

# How to lodge an objection

This section offers guidance on how members of the public can oppose an application for the issuing of an alcohol licence in Wanganui.

- What to include in your objection
- What does a greater interest than the general public mean?
- Making a joint objection
- Who will know about your objection
- What happens to your objection

Your objection must be in writing and must be filed with the Council's Alcohol Licensing Team within 15 working days after the date of the first public notice.

Objections can be submitted by post, email, fax or in person:

- Post: Alcohol Licensing, P O Box 637, Wanganui 4540
- Email: [DLAdministration@wanganui.govt.nz](mailto:DLAdministration@wanganui.govt.nz)
- Fax: (06) 349 0000
- In person: Municipal Building, Ground floor reception, 101 Guyton Street, Wanganui

## What to include in your objection

Your letter of objection must include:

- the name and location of the proposed premises
- why you have an interest that is greater than the general public (see heading below for further explanation)
- your reasons for objecting
- your name, address and contact details
- your signature.

No objection may be made in relation to a matter other than a matter specified in Section 105 of the Sale and Supply of Alcohol Act 2012 ("the Act"). They are:

- (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:

The Act defines good order and amenity as “pleasant and agreeable”. [Section 106](#) can also help us understand what good order and amenity covers.

### **Template - Sample Objection Letter**

## **What does a greater interest than the general public mean?**

You have 'greater interest' if you are likely to be more directly affected by the licence than most other people. For example, if you live in the same street as the proposed premises you could be in a position of greater interest, compared with someone who lives 10km away and has concerns about the effects of alcohol on the community.

## **Making a joint objection**

Some residents or community groups circulate petitions to gain support against an application. Others circulate a template objection letter to complete and be sent in. While these can be an effective way to boost numbers of objectors, they can also result in duplicate or illegible signatures or objections.

Petitions or objection letters must include:

- the grounds for objection
- the name and address of a spokesperson or contact person
- a legible name and address for each objector
- a signature of each objector.

NOTE: The Committee is entitled to receive a petition in evidence, though the weight to be given it is another matter: *Locke v Avon Motor Lodge Ltd (1973) 5 NZTPA 17 (SC)*.

## **Who will know about your objection**

The Alcohol Licensing Team is required to forward a copy of all objections to the alcohol licence applicant. Applicants are entitled to know the basis of any objections so they can consider whether to amend their proposal, continue with their application or prepare a response to the objections. Some applicants may invite objectors or members of the public to a meeting to discuss concerns raised.

Objections or objector contact details will not be published. However, if you wish to appear and be heard at a public hearing then your name and the nature of your objections do become a matter of public record.

## **What happens to your objection**

You will be sent an acknowledgement when we receive your objection - provided you supplied a readable name and address. Your objection will also be forwarded to the alcohol licence applicant. In his report the Inspector will assess your objection and comment as to whether or not it meets the criteria for consideration - which means that you have an interest greater than the general public and that your grounds for objection meet the criteria.

Objected licence applications will be forwarded to the District Licensing Committee for determination by public hearing. When a hearing date has been set the Alcohol Licensing Team will write to all those involved advising the hearing date, time and location. If your objection is in the form of a petition, they will contact the spokesperson.

**Refer to handout ‘District Licensing Committee (DLC) Hearings’ for an explanation of what happens.**