

**Decision Number: 60F [2025] 24787**

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

**IN THE MATTER OF** an application by **LILLIES LIMITED** for a new **Off-Licence** in respect of premises situated at **495 St Asaph Street, Christchurch** known as '**Lillies**'

**BEFORE THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE**

**Hearing:** 27 March 2026

**Chairperson:** Mrs M Redstone

**Members:** Ms D Morrison  
Ms T McIlraith

**Appearances:** Mr William Lyons-Bowman, Director of the Applicant  
Mr Gary Hay, Chief Licensing Inspector, in opposition  
Senior Constable Olivia Bensley, New Zealand Police, in opposition  
Ms P Williams, on behalf of Medical Officer of Health, in opposition

Hearing Manager: Luke Smeele

Decision: 30 March 2026

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**RESERVED DECISION OF THE COMMITTEE**

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**Introduction**

[1] This is an application by **LILLIES LIMITED** (the Applicant) for a new Off-Licence. The premises is situated at **495 St Asaph Street, Christchurch** known as '**Lillies**'. The application was received on 16 October 2025.

[2] The Applicant seeks a Cellar Door Off-Licence for their premises, which operates as a Restaurant and holds an On-Licence. The Applicant sought the following trading hours:

**Monday to Sunday, between the hours of 12:00 midday and 9:00pm.**

The application was publicly notified on the Council's website on 20 October 2025 and remained on the website for a minimum period of 25 working days.

[3] There were no public objections received within the required timeframe.

[4] The application was opposed by the District Licensing Inspector,<sup>1</sup> the New Zealand Police<sup>2</sup> or the Medical Officer of Health (MoH)<sup>3</sup> on the grounds that the application contravened the provisions of the Christchurch Local Alcohol Policy.

## **APPLICANT**

### **Submissions and Evidence**

[5] Mr Lyons-Bowman appeared and gave evidence on behalf of the Applicant. His Brief of Evidence was taken as read. He was supported by his business partner, Mr Liam Kelleher. He outlined both his experience and that of the other Company Director and Shareholder, Mr Kelleher. They both have extensive experience working in the industry and in wine and cider-making.

[6] Mr Lyons-Bowman outlined the company's history and said the company was requesting an Off-Licence in the nature of a Cellar-Door operation that would allow for sales of their own products from the premises. He said this would meet the request of diners who regularly ask if they can purchase products to take away from the premises after dining. He explained they saw their restaurant and the sales of wine and cider produced on the premises as supporting their desire to hold both an On and Off-Licence to provide an overall experience for their customers. He did not exclude sales to the public who had not dined on the premises.

[7] Mr Lyons-Bowman responded to questions from the Committee. He did not understand that a Cellar Door Licence was for grape wine only and could not include cider but said they would be happy to sell grape wine only. He said they have a website but there is no Off-Licence attached to that.

[8] He agreed that the premises was neither a Hotel nor a Tavern and could not hold an Off-Licence under that heading.

### **Mr Gary Hay, Chief Licensing Inspector, in opposition**

[9] Mr Hay's report and Brief of Evidence was taken as read. He stated in evidence that there were no issues with the suitability of the Applicant to hold a licence and that such a licence

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<sup>1</sup> Inspector's Report 27/11/2025

<sup>2</sup> Police notification of opposition 28/10/2025

<sup>3</sup> MoH Report 29/10/2025

would be consistent with the purpose of the Act and meets the criteria at ss 105 and 106 of the Act.

[10] Mr Hay advised that the Inspectorate's opposition to the issue of the licence arises from the provisions of the Christchurch Local Alcohol Policy (LAP) which states, inter alia:

6.2.1 There should be a freeze on the issuing of new off-licences in the area of high deprivation specified and shown in Appendix 1.

6.2.1 Where the freeze applies, the DLC and ARLA **should refuse** to issue any new off-licences. (Highlight added)

6.3. An applicant can apply for an exemption to this policy provision if they can show in their application that the primary purpose of their business is not the sale and supply of alcohol.

