

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012 ('the Act')

AND

IN THE MATTER

of an application by **JK2021
LIMITED** for the grant of an ON
Licence pursuant to s.100 of the
Act in respect of premises situated
at 38-44 Bridge Street, Tokoroa,
known as "Nexus Restaurant &
Bar"

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

Chairman: Murray Clearwater
Member: Mayor Gary Petley
Member: Cr Michael Thomas

HEARING at Tokoroa on 28 April 2026

APPEARANCES

Mr. John Young– for the applicant JK2021 Limited
Mr. Harmandeep (Ricky) Singh Bhattal for the applicant
Mr. Armandeep Singh for the applicant
Mr. Rajdeep Duhan

Ms. Rose Marriner – South Waikato Alcohol Licensing Inspector – to assist
Ms. Mary Davenport- to assist the Inspectorate
Sergeant Greg Weston– Police Alcohol Harm Prevention Officer – to assist
Senior Constable Stein Thomas- for the Police

Dr Liz Gordon counsel for the objectors via AVL
Mr. Colin Bridle -objector in person
Ms Belinda Fowler witness for the objector via AVL
Ms. Ana Ika- The Salvation Army (TSA) via AVL

RESERVED DECISION OF THE COMMITTEE

Background

1. In November 2025 the substantive ON Licence application was lodged and drew two public objections. As the applicant was applying for the same kind of licence and the same conditions as the previous licensee, any objection could only relate to the suitability of the applicant.

Applicant's Evidence

2. Mr. Young provided the Committee with his usual helpful opening and called three witnesses for the applicant company. He also confirmed that the applicant did not seek to license the smoking area and that could be removed from consideration by the DLC.
3. He said his client acknowledged that Tokoroa was a vulnerable community but said that the DLC had to be satisfied that there was a evidential foundation of a real risk of harm before we invoked the Object of the Act to minimise harm to the smallest degree.
4. He said much of the objectors evidence was of a general nature and none of the regulatory agencies had opposed the application.
5. Firstly, we heard from Harmandeep Singh Bhattal who is the sole director of the company.
6. He told the Committee that he had worked in hospitality for several years. He planned to live in Putaruru or Tokoroa should the licence be granted and work at the premises 5 days a week. He does have business interests in Palmerston North, but the other shareholders would operate that business once it got going.
7. He told us that Mr. Bridle had come to the premises several times since they opened and taken photos and told staff that he was opposing the licence and what they were doing was illegal. He and his staff remained calm and collected and did not respond to Mr. Bridle's threats of legal action.
8. He has six staff with managers certificates, so he did not understand why the objectors were suggesting he was 'spreading himself too thinly.' He said there would always be a certificated manager on duty within the premises.
9. He said the food side of the business was going very well and in fact the local branch of the Salvation Army had their Christmas Party at the premises in November 2025.

10. Next, we heard from Rajdeep Duhan who told us he works 30-40 hours a week at Nexus and is generally the Duty Manager when he is working.
11. He said they are very strict on IDing young people and would check 30-40 ID's a week and up to 80 if they had a DJ playing at night. They are currently doing lots of functions and group bookings and he produced a Tax Invoice for the Salvation Army booking for 24 persons in November 2025.
12. He told us that all staff had to undergo extensive in-house training and complete the on-line Servewise modules.
13. Armandeep Singh told the Committee he was the chef and barista at Nexus. He said they were busy with bookings for functions and the restaurant/café/bar set up was working well. He too told us about the negative interactions that had occurred with Mr. Bridle at the premises.

Inspector's Evidence

14. The Inspector's report was taken as read and Ms. Marriner outlined her positive interactions with the staff at Nexus.
15. She believed the food side of the business was going well and contributed positively to the amenity and good order of the CBD.

Police Evidence

16. Sergeant Weston appeared for the Police and said they were not opposed to the application. He offered up local officer, Senior Constable Stein Thomas, to answer any questions that the Committee might have.
17. Senior Constable Thomas told us there had been no issues at the premises since the new owners took over.
18. Sergeant Weston confirmed he had provided Mr. Bridle with the NAHV data and sought a non-publication order of that report. The Committee granted an order preventing the publication, or further distribution, of that data.

Medical Officer of Health Evidence

No attendance- Unopposed - Apology received.

Objectors Evidence

19. Dr. Liz Gordon opened for the objectors and outlined the concerns they hold with this application, namely the vulnerability of the community, Mr. Bhattal's other business interests and the possible lack of oversight of the Tokoroa business, duty manager coverage and the nature of the business.
20. Mr. Bridle spoke to his written objection and was concerned that it wasn't clear if the applicants accepted the present conditions attached to the licence going forward.
21. He submitted that the extended definition of suitability applied to Nexus and he referred to the high levels of alcohol related harm in the township identified in the NAHV data.
22. He was concerned about an alcohol brand sign on the front of the premises and asked for it to be removed. He was relieved when told it had already been taken down.
23. He then wanted to submit evidence on his belief that the gaming machines had been established unlawfully. We reminded him, and he accepted, that that matter was for another jurisdiction, not the DLC.
24. Ms. Belinda Fowler told us of the low socio-economic and high deprivation status of the Tokoroa community, something we are acutely aware of.
25. In her second brief of evidence, she attempted to paint Mr. Bhattal as a person offering contradictory statements to differing DLCs in his business dealings. However, in sworn evidence, Mr. Bhattal stated he would be at Nexus 5 days a week should the licence be granted.
26. Ms. Ana Ika is a Senior Social Policy Analyst and Advocate for the Salvation Army (TSA). She outline the work of TSA in Tokoroa and reconfirmed Tokoroa and its surrounding district as a vulnerable community.
27. The TSA believed that granting the licence to Nexus should be declined as it would negatively "impact the wellbeing of the community and those that we support."

