

From: [Lynne Adamson](#)
To: [REDACTED]
Subject: RE: LGOIMA request - District Licensing Committees
Date: Monday, 2 December 2024 2:17:00 pm
Attachments: [Attachment C 2020 Attribute Matrix.pdf](#)
[Attachment A - Competencies and position descriptions.pdf](#)
[Attachment B Section 203 of the Act.pdf](#)

Kia ora [REDACTED]

I refer to your request for information about the District Licensing Committee.
Your request has been considered under the Local Government Official Information and Meetings Act (LGOIMA) and I provide the following response
For your ease, the response is under each of your questions.

Please advise the following:

1. How many off-licences were operating in your territorial authority boundaries as at 30 June 2024 (if you cannot confirm at that specific date, how many off-licences do you currently have operating in your territorial authority boundaries? Please confirm which date you have used)

There were 78 off licences operating in the Dunedin City Council area as at 30 June 2024. These comprise of 10 taverns, 11 supermarkets, 14 remote sellers, 6 hotels, 10 grocery stores, 20 bottle stores, 4 breweries, 2 distilleries and Larnach Caste which sells souvenirs.

2. What are your current recruitment criteria and qualification requirements for appointing DLC Members and Chairs?

Please see Attachment A – DLC Competencies and position descriptions.

3. What procedures have you implemented to give effect to the Sale and Supply of Alcohol Act (Community Participation) Bill Amendments?

The District Licensing Committee is currently looking at improving the public notification process to ensure applications are more visible.

4. What tikanga protocols have you implemented to give effect to the Sale and Supply of Alcohol Act (Community Participation) Bill Amendments?

The District Licensing Committee adheres to the tikanga guidelines as set out under Section 203A of the Sale and Supply of Alcohol Act 2012 (Attachment B). The applicant and submitters are welcome to address the committee in te reo and a translator would be engaged to support their request. The meetings are opened and closed with a karakia.

The Attribute Matrix is used in the interview process (Attachment C).

5. Have you seen any notable changes in community participation since implementation of the Sale and Supply of Alcohol Act (Community Participation) Bill?

The District Licensing Committee has not seen any notable changes in community participation since the implementation of the Sale and Supply of Alcohol Act (Community Participation) Bill.

Kā mihi



Lynne Adamson

Mana Whakahaere Kairuruku / Governance Support Officer
Governance Group

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CHAIRPERSON/COMMISSIONER		
Competency descriptor	Essential for the role	Desirable for the role
1: Experience relevant to alcohol licensing matters –Demonstrates knowledge of alcohol licensing matters and demonstrates active interest and ability to build new knowledge in this area		
Knowledge of alcohol licensing		✓
Demonstrate experience of legal and regulatory alcohol environment	✓	
Knowledge of the Sale and Supply of Alcohol Act 2012	✓	
2: Understanding of harm caused by the consumption of alcohol – Demonstrates knowledge of the Act and alcohol related harm		
Knowledge of alcohol-related harm and its impact on communities		✓
3: Community knowledge - Demonstrates knowledge of the community for which DLC operates		
Awareness and understanding of the local alcohol policy (if relevant)	✓	
Understanding of community expectations around licensing		✓
4: Quality decision making – Utilises analysis, wisdom, experience, and logical methods to make good decisions and solve difficult problems with effective solutions. Probes beyond stated situation to identify underlying issues.		
Considers information from a variety of sources in an objective, unbiased way to reach a conclusion	✓	
Ability to sort fact from fiction	✓	
Operates independently with little direction	✓	
Applies pragmatic decision-making	✓	
Chairperson experience	✓	
Balanced assertiveness	✓	
5: Hearing experience – Demonstrates knowledge of the purposes of the hearing process and demonstrates knowledge of applying the legislation		
Understanding and application of the legislation	✓	
Understanding written decisions	✓	
Interpreting case law	✓	
Knowledge and understanding of hearings procedure	✓	
6. Strong communication – Demonstrates effective written and oral communication skills. Can write clearly and succinctly. Listens to others and asks questions to gain understanding. Facilitates good working relationships with other DLC members and offers constructive input.		
Strong verbal and written communication skills	✓	
Knowledge of and ability to operate under rules of confidentiality	✓	
Skills in questioning- ability to drill down to the issue	✓	
Writes clear and well thought-out decisions	✓	
7. Professional integrity – Upholds professional integrity at all times.		
Demonstrates behaviours that are consistent with standards for professional and ethical conduct	✓	
Refrains from behaviour that fosters the appearance of conflict of interest	✓	
Applies rules and regulations in a consistent, non-biased manner	✓	

