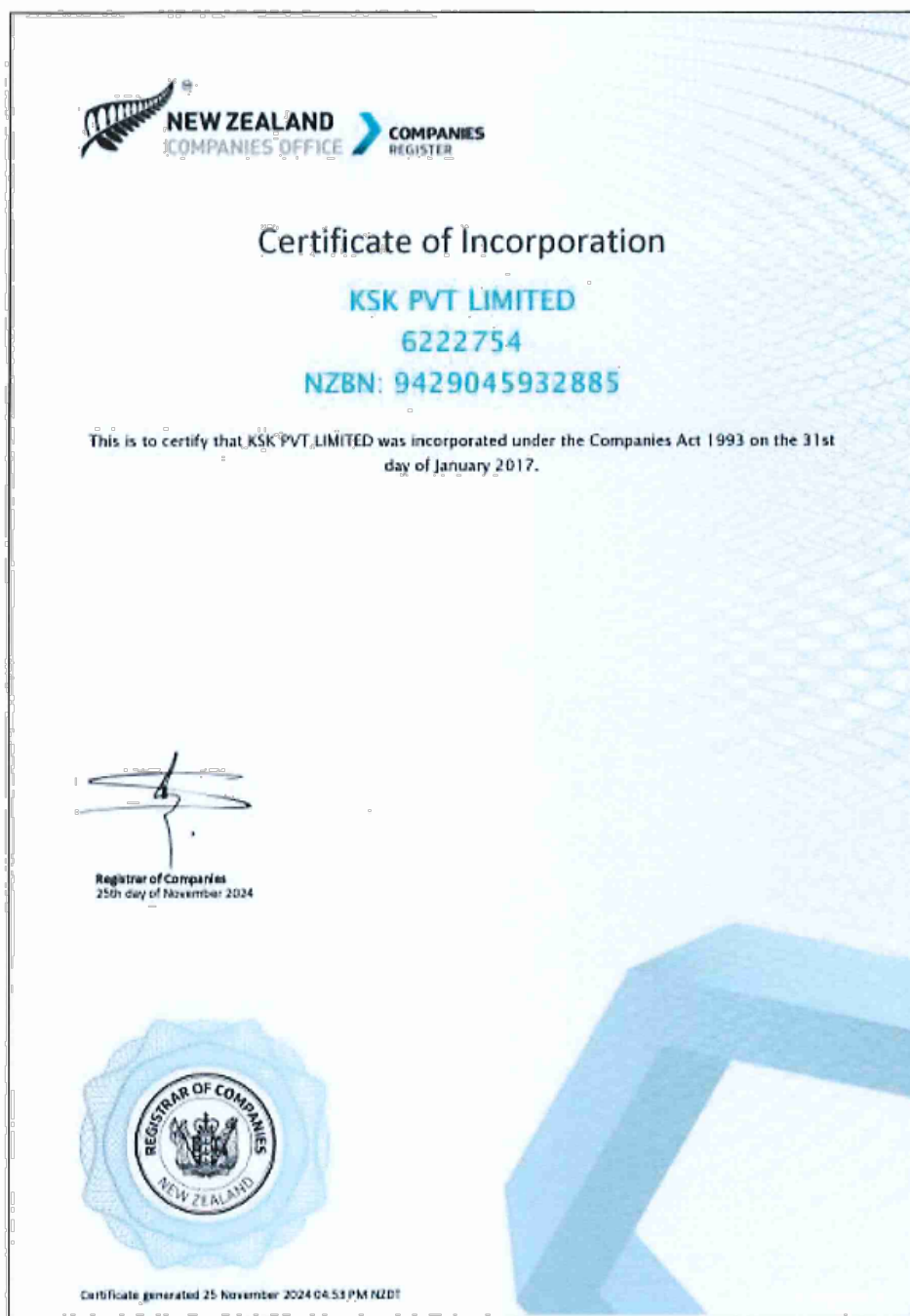


## 6. Site plan; Showgrounds locality

Super Liquor = Tenancy 3





**7. Certificate of Incorporation**

**8. Fire evacuation form;**

See separate form

**9. CPTED checklist;**

An off-licence CPTED assessment is included in the Section 105 criteria, under "The design and layout of any proposed premises" in section 5 below. Note the form supplied on Council's website seems to relate to on-licences.

**10. An assessment of the Amenity and Good Order**

See Section 105 criteria assessment below sections 8 and 9.

**11. Details of Managers**

Name	Cert No	Expiry	Address
Gurjeet Singh (Guri)	60/CERT/199/2015	5/03/2025	
Baljendra Singh (Bobby)	058/CERT/000029/2014	2/12/2026	

**12. Letter of authorisation for the use of consultant**

KSKJ PVT Limited  
[REDACTED]  
Geraldine  
25 November 2024

The Secretary  
Timaru District Licensing Committee  
PO Box 522  
Timaru 7940

Dear Sir /Madam

**APPLICATION FOR OFF-LICENCE AT TENANCY 3 SHOWGROUNDS HILL**

I hereby authorise Craig Shearer from Ignition Group Limited to act on behalf of KSK PVT Limited in any matters dealing with the off-licence application to the Timaru District Licensing Agency at the above location, including applying for alcohol licensing building and planning certificate, and new licence application.

Gurjeet Singh  
Director  
KSK PVT Limited

  
25/11/2024

**13. Statement by the owner of the remises not objecting to issue of liquor licence**

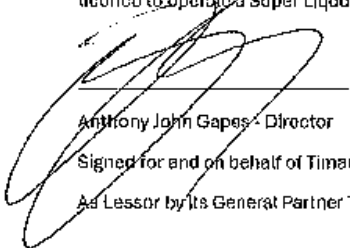
**233 Evans Street , Smithfield , Timaru**  
**Timaru Mega Centre LP**

**21 November 2024**

To Liquor Licence Authority

**The Showgrounds – Retail Unit FB02 - Application for Liquor Licence**

This letter serves to confirm that we have no objection to Gurjeet Singh applying for a liquor licence to operate a Super Liquor retail store at shop FB02 The Showgrounds Timaru.



\_\_\_\_\_  
Anthony John Gapes - Director

Signed for and on behalf of Timaru Mega Centre LP

As Lessor by its General Partner Timaru Mega Centre Limited.

### **ASSESSMENT OF CRITERIA IN SECTION 105 OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012**

The following assesses the requirements of section 105 of the Sale and Supply of Alcohol Act 2012 in applying for a new off-licence, and also addresses some of the requested information from the Application form.

**1. The object of the Act**

See section 12 below.

**2. The suitability of the applicant**

Gurjeet Singh, the director and owner of the applicant company, has held a manager's certificate for eleven years and worked in the alcohol industry for a similar time. He purchased his first licenced premises in Dunedin in 2017, Super Liquor Octagon, which he managed before opening new off-licences in South Canterbury. He is also a director and owner of Super Liquor stores in Temuka, and Geraldine, and holds the licence for the Crown Hotel in Temuka and the Village Inn in Geraldine. He actively works in all South Canterbury premises he owns at times. Neither he nor any of his stores have ever failed a Controlled Purchase Operation in relation to selling alcohol to minors or to intoxicated persons.

However, a \$250 infringement notice was issued for not having food available at the Crown Hotel in Temuka on 29 June 2019. The incident occurred about two weeks after he took over the operation of the on licence when a staff member closed the kitchen early. The experience taught him the importance of having systems fully ready and understood on day one of moving into an on-licence. There have been no issues since.

With Gurjeet Singh's experience in managing his liquor stores, and owning and operating two on-licences, Gurjeet Singh is a suitable applicant for the granting of an off-licence at Showgrounds Hill.

**3. Any relevant local alcohol policy (LAP)**

Timaru District has an approved LAP, a combined Mackenzie-Timaru-Waimate policy. This application has had regard to that policy. The proposed licenced hours are 8am to 9pm, Monday to Sunday. These hours are within the hours provided in the LAP. It is proposed to designate the off-licence as supervised. The premises are located within the Commercial 1 Zone, in compliance with the LAP requiring location on appropriately zoned land as described in the Timaru District Plan.

The application has had regard to the LAP and the application is consistent with it.

**4. The days on which and the hours during which the applicant proposes to sell alcohol**

The proposed opening hours for the business are 8am to 9pm, from Monday to Sunday.

**5. The design and layout of any proposed premises**

See above for a copy of the floor plan.

The front of the building is be painted with standard Super Liquor branding. There will be no large product advertising, with the exception of A3 specials, providing a relatively clean exterior appearance (see mock-up above).

The design and layout of the premises aim to minimise potential harm and ensure a safe environment for customers and staff by adopting many of the Crime Prevention through Environmental Design (CPTED) guidelines produced by the NZ Police and the Health Promotion Agency as follows:

- Windows: There are glass doors and windows at the front of the store providing good visibility of the entrance and to the footpath and parking area outside.
- Lighting: There is natural light at the front of the store and this will be augmented by good lighting inside the brand-new premises; customers will be seen as they enter the premises, and identification easily read; Good lighting in the public areas at the front of the building on the footpath and parking areas will discourage loitering at night;
- Internal layout: The cash register is to be positioned close to the entrance, and there will be good visibility from this area to be able to view customers inside the store. There will be no safe in public view. Stock displays in the centre of the retail area will be at a height so that customers can be seen. Customers will be able to be seen in the chiller through a camera located there.
- Security: There will be one cash register located close to the entrance. Good store-wide visibility will discourage opportunistic attempts to open it; there is no recessed entry, and an alarm is to be installed.
- CCTV: There will be a number of CCTV cameras located inside the store including the chiller (see floor plan). Staff will be able to watch when necessary and all will be trained to use the system.
- Staff: Generally, there will be one working at off-peak times, with two in busy times such as during holiday periods when there is anticipated to be an increase in customers. Staff will be visible to customers entering the store who will be greeted. This is especially important for security of staff and other customers during the most vulnerable times.
- RTDs and other drinks that young people drink will not be located at the front of the store so they will not be visible to young people from outside the building.
- Entrance: There is a principal and covered entrance off the large parking area.

**6. 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**

Limited additional goods will be sold, mainly small food items such as chips, nuts, snack food etc. In addition, a range of soft drinks and low alcohol drinks will be sold. Cigarettes and vaping products will also be sold, as well as minor accessories.

**7. 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**

No other services are proposed.

8. **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**

This is defined in the Act as meaning the extent to which, and ways in which, the locality in which the premises concerned are situated is pleasant and agreeable.

Section 106 of the Act requires in forming an opinion on whether the amenity and good order will likely be reduced, regard must be had to the following:

*Current and possible future noise levels:* There is minimal noise generated from the store. The most obvious noise is vehicles parking outside, but this is normal activity common to all of the wider retail area within the surrounding development. This will have no noticeable adverse effect.

Internal noise generated from the general operation of the business will not be audible from outside the premises.

*Current and possible future, levels of nuisance and vandalism:* Super Liquor and the director of KSK PVT Limited have a policy of ensuring their stores and their immediately surrounding areas are an attractive place to visit to improve the customer experience. The general vicinity of the store is a large format retail zone with high standards and design and amenity and so efforts will be made by the owner to maintain the high standards. Any signs of vandalism will be quickly corrected, including graffiti removed. Nuisance behaviour will not be tolerated as this would detract from the experience of customers. Activities will be monitored by staff.

*The number of premises for which licences of the kind concerned are already held:* There is one off-licence in the immediate vicinity. This is held by Woolworths Supermarket, located close by and within the Showgrounds Development precinct. This off-licence sells beer, wine and cider only. Merchants Liquor is at 111 Evans Street 1.2km away, and Bottle-O Washdyke is 1.6km away at 144 Hilton Highway.

The application will not contribute to the proliferation of off-licences in the area as other bottle stores are not located close to the Showgrounds development.

*The compatibility with land near the premises concerned is used, and the compatibility with how the land is used if the licence is issued.* The store is zoned Commercial 2A in the Timaru District Plan.

In terms of 'sensitive' sites there are few within close proximity to the Bottle Store. The nearest school is Grantlea Downs School in Grants Road, some 650m away from the proposed store. The only early childhood centre is He Manu Hau, associated with Te Aitaraiki Multicultural Centre 280m away. No churches are located close to the site.

The closest residential area is across State Highway 1 (Evans Street) around 300m away by road/footpath and is not immediately accessible from the proposed store. Therefore there are no residential neighbours within 50 metres. Te Aitaraiki Trust, including a marae is located at 50 Bridge Road, to the northeast of the retail centre, some 280m from the proposed store. Te

Aitarakihi Trust is a charitable trust that is the governing body for Te Aitarakihi Multicultural Centre which operates through a Māori lens by upholding Māori values and using Māori protocols. The Centre has private functions, accommodation, education or hui facilities.

The Timaru Local Alcohol Policy states:

*"The main façade of the premises, being the principal front of a building that faces onto a street or open space of any new licensed premise must not be within 100 meters of any Early Childhood Centre, Primary school or Secondary school, except that this policy shall not apply to premises that are located in a business zone of the Waimate District Plan or Mackenzie District Plan, or the commercial zone of the Timaru District Plan."*

From the description of sensitive sites above, the application is consistent with the LAP in respect of sensitive sites.

It is concluded that the store is not incompatible with the use of land near the premises.

After assessing the above criteria, the amenity and good order of the locality is unlikely to be reduced, to a more than minor effect, by the effects of the issue of the licence applied for.

**9. 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:**

The amenity and good order of the large format retail area has been assessed by visual inspection of the locality of the proposed bottle store and is considered to be high. The area is in the process of being developed and the proposed store is in stage 1. With the high standards of the wider precinct an off licence is well placed to contribute to the enhancement of the centre and contribute positively to the amenity and good order of the locality.

There is no reason to decline this application based on amenity and good order.

**10. Whether the applicant has appropriate systems, staff, and training to comply with the law:**

The director of the applicant company understands the need to comply fully with the requirements of the Sale and Supply of Alcohol Act 2012, including ensuring there are no sales to prohibited persons, there is responsible promotion of consumption of alcohol, and ensuring that the store is a good and responsible host. Those requirements are embedded in the Host Responsibility Policy included with this application.

Posters will be located close to the tills warning intoxicated people and minors will not be served, and asking people to drink responsibly – see an example poster following.





Signage is to be used to display the name of the manager on duty, and a copy of the licence and the host responsibility policy will be on display. A point-of-sale system in the cash registers will require verification of the age of all customers who appear to be 25 years of age or younger before products can be purchased.

All eligible staff will be requested to hold a manager's certificate once they have sufficient experience to apply.

Training in customer service and legal responsibilities will be undertaken by the director. He is conscious of promoting responsible consumption of alcohol and maintaining high standards to achieve high levels of customer satisfaction. Emphasis will be placed upon cleanliness of the store, pricing signs consistent and clear, lights all working, signage is correct – licence and manager displayed, prohibited persons etc.

Staff will participate in the Alcohol.Og.NZ ServeWise programme which is a national e-Learning tool developed for sellers and servers of alcohol. Staff will be required to complete acknowledgement forms when they complete both the Super Liquor Academy and the ServeWise online programmes.

In respect of pricing, the Super Liquor franchisor is committed to discounts of less than 25% for external advertising. Super Liquor recognizes liquor stores are not able to compete on pricing in New Zealand with supermarkets elsewhere and the marketing approach for the Group is to compete on customer service and loyalty as opposed to attracting customers based on price. Provision of excellent service, including caring for customers will be an important part of the experience at the bottle store at Showgrounds centre. External advertising will be kept to a minimum as part of the franchise agreement.

**11. Any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103.**

The applicant has no known issues with the Police, and there are no known health issues for the Medical Officer of Health resulting from the current operation and this application. However, these are matters for those agencies to report on.

**12. Section 4 - The Object of the Act**

In summary, after undertaking the assessment above, it is concluded that on balance the object of the Act will be achieved for the following reasons:

- KSK PVT Limited will have good systems and procedures in place to ensure the responsible promotion and sale of alcohol on its premises, and in the community. Emphasis will be placed on ensuring staff understand and implement the host responsibility policy, and this is to be reviewed regularly. Any issues with vandalism and crime are likely to be negligible and if they do occur are to be dealt with promptly to protect the experience of shoppers at the store. Staff will be professional and well trained to ensure minors are not served and intoxication is not tolerated. The director of KSK PVT Limited is well aware of and trained in his legal responsibilities and is a suitable applicant.
- It is concluded that by granting an off-licence to KSK PVT Limited the sale, supply, and consumption of alcohol will be undertaken safely and responsibly, and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

**13. The Purpose of the Act**

Overall, it is concluded that the purpose of the Act will be achieved because the sale, supply and consumption of alcohol will be reasonable and help achieve the object of the Act.

24 January 2025

**Health New Zealand**  
**Te Whatu Ora**

**Officer for Enquiries:** Cameron Duff

The Secretary  
District Licensing Committee  
Timaru District Council  
PO Box 522  
TIMARU 7940

Dear Sir/Madam

**RE: Sale and Supply of Alcohol Act 2012 – APPLICATION  
FOR New Off Licence: KSK PVT Limited – Super Liquor  
Showgrounds**

I refer to your request received by our office on 18 December 2024 together with the application for a New Off Licence for the above applicant, for the premises situated at Tenancy 3, 233 Evan Street, Smithfield Timaru 7910.

**This interim letter is to advise that the Medical Officer of Health is opposed to this application.**

Opposition to this licence relates to three principal areas of concern under the Sale and Supply of Alcohol Act 2012, specifically Section 105(1):

- (a) The object of the Act.
- (h) 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.
- (k) any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made under section 103.

**Please note that a further and full report will be submitted.**

It is estimated that this will be submitted by February 3 2025.

Yours sincerely,



**Cameron Duff**

Compliance Officer  
for Dr Cheryl Brunton  
Medical Officer of Health  
National Public Health Service, Te Waipounamu

<https://www.tewhatuora.govt.nz>  
PO Box 1475, Christchurch, 8140  
Phone: +64 03 364 1777

**Te Kāwanatanga o Aotearoa**  
New Zealand Government



22/01/2025

Liquor Licensing  
Timaru District Council  
PO Box 522  
Timaru

To whom it may concern,

Application for New Off Licence - KSK PVT Limited - Super Liquor  
Showgrounds.

This letter is in relation to the above application sent through by your office.

Police have made the appropriate checks and enquiries in our database to  
ascertain the suitability for the application.

On this occasion Police will be opposing this application on ground of  
suitability. (s105).

Yours sincerely,



**Sergeant Samantha Stewart**

Alcohol Harm Reduction / OC Mackenzie District  
M: 021 191 1416 E: [Samantha.Stewart@police.govt.nz](mailto:Samantha.Stewart@police.govt.nz)  
Timaru Police Station, 20 North Street, Timaru

3 February 2025

**Health New Zealand**  
Te Whatu Ora**Officer for Enquiries:** Cameron Duff

The Secretary  
District Licensing Committee  
Timaru District Council  
PO Box 522  
TIMARU 7940

Dear Sir/Madam

**RE: Sale and Supply of Alcohol Act 2012 – APPLICATION FOR  
NEW OFF LICENCE: KSK PVT Limited – Super Liquor  
Showgrounds**

Please receive the following final Medical Officer of Health report prepared under the provisions of the Sale and Supply of Alcohol Act 2012.

I refer to your request received by our office on 18 December 2024 together with the application for a new off licence for the above applicant, for the premises situated at Tenancy 3, 233 Evan Street, Smithfield Timaru 7910.

On 20 December 2024, I visited the above proposed premises on behalf of the Medical Officer of Health to access the locality for the proposed new off licence premises.

I have considered this application with respect to the public health issues involved and I raise the following for the Committee:

**Locality and Density**

The proposed premises is situated in a new development shopping center, Showgrounds Shopping Centre in the suburb of Smithfield, Timaru. Access to the Showgrounds is via Evans Street, State Highway 1 (SH1).

To the right of the store is St Pierre's Sushi, Look Sharp Store, Chemist Warehouse, Bed Bath and Beyond, and Bunnings. To the left is Black & White Coffee Cartel and Woolworths Supermarket.

The Timaru community has an estimated population of 46,000 people.

There is currently a total of 18 Off Licences operating within this area.

The proposed location cannot be accessed from either the northern or southern directions, respectfully, of SH1 without first passing by two of the proximal off licensed premises listed below:

Location Entity or Process Name	Street Address	Search Distance
Super Liquor Showgrounds	Tenancy 3, 233 Evan Street	0

<https://www.tewhatauora.govt.nz>  
PO Box 1475, Christchurch, 8140  
Phone: +64 63 364 1777

**Te Kāwanatanga o Aotearoa**  
New Zealand Government



## Health New Zealand Te Whatu Ora

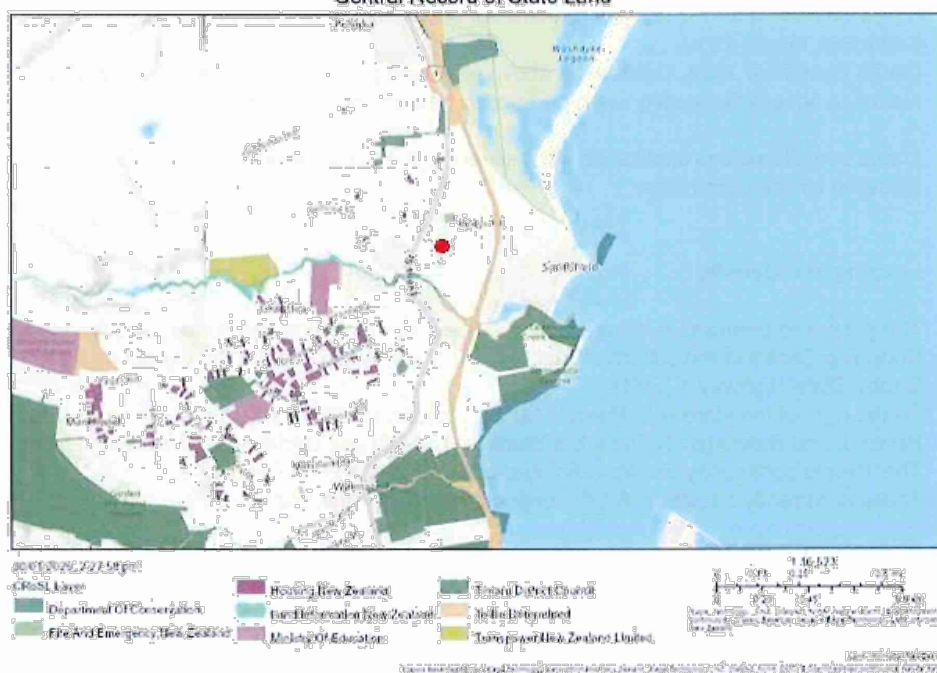
Woolworths Timaru North	233 Evans Street	Immediate proximity
Merchants Liquor	111 Evans Street	1.1km
Pak n' Save Timaru	98 Evans Street	1.2km
Bottle-O Washdyke	144 Hilton Highway	1.6km

Also within proximity of the proposed premises:

Location Entity or Process Name	Street Address	Search Distance
Te Aitaraiki Marae Ā Iwi	50 Bridge Road	280m
He Manu Hou Early childhood centre	50 Bridge Road	280m
Grantlea downs school	65 Grants Road	600m
Ashbury park	5B Pringle Street	1.1km
Marchwiel Park	Selwyn Street	1.8km

Below is a map showing nearby land use and potential sensitive sites using the Central Record of State Land (Proposed premises ●).

Central Record of State Land



<https://www.tewhatuora.govt.nz>  
PO Box 1475, Christchurch, 8140  
Phone: +64 93 364 1777

**Te Kāwanatanga o Aotearoa**  
New Zealand Government

## Health New Zealand Te Whatu Ora

### Deprivation

This map below provides information on socioeconomic deprivation, using the New Zealand Index of Deprivation 2023 (NZDep2023).

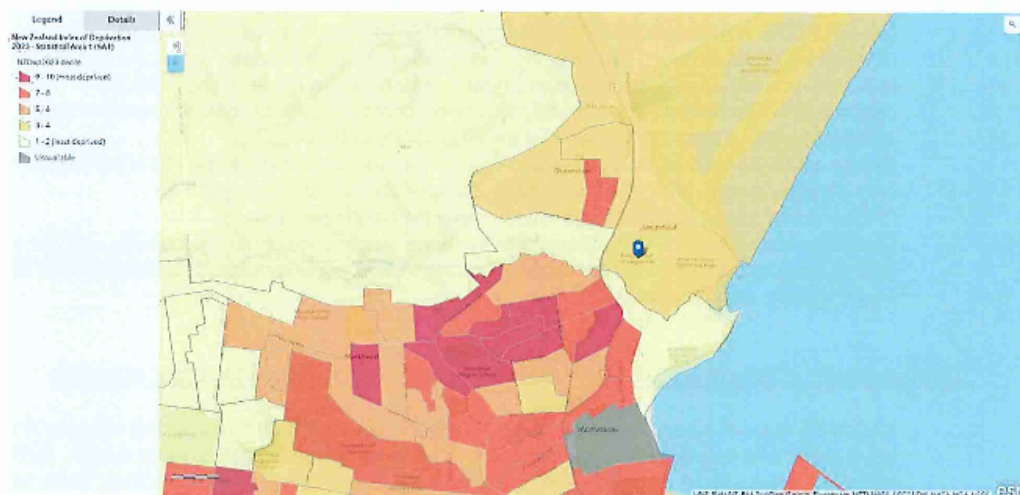
NZDep2023 is displayed in 10 deciles:

- Decile 1 represents areas with the least deprived NZDep2023 scores
- Decile 10 represents areas with the most deprived NZDep2023 scores

The mapped area below shows the larger surrounding area of the proposed premises and has a decile range of 1-10.<sup>1</sup>

Smithfield-Washdyke has a decile average of 5.

The adjacent areas of: Waimataitai-Maori Hill has a decile average of 7; Marchiel East has a decile average of 9; and Hadlow has a decile average of 1.



The premises is requiring both internal and external fit outs, so the premises cannot be assessed in accordance with the for compliance with the requirements of the Sale and Supply of Alcohol Act 2012, any licence conditions and strategies used to ensure social responsibility in the supply of alcohol for offsite consumption.

The Owner/Operator of the new proposed premises is also the Owner/Operator of Crown Hotel Temuka, Super Liquor Temuka & Super Liquor Waimate.

While the applicant has experience operating in parts of the South Canterbury area, there is nothing provided in the application to indicate that the applicant has in any way engaged with, nor shown any insight into this community.

<sup>1</sup> <https://www.ehinz.ac.nz/indicators/population-vulnerability/socioeconomic-deprivation-profile/#nzdep-for-2023-nzdep2023>

**Health New Zealand**  
**Te Whatu Ora**

#### 105 Criteria for issue of licences

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.

#### 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.

#### **Summary**

During my enquires into this application, I have become aware of community objections to the issue of this licence.

With 18 off licences already available in Timaru, the location and proximity of the proposed premises to other outlets and sensitive sites, the high deprivation scores and the lack of

<https://www.tewhatuora.govt.nz>  
PO Box 1475, Christchurch, 8140  
Phone: +64 03 364 1777

**Te Kāwanatanga o Aotearoa**  
**New Zealand Government**





community engagement from the applicant, the Medical Officer of Health is of the view that a 19<sup>th</sup> bottle shop in Timaru is unnecessary and would be detrimental to all in the community.

**Health New Zealand**  
**Te Whatu Ora**

The granting of this licence will not achieve the object of the act.

**This application is opposed.**

Yours sincerely,

**Cameron Duff**

Compliance Officer

for Dr Cheryl Brunton

Medical Officer of Health

National Public Health Service, Te Waipounamu

<https://www.tewhatuora.govt.nz>  
PO Box 1475, Christchurch, 8140  
Phone: +64 03 384 1777

**Te Kāwanatanga o Aotearoa**  
New Zealand Government



18/08/2025

Liquor Licensing  
Timaru District Council  
PO Box 522  
Timaru

To whom it may concern,

Application for New Off Licence - KSK PVT Limited - Super Liquor  
Showgrounds.

This letter is in relation to the above application sent through by your office.

Police have made the appropriate checks and enquiries in our database to ascertain the suitability for the application.

On this occasion Police will be opposing this application.

The proposed site is within walking distance of decile 10 and 9 suburb on the Deprivation Index (approximately 400m). This is a concern due to the disproportional negative effects of alcohol on those who are disadvantaged socio-economically.

The location is situated in areas of Police demand, with the peak times/days trending towards periods of alcohol consumption and nightlife.

There have been a reported 211 immediate calls for service within 1000 metres of the proposed site over the past three years. This does not include incidents that have been reported online, after the fact, through 105. Police believe this number will be greater when all the relevant data is collated.

Police are in the process of obtaining further intelligence which will be disclosed in due course.

Yours sincerely,



**Sergeant Samantha Stewart**

Alcohol Harm Reduction / OC Mackenzie District  
M: 021 191 1416 E: [Samantha.Stewart@nzpolice.govt.nz](mailto:Samantha.Stewart@nzpolice.govt.nz)  
Timaru Police Station, 20 North Street, Timaru

## Timaru District Licensing Committee Licensing Inspector's Report

Ref No: 24/406

2 September 2025

The Secretary  
Timaru District Licensing Committee  
C/- Timaru District Council  
PO Box 522  
Timaru

**New Application - Off - Section 103 (2) the Sale and Supply of Alcohol Act 2012**  
**KSK PVT Limited – Super Liquor Showgrounds, The Showgrounds, Evans Street,**  
**Timaru**

### Executive Summary

An application for a Bottle Store styled Off Licence was received by the Timaru District Licensing Committee on 18 December 2024. The criteria found at section 105 of the Sale and Supply of Alcohol Act 2012 will apply to this application.

The applicant seeks conditions consistent with a Bottle Store styled Off Licence for the area and as such I consider that the sale and supply of liquor under these conditions is consistent with purpose of the Act and meets the criteria at section 105 of the Sale and Supply of Alcohol Act 2012.

In total 150 objections were received to the application by members of the public.

Opposition to the application was received from the Medical Officer of Health and NZ Police and the application is opposed by the Inspector.

### Application

- The general nature of the business conducted under the licence is a Bottle Store.
- The following certificated managers are employed at the licensed premises:

Gurjeet SINGH	58/CERT/00029/2014	Expiry 02/12/2026
Baljendra SINGH	60/CERT/199/2015	Expiry 05/03/2028

**Applicant**

- The applicant is a private company: KSK PVT Limited
- KSK PVT Limited was incorporated under the Companies Act 1993 on 31 January 2017.
- The Sole Director and Shareholder of the company is:  
Gurjeet SINGH – [REDACTED] – born in India [REDACTED]
- The applicant is aware of its responsibilities under the Sale and Supply of Alcohol Act 2012
- The applicant (KSK PVT Limited) owns and operates two (2) licensed premises in the Timaru and Waimate District. These stores have historically been managed by a Store Manager. All these stores have operated without any major causes of concern for the regulatory agencies. The Director/Shareholder however also owns other premises (On and Off) in the two districts under other entities.

**Planning / Building Matters**

- A Certificate pursuant to s.100(f) of the 2012 Act is attached. That certificate states that the premises meet with all requirements of the Building Act and Building Code.
- A Certificate pursuant to s.100(f) of the 2012 Act is attached. That certificate states that the premises meet with all requirements of the Resource Management Act 1991. The applicant obtained a Land Use Consent 102.2025.60.1 on 16 July 2025 with restrictions.

**Environment**

- **Introduction:** The proposed venue is located within the Showgrounds Complex off State Highway One. The complex consists of a number of retail outlets along with two hospitality premises. The premise is located within the Commercial 2A Zone of the Timaru District Plan.
- **Neighbouring Land Use:** The premises currently operating out of the Showgrounds Complex are Woolworths, Black and White Café, St Pierres Sushi, Look Sharp, Chemist Warehouse, Bed, Bath and Beyond and also Bunnings. The proposed store would be within the retail complex known as the Showgrounds (Stage 1).
- **Locality to Sensitive Premises:** There are no sensitive sites within a 100 metres radius of the proposed premise however it is noted that 121 of the 150 objections claimed *"The proposed location is close to a number of sensitive sites including Te Aitarakahi Marae-a-iwi, He Manu Hou Early Childhood Centre, Grantlea Downs school, and Waitarakao Washdyke Lagoon"*.

The Local Alcohol Policy states *"The main façade of the premises, being the principal front of a building that faces onto a street or open space of any new licensed premise must not be within 100 meters of any Early Childhood Centre, Primary school or Secondary school, except that this policy shall not apply to*

*premises that are located in a business zone of the Waimate District Plan or Mackenzie District Plan, or the commercial zone of the Timaru District Plan..."*

A map has been generated for the Committee showing the distances to the sites referred to in the objections. The distances range from 252 metres to 575 metres from the proposed site.

