

**MINUTE EXTRACT FROM THE NON-PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON TUESDAY  
27 APRIL 2023**

**C5 APPOINTMENT OF DISTRICT LICENSING COMMITTEE MEMBERS**

A report from Civic noted that the Commissioner and community representative memberships expire on 31 May 2023. This report recommended that the Chief Executive renewed Mr Colin Weatherall's appointment as Commissioner for a period of two years. It further recommended that the Chief Executive appoints one of the community representatives to a commissioner role for a period of three years, and that the two remaining community representatives be reappointed for a further three-year term.

The report also recommended that expressions of interest for new community representative members be sought for the Committee and noted that the new membership would enable succession planning.

The Chief Executive Officer (Sandy Graham) spoke to the report and responded to questions.

Moved (Cr Bill Acklin/Cr Andrew Whiley):

That the Council:

- a) **Recommends** that the Chief Executive renews Colin Weatherall's appointment as a commissioner of the District Licensing Committee for the period commencing on 1 June 2023 and ending 31 May 2025.
- b) **Recommends** that the Chief Executive appoints Mr Rakei Amohau as a commissioner of the District Licensing Committee from 1 June 2023 until 31 May 2026.
- c) **Extends** the membership of Ms Katie Lane and Ms Karen Elliot as community representative members for the District Licensing Committee until 31 May 2026.
- d) **Notes** that expressions of interest for new community members for the District Licensing Committee will be sought.

**Motion carried (CNL/2023/001)**

## **APPOINTMENT OF DISTRICT LICENSING COMMITTEE MEMBERS**

Department: Civic

### **REASONS FOR CONFIDENTIALITY**

|          |                                                                                                                                                                                    |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Grounds: | S48(1)(a) - The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7. |
| Reason:  | S7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.                                         |

### **EXECUTIVE SUMMARY**

- 1 The Sale and Supply of Alcohol Act 2012 requires Council to have a District Licensing Committee (the Committee) and to establish, maintain and publish a list of approved people to be members on the Committee. The Committee is currently made up of one commissioner, three community representatives, and two councillor representatives.
- 2 The Commissioner and the community representative memberships expire on 31 May 2023. This report recommends that the Chief Executive renews Mr Colin Weatherall's appointment as Commissioner for a period of two years. It further recommends that the Chief Executive appoints one of the community representatives to a commissioner role for a period of three years, and that the two remaining community representatives be reappointed for a further three-year term.
- 3 The current Councillor representatives on the Committee are Crs Vandervis and Laufiso. These councillors were appointed to the Committee for the 2022-2025 Triennium.
- 4 The report also recommends that expressions of interest for new community representative members be sought for the Committee. There are no limits on the number of members the Committee may have. New membership will address the current risk that the current community members have the same expiry term. New membership will enable succession planning.

## RECOMMENDATIONS

That the Council:

- a) **Recommends** that the Chief Executive renews Colin Weatherall's appointment as a commissioner of the District Licensing Committee for the period commencing on 1 June 2023 and ending 31 May 2025.
- b) **Recommends** that the Chief Executive appoints Mr Rakei Amohau as a commissioner of the District Licensing Committee from 1 June 2023 until 31 May 2026.
- c) **Extends** the membership of Ms Katie Lane and Ms Karen Elliot as community representative members for the District Licensing Committee until 31 May 2026.
- d) **Notes** that expressions of interest for new community members for the District Licensing Committee will be sought.

## BACKGROUND

- 5 The Sale and Supply of Alcohol Act 2012 (the Act) requires all territorial authorities to establish a District Licensing Committee by appointing a Chair or commissioner(s), and by maintaining a list of suitable community representatives. Representative positions can also be held by current members of Council. There are no limits on the number of commissioners, community representatives, or Councillors making up a committee.
- 6 Section 193 of the Act provides that the Chief Executive, on recommendation of the Council, appoints commissioners and Council appoints the remaining members of the DLC. Alternatively, a territorial authority may appoint a chair to the DLC, that chair being a councillor representative, along with the remaining members of the DLC.