DLC LIST MEMBERS		
Competency descriptor	Essential for the role	Desirable for the role
1: Experience relevant to alcohol licensing matters –Demonstrates knowledge of alcohol licensing matters and demonstrates active interest and ability to build new knowledge in this area		
Knowledge of alcohol licensing	✓	
Demonstrate experience of legal and regulatory alcohol environment		✓
Knowledge of the Sale and Supply of Alcohol Act 2012		✓
2: Understanding of harm caused by the consumption of alcohol – Demonstrates knowledge of the Act and alcohol related harm		
Knowledge of alcohol-related harm and its impact on communities	✓	
3: Community knowledge - Demonstrates knowledge of the community for which DLC operates		
Awareness and understanding of the local alcohol policy (if relevant)	✓	
Understanding of community expectations around licensing	✓	
4: Quality decision making – Utilises analysis, wisdom, experience, and logical methods to make good decisions and solve difficult problems with effective solutions. Probes beyond stated situation to identify underlying issues.		
Considers information from a variety of sources in an objective, unbiased way to reach a conclusion	✓	
Ability to sort fact from fiction	✓	
Operates independently with little direction		✓
Applies pragmatic decision-making	✓	
Chairperson experience		✓
Balanced assertiveness		✓
5: Hearing experience – Demonstrates knowledge of the purposes of the hearing process and demonstrates knowledge of applying the legislation		
Understanding and application of the legislation	✓	
Understanding written decisions	✓	
Interpreting case law		✓
Knowledge and understanding of hearings procedure		✓
6. Strong communication – Demonstrates effective written and oral communication skills. Can write clearly and succinctly. Listens to others and asks questions to gain understanding. Facilitates good working relationships with other DLC members and offers constructive input.		
Strong verbal and written communication skills	✓	
Knowledge of and ability to operate under rules of confidentiality	✓	
Skills in questioning- ability to drill down to the issue	✓	
Writes clear and well thought-out decisions		✓
7. Professional integrity – Upholds professional integrity at all times.		
Demonstrates behaviours that are consistent with standards for professional and ethical conduct	✓	
Refrains from behaviour that fosters the appearance of conflict of interest	✓	
Applies rules and regulations in a consistent, non-biased manner	✓	

