

OFF LICENCE

Sections 17 to 20, and 64, Sale and Supply of Alcohol Act 2012

ARLA Ref: 59/OFF/226/2025

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **BLACKBURN RETAIL HOLDINGS LIMITED** (the licensee) is authorised to sell or deliver alcohol on or from the premises situated at **157 Levi Road, Rolleston** and known as "**PAK 'n SAVE ROLLESTON**", to any person for consumption off the premises and to supply complimentary samples of alcohol on the premises. The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Act.

CONDITIONS – SECTION 116 (2)

- (a) No Alcohol is to be sold, supplied or delivered on Good Friday, Easter Sunday, Christmas Day or before 1pm on ANZAC Day.
(b) Alcohol may only be sold, supplied or delivered only on the following days and during the following hours while the premises are operating as a supermarket with off licence sales:

Monday to Sunday from 7.00am to 9.00pm

- (c) Water will be freely available to customers, while alcohol is being supplied free as a sample on the premises.
(d) **Single Area Condition:** Alcohol Area for display and promotion of alcohol
- Only the area described and delineated on the plan approved by the District Licensing Committee is the permitted area for the display and promotion of alcohol within the premises as required under sections 112-115.
- (e) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
- Display of appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (f) The following steps must be taken to ensure that the provisions of the Act relating to the management of the premises concerned are observed:
- Alcohol must only be sold, supplied and promoted on the premises within the area marked on the plan submitted with the application.
- (g) A certified manager's certificate holder will be present in or around the checkout area at all times alcohol is being sold unless there are exceptional circumstances, in which case a replacement certified managers certificate holder must be present in his or her place as soon as practicable.
- (h) **Conditions applying to all/any remote sales for the sale and supply of alcohol:**
- The following information must be displayed on the internet site in a prominent place, in any catalogue used by the licence holder and on every receipt issued for any alcohol sold via the internet site:
 - (i) The licence holders name, the licence number, and the date on which the licence expires.
 - (ii) A legible image of the licence or a clearly identified link to such image must be displayed in a prominent place on the internet site.
 - The following steps must be taken to **verify that people are over the purchase age:**
 - (i) In the case of an order made using an internet site – the prospective buyer must declare by ticking an on-screen box, that he or she is 18 years of age or over (and where the prospective receiver is involved that the prospective receiver is also 18 years of age or over);
 - Once, when the prospective buyer first commences the order process; and
 - Again, immediately before the sale of alcohol is completed.
 - (ii) In the case of any internet order form, unless the prospective buyer has by declaring, or by ticking, or by signing the relevant age declarations that he or she is over 18 years of age or over (and where any prospective receiver is involved, has declare, ticked or signed that the prospective receiver is 18 years of age or over), the procedure is to refuse to sell alcohol to that prospective buyer.
- (i) The following step must be taken to promoted the responsible consumption of alcohol:
- The licensee must implement and maintain the steps proposed in their Host Responsibility Policy aimed at promoting the reasonable consumption of alcohol.
- (j) The Supermarket shall be **Undesignated**.

OTHER RESTRICTIONS AND REQUIREMENTS

Section 56 – Display of signs

Section 57 – Display of licences

Section 58 – Restriction on kinds of alcohol sold in supermarkets and premises directly accessible from supermarkets

Section 59 – Requirement relating to remote sales by holders of off-licences

Section 214 – Manager to be on duty at all times and responsible for compliance

THE LICENSED PREMISES

The premises situated at 157 Levi Road, Rolleston are more precisely identified as outlined in a plan date stamped as received by the Selwyn District Licensing Committee.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence must be displayed at the principal entrance to the premises. The entrance off the carpark from Levi Road, Rolleston is designated as the principal entrance.

DURATION

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

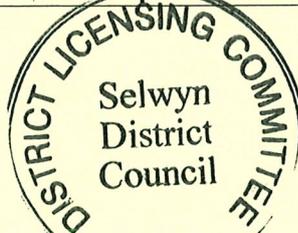
- (a) either -
- (i) until the close of the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either –
- (i) until the close of the period of 3 years after the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Subject to the requirements above, **the licence expires on the 9th day of October 2026**, unless again renewed.