It must be noted however that the Local Alcohol Policy does state that the 100 metre distance does not apply to premises located in the commercial zone of the Timaru District Plan of which this venue is located.

- **Current and Potential Noise Levels:** No noise complaints have been received in relation to this property as at the time of writing this report.
- **Current and Potential Levels of Nuisance and Vandalism:** No graffiti or antisocial behaviour has been identified at the time of writing of this report. Of the 150 objections I note that 44 of them stated they have seen alcohol related rubbish in the area. It is of note that the only licensed premise currently in the Showgrounds Complex is the Woolworths supermarket.
- **CPTED Analysis:** The applicant has stated in his application that there will be 5 CCTV cameras located inside the store (of which 2 are located in the walk in chiller). He has also stated that the product will be stacked so items that may be seen as 'attractive' to young people will not be displayed at the front of the store.

#### **Premises**

- The premises are situated at: The Showgrounds, Evans Street, Timaru.
- The principal entrance is accessed from the Showgrounds Complex carpark.
- The premises will trade as: "Super Liquor Showgrounds".
- The owner's consent is attached in support of the application.
- The licensed area is the premise in general as per the plan date stamped 18 December 2024 and is **SUPERVISED**.

#### **Any Relevant Local Alcohol Policy**

There are no discretionary conditions contained within the Waimate, Mackenzie and Timaru joint Local Alcohol Policy which need to be attached to this premise licence.

#### **Objections**

- The application was publicly notified on the Timaru District Council website on 18 December 2024 with a public objection deadline of 18 February 2025 (delay due to the Christmas/new year break) and received a number of objections.
- A total of 150 objections to the application were received from members of the public within the objection period. The level of response to this application from the community is significant, and shows a strong message that a bottle store is not considered a positive addition to the complex.
- Determination of the validity of these objections will need to be considered by the Licensing Committee.

Section 102 of the Sale and Supply of Alcohol Act 2012 sets out the framework

**102 Objections to applications**

- (1) Any person may object to an application for the grant of a licence, whether as an individual or as a representative of a group or an organisation.
- (1A) However,—
  - (a) a trade competitor may object to an application only if the trade competitor is directly affected by the application in a way that does not relate to—
    - (i) trade competition; or
    - (ii) the effects of trade competition; and
  - (b) a person may not object to an application if the person receives, or is likely to receive, direct or indirect help from a trade competitor to object to the application.
- (2) An objection must be in writing and filed with the licensing committee within 25 working days after the first publication of the public notice of the making of the application.
- (3) No objection may be made in relation to a matter other than a matter specified in section 105.
- (4) This subsection applies to an application—
  - (a) for a licence for premises that is of the same kind as the licence currently in force for those premises; and
  - (b) in which the conditions sought are the same as apply to that licence.
- (4A) In the case of an application to which subsection (4) applies, the ground for an objection may not relate to any matter other than the suitability of the applicant.
- (5) The secretary of the licensing committee concerned must give a copy of every objection to the applicant.

**Status**

When determining whether objectors are able to satisfy Section 102(1) and therefore have status as an objector, in the decision from the Alcohol Regulatory Licensing Authority of *A Karambeyev Limited* [2013] NZARLA PH1214-1215 the Authority confirmed that:

*“A person usually has greater interest in the application than the public generally because that person will be affected in some way by the granting of the application”*

It has been settled through substantial case law that geographical proximity is one of the key considerations in determining whether an objector has greater status than the public generally. Often the distance of 1000m is used as a notional area to determine whether there is an interest greater than the public generally.

However in *Utikere v I S Dhillon & Sons Limited*, Kos J said of the threshold for standing in a S.32(1) of the Sale of Liquor Act 1989:20:

*“The Sale of Liquor Act imposes a significant standing threshold in Section 32(1). It requires an objector to have a “greater interest in the application than the public generally”. In practice that has normally meant residing within a one or two kilometre geographical radius”*

This position is considered to be valid under the Sale and Supply of Alcohol Act 2012 and was referred to in the decision of the Authority in *GRD Trading Limited v Communities Against Alcohol Harm Inc* [2019] NZARLA 222.

An objector may also be determined to have standing through a means other than proximity. Examples of this could be a person who has a related role within the community eg works in health related field, pastor of a church etc has a business close to the proposed premises or has a child that attends a local school.

Each case however needs to be assessed on its own merits and the Committee will need to give its own consideration to establishing the criteria used to determine the status of the objectors.

On 30 August 2023 the Sale and Supply of Alcohol (Community Participation) Amendment Act 2023 was brought into force. Section 10(1) of the bill replaces Section 102(1) of the Act in relation to objections to applications noting:

- (1) *Any person may object to an application for the grant of a licence, whether as an individual or as a representative of a group or an organisation.*
- (1A) *However, —*
  - (a) *trade competitor may object to an application only if the trade competitor is directly affected by the application in a way that does not relate to—*
    - (i) *trade competition; or*
    - (ii) *the effects of trade competition; and*
  - (b) *a person may not object to an application if the person receives, or is likely to receive, direct or indirect help from a trade competitor to object to the application.*

Of the 150 objections received within the public advertising period the top three concerns are:

*There are already too many liquor stores within ten-minute drive of the proposed location. Timaru has numerous liquor stores and licensed supermarkets. I believe these outlets already have a negative effect on the area (145 objections).*

*Many members of the community – especially youth/rangatahi – are very vulnerable to alcohol related harm (132 objections)*

*Timaru is already heavily affected by alcohol-related harm causing death, disease, crime and disorder (128 objections)*

#### **Validity of Objections**

For an objection to be valid the objection must be made in relation to any matters specified in Section 105 of the Sale and Supply of Alcohol Act 2012.

The objections from members of the public are based on a number of grounds and include many of the criteria sought in Section 15. With particular emphasis on 'the object of the Act and S.105(1)(h) 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.

**Reports**

- Police have provided a report dated 22 January 2025 pursuant to s103(3) of the Sale and Supply of Alcohol Act 2012. That report stated Police will be opposing the granting of an Off Licence on the grounds of suitability (S.105).

On 18 August 2025 a further report was provided with more details in relation to there opposition however further statistics/intelligence will be disclosed in due course.

- The Medical Officer of Health has provided a report dated 24 January 2025 (interim) with a full objection report received 3 February 2025 pursuant to s103(3) of the Sale and Supply of Alcohol Act 2012.

**Sale of Goods or Services other than Alcohol and Food**

The applicant will be engaged in the sale of goods other than alcohol, low alcoholic refreshments, non-alcoholic refreshments, and food. These goods are cigarettes and vape products (anticipating 10% of sales).

On 21 August 2025 I requested a breakdown of the percentage of sales for each category the applicant has noted will be available. These figures would be estimates due to the premise not currently operating.

A copy of the email received 22 August 2025 containing the breakdown is included on the file.

**Land Use Consent Restrictions**

It is noted that the land use consent that was issued 16 July 2025 reduces the hours of operation to that originally applied for by the applicant. The applicant has provided written confirmation via email received 22 August 2025 (refer above) and is aware they would reduce the hours to reflect the Land Use Consent which is Monday to Sunday – 9.00am to 9.00pm.

**Discretionary Conditions**

The applicant confirmed via email received 22 August 2025 (as per above) the following discretionary conditions would be agreeable to him. These discretionary conditions would be in line with other off-licence applications issued recently by the District Licensing Committee.

- No specific product or price specials shall be displayed externally
- No external advertising shall be displayed by way of flags or sandwich boards outside the store
- No single sales of beer, cider or RTD's priced at, or less than, \$6.00 per unit are to be sold.



**Conditions**

If the District Licensing Committee were to grant the off licence the conditions may be (but not limited to)

- The application has been made seeking the following days and hours:  
Monday to Sunday - 9.00am to 9.00pm
- The licensed area is the premise in general as per the plan date stamped 5 August 2025 and is supervised.
- No specific product or price specials shall be displayed externally
- No external advertising shall be displayed by way of flags or sandwich boards outside the store
- No single sales of beer, cider or RTD's priced at, or less than, \$6.00 per unit are to be sold.

**Conclusion**

As discussed, this application, for a bottle store, has attracted a great deal of negative reaction from the community. The objectors have voiced their concern in relation to the increased exposure to alcohol for their children should the license be granted. They have expressed their clear view that such an outlet is not a welcome addition to the community.

Similarly the Police and Public Health have presented their opposition to the application believing that the application does not meet the object of the Act and is likely to decrease the amenity and good order of the locality.

In light of these points and the concerns raised in the various sections of my report I conclude that, in this instance, the issue of a licence will not be consistent with the object of the Act. As such I oppose the issue of a new off-licence to KSK PVT Limited for the premise situated the Showgrounds Complex, Evans Street, Timaru.

Yours faithfully



Sharon Hoogenraad  
Chief Licensing Inspector

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

**AND**

**IN THE MATTER OF** the application by KSK PVT  
**LIMITED** pursuant to S.222  
of the Act for a new Off Licence  
known as **Super Liquor Showgrounds**

**BRIEF OF EVIDENCE OF SHARON RUTH HOOGENRAAD**

1. My name is Sharon Ruth HOOGENRAAD
2. I have been employed by the Timaru District Council as a warranted Liquor Licensing Inspector since 17 January 2005. In 2015 I became Chief Licensing Inspector and continue to hold that title.
3. On 18 December KSK PVT Limited lodged an application for a new Off Licence at the Showgrounds Complex, Evans Street, Timaru. The application was subsequently sent out to all reporting agencies and publicly advertised on the Timaru District Council website and also on-site in the window.
4. At the time of the public notification deadline (18 February 2025) there had been 150 objections received to the application and opposition from NZ Police and Medical Officer of Health Representative.
5. The applicant, KSK PVT Limited, has a bottle shop at 64 King Street, Temuka (Crown Hotel and Super Liquor Temuka) and also 100 Queen Street, Waimate (Super Liquor Waimate). The Sole Director also holds other licences in Timaru under another

entity with another Director/Shareholder (South Hospo Limited) being 41 Talbot Street, Geraldine (Village Inn ON and OFF). It is of note that the Director (Gurjeet SINGH) also holds liquor licences in other districts (Dunedin and Methven that I am aware of).

6. The proposed site is located within the Showgrounds Complex with Black & White Café, St Pierres Sushi, Look Sharp, Chemist Warehouse, Bed Bath & Beyond and Bunnings also within the same complex. There are two vacant retail stores (1 of which relates to this application) and public amenities including a childrens small play area located outside the Look Sharp Store and entrance to the Public Toilets.
7. The proposed store is between St Pierres Sushi and the Black and White Café with a reasonable level of foot traffic passing the shop front. Discussions with staff at both stores on 11 February 2026 identified neither venue were aware of the proposed bottle shop other than the Public Notice on the window.
8. St Pierres Sushi has seating for approx. 20 outside and they close at 8.00pm however if customers remain this could extend to 8.30pm.
9. Black and White Café have seating for approx. 28 outside and the latest closing time they have is 5.00pm however staff are on-site often until 6.00pm at the latest and have to exit via the front door into the carparking area. Photos of the areas are included (Appendix A).
10. Chemist Warehouse is located four stores away and their closing time is 7.00pm and could have up to 10 staff on-site at closing time. Staff must exit through the front door into the carparking area.

11. The Timaru District Plan states that the proposed site is in a 'commercial zone'. The Local Alcohol Policy (Section 3.2) states that the 100 metre zone does not apply to premises deemed 'commercial zone'.
12. I have provided a map showing the distances to sensitive sites from the proposed site referred to in a number of the objections received in relation to the application. The distances range from 252 metres to 575 metres (Appendix B).
13. The applicant provided additional information on 22 August 2025 in relation to the breakdown of the percentage of sales for each category the applicant stated would be available for sale at the proposed store. He stated 90% of the proposed sales would be alcohol with the remaining 10% being smokes, vapes, food snacks, ice however these are 'anticipated figures' only due to the store not currently operating. It is noted however that there is no reference to the location of the vape/tobacco products on the site map provided at time of lodging.
14. The hours initially applied for in the application were Monday to Sunday, 8.00am to 9.00pm however these hours were outside the hours stated in Land Use Consent 102.2025.60.1 which restricted their hours to be Monday to Sunday – 9.00am to 9.00pm (Appendix C). The applicant provided written confirmation via email (dated 22 August 2025) they would reduce their hours to Monday to Sunday – 9.00am to 9.00pm to bring them in line with the consent.
15. There are currently 19 off-licences within the Timaru township. Of those 10 are bottle stores and 4 supermarkets (Appendix D). It is noted that 145 of the objections received referred to the number of liquor stores already in Timaru.

I confirm the truth and accuracy of that stated. I make the statement with the knowledge that it is to be used in court proceedings. I am aware that it is an offence to make a statement that is known by me to be false or intended by me to mislead.



Sharon Ruth HOOZENRAAD

## APPENDIX A



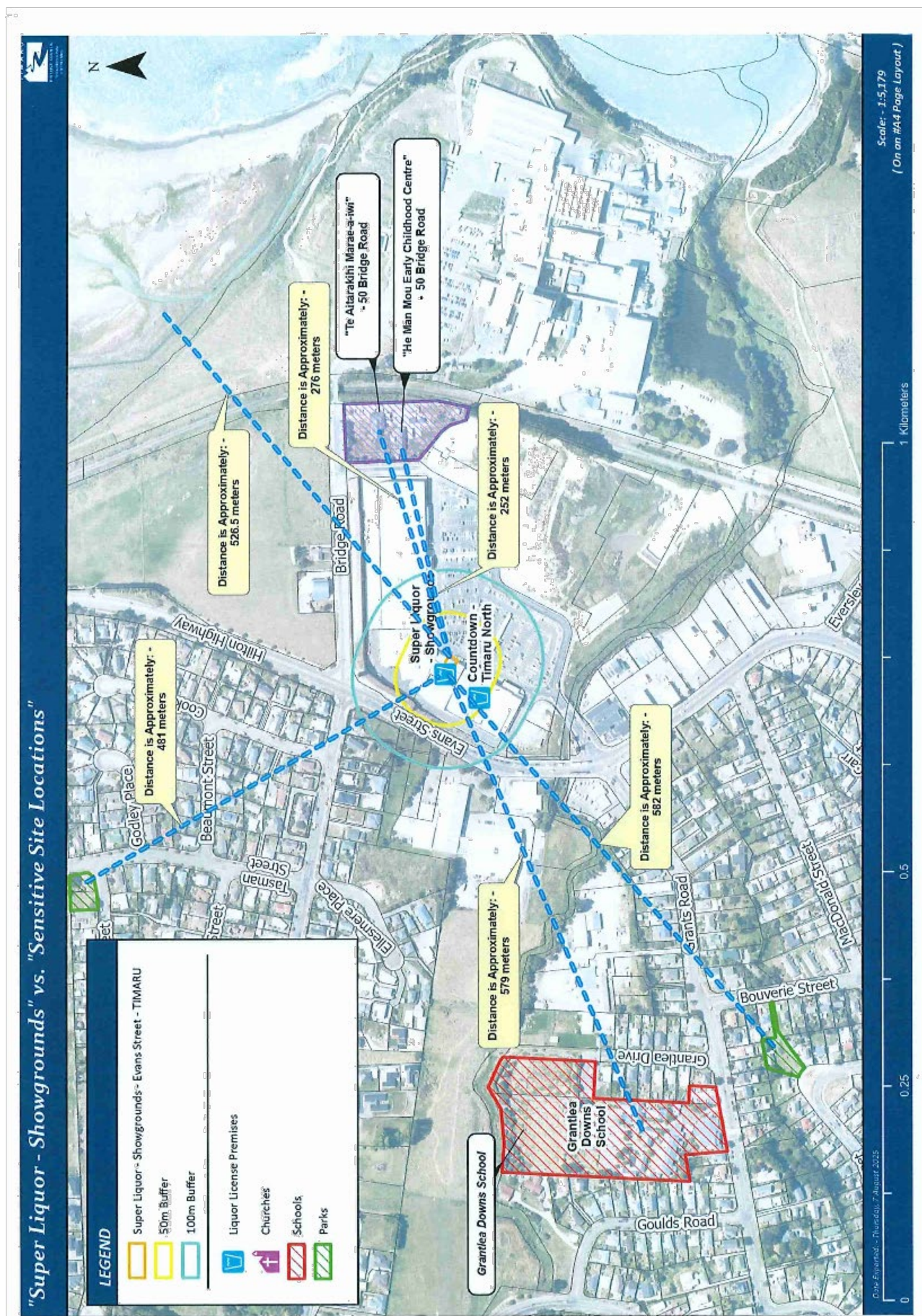




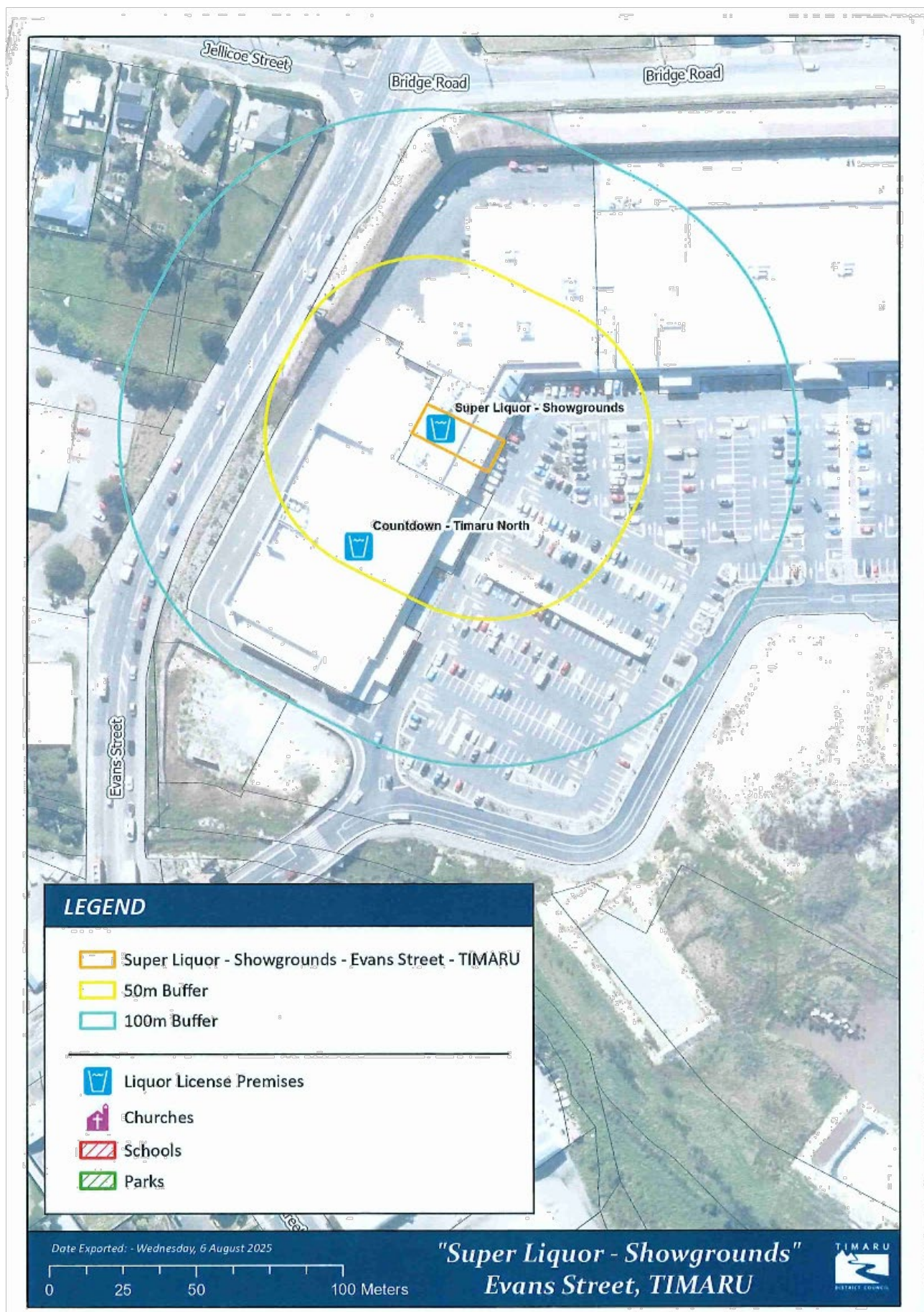


## **APPENDIX B**









## **APPENDIX C**



Wednesday 16 July 2025

Timaru Showgrounds Ltd  
C/O Angela Foster  
Foster + Melville Architects Ltd  
PO Box 6389  
Wellington

Via Email: [af@fmaarchitects.co.nz](mailto:af@fmaarchitects.co.nz)

Dear Angela,

**Land Use Consent No. 102.2025.60.1**  
**Establishment of a Bottle Store (Licensed Premise) within a Bulk Retail Complex**  
**11/233 Evans Street, Smithfield, Timaru 7973**

I advise that resource consent was **GRANTED** for Land Use Consent No. 102.2025.60.1 under delegated authority by Timaru District Council on 16 July 2025.

Please find attached with this letter:

- The Decision and any conditions of consent;
- any approved plan; and
- the officers report or 'planning assessment'.

An Invoice for the additional fees payable for the processing of the resource consent will be issued separately.

In accordance with Sections 357A and 357B of the Resource Management Act (RMA) 1991, you have the right to object to any of the attached conditions of consent or the additional administrative charges. An objection must be lodged with Council within 15 working days of receiving the decision. If you have any queries on this matter, please contact me at the details listed below.

Yours faithfully,

Patrick O'Toole  
Intermediate Resource Consents Planner  
Email: [patrick.ottole@timdc.govt.nz](mailto:patrick.ottole@timdc.govt.nz)



### Decision of Timaru District Council

#### Land Use Consent No. 102.2025.60.1

Acting under the delegated authority from Timaru District Council, I have considered the subject application for the establishment of a bottle store (off-licence) at the property currently addressed 11/233 Evans Street, Smithfield and determined:

- A. That the application is processed on a **non-notified** basis in accordance with Sections 95A – 95G of the Resource Management Act 1991.
- B. That land use consent is **granted** pursuant to Sections 104, 104B, and 108 of the Resource Management Act 1991, for the reasons contained in the officer's report subject to conditions (listed below)

#### LAND USE CONSENT

##### General

1. The development shall be carried out in general accordance with the plans (attached and stamped approved) and the application submitted under reference no. 102.2025.60.1 including:
  - a. The report prepared by Foster + Melville Architects Limited entitled "Assessment of Effects" (Rev 1), dated May 2025 and;
  - b. The economic assessment entitled "Economic Assessment of Proposed Off Licence Premises at 233 Evans Street, Timaru" prepared by Market Economics Ltd and dated 5 May 2025 and;
  - c. The concept layout for the bottle store and location of premises as shown in the site plan drawn by Foster + Melville Architects Limited with "reference RC1000 R0".

##### Scope

2. This consent authorises the use of the identified 120m<sup>2</sup> tenancy at 11/233 Evans Street for an "Off-Licence" retail activity (sale of alcoholic beverages for consumption off the premises), including any ancillary storage and display of alcohol products. No on-site consumption of alcohol is allowed under this consent beyond product sample volumes in accordance with the Sale and Supply of Alcohol Act 2012. The activity shall not expand beyond the 120 m<sup>2</sup> internal floor area specified, nor shall it occupy any other part of the site without further consent.

##### Hours of Operation

3. The operating hours for the off-licence store shall be restricted to no earlier than 9:00am and no later than 9:00pm, 7 days a week, in order to protect amenity and ensure consistency with typical retail and licensing hours in the district.

*(Advice Note: These hours align with the Timaru District Local Alcohol Policy limits; any stricter hours imposed by the alcohol licence or policy must be adhered to, but any increase for longer hours under this resource consent would require a variation to this consent.)*

#### Signage

4. All signage associated with the off-licence activity (including wall signage, facade signs, or additions to existing pylon signs) shall comply with the Operative District Plan signage standards for the Commercial 2A zone including that:
  - a. The total area of signage shall not exceed that permitted for the building's tenancy frontage.
  - b. Any illuminated signage shall be static (no flashing lights) and designed to avoid glare or light spill beyond the site. Illumination (if any) shall be turned off by 10:30pm or within 30 minutes of closing, whichever is earlier, to prevent overnight light nuisance.
  - c. To maintain visual transparency and passive surveillance, no more than 50% of the glazed area of the shopfront shall be obscured by signage, posters, or opaque displays. A minimum of 50% of the glazing must remain clear and transparent at all times (aside from branding on glass that is minimal, e.g. name and hours). The consent holder shall ensure that interior layouts and any advertising displays allow a clear view into the store from the outside during trading hours.

#### Lighting

5. The consent holder shall ensure that the entrance area of the store and adjacent pedestrian pathways are adequately lit during hours of darkness when the store is open to the public. Lighting shall be installed (if not already existing) to provide safe illumination levels for customers while being directed downward and shielded to avoid unnecessary glare beyond the immediate area.

#### Site Management - Deliveries and Waste

6. All deliveries to the off-licence (stock re-supply) and waste collection shall be managed to minimise disruption. This includes ensuring:
  - a. All delivery vehicles shall use the designated loading zones to the rear of the site and;
  - b. That the consent holder shall ensure that any empty pallets, packaging, or waste materials from the store are promptly disposed/stored.

#### Review

7. The Council may, in accordance with section 128 of the RMA, serve notice on the consent holder of its intention to review any condition of this consent within 12 months of the commencement of the activity and at one-year intervals thereafter, to deal with any adverse effect on the environment arising from the exercise of this consent. The purpose of such a review includes (but is not limited to) adjusting operating hours or signage controls or requiring additional measures to address any substantiated issues relating to noise, anti-social behaviour or any other effect that was not anticipated at the time of consent.



ADVICE NOTESOperation

*This consent is granted under delegated authority with respect to the Resource Management Act 1991. Nothing in this consent limits those licences required under the Sale and Supply of Alcohol Act 2012. Council's Local Alcohol Policy applies irrespective of the condition requirements abovementioned, and the relevant alcohol licence is required to be obtained prior to the operation of the store.*

Commencement

*This resource consent commences on the date the decision was notified, or on such later date as stated in the consent, unless an appeal or an objection has been lodged, at which time the consent commences when this has been decided or withdrawn, or in the case of an appeal to the Environment Court on such later date as the Court may state in its decision.*

Right of Objection

*If you do not agree with any of the conditions of this consent, you have a right to object to the condition under section 357A of the Resource Management Act. Notice of any objection must be in writing, set out the reasons for the objection, and be lodged with the Timaru District Council within 15 working days of receipt of this decision.*

*You may, when making an objection, under section 357A(1)(f) or (g), request that the objection be considered by a hearings commissioner(s), who is not a member of the consent authority.*

Subsequent Right of Appeal to the Environment Court

*Any person who has made an objection under section 357A of the Act may appeal to the Environment Court against the decision on the objection pursuant to section 358 of the Act.*

*Notice of such an appeal must be in the prescribed form, state the reasons for the appeal and be lodged with the Environment Court (PO Box 2069, Christchurch 8013) within 15 working days after the decision on the objection being notified to that person, or within such further time as the Environment Court may allow.*

Appeal Direct to the Environment Court

*If you do not agree with the decision, on alternative to a section 357A objection, or if section 357A does not apply, is to appeal the decision under section 120 of the Act to the Environment Court.*

*However, there is no right of appeal under this section against the whole or any part of a decision of a consent authority to the extent that the decision relates to 1 or more of the following, but no other, activities:*

- (a) a boundary activity, unless the boundary activity is a non-complying activity;*
- (b) a subdivision, unless the subdivision is a non-complying activity;*
- (c) a residential activity as defined in section 95A(6), unless the residential activity is a non-complying activity.*

*A person who made a submission on the application or review of consent conditions may appeal only in respect of a matter raised in the person's submission (excluding any part of the submission that is struck out under section 41D).*

*The notice of appeal shall be in the prescribed form; state the reason for the appeal and the relief sought; state any matters required by the regulations; and be lodged with the Environment Court (PO Box 2069, Christchurch 8013) within 15 working days notice of the decision being received. Notice of the appeal must also be served on Timaru District Council within 15 working days within the same period. Notice of the appeal must also be served on any person who made a submission in relation to the application within 5 working days of the notice being lodged with the Environment Court. If you are in any doubt about the correct procedures, you should seek legal advice.*



Minor Correction of Resource Consents

Section 133A of the Act provides the consent authority may at its discretion issue an amended consent that corrects minor mistakes or defects in the consent within 20 working days of the grant. If you consider that the consent contains a minor mistake or defect you may advise the Timaru District Council of the same.

Lapsing of Consents

Pursuant to section 125 of the Act, a land use consent is deemed to have lapsed if not given effect within five years from the date of commencement. An application can be made to extend the period after which consent would have lapsed pursuant to Section 125 (1A) (b) but the application must be received before it has lapsed.

Change or Cancellation of Conditions

An application to change or cancel a condition of this consent can be made under section 127 of the Act.

Review of Consent

A consent authority may, in accordance with section 129 of the Act, serve notice on a consent holder of its intention to review the conditions of a resource consent.

Monitoring of Consent

Pursuant to section 35 of the Act, the local authority shall monitor the exercise of this resource consent. Should all the conditions of consent be complied with, a single monitoring visit will occur and therefore no further monitoring charges will be incurred. However, should conditions of consent not be met, further monitoring will be required which will generate additional costs as outlined above. Please note that some consents will require periodic or on-going monitoring and therefore despite compliance, monitoring will occur and costs will be charged for that monitoring.

Charges

Charges, set in accordance with section 36 of the Act, shall be paid to the Timaru District Council for the carrying out of its functions in relation to the administration and monitoring of resource consents and for carrying out its functions under section 35 of the Act.

Other Consents May Be Required

This resource consent authorises the Land Use or Subdivision applied for only. The consent does not give the consent holder the right to:

- Use, subdivide or develop land that contravenes a rule in the District Plan other than that which has been consented to by way of the subject application, or that which has already been legally established.
- Conduct any activity that requires resource consent from Environment Canterbury (ECan). You are advised to contact ECan to ascertain if consent is required for the proposed development.
- Authorise building or utility services construction work that requires separate consent/approval.

Conditions of Consent

It is the consent holder's responsibility to comply with any conditions imposed on this resource consents prior to and during (as applicable) exercising these resource consents.

**Notification Decision**

With regard to notification, the officers report considered the application in respect to the steps prescribed by sections 95A-95E of the RMA and recommended that the application be processed on a non-notified basis because:

- The proposed activity will have or is likely to have adverse effects on the environment that are no more than minor.
- There is no rule, or National Environmental Standard that requires public or limited notification of the application.
- The applicant did not request public notification of the application.
- No permitted baseline applies.
- There is no relevant statutory acknowledgment.
- There are no special circumstances that exist in relation to the application.
- No further information was requested or report commissioned in relation to the application to which the applicant refused to provide or did not provide within the given deadline.

Having reviewed the recommendation, I concur with that assessment.