Relevant legislation

Section 5 Interpretation

tavern—(a) means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public;

Section 3 of the Act states the purpose of the Act as follows:

- (1) The purpose of Parts 1 and 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.**

Section 4 states the object of the Act as follows:

- (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 and indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).**

Section 105 of the Act provides the criteria that the licensing committee must have regard to in deciding whether to grant a licence as follows:

Criteria for issue of licences

(1) In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:

- (a) the object of this Act;**
- (b) the suitability of the applicant;**
- (c) any relevant local alcohol policy;**
- (d) the days on which and the hours during which the applicant proposes to sell alcohol;**
- (e) the design and layout of any proposed premises;**
- (f) whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods;**
- (g) whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services;**
- (h) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence;**
- (i) whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—**
 - (i) they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but**

(ii) it is nevertheless desirable not to issue any further licences:
(j) whether the applicant has appropriate systems, staff, and training to comply with the law:
(k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under [section 103](#).

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

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

(1) In forming for the purposes of section 105(1)(h) an opinion on whether the amenity and good order of a locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of a licence, the licensing authority or a licensing committee must have regard to—

(a) the following matters (as they relate to the locality):

(i) current, and possible future, noise levels:

(ii) current, and possible future, levels of nuisance and vandalism:

(iii) the number of premises for which licences of the kind concerned are already held; and

(b) the extent to which the following purposes are compatible:

(i) the purposes for which land near the premises concerned is used:

(ii) the purposes for which those premises will be used if the licence is issued.

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

(a) current, and possible future, noise levels:

(b) current, and possible future, levels of nuisance and vandalism.

28. The Act requires that when deciding whether to grant a licence or not, the licensing committee **must have regard** to the matters contained in section 105 and 106 of the Act.

29. In **Auckland Medical Officer of Health v Birthcare Auckland Ltd [2016] NZARLA 287**¹ ARLA said we are required to

“step back and consider whether there is any evidence to suggest that granting the licence will be contrary to the object of the Act contained in s 4(1), namely that the sale, supply and consumption of alcohol should be undertaken safely and responsibly, and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised”

¹ Auckland Medical Officer of Health v Birthcare Auckland Ltd [2016] NZARLA 287

The Reasons for the Decision

30. Section 3 of the Act requires us to act reasonably in the exercise of our duties. It also requires us to administer the Act in such a way that it helps achieve the Object of the Act.
31. For completeness, we confirm that the decision on whether Class 4 gambling can occur at these premises is a matter solely for the DIA, not the DLC.
32. The application as presented on the hearing day assists the DLC with its decision making. The Smoking Area is to remain unlicensed, and patrons will not be able to take alcohol out there. The applicant accepts that the current restrictive conditions on the existing licence will be included in the new licence.
33. Mr. Bridle brought himself no credit by challenging the staff directly on a number of occasions. The applicants responded appropriately by not engaging with him in a negative manner.
34. We see the bar and gaming room as a single entity and a designation of **Supervised Area** will be imposed on that area of the building. The remainder of the premises will be undesignated.
35. The licensing regime that we have set out should allow the applicant to prove to the objectors, and the DLC, that they can safely operate in Tokoroa township.
36. The first year of operation is often called the "Probationary Year." The popularity of the food business is a strong positive for the applicant and for the community and the general amenity and good order of the area. We recommend that the applicant continues to expand their food provisions.
37. From the concessions offered, and the evidence adduced by the applicant, we are sufficiently satisfied that the sale, supply and consumption of alcohol will be undertaken safely and responsibly and therefore meeting the Object of the Act.

The Decision

The South Waikato District Licensing Committee, pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by **JK2021 Limited** for an ON Licence in respect of premises situated at 38-44 Bridge Street, Tokoroa, **known as Nexus Restaurant & Bar subject to conditions.**

The Licence will be granted for 12 months from the date of issue on the conditions stated below:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours: **Monday to Sunday 9.00am to 12.00 midnight;**

2. **A One way Door (OWD) shall apply from 11.30pm each night. No entry from that time. Exit Only;**
3. **No 'quart' 750ml bottles of beer or spirit based shots are to be served at any time.**
4. **A COA qualified Crowd Controller shall be employed on door staff duties on at least Friday to Saturday nights from 7.00pm to close.**
5. The premises is designated as follows: **The Bar and Gaming Room will be a Supervised Area at all times.** The restaurant/café and function room are undesignated.
6. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises;
7. The Licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages,
8. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted,
9. **A properly appointed certificated or Acting or Temporary Manager must be on duty at all times when the premises are open for the sale and supply of alcohol, and their full name must be on a sign prominently displayed-in the premises,**
10. The Licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises,
11. The Licensee must display:
 - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol;
 - c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.

DATED at TOKOROA this 10th day of May 2026

A handwritten signature in black ink, appearing to read 'Murray Clearwater', enclosed within a thin black rectangular border.

Murray Clearwater
Commissioner
For the South Waikato District Licensing Committee

NOTE

Sections 152, 154 and 155 of the Act relating to the right to appeal this decision are in effect. This decision has no effect for 10 working days after the date on which notice of this decision is given to the applicant and the objectors.