DATED at Rolleston this 9th day of October 2025



Secretary
Selwyn District Licensing Committee





Decision Number: N/59/226/2025

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

AND

IN THE MATTER OF an application by **BLACKBURN RETAIL HOLDINGS LIMITED** for a new **Off-Licence** pursuant to section 129 of the Act in respect of premises situated at **157 Levi Road, Rolleston**, known as '**PAK'n SAVE Rolleston**'

BEFORE THE SELWYN DISTRICT LICENSING COMMITTEE

Chairperson: Mr S A Moore JP

DECISION ON APPLICATION FOR NEW OFF-LICENCE

(ON THE PAPERS)

[1] This is an application by **BLACKBURN RETAIL HOLDINGS LIMITED** ('the applicant') for a new Off-Licence pursuant to section 129 of the Sale and Supply of Alcohol Act 2012 ('the Act') in respect of premises situated at **157 Levi Road, Rolleston**, known as '**PAK'n SAVE Rolleston**'.

[2] The general nature of the premise is that of a **Supermarket**.

[3] The application was received by Selwyn District Licensing on 28 March 2025. The application was publicly notified closing on 8 May 2025 after having remained on the website for a minimum of 25 working days. No objections were received. Delays in the committee receiving this application were due to delays with the SDC building consenting process.

[4] There is no objection from the NZ Police and from the Medial Officer for Health. The Inspector's Report sets out the background to the application and addresses the matters to

which regard is to be had in section 105, 106 of the Act.¹ The Inspector recommends the grant of the off-licence for 12 months subject to conditions.

[5] On the basis that there are no outstanding matters raised in opposition in any reports as required by section 103 of the Act I can deal with the application on the papers.²

[6] I am satisfied after standing back and evaluating all the matters placed before me and having had regard to the criteria as set out in section 105 (and informed by section 106) of the Act that the granting the application subject to conditions achieves the purpose and objects of the Act.

[7] Accordingly, pursuant to section 104(1) of the Act I grant the application for an off-licence for a period of 12 months subject to the following conditions:

The Licensed Premises

- (a) The premises are identified on the plan provided with the application for a licence.
- (b) The permitted area for the display and promotion of alcohol will be the area shown on the plan accompanying this application.

Compulsory Conditions – sections 58 and 112 -115:

- (c) Alcohol products available for sale are restricted to those described in s 58(1) (a) – (e) of the Act.
- (d) The applicant must meet the Act's requirements in ss 112-115 relating to the display and promotion of alcohol in a single area.
- (e) The single alcohol area described and delineated on the plan attached to this application which the committee has approved is a condition of this licence.

¹ Inspector's Report 13/05/2025

² Sections 191(2) and 202.

Discretionary conditions – section 116 (1)

- (f) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
 - (i) The requirements of the Act in ss.112 to 115 relating to the display and promotion of alcohol in a single permitted area must be met.
 - (ii) Display of appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (g) The following steps must be taken to ensure that the provisions of the Act relating to the management of the premises concerned are observed:
 - (i) Alcohol must only be sold, supplied and consumed within the area marked on the plan submitted with the application.

Compulsory conditions – section 116 (2)

- (h) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1pm on Anzac Day to any person who is not present on the premises to dine.
- (i) Alcohol may only be sold on the following days and during the following hours:
 - (i) **Monday to Sunday, between the hours of 7.00am and 9.00pm.**
- (j) Water will be freely available to customers on the premises while the premises are open for business.

Section 117 – Other Discretionary conditions

- (k) A certified manager's certificate holder will be present in or around the checkout area at all times alcohol is being sold unless there are exceptional circumstances, in which case a replacement certified managers certificate holder must be present in his or her place as soon as practicable.

- (l) The following steps must be taken to promote the responsible consumption of alcohol:
 - (i) The licence must implement and maintain the steps proposed in the New World Off-Licence Host Responsibility Policy³ aimed at promoting the reasonable consumption of alcohol.

Conditions applying to all remote sales and supply of alcohol

- (m) The following information must be displayed on the internet site in a prominent place, in any catalogue used by the licence holder and on every receipt issued for any alcohol sold via the internet site.
 - (i) The licence holders name, the licence number, and the date on which the licence expires.
 - (ii) A copy of the licence or a clearly identified link to such image must be displayed in a prominent place on the internet site.
- (n) The following steps must be taken to verify that people are over the purchase age:
 - (i) In the case of an order made using an internet site, telephone order, or physical order –The prospective buyer must declare that he or she is 18 years of age or over (and where the prospective receiver is involved that the prospective receiver is also 18 years of age or over)-
 1. Once, when the prospective buyer first commences the order process; and
 2. Again, immediately before the sale of alcohol is completed

Other restrictions and requirements

- (o) Section 56 – Display of signs
- (p) Section 57 – Display of licences

³ As attached to the application.

