

Objections to an alcohol licence

1 message

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To: "info@ourmapua.org" <info@ourmapua.org>

Cc: Tracy Waddington <Tracy.Waddington@tasman.govt.nz>, Daniel Winter <daniel.winter@tasman.govt.nz>

Attention: Paul McIntosh – Chair, Mapua & Districts Community Association

Hello Paul

I have been requested to contact you by Cr David Ogilvie to answer some queries you had regarding an objecting to an alcohol licence.

Please find below comments regarding your queries. I also attach a link to a website that will also assist with the objection process.

1. Can you make a submission for the Mapua & District Residents & Ratepayers Assn? (you consider that a submission from the Assn would be invalid)

Section 102(1) 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 the licence than the public generally.

Therefore only natural persons can make an objection. This is the position that was taken by the DLC in the hearing in relation to Rimu Grove Winery Limited in 2021. In that case the Committee stated in paragraph [3]:

“The Committee determined that the objection from the Mapua and Districts Community Association Incorporated failed to meet the provisions of section 102(1) of the Act, as this section, in the view of the committee, is clear that any objection must be lodged by a natural person therefore excluding a corporate body.”

2. As a resident of Mapua (Brabant Drive, Ruby Bay) can I make a submission?

Yes

3. Is there a “distance” factor or any other factor which may make an individual’s submission invalid e.g. someone whose residence is Richmond or Motueka?

We have not yet determined the grounds for the objections or the status of the objectors, so at this stage we will accept all submissions for review. The DLC will determine the status of any objection received as part of the hearing process.

4. Which legislation determines the process & the submission requirements?

Section 102, Sale and Supply of Alcohol Act 2012

Link to website regarding objections to alcohol licences. AL1021_Objecting to a licence_Online.pdf (alcohol.org.nz)

If you have any further queries regarding the above, please feel free to contact me.

Kind regards

Melanie Welch – Secretary, District Licensing Committee

Melanie Welch

Administration Officer – Environmental Health

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