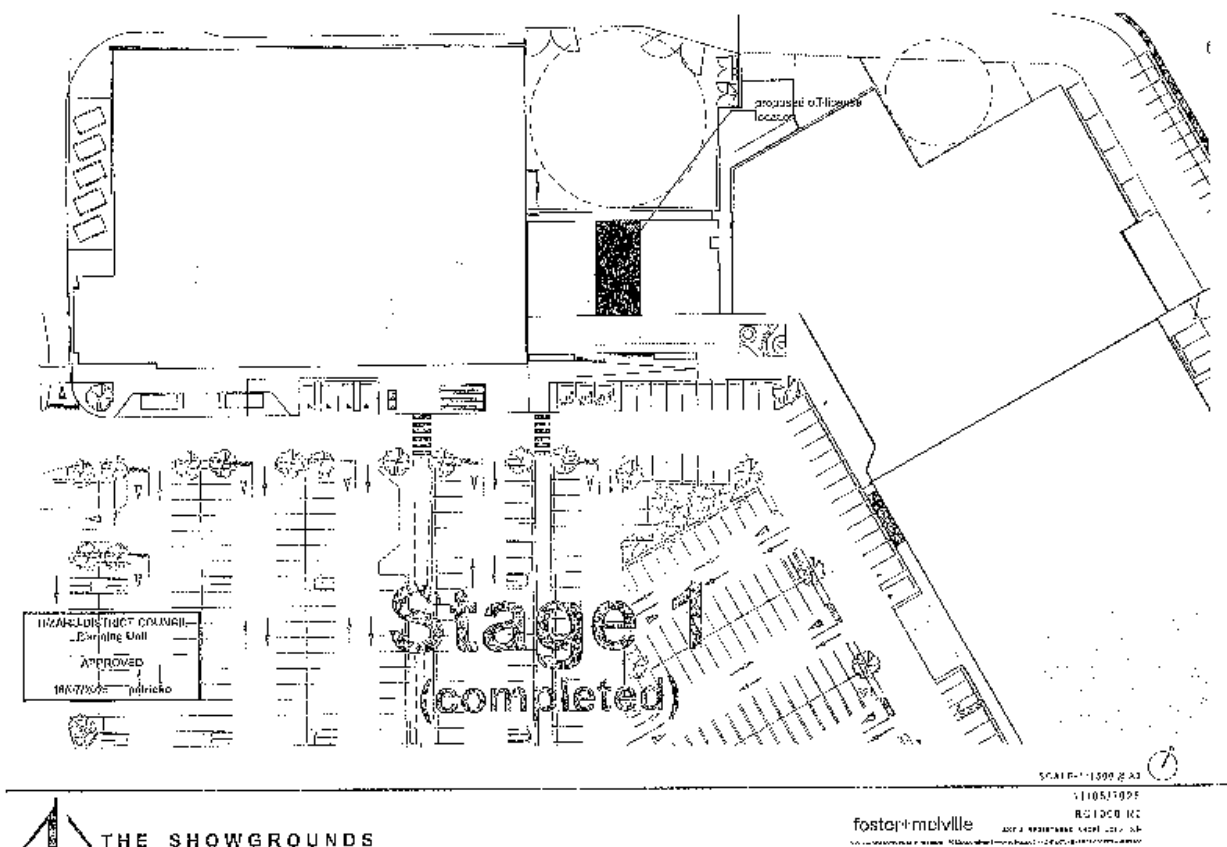
Acting under the delegated authority from Council, it was decided, pursuant to sections 95A-95D of the Resource Management Act 1991 that the application be processed on a non-notified basis.

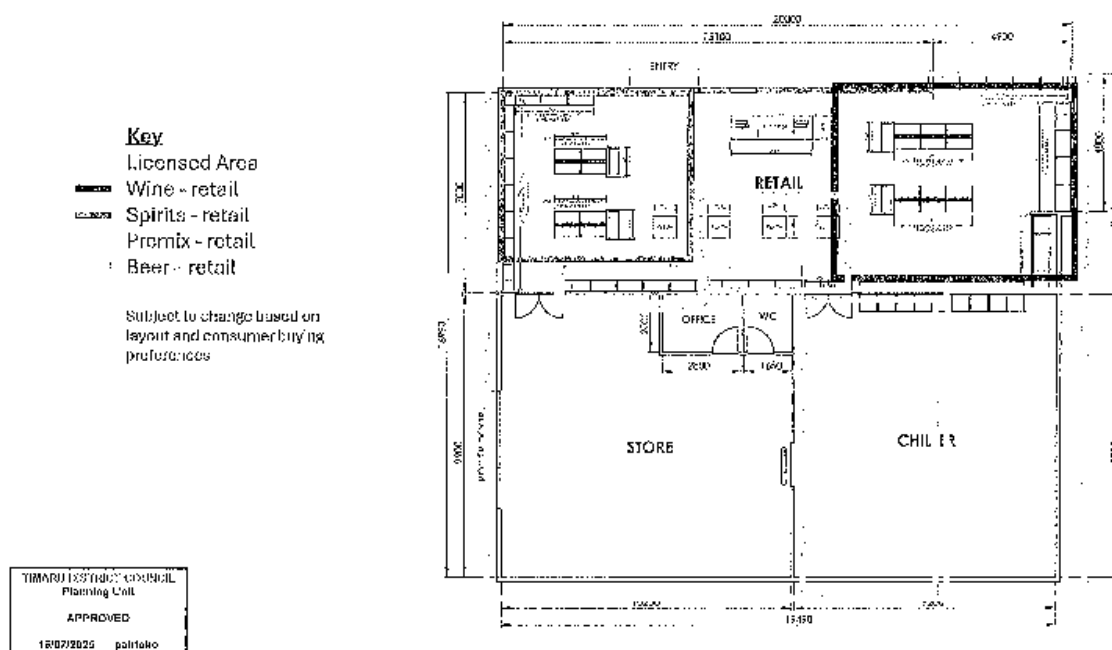


Hamish Barrell

**Planning Manager – Consents, Compliance & Strategy**

Date: 15 July 2025



**CONCEPT INTERNAL ARRANGEMENT PLAN (INDICATIVE ONLY)**

SHOWGROUNDS OFF-LICENCE – RC 102.2025.00.1



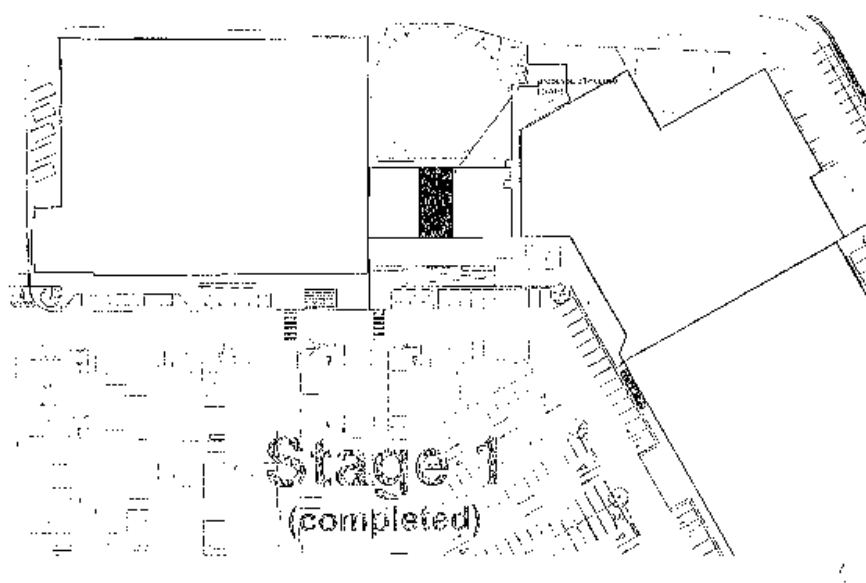
**OFFICER'S REPORT ON A CONSENT APPLICATION  
(Ss95A, 95B, 104, 104B and 108)  
OF THE RESOURCE MANAGEMENT ACT 1991**

<b>Consent No:</b>	102.2025.60.1
<b>Applicant:</b>	Timaru Showgrounds Limited
<b>Application:</b>	Application under section 88 of the Resource Management Act 1991 to establish a bulk storage shed
<b>Location:</b>	11/233 Evans Street, Smithfield, Timaru
<b>Legal Description:</b>	Lot 3 DP 589335 held in Record of Title 1.176462
<b>Features:</b>	<u>ODP:</u> Commercial 2A  <u>PDP:</u> Large Format Retail Zone Flood Assessment Area SASM -- Wahi Tupuna
<b>Activity Status:</b>	<b>DISCRETIONARY</b>
<b>Lodgement date</b>	16 May 2025

This report has been prepared under section 42A of the Resource Management Act 1991 to document the assessment of the subject resource consent application. This report also constitutes the reasons for the decision as required under section 113 of the RMA.

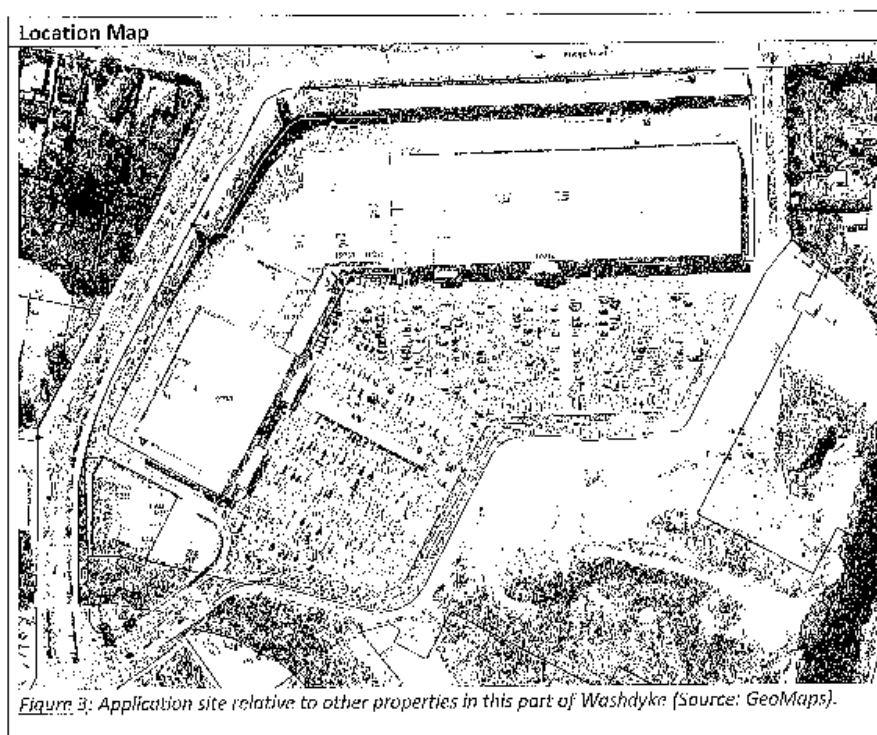
### Introduction and Description of Proposal

Timaru Showgrounds Limited ('the Applicant') seeks a land use consent to establish a 120 m<sup>2</sup> off-licence liquor store (bottle shop) as a new tenancy within the Timaru Showgrounds retail complex at 233 Evans Street. The Showgrounds bulk retail park is a recently developed large format retail centre (Stage 1 having been completed under RC 102.2020.91.1) featuring major anchor stores such as a Bunnings home improvement store and a Woolworths supermarket, along with other large-format and a few smaller retail tenancies. The proposed liquor store will occupy one of the final vacant units in this complex. No new buildings are proposed – with the tenancy space already constructed and consented. The application is solely to allow the use of this unit as a licensed retail outlet for alcohol, which is classified as a 'licensed premises' activity under the Operative District Plan and is not authorised by the existing consented environment.



*Figure 1: Location of the new bottle store relative to existing built form and surrounding businesses (Source:)*

Under the Operative District Plan (ODP), the site's Commercial 2A zoning permits only large-format retail activities (each  $\geq 500$  m<sup>2</sup> in gross floor area). Smaller retail shops are generally not permitted, and the ODP's definition of "Retailing or Shop" expressly excludes premises licensed under the Sale of Liquor Act. Consequently, an off-licence liquor store (at 120 m<sup>2</sup> gross floor area) is not a permitted activity and is escalated to a non-complying status activity. The partially operative Proposed District Plan zones the site as Large Format Retail Zone (LFRZ), where similarly any commercial activity not ancillary to large-format retail is non-complying (Proposed Rule LFRZ-R12).



#### Background

The consenting history is complex for this site and is briefly outlined below:

- 101.2020.121.1 – Boundary adjustment subdivision granted September 2020.
- 101/102.2020.91.1 – Combined subdivision and land use consent to subdivide site into eleven allotments with an esplanade reserve and road to vest and to construct and establish a bulk retail centre. Granted December 2020.

101/102.2020.91.1 is the consent that created the Showgrounds retail complex. To help with the interpretation of subsequent variations and other consents obtained, land use and subdivision consents have been separated further.

#### Land Use:

- 102.2021.95.1 – Land use consent for proposed gas bottle compound. Granted July 2021.
- 102.2021.146.1 – Land use consent to install two double-sided billboards granted in October 2022. Permitted through variation 102.2020.91.2 to allow for billboards also granted in October 2020.
- 102.2022.220.1 – Land use consent to authorise a gas bottle storage facility in August 2022.
- 102.2020.91.3 – Variation to conditions for general arrangement and signage granted in September 2022.
- 102.2020.91.4 – Variation to conditions for raised temporary intersection between Evans Street and Grants Road granted in December 2022.

- 102.2020.91.5 – Withdrawn application.
- 102.2020.91.6 – Variation to conditions regarding the signalised traffic crossing [processing ongoing]
- 102.2020.91.8 – Returned application.
- 102.2020.91.9 – Withdrawn application.
- 102.2020.91.10 – Variation to conditions for increasing the number of retail activities [processing ongoing].

#### Subdivision:

- 101.2020.91.2 – Variation to the subdivision consent to allow for development's staging granted in March 2024.
- 101.2020.91.3 – Variation to the subdivision consent granted June 2024 to allow for esplanade reserve changes, changes in allotments to be vested because of culvert works, and border changes on defined riverbeds. Granted in June 2024.
- 101.2020.91.4 – Returned application.
- 101.2020.91.5 – Variation to conditions regarding earthworks stockpile [processing ongoing].

Of the above consents, the only consent of relevance is the original 101/102.2020.91.1 approval.

Since this consent approval does not include licensed premises in its scope of consented activities, a new resource consent is required.

#### **Description of the Environment**

The subject site, 233 Evans Street, is the location of the former Timaru A&P Showgrounds, now developed as the Showgrounds retail complex (hereon referred to as 'Showgrounds'). It is situated on the western side of Evans Street (State Highway 1) approximately 3 km north of Timaru's Central Business District (CBD). The site is bounded by SH1 to the west, which provides the main frontage and vehicle access via the intersection at Grants Road (installed as part of the retail development). To the east, the site is proximate the Taitarakihi Creek and a rail corridor, beyond which is a mix of industrial and rural land (Smithfield area). To the north and south are other commercial or light industrial properties, reflecting the edge-of-town commercial zoning.

Showgrounds includes large-format retail buildings (e.g. Bunnings Warehouse and a Woolworths supermarket (> 1,000m<sup>2</sup>)) and a few smaller attached tenancies. The buildings are modern commercial structures with on-site car parking, landscaping, and internal vehicle circulation already in place under the prior consent. The unit proposed for the off-licence (120 m<sup>2</sup>) is one of the smaller internal tenancies adjacent to these anchor stores – it was originally planned as a food and beverage outlet (e.g. café of similar size) and is currently vacant. The car parking area serving the entire complex is extensive and was built to accommodate the full development occupancy. Adequate parking spaces, loading bays, and pedestrian pathways are available for customers of all tenancies, including the proposed liquor store.

#### **Planning Framework**

TDC has an Operative District Plan (ODP) and a Proposed District Plan (PDP).



**Operative Timaru District Plan 2005**

The subject site is zoned Commercial 2A in the ODP and the proposed activity requires resource consent for the following reason:

**ZONING**

- In accordance with Part D3, Section 3.5.7, Rule 5.3, all activities not explicitly outlined in the zone rules or in a General Rule are a **non-complying** activity. Licensed premises qualify under this Rule.

**Proposed Timaru District Plan 2022**

The PDP was notified on 22 September 2022 and there are no rules with legal effect (pursuant to s86B(3)) that are relevant to the application.

There are no other rules with legal effect that apply to the proposal.

**National Environmental Standards**

There is only one relevant National Environmental Standard:

- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS)

The NES-CS was given effect to on the 1<sup>st</sup> January 2012. The regulations provide a consistent set of planning controls and soil contaminant criteria. These are in place to ensure that land affected by contaminants are identified and assessed appropriately.

The site is recorded on the Listed Land Use Register for having HAIL activities A10 (pesticide bulk storage), A17 (storage tanks for fuel/chemicals/liquid waste), A18 (wood treatment or storage of treated timber), and G5 (waste disposal to land) all associated with the site's previous land use as Timaru's A&P showgrounds. The site has undergone extensive redevelopment since the last investigation in 2020 and with Stage 1 of the retail park's development now fully completed, any soils with the potential to harm human health have been 'capped' with a layer of hardstand to form the central car park or building footprints. Notwithstanding this, a new licensed premises can be considered a change of use from the bulk retail activity that would have been approved in this location, such that Regulation 5(6) is relevant:

- (6) An activity is changing the use of the piece of land, which means changing it to a use that, because the land is as described in enclosure (7), is reasonably likely to harm human health.

I do not consider the new use for the site will exacerbate the risk of harm to human health. No earthworks are proposed for the new land use and no new activity as set out in the HAIL will be undertaken as part of this activity.

As a result, no consents under the NES-CS are required.

**Activity Status Summary**

Overall, the application is being considered and processed as a **non-complying** activity under the Operative District Plan.

**Notification consideration under Sections 95A of the Resource Management Act**

**Section 95A – Public Notification**

Section 95A of the RMA requires a decision on whether or not to publicly notify an application. The following steps set out in this section, in the order given, are used to determine whether to publicly notify an application for a resource consent.

**Step 1 – Mandatory public notification**

The applicant has not requested public notification of the application (s95A(3)(a)).

Public Notification is not required as a result of a refusal by the applicant to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the RMA (s95A(3)(b)).

The application does not involve exchange to recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

Therefore, public notification is not required by Step 1.

**Step 2 – Public notification precluded**

Public notification is not precluded by any rule or national environmental standard (s95A(5)(a)).

The proposal is not:

- a controlled activity; or
- a boundary activity as defined by section 87AAB that is restricted discretionary, discretionary or non-complying.

Therefore, public notification is not precluded (s95A(5)(b)).

**Step 3 – If not precluded by Step 2, public notification is required in certain circumstances**

Public notification is not specifically required under a rule or national environmental standard (s95A(8)(a)).

A consent authority must publicly notify an application if notification is not precluded by Step 2 and the consent authority decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

Effects that must/may be disregarded (s95D(a)-(e)):

- Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).

Effects that may be disregarded:

- An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b)) – referred to as the “permitted baseline”. The relevance of a permitted baseline to this application is provided in Section 3.3.2 below.

**Permitted Baseline (s95D(b))**

The consent authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.

In this instance, the permitted baseline cannot be considered since the activity itself is for a licensed premise which is not covered under the definition of 'retailing or shop' in Part D7 (Definitions) of the ODP. I note that even if this was considerable under this definition, the site area is still significantly below the 500sqm minimum needed to qualify as a permitted activity. The permitted baseline is therefore not applicable to this consent application.

#### Section 95D – Are adverse effects likely to be more than minor?

*A consent authority that is deciding, for the purpose of section 95A(4)(b), whether an activity will have or is likely to have adverse effects on the environment that are more than minor—*

- (a) must disregard any effects on persons who own or occupy—*
  - (i) the land in, on, or over which the activity will occur; or*
  - (ii) any land adjacent to that land; and*
- (b) may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; and*
- (c) in the case of a restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts discretion; and*
- (d) must disregard trade competition and the effects of trade competition; and*
- (e) must disregard any effect on a person who has given written approval to the relevant application.*

#### Assessment of Adverse Effects on the Environment

As a non-complying activity, Council's discretion is unlimited in its assessment of adverse effects attributable to the proposed activity. I consider that the most significant effects are new vehicle trips generated by the development and effects on transport infrastructure, market economics effects on the CBD, and character and amenity effects for the Showgrounds retail complex.

#### Transport

The Agent provided with the consent application a Trip Generation Assessment ('TGA') by Mr Johnson Yang for Traffic Planning Consultants Ltd. Mr Yang is noted as a Senior Transportation Engineer for this organisation. Key findings from that report include:

- The commercial unit was originally consented and assessed as a 120 m<sup>2</sup> food & beverage (F&B) tenancy in the 2020 Traffic Impact Assessment also produced by Traffic Planning Consultants Ltd. The trip generation rate used for a small food/beverage outlet was the same as that for a small retail shop: approximately 7.5 vehicle trips per hour per 100 m<sup>2</sup> of gross floor area (GFA) during peak periods.
- Following this, the change in use from an assumed café to a liquor store does not increase the predicted traffic generation. The traffic expert calculated the peak hour trips would remain about 9 vehicle trips per hour at most (being 7.5 vehicle trips\*1.2 hm GFA (100m<sup>2</sup>)) which is within normal hourly fluctuations of site traffic.
- At para [2], Mr Yang writes "the proposed activity does not result in any net increase in traffic generation compared to the activity already consented under the original resource consent." In other words, the overall vehicle trips to/from the site at peak shopping times will be essentially unchanged by the change in tenancy.
- Even in absolute terms, 9 vehicles/hour (approximately one vehicle every 6–7 minutes on average) is a negligible traffic volume. This marginal difference falls well within the capacity and design envelope of the existing infrastructure.

Upon receiving the TGA, Council commissioned Mr Dave Smith of Abley to review the assessment<sup>1</sup>. Mr Smith notes that although there is some discrepancy in the modelled trip generation for a retail-shop activity with a 100m<sup>2</sup> GFA, the peak hour trip rate would be equivalent to 17.6 trips per 100m<sup>2</sup> GFA. Mr Smith caveats this number by acknowledging this represents standalone activities, with the likelihood that the trip generation will be lower since

<sup>1</sup> See 'Trip Generation Assessment Review – Timaru Showgrounds' – CM9 Doc Ref 17/2299.

the liquor store would be part of a larger shopping centre with customers visiting multiple premises as part of a single trip.

Ultimately Mr Smith concludes that “that the trip rates for a food and beverage activity and for a liquor store activity are likely to be very similar”, and that Abley “agree with the conclusion reached by TPC, that is the traffic effects arising from the change in tenancy will likely be negligible.”

I adopt this expert opinion and therefore consider the trip generation rates to be in keeping with those anticipated as part of the existing consented environment. As a result, I consider any effects generated by the bottle store on traffic entering/exiting the retail complex to be less than minor, with sufficient parking spaces provided for as part of the broader complex.

#### Market Economics

A key issue for a commercial development of this nature is whether establishing retail activity outside the CBD could undermine the vitality and function of the Timaru town centre.

Policy 3.4.2.6 seeks to protect the CBD from adverse economic effects of out-of-centre development as set out below:

- 3.4.2.6            The scale of development in the Commercial 2A Large Format Store (Retail Park) Zone shall not undermine or displace the wider social and economic function of the established Timaru Commercial 1A and 1B Zones.

Since this application involves a type of retail (liquor store) that is readily found in town centres, it was important to assess if its presence at the Showgrounds would significantly draw trade away from existing centres or otherwise disrupt the intended commercial hierarchy.

The Agent provided an expert Economic Assessment Letter by Mr Tom Harris of Market Economics Ltd. Mr Harris is a Senior Consultant for MEL with the main points being:

- **CBD Context:** Mr Harris writes that “Timaru’s CBD is a robust commercial node with a diverse offering of services, retail, hospitality and administrative functions” (p.2). It already hosts multiple liquor outlets (both standalone bottle stores and supermarkets selling alcohol), and liquor retail is geographically distributed in Timaru with suburban outlets as well. This leads him to conclude that the market is not solely concentrated in the CBD.
- **Catchment:** The proposed off-licence would primarily serve localised demand in North Timaru/Oceanview, capturing convenience-driven purchases (especially given its co-location with a supermarket), rather than becoming a destination that pulls customers away from planned trips to the CBD. Its small size and location in a car-oriented retail park mean it will cater to shoppers who are already in that vicinity or passing on the highway, rather than significantly diverting foot traffic from the town centre.
- **Convenience:** The site is directly next to a large Woolworths supermarket which sells beer and wine but does not sell spirits or RTDs due to licensing limits. Spirits comprised ~19% of NZ alcohol consumption in 2023 (at para [2.2]). The new liquor store would thus “complete the product range already partially offered by Woolworths, enabling a one-stop-shop experience for consumers”. This suggests a complementary role: patrons can carry out their grocery shopping and then conveniently purchase spirits/other liquor in the same trip. The economic assessment sees this as improving consumer convenience and “allocative efficiency” by filling a gap in the retail network.

- Scale and Precedent: At only 120 m<sup>2</sup>, this tenancy is a very small component of the retail park. It is essentially the “last lease” in Stage 1. Mr Harris notes that “the presence of one smaller-format tenancy—particularly as a last lease—does not set a precedent or erode the zone’s intended function.” It does not materially alter the overall composition or large-format character of the complex. The development remains predominantly large format retail; this single small store is viewed as an accessory convenience service to the anchors.
- Impact on CBD Trade: In theory, any new retail could cause some partial substitution of spending (some purchases that might have occurred at a CBD liquor store may occur here). However, given the CBD’s scale and multi-purpose draw, complete or significant substitution is unlikely. The letter states, “the only plausible outcome is partial substitution, as some consumers would direct less of their alcohol spend to the CBD. Timaru’s CBD is a multipurpose destination... It’s unlikely this small store will materially alter overall retail spending patterns in the CBD.” The CBD’s role is supported by a wide range of activities that a single suburban outlet cannot replicate or detract from in any meaningful way.

Ultimately Mr Harris concludes that the proposal will not undermine the town centre and that “the proposed liquor store is unlikely to undermine the vitality or economic function of Timaru’s CBD.” Instead, it “complements the existing offering at the Showgrounds, improves consumer convenience and reflects efficient use of the existing built form” (p.4). Furthermore, “the effects on trade patterns and retail competition are minimal and do not rise to a level of significance that would justify refusal on economic grounds.” In other words, any competitive impact on other retailers is minor, and no broader community economic harm is expected.

I accept these conclusions. Although trade competition cannot be considered as part of this assessment, meaning I cannot consider effects purely arising from competing business loss, I can however consider if flow-on effects of trade competition cause a loss of public amenity or town centre viability. In this case, the scale of the proposal is so small that any impact on other liquor stores’ turnover will be negligible; even if one assumed a small reduction in CBD liquor store sales, it would not threaten the viability of the CBD or cause blight (the CBD will continue to thrive with its diverse mix of businesses).

I discuss trade competition, cumulative and positive effects later in my s104 assessment. For the purpose of this notification report however I am satisfied effects will be less than minor for equivalent businesses in Timaru’s CBD.

#### Character and Amenity

##### Visual Amenity

The liquor store will be located within an existing building, so external visual changes will be minimal. There may be signage and branding applied to the storefront, but this is expected in a commercial context and is governed by District Plan standards. The ODP emphasises maintaining a good standard of visual amenity in commercial areas, particularly continuity of display windows and an interesting street frontage to enhance shoppers’ experience. It is important that the storefront remain visually active and not create a blank frontage. In this regard, a potential issue with liquor outlets is the tendency to obscure windows with advertising posters or frosted films (for security or branding). If unchecked, that could reduce visual interest and passive surveillance.

The building itself was architecturally designed as part of the retail park and has a modern, coherent style; a liquor store use does not change that. Any external signage (wall signs or pylon

panel) will need to comply with the Commercial zone signage rules (e.g. size, illumination limits) with the Agent agreeing to a condition of consent for compliant signage.

From public viewpoints (e.g. Evans Street), the change of use is effectively invisible – with the built form remaining the same, set well back from the highway, largely screened by the larger buildings and existing signage structures. Therefore, there is no adverse effect on the streetscape or landscape.

#### *Noise and Hours of Operation*

The use is a small retail operation that will not generate significant noise beyond normal retail activity. No amplified music or entertainment is proposed, and visits to the store are not likely to extend beyond 5-10 minutes for a purchase. Deliveries of stock might create brief noise events, but these are comparable to deliveries at the supermarket or other shops, and likely to occur during daytime business hours. I note that the ODP's noise standards for Commercial zones will continue to apply, and the nearest noise-sensitive receivers (residential) are far enough that compliance is easily achieved, especially given the ambient traffic noise on SH1. I anticipate no noise effects of concern. Operating hours have not been explicitly stated in the application, but Timaru's District Licensing Committee will typically authorise off-licences to operate from 9am to 9pm. These hours are appropriate in this commercial location with the retail park not immediately adjacent to homes that would be disturbed in the late evening.

In summary, the adverse effects of a bottle store on the character and amenity of the Showgrounds retail complex are considered less than minor. The proposal will maintain the quality of the environment in the retail area, consistent with District Plan objectives to "provide for the amenity and quality of the environment in retail areas" and "protect amenity enjoyed by the public while providing for development of retail areas."

#### Conclusion on Adverse Effects on the Environment

On the basis of the above assessment, it is assessed that the proposed activity will not or is not likely to have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

#### Step 4 – Public Notification in Special Circumstances

If public notification is not required under Steps 2 or 3 it must be determined whether special circumstances exist that warrant public notification of an application. There are no special circumstances in relation to this application.

#### **Notification consideration under Section 95B of the Resource Management Act**

##### **Section 95B – Limited Notification**

Section 95B(1) requires a decision on whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

##### **Step 1: Certain affected groups and affected persons must be notified**

##### *Determination under s95B(2)*

The proposal does not affect protected customary rights groups and does not affect a customary marine title group; therefore, limited notification is not required.

*Determination under s95B(3)*

Limited notification is not required under Step 1 as the proposal is not on or adjacent to, or may affect land subject to a statutory acknowledgement under Schedule 11, and the person to whom the statutory acknowledgement is made is not determined an affected person under section 95E (s95B(3)).

**Step 2: If not required by Step 1, limited notification precluded in certain circumstances**

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification (s95B(6)(a)).

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity land use (s95B(6)(b)).

**Step 3: If not precluded by Step 2, certain other affected persons must be notified**

If limited notification is not precluded by Step 2, a consent authority must determine, in accordance with section 95E, whether the following are affected persons:

*Boundary activity*

The proposal is not a boundary activity where the owner of an infringed boundary has not provided their approval.

*Any other activity*

The proposal is not a boundary activity and therefore the proposed activity falls into the 'any other activity' category (s95B(8)), and the adverse effects of the proposed activity are to be assessed in accordance with section 95E.

**Section 95E – Considerations in Assessing Adverse Effects on Persons**

- (1) For the purpose of giving limited notification of an application for a resource consent for an activity to a person under section 94B(4) and (9) (as applicable), a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).
- (2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section, —
  - (a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and
  - (b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and
  - (c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.
- (3) A person is not an affected person in relation to an application for a resource consent for an activity if—
  - (a) the person has given, and not withdrawn, approval for the proposed activity in a written notice received by the consent authority before the authority has decided whether there are any affected persons; or
  - (b) the consent authority is satisfied that it is unreasonable in the circumstances for the applicant to seek the person's written approval.
- (4) Subsection (3) prevails over subsection (1).

**Persons who have provided written approval (s95E(3))**

No persons have provided written approval for the application.

#### Assessment: Effects on Persons

Taking into account the exclusions in sections 95E(2) and (3), the following section outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor.

Figure 5 shows the ownership/legal descriptions of surrounding land parcels and registered owners.

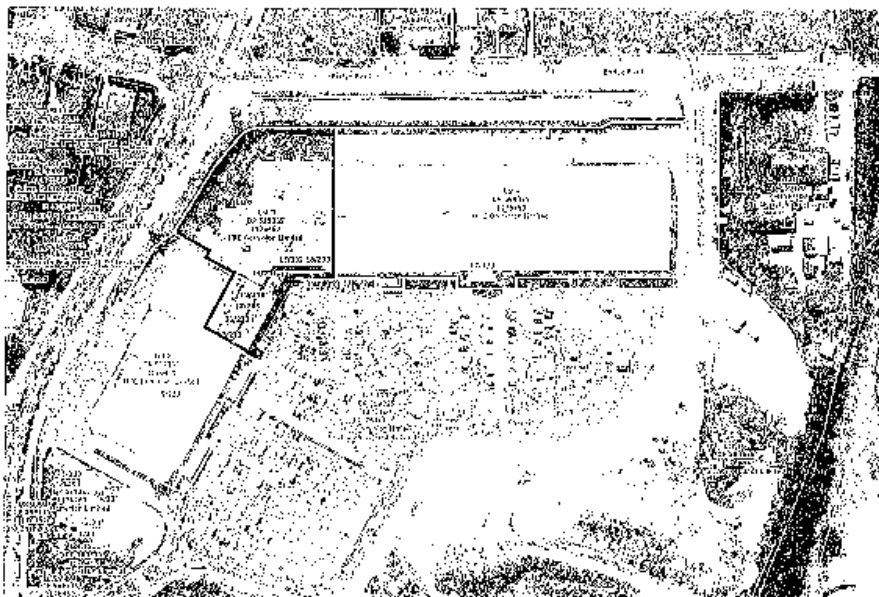


Figure 5: Application site (red) and surrounding land parcels (yellow) (Source: GRIP Maps).

Since the ownership of both the application site and all surrounding properties is the same – HKC Dominion Limited – I consider that consent to the bottle store tenancy is inherent as part of this application.

In terms of section 95E of the RMA, and on the basis of the above assessment, no persons are considered to be adversely affected. Therefore, limited notification is not required under Step 3.

#### Step 4 – Further Notification in Special Circumstances (s95B(10))

Special circumstances do not apply that require limited notification.

#### **Notification Recommendation**

Having followed the steps prescribed by sections 95A-95G of the Act it is recommended that the application be processed on a non-notified basis because:

- The proposed activity will have adverse effects on the environment that are no more than minor.
- There is no rule, or National Environmental Standard that requires public or limited notification of the application.



