



# CHAIR/COMMISSIONER MASTERTON DISTRICT LICENSING COMMITTEE POSITION DESCRIPTION

## Position Title:

## Chairperson/Commissioner, Masterton District Licensing Committee

### Position Purpose

The purpose of this position is to chair the Masterton 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
- consider and determine applications for temporary authority
- conduct inquiries and make reports to the Alcohol Regulatory and Licensing Authority (ARLA)
- with the leave of ARLA, refer applications to ARLA.

A DLC consists of three members appointed by a territorial authority for its district.

The DLC will have to issue reasoned decisions in writing and send copies to the relevant parties.

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

### Workload

The workload of the chairperson 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. All uncontested applications are to be considered on the papers by the Chairperson/Commissioner, while contested applications are considered by the full DLC.

A DLC can transfer an application to ARLA for its consideration, with the agreement of the Chair of ARLA.

The table attached as Appendix A outlines the types and numbers of applications that have historically been lodged at Masterton District Council:

As formal meetings will only be required for contested applications, an estimate has been made as follows based on historical data:

Chair: 1-4 hours per week to consider and determine uncontested applications

Full DLC: 1 half day hearings per annum

## Remuneration

As determined by the Minister of Justice in accordance with the Cabinet fees framework, the DLC Chair will receive remuneration at a rate of \$624.00 per day or \$78.00 per hour for part days.

The DLC Chair will also be reimbursed for reasonable expenses incurred in the discharge of duties associated with the position.

## Duration Of Appointment

The appointment will be for a period of up to five years. The appointee may be reappointed for one or more further terms.

A Chairperson/Commissioner may resign from office at any time by written notice to the relevant territorial authority.

The territorial authority may at any time remove a member of a DLC or a Chairperson/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 Chairperson/ Commissioner if that person is of good standing in the community and has the necessary knowledge, skill and experience relating to matters that are likely to come before the DLC.

Additionally, a person must not be a Chairperson/Commissioner or DLC member 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.

Knowledge/Skills/Experience:

- knowledge of alcohol licensing and the legal framework
- an understanding of the impact of alcohol-related harm on communities
- highly developed analytical and decision-making skills
- experience applying legislative and regulatory frameworks
- knowledge of and familiarity with the conduct of public hearings
- excellent verbal and written communication skills
- the highest standard of professional and personal integrity.

## IMPORTANT FUNCTIONAL RELATIONSHIPS

*Internal*

- DLC Secretariat staff
- Other staff of the Masterton District Council

*External*

- Police
- Medical Officers of Health representatives
- Licensing inspector(s)
- Fire and Emergency NZ
- ARLA

# APPENDIX A

*Types and numbers of applications that have historically been lodged at Masterton District Council:*

TYPE	1 July 2022 – 30 June 2023	1 July 2021 – 30 June 2022	1 July 2020 – 30 June 2021	1 July 2019 – 30 June 2020	1 July 2018 – 30 June 2019
Special licences	47	27	63	40	64
On-licences	16	14	9	22	14
Club licences	2	10	5	4	6
Off-licences	9	13	11	13	10
Manager's certificates	105	100	105	93	102
Temporary authorities	5	3	7	5	7
<b>TOTAL</b>	<b>184</b>	<b>167</b>	<b>200</b>	<b>177</b>	<b>203</b>
Number of hearings held	1	0	0	0	0