



WAIROA DISTRICT COUNCIL

+64 6 838 7309
+64 6 838 8874
www.wairoadc.govt.nz

PO Box 54, Wairoa 4160, Hawke's Bay
Coronation Square, Queen Street, Wairoa

Position Description

Position:

District Licensing Committee Commissioner

Reports to:

Wairoa District Council

Purpose

The purpose of this position is to chair the Wairoa District Council District Licensing Committee (DLC) that will consider and determine applications made under the Sale and Supply of Alcohol Act 2012.

More particularly, the functions of the DLC are to:

- consider and determine licence applications, renewals, variations, suspensions and cancellations
- consider and determine new applications for and renewals of manager's certificates
- conduct inquiries and make reports to the Alcohol Regulatory and Licensing Authority (ARLA)

The Wairoa District Council has an appointed Commissioner to chair the DLC. The Council will maintain a list of DLC members from which members will be appointed to sit in accordance with terms of reference agreed by the Council.

The quorum necessary at a DLC meeting is three members, except for unopposed applications (for temporary authority, licences, managers' certificates, or renewals of these), where one member, who must be the commissioner, is required for quorum. When the commissioner considers the unopposed applications (on the papers) on his/her own, this is a meeting of the DLC.

The commissioner will be responsible for issuing written decisions for any matters heard by the DLC.

In its decision making, the DLC will have regard and, where applicable, give effect to the Wairoa District Council Local Alcohol Policy.

Workload

The workload of the DLC will depend on the number of applications received and the number of these applications that are objected to by members of the public or where reporting agencies are in opposition.

The table below outlines the types and numbers of applications that have historically been lodged at Wairoa District Council:

Application	Considered by	No. apps received year 2023/2024
Manager's certificates - unopposed	Commissioner	37
- opposed (Hearing)	Full DLC	0
Licences - unopposed	Commissioner	7
- opposed (Hearing)	Full DLC	0
Special licences - unopposed	Commissioner	16
- opposed (Hearing)	Full DLC	0
Temporary Authorities - unopposed	Commissioner	0
- opposed (Hearing)	Full DLC	0

Remuneration

As determined by the Minister of Justice in accordance with the Cabinet fees framework, the DLC Commissioner will receive remuneration at a rate of \$624.00 per day or \$78.00 per hour for part days. The DLC Commissioner will also be reimbursed for reasonable expenses incurred in the discharge of duties associated with the position in accordance with Council policy.

Duration of appointment

The appointment will be from 11 December 2024 until 11 December 2029. The appointee may be reappointed for one or more further terms. A Commissioner may resign from office at any time by written notice to the relevant territorial authority. The territorial authority may at any time remove the Commissioner appointed to a DLC for inability to perform the functions of office, bankruptcy, neglect of duty, or misconduct, proved to the territorial authority's satisfaction.

Person specification

A person can only be appointed as a Commissioner if that person is of good standing in the community and has the necessary knowledge, skills and experience relating to matters that are likely to come before the DLC.

Additionally, a person must not be a Commissioner if:

- a. the territorial authority believes that person has, directly or by virtue of his or her relationship with another person, such an involvement or appearance of involvement with the alcohol industry that he or she could not perform his or her duties without actual bias or the appearance of bias; or
- b. the person is a constable, a Medical Officer of Health, an inspector (Alcohol Licensing), or an employee of the territorial authority.

Important functional relationships

Internal

Council staff
DLC Secretary
Other DLC members

External

Police
Medical Officers of Health representatives
Licensing inspector(s)
Fire and Emergency NZ
Alcohol Regulatory Licensing Authority representatives

Competencies

1: Experience relevant to alcohol licensing matters Demonstrates knowledge of the Act, alcohol licensing matters and demonstrates active interest and ability to build new knowledge in this area. Demonstrates experience in the legal and regulatory alcohol environment
2: Understanding of alcohol related harm Demonstrates knowledge of the Act and alcohol related harm and its impact on communities
3: Community knowledge Demonstrates knowledge of the community and its expectations around licensing for which the DLC operates in. Has awareness and an understanding of the local alcohol policy
4: Quality decision-making Draws on analysis, wisdom, and experience to make pragmatic unbiased decisions. Ability to solve difficult problems with effective solutions. Probes beyond stated situation to identify underlying issues while sorting fact from fiction. Has Commissioner experience and balanced assertiveness
5: Hearing experience Demonstrates knowledge of the hearings process and demonstrates knowledge of the legislation and the application of it. Understands written decisions and can interpret case law.
6. Strong communication Demonstrates effective written and oral communication skills and exercises confidentiality where necessary. Skills in questioning to confidently drill down to the issue. Facilitates good working relationships with other DLC members and offers constructive input. Writes clear and well thought out decisions.
7. Professional integrity Always upholds professional integrity and applies rules and regulations in a consistent, non-biased manner. Demonstrates behaviours that are consistent with standards for professional and ethical conduct.