SUMMARY FOR BOTH CHAIRPERSON/COMMISSIONER (C) & DLC LIST MEMBERS (DLC)		
Competency descriptor	Essential for the role	Desirable for the role
1: Experience relevant to alcohol licensing matters –Demonstrates knowledge of alcohol licensing matters and demonstrates active interest and ability to build new knowledge in this area		
Knowledge of alcohol licensing	DLC	C
Demonstrate experience of legal and regulatory alcohol environment	C	DLC
Knowledge of the Sale and Supply of Alcohol Act 2012	C	DLC
2: Understanding of harm caused by the consumption of alcohol – Demonstrates knowledge of the Act and alcohol related harm		
Knowledge of alcohol-related harm and its impact on communities	DLC	C
3: Community knowledge - Demonstrates knowledge of the community for which DLC operates		
Awareness and understanding of the local alcohol policy (if relevant)	C / DLC	
Understanding of community expectations around licensing	DLC	C
4: Quality decision making – Utilises analysis, wisdom, experience, and logical methods to make good decisions and solve difficult problems with effective solutions. Probes beyond stated situation to identify underlying issues.		
Considers information from a variety of sources in an objective, unbiased way to reach a conclusion	C / DLC	
Ability to sort fact from fiction	C / DLC	
Operates independently with little direction	C	DLC
Applies pragmatic decision-making	C / DLC	
Chairperson experience	C	DLC
Balanced assertiveness	C	DLC
5: Hearing experience – Demonstrates knowledge of the purposes of the hearing process and demonstrates knowledge of applying the legislation		
Understanding and application of the legislation	C / DLC	
Understanding written decisions	C / DLC	
Interpreting case law	C	DLC
Knowledge and understanding of hearings procedure	C	DLC
6. Strong communication – Demonstrates effective written and oral communication skills. Can write clearly and succinctly. Listens to others and asks questions to gain understanding. Facilitates good working relationships with other DLC members and offers constructive input.		
Strong verbal and written communication skills	C / DLC	
Knowledge of and ability to operate under rules of confidentiality	C / DLC	
Skills in questioning- ability to drill down to the issue	C / DLC	
Writes clear and well thought-out decisions	C	DLC
7. Professional integrity – Upholds professional integrity at all times.		
Demonstrates behaviours that are consistent with standards for professional and ethical conduct	C / DLC	
Refrains from behaviour that fosters the appearance of conflict of interest	C / DLC	
Applies rules and regulations in a consistent, non-biased manner	C / DLC	

POSITION DESCRIPTION

Position:	Chairperson, Dunedin District Licensing Committee
Reports to:	Alcohol Regulatory and Licensing Authority (the Authority) Dunedin City Council
Position Number:	N/A
Date:	June 2020
Remuneration:	Fees are set by the Government's Cabinet Office through the fees framework. \$624.00 per day, \$78 per hour for part days

1. BACKGROUND

The Sale and Supply of Alcohol Act 2012 (the Act) requires territorial authorities to appoint District Licensing Committees (DLCs) to carry out the following duties:

- a) To consider and determine applications for licences, special licences, temporary authorities and manager's certificates
- b) To consider and determine applications for renewal and variation of licences
- c) To consider applications for renewal of manager's certificates
- d) To consider and determine applications for the variation, suspension or cancellation of special licences
- e) With the leave of the Chairperson for the Alcohol Regulatory and Licensing Authority (the "Authority"), refer applications to the Authority
- f) To conduct inquiries and to make reports as may be required of it by the Authority under section 175 of the Act; and
- g) Any other functions conferred on licensing committees by or under this Act or any other enactment.

The DLC is a committee of the Dunedin City Council (DCC) but carries out its functions independently. It will comprise three members, that is, a Chairperson and two list members.

WORKLOAD

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. Unopposed applications for licences, manager's certificates, special licences and temporary authorities may be determined and considered by the Chairperson 'on the papers'. All other applications require a public hearing at which a quorum is three members.

DURATION OF APPOINTMENT

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

2. POSITION FUNCTIONS

2.1 Operational:

- To be responsible for the consideration and determination of all applications received by the DLC
- To consider and determine unopposed applications for licences, special licences, temporary authorities and manager's certificates on the papers
- To chair public meetings convened to consider and determine all opposed applications
- To ensure all decisions are documented and released in a timely manner
- To carry out any inquiry as requested by the Authority.

2.2 Deliverables:

- To conduct public hearings in accordance with the Act and the Commissions of Inquiry Act 1908
- All decisions made must be consistent with the Act and the Dunedin City Council's Local Alcohol Policy (LAP)
- To be responsible for ensuring all DLC members are consulted on any draft decision and that their feedback is considered. The final decision requires majority agreement.
- To be responsible for ensuring decisions are of a high standard, reflect the matters considered with reasons and that they are issued promptly after due consideration of the relevant legislation and case law, Dunedin's LAP and any guidance distributed by the Authority
- It is expected that the highest standard of professional and ethical conduct is always maintained.