(q) Section 214 – Manager to be on duty at all times and responsible for compliance

[8] The licence shall be issued for 12 months year.

[9] The applicant's attention is drawn to section 259 of the Act which makes it an offence not to comply with certain requirements and restrictions imposed by or under the Act. Specifically, sections 46 to 63 and 231(1). The applicant must comply with all conditions specified on a licence.

DATED at CHRISTCHURCH this 7th day of October 2025



Simon Moore JP
Chairperson
Selwyn District Licensing Committee





SALE AND SUPPLY OF ALCOHOL ACT 2012

APPLICATION FOR NEW OFF-LICENCE

LICENSING INSPECTORS REPORT - SECTION 103(2)

Application by Blackburn Retail Holdings Limited, trading as PAK'nSAVE Rolleston, for an Off-Licence pursuant to Sections 99 and 100 of the Sale and Supply of Alcohol Act 2012.

Inspector:	Malcolm Johnston
Application type:	New Off-Licence
Date of Application:	28 March 2025
Applicant:	Blackburn Retail Holdings Limited
Premises Address:	157 Levi Road, Rolleston.
Trading Name:	PAK'nSAVE Rolleston
Principal purpose:	Supermarket

1. EXECUTIVE SUMMARY:

- 1.1 The application from Blackburn Retail Holdings Limited for a new off-licence was received by the Selwyn District Council on 28 March 2025. The off-licence is for a new Pak'nSave supermarket located at 157 Levi Road, Rolleston. The supermarket is still under construction. The planned opening is still some months away. The proposed trading name will be PAK'NSAVE Rolleston.
- 1.2 The objection period for the new off-licence application closed on 08 May 2025. No public objections were received. Nor has there been any opposition from the agencies. There is no reason to believe the issue of this licence will disadvantage any neighbouring landowner or occupier.
- 1.3 I consider that the sale and supply of alcohol under these conditions meets the criteria of Sections 105 and 106 of the Act.

2. THE APPLICANT:

- 2.1 The applicant, Blackburn Retail Holdings Limited, is a private company, incorporated on 07 December 2005. The company has the one director Phillip Blackburn. The three major shareholders are Phillip Blackburn, Sarah Blackburn, and MCC Nominees Limited.
- 2.2 Mr. Blackburn is the current owner and operator of Pak'nSave Riccarton and the previous owner and operator of both Balclutha New World, and Ilam New World. He has considerable experience in the supermarket industry.
- 2.3 The nominated contact for the application is Phillip Blackburn. Mr. Blackburn advises they intend to utilise the Foodstuffs South Island training material for all staff involved with the sale and supply of alcohol.
- 2.4 A detailed description and site plan was provided for the proposed single alcohol area (SAA). The SAA is identical to the SAA at the Papanui Pak'nSave.
- 2.5 I called into the Papanui Pak'nSave to view their SAA. The size of the SAA was appropriate. The SAA was bordered by 1.5-metre-high shelving. The shelving provided a satisfactory barrier in order to limit the exposure of the alcohol products and promotions within the SAA. The Rolleston Pak'nSave propose to replicate the same single alcohol area. Once fitted out, my intention is to visit the Rolleston Pak'nSave to confirm the layout reflects the layout proposed in the application.
- 2.6 There is no information available to show the applicant is unsuitable to hold a licence.

3. LOCAL ALCOHOL POLICY:

- 3.1 The application complies with the current local alcohol policy.

4. DAYS AND HOURS SOUGHT:

- 4.1 The following trading hours are sought for the off-licence:

Monday to Sunday 7.00 a.m. to 9.00 p.m.

5. DESIGN AND LAYOUT OF THE PREMISES:

- 5.1 The design and layout are indicated on the attached site plan, date stamped 28 March 2025.
- 5.2 A copy of the licence must be displayed at the main entrance. The main entrance is located off the carpark which runs directly off Levi Road.
- 5.3 The applicant is reminded that alcohol can only be sold and supplied from the Supermarket as marked on the plan.