## DISCUSSION

- 7 The Committee convenes around 20 – 25 times per year to hear opposed applications. The quorum for a hearing panel is three and is made up of the Chair and representatives from the list of approved members. Unopposed applications are dealt with 'on the papers' by the Commissioner.
- 8 The table below shows details of the current membership of the DLC:

| Member           | Position     | Appointment                                                      | Term expiry |
|------------------|--------------|------------------------------------------------------------------|-------------|
| Colin Weatherall | Commissioner | First appointed 18 Dec 2013.<br><br>Reappointed 1 September 2020 | 31 May 2023 |
| Rakei Amohau     | Community    | 1 September 2020                                                 | 31 May 2023 |

|                  |            |                  |               |
|------------------|------------|------------------|---------------|
| Katie Lane       | Community  | 1 September 2020 | 31 May 2023   |
| Karen Elliot     | Community  | 1 September 2020 | 31 May 2023   |
| Cr Lee Vandervis | Councillor | 8 November 2022  | 2025 Election |
| Cr Marie Laufiso | Councillor | 8 November 2022  | 2025 Election |

- 9 The current Commissioner, Mr Weatherall, has been training Mr Amohau to take on the role of Chair for any hearing of the Committee, to ensure succession planning. As a Chair of the Committee must be a commissioner (or Councillor appointed member), Mr Amohau's appointment will need to be as a commissioner. It is therefore recommended that the Chief Executive appoints Mr Rakei Amohau as a commissioner of the Committee.
- 10 It is also recommended that the term for the remaining two community members be extended for a three year period. The community members have gained valuable experience over their first term on this committee, and extension of their membership will ensure continuity for the Committee.
- 11 The Chief Executive met with Mr Weatherall to discuss his appointment on the Committee. Mr Weatherall is comfortable that an extension of his term for two years is appropriate, enabling the necessary succession training to continue. An extension of two years may not be necessary, but it does allow for support and additional coverage of the Chair position. Community members have also confirmed that they would like to remain on the Committee.
- 12 In order to provide succession planning and ensuring that there are sufficient representatives on the approved list of members, it is recommended that expressions of interest for new community members for the Committee be sought. Any new appointments will require the approval by Council.

## OPTIONS

- 13 There are no options.

## NEXT STEPS

- 14 If approved, the Chief Executive will invite Mr Weatherall to stay on the Committee as a Commissioner until 31 May 2025 and invite Mr Amohau to be a Commissioner on the Committee for a period of three years to 31 May 2026.
- 15 If approved, the Community Representatives will be advised of Council's decision, and be invited to stay on the Committee for a further three years.
- 16 If approved, Expressions of Interest will be sought to extend the approved membership list of the Committee. Recommendations for new members would be presented to Council in a future report, for approval.

**Signatories**

|             |                                        |
|-------------|----------------------------------------|
| Author:     | Sharon Bodeker - Manager Governance    |
| Authoriser: | Sandy Graham - Chief Executive Officer |

**Attachments**

There are no attachments for this report.

## SUMMARY OF CONSIDERATIONS

### ***Fit with purpose of Local Government***

This decision enables democratic local decision making and action by, and on behalf of communities.

### ***Fit with strategic framework***

|                                         | Contributes                         | Detracts                 | Not applicable                      |
|-----------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| Social Wellbeing Strategy               | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Economic Development Strategy           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Environment Strategy                    | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Arts and Culture Strategy               | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3 Waters Strategy                       | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Spatial Plan                            | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Integrated Transport Strategy           | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks and Recreation Strategy           | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other strategic projects/policies/plans | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

This decision contributes to democratic decision making to support the strategic framework.

### ***Māori Impact Statement***

A past national review of DLCs has shown that DLCs are not necessarily representative of the communities in which they operate. Consideration will be given to representation when deciding on new members for the Committee.

### ***Sustainability***

There are no impacts for sustainability.

### ***LTP/Annual Plan / Financial Strategy /Infrastructure Strategy***

There are no implications for these documents.

### ***Financial considerations***

Members of DLC committees are entitled to remuneration. This is provided for within the alcohol licensing budget.

### ***Significance***

This decision is considered low in terms of the Council's Significance and Engagement Policy.

### ***Engagement – external***

Current members have indicated their willingness to remain on the Committee.

### ***Engagement - internal***

There has been no internal engagement.

### ***Risks: Legal / Health and Safety etc.***

There are no identified risks.

### ***Conflict of Interest***

Councillors Vandervis and Laufiso are current DLC members.

## **SUMMARY OF CONSIDERATIONS**

### ***Community Boards***

There are no implications for Community Boards. The District Licensing Committee operates across all areas of the city, including the community board areas.