2.3 Performance Standards:

- It is expected that 95% of applications are dealt with in the following timelines:
 - Unopposed application decisions to be issued no later than three (3) working days after the Chairperson has received the application; and
 - Opposed application decisions to be issued no later than ten (10) working days after the hearing.

3. LIMITATIONS ON AUTHORITY

- 3.1 In accordance with the Sale and Supply of Alcohol Act 2012, Dunedin City Council's Local Alcohol Policy and the Commissions of Inquiry Act 1908.

4. FUNCTIONAL RELATIONSHIPS

- 4.1 Members of the DLC
- 4.2 Dunedin District Licensing Secretariat staff
- 4.3 Other Dunedin City Council staff
- 4.4 Alcohol Regulatory and Licensing Authority

- 4.5 The reporting agencies; the Police, Medical Officer of Health and the Licensing Inspector employed by the Council. The reporting agencies are required to work independently of the DLC and DCC
- 4.6 Fire and Emergency New Zealand.

5. PERSONAL COMPETENCIES

- 5.1 **Te Tiriti o Waitangi** (Treaty of Waitangi) – has a knowledge and understanding of the Treaty and its implications for decision making.
- 5.2 **Experience relevant to alcohol licensing matters** – demonstrates knowledge of alcohol licensing matters, including the legal and regulatory alcohol environment, and demonstrates active interest and ability to build new knowledge in this area.
- 5.3 **Sale and Supply of Alcohol Act 2012** – demonstrates knowledge of the Act and specifically the object of the Act and its application to licensing matters as well as the Dunedin Local Alcohol Policy developed pursuant to the Act.
- 5.4 **Understanding of harm caused by the consumption of alcohol** – demonstrates knowledge of the Act and alcohol-related harm and its impact on communities.
- 5.5 **Community knowledge** – demonstrates knowledge of the community in which the DLC operates, it's concerns and expectations around licensing and the presence and prevalence of alcohol-related harm in the community.
- 5.6 **Quality decision making** – utilises analysis, wisdom, experience and logical methods to make good decisions and solve difficult problems with effective solutions. This is demonstrated by:
- Probing beyond the stated situation to identify underlying issues
 - Considering information from a variety of sources in an objective, unbiased way to reach a conclusion
 - Understanding and interpreting case-law relevant to the matter being considered
 - Ability to sort fact from fiction
 - Operates independently with little direction
 - Applying pragmatic decision-making.
- 5.7 **Hearing experience** – has experience as a chairperson and demonstrates knowledge of the purpose of the hearing process and understands the:
- Judicial process
 - Natural justice and its application
 - Nature of evidence
 - Conflicts of interest and bias, and the appearance of conflicts of interest and bias
 - Rules of confidentiality.
- 5.8 **Strong communication** – demonstrates:
- Effective oral and written communication skills
 - Ability to listen to others and ask relevant, probing questions to gain understanding
 - Facilitates good working relationships with other DLC members and offers constructive input
 - Can write clear and concise decisions.
- 5.9 **Professional integrity** – always upholds professional integrity by:
- Demonstrating behaviours that are consistent with standards for professional and ethical conduct
 - Refrains from behaviour that fosters the appearance of conflict of interest
 - Applies rules and regulations in a consistent, non-biased manner.

Additionally, a person must not be a Chair, Commissioner or DLC member if:

- a. The Council 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 Council.