6. RESOURCE MANAGEMENT AND BUILDING CERTIFICATE:

- 6.1 The application is consistent with the District Plan and the proposed trading hours comply with the Resource Consent issued for this retail development.
- 6.2 The applicant has completed a statement stating that the owner of the building provides and maintains an evacuation scheme as required by Section 76 of the Fire and Emergency New Zealand Act 2017. This statement is attached to the application.

7. SENSITIVE SITES:

- 7.1 The following sensitive sites are located within a 500-metre radius:
- Cats Pyjamas Pre-school Beaumont Drive
 - Bronte Way Playground
- 7.2 I do not expect these sites will be impacted upon by the operation of the supermarket.

8. PUBLIC NOTICES:

- 8.1 The appropriate public notice was placed on the Council website including a notice placed on-site at the Supermarket. Public objections closed on 08 May 2025. No public objections were received.

9. SYSTEMS STAFF AND TRAINING:

- 9.1 The applicant advises they intend to appoint approximately 10 certified managers who will be rostered on to cover the Monday to Sunday 7.00a.m. to 9.00 p.m. trading hours. They will be appointed well before the store opens for business. The applicant is an experienced operator in the supermarket business and is well aware of coordinating staffing within the required timelines.

10. CONDUCT OF THE LICENCE:

- 10.1 A responsible service of alcohol policy was submitted.
- 10.2 A comprehensive training programme is run by the applicant for all checkout staff and duty managers.
- 10.3 The applicant is reminded alcohol must be advertised, displayed, and promoted responsibly.

11. ASSESSMENT CRITERIA - SECTIONS 105 AND 106:

<u>S105(1)(a)</u>	<u>Considering this application in light of the object of the Act will the granting of a licence as detailed in this application increase alcohol harm more than a minor amount?</u>
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ANSWER The Object of the Act has two limbs and should be read together with the purpose when assessing an application. In assessing any application for a licence, or the renewal of a licence, the question must be asked will the granting of this application fit with the intent of the object of the Act.

Heath J put in in *Re Venus NZ Ltd [2015]*
NZHC 1377 at [20];

“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 the grant of an off-licence is consistent with the object of that Act?”

Assessment can be summarised by the following evaluation of the two limbs:

Will the sale or supply of alcohol be undertaken safely and responsibly on this premises?

From the application and the documents filed with it and information available from my enquiries, I am satisfied that the applicant has provided sufficient information to satisfy that all the criteria are met. On assessing this information, I consider that the proposed application is consistent with the safe and responsible sale and supply of alcohol.

Do we have confidence that the steps proposed will minimise, as far as possible, harm caused by the excessive or inappropriate consumption of alcohol?

After considering the information provided with the application and considering the suitability of the applicant, I have confidence that the steps proposed will minimise alcohol related harm.

S105(1)(b). Is there any information available to show that the applicant is unsuitable to hold a licence?

ANSWER **No.**

S105(1)(c) Is there any conflict in what is being applied for with the requirements of the current Local Alcohol Policy?

ANSWER **No.**

S105(1)(d) Are there any concerns relating to the days and hours sought during which it is proposed that alcohol will be sold?

ANSWER **No concerns exist.**

S 105(1) (e) Any additional comment about the design and layout of the premises?

ANSWER **Design and layout is appropriate.**

S 105(1)(f) Describe the nature of any goods, if any, the applicant intends to sell other than alcohol, low alcohol refreshment, non-alcoholic refreshments, and food?

ANSWER **Supermarket supplies and grocery items.**

S 105(1)(g) Describe the nature of any services, if any, the applicant intends to provide, other than those directly related to the sale of alcohol, low alcohol refreshment, non-alcoholic refreshments, and food?

ANSWER **Nil.**

S 105(1)(h) Will the good order and amenity of the locality likely be reduced, by more than a minor extent, by the effects of the issue of this licence?

ANSWER **No.**

S 106(1)(a)(i) What are the current, and possible future noise levels? Is the operation of the premises likely to increase noise levels greater than a minor extent?

ANSWER **Current and future noise levels – no issues identified.**

S 106(1)(a)(ii) What are the current, and possible future levels of nuisance and vandalism? Is there a potential that levels of nuisance and vandalism will increase more than a minor extent?

ANSWER **None expected.**

S 106(1)(a)(iii) How many premises with the same type of licence are in the locality? What potential effects will the addition of this premises have on the area?

ANSWER **There are four other off-licence premises approximately 500 metres to 1000 metres away. Two of them are supermarkets and two are Liquorland bottle-stores.**

S 106(1)(b)(ii) What is the neighbouring land used for? Will that use change if this premise is established?