- The applicant did not request public notification of the application.
- There are no special circumstances that exist in relation to the application.
- The activity will not have adverse effects that are minor or more than minor on any person(s) or order holders(s)
- No further information was requested, or report commissioned in relation to the application to which the applicant refused to provide or did not provide within the given deadline.

#### Section 104 Requirements

This section of the report details the provision of the RMA that are relevant to the consideration and determination of the application. The remainder of this report has been set out to address these provisions.

#### Consideration of Applications

When considering a resource consent application and any submissions, section 104 of the RMA provides that the consent authority, must, subject to Part 2, have regard to the following:

- any actual and potential effects on the environment of allowing the activity;
- any relevant provisions of:
  - a national environmental standard;
  - other regulations;
  - a national policy statement;
  - a New Zealand coastal policy statement;
  - a regional policy statement or proposed regional policy statement;
  - a plan or proposed plan;
- any positive effects;
- any other matter it considers relevant and reasonably necessary to determine the application.

The proposed land use activity is not affected by a national environmental standard, other plans, or a national policy statement.

#### S104(2)

When forming an opinion for the purposes of actual and potential effects on the environment of allowing the activity, subsection 104(2) RMA states that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. As discussed with regards to the permitted baseline test under s95D(b), there is no national environmental standard or permitted activity with similar effect in the ODP (or rule with legal effect in the PDP) that provides for the land use.

#### S104(3)

Subsection 104(3) RMA states that a consent authority must not when considering an application have regard to trade competition or the effects of trade competition, or any effect on a person who has given written approval to the application.

Subsection 104(3) RMA also provides that a consent authority must not grant a resource consent:

- To do something that will, or is likely to, have a significant adverse effect on a recognised customary activity, unless written approval is given to conduct the activity from the holder of the customary rights order.
- If the application should have been notified and was not.

There is no customary activity being carried out within the vicinity of the development, or the application site itself. Trade competition has been disregarded for the development such that the only consideration has been to the general extent that a consent approval would affect Timaru's CBD, in line with policy direction set out in Part D3 of the ODP.

I consider more generally that no other neighbours have been identified as affected in the s95E assessment. Public notification was not considered since effects from the bottle store tenancy are determined less than minor, special circumstances do not apply to the proposal, and no new information has arisen through the processing of this application to determine that notification is warranted.

#### *S104(6)*

Subsection 104(6) RMA states that a consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.

I establish that sufficient information has been received from the Applicant for the purpose of determining whether the consent shall be granted or declined.

### **Determination of Application**

#### *Section 104B*

*After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—*  
*(a) may grant or refuse the application; and*  
*(b) if it grants the application, may impose conditions under section 108.*

### **Assessment for the purpose of making a decision on the application**

#### **Assessment Environmental Effects**

Earlier in this report an assessment of adverse effects on the environment was undertaken (for the purposes of making a notification decision), which concluded that the activity will have or is likely to have adverse effects that are no more than minor. That assessment was limited to actual or reasonably likely adverse effects (which will not be repeated here) and did not include potential effects (including cumulative effects and precedent effects). All such effects along with proposed conditions to mitigate effects is assessed below:

#### **Positive Effects**

This proposal offers a few notable positives including an efficient use of land and resources. By occupying a vacant retail unit in an already-developed centre, it contributes to the economic viability of the development. Further, local residents and shoppers benefit from the "one-stop-shop experience for consumers"<sup>2</sup> having a liquor store adjacent to a supermarket improving convenience for those in the northern Timaru catchment. Lastly the store will create a small number of jobs staffing an otherwise vacant outlet which will contribute to the local economy.

<sup>2</sup> See 'Economic Assessment of Proposed QFT Licence Premises at 233 Evans Street, Timaru' – Section 2.2.

These positive effects are not large in scale, but they bolster the case that the proposal contributes to the social and economic wellbeing of the community (consistent with RMA Part 2).

#### Social Effects

Adverse effects can include social effects, which encompasses impacts on community wellbeing, health and safety. In the context of a new liquor outlet, one might consider whether its presence could lead to increased alcohol-related harm in the community (e.g. crime, disorder, public health issues) or affect the social cohesion of the area. These are complex issues often addressed through the Sale and Supply of Alcohol Act regime (via local alcohol policies, outlet density controls, licensing objections on amenity grounds, etc.) rather than through district planning. Nonetheless, it is appropriate to briefly consider them here to ensure no relevant concerns are overlooked.

The proposed store is in a commercial zone, not within a residential community or near sensitive sites like schools. The immediate social environment is that of shoppers and passers-by in a retail area. Unlike in a residential suburb, establishing a liquor store here is less likely to change the social fabric. The town itself already has multiple off-licences, and adding one more in this location marginally increases overall availability, however there is no evidence that this single outlet will create any tangible increase in harm. The Market Economics report effectively notes that most products sold here are already available at the adjacent supermarket (beer/wine) or could be purchased at existing outlets – thus the store mainly redistributes where purchases happen, for convenience, rather than inducing greater consumption.

From an RMA perspective, I conclude similarly that the social environment will not be adversely affected in a manner that is more than minor.

#### Amenity

The presence of an active retail tenancy will enhance on-site amenity by filling an empty unit and in turn creating a more vibrant atmosphere and passive surveillance. The public amenity for shoppers in the complex is increased with the convenience of buying all types of beverages in one trip. There are no negative on-site amenity effects anticipated; the store's modest customer base will not overcrowd the parking or create long queues etc. It will simply function as a normal small shop within the centre.

#### Trade Competition

Section 104(3)(a)(i) of the Act directs a consent authority to disregard any trade competition effects; however, it does not preclude Council from assessing potential adverse effects on Timaru's CBD. The ODP directly anticipated up to 34,000 m<sup>2</sup> of retail development on this site (via staged rules and prior consents) and included specific objectives/policies to prevent CBD undermining. Those provisions implicitly recognise that some retail outside the CBD can occur if carefully managed. Here, the proposal adheres to that intent: it occupies existing floor space (within the 34,000 m<sup>2</sup> cap) and remains a minor element of the retail mix.

Enabling this store might have a slight positive economic effect by improving the viability of the Showgrounds centre (e.g., filling a vacant tenancy and potentially increasing overall foot traffic there) – all the while not materially harming the CBD. While I appreciate that the cumulative effects of many small non-complying activities could eventually undermine the town centre's hierarchy, this is the only such small retail tenancy proposed, and any future proposals for similar retail activities assessed on their own merits. I am satisfied that the cumulative effect from this approval remains minimal. It effectively completes Stage 1 as originally envisioned (with one small convenience outlet included).

In light of the above, I conclude that the proposal aligns with what the Showgrounds was planned the intention that the Retail Park "complements Timaru's retail offering"<sup>3</sup> without displacing the city centre's role.

#### Conditions (s104B/108)

A resource consent may be granted under s108 of the Act on any condition that the consent authority deems appropriate. Explanations of, and reasons for conditions is discussed below in reference to the relevant provisions of the District Plans:

- **General Accordance:** The development shall proceed in accordance with the stamped approved site plan to ensure that this assessment is accurate and relevant to the completed development.
- **Hours of Operation:** Specific conditions of consent have been incorporated to ensure the operating hours of the off-licence are consistent with the most permissive restrictions the District Licensing Committee may impose on the operation.
- **Signage:** These conditions will ensure that traffic safety and neighbourhood amenity are maintained. No flashing signs will be permitted to be installed under this consent and CPTED-based passive surveillance at the front of the premises will aim to reduce the potential for anti-social behaviour.
- **Review:** A review condition pursuant to s128 of the Act will allow the consenting authority to review any condition of the resource consent to deal with unforeseen adverse effects on the environment arising from the exercise of this consent. The purpose of such a review would include (but is not limited to) adjusting operating hours or signage controls or requiring additional measures to address any substantiated issues relating to noise, anti-social behaviour or any other effect that was not anticipated/insufficiently mitigated at the time of consent.

How do any relevant objectives, policies, rules or other provisions of the District Plan relate to the proposal?

Operative Timaru District Plan		
Clause	Objective / Policy	Assessment
<b>Part D3 – Commercial Zones</b>		
3.2.1.1 Objective	To provide for the amenity and quality of the environment in retail areas.	The liquor store will be fully contained within a modern building. Public amenity (visual and otherwise) will not be reduced – conditions ensure windows remain as display features and the building's character remain retail-friendly. There will be no offensive

<sup>3</sup> See explanation and principal reason for Policy 3.4.2.6 of Part D3 – Commercial Zones in the ODP.

		elements (e.g., noise, odour) introduced by this use.
3.2.2.1 Policy	To protect amenity enjoyed by the public while providing for development of retail areas.	The policy recognises development in retail areas is to be enabled so long as amenity is safeguarded. In this case the grant of consent would permit a new commercial activity, showing the plan's flexibility to accommodate such use provided effects are controlled.
3.2.2.2 Policy	To take account of public safety in public space and building design.	The proposal incorporates CPTED principles in the design (lighting, sightlines), and upholds public safety in line with Policy 3.2.2.2. The store's operation under a regulatory regime (Liquor Licensing) also adds to safety controls (e.g. no minors purchasing, responsible service).
3.4.1 Objective	Promote the sustainable use and development of physical resources in Commercial Zones.	The proposal meets this by using the built space for a productive economic use.
3.4.2.2 Policy	To provide for commercial activities and development and encourage the sustainable use of physical resources in Commercial Zones.	The proposal uses existing physical resources (building, parking, roading) efficiently and sustainably, aligning with this policy. It is a low-impact reuse of an already consented space. By providing for an additional business in a built-up area, it supports economic use of land and maximises the benefit from infrastructure – a sustainable development outcome.
3.4.2.5 Policy	To promote the efficient use of existing services and the efficient servicing of future commercial development.	The development will take advantage of existing servicing at the location and does not propose any further built form not already existing, consented and readily serviced.
3.4.2.6 Policy	The scale of development in the Commercial 2A Large Format Store (Retail Park) Zone shall not undermine or displace the wider social and economic	This policy is directly relevant to the proposal. The test is whether allowing this 120 m <sup>2</sup> liquor store will "undermine or displace" the social/economic function of the CBD. Based on the economic

	function of the established Timaru Commercial 1A and 1B Zones.	assessment provided and my assessment under both the s95A and 104 assessments, there is no evidence of significant adverse retail impact on the CBD. The wider social/economic function of the CBD (as the primary centre for shopping, employment, entertainment, civic life) remains robust and a small convenience outlet on the fringe of Timaru does undermine that role.
<b>Part B13 – Community Enablement and Physical Resources</b>		
13.1 Objective	To accommodate growth while protecting and enhancing the quality of the environment.	See response for Policy 3.2.2.1.
<b>Proposed Timaru District Plan</b>		
<b>Clause</b>	<b>Objective/Policy</b>	<b>Assessment</b>
<b>LFRZ – Large Format Retail Zone</b>		
LFRZ-01  The purpose of the Large Format Retail Zone	<p>The Large Format Retail Zone primarily provides for large format retail, trade suppliers and other ancillary activities that support these large-scale retail activities, which are developed in a way that:</p> <ol style="list-style-type: none"> <li>1. are of a size and scale that do not undermine the purpose, function and amenity values of the City Centre Zone; and</li> <li>2. is undertaken in a comprehensive manner and avoids significant adverse effects on infrastructure.</li> </ol>	The proposed bottle store can be considerable to an ancillary activity for the Woolworths supermarket adjacent since it supplements spirit sales that cannot be sold to the public at that site. For the various reasons set out in my assessment the proposal does not undermine the purpose, function and amenity values of the City Centre Zone.
LFRZ-02  Character and qualities of the Large Format Retail Zone	<p>The Large Format Retail Zone:</p> <ol style="list-style-type: none"> <li>1. accommodates large numbers of people, high traffic movements and requires large car-parking areas; and</li> <li>2. is well integrated with public transport, walking and cycling connections; and</li> <li>3. contains buildings that have large gross floor areas; and</li> <li>4. is developed in accordance with good urban design principles, while</li> </ol>	The new tenancy will be taking place within an existing smaller format store that requires no further construction or built form. I am satisfied the existing Stage 1 Showgrounds development has been built in accordance with the character and qualities of the LFRZ and this proposal does not undermine that amenity.

	recognising the functional needs of activities; and 5. enhances the amenity, biodiversity and cultural values within and adjacent to Taitarakahi Creek as well as its flood-carrying capacity.	
LFRZ-P6 Other activities	Only allow other activities to establish and operate within the Large Format Retail Zone where they:  1. are compatible with the purpose, character and qualities of the zone; and 2. are of a scale or nature that would not undermine the purpose, function and amenity values of the City Centre Zone; 3. ensure that the Timaru City Centre remains the focal point for commercial activities.	My earlier analysis already demonstrates that this particular small store will not undermine the City Centre's function or amenity. It is at a scale and of a nature that has essentially no impact on the City Centre remaining the primary focal point of commerce. Therefore, even under the Proposed Plan's stricter lens, the proposal would meet the policy tests.

#### Conclusion

Based on the above assessment, it is concluded that the proposal is consistent and not contrary to Objectives and Policies of the relevant Plans.

#### Non-complying activity threshold tests [Section 104D(1)]

#### Section 104D

- (1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—
- (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or
  - (b) the application is for an activity that will not be contrary to the objectives and policies of—
    - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
    - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
    - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.
- (2) To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.

Section 104D of the Act requires that a non-complying activity must satisfy at least one of two conditions:

1. Either the adverse effects of the activity on the environment (excluding trade competition effects) will be minor or less (the "effects gateway"), or

2. The application is not contrary to the objectives and policies of both the Operative and Proposed District Plans (the “policy gateway”).

Based on the evaluations carried out as part of this assessment:

- **Effects Gateway:** All adverse effects identified are minor, or in many aspects less than minor. This includes traffic, amenity, and social effects being minor at worst, and economic effects on the CBD being well below the threshold of concern (especially discounting pure trade competition). Therefore, the proposal meets the first limb.
- **Policy Gateway:** The proposal has been found consistent with the objectives and policies of the ODP, particularly not undermining the CBD. It is also not contrary to PDP policies for the Large Format Retail Zone. Therefore, the second limb is also met.

In light of the above I confirm that the application satisfies both tests as the adverse effects on the environment will be no more than minor and the application is not contrary to the objectives and policies of the Timaru District Plan.

**Is the application consistent with Part II of the Act, and are there any other matters which are relevant and reasonably necessary to determine the application? [Section 104]**

Part II sets out the purpose and principles of the Resource Management Act. The purpose of the Act is to promote the sustainable management of natural and physical resources. The various principals listed in Part 2 support this purpose.

The application as proposed is considered to be consistent with the purpose and principals set out in Part 2 of the RMA. Particularly:

**Section 7 (Other Matters):**

- *7(b) The efficient use and development of natural and physical resources:*  
The proposal is an efficient use of an existing physical resource (the building and infrastructure). It avoids wasteful underutilisation of serviced land.
- *7(c) The maintenance and enhancement of amenity values:*  
As assessed, amenity values of the area (visual quality, pleasantness, character) are maintained. Conditions of consent will ensure this is continued.
- *7(f) Maintenance and enhancement of the quality of the environment:*  
The quality of the environment (both physical and social environment) will not be reduced by this activity.

In summary, it is considered that grant of consent is consistent with Part 2 of the Act.

**Reasons for Decision**

With the above matters in mind and subject to conditions being imposed on the consent, it is considered the proposed development is acceptable in terms of the matters listed under section 104 and 104B. The specific reasons for granting consent are as follows:

1. The proposal does not create any significant adverse effects.
2. No parties are adversely affected by the new land use within an existing commercial unit for the complex.



3. The proposal passes the gateway test under s104D of the Act and is consistent with all applicable higher order documents.

<b>Recommendation</b>
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- A. That the applications be processed on a **non-notified** basis in accordance with Sections 95A – 95G of the Resource Management Act 1991.
- B. That for the above reasons the application for subdivision consent **be granted** pursuant to Sections 104, 104B, and 108 of the Resource Management Act 1991, subject to conditions.

The conditions are listed at the front of the decision.



**Reported and Recommended by:** Patrick O'Toole (*Intermediate Resource Consents Planner*)

**Date:** 14 July 2025

## APPENDIX D

**Current Off Licences within Timaru**

1.	9 Browne Street, Timaru	Woolworths - Browne Street	Supermarket
2.	99 Douglas Street, Timaru	Timaru Town & Country Club	Club
3.	Sheffield Street, Timaru	DB Draught Brewery	Brewery
4.	310-324 Stafford Street, Timaru	Ballantynes	Store
5.	35 Browne Street, Timaru	Warehouse Wholesale Liquor	Bottle Shop
6.	118 Le Cren Street, Timaru	Thirsty Liquor	Bottle Shop
7.	55 Morgans Road, Glenwood, Timaru	Morgans Road Food Market	Grocery Store
8.	22 Dee Street, Timaru	Timaru Liquorland	Bottle Shop
9.	31 North Street, Timaru	Super Liquor Timaru	Bottle Shop
10.	1-53 Ranui Avenue, Timaru	Pak'n Save Timaru	Supermarket
11.	The Showgrounds, Evans Street, Timaru	Woolworths Timaru North	Supermarket
12.	4/9 Elizabeth Street, Timaru	The Bottle-O Seaview	Bottle Shop
13.	144 Hilton Highway, Washdyke, Timaru	The Bottle-O Washdyke	Bottle Shop
14.	99-111 Evans Street, Timaru	Merchant's Liquor Evans Street	Bottle Shop
15.	29 Stafford Street, Timaru	The Bottle-O Stafford Street	Bottle Shop
16.	145 Wai-iti Road, Timaru	New World Timaru	Supermarket
17.	143 King Street, Timaru	Thirsty Liquor Redruth	Bottle Shop
18.	1-9 Strathallan Street, Timaru	Ship Hop Brewing	Brewery
19.	145E Wai-iti Road, Timaru	Liquorland Highfield	Bottle Shop

## **BRIEF OF EVIDENCE**

1. My full name is Samantha Lee Stewart.
2. I am a Constable in the New Zealand Police stationed in Timaru.
3. I currently hold the rank of Sergeant and the position Alcohol Harm Prevention Officer.
4. On the 18<sup>th</sup> December 2024 I received an application by KSK PVT Limited for a new off licence to be situated at Tenancy 3, 233 Evans Street, Smithfield, Timaru.
5. I conducted an investigation into this premises, which included the use of the NZ Police National Intelligence Geospatial Mapping Platform.
6. The data within this platform provides a visual and actual representation of harm by using the input mechanism of alcohol as a contributing factor.
7. I have prepared a series of documents attached in a bundle, that have been prepared using data exported from the National Alcohol Harm Viewer, commonly known as the NAHV.
8. In 2022 the NAHV was developed and launched by the Police National Headquarters (PNHQ) Alcohol Harm Prevention Manager and the geospatial team of the National Intelligence Centre. It includes extracts from Police's National Intelligence Application (NIA).
9. NIA is the primary way of recording offences and events. Events are recorded as occurrences and each occurrence has a series of records linked to it e.g., the people, locations, vehicles and offences, infringements or incidents relevant to the occurrence. One occurrence may have multiple offences, infringements or incidents linked to it. During August of 2019 the alcohol contributing factor (ACF) flag was added to NIA to identify when alcohol was a factor in an occurrence. When Police staff report offences or incidents for recording in NIA they decide if

## **BRIEF OF EVIDENCE**

alcohol was a contributing factor. This decision is being made by staff who directly responded to the event or by staff with information reported to them by those who responded.

10. ACF was introduced to enable Police to have a more accurate understanding of how much demand is driven by alcohol, so more informed choices could be made regarding deployment, investigation and prevention.
11. The NAHV contains an extract of ACF data from NIA. The data extract also includes a selection of codes that are specific alcohol codes e.g., ones related to drink driving and alcohol ban breaches, to ensure that if any error has occurred with ACF entry those codes are included.
12. The data from the NAHV is indicative only for three main reasons.
13. One, it is an operational, not reporting, tool. The information in the NAHV does not go through the same processes that reporting data does and therefore should not be compared to data reported elsewhere.
14. Two, the information is mapped according to the location it has been linked to. If it has not been linked to a specific location, e.g. Main St instead of 123 Main St, it will map to a default location.
15. Three, the data used by the mapping tool is dynamic. It updates daily and is subject to change following file updates and reviews. The more recent the data is, the more likely it is to change over time. Usually, this change is an increase.
16. All data that I refer to in my evidence, unless otherwise specified, is for 3 and a half years, from January 2022 to June 2025, and is related to within 1000 metres of the proposed premises address
17. Page 2 of the bundle is satellite image of the area, with an overlay of legends.

## **BRIEF OF EVIDENCE**

18. Page 3 of the bundle shows the NZ Deprivation Index 2023 scores and Alcohol ban areas, although there is no Alcohol ban currently in place.
19. This shows the premises to be situated in an area which is approximately 170m from medium to high deprivation, with an index score of 7-8 and 9-10. This representation supports the argument around alcohol exposure to the vulnerable residential population close to the applicant's premises. I specifically note the blocks of red area are within walking distance to the applicant's premises. This is an area in which I have personally had to respond to incidents of alcohol fuelled disorder, assaults and family harm on a regular basis.
20. Page 4 of the bundle is a breakdown of the legends used.
21. Page 5 identifies the sensitive sites and tables the volume of these.
22. There are two Early Childhood Educators in the area. He Manu Hou Trust and BestStart Marchiel are within 1000 metres of the proposed Off-licence.
23. Te Aitarakihī Marae is also located within 1000 metres.
24. Page 6 contains a heat map reflecting the volume of alcohol harm for the last 5 years.
25. Page 7 contains an overlay of the Deprivation Index 2023 and NIA occurrences by code, using the legends. This has been recorded from the previous 5 years.
26. Page 8 shows a table of the individual alcohol harms tabled by year and division.
27. Page 9 shows a graph of alcohol harm.
28. Page 10 describes individual codes relating to non-crime alcohol related harm.
29. Page 11 shows a table and chart of alcohol harm by day of the week.
30. Pages 12 shows a table and chart of alcohol harm by start time.

## **BRIEF OF EVIDENCE**

31. Page 13 shows a table and chart of alcohol harm by the type of location the harm occurred in.

32. Page 14 shows a chart of alcohol harm over time.

33. Page 15 shows a table and chart of alcohol-related family harm data.

34. Page 16 shows a table and chart of drink-driving related offences.

35. Page 17 shows a table and chart of alcohol harm that occurred in a public place.

36. On 9<sup>th</sup> February 2026, I used Canterbury Map Viewer to measure the distances to current off-licences within the area. The feature measures a direct line from point A to point B.

- Merchants Liquor, 111 Evans Street – 1,006m
- Pak N Save, 98 Evans Street – 1,150m
- Bottle – O – Washdyke, 144 Hilton Highway – 1,500m
- Woolworths Supermarket, 233 Evans Street – 15m

37. Using the same application I also measured the distances to sensitive site within the area.

- Grantlea Downs School, 65 Grants Road – 492m
- BestStart Marchwiell, 48 Andrew Street – 892m
- He Manu Hou Trust, 50 Bridge Street – 360m
- Te Aitaraiki Marae, 50 Bridge Street – 360m

38. On the 10<sup>th</sup> February 2026 I met with Management at Te Aitaraiki Marae, they confirmed that the applicant had not contacted them to discuss the proposed off licence.

39. Te Aitaraiki Marae has a strict no alcohol and drugs policy on the grounds, which include He Manu Hou Trust, an Early Childhood Education Centre.

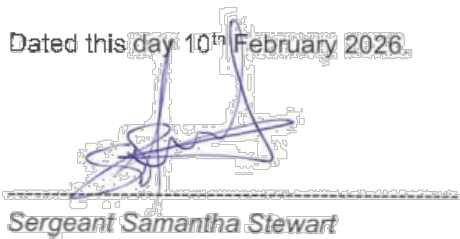
### **BRIEF OF EVIDENCE**

40. They offer mentoring programs to the younger generation and have previously facilitated drug and alcohol programs.

41. Te Aitaraiki allow their facilities and grounds to be used by members of the community for events or other programs, with conditions that their no alcohol and drug policy is adhered to. □

□  
I confirm the truth and accuracy of this statement. I make the statement with the knowledge that it is to be used in court proceedings. I am aware that it is an offence to make a statement that is known by me to be false or intended by me to mislead.

Dated this day 10<sup>th</sup> February 2026.



Sergeant Samantha Stewart



**BEFORE THE DISTRICT LICENSING COMMITTEE**

Between: **KSK PVT Limited**

Applicant

And: **NEW ZEALAND POLICE**

Respondent

**An application by KSK PVT Limited for an off-licence pursuant to the Act in  
respect of the premises situated at Tenancy 3, 233 Evans Street, Smithfield,  
Timaru**

**SUBMISSIONS OF POLICE**

Filed by:

Sergeant Samantha Stewart  
Timaru Police  
20 North Street  
Timaru  
Samantha.Stewart@police.govt.nz

May it please the Committee:

#### Introduction

1. The application in front of the committee is for a new off-licence by KSK PVT Limited. This premises is situated at Tenancy 3, 233 Evans Street, Smithfield, Timaru.
2. Police request a non-publication order be issued under section 203(5) of the Act for the data booklet due to the risk of individuals being identifiable if specific locations were identified. Particularly with the individual dot maps due to the small community and data gathered.

#### Applicable law

##### s.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*

### **s.3 Purpose**

- (1) The purpose of Parts 1 to 3 and the schedules of this Act is, for the benefit of the community as a whole, —*
- (a) to put in place a new system of control over the sale and supply of alcohol, with the characteristics stated in subsection (2); and*
- (b) to reform more generally the law relating to the sale, supply, and consumption of alcohol so that its effect and administration help to achieve the object of this Act.*
- (2) The characteristics of the new system are that—*
- (a) it is reasonable; and*
- (b) its administration helps to achieve the object of this Act.*

### **s.4 Object**

- (1) The object of this Act is that —*
- a. The sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and*
- b. The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*
- (2) For the purposes of subsection (1), the harm caused by the excessive or inappropriate consumption of alcohol includes*
- a. Any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and*
- b. Any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any*

*crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).*

### The application

3. Police are opposed to the issue of this licence under The Sale and Supply of Alcohol Act 2012 (the Act) Section 105:

- (a) Object of the Act
- (b) Suitability of the applicant
- (d) The days on which and the hours during which the applicant proposes to sell alcohol
- (h) Amenity and good order
- (j) Appropriate systems, staff and training

4. Police note that all three agencies are in opposition to this application.

5. The Authority in *Aashi Ventures Ltd v Police* [2023] NZARLA 187 stated:

*[57] The Authority considers that opposition from the tri-agencies who represent the community is not to be lightly disregarded. That is a well-established position as reflected in the comments of the Authority in Re Tonto Investments Ltd<sup>25</sup>:*

*"Where Licensing Inspectors, the local Police, the Medical Officer of Health and the District Licensing Agency have presented an agreed view towards a particular application, we have been slow to reject it."*

6. There is no staff roster. Currently there are only two people being named as working in the premises and both live outside of Timaru. The premises has requested hours of 8:00am to 9:00pm, meaning the premises will be open for 11 hours. This identifies an issue around staff breaks being facilitated.

In *Two Brothers Wholesale Ltd* [2021] NZARLA 32 the Authority stated:

*[122] Mr Singh acknowledged that staff in Thirsty Liquor Tokoroa sometimes work 12 hour shifts, although sometimes this is also less namely between five and 10 hours. In response to a question from Mrs Zeier, Mr Singh said that sometimes the premises close for 20 – 30 minutes but this is not every day and that sometimes staff go without a break, although he says that he's had a chat with them and they're happy to work through as the store is quiet between 10.00 am and 5.00 pm. Whether or not staff are happy ignores the fact that there is a positive obligation on Two Brothers to provide breaks for its staff.*

7. The applicant confirmed the sale of other goods or services, being Cigarettes and vaping products. There is no indication on the floor plan of where they will be located.

#### Object of the Act

8. Police submit that the object of the Act cannot be met with this application due to the suitability of the applicant and the operation of their premises. Police submit that for the object of the Act to be achieved the committee must have confidence in the application. There are concerns with this application, particularly in relation to the proposed hours and community engagement.
9. This is an opposition supported by all the agencies and holds significant weight.

10. The Authority commented in *Two Brothers Wholesale Ltd* [2021] NZARLA 32 at [99]

*"As we said in Patels Superette 2000 Limited v Muir, [1] while there is no onus of proof on an applicant, it is for an applicant to put its best foot forward if it expects a DLC to favour the application over significant opposition which is itself supported by evidence."*

#### Suitability of the applicant

11. On the face of it, the applicant is a suitable person to hold a licence. He holds a managers certificate for which he would have to demonstrate his knowledge and experience in management of a licensed premises. He has no criminal convictions or negative interactions with the reporting agencies. However, Police call into question the following:

12. The applicant identifies sights of significance in his application, although he has not engaged with Te Aitaraiki Marae, which is the closest sensitive sight (360m).

13. In discussing the meaning of "suitability", Holland J said in *Re Sheard* [1996] 1 NZLR 751, [1996] NZAR 61 (HC) at 755:

*"Suitability is a word commonly used in the English language and is well understood. In an earlier decision the Authority has adopted the definition in The Concise Oxford dictionary as 'well fitted for the purpose, appropriate'. I do not find it helpful to refer to other decisions on different facts as to the meaning of that word. Where a statute uses an unambiguous and well understood word or expression and chooses not to enlarge on the ordinary definition of the word or expression by a special interpretation in the statute it is usually unwise for*



*a Court to add to the ordinary meaning of the word as a general guide for all cases, as distinct from applying the word to the particular facts before it. "*

14. The Authority stated, in *Re Jays* LLA 994/94, 15 July 1994, that:

*"Differing aspects of suitability will be given different weight by decisionmakers under the Act. Among them are experience in the hospitality industry, management ability, and personal integrity."*

15. Police submit that suitability is wide ranging. This is covered well in *Two Brothers Wholesale Ltd* (2021) NZARLA 32:

*"[103] .... it is not correct that suitability must only be considered in the context of the operation of licensed premises as regards the safe and responsible sale and supply and consumption of alcohol. As is clear from Nishchay's an assessment of suitability is much wider and includes considerations of the character and reputation of the applicant and its honesty as well as considerations of the operation of premises. Whether or not the grant of the licence will result in the reduction or an increase in liquor abuse is a relevant issue as are considerations about how a licensee will deal with liquor abuse issues that may arise from the establishment of the business, but suitability is not restricted to these matters."*

**The days on which and the hours during which the applicant proposes to sell alcohol**

16. The applicant is currently requesting the following trading hours:

 Monday to Sunday 8:00am to 9:00pm

17. Police will submit it is inappropriate for this premises to be open for this amount of time. In short, Police are opposed to the opening time for the premises and recommend the opening hours are amended to 10:00am should the application be granted.

#### **Amenity and good order**

18. The Police records of alcohol related incidents in the area indicate that the 1000m radius surrounding the premises is frequently attended by Police. Frequent incidents of violence, family harm, traffic offending, and disorder are attended by Police within this area.



19. Sergeant Stewart will present evidence from the NZ Police Geospatial mapping application, the National Alcohol Harm Viewer (NAHV), showing the location of the premises which is with proximity to a vulnerable community an area of medium to high deprivation (orange to red) and incidents where alcohol is a contributing factor.

20. In *Christchurch Medical Officer of Health v J & G Vaudrey Ltd* [2015] NZHC 2749, [2016] 2 NZLR 382, Gendall J commented:

*"there will be cases where the matter(s) to which the decision maker is required to have regard are so fundamental or critical that they assume an elevated mantle."*

21. Police will submit there is no requirement for a 'causative link' between the premises and harm occurring in the area as Clark J commented in the *Lion Liquor Retail Limited* High Court decision NZHC 1123 [2018]

*[68] In the face of such evidence the Act does not countenance the continuation of high levels of alcohol-related harm. The Act requires minimisation of the alcohol-related harm. The task of the DLC was to respond to the risk and it did so. It is not necessary to establish, as the Authority required, that the proposed operation "would be likely to lead to" alcohol-related harm. To require demonstration of a link to this degree of specificity is not much different from requiring proof. Requiring proof of "a causative link is not only unrealistic but is contrary to the correct legal position".*

22. It is Police expectation that the operation of this premises would be above reproach, considering the area which it is operating. In *Christchurch Medical Officer of Health v J & G Vaudrey Ltd* [2015] NZHC 2749, [2016] 2 NZLR 382, Gendall J commented:

*"there will be cases where the matter(s) to which the decision maker is required to have regard are so fundamental or critical that they assume an elevated mantle."*

23. Police submit the amenity and good order of the area around the applicants premises is already affected and requires the applicant to meet the threshold of extended suitability.