Attach *LGNZ Guide to Selecting and Appointing District Licensing Committees*

POSITION DESCRIPTION

Position:	Committee Member, Dunedin District Licensing Committee
Reports to:	Alcohol Regulatory and Licensing Authority (the Authority) Dunedin City Council
Position Number:	N/A
Date:	22 August 2013
Remuneration:	Fees are set by the Government's Cabinet Office through the fees framework. \$408.00 per day, \$51.00 per hour for part days

1. BACKGROUND

The Sale and Supply of Alcohol Act 2012 (the Act) requires territorial authorities to appoint District Licensing Committees (DLCs) to carry out the following duties (s.187 of the Act):

- a) To consider and determine applications for licences and manager's certificates; and
- b) To consider and determine applications for renewal of licences and manager's certificates; and
- c) To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136; and
- d) To consider and determine applications for the variation, suspension or cancellation of special licences; and
- e) To consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280 (Note: section 2080 relates to applications by constables or inspectors to the licensing authority for the variation, suspension or cancellation of a licence, other than a special licence); and
- f) With the leave of the Chairperson for the licensing authority, to refer applications to the licensing authority; and
- g) To conduct inquiries and to make reports as may be required of it by the licensing authority under section 175; and
- h) Any other functions conferred on licensing committees by or under this Act or any other enactment.

The DLC will comprise three members, that is, a Chairperson and two committee members. Unopposed applications for licences, manager's certificates and special licences may be determined and considered by the Chairperson on the papers. All other applications require a public hearing at which a quorum is three members.

The Dunedin City Council has opted to appoint a commissioner to the role of Chairperson pursuant to section 193 of the Act.

2. POSITION FUNCTIONS

2.1 Operational:

- To attend as a committee member of the DLC, as required, to consider and determine opposed licence, manager's certificate and special licence applications received by the DLC; and
- To attend as a committee member of the DLC, as required, to consider and determine all temporary authority applications pursuant to s.136 of the Act; and
- To review all decisions relating to any application in a timely manner; and
- To assist with any inquiry as requested by the Authority.

2.2 Deliverables:

- To attend as a committee member any public hearing in accordance with the Act and the Commissions of Inquiry Act 1908.
- All decisions made must be consistent with the Act and the Dunedin City Council's Local Alcohol Policy.
- To be consulted on any draft decision for any hearing attended and that feedback is provided for consideration by the Chairperson.
- To assist the Chairperson to ensure decisions are of a high standard, reflect the matters considered with reasons and that they are made with due consideration of the relevant legislation and case law, Dunedin's LAP and any guidance distributed by the Authority.
- It is expected that the highest standard of professional and ethical conduct is maintained at all times.

2.3 Performance Standards:

- It is expected that 95% of applications are dealt with in the following timelines:
 - Unopposed application decisions to be issued no later than three (3) working days after the Chairperson has received the application; and
 - Opposed application decisions to be issued no later than ten (10) working days after the hearing; and
 - Temporary authority application decisions to be issued no later than three (3) working days after the hearing.

3. LIMITATIONS ON AUTHORITY

- 3.1 In accordance with the Sale and Supply of Alcohol Act 2012, Dunedin City Council's Local Alcohol Policy and the Commissions of Inquiry Act 1908.

4. FUNCTIONAL RELATIONSHIPS

- 4.1 Responsible to the Chairperson of the DLC, the Alcohol Regulatory and Licensing Authority and the Dunedin City Council.
- 4.2 The DLC is a committee of the Dunedin City Council but is to carry out its functions independently.
- 4.3 The DLC will work closely with the Secretary (the Secretary is the Council's Chief Executive but the role has been delegated to a Council officer) and administrative support staff.
- 4.4 The reporting agencies, the Police, Medical Officer of Health and Licensing Inspector employed by the Council, while reporting their findings to the DLC, are to remain independent of the DLC.