ANSWER **Commercial area with some residential areas surrounding the supermarket. No change in land use anticipated.**

S 105(1)(i) Is the amenity and good order of the locality already so badly affected by the effects of the current licences in the area that:

S 105(1)(i)(i) the issue of this licence would be unlikely to reduce the amenity and good order of the locality further; but
S 105(1)(i)(ii) it is nevertheless desirable not to issue this licence?

ANSWER **No current issues at all with the amenity and good order of this area.**

S 105(1)(j) Does the applicant have the appropriate systems staff and training to comply with the law?

ANSWER **Yes, staff will be fully trained and will receive on-going training. A number of duty managers will be appointed closer to the opening date.**

S 105(1)(k) Reports from the Police and Medical Officer of Health

ANSWER **Police and Medical Officer of Health have reported. They have no matters in opposition.**

12. APPOINTMENT OF DUTY MANAGERS:

- 12.1 The licensee is responsible for appointing duty managers. The licensee must notify the District Licensing Committee and Police of the appointment or termination of employment of any certificate holding duty manager. This must be done using a Notice of Management Change form (Section 231).
- 12.2 Acting/Temporary duty managers - If you appoint an acting or temporary duty manager their full name must be displayed. You must notify the agencies using the Notice of Management Change form if the appointment of an acting duty manager is for more than 48 hours. You must always notify the agencies of the appointment of a temporary duty manager.
- 12.3 Record of Appointment of duty managers - A licensee must keep a record of appointments (in a form that is readable or retrievable) and meets the information requirements under the Regulations made under this Act.

13. RECOMMENDATION:

- 13.1 The Chief Licensing Inspector has no matters in opposition to the application from Blackburn Retail Holdings Limited for a new off-licence.

RECOMMENDED CONDITIONS.

Section 116(2) – Compulsory conditions

- (a) No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1pm on Anzac Day.
- (b) Alcohol may only be sold or supplied on the following days and during the following hours:

Monday to Sunday 7.00 a.m. to 9.00 p.m.

- (c) Water must be freely available to customers while alcohol is being supplied free as a sample on the premises.
- (d) Single Area Condition: Alcohol area for display and promotion of alcohol.
- Only the area described and delineated on the plan approved by the District Licensing Committee be permitted for the display and promotion of alcohol within the premises pursuant to Section 112 of the Act.

Section 116(1) – Discretionary Conditions

- (a) The licensee must take the following step to ensure that the provisions of this Act relating to the sale and supply of alcohol to prohibited persons are observed:
- Appropriate signs must be displayed adjacent to every point of sale, detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- (b) The licensee must take the following step to ensure that the provisions of this Act relating to the management of the premises concerned are observed:
- Alcohol must only be sold and supplied within the area marked on the plan submitted with the application.

Section 117 – Other discretionary conditions

- (a) The following step must be taken to promote the responsible consumption of alcohol:
- The licensee must implement and maintain the steps proposed in their Responsible Service of Alcohol Policy aimed at promoting the responsible consumption of alcohol.

Section 119 – Restricted or supervised areas

Pak'nSave Rolleston to be undesignated.

Conditions applying to all remote sales and supply of alcohol

- (a) The following information must be displayed on the internet site in a prominent place, in any catalogue used by the licence holder and on every receipt issued for any alcohol sold via the internet site.
- (i) The licence holders name, the licence number, and the date on which the licence expires.
 - (ii) A copy of the licence or a clearly identified link to such image must be displayed in a prominent place on the internet site.
- (b) The following steps must be taken to verify that people are over the purchase age:

- (i) In the case of an order made using an internet site, telephone order, or physical order – The prospective buyer must declare that he is she is 18 years of age or over (and where the prospective receiver is involved that the prospective receiver is also 18 years of age or over) -
1. Once, when the prospective buyer first commences the order process; and
 2. Again, immediately before the sale of alcohol is completed.

Other restrictions and requirements to be noted on the licence

I recommend that the following restrictions and requirements be noted on the licence:

Section 56 – Display of signs.

Section 57 – Display of licences.

Section 58 – Restrictions on kinds of alcohol sold in supermarkets - Beer, Wine, Cider.

Section 214 – A manager to be on duty at all times and responsible for compliance.



Malcolm Johnston
Chief Licensing Inspector

13 May 2025