24. To support this, commentary within *Shady Lady* [2018] NZARLA 198 and subsequently in *Riccarton Liquor Ltd v Ferguson* [2019] NZARLA 93:

*"Where a community or locality is vulnerable (high deprivation, high alcohol-related harm), establishing suitability is harder, i.e. the threshold is higher. It involves an applicant: (1) demonstrating an understanding of the vulnerabilities; (2) engaging with the agencies and community on how to address the vulnerability having regard to s 4; and (3) convincing the decision-maker of this."*

25. Furthermore, Police seek to draw the attention of the committee to High Court decision [2018] NZHC 1123 *Lion Liquor Retail Limited*:

*[65] The primary conclusion to be drawn from the evidence is that there can be no realistic doubt the premises contributes to some of the alcohol-related harm in the locality. Given the proximity of the premises to the entertainment precinct and the reasonable distance of other off-licences to those same consumers it can reasonably be accepted that alcohol will be purchased from the premises for pre-and side-loading.*

*[68] In the face of such evidence the Act does not countenance the continuation of high levels of alcohol-related harm. The Act requires minimisation of the alcohol-related harm. The task of the DLC was to respond to the risk and it did so. It is not necessary to establish, as the Authority required, that the proposed operation "would be likely to lead to" alcohol-related harm. To require demonstration of a link to this degree of specificity is not much different from requiring proof. Requiring proof of "a causative link is not only unrealistic but is contrary to the correct legal position".*

*[70] It was sufficient to engage the requirement to minimise alcohol-related harm that the evidence implicates the premises. The Authority erred in requiring evidence of demonstrable historical harm. Rather, it was required to assess risk which, by definition, is future risk. In that regard, there was extensive evidence of the alcohol-related harm associated with this locality on Friday and Saturday nights. In fact, the DLC in its decision described the evidence as compelling. Having read the evidence I agree with that assessment.*

## Conclusion

26. Possession of a licence under the Act is a privilege, and not a right. See *Ferguson v. McCullough* PH 915/2007 at [29].





*"With that privilege come certain obligations under the Act to operate a premises in an appropriate manner and demonstrate suitability as a licensee and manager."*

27. Since 1996 the recognised test to determine suitability is that stated in Sheard [1996] 1 NZLR 751 at 758. At line [14] Holland J stated:

*"The real test is whether the character of the applicant has been shown to be such that he is not likely to carry out properly the responsibilities that go with the holding of a licence."*

28. The Law Commission report "Alcohol in our lives" had a strong focus on alcohol in communities. They said:

*It is the strong view of the Law Commission that New Zealand's liquor laws must provide for two things. First, communities must be able to voice their views about outlet density and have those views taken into account when licensing decisions are made. Second, the licensing decision-maker must be able to decline a liquor licence on the basis, amongst other grounds, of the risks posed to a community by outlet density in terms of increased local levels of alcohol consumption, alcohol-related crime or anti-social behaviours, or community degradation*

29. Police submit the community have spoken through objecting to this licence application and appearing at this hearing to voice their views. They have spoken to the effects on the amenity and good order of their area, should this licence be issued. It is their voice, above all, that should be listened to.

#### Evaluative process

30. The principals of evaluating a licence application regarding the section 105 criteria were summarised in Medical Officer of Health (Wellington Region) v Lion Liquor Retail Limited, by Clark J:

*"(a) there is no presumption that an application for a licence will be granted,*

*(b) a DLC, and the Authority, after having regard to the criteria in the Act, is then to step back and consider whether there is any evidence indicating that granting the application will be contrary to statutory object in s 4. Or as Heath J articulated a "test":*

*Although the "Object" of the 2012 Act is stated as one of 11 criteria to be considered on an application for an off-licence, it is difficult to see how the*

*remaining factors can be weighed, other than against the "object" of the legislation. It seems to me that the test may be articulated as follows: is the Authority satisfied, having considered all relevant factors set out in s 105(1)(b)-(k) of the 2012 Act, that grant of an off-licence is consistent with the object of that Act?*

*(d) the application of rules involving onus of proof may be inappropriate, and similarly, there is no onus on the reporting agencies to prove the application should not be granted;*

*(e) the criteria for the issue of licences, and for renewal, are not to be interpreted in any narrow or exhaustive sense. The Authority may take into account anything which, from the terms of the statute as a whole, appears to be regarded by the legislature as relevant to licence conditions and the terms on which they should be granted. "That must include the statutory object referred to in s 4." The matters raised by s 4 are to be approached on a nationally consistent basis;"*

31. When the Committee stands back and evaluates the 105 criteria against the object of the Act it will draw a natural conclusion that the application must fail.

This is the submission of Police.

Dated at Timaru this 10<sup>th</sup> day February 2026



Sergeant Stewart

Alcohol Harm Reduction Officer

NZ Police

**BEFORE THE TIMARU DISTRICT LICENSING COMMITTEE**

**UNDER** The Sale and Supply of Alcohol Act  
2012 (known throughout this brief as "the Act")

**IN THE MATTER** of this application by KSK  
PVT Limited, pursuant to section S 99 of the  
Act for the issue of Off-Licence in respect of  
the premises situated at Tenancy 3, 233 Evan  
Street, Smithfield Timaru 791, known as  
"Super Liquor Showgrounds"

**AND MEDICAL OFFICER OF HEALTH**  
In opposition

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Brief of Evidence  
Dr Cheryl Brunton  
Medical Officer of Health  
Date: 13/02/2026

**Brief of Evidence**

**Cheryl Ruth Brunton** to prove:

1. My full name is Cheryl Ruth Brunton. I am Medical Officer of Health for South Canterbury, designated by the Director-General of Health pursuant to section 7A of the Health Act 1956. I have held this position since 2003.
2. I am a medical practitioner with specialist vocational registration in public health and I have practised as a public health physician for more than 25 years. I first qualified as a medical practitioner in 1981. I am currently a Fellow in good standing of the NZ College of Public Health Medicine. In addition to my work as a Medical Officer with the National Public Health Service (NPHS) of Health New Zealand – Te Whatu Ora, I was also a senior lecturer in public health at the University of Otago, Christchurch from 1991-2022.
3. Mr Cameron Duff, Compliance Officer, made inquiries into this application and prepared a report for the Committee on my behalf.
4. The application for a new off licence by KSK PVT Limited was opposed by the Medical Officer of Health in a report dated 24 January 2025.

5. My evidence is contained in the report prepared on my behalf which has already been submitted to the Committee.
6. I am happy to answer any questions the Committee may have about the content of that report.

**BEFORE THE TIMARU DISTRICT LICENSING COMMITTEE**

**UNDER** The Sale and Supply of Alcohol Act 2012  
(known throughout this brief as “the Act”)

**IN THE MATTER** of this application by KSK PVT  
Limited, pursuant to section S 99 of the Act for the  
issue of Off-Licence in respect of the premises  
situated at Tenancy 3, 233 Evan Street, Smithfield  
Timaru 7910, known as “Super Liquor  
Showgrounds”

**AND MEDICAL OFFICER OF HEALTH**  
In opposition

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Submission  
Dr Cheryl Brunton  
Delegate for  
Medical Officer of Health

Date: 13/02/2026

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## **MAY IT PLEASE THE COMMITTEE**

### **Introduction**

1. Today the Committee will hear evidence in respect of a proposed new off licence KSK PVT Limited, at Tenancy 3, 233 Evan Street, Smithfield Timaru 7910.
2. My delegate Cameron Duff has provided evidence on my behalf supporting the grounds for opposition as stated in his report dated 4 March 2024.
3. Since filing reports of my behalf, Mr Duff has left employment with the National Public Health Service in this region. As he is now employed in another position, he cannot attend this hearing, so I am present today to represent myself.
4. I wish now to bring to the attention of the Committee, studies/reports that support my view that increased availability of alcohol to a population will increase hazardous levels of consumption and harm experienced by that population.

### **The Medical Officer of Health Evidence**

5. A 2011 report from the Prime Minister's Chief Science Advisor entitled "Improving the Transition – Reducing Social and Psychological Morbidity During Adolescence", deals with the likely results from an increase in alcohol exposure and availability that would occur if the licence was to be granted.

#### *6.2 Regulating the availability of alcohol*

*There is also strong evidence that regulating the availability of alcohol also has benefits in reducing alcohol consumption and harm. The evidence suggests that by restricting the hours of sale, the times of the day when alcohol is sold and the location of alcohol sale premises and similar factors it is possible to reduce levels of consumption and rates of alcohol related problems [96-99].*

6. This is of particular relevance to this application, given the proximity of the local school, amongst other sensitive sites.
7. Similarly, a 2018 study by Chambers, T., et al. "Children's home and school neighbourhood exposure to alcohol marketing: Using wearable camera and GPS data to directly examine the link between retailer availability and visual exposure to marketing", this study identified that off-licence alcohol availability increases children's exposure to alcohol marketing and influences consumption behaviours of children:

*This study found neighbourhood alcohol retail availability, specifically off-licences, were positively associated with children's exposure to alcohol marketing. This finding suggests alcohol availability increases exposure to on-site alcohol marketing and thus increases demand for and consumption of alcohol. This association may help explain why children's alcohol-related outcomes are influenced by alcohol availability despite them rarely acquiring alcohol from alcohol retailers.*

8. Additionally, the same study also observed that  
*Off-licence proximity was associated with increased exposure to*



*alcohol marketing in the residential neighbourhood, while off-licence density was associated with increased exposure to alcohol marketing in the school neighbourhood. In the residential neighbourhood, for every 100m increase in the distance to the nearest off-licence retailer, there was a 13% decrease in the rate of exposure to alcohol marketing. In the school neighbourhood, each additional off-licence alcohol retailer within 500m of the school was associated with 19 times higher rates of exposure to alcohol marketing.*

9. The New Zealand Law Commission's report, "Alcohol in Our Lives: Curbing the Harm" published in April 2010 at Chapter 6, beginning at page 125, covers availability and density.

At paragraph 6.14, the report stated:

*"One factor that heightens the risks of increased consumption is the relationship between density and price. Where there are several outlets concentrated in one area, particularly off-licence outlets, the discounting of alcohol products – whether beer, wine or RTDs – is one of the commonly used means by which outlets compete with one another. It is well accepted that lower prices can stimulate demand for alcohol and facilitate heavier consumption. This is a point that segments of the industry have conceded. In its submission, Lion Nathan acknowledge the links between the proliferation of liquor outlets, price and consumption."*

10. At paragraph 6.15, the Law Commission's report states:

*"This link between density and lower pricing is particularly important in the New Zealand context because smaller off-licence premises*

*already face significant price pressure from supermarkets. Increased outlet competition at a local level further increases pressure to offer lower-priced alcohol products to get customers in the door.”*

11. Taisia Huckle and others in their research paper, “Density of Alcohol Outlets and Teenage Drinking: Living in an Alcogenic Environment is Associated with Higher Consumption in a Metropolitan Setting (2008) 103 Addiction 1614 concluded:

*Living within 10 minutes’ drive of relatively more outlets was associated with larger quantities consumed by this sample of young drinkers. In this sense the alcogenic environment was found to be an important element in what is a key public health issue for many similar countries. While other aspects of the environment were found to be important influences on drinking, such as social supply and the deprivation of the locality in which the young person lived, the outlet density is an aspect which is amenable to control by public policy and therefore of considerable importance from a public health perspective.*

12. In the paper presenting the findings of their national study, Professor Jenny Connor and others (Connor JL, Kypri K, Bell ML, Cousins K (2011) Alcohol outlet density, levels of drinking and alcohol related harm in NZ: a national study), commented:

*“The positive associations seen between alcohol outlet density and both individual level binge drinking and alcohol-related problems appear to be independent of individual and neighbouring SES (socioeconomic status). Reducing density of alcohol outlets may reduce alcohol related harm among those who live nearby.”*

**Conclusion**

13. There is a plethora of evidence that indicates increased density and proximity of alcohol outlets within a locality increases harm. In terms of this licence, there is nothing to suggest that the effects of granting this licence would be any different to what this body of evidence suggests.
14. The Committee must have regard to whether (in its opinion) the amenity and good order of the locality would likely be reduced to more than a minor extent, by the effects of the issue of the licence. I submit that based on the evidence it will hear, the Committee's opinion will be that by granting a new off licence in this location, the amenity and good order of the locality will be reduced to more than a minor extent, and respectfully submit that the Committee must therefore refuse this application.
15. I remain opposed to the granting of this licence and recommend this application should be declined.

**BEFORE THE DISTRICT LICENSING  
COMMITTEE AT TIMARU**

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

**AND**

**IN THE MATTER** of an application by **KSK PVT LIMITED** for a new off-licence  
in respect of premises to be situated at The Showgrounds,  
Evans Street, Timaru to be known as "Super Liquor  
Showgrounds"

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**OPENING LEGAL SUBMISSIONS OF COUNSEL FOR KSK PVT LIMITED**

**DATED: 11 FEBRUARY 2026**

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**BROOKFIELDS**  
LAWYERS

2982396 / 711264

## 1. INTRODUCTION

- 1.1 KSK PVT Limited (**KSK**) has applied for a new off-licence for premises in The Showgrounds commercial centre.
- 1.2 The application has attracted agency opposition and public objections. However, it is submitted that:
- (a) The agency opposition is generalised and muddled (in particular, it is noted that the Police have only raised suitability but have not disclosed any cogent grounds for that opposition);
  - (b) The objections are in a template form. This form of objection has been derided by the Authority as being unhelpful;
  - (c) The opposition reports and objections are, in many respects, contrary to well established case law principles.
- 1.3 It is noted that the Inspector applies a “status” test to the objections<sup>1</sup>. KSK considers that no such test is necessary as objectors no longer need to establish an interest greater than the public generally<sup>2</sup>. However, the more important issue that is not addressed by the Inspector is the utility of pro forma objections that are not actually drafted by the purported objector. This is addressed in detail below and is directly relevant to the Inspector’s opposition as she relies quite heavily on the number of public objections (which is an erroneous approach in my submission). The mere existence of an objection isn’t the important factor. The content, credibility and reliability of the objection is the critical factor.
- 1.4 Moreover, it is well settled that little or no weight can be given to objections where objectors do not appear at a hearing<sup>3</sup>. If an objection is cogent and self-sustaining on its face, some weight might be given to it<sup>4</sup>. However, in my submission, pro-forma objections should receive no weight if the objector does not appear because the parties do not know precisely what the objector’s concerns are when the written objection is produced in a formulaic and predetermined way.

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<sup>1</sup> From page 4 of her report.

<sup>2</sup> Section 102 of the Act (as amended by section 10(1) of the Sale and Supply of Alcohol (Community Participation) Amendment Act 2023 (2023 No 60). This is acknowledged by the Inspector in her report.

<sup>3</sup> **Re Sapphire Dreams Ltd** [2014] NZARLA 92 (at 3).

<sup>4</sup> **Karakari Charitable Trust Inc v E R Bellas Ltd** [2020] NZARLA 106 (at 200).

## 2. RELEVANT LEGAL PRINCIPLES

2.1 The following established legal principles bear emphasis at the outset:

- (a) The Act is not a prohibition statute. The goal is to minimise harm, not eliminate it<sup>5</sup>. In a similar vein, the **Otautau Hotel 2017 Limited**<sup>6</sup> decision concerned a proposal for a new bottle store in Riverton. The application was declined by the DLC. In reversing that decision, the Authority observed:

### **Assessment of the Second Ground: Generalised Objections**

[43] It is submitted that too much weight was put on objections which were too general to offer the Appellant a meaningful right of reply and which failed to establish a causal link between alcohol harm and irresponsible drinking, and the granting of the off-licence.

[44] This Authority has previously held that before an application can be denied, *"a causal nexus is required between the evidence to suggest that the grant of application, contrary to the object of the Act, will increase the risk of alcohol abuse"* (emphasis added).

[45] As pointed out by the Appellant, the DLC was "alarmed at the concerning alcohol harm occurring within the local population of vulnerable young people. It is unacceptable to the committee that binge drinking is prevalent among students, that their learning is being diminished, their health is being affected, and are subject to harmful effects of alcohol.

[46] The Appellant further submits that the DLC has placed particular emphasis on the objections of Dr Grove and Mrs Fraser.

**[47] Dr Grove's concern that an increased availability of alcohol would lead to increased harm, particularly among young people, was not backed up any specific evidence.**

[48] Mrs Fraser's objections also related to the increase in alcohol availability and its effects on young people. While she

<sup>5</sup>

**Auckland Medical Officer of Health v Birthcare Auckland Limited** [2015] NZHC 2689.  
[2023] NZARLA 37 (5 April 2023)

<sup>6</sup>

acknowledged that young people would not be able to purchase alcohol from the store, she was concerned about the flow on effects.

[49] Both Dr Grove and Mrs Fraser acknowledged that the Appellants could take steps to minimise the risk of alcohol related harm. However, Dr Grove added that he "does not want the licence issued in the first place."

**[50] Hence the objections relied upon by the DLC failed to establish a causal link between the risk of alcohol abuse and the grant of the new off-licence, it is accepted that the objections amount to a general demonstration of the harmful effects of alcohol.**

[51] Reverend Soper's response to the question of what her views would be if a franchised store were to be later granted an off-licence was that the question was "unreasonable, in that both scenarios were undesirable from her point of view."

**[52] As the Appellant states, the object of the Act is to minimise the effects of alcohol related harm rather than to eliminate it. It is submitted that the objectors could not conceive of situations where a balance could be struck between the grant of licence and the minimisation of alcohol related harm and that stance is indicative of a lack of specific concerns.**

[Emphasis added.]

- (b) Generalised evidence will not establish a "real" risk of harm. In the **Townill**<sup>7</sup> decision which concerned a new off-licence application the Authority commented (citing Lion Liquor):

[198] The Authority agrees with Townill that there can be no doubt that alcohol can cause harm and probably does so in varying degrees within most communities in the country. As Clark J put it in Lion Liquor, the Act looks to minimise alcohol-related harm. Where there is an evidential foundation enabling a link to be drawn between a real risk of alcohol-related harm and the grant or renewal of a licence, the harm must be minimised not ignored or condoned." In

<sup>7</sup> **Townill Limited v Thirsty Liquor Amberley v Alcohol Wise Hurunui Incorporated** [2021] NZARLA 50 (17 May 2021).

the present case the Authority does not consider that the evidence supports the proposition that there is a real risk between this generalised harm discussed by Mr Green, Mr Healey, Witness A, Rev Dr Missen, Ms Thorpe and Professor Boden, and the issue of this new off-licence.

[199] **The evidence is of periodic alcohol-related incidents and periodic incidents of nuisance and vandalism but the evidence does not provide a foundation for concluding that there is a real risk that alcohol-related harm will result from the grant of the application and the issue of the licence.**

[Emphasis added.]

- (c) Proliferation, is not, in itself, a ground for objection<sup>8</sup>:

[84] In terms of proliferation, as Mr Young has also rightly submitted, in *Gisborne Liquormart Limited* this Authority said:

While the number of premises of the kind concerned in a locality is a matter which goes to the DLC's opinion of amenity and good order of the locality, an objection an objection must relate to a matter in s 105 of the Act. The Trust's objection relates to proliferation of alcohol outlets in Gisborne and the harm that alcohol creates in Gisborne as a result. The proliferation of outlets is a legislative aid for the DLC when forming an opinion on s 105(1)(h) and (i). In itself, proliferation is not a ground of objection without some discussion of the effects of the issue of the licence on amenity and good order which is the s 105 criterion against which the application is being evaluated.

...

[115] Having considered the evidence, the Authority agrees with this assessment. **The evidence is at best general in nature about limiting or capping the availability of alcohol in Ōtaki because 'enough is enough.'** Such an objection is not about the amenity and good order of the locality of the proposed premises in

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<sup>8</sup> **Selby v Kiw-E Otaki Limited - Super Liquor Otaki** [2020] NZARLA 210.



**Arthur Street. While Arthur Street is a part of Ōtaki, the focus of s 105(1)(h) and (i) is narrower in scope than the availability of alcohol in Ōtaki as a whole.**

[Emphasis added.]

- (d) Deprivation (in an alcohol harm sense) should be assessed by reference to the average decile rating, not by reference to pockets of deprivation. In **Riccarton Bush Kilmarnock Residents Association Inc**<sup>9</sup> the Authority noted:

[28] Mr Ferguson is the licensing inspector with 20 years' experience. He gave evidence that there was only one report of rubbish in the Mandeville Reserve area. He also stated that the potential for graffiti and vandalism is predominantly focused at on licence venues. His observation is that people purchase alcohol with intent to take it to another venue, and rarely loiter in the area of purchase. He also gave evidence that Liquorland across the road had its licence renewed without any objections to its renewal. Having looked at the Riccarton Ward Deprivation Study he is of the view that in the one km area, the average deprivation decile was probably 5 to 6.

And went onto conclude:

[71] Here, there are pockets of high deprivation, and is not one of the most deprived suburbs. As pointed out in the evidence, there are a mix of commercial buildings, high levels of home ownerships, rentals, student accommodation and high-density housing. So it is not a high deprivation area with the average decile being 5-6 and there is no evidence that the grant of the new licence would lead to a high risk of alcohol related harm either.

- (e) Community engagement is not mandatory. In the recent **Rosedale**<sup>10</sup> decision which concerned an application for a new bottle store, the Authority stated:

<sup>9</sup> [2023] NZARLA 18.  
<sup>10</sup> **Hendry v Tanishanya Holding Limited** [2025] NZARLA 181.

[110] We accept, as did the DLC, that the respondent had not engaged with all sections of the community including Māori. **It was not however obligatory and the level of engagement with the community is a factor to be weighed in the assessment of suitability.**

[111] **When the position is underpinned by a lack of opposition by the reporting agencies, the location in a decile 3 area, the level of practical experience of the applicant and engagement with some sectors of the community, we consider that the decision by the DLC to determine the respondent as applicant suitable was a reasonable one which we endorse on our own assessment.**

Similar but more strident observations were made by the Authority in **Huntly Grocer<sup>11</sup>** (also recent) where counsel for the objectors asserted that the applicant did not understand the local community:

26. The primary complaints from Mr Hewison on behalf of the objectors he represented was essentially that Ms Martelli did not understand the local community and its vulnerability to alcohol abuse, that she had a young baby and accordingly may not be able to devote herself sufficiently to the management of the businesses and that she did not even reside in the community but at Horotiu, some 20 minutes drive away. Furthermore, that no attempt had been made to engage with the local community and consult with it until after the application for the licence had been made and objections had been received.

27. This complaint surprised us and, if anything, demonstrated that Mr Hewison appeared to have no real understanding of the communities that Ms Martelli had previously worked in at Ngongotaha and the Te Ngae region of Rotorua City. As it happens, members of this Authority have significant experience of all three communities involved, being Huntly, Ngongotaha and Te Ngae area of Rotorua. We consider that Ms Martelli's experience of working in Ngongotaha and Te Ngae well equipped her to understand the vulnerability of the local community at Huntly.

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<sup>11</sup> **Huntly Grocer Limited v Waikato District Council [2025] NZARLA 167.**

28. Furthermore, we do not accept the specific complaint made by Mr Hewison that Ms Martelli had made no attempt to engage with the community before the application was made needs. There is no requirement, or even an expectation, that an intending applicant for a licence engage with the local community before the application is made. The purpose of the requirement to give public notification of the application is to provide the local community with the opportunity to respond to it including by way of formal objection. In this case, Ms Martelli convened an in-person meeting at the store to enable members of the community to voice any concerns that they might have. Indeed, Ms Martelli also provided the option, to those not able to make the meeting in person, of attending that meeting virtually.

29. Inspector Sturzaker attended that meeting. She reported that the general attitude of those in attendance was generally against any new alcohol outlets but without being able to identify how this proposed new outlet would have an appreciable effect on alcohol harm in the community. One objector reportedly highlighted alcohol harm from RTDs but, of course RTDs were never contemplated as being available from this store.

30. When dealing with the need to consult with the community, there must also be a distinction drawn between an applicant for a licence to operate say a tavern or bottle store as against a supermarket as is the case here. The sale and supply of alcohol from a supermarket is, of course, only a small part of the product available for purchase.

[Emphasis added.]

It is acknowledged that a distinction was drawn between grocery store off -licences and taverns or bottle stores in the **Huntly Grocer** decision. However, it is submitted that the combined effect of the two decisions cited above is:

- (a) Engagement/consultation is not obligatory. There is no requirement or expectation that it will occur;

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- (b) "Practical experience" is relevant, particularly when in similar communities; and
- (c) Public notification of an application is the mechanism by which members of a community can express their views.
- (e) Template objections are unhelpful because they lack "author authenticity". In **Rosedale**<sup>12</sup>, the Authority commented:

[102] We take the same view in response to the appellant's argument that the Amendment Act introduced new or different obligations under the Treaty. The appellant again suggested that the Amendment Act changed the landscape as reflected in such provisions as the requirement to observe tikanga in the DLC process. Again, had the intention of the legislature been to alter the approach under the Act in this context, it would have been straight forward to include a specific provision to that effect. The opportunity to do so was obvious and a provision comparable to provisions in other Acts such as the Resource Management Act requiring observation of the principles of the Treaty could have been included. It is also relevant and significant in our view that the LAP mechanism is developed under provisions which enshrine Treaty principles which are thereby recognised namely through s.4 of the Local Government Act.

[103] We consider the approach reflected in Ponda remains good law so far as no opposition is raised by the Tri-agencies. **That is particularly so because the Amendment Act appears to have generated the increased use of pro forma/tick box objections prepared by a group(s) potentially with their own agendas. Such objections suffer from lack of author authenticity and are likely to carry less weight.** We turn then to consider the detail of the appeal following the issues raised in the appellant's submissions.

- 2.2 It is submitted that the Authority's comments about a "lack of author authenticity" are irrefutable. The factual reality is that the persons putting their

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<sup>12</sup> **Hendry v Tanishanya Holding Limited** [2025] NZARLA 181.

names to the template objections did not write them. Instead, they tick pre-drafted statements prepared by Communities Against Alcohol Harm (CAAH).

- 2.3 The approach of CAAH to generating mass opposition is unfortunate, in my submission. It inhibits an objector from expressing their concerns in their own words. As a consequence, it inhibits engagement because the applicant doesn't have a clear understanding of the real issues (if any).
- 2.4 The Authority also expressed concerns about template objections in **TST Limited**<sup>13</sup>:

[5] As noted by the DLC, most of the objections were submitted on a templated JOTFORM which was explained by the DLC in these terms:

8. Most of the objections were submitted on a templated JotForm. A JotForm is an online app that allows anyone to quickly create custom online forms, including templated objection forms which may also allow for the inclusion of customised input. In this instance the JotForm was made available for distribution through social media. Whilst not identifying specifically the sections of the Act the objection related to, the main topics raised in the JotForm were listed as;

- (a) *There are plenty of other places to buy alcohol in Onehunga - including from several pubs and restaurants in the town centre. I believe the existing alcohol outlets already have a negative effect on the area and that this new licence should not be granted.*
- (b) *Some members of the local community are very vulnerable to alcohol- related harm. I am concerned that the Applicant has not considered the impact of this tavern on the community.*
- (c) *The proposed location is close to many homes, education facilities, a medical centre, churches, parks, Te Papapa Train Station, and other important community spaces. There should not be a tavern near these sensitive sites.*

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<sup>13</sup>

**Matauiou v TST Limited - The Springs Tavern** [2025] NZARLA 216 (22 July 2025)

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- (d) *The Onehunga area is already affected by alcohol-related harm, and this new tavern will make it worse.*
  - (e) *I am concerned that the Applicant may not have adequate systems, staff, and/or training to operate this tavern.*
  - (f) *This tavern will have space for 300 customers and staff. I am concerned about how large numbers of customers will be managed, especially late at night.*
  - (g) *I am concerned that noise from this tavern, and from customers arriving and leaving, will negatively affect local residents and other community members.*
  - (h) *The tavern does not appear to have any on-site car parking. I am concerned about the lack of parking for customers, staff, delivery vehicles, etc.*
  - (i) *I am concerned that increased vehicle movements around this tavern may pose a risk to other road users (especially pedestrians).*
  - (j) *I believe the licensed hours are too long (Interior - Mon to Sun, 11:00AM to 2:00AM. Exterior courtyard - Mon to Sun, 11:00AM to 11:00PM.) From the information in the application, it is not clear how the tavern will look from outside (e.g. exterior lighting, colours, branding, etc).*
  - (k) *There is nothing in the application to indicate that the Applicant consulted with the community before submitting this proposal.*
  - (l) *I am concerned that the Applicant may not be suitable to operate a tavern in this location.*
9. From the JotForm, Objectors were able to pick and choose from any or all of the categories listed, and also submit individual comment should they so choose. A small number of objections were individualised and did not use the JotForm. The objection from Mr Miklos was an example of that, and which specifically referenced the criteria at s. 105 of the Act.

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10. From the JotForm, the Committee discerned that the objections when compared to the criteria at s. 105 of the Act were more specifically: (reference then made to s 105(1)(a), (b), (d), (e), (h) and (j)).

**[6] We simply observe that no weight can be given by us to the Jotform objections in relation to this appeal. The Authority must decide an appeal on the evidence properly before the DLC and any further evidence that the Authority grants leave to be adduced. We have no idea who the objectors are or where they reside having regard to the documents included in the appeal material.**

[Emphasis added.]

- 2.4 In relation to amenity and good order, section 105(1)(h) requires the Committee to reach an opinion as to whether a reduction in the amenity and good order of the locality “would be likely” if the licence were issued. This is a matter of judgement based on the facts at hand and there is no onus of proof on an applicant. Heath J stated<sup>14</sup>:

“It seems to me that the **question whether amenity and good order will not be materially reduced is one on which a judgment must be formed by the Authority, on the facts of a specific case, as opposed to something that an applicant is required to prove on a balance of probabilities.** The difficulties inherent in proving a negative support that view.”

[emphasis added].

- 2.5 Suitability is a broad concept. In **Capital Liquor**<sup>15</sup> the Authority reviewed behaviour that might render an applicant unsuitable in relation to an off-licence located in the CBD of wellington (near Courtenay Place and Cuba Mall – a risk location). It stated:

[119] There is also an interplay between the vulnerability of the area and an applicant’s suitability. In *Lower Hutt Liquormart Limited v Shady Lady Lighting Limited*, Churchman J found no error in respect of the Authority’s conclusion that the vulnerability of an area effectively raises the threshold of

<sup>14</sup> **Re Venus NZ Ltd** [2015] NZHC 1377 at [53].  
<sup>15</sup> [2018] NZARLA 335 (21 December 2018).

suitability in terms of whether the grant of the licence will result in a reduction or an increase in ARH.

[120] As suitability is ultimately about how well the appellant will operate the premises in light of the twin object in s 4, it is necessary for a DLC to consider the appellant's suitability relative to the premises including both the nature of those premises and the operation of the business, and the characteristics of their location. Suitability cannot be assessed in a vacuum.

**[121] The evidence before the DLC, and now the Authority on this rehearing, is of a range of predominantly adverse matters. Mr Liu has previously been found not to have been on the premises despite his name being displayed as manager, and there being no other manager on duty. There have been two failed controlled purchase operations at Capital Liquor on 13 December 2013 and June 2015. Mr Liu's other premises Hell Fire and The Shot Shack failed controlled purchase operations in November 2014 and October 2015. Warnings have been issued to Capital Liquor for selling alcohol to intoxicated persons. Mr Cao was found to be lying on the floor behind the store's counter having been assessed as intoxicated. There have been thefts of alcohol from the premises.**

...

[122] The evidence of Mr Lambert, corroborated by the evidence of Sgt Bengé is that Mr Liu rarely visits the premises and Mr Cao has in the past effectively been the store's main manager.

[123] The incident register for the premises does not record all incidents on the premises and Mr Liu has a poor appreciation of the contribution his premises makes to ARH in the area including him saying that persons buying alcohol in Te Aro Park are not purchasing their alcohol from Capital Liquor<sup>40</sup> and that it is the area and not the presence of Capital Liquor that creates the potential for crime and disorder. From a licensing perspective, both are relevant. It is not sufficient for a licensee to be a good operator in a bad location. That misunderstands the nature of the licensing task.

[124] As we discuss further below, the Authority is in no doubt that the locality in which Capital Liquor is located suffers from existing ARH and it

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can reasonably be accepted that purchases of alcohol from Capital Liquor contribute to that ARH. This should not be read down to imply that the concern is merely about certain kinds of alcohol such as shots or single serves of alcohol.