5. PERSONAL COMPETENCIES

- 5.1 **Experience relevant to alcohol licensing matters** – demonstrates knowledge of alcohol licensing matters and demonstrates active interest and ability to build new knowledge in this area:
- Knowledge of alcohol licensing – *essential*
 - Demonstrate experience of legal and regulatory alcohol environment – *desirable*
 - Knowledge of the Sale and Supply of Alcohol Act 2012 – *desirable*
- 5.2 **Understanding of harm caused by the consumption of alcohol** – demonstrates knowledge of the Act and alcohol-related harm:
- Knowledge of alcohol-related harm and its impact on communities – *essential*
- 5.3 **Community knowledge** – demonstrates knowledge of the community for which the DLC operates:
- Awareness and understanding of the Local Alcohol Policy (if relevant) – *essential*
 - Understanding of community expectations around licensing – *essential*
- 5.4 **Quality decision making** – utilises analysis, wisdom, experience and logical methods to make good decisions and solve difficult problems with effective solutions. Probes beyond the stated situation to identify underlying issues:
- Considers information from a variety of sources in an objective, unbiased way to reach a conclusion – *essential*
 - Ability to sort fact from fiction – *essential*
 - Operated independently with little direction – *desirable*
 - Applies pragmatic decision-making – *essential*
 - Chairperson experience – *desirable*
 - Balanced assertiveness – *desirable*
- 5.5 **Hearing experience** – demonstrates knowledge of the purposes of the hearing process and demonstrates knowledge of applying the legislation:
- Understanding and the application of the legislation – *essential*
 - Understanding written decisions – *essential*
 - Interpreting case law – *desirable*
 - Knowledge and understanding of hearings procedure – *desirable*
- 5.6 **Strong communication** – demonstrates effective written and oral communication skills. Can write clearly and succinctly. Listens to others and asks questions to gain understanding. Facilitates good working relationships with other DLC members and offers constructive input:
- Strong verbal and written communication skills – *essential*
 - Knowledge of and ability to operate under rules of confidentiality – *essential*
 - Skills in questioning – ability to drill down to the issue – *essential*
 - Writes clear and well thought-out decisions – *desirable*
- 5.7 **Professional integrity** – upholds professional integrity at all times:
- Demonstrates behaviours that are consistent with standards for professional and ethical conduct – *essential*
 - Refrains from behaviour that fosters the appearance of conflict of interest – *essential*
 - Applies rules and regulations in a consistent, non-biased manner – *essential*.

203A Licensing committees must establish appropriate procedures

(1)

A licensing committee must establish appropriate procedures to consider applications.

(2)

When doing so, a licensing committee must ensure that those procedures—

(a)

avoid unnecessary formality, including, for example (without limitation), by making appropriate provision about—

(i)

the location and timing of the hearing;

(ii)

the layout of the venue of the hearing;

(iii)

the timetable for the hearing;

(iv)

the language and terminology to be used at the hearing; and

(b)

do not permit parties or their representatives to question other parties or witnesses of other parties; and

(c)

do not permit cross-examination; and

(d)

allow for **tikanga** Māori to be incorporated into proceedings; and

(e)

allow for persons to be heard, and to make submissions, in te reo Māori.

(3)

To avoid doubt, nothing in subsection (1) applies to the licensing authority.

Compare: 1991 No 69 s 39

DLC COMMITTEE APPLICANTS – ATTRIBUTE MATRIX

[illegible]

R	The community's concerns and expectations re alcohol-related harms													
R	The nature of the alcohol licensing environment													
	Local iwi, hapū and Māori communities													
	Cultural and ethnic make-up of the local community													
Communication and teamwork														
R	Good oral communication skills													
R	Ability to listen to and ask relevant questions													
	Consider information from a variety of sources in an objective, unbiased way and being open minded in reaching a conclusion													
	Good written communication skills													
	Te reo and tikanga Māori													
R	Computer literacy													
R	Ability to and develop and Facilitate good working relationships													
Personal qualities														
R	Willing to upskill and develop new knowledge													
R	Willing to make decisions													
Responsibilities of the Chair														
	Running meetings													
	Writing clear, well thought-out decisions ¹													
	Good knowledge													
	Some knowledge													
	No knowledge													
	Interview? Yes / No													

¹ The Dunedin Secretary currently writes all decisions for consistency

Legend: R Essential for all ✓ Good knowledge ~ Some knowledge X No knowledge

The attributes considered essential for all members indicated on left side. Chair/Commissioner should have good knowledge of **all** areas.