[11] He noted in particular that when the Christchurch City Council LAP was considered by Council, they specifically included Cellar Door operations in their deliberations.

**Senior Constable Olivia Bensley, New Zealand Police, in opposition**

[12] Senior Constable Bensley's Brief of Evidence was taken as read. She noted this premises sat within one of the most highly deprived areas of Christchurch. She said although Mr Lyons-Bowman said they had had no issues as they were situated within the commercial area, there had been a couple of burglaries from the premises. She also pointed out that until recently the Policy had such concerns for this area that it had a Neighbourhood Policing Team allocated specifically to it.

[13] Senior Constable Bensley supported the view of the Inspector that although she believed the Applicant to be a good operator, an Off-Licence should not be granted in this highly deprived area.

**Ms Paula Williams on behalf of the Medical Officer of Health, in opposition.**

[14] Ms Williams told the hearing that the Medical Officer of Health supported the opposition expressed by both the Chief Licensing Inspector and the Police and she could see no circumstances or any type of licence, other than the current Restaurant On-Licence, that could or should be issued for a premises in this area.

## Considerations of the Committee

[15] Having considered the application together with Agency reports in opposition placed before it, together with the oral evidence and submissions received, the DLC must now stand back and determine whether the application for a new Off-Licence should issue.

## Evaluation and findings under s.105 and s.106 of the Act

[16] The Committee finds that the Applicant is suitable to hold a licence, and operates an On-Licence on the premises. There have been no issues brought to the attention of the Tri-Agencies.

### ▪ ***The object of the Act***

[17] The object of the 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 minimized.

The Act further states that the harm caused by the excessive or inappropriate consumption of alcohol includes -

- a) Any crime, damage, death, disease, disorderly behavior, 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 behavior, illness, or injury of a kind described in a) above.

We keep those objects to the forefront of our minds in considering the application.

### ▪ ***Any relevant local alcohol policy***

[18] There is a new Christchurch LAP in place. The Inspector provided the Committee with the "Summary of Submissions on the draft Local Alcohol Policy for Christchurch and Banks Peninsula" setting out the submissions and feedback received by Council which assisted it in reaching its various decisions in relation to the Policy.

[19] Policy 2 addressed "Place a freeze on new Off-Licences in high deprivation areas". This Policy received a variety of feedback but with "broad support for reducing alcohol-related harm

in areas of high deprivation, reflecting concern from submitters citywide". There were two proposed exemptions, those being applicants who can show their primary purpose is not the sale and supply of alcohol, and existing Off-Licence renewals or change of ownership.

[20] Clause 6.2.1 states that there should be a freeze on the issuing of new off-licences in "areas of high deprivation" (see Appendix 1 to the LAP). The location of the proposed premises is within the boundary of one of the areas shown.

[21] Under Section 105(1)(c) of the Act, the DLC must have regard to the Council's policy in clause 6.2 of the LAP, including 6.2.2 "where a freeze applies, the DLC and ARLA **should refuse** to issue any new off-licences".

[22] The DLC's focused "thought and attention" considers that a community is entitled to expect the LAP on which they were consulted, and voted on by Council, will stand<sup>4</sup>. The LAP is supported by research and reflects community consultation. A clear focus of the LAP is to minimise alcohol-related harm, especially in areas of deprivation.

## **Decision**

[23] The DLC after hearing the evidence and considering the reports from the Inspectorate, Police and MoH, together with the wording of the recently completed Christchurch Local Alcohol Policy, has concluded granting of a Cellar Door Off-Licence would be inconsistent with the new Christchurch LAP, particularly sections 6.2 and 6.4.

[24] For these reasons the application is declined.

**DATED** at CHRISTCHURCH this 30<sup>th</sup> day of March 2026



Merelyn Redstone  
Chairperson

**Christchurch District Licensing Committee**

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<sup>4</sup> Woolworths New Zealand Limited v Auckland Council [2023] NZSC 45, at [81].