[125] The Authority agrees with the DLC that it is relevant to an assessment of the appellant's suitability that Mr Liu does not consider that Capital Liquor is contributing to this ARH.

[126] Against this, the DLC has recognised that the appellant has bolstered its policies and procedures. The DLC on its site visit noted that staff routinely asked for identification and that door staff have been employed for peak hours. An updated host responsibility policy was provided to the DLC.

[127] Notwithstanding these improvements, however, the DLC concluded that the applicant has not established that it is suitable to manage these high-risk premises. The Authority is satisfied that the position and inferences the DLC has drawn from the facts, are ones which were logically available to it. Capital Liquor is not applying for a renewal with an unblemished record of operation and the DLC was right to recognise that the vulnerability of the area raised the bar on the appellant's suitability. The Authority does not consider that the appellant has established that the DLC erred in respect of its finding of suitability.

[Emphasis added.]

- 2.6 As early as 1994, the Authority found that relevant factors in determining suitability include experience in the hospitality industry, management ability, and personal integrity. These are factors that are addressed in KSK's evidence. It is submitted that any challenge to suitability is entirely misconceived.

### **3. EVIDENCE**

- 3.1 The evidence has not yet been exchanged. However, it is submitted that the following matters are relevant and beyond challenge:
- (a) Mr Gurjeet Singh has considerable experience in the alcohol retail industry;

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- (b) With the exception of one minor infraction<sup>16</sup>, Mr Gurjeet Singh has a blemish free trading record across his various licensed premises;
- (c) Mr Gurjeet Singh has sound knowledge of the Timaru community and the wider South Canterbury area. In that regard, the Authority's comments in **Huntly Grocer** are directly relevant:

26. The primary complaints from Mr Hewison on behalf of the objectors he represented was essentially that Ms Martelli did not understand the local community and its vulnerability to alcohol abuse, that she had a young baby and accordingly may not be able to devote herself sufficiently to the management of the businesses and that she did not even reside in the community but at Horotiu, some 20 minutes drive away. Furthermore, that no attempt had been made to engage with the local community and consult with it until after the application for the licence had been made and objections had been received.

27. This complaint surprised us and, if anything, demonstrated that Mr Hewison appeared to have no real understanding of the communities that Ms Martelli had previously worked in at Ngongotaha and the Te Ngae region of Rotorua City. As it happens, members of this Authority have significant experience of all three communities involved, being Huntly, Ngongotaha and Te Ngae area of Rotorua. We consider that Ms Martelli's experience of working in Ngongotaha and Te Ngae well equipped her to understand the vulnerability of the local community at Huntly.

- 3.2 As a general observation, the objections and opposition reports are largely concerned with general societal harm arising from alcohol. They are not about the prospective risk of harm arising from this application in its proposed location, which is what the Committee is required to evaluate.
- 3.3 As a matter of law, the Police opposition is limited to suitability as that is the only matter raised in reports. In **Sargent v Kapiti Supermarket Limited**<sup>17</sup> the Authority observed:

<sup>16</sup> An infringement fine in 2019 in relation to an on-licence premises.  
<sup>17</sup> [2015] NZARLA PH 194.

[16] After the expiration of the 15 day period and at the hearing before the DLC, the Police were not entitled to alter their original stance. Further, the DLC should have assumed that the Police had no matters in opposition to the application – s.103(4) of the Act. In this case, the change of stance occurred approximately three weeks after the original indication of no opposition and arguably the respondent did have time to appreciate the nature of the Police opposition and answer it. However, it is important that District Licensing Committees and the Authority require compliance with the statutory obligations of the reporting agencies. Too often recently have reporting agencies failed in this regard and as a result breaches of natural justice have occurred. This must not be permitted to continue. Finally, the waiver provisions contained in s.208 of the Act will seldom apply as the neglect or omission will usually be wilful.

[17] The foregoing comments are not at variance with those made by Heath J in *Otara-Papatoetoe Local Board v Joban Enterprises Ltd CIV 2011-404-007930*; [2012] NZHC 1406 as to supplementary reports by the Police and Inspectors. These should be provided when, for example, background community information arising out of an objection would be helpful to the DLC or Authority. However, the provision of those reports does not entitle a reporting agency such as the Police to change its stance and oppose an application when it had previously indicated no opposition.

[18] Arguably, to do so constitutes an abuse of process. This point was not argued at the hearing; and the Authority has not sought submissions on it. An abuse of process of this nature might cause the Authority to strike out an appeal, as it did in *Whittle* (supra).

- 3.4 Natural justice requires that the applicant know the opposition case it is to answer. Suitability is a discrete statutory criterion as recently confirmed by the High Court<sup>18</sup>:

[76] I observe that it is important that the criterion of suitability is not expanded to provide an avenue for objections that are concerned with wider issues unrelated to the applicant's suitability, such as the potential of the licence to contribute to alcohol-related harm in the community. This happened under the former statutory regime. The Law Commission

<sup>18</sup> **Singh 13 Investments Limited** [2025] NZHC 2868.

concluded in its report that a central problem with the Sale of Liquor Act 1989 was the narrow scope upon which local communities could object to a licence application and upon which the liquor licensing authority could refuse to grant applications. The only criteria were suitability and that the applicant would uphold the law. The Law Commission noted:

*As there is no statutory definition of “suitability” of the licence applicant, and this is the only licence criterion that does not go towards the particulars of how the premises will operate, “suitability” has developed into the ground on which the widest consideration can come into a decision in a licence application... It appears that in some decisions of the LLA in the last few years, the suitability of the applicant has been used as the ground through which wider concerns have been addressed.*

[77] Among the suite of reforms that led to the current Act, the Commission recommended the insertion of additional criteria to allow licensing decision-makers to refuse the licence on wider grounds. The additional criteria carried through to the current legislation were: the object of the Act, the effect of granting the licence on the amenity and good order of the locality, and any local alcohol policy in place.

[78] The Commission observed:

*If the grounds are widened on which an application for a licence may be declined, the need to use the suitability ground for a wider purpose than that for which it was intended is removed. In our view, it is necessary and reasonable to maintain a licensing criterion that addresses the personal characteristics of the applicant and allows an application to be declined where it is envisaged the harm could be because of a personal characteristic of a licensed applicant.*

[79] It is not necessary, and confuses the analysis, if the suitability criterion is distorted to address matters going beyond the question of the suitability of the applicant to operate the licenced premises. For this reason, care should be taken in relying on earlier authorities under the old regime (such as *Re Nischay’s Enterprises*). Wider concerns about alcohol-related harm unrelated to suitability can and should be addressed when considering the criteria at s 105(1)(a): the object of the Act. An operator could be a model

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operator, but if it is reasonable to infer that alcohol purchased at the premises is being consumed after sale in a way that is causing or contributing to harm, the licence may be refused on that ground.

**4. CONCLUSION**

4.1 It is submitted that the application meets the criteria in section 105 of the Act.

4.2 I will call the following witnesses:

- (a) Gurjeet Singh
- (b) Halinka Newton
- (c) Character references (to be confirmed)

**DATED** the 11<sup>th</sup> day of February 2026



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J D Young  
Counsel for KSK

**BEFORE THE DISTRICT LICENSING  
COMMITTEE AT TIMARU**

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

**AND**

**IN THE MATTER** of an application by **KSK PVT LIMITED** for a new off-licence  
in respect of premises to be situated at The Showgrounds,  
Evans Street, Timaru to be known as "Super Liquor  
Showgrounds"

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**STATEMENT OF EVIDENCE OF GURJEET SINGH CHAHAL**

**DATED: 11 FEBRUARY 2026**

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**AUCKLAND**

**BROOKFIELDS**  
LAWYERS

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**1. INTRODUCTION**

- 1.1 My name is Gurjeet Singh Chahal. I am known as "Guri".
- 1.2 I am a director and shareholder KSK PVT Limited (**KSK**). KSK has applied for a new off-licence for a premises in The Showgrounds commercial centre.
- 1.3 I prepared the application documents with my agent Craig Shearer. I am familiar with the application and rely on it.
- 1.4 My evidence addresses:
  - (a) My background and experience;
  - (b) A summary of the application;
  - (c) The opposition reports and objections; and
  - (d) Section 105 of the Sale and Supply of Alcohol Act 2012 (**Act**).

**2. MY BACKGROUND AND EXPERIENCE**

- 2.1 I am an experienced hospitality and retail operator with ownership and involvement in multiple licensed premises across Geraldine, Methven, Temuka, and Waimate.
- 2.2 I am actively involved in the day-to-day operations, staff management, compliance, and community engagement across all locations. My experience includes managing multiple sites simultaneously, supervising large teams, and maintaining high standards of service and regulatory compliance. I have been working in hospitality and traditional liquor from almost 14 years and in those 14 years neither myself nor my team have ever failed a CPO. I have never had any enforcement issues, except for one infringement notice in 2019 which is addressed in the application. I had just taken over the Crown Hotel in Temuka and a staff member closed the kitchen early. I learned a hard lesson and have not had any issues since.
- 2.3 I worked at Central Southland Lodge T/A Middle Pub and Super Liquor Winton from 2014-2017. I bought my first business in Dunedin (Super Liquor Octagon) in April 2017 and after that I opened Super Liquor Waimate in October 2018. I have carefully grown my business interests since then.
- 2.4 I am currently involved in the following businesses:

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- (a) Super Liquor Octagon (Dunedin)
- (b) Super Liquor Waimate
- (c) Crown Hotel Temuka
- (d) Super Liquor Temuka
- (e) The Village Inn Bar and Restaurant (Geraldine)
- (f) Super Liquor Geraldine
- (g) Brown Pub Methven
- (h) Blue Pub Methven
- (i) Methven Liquor (Off licence)

2.5 I am active in the communities where I have business interests. I live in Geraldine with my family, and my daughter attends Geraldine Primary School. I am a member of Temuka/Geraldine Rotary Club and sit on the board committee. I am also a board member for Geraldine.NZ<sup>1</sup> which is an organisation that works to keep Geraldine a vibrant town. I am also a member of Geraldine RSA. South Canterbury is my home and has been for the last 7 years.

2.6 I currently employ close to 100 staff, the vast majority of whom are New Zealand citizens. I take my responsibilities under the Act very seriously and ensure all my premises operate to a high standard of compliance, staff training, and community responsibility. Overall, in Mid and South Canterbury we support more than 70 organisations and events, as follows:

#### **Timaru**

2.7 I don't currently own any businesses that are located in Timaru. However, my brother owns and operates Super Liquor Timaru and due to my connections in the wider region, I have supported events and organisations in Timaru:

- (a) Timaru Cosmopolitan Club (now closed)
- (b) Rock and Hop

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<sup>1</sup> Formerly Go Geraldine.



- (c) Carolina Bay Association
- (d) Timaru Squash Club
- (e) Glentti Golf Club
- (f) Levels Golf Club
- (g) Timaru Indoor Bowls.

**Geraldine**

- (a) Geraldine Rugby Club
- (b) Geraldine Women's Rugby
- (c) Geraldine Cricket Club
- (d) Geraldine Football Club
- (e) Orari Racecourse
- (f) Geraldine District Golf Club
- (g) Grand Vue Golf Course
- (h) Geraldine Bowling Club
- (i) Geraldine Lions
- (j) Geraldine Netball
- (k) Geraldine RSA
- (l) Geraldine Multi Challenge
- (m) Geraldine Pony Club
- (n) Geraldine High School
- (o) Geraldine Primary School
- (p) Geraldine Community Vehicle Trust
- (q) Geraldine.NZ
- (r) A&P Show Temuka & Geraldine
- (s) Community Resource Centre Geraldine

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- (t) No Laughing Me
- (u) Geraldine Lunar Year
- (v) Street Food at Woodbury
- (w) Geraldine Harcourts Festival
- (x) Geraldine Matariki Motor Muster
- (y) Geraldine Kindergarten
- (z) Peel Forest Outdoor Center
- (aa) Top 10 Holiday Park Geraldine
- (bb) Temuka Geraldine Rotary Club
- (cc) Geraldine Christmas Parade
- (dd) Geraldine Volleyball- Rock and Hop

**Methven**

- 2.8 I have only been operating in Methven for approximately three months, but I am already actively involved in the local community and sports clubs. I currently support or sponsor the following organisations:

- (h) Methven Football Club
- (i) Methven Golf Club
- (j) Methven Bowling Club
- (k) Methven Cricket Club
- (l) Methven Rugby Club
- (m) Methven Touch Rugby
- (n) Methven Swimming Pool
- (o) Methven Netball
- (p) Hot Rods Methven
- (q) Methven Rodeo

- (r) Methven A&P Show
- (s) ANZ Business Awards – Mid Canterbury

**Temuka**

- (a) Temuka Rugby Club
- (b) Temuka Bowling Club
- (c) Temuka Senior Netball Club
- (d) Temuka Softball Club
- (e) Temuka Cricket Club
- (f) Temuka Hockey Club-
- (g) Temuka Wishing Tree
- (h) Temuka Football Club
- (i) Temuka Golf Club
- (j) Temuka Karate Club
- (k) Temuka Squash Club
- (l) Temuka Christmas Parade
- (m) Te Umu Kaha Disc Golf
- (n) Aoraki Girls Rugby
- (o) Temuka RSA
- (p) Opihi College
- (q) St Joseph School
- (r) Octopus HQ Temuka
- (s) Under Storage Temuka
- (t) A&P Show Temuka & Geraldine

**Waimate**

- (a) Waimate Rugby

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- (b) Waimate Bowling Club
- (c) Waimate Rodeo
- (d) Waimate High School
- (e) Waimate Cricket Club-
- (f) Centennial School
- (g) Waimate Theatre Company
- (h) Makikihi School
- (i) Waimate Caledonian Society

2.9 **Attached** and marked “A1” to “A11” are letters of support from some organisations that I am involved with.

### 3. SUMMARY OF THE APPLICATION

3.1 The wider Timaru District has a population of 49,500 as of June 2025<sup>2</sup>, with Timaru City CBD being the main retail location. The population has been growing steadily for the last decade or so<sup>3</sup>. There is a large pakeha population (almost 90%). 10% of the population identify as Māori, 3.5% as Pasifika, and almost 6% as Asian.<sup>4</sup> The median age is much higher than the New Zealand average and the median income is slightly below the New Zealand average<sup>5</sup>. Timaru has the highest median income in the district<sup>6</sup>.

3.2 The Showgrounds Shopping Centre is a new retail destination, still under development for shoppers. It is a premium shopping destination with major retailers such as Bunnings, Woolworths, Chemist Warehouse and Homestore located there, with Harvey Norman close by. The planned Stage 2 of the development will see even more major retailers arrive at the destination. The Showgrounds is fast becoming Timaru's second shopping precinct and, in my view, will attract customers from around the Timaru District and wider South Canterbury area.

<sup>2</sup> [https://en.wikipedia.org/wiki/Timaru\\_District](https://en.wikipedia.org/wiki/Timaru_District)  
<sup>3</sup> [https://en.wikipedia.org/wiki/Timaru\\_District](https://en.wikipedia.org/wiki/Timaru_District)  
<sup>4</sup> [https://en.wikipedia.org/wiki/Timaru\\_District](https://en.wikipedia.org/wiki/Timaru_District)  
<sup>5</sup> [https://en.wikipedia.org/wiki/Timaru\\_District](https://en.wikipedia.org/wiki/Timaru_District)  
<sup>6</sup> [https://en.wikipedia.org/wiki/Timaru\\_District](https://en.wikipedia.org/wiki/Timaru_District)

- 3.3 There is currently one off-licence – held by the Woolworths supermarket – at The Showgrounds. This business however does not have the full range of products. Although there are 10 bottle stores in the wider Timaru area, the closest bottle store is around 1.2km away to the south at 111 Evan Street, and to the north 1.2km.
- 3.4 I consider that people will increasingly come to The Showgrounds as a retail destination as it develops, so a bottle store selling a full range of products is a service customers will expect to find at this location. It is an appropriate retail offering for a commercial centre such as The Showgrounds.
- 3.5 This site location is also compatible with and complements existing retail uses. In addition, The Showgrounds has one major entrance/exit, and is not close to, nor have easy access to sensitive sites that may be impacted by a bottle store outlet as it is bounded by state highway one to the west and retail on all other sides (including the stage 2 expansion).
- 3.6 The façade of the store is relatively low key with the standard livery and lots of clear window space to allow natural light into the store. We will only have one A3 poster on the exterior which will show current specials. Otherwise, the exterior will be clear. We will not have large alcohol brand advertising on the store frontage. Also, as noted in the application, we will not locate RTD's within 2 meters of the principal entrance.
- 3.7 I believe the location is appropriate for a well-run store.

#### **4. OPPOSITION REPORTS AND OBJECTIONS**

##### **Police**

- 4.1 The Police opposition is limited to suitability. To be honest, I have no idea why my suitability is being challenged. I am involved with multiple licensed businesses. I cooperate with Police (and other agencies) and have a good relationship with them. I have never had my suitability challenged before.
- 4.2 The letter from the Police states that they have checked the Police database. However, I do not have any convictions so I don't know what the Police database could have revealed.
- 4.3 The second report refers to "nightlife" and "peak periods". However, we will be closed at 9pm.

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- 4.4 In terms of deprivation, I accept that there are some high deprivation areas in Timaru. There are also many low deprivation areas. I do not think that this premises will have a small local catchment. It is likely to be used by people shopping at The Showgrounds and they will come from all over Timaru and South Canterbury.
- 4.5 I am not sure what the matters in the second Police report have to do with my suitability. This is something my lawyer will address.

**Inspector**

- 4.6 The Inspector opposes the application based on the objections and the reports from the Police and MOH. She concludes that granting the application will not be consistent with the object of the Act.
- 4.7 I address the objections below but note that they are in a template form and make the same general comments.
- 4.8 I consider that the application does meet the object of the Act because we are very experienced operators with a good track record. We have excellent staff, training and systems (supported by Super Liquor's support office). The Premises is in a commercial centre and not in a residential area. It can only be seen by people that come to The Showgrounds and is not visible from outside the centre.
- 4.9 We have robust staff training and development in place. This is addressed in the application (pages 15 and 16) and is further expanded upon by Linka Newton in her evidence. The Inspector does not seem to identify any shortcomings in the application.

**MOH**

- 4.10 The MOH also raises deprivation which I have commented on above.
- 4.11 The MOH also refers to a lack of insight into the local community. I have addressed my involvement with the community above and I believe that I have a good reputation in Timaru and understand the local community.
- 4.12 In terms of sensitive sites, I have already noted that the premises cannot be seen from any sensitive sites. I don't think any of the identified sensitive sites have objected to the application (CHECK).

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- 4.13 I note that there are not 18 bottle stores in Timaru as stated by the MOH. I believe that there are 10. As far as I am aware the MOH did not oppose the Woolworths licence application (nor did the other agencies).
- 4.14 We have submitted plans with the application so in my view the design and layout of the store can be assessed. We have comprehensive CCTV and a CPTED analysis has been done (see pages 3, 5 and 12 of the application).

**Objectors**

- 4.15 I have read the objections. As already mentioned, they all follow a similar format and say many of the same things. The comments are very general.
- 4.16 Some objectors say that I can't manage the store because I live 30kms away. I can assure the Committee that if the application is granted the store will be my primary focus. I will be there at least 4-5 times a week and will do shifts so I can monitor staff performance and make sure the store is operating well. After 6 months, I may not be at the store as frequently (provided I am comfortable that staff are reliable and doing a good job), but I would still be there 2-3 times a week. This is what I do currently. I spend my working week at the licensed premises I am involved with and it has worked well so far.
- 4.17 I have not seen alcohol rubbish at The Showgrounds. It is a very well-presented area. I would not want it to become untidy and unkept as that will discourage people from coming to the shop.
- 4.18 I don't think that the premises will impact on the amenity and good order in a bad way. I will be motivated to ensure the store front is tidy and to be a good neighbour to the other retailers in The Showgrounds. It is in all our interests to keep the area clean and tidy.
- 4.19 I have not seen people drinking alcohol in The Showgrounds despite the Woolworths having an off-licence.
- 4.20 In my view the proposed trading hours are appropriate and are consistent with the LAP. It is also consistent with the LAP in relation to sensitive sites.
- 4.21 While I appreciate that some objectors have genuine concerns, I do not think that the store will impact amenity and good order. I also consider that the risk of alcohol related harm will be minimised due to the location of the store (in

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a commercial area but not in the main entertainment area), our proven track record and the compliance with the LAP (trading hours and sensitive sites).

## **5 SECTION 105 CRITERIA**

5.1 For the reasons set out above and recorded on the application, I consider that the application meets the section 105 criteria. In particular, I consider:

- (a) That I am a suitable person to hold a licence due to my track record in the industry.
- (b) That there will not be any impact on the amenity and good order of the locality because the premise is located in a new and well-designed commercial area that is well maintained. There are currently no observable issues with the supermarket selling alcohol.
- (c) The application complies with the LAP (hours and sensitive sites (amenity and good order)).
- (d) The design and layout is orthodox for a modern bottle store.
- (e) We have excellent staff, training and systems, complemented by Super Liquor Head Office support.
- (f) Given the above, the risk of alcohol related harm from the proposed store is minimised.

## **6. CONCLUSION**

6.1 For the reasons set out in the application and the evidence for KSK, I seek that the application be granted.

**Gurjeet Singh Chahal**

11 February 2026

2982396 / 711264



**BEFORE THE DISTRICT LICENSING  
COMMITTEE AT TIMARU**

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

**AND**

**IN THE MATTER** of an application by **KSK PVT LIMITED** for a new off-  
licence in respect of premises situated at The  
Showgrounds, Evans Street, Timaru to be known as  
"Super Liquor Showgrounds"

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**STATEMENT OF EVIDENCE OF HALINKA NEWTON**

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**BROOKFIELDS  
LAWYERS**  
J D Young  
Telephone: 09 379 9350  
Fax: 09 379 3224  
P O Box 240  
DX CP24134  
**AUCKLAND**

**BROOKFIELDS**  
LAWYERS

**MAY IT PLEASE THE COMMITTEE:****INTRODUCTION**

1. My name is Halinka Newton.
2. I am employed by Super Liquor Holdings Limited (**SLH**) as the Franchise Manager - Lower North and Lower South Islands, reporting to the Operations Manager.
3. I have worked in the FMCG industry for approximately 15 years in a number of senior roles within highly regulated industries including liquor, food and tobacco. I have worked for SLH for a total of 11 months.

**SLH – GROUP AND BRAND**

4. SLH is a New Zealand franchise with 192 stores across New Zealand. Each store is a locally operated business which has entered into a franchise agreement with SLH. Each franchisee receives the benefits and honours the obligations of participating in the SLH branded system. The SLH franchisee offer is based on creating long term sustainable retail businesses.
5. SLH franchisees represent a broad spectrum of small and medium sized businesses that are positioned in both urban and rural locations. Franchisees pride themselves on being part of the communities they serve, supporting local businesses, charities, and sports clubs. SLH has a co-operative group culture.
6. Part of what makes SLH successful is that we actively seek input from our franchisee members and provide opportunities for our franchisee members to share insights and knowledge with each other.
7. Franchisees are required to stock a core range of products. Beyond this, franchisees tailor their products to their local market. While the core range is standard across all stores, the proportions of product categories sold vary depending on the characteristics of the local market and the preferences and / or interests of the store owner.

2819575 / 710220

**SLH'S PLACE IN THE MARKET**

8. The SLH consumer offer is based on convenience, service and choice. This means that our customers for each store reflect a broad cross section of the population of each store's catchment area.
9. The SLH brand story and proposition is connected to the lives of everyday kiwis and their communities attracting their support for our brand and our local franchisees.
10. As part of our ongoing commitment to improving the shopping experience, SLH launched the Super Liquor 2.0 brand standards programme in July 2021. Super Liquor 2.0 delivers both an aspirational consistent standard across our network of stores and a strong shopping experience. All new greenfield stores are required to meet the new standards on opening their store. The standards include painting, lighting, flooring, counters, and shelving.
11. Gurjeet Singh's Super Liquor stores are all maintained to high brand standards. The stores that Gurjeet Singh owns have been updated to the new brand standards - they are clean, well laid out and provide a quality shopping experience.

**SLH'S APPROACH TO THE SAFE AND RESPONSIBLE SALE OF ALCOHOL AND MINIMIZING ALCOHOL RELATED HARM**

12. SLH takes its obligation to minimise alcohol related harm seriously. It is very selective about the people it accepts as franchisees. We receive many applications to become franchisees, many of which are declined due to lack of suitability.
13. SLH is committed to minimising risk to our franchisees and alcohol related harm in the communities. Extensive training and compliance resources, systems and processes have been developed by SLH for its franchisees.

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14. SLH conducts two cluster meetings and one conference per annum. At the cluster meetings, training is conducted and franchisees are updated on the latest requirements around compliance, standards, licensing, health & safety, together with other systems and processes, including measures to put in place to prevent robberies. Other presentations relate to licensing, compliance with license conditions, and the Sale and Supply of Alcohol Act 2012 (**Act**).
15. All stores are required to install SLH point-of-sale (**POS**) systems. All customers who appear to be under age 25 are requested to verify their age by staff members. As an added checkpoint, the POS system also prompts the staff member to ask for a customer's date of birth before a transaction commences.
16. SLH currently has five Franchise Managers nationally. I am based in the Lower North Island. The role of a Franchise Manager is to ensure franchisees maintain a high standard through a 9-step compliance system conducted on a quarterly basis.
17. The 9 key areas are:
  - (a) External store presentation;
  - (b) Internal store presentation;
  - (c) Sale and Supply of Alcohol Act 2012;
  - (d) Chiller presentation;
  - (e) Ranging and pricing;
  - (f) People;
  - (g) Back of house;
  - (h) Communication a marketing; and

(i) Critical questions.

18. Any store that fails an audit on franchisee standards does not qualify for their compliance rebate. In other words, there is a financial incentive to comply.
19. I will produce a copy of the compliance audit at the hearing, but do not wish to attach it to this evidence because it is commercially sensitive.
20. SLH has taken a leadership position in developing and providing a range of training modules and resources for franchisees and their staff. We use the services of Steve McDowell from Ignition Group on an ongoing basis. Steve has a wealth of experience in NZ Police, Council and as a liquor licence consultant.
21. As part of the recent rebrand program, SLH has requested that all stores have "clean branded sites". By this we mean, we do not allow suppliers brands to be painted or positioned on the exterior of our buildings.

**PRICING**

22. The SLH consumer offer is based on convenience, service and choice. Our price offers must be competitive, but we do not differentiate on price – we do not set out to be cheapest.

**OBJECT OF THE ACT**

23. As all our franchisees are operating under the SLH banner, it is extremely important that all our stores are operating in accordance with the object of the Act.
24. SLH has systems in place to ensure that its stores sell alcohol safely and responsibly and alcohol-related harm is minimised. These systems include:

- (a) Completing background checks on its franchisees;

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- (b) Providing training for our franchisees;
- (c) Ensuring that all national promotions are not sold at a price less than 25% of the average Super Liquor national price; and
- (d) Carrying out quarterly audits of its stores to confirm that each store is operating in accordance with the Act.

#### **DESIGN AND LAYOUT OF THE PREMISES**

- 25. We believe that the layout of the premises is very good and improves safety for the staff and customers. Some of the notable features of this new design and layout are:
  - (a) The counter is positioned so staff can see customers entering and leaving the store and have a view of anyone in the store; and
  - (b) CCTV cameras are located internally and near the principal entrance. Staff can monitor these areas via screens at the counter.

#### **AMENITY AND GOOD ORDER**

- 26. SLH requires all its franchisees to keep their shop fronts clean and tidy to attract customers.
- 27. In my experience, bottle shops do not generate a lot of noise and noise complaints are very rare. The proposed store is part of an existing retail site therefore we do not perceive an increase in noise that currently exists.
- 28. It is for these reasons that I consider that the amenity and good order of the of the locality will not decrease, if the off-licence is granted.

#### **SYSTEMS, STAFF AND TRAINING**

- 29. SLH targets its promotions to a wide range of customers which includes low alcohol, no alcohol and premium products which follows the current trends around the world and in New Zealand.

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30. SLH has a comprehensive training program for all persons that work in our stores.
31. To ensure that each SLH franchise is meeting its requirements under the Act, SLH carries out a compliance audit each quarter. Amongst other things, this audit confirms that:
  - (a) all manager's certificates are current;
  - (b) that the duty manager's name and manager's certificate is displayed;  
and
  - (c) the training that has been carried out by all serving staff.
32. Over the last 12 months, SLH has reviewed its procedures and policies and provided additional support to its franchisees.
33. Some of this support includes:
  - (a) Appointing specialist law firm Lane Neave to advise franchisees on workplace law;
  - (b) Enhancements to operational systems regarding workplace law matters;
  - (c) Increased training and education on New Zealand workplace law matters;
  - (d) Information and communication to provide increased levels of assurance to franchisee employees around workplace law entitlements;
  - (e) Increased monitoring of workplace law compliance; and
  - (f) A national workplace law review of all stores in the franchise network focusing on key compliance areas in employment law.

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34. Where we find evidence that the law has been deliberately broken, we will continue to take a hard line. SLH has been quoted in the media by MBIE as being a gold standard in terms of employment law.

#### **SUITABILITY**

35. Gurjeet Singh has been part of SLH since 2018. SLH has a thorough application process which includes a 5-person approval process that includes but is not limited to:

- (a) Personal meeting with director(s);
- (b) Formal application;
- (c) Credit checks;
- (d) Profit and loss forecast;
- (e) Site Visit(s); and
- (f) Workplace Law review in association with Lane Neave Solicitors.

36. Since joining SLH, I have found Gurjeet to be very engaged and extremely professional. Gurjeet is very committed to his local community engagement which includes but is not limited to sponsorship, supporting local clubs and local community events.

#### **CONCLUSION**

37. I am confident that if the application for Super Liquor Showgrounds is approved, it will have systems and procedures in place to ensure that the Premises operate in compliance with the law and any conditions of the off-licence.



9

38. A copy of the SLH brand standard and training examples is **attached** and marked "**A**".

**Halinka Newton**

11 February 2026

2819575 / 710220

"A"

# SUPER LIQUOR OVERVIEW

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1

# OPERATIONS SUPPORT

- Dedicated Franchise Managers
- Retail expertise with advice and support
- Category management and pricing insights
- Compliance rebates
- Operations manual
- Interior fit out advice
- Exterior and interior signage (new stores)
- Liquor Licensing support
- SL Academy - sales, SSAA & product training
- Annual franchisee conference and regional meeting
- Lane Neave workplace law specialists for Health and Safety, Immigration and Employment matters
- Liquor Licencing
- Training, operations systems and on-going support
- Intranet (OpCentral)



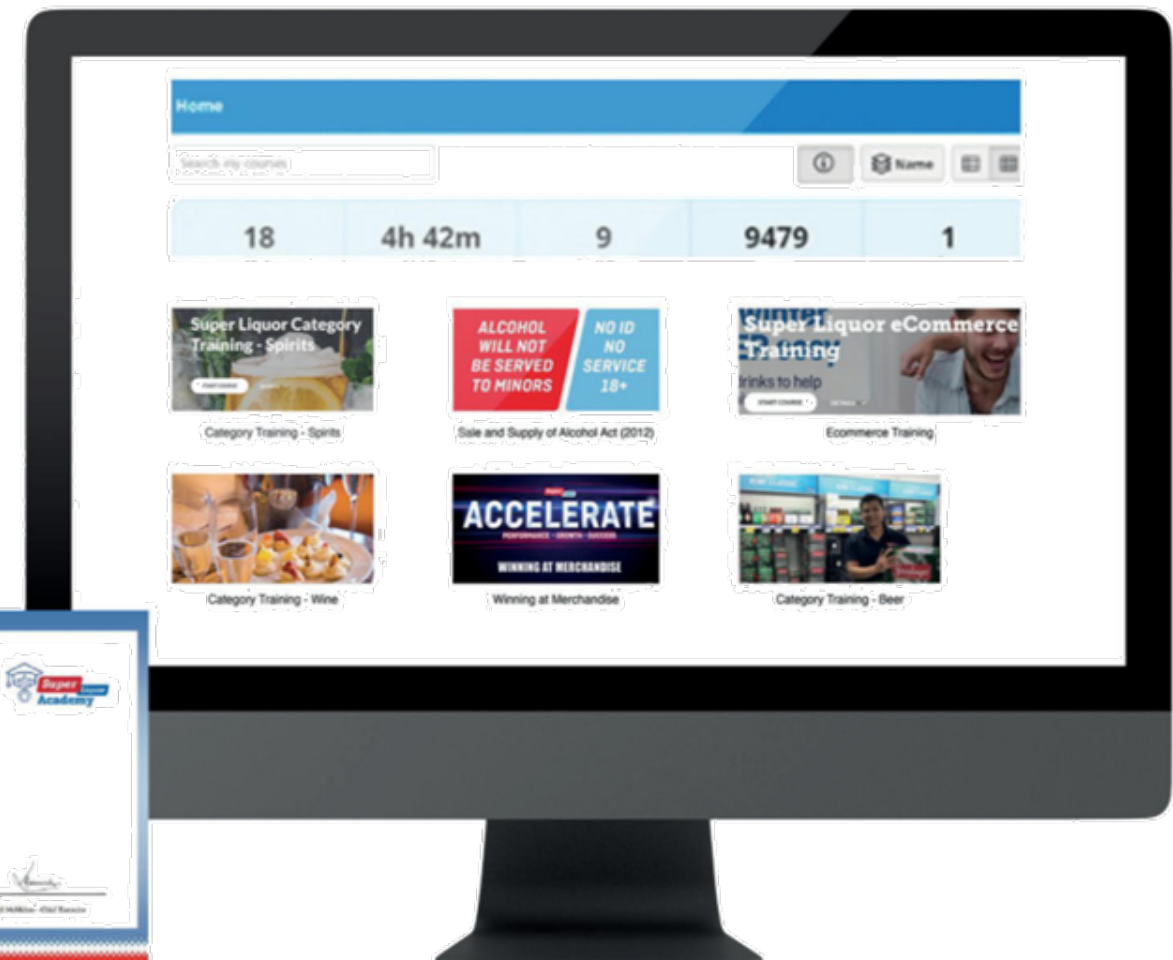


# SUPER LIQUOR ACADEMY E-LEARNING & TRAINING RESOURCES

Super Liquor Academy is an E-Learning system tailored for Super Liquor franchisees & staff to create learning pathways & encourage upskilling, compliance, social responsibility and retail as a career.



