How to object to an application for an alcohol licence

Where to find general alcohol licensing information


Particular sections of interest in respect of making an objection are sections 102 and 105 as well as the object of the Act in section 4. Section 131 is also relevant for renewal applications.


Where can you see the application and time frame for lodging objections?

The licence application may be inspected during ordinary office hours at the office of the District Licensing Committee at the Council office, 15 Galileo Street, Ngaruawahia once it has been publicly notified. However, if requested, a copy may be sent to your local council office for inspection (not to be removed from the office).

An objection must be in writing (email is acceptable) and filed with the Waikato District Council within 15 working days after the first publication of the public notice advising of the application. The publication must be in one of the local papers stipulated by the council. The public notice is required by Council to be published in the local newspaper in the area. Working days do not include weekends, public holidays or the Christmas period 20 December in one year and ending with 15 January in the next year.

Please include your name and contact details in your objection and if you are willing to speak should the case progress to a Hearing. More weight may be given to an objector if they are willing to appear at a Hearing and talk about their objection.

Send your objections to:

The Secretary
Waikato District Licensing Committee
Waikato District Council
Private Bag 544
Ngaruawahia 3742

OR email environmentalhealth@waidc.govt.nz and css@waidc.govt.nz and DistrictLicensing.Committee@waidc.govt.nz

Who may object according to the Act

The legislation states that “a person may object to the grant of a licence only if he or she has a greater interest in the application for it than the public generally”. This means that you are more likely to be affected by the granted licence than most other members of the general public, eg you might live in the same street as the proposed business. Submissions from people who are not considered to have a greater interest than the public generally may not be considered.
If the application progresses to a Hearing, less weight may be given to objections from persons who will not be directly affected by the proposed licensed premises.

**What can you object about according to the Act**

For on, off and club licences the grounds for objection are set out in the Sale and Supply of Alcohol Act 2012 under section 105 “Criteria for issue of licences”.

**105 Criteria for issue of licences (as set out in the Act)**

(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: (found in section 4 of the 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.

**What happens next**

At the end of the objection period an acknowledgement letter confirming receipt of submission will be sent to objectors who have given contact details. Copies of the objections are sent to the applicant.