

THE ROLE OF THE DISTRICT LICENSING COMMITTEE

All Liquor Licence applications are filed with the Local Authority nearest to the site of a proposed licensed premise. In this case, the Rotorua Lakes Council administers all licensed premises within its boundaries.

The District Licensing Committee accepts and processes all Liquor Licence applications. Where there are no objections the District Licensing Committee determines whether the licence is granted.

Where there are objections to any licence applications these are determined by the Committee using the criteria of the Act and also on any hearing that is held.

The reasons for and the final determination of the application will be made known to all parties.



ROTORUA LAKES COUNCIL

Rotorua Lakes Council
Private Bag 3029
Rotorua Mail Centre
Rotorua 3046
(07) 348 4199

RDC – 372275

Objecting to a Liquor License Application



ROTORUA
LAKES COUNCIL

MAKING AN OBJECTION

Who may object?

A person (including local community groups) may object to the granting of a licence, only if they have a greater interest in the licence application than the general public.

What does a greater interest mean?

This could mean, for example, a person who lives across the road from a proposed licensed premises would qualify as having more of an interest than someone who lived three kilometres away, as they could be directly affected by having a bar or bottle shop in their neighbourhood.

How do you object?

Objections must be made in writing. Write a letter or an email stating that you wish to object and why. You must address the criteria set out in the Sale and Supply of Alcohol Act 2012.

Postal: Rotorua Lakes Council, Private Bag 3029,
Rotorua Mail Centre, Rotorua 3043

Email: info@rotorualc.nz

If you have access to a computer you can find the Sale and Supply of Alcohol Act 2012 online at:
www.legislation.govt.nz (search Sale and Supply of Alcohol Act 2012)

Alternatively you can call council on 07 348 4199 and a Licensing Officer will send you information on how to object, reasons for objecting and who you can object.

Objections must be filed within 15 working days after the first public notice appears.

What is a working day?

A 'working day' means any day: -

- a. except a Saturday or Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's Birthday and Waitangi Day.
- b. except any day between 20 December in any year and 15 January in the following year.

Upon receipt of an objection, the District Licensing Committee will acknowledge your objection in writing. It will then be checked to see if it meets the criteria of the Act.

If you have been acknowledged as being a person who has a greater interest than the public generally, there are

only certain grounds on which you can object and they are quite specific.

Please note: there are different objection grounds for NEW licence applications and RENEWAL licence application.

Grounds for objection – NEW licences, new premises

Objections to NEW licence applications can be made on the following grounds as can be found in section 105 of the Act:

- 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-alcoholic 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:*
 - (a) *Any matters dealt with in any report from the Police, and inspector, or a Medical Officer of Health made under section 103.*

Grounds for objection – NEW licences, existing premises, same conditions

If the proposal is for a new licence, with a new owner and with the same conditions, in a premises where there has previously been a liquor licence then you are limited to objecting only to what sections 102(4) and (4a) says:

(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.

Grounds for objection – RENEWAL licences, existing premises

If the proposal is for an existing licensee wanting to renew a licence, you can only object under sections 131 (1) (a) and 105 (1) paragraphs (a) to (g), (j) and (k):

- 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 the applicant has appropriate systems, staff, and training to comply with the law.*
- i. *Any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made under section 103.*