- Category Training Courses – Wine, Beer & Spirits
- eCommerce Training
- Customer Service Courses
- Sale and Supply of Alcohol Act 2012 modules
- Local Marketing Manual
- Merchandising Manual
- Category Management



# STORE COMPLIANCE SYSTEM

## SUPER LIQUOR COMPLIANCE SYSTEM

- OpCentral
- Benchmarking national/regional
- Continuously raising standards
- Compliance with SSAA 2012
- Supplier compliance
- Shopper experience
- Compliance rebate
- Business partnering & checklists
- Annual Awards

Compliance Review

Super

Liquor

Name: Compliance Review

166

100%

Creator:

Creation Date:

Due Date:

Template: Compliance Review

Version:

Store:

166

QUESTIONS

ANSWERS

SCORE

MAX

EXTERNAL PRESENTATION

Q1. Is the external appearance of the building clean, tidy and in good condition?

Excellent

2

2

Q2. Are the vehicles & chiller trailers tidy & re-branded to Super Liquor standard?

Yes

2

2

Q3. Is any graffiti visible?

No

2

2

Q4. Is the car park, driveway and garden tidy (if applicable)?

Excellent

2

2

Q5. Does the exterior have adequate lighting?

Yes

2

2

Q6. Are the stores entry points welcoming, uncluttered and inviting?

Excellent

2

2

Q7. Are windows clean and unnecessary stickers removed?

Yes

2

2

Q8. Is signage in good condition?

Excellent

2

2

Q9. Is painting in good condition?

Excellent

2

2

Comment

Building is being painted blue and red in the next few weeks

Q10. Have the issues from the last audit been resolved/rectified?

Yes (0)

18

18

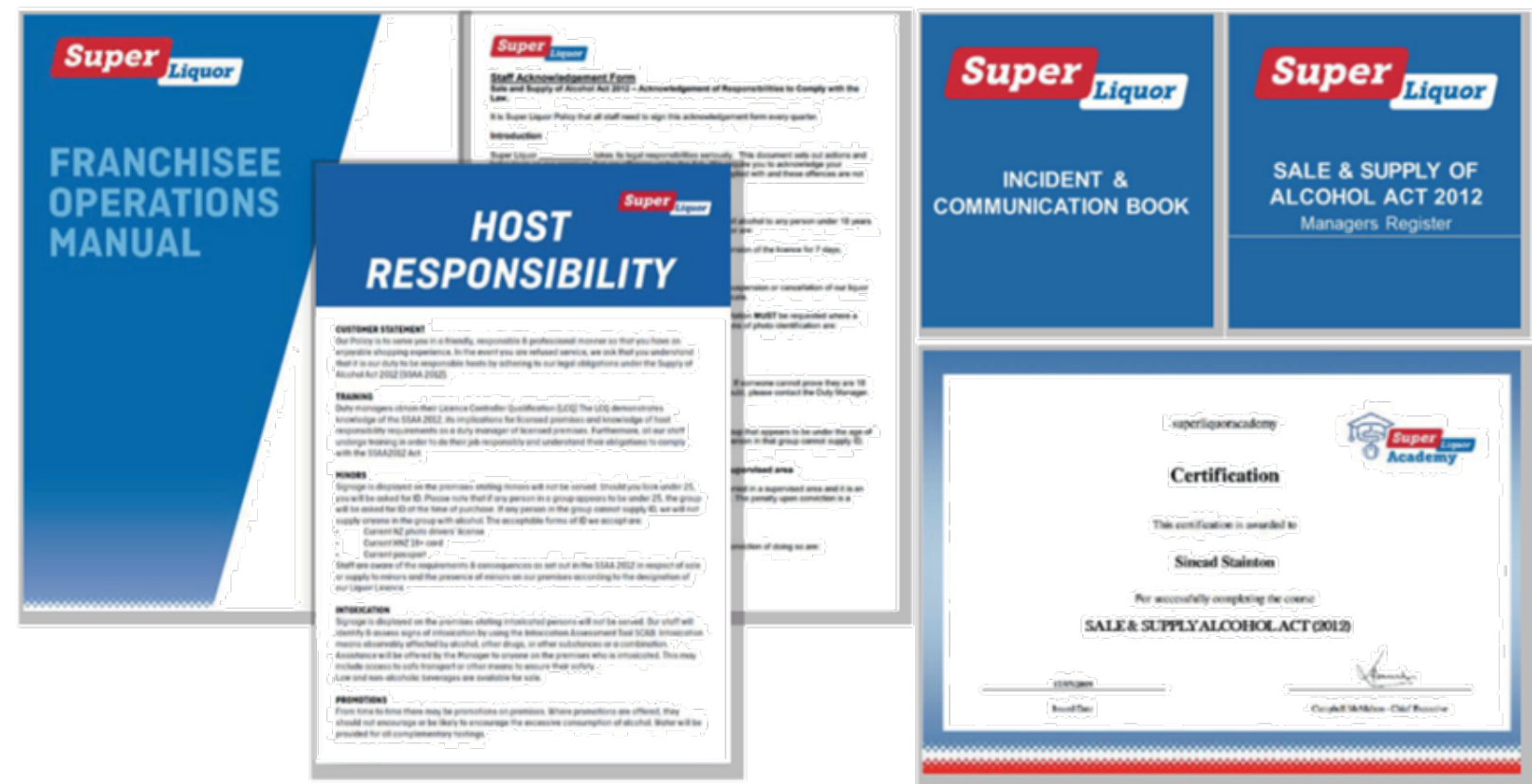
## COMPLIANCE 8 SECTIONS

1. External Store Presentation
2. Internal Store Presentation
3. Sale & Supply of Alcohol Act 2012
4. Chiller Presentation
5. Ranging & Pricing
6. People & Back of House
7. Lion 4th Schedule
8. Critical Questions



# HOST & SOCIAL RESPONSIBILITY

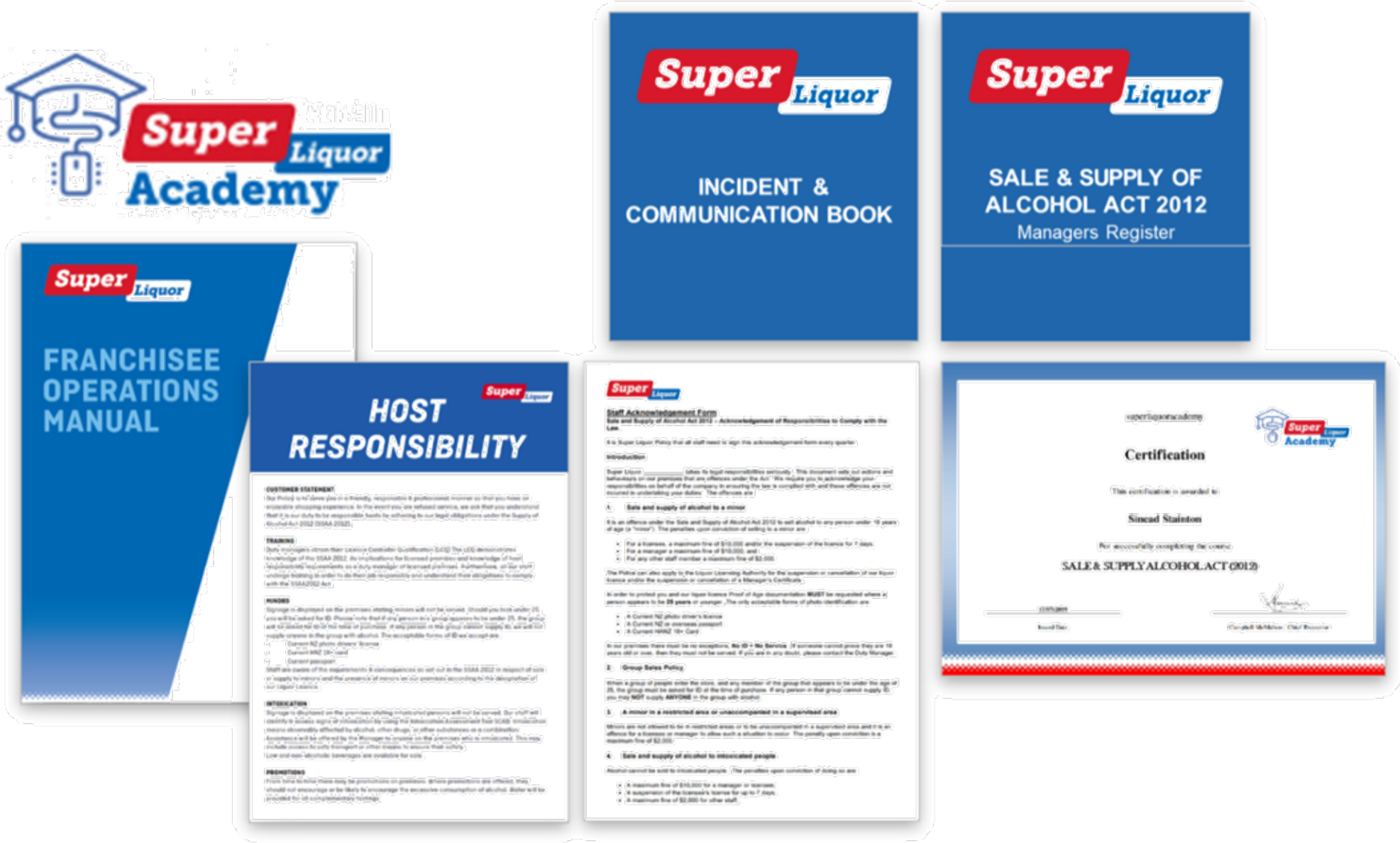
- Super Liquor is absolutely committed to the responsible Sale & Service of alcohol in all the communities we serve
- Super Liquor has strong compliance systems in place
- Including Store Operations manual and processes
- Online training program for owners and staff
- Shopper communication tools
- Store audits and review process and SLH franchise management oversight





# LICENCING & SOCIAL RESPONSIBILITY

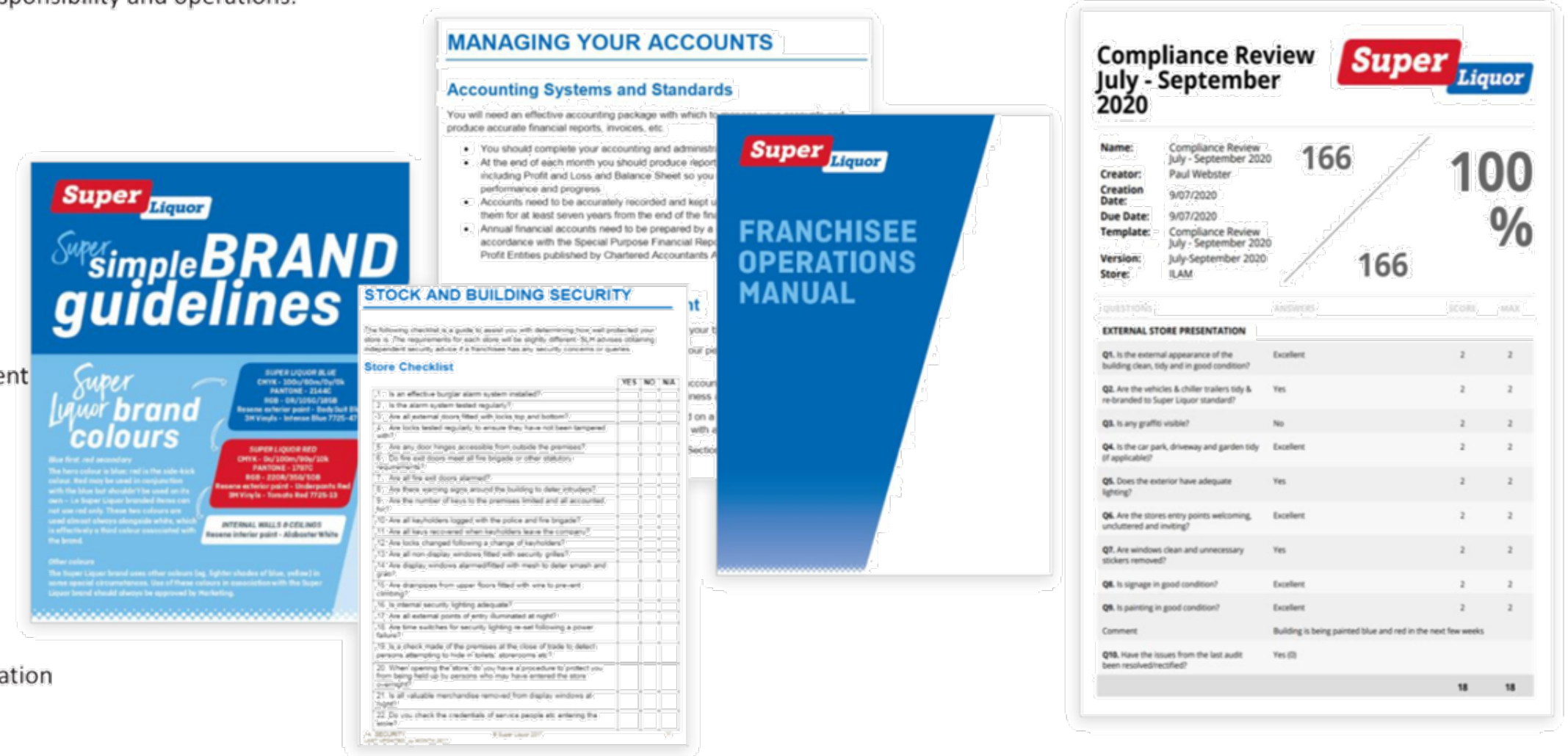
Super Liquor is absolutely committed to the responsible Sale & Service of alcohol in all the communities we serve. Super Liquor has strong compliance systems in place including: Store Operations manual and processes, online training program for owners and staff, shopper communication tools, store audits and review process and SLH franchise management oversee.



# STORE OPERATIONS MANUAL & COMPLIANCE

The Super Liquor Operations Manual is divided into 17 sections with each section relating to a key element of the business, compliance, responsibility and operations.

1. Welcome
2. Pre-commencement
3. Franchise Network Responsibilities
4. Communication & Support
5. Store Operating Procedures
6. Product & Suppliers
7. Store Merchandising
8. Sales & Customer Service
9. Administration & Financial Management
10. Business Management & Planning
11. Brand Identity
12. Marketing
13. Human Resources
14. Health & Safety
15. Security
16. Legal & Compliance
17. Franchise Expansion, Resale & Termination





# SSAA 2012 - TRAINING



Module 4 - Licence  
Conditions A



Module 4 - Licence  
Conditions B



Module 5 -  
Intoxication



Module 6 - The  
Agencies



Module 7 - Duty  
Manager



Module 8 - Key Risks



Module 9 - Who you  
cannot sell alcohol to



Module 10 -  
Infringement Offences



Module 11 -  
Irresponsible  
Promotions



Module 12 - Local  
Alcohol Policies



Module 13 - Good  
Management Tactics



Module 14 - Store  
Design & Prevention

# SSAA 2012 – Foundation Course Module 1 - Summary



This course is for all serving staff employed at Super Liquor stores and is part of our compliance programme to make sure you understand your responsibilities as they relate to the law.

CONTENTS OF THIS COURSE

- Section 1: Introduction to SSAA 2012
- Section 2: Being Socially Responsible
- Section 3: Duty Managers
- Section 4: Minors
- Section 5: Intoxicated Persons
- Section 6: Amenity and Good Order
- Section 7: Licences
- Section 8: Penalties
- SSAA Foundation Course - Final Quiz

Steve from Ignition Group



What does Alcohol Related Harm mean..

The law defines harm as being crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol.





A blended learning approach with a mix of written, audio, video and question type

Liquor Licence Training  
Module 2



### Minors

**Overview**

- It is illegal to sell or supply alcohol to anyone who is under the age of 18 years.
- It's up to the customer to prove they are old enough to buy alcohol or be on your premises. If they can't supply proof, you should NOT allow them on the premises.
- Don't be flexible or you could be targeted by minors, as well as the authorities.
- Most bottle stores are designated supervised, which means a person under 18 can be in the store providing they are with their parent or legal guardian.

**Key Points**

A minor is a person aged under 18.  
It is your responsibility to ensure that no person under the age of 18 is able to purchase alcohol. You must check for proof of age if you are unsure what someone's age is. Evidence of age is either:

- ✓ Current New Zealand driver's license
- ✓ Any current passport
- ✓ A Hospitality Association of New Zealand proof of identity card

If you think the person who you are selling alcohol to is under the age of 25, ask them for ID. The only acceptable forms of identification are:

- ✓ Current New Zealand Driver's Licence
- ✓ Kiwi Access card
- ✓ HN2 18+ Card
- ✓ A current Passport (any country)



Liquor Licence Training | Module 2 Minors

March 2024

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Match the below correctly

Manager intoxicated on duty	\$4,000
Failure to appoint a manager, have a manager on duty at all times, or notify appointments	\$20,000. The licence may also be suspended for up to seven days
Sale or supply of alcohol to minors by staff	\$2,000
Unauthorised sale or supply	\$10,000
Inappropriate promotions by staff	\$5,000

SUBMIT



# SUPER LIQUOR BRAND STANDARDS

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# SUPER LIQUOR 2.0 GUIDE

White Ceiling & Walls

Plinths

Fourth Schedule

Wooden Counter with Impulse



Aisle Ends

Grey Flooring

Welcome Mat - Not Super Liquor branded

# SUPER LIQUOR FLOORING

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13





## FLOORING – AMBIENT OR CHILLER OPTIONS – CARPET TILES

PREFERRED OPTION IS CARPET TILES

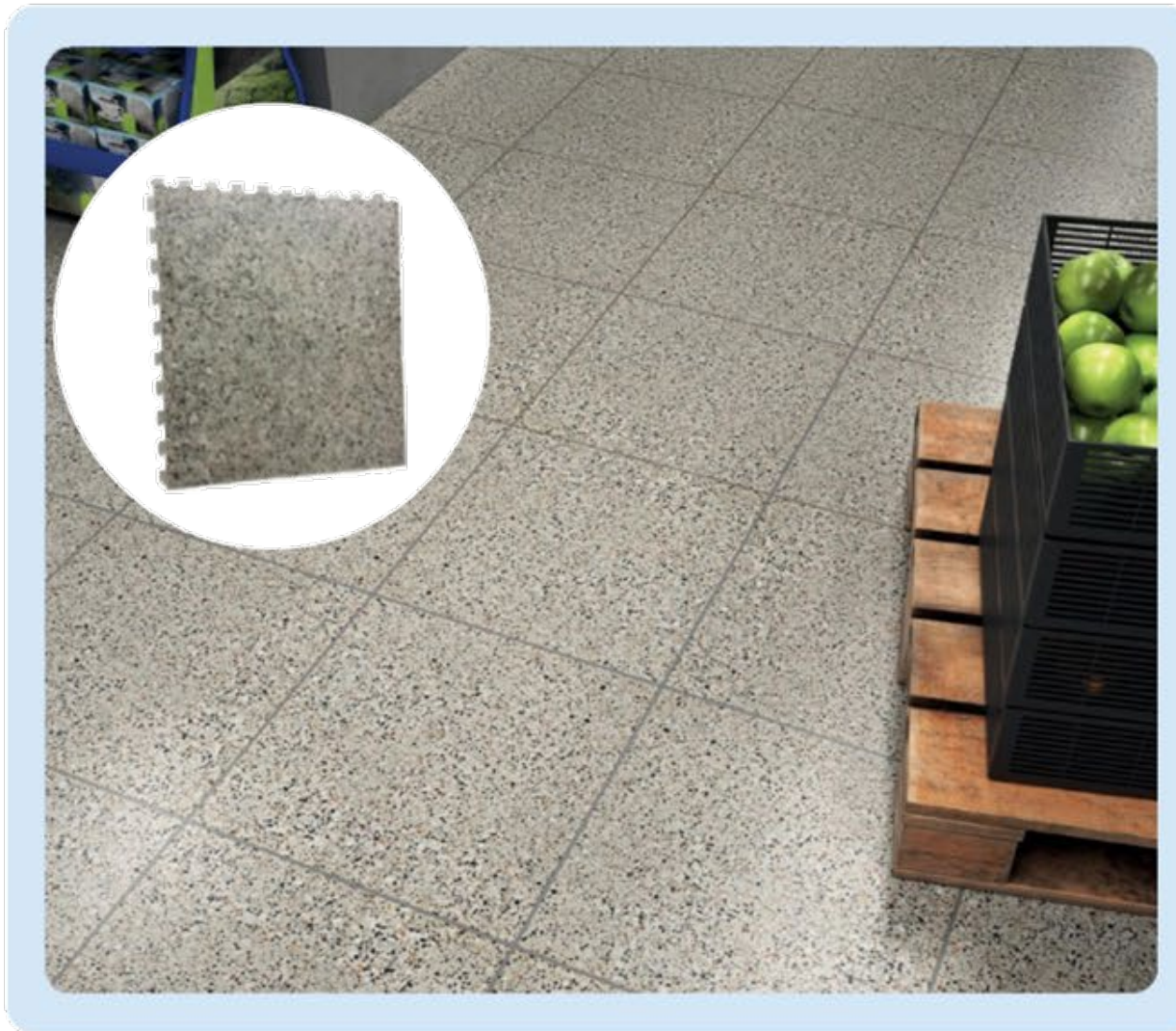


Option 1:  
**Essence Maze**  
*Ecobase back*



Option 2:  
**Karamea Leva**  
*Ecobase back*

## FLOORING – AMBIENT OR CHILLER OPTIONS – INTERLOCKING





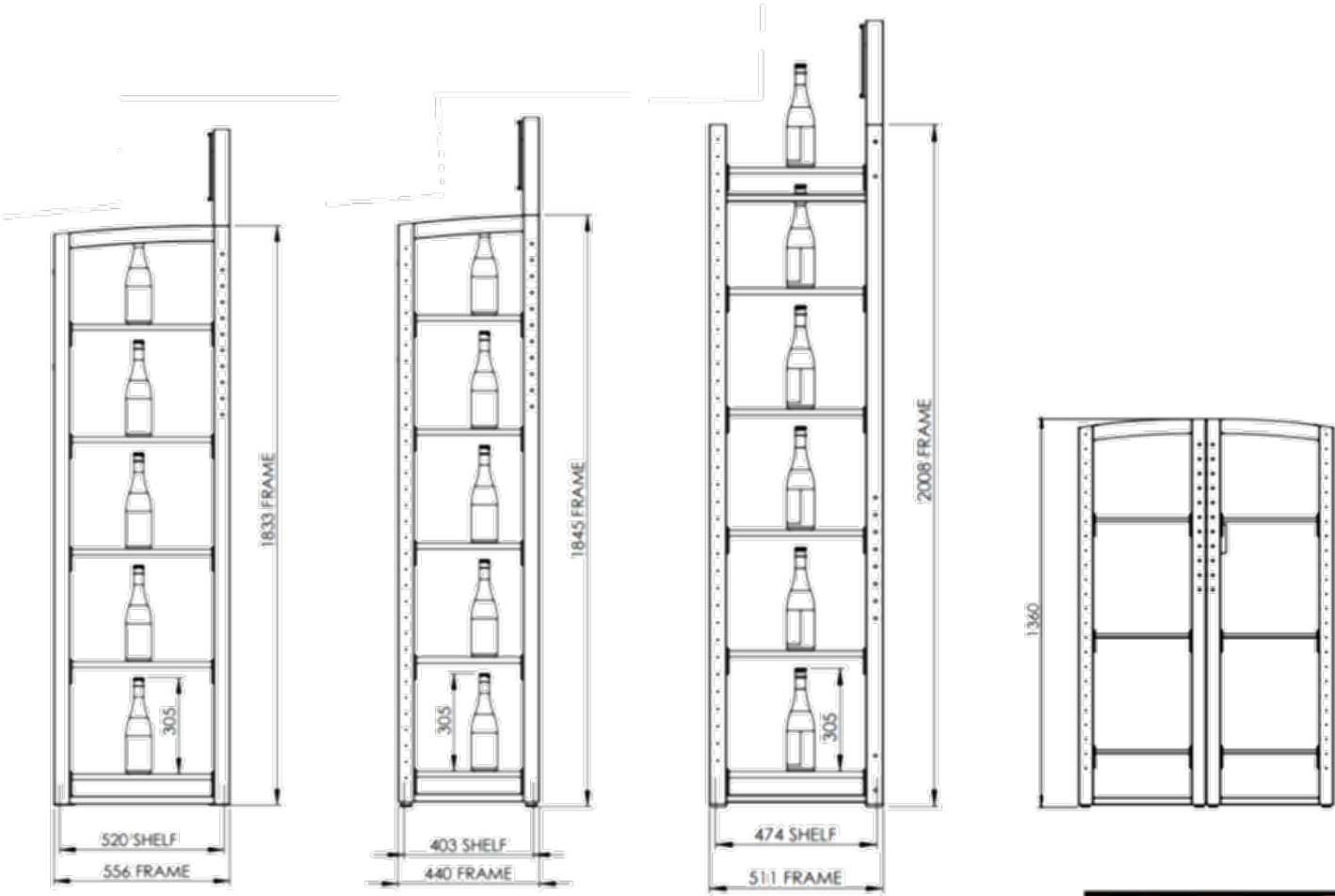
# SUPER LIQUOR SHELVING

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# SHELVING SUMMARY - UPO

WALL & MID FLOOR - NEW OPTIONS AVAILABLE



17



# CHILLER SHELVING – UPO

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# SUPER LIQUOR COUNTERS

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# COUNTERS – MODULAR DESIGN



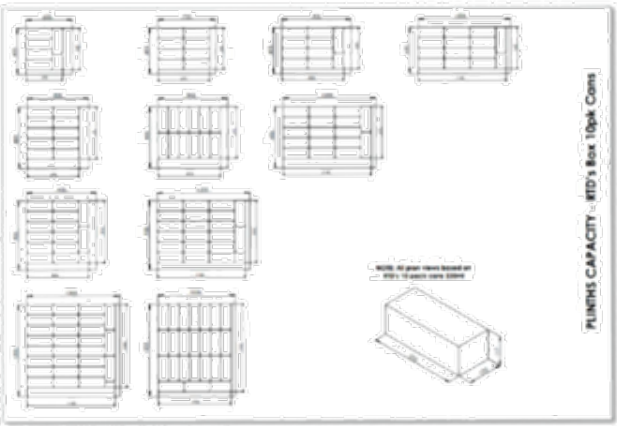
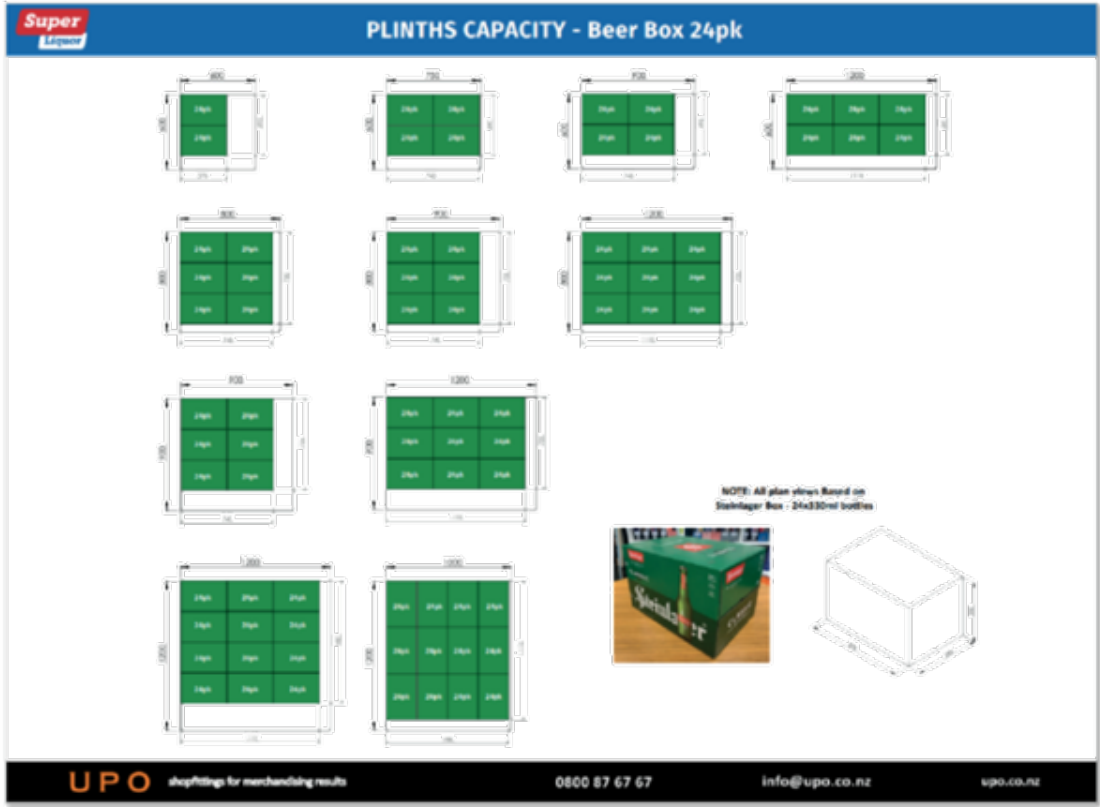
# SUPER LIQUOR PLINTHS

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21



# PLINTHS



# SUPER LIQUOR PAINTING

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23





# PAINTING



# SUPPORT TOOLS

**Customer Experience  
& Convenience**



**Stock Trolleys & Roll  
Cages for storage  
efficiencies and reduced  
time to refill store**



"A1"



11th February 2026

To Whom It May Concern,

I am writing in support of the new liquor licence for Gurjeet Singh (Guri) at Show ground Complex.

I know Guri through various community organisations, fund raisers and car clubs I am involved with and have interacted with him regularly over 3-4 years and have always found him to be friendly, respectful, and genuinely committed to the wellbeing of our community and people.

He has been the major sponsor of many organisation's in various towns in Mid and South Canterbury, providing consistent support that has allowed those clubs and other organisations to grow and operate successfully.

His ongoing contributions have had a significant and positive impact on local sports and community engagement.

From my careful observations, I've always found him to be a responsible business owner and a dedicated family man who takes pride in supporting others.

His involvement in community activities reflects his good values and his desire to give back to the communities. Based on my experiences and what I have seen over the years, I fully support the application of his liquor licence.

He has demonstrated integrity, responsibility, and a genuine commitment to the community. If any further information is required, please don't hesitate to contact me.

Kind Regards  
Todd Mudie

**Todd Mudie**  
Group Director

"A2"

Geraldine Matariki Motor Muster

c/- [REDACTED]

8 February 2026

To Whom It May Concern

I am writing this letter in support of Gurjeet Singh and his application for a new liquor licence.

We started our event 4 years ago with the intention of raising funds for the local community and it was during the running of the first event that he approached us asking how he could help and also with the offer to sponsor the event moving forward. Every year since he has been the title sponsor for the show nearly covering the costs of staging the event meaning that nearly all funds raised on the day can go to the chosen charity. He also helps out on the day yet asks for nothing in return.

As an organisation we were very impressed at his community minded attitude in that it was him that approached us rather offering help and sponsorship because he could see the value to the community rather than us going looking for the same.

We appreciate that we are only one of a number of sponsorship's that he has in our local community and that he also gives his time to a number of different organisations. I am personally associated with him on the board of Geraldine NZ where he is a valuable member freely offering his business expertise.

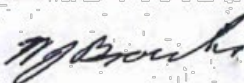
Having lived in Geraldine for 4 years and owning the TOP10 Holiday Park in the town I am yet to hear a bad word from any local or any of our many guests about him or his establishment The Village Inn that he operates in the town.

I am sure that Gureet's application for a new liquor licence will only benefit that location in the way his current one does to the Geraldine area.

If you have any questions please feel free to contact me either by email or phone on [REDACTED]

Yours sincerely

Howard Brockle





"A3"

9 February 2026



Level 1, 56 Bank Street,  
PO Box 966 Timaru 7940  
TEL: 03 688 6644  
EMAIL: office@foundry56.nz

**To Whom It May Concern**

**Re: Character Reference for Mr. Gurjeet Singh – Liquor Licence Application**

I am writing in my capacity as an accountant for Mr. Gurjeet Singh, whom I have worked with for several years. I understand he is applying for a new liquor licence, and I am pleased to provide this character reference in support of his application.

Throughout our professional relationship, I have found Gurjeet to be reliable, responsible, and fully compliant with financial and regulatory requirements. His business affairs are conducted with integrity and transparency, and he consistently meets his obligations in a timely and professional manner.

Gurjeet is also a valued and active member of the community. He provides generous support to local initiatives and cultural events, demonstrating a genuine commitment to the wellbeing of those around him. Additionally, his businesses have created several job opportunities in the region, contributing meaningfully to local employment and the wider economy.

Based on my professional experience with him, I believe that Mr. Gurjeet Singh is a fit and proper person to hold a liquor licence and to continue operating in a way that benefits both the community and the region.

Please feel free to contact me if you require any further information.

Yours faithfully  
Foundry56 Ltd.

Kashyap Hari CA  
Director



"A4"



WAIMATE RUGBY FOOTBALL CLUB

Manchester Park Waimate  
waimaterugby@gmail.com

To Waimate Super Liquor

Thank you for your request to confirm your sponsorship to the Waimate Rugby Football Club throughout the 2025 season. Your support is hugely appreciated, and we can't do what we do, without the generosity of people like yourselves.

Thank you to you, and your business for your support. We look forward to working with you in 2026.

Regards,

Waimate Rugby Football Club

"A5"

Property  
Brokers19<sup>th</sup> February 2026

To Whom It May Concern,

I am writing to personally support Guri Singh's application for a new liquor licence.

I have known Guri for several years through living in Temuka, and during that time I have come to know him as someone who truly cares about the people and communities around him. Guri is not only well known in Temuka, but highly respected throughout the wider South Canterbury region for the way he consistently gives back and supports others.

Guri is the type of person who goes above and beyond without ever being asked. This is clearly shown through the incredible level of support his Temuka business provides to local sporting clubs, schools, and community events. Most recently, he has re-signed for another two years as the Temuka Rugby Football Club Premier Team's main sponsor, which will be his fifth consecutive season supporting the club. He also supports the Temuka Netball Club, Temuka United Football Club, all local schools, and a wide range of community events such as the Temuka A&P Show, among many others.

What stands out most about Guri is that this support is genuine and ongoing. It is not limited to Temuka alone, as his involvement and generosity extend across the entire South Canterbury region. His kindness, willingness to help, and commitment to our communities are second to none, and Temuka is incredibly fortunate to have someone so invested in its people and future.

Guri is a hard-working and well-rounded individual who consistently demonstrates professionalism, integrity, and reliability. He is a family man who values responsibility and respect, and he approaches everything he does with care and consideration for others.

I have full faith in Guri Singh and no hesitation in endorsing his application. I am confident that he will continue to conduct himself and his business in a responsible and professional manner, and that he will be an asset as a licence holder, just as he is already an asset to our community.

Yours sincerely,

Lisa Aitken



Property Brokers Ltd Licensed REAA 2008 || 0800 367 5263 | pb.co.nz

"A6"

7<sup>th</sup> February 2024



Geraldine Lions Club  
P O Box 63  
Geraldine 7930  
[geraldine.secretary@lionsclubs.org.nz](mailto:geraldine.secretary@lionsclubs.org.nz)

**To whom it may concern**

The Geraldine Lions Club would like to support Mr Gurjeet Singh's application for a liquor licence renewal.

Guri is very supportive of the club, and wider community. Guri has made an annual donation to the club, which aids in the club's support of the community, and other causes. Guri also supports the community by allowing various community events to be held on the green space in front of the Village Inn.

Thanks.



Justin O'Brien  
Club Secretary



"A7"



To Whom It May Concern,

I am writing this testimonial in support of Mr Gurjeet Singh in his application for a new liquor licence.

I have had the privilege of knowing Gurjeet—known to many of us as Guri—for several years through our shared involvement with Rotary. As President of our Rotary Club, I have worked closely with Guri during his four years of service as a Board Member of our Rotary Charitable Trust, where he has consistently demonstrated integrity, reliability, and a genuine commitment to serving others.

Guri is exceptionally community minded. He is a strong supporter and sponsor of local initiatives and is involved in nearly every community event, always willing to contribute his time, resources, and energy to causes that benefit the wider public. His engagement is not superficial—he takes a hands-on approach and leads by example.

Beyond his community involvement, Guri is a devoted family man who carries himself with kindness, respect, and professionalism in all aspects of his life. His values are evident in the way he interacts with others and in the trust, he has earned within our community.

I hold Guri in the highest regard, both as a Fellow Rotarian and as a friend. I have no hesitation in recommending him as a person of good character and standing, and I am confident he will uphold all responsibilities associated with holding a liquor licence in a responsible and ethical manner.

Should you require any further information, please do not hesitate to contact me.

Yours sincerely,

Scott Ackroyd  
President  
Rotary Club

A handwritten signature in blue ink, appearing to read "Scott Ackroyd", is written over the printed name and title.

Administration | Temuka Geraldine Rotary Club  
admin@temukageraldinerotary.org.nz

**"A8"****NICKY DONKERS**8<sup>th</sup> February 2026The Lawyer of Guri Singh  
BY EMAIL

To whom it may concern

I am pleased to offer my support for Guri Singh's application for a liquor business in Timaru. I have known Guri through several governance and community roles, including my time as Chair of the Geraldine Licensing Trust, where he is the tenant of the Village Inn and bottle store, as well as through Geraldine.nz, the town's development and promotion board, and the Temuka and Geraldine Rotary Club. Across all these settings, Guri has consistently demonstrated professionalism, integrity, and a genuine commitment to operating responsibly within the regulatory environment.

Guri is not only a capable business operator but also someone who understands the importance of community connection. His Geraldine businesses support an extraordinary number of local organisations, from major sporting codes such as the Geraldine Rugby Club, Women's Rugby, Cricket, Football, Bowling, Netball, and the Orari Racecourse, through to schools including Geraldine High School, Geraldine Primary School, and the kindergarten. He also contributes to a wide range of community groups and events, including the Geraldine Lions, RSA, Community Vehicle Trust, Peel Forest Outdoor Centre, Geraldine Christmas Parade, A&P Show Temuka & Geraldine, Geraldine Lunar Year, the Multi Challenge, and numerous local festivals. This level of support is rare, sustained, and deeply valued across the district.

In every interaction I have had with Guri, he has demonstrated reliability, community-mindedness, and a commitment to running well-managed, compliant hospitality and retail operations. His track record in Geraldine demonstrates both responsible stewardship and a genuine commitment to the region's well-being and vibrancy. I have no hesitation in endorsing his application and am confident he would bring the same high standards and community spirit to a liquor business in Timaru.

Yours sincerely

**Nicky Donkers**

"A10"



Incorporated  
Est. 1875

## TEMUKA RUGBY FOOTBALL CLUB (Inc.)

P.O. BOX 54  
TEMUKA  
secretarytemukarfc@gmail.com

9<sup>th</sup> February 2026

To Whom It May Concern,

I am writing in support of the new liquor licence application from Gurjeet Singh (Guri).

I know Guri through our rugby club and various community organisations I am involved with. I have interacted with him regularly over several years and have always found him to be friendly, respectful, and genuinely committed to the wellbeing of our community.

He has been the major sponsor of our rugby club for six consecutive years, providing consistent support that has allowed us to grow and operate successfully. In addition, he sponsors our sister netball club, the community sports awards, and numerous other sporting groups and initiatives. You would be hard-pressed to find someone in Temuka who has not benefited from Guri's generosity. His ongoing contributions have had a significant and positive impact on local sport and community engagement.

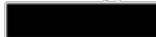
From my observations, he is a responsible business owner and a dedicated family man who takes pride in supporting others. His involvement in community activities reflects his strong values and his desire to give back to the region.

Based on my experiences and what I have seen over the years, I fully support this application. He has demonstrated integrity, responsibility, and a genuine commitment to the community.

If any further information is required please don't hesitate to contact me.

Regards

Nicola Nimo  
Secretary / Treasurer



**"A9"**

**To Whom It May Concern,**

I am writing in support of the liquor licensing application for **Mr Gurjeet Singh** who is applying to open a new store at the **Timaru Showgrounds Complex**.

I make this submission in my capacity as a **current Executive Member of the Caroline Bay Association** and **Past President of the Timaru South Cosmopolitan Club**. I have known Gurjeet (Guri) for the past seven years and, during this time, have developed a strong and valued business working relationship with him.

Throughout this period, I have found Guri to be highly supportive of community activities and events. He is a regular sponsor and contributor, consistently reinvesting in and supporting the local community through his active involvement in numerous events and initiatives.

Based on my experience, I consider Guri to be an honest, responsible, and community-minded individual who understands the importance of operating a business in a manner that positively contributes to the wider community. He is a family-oriented person who is well known and respected within the Timaru community.

As a successful business owner within the Timaru District and the wider region, Guri has consistently demonstrated responsible business practices and full compliance with local licensing requirements, as evidenced by the continued growth and success of his businesses.

During a particularly challenging period when the Timaru South Cosmopolitan Club was still trading while decisions were being made regarding its future, Guri was extremely supportive and understanding. He worked constructively with us throughout this time, and his cooperation and flexibility played a significant role in enabling the club to continue trading during what was a very difficult period.

I have no hesitation in supporting Guri's liquor licence application and firmly believe that his proposed new venture will make a positive contribution to the community.

**Yours sincerely,**



**Shane Clarke**



Executive Member – Caroline Bay Association  
Past President – Timaru South Cosmopolitan Club

"A11"



11 February 2026

TO WHOM IT MAY CONCERN

This testimonial letter is in support of Mr Gurjeet Singh (Guri) in regard to his application in obtaining a liquor licence, to open a new Super Liquor outlet at the Timaru Showgrounds Complex, Evans Street, Timaru.

I have had the pleasure of knowing Guri and members of his family for some 10 years now, both from business dealings, and during the odd social occasion.

Mr Singh has supplied product and supported the Gleniti Golf Club Inc over the past six years, during this time, he has been very professional in all his dealings with our committees and volunteer bar staff. A very good communicator, Guri and his employees are responsible and personable to all the needs and requirements of the golf club.

In a fiercely competitive line of business, Guri personally and through his businesses, continue to be a proud financial supporter of many clubs, sporting groups and cultural and community organisations in our region.

I have no hesitation in supplying this testimonial letter in support of Guri.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Murray Roberts', is located below the 'Yours sincerely' text.

Murray Roberts  
*Board Member*  
Gleniti Golf Club Inc

Gleniti Golf Club Inc  
36 Oakwood Road  
P.O. Box 369  
TIMARU 7940

Tel: 03 686 0305  
Email: [glenitigolf@xtra.co.nz](mailto:glenitigolf@xtra.co.nz)

### To the Timaru District Licensing Committee

**Re:** The off-licence application by KSK PVT Limited for Super Liquor Showgrounds, Evans Street, Timaru.

Hello,

My name is Gordon Rosewall and I appreciate the opportunity to submit my objection to the application for an off-licence to operate at the Showgrounds complex here in Timaru.

I was the Deputy Chairperson of the Timaru District Council Safer Communities Committee for many years, hence, my objection arises out of my love for our community and its welfare.

My objection is also based in well-researched evidence and my many years of advocating for more effective regulation around the sale and supply of alcohol to see the levels of alcohol-related harm in our communities reduced

### Alcohol related harm in Timaru

1. There is already significant alcohol-related harm in Timaru. None of us will ever forget the terrible accident that killed five young people in 2023. That accident need not have happened.  
<https://www.rnz.co.nz/news/national/500627/timaru-car-crash-that-killed-five-teenagers-father-says-tyreese-fleming-is-lucky-to-already-be-released-from-jail>
2. There have been many other fatal and non-fatal alcohol-related accidents on Timaru's roads, such as the following:  
<https://www.stuff.co.nz/timaru-herald/132757235/speeding-drinkdrivers-crash-killed-his-muchloved-partner>

### Outlet density and alcohol-related harm

3. The research is clear that the greater the availability of alcohol the more the potential increases for alcohol-related harm. More outlets equals more availability equals more harm!

A major review for the US Centers for Disease Control and Prevention concluded that greater outlet density is associated with increased alcohol consumption and increased alcohol-related harms, including injury, crime and violence. The authors concluded that regulating outlet density is an effective public-health tool<sup>1</sup>.

4. New Zealand has particularly strong evidence because outlet data and harm data have been studied nationally<sup>2</sup>.
  - a. A national New Zealand study published in the *Journal of Epidemiology & Community Health* examined alcohol outlet density within 1 km of people's homes. It found that:
    - i. Higher density of off-licence outlets was associated with increased binge drinking.
    - ii. Higher density of all outlet types was associated with greater alcohol-related harm.
  - b. These associations remained after controlling for deprivation and socioeconomic status. The authors concluded that reducing outlet density may reduce alcohol-related harm.

<sup>1</sup> Sherk, A., Stockwell, T., Chikritzhs, T., Andréasson, S., Angus, C., Gripenberg, J., et al. (2018). Alcohol consumption and the physical availability of take-away alcohol: Systematic reviews and meta-analyses of days and hours of sale and outlet density. *Journal of Studies on Alcohol and Drugs*, 79(1), 58–67.  
<https://doi.org/10.15288/jsad.2018.79.58>

<sup>2</sup> Connor, J. L., Kypri, K., Bell, M. L., & Cousins, K. (2011). Alcohol outlet density, levels of drinking and alcohol-related harm in New Zealand: A national study. *Journal of Epidemiology & Community Health*, 65(10), 841–846.  
<https://doi.org/10.1136/jech.2009.104935>



5. Road crashes tend to be more prevalent near retail alcohol outlets<sup>3</sup>. Police may stop many drunk drivers and prevent accidents as in this recent case:  
<https://www.thepress.co.nz/nz-news/360901522/man-who-raced-friend-fatal-crash-caught-drink-driving-while-bail>

However, there is little point in policing if the number of liquor stores, and therefore the supply of alcohol, continues to grow.

How did we get so many liquor outlets in our town when the evidence points to the increasing risk of alcohol-related harm as a result? Action is needed for the sake of our community.

Hence, I strongly request that the District Licensing Committee decline this new licence on a number of grounds, but especially that alcohol-related harm will not be minimised if the licence is granted and more people and their families will suffer as a consequence.

Yours sincerely  
Gordon Rosewall



Legal representation will be by Dr Grant Hewison

I am unable to be present at the hearing due to work commitments taking me out of town.  
However, I am available to attend via video link between 11am-12noon on the day of the hearing.

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<sup>3</sup> Morrison, C., Ponicki, W. R., Gruenewald, P. J., Wiebe, D. J., & Smith, K. (2016). Spatial relationships between alcohol-related road crashes and retail alcohol availability. *Drug and Alcohol Dependence*, 162, 241–244.  
<https://doi.org/10.1016/j.drugalcdep.2016.02.033>



**To the Timaru District Licensing Committee**

In the matter of a new off-licence application by KSK PVT Limited for Super Liquor Showgrounds, The Showgrounds, Evans Street, Timaru.

1. My name is Ruth Swale
2. I objected to this licence application about a year ago and I now wish to give evidence via Communities Against Alcohol Harm's lawyer at the upcoming hearing as I am unavailable on the day. I live and work in Timaru and have other connections to the area.
3. I have been involved in alcohol harm reduction initiatives in Timaru over the past 12 years in both social justice advocacy, (2014- 2025), and restorative justice work, (2022-ongoing.)
4. Through my role in restorative justice I am constantly confronted with the impacts of alcohol-related harm. In my regular days spent in the Timaru District Court, and the referrals I receive for restorative justice, alcohol has a frequent part to play in the crimes that are committed.
5. I can hear the voice of the community asking for controls on the excessive numbers of alcohol outlets, and that needs to be actively listened to rather than giving yet another liquor store the green light.
6. The cost of alcohol harm in our communities has been clearly calculated by health researchers to far exceed the revenue generated by taxes on alcohol. Everyone else is faced with picking up the pieces, whether it's road accidents, poor health outcomes or family harm incidents and other criminal behaviour.
7. The ripple effects from family violence is something that particularly bothers me, as I'm constantly dealing with it in my work, and alcohol is often shown to be a contributing factor. It is heartbreaking to see the devastation caused to families and individuals, and to recognise that increasing the number of alcohol outlets will only make the situation worse for everyone concerned.
8. With regard to the area surrounding The Showgrounds complex, Te Aitarakihī Marae (which includes a pre-school) is right on its border, Grantlea Downs Primary School is within 500 metres of the complex, and I personally live within 650 metres of The Showgrounds. The potential flow-on effects of drunkenness, vandalism, littering, car accidents, violence, and disorderly behaviour are very real threats to public safety.
9. There are already a number of liquor outlets in this part of Timaru, so it would be of greater benefit to local shoppers to provide a different type of retail shop or service in the vacant space in question – specifically one that wouldn't cause community harm.

Ruth Swale

████████████████████

## BEFORE THE TIMARU DISTRICT LICENSING COMMITTEE ("DLC")

IN THE MATTER of an application for an off-licence by **KSK PVT Limited**  
("Applicant") for the premises at **233 Evans Street, Smithfield,**  
**Timaru** to be known as "**Super Liquor Showgrounds**"  
("Premises")

EVIDENCE OF **JULIE CALDER**  
Objector

DATED 10 February 2026

1. My name is Julie Calder. I live in Timaru and I work at Te Aitaraikihi Marae ā Iwi, a kaupapa Māori organisation next to the Showgrounds.
2. I am unable to attend the hearing due to work commitments, and will be represented by legal counsel Dr Grant Hewison.
3. I live within a 2-minute drive of a bottle store, and I often see discarded alcohol containers around our streets.
4. I see no need to widen the area affected by alcohol litter with an additional store.
5. What benefit will an additional bottle store bring to our community? I don't think this store will benefit our community.
6. There is alcohol readily available at Woolworths and other stores already.
7. This business will not promote community gathering or cohesion, rather it will promote isolation by allowing people to purchase and return to their homes.
8. There are already sufficient stores available within a short distance and people have coped without having yet another outlet available.
9. As a community we should not be making it easier to access alcohol.

Julie Calder



New Zealand, Fiji, Tonga  
& Samoa Territory

**BEFORE THE TIMARU DISTRICT LICENSING COMMITTEE ("DLC")**

**IN THE MATTER**

of the Sale and Supply of Alcohol  
Act 2012

**AND**

**IN THE MATTER**

an application by KSK PVT Limited (the  
'Applicant') for a new off-licence for  
premises to be situated at 233 Evans  
Street, Timaru to trade as Super Liquor  
Showgrounds (the 'Premises').

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**BRIEF OF EVIDENCE OF**

**MAJOR STEPHEN CAMPKIN**

**for THE SALVATION ARMY**

**11<sup>th</sup> of February 2026**

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**BACKGROUND AND ROLE**

1. I, Stephen Campkin, along with my wife Elizabeth Campkin, serve as Corps Officers (Pastors) at The Salvation Army Timaru and Directors of the Community Ministries operations.
2. We have lived and served in the Timaru area for over a year, working closely with the local community to provide support, guidance, and practical assistance to those in need.
3. Our church and community ministries centre are located at 206 Wai-iti Road.

**COMMUNITY MINISTRIES**

4. The Salvation Army Timaru Community Ministries provides essential support services, including emergency assistance, and food parcels for individuals and families experiencing hardship. Our church also has a committed congregation from the local Timaru community, and we run various additional services, including youth programmes and outreach initiatives.
5. In the past six months, we have supported 123 clients residing within a 2km radius of the proposed premise and 57 within a 1km radius.

I would like to take this opportunity to share about what we see come through our doors daily since Jun 2025 -

6. **Persistent financial hardship**



New Zealand, Fiji, Tonga  
& Samoa Territory

A large proportion of the whānau who come to us are living with ongoing, structural financial stress. Many households' live week-to-week with little capacity to absorb unexpected costs. Anything outside of basic budgeting (a car repair, a medical appointment, increased rent or power bills, school costs) can destabilise the entire household.

This means families frequently face choices such as:

- paying rent or buying food
- topping up power or paying for petrol
- covering school needs or meeting medical costs

#### **7. Housing instability and insecure living**

Many families experience unstable housing situations. This includes:

- frequent moves due to rising rent or unsuitable living conditions
- overcrowded households
- people staying in motels, emergency accommodation, or couch-surfing
- families absorbing relatives or friends in crisis

Housing instability significantly affects children's wellbeing, sense of security, school attendance, and ability to participate in normal daily routines.

#### **8. Increased pressure on whānau due to health and mental health challenges**

We see high levels of physical and mental health need such as chronic conditions, acute illness, disability, anxiety, depression, and the long-term impacts of trauma. These issues place stress on family functioning and household budgets, especially where people have reduced capacity to work or face long delays navigating support systems.

#### **9. The compounding strain on caregivers and children**

Children are often the most impacted by adult hardship. We see families where:

- children have limited access to food
- school attendance becomes inconsistent
- parents feel overwhelmed by the pressure to provide
- shared-care arrangements become strained because one household cannot afford the cost of having the children

The cumulative stress on caregivers affects mental health, relationships, and overall family stability.

#### **ALCOHOL HARM WE SEE**

10. Here in Timaru, we currently support six tangata whai ora who have engaged in our Bridge Program in either Christchurch or Dunedin. Also, from the breadth of our services we see alcohol harm across the full spectrum - from acute and immediate impacts to the more indirect pressures that build up in whānau over time.

11. Many of the people who come to us are already under enormous pressure from low income, high living costs, unstable housing, and mental health stress, and alcohol often interacts with these pressures in ways that make life more difficult. For example, we regularly support individuals who are trying to stabilise their lives but are also coping with relapse, emotional volatility, or the impacts of long-term alcohol dependency, all of which compound the stress already present in their families.



New Zealand, Fiji, Tonga  
& Samoa Territory

12. Alcohol also frequently contributes to financial and family instability. We see households running out of money for essentials after alcohol spending or the downstream costs of harmful use. This can lead to immediate food insecurity, missed bills, and conflict within the home. In some cases, harmful use has contributed to unsafe or unpredictable environments for children, or to situations where police, emergency services, or social agencies have had to intervene. These patterns demonstrate how alcohol harm reaches beyond the individual, affecting partners, children, and whānau who rely on them.
13. When alcohol is easily accessible, people who are already struggling are more likely to experience escalation in harmful use, difficulty maintaining recovery, and more frequent crises requiring support. We see this reflected in situations where relapse has disrupted care arrangements, where alcohol-related behaviour has contributed to offending or police involvement, and where families have needed urgent help to regain stability. Increased access to alcohol risks intensifying these harms in a community already under strain. In our objection we noted 4 off-licences within 2kms from the proposed premise.
14. From our work with whānau in Timaru, we see that alcohol is a significant contributing factor to the hardship experienced by many families. Increasing access to alcohol would almost certainly escalate the harms we already see and would be inconsistent with the object of the Sale and Supply of Alcohol Act 2012, which requires that harm be minimised. We strongly urge the District Licensing Committee to decline this application and to prioritise the wellbeing, safety, and resilience of our community and those we support.

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MAJOR STEPHEN CAMPKIN

BEFORE THE TIMARU DISTRICT LICENSING COMMITTEE ("DLC")

IN THE MATTER

of an application for an off-licence by KSK PVT Limited  
("Applicant") for the premises at 233 Evans Street, Smithfield,  
Timaru to be known as "Super Liquor Showgrounds"  
("Premises")

EVIDENCE OF

DENNIS VEAL  
Objector

DATED

11 February 2026



1. My name is Dennis Veal.
2. I live in Timaru. I am also involved with Addictions, Mental Health Peer Support Services (AMPSS101), Timaru Community Patrol (TUCP), and St Johns Church.
3. I objected to this licence because alcohol still is a greater cause of strife in our community.
4. If government will not tackle the cause then local authority must.
5. I ask that this licence be declined.

*\*These are the issues you raise in your objection. You can expand on some or all of them.*

6. There are already too many liquor stores within a ten-minute drive of the proposed location. Timaru has numerous liquor stores and licensed supermarkets. I believe these outlets already have a negative effect on the area.
7. The proposed location is close to a number of sensitive sites including Te Aitaraiki Marae-a-iwi, Hei Manu Hou Early Childhood Centre, Grantlea Downs School and Waitarakao Washdyke Lagoon.
8. Timaru is already heavily affected by alcohol-related harm causing death, disease, crime and disorder.
9. Many members of the community - especially youth/rangatahi - are very vulnerable to alcohol-related harm.

10. The Applicant says that he will manage this store, but he lives 30km away, and he already runs several other liquor stores and taverns. I am concerned that he will hire people to run this store on his behalf, as he has done elsewhere.
11. The Applicant intends to sell cigarettes and vapes. These products are very attractive to young people and those with high needs.
12. I believe the store's proposed operating times (Monday to Sunday, 8:00am to 9:00pm) are too long.
13. The store front will feature very bright colours, and it will display alcohol product and price advertising.
14. There is nothing in the application to suggest that the Applicant engaged with the local community before submitting this proposal.
15. I have seen people drinking alcohol in public places near this site.





BEFORE THE TIMARU DISTRICT LICENSING COMMITTEE ("DLC")

IN THE MATTER of an application for an off-licence by **KSK PVT Limited** ("Applicant") for the premises at **233 Evans Street, Smithfield, Timaru** to be known as "**Super Liquor Showgrounds**" ("Premises")

**Brief of Evidence of Alister Deans**

1. My name is Alister Deans. I live in Timaru and have worked here in Timaru, and have connections in the community.
2. Before I retired I worked at a Mental Health Activity Center. There I came across many people who had lost what could have been the best years of their lives as a result of alcohol addiction.
3. I also lost a friend and flat mate to alcohol - it was heart breaking to see the state that he ended up in before he died.
4. I don't want to see more people dying here in Timaru because there are too many liquor stores in this town.
5. I am disturbed that the proposed store is so close to the supermarket and Bunnings hardware store.
6. I believe having another liquor store here will just cause more drunken, intoxicated people causing a disturbance in the store, upsetting shoppers and causing damage in the stores.

Alister Deans – 11 February 2026

[REDACTED]

**To the Timaru District Licensing Committee**

In the matter of a new off-licence application by KSK PVT Limited for Super Liquor Showgrounds,  
The Showgrounds, Evans Street, Timaru.

1. My name is Dougal Hunter-Sinclair
2. I objected to this licence application about a year ago and I now wish to give evidence at the upcoming hearing. I live in Timaru.
3. I work/do business in Timaru.
4. Having been involved with youth for over a decade, I have seen the effects alcohol can have on the parents and also the youth. The effects are never good.
5. Also, having a daughter who is now old enough to drink, I don't want it to be any easier for her to get alcohol than it already is. I know there is significant alcohol harm in our community and especially affecting young people.
6. We do not need any more bottle shops in Timaru. If anything, we need less.

Dougal Hunter-Sinclair  


11 February 2026

**9 February 2026**

**To the Timaru District Licensing Committee**

In the matter of a new off-licence application by KSK PVT Limited for Super Liquor Showgrounds, The Showgrounds, Evans Street, Timaru.

My name is Marcus Kempf.

I objected to this licence application about a year ago and I am happy to give evidence at the upcoming hearing.

I live in Timaru. I was born and bred in Timaru. I went and lived in larger cities and overseas, but came back in 2006 with my family. My extended family all live here too.

My reasons for objecting are:

1. This store is not filling any pressing need or demand in Timaru, given there are already 14 off-licenses and supermarkets already in Timaru itself, not counting actual pubs and restaurants.
2. Approval of this application further undermines the existing businesses operating in a closely related industry (pubs particularly), an industry that has struggled enormously through the pandemic and - more recently - cost of living crisis.
3. It is my understanding that this store would be within 50m of Look Sharp which sells party supplies. From personal experience this store attracts a lot of young children. Why would you support having a full on bottle store so close to a store where children go?
4. It is also going to be very close to Black & White Café. Having been there often, I note that it too is a regular gathering point for families with children.
5. The (very pro) assessment is absolute nonsense. When there's a supermarket 'next door', and 2 off licenses within 1.6km (literally round the corner!), this store would absolutely totally be contributing to the "proliferation of off-licenses in the area".

Regards,

Marcus Kempf

Email: [REDACTED]

Phone: [REDACTED]

**To the Timaru District Licensing Committee**

In the matter of a new off-licence application by KSK PVT Limited for Super Liquor Showgrounds, The Showgrounds, Evans Street, Timaru.

1. My name is Tui Aroha Williams, born of Ngā Puhi descent, with my hometown in Waitangi. I moved to Timaru in 2018 through Women's Refuge to start again, away from alcohol abuse. I have been affected by alcoholism since the age of 10, growing up with an alcoholic mother, father, grandparents, and whakapapa shaped by it.
2. I lived here as a child and the area was clean, green and hospitable. There were very few places to get alcohol outside a few pubs.
3. [REDACTED]
4. Since living in Timaru from 2018, I have seen more and more drunk drivers and attitudes that have scared me into becoming reclusive. I used to work on my wellbeing in the first couple of years here, but slowly the loud cars, rowdy shouting from windows, and younger and younger people buying alcohol led me to stop seeing beautiful Timaru as a canvas to paint, and instead see it as a prison. With fast driving, young drinkers, and this bottle store wanting to open with massive car-parking options, it feels like a murder weapon waiting to be ignited: too many car parks, too many children, and too many near misses.
5. Don't do it. Save Timaru.

Tui Williams

[REDACTED]

**To the Timaru District Licensing Committee**

In the matter of a new off-licence application by KSK PVT Limited for Super Liquor Showgrounds,  
The Showgrounds, Evans Street, Timaru.

1. My name is Wendy Christie
2. I objected to this licence application about a year ago and I now wish to give evidence at the upcoming hearing. I live and work in Timaru.
3. My work is motivating children to mental and emotional wellbeing, and in turn become contributing members of the community by taking responsibility for their lives and dreams.
4. In the course of my work I have come across many examples of alcohol harm among families in our local community. There are so many places to buy alcohol in Timaru and this causes harm. Families need access to education and support around alcohol consumption. to families in many ways.
5. A way to freedom for humanity is putting on the brakes to making alcohol attractive and available to young and impressionable youth.

Wendy Christie

████████████████████

## 4 Exclusion of the Public

### Recommendation

That the public be excluded from—

- \*(a) the whole of the proceedings of this meeting; or
- \*(b) the following parts of the proceedings of this meeting, namely,—

#### 5.1 NZ Police - Data Booklet

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
5.1 - NZ Police - Data Booklet	<p>s6(a) - Good reason for withholding official information exists if the making available of that information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial</p> <p>s6(b) - Good reason for withholding official information exists if the making available of that information would be likely to endanger the safety of any person</p>	<p>To protect maintenance of the law, including the prevention and investigation of offences and the right to a fair trial</p> <p>To protect a person's safety</p>

\*I also move that [name of person or persons] be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of [specify]. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because [specify]

.

\*Delete if inapplicable.

### Note

[Section 48\(4\)](#) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4)Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof)—
  - (a)shall be available to any member of the public who is present;  
and
  - (b)shall form part of the minutes of the local authority.”



## **5      Public Excluded Reports**

## **6        Readmittance of the Public**