

From: [LGOIMA](#)
To: [REDACTED]
Subject: RE: LGOIMA request - District Licensing Committees - Reference 2482 Tuesday, 26
Date: November 2024 8:49:09 am
Attachments: [image001.png](#)

Kia ora [REDACTED],

We refer to your official information request dated 5 November 2024. Our response is below:

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)**

86 as of 30 June 2024

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

Chair: The Chair must be someone who “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 committee” as required by the Act (s 193(2)). The Act does not give a definition of “good standing in the community” so when considering good standing the following points are considered.

The person:

- is of good character e.g. do they have any convictions? Have they been bankrupted?
- has a good reputation and is held in high regard in their community
- holds positions of leadership within a community e.g. school board of trustees or iwi authority
- belongs to a professional organisation that upholds professional standards of ethics.

The chair must have an understanding of the law and how it is applied, must be familiar with the object of the Act, the provisions of the Act and their application, and have a thorough understanding or experience of alcohol licensing processes. They must be able to run or chair hearings, be capable writing decisions on behalf of the DLC, be willing and open to upskill and develop new knowledge and have a good understanding of the local community in which the DLC operates.

List Member: must have “experience relevant to alcohol licensing matters” as required by the Act s 192(2). Members can be elected councillors or

people from the community. Members are included on the list for a fixed term of up to five years and can be reappointed for one or more periods of up to five years.

The current recruitment criteria and qualification requirements for appointing DLC Members and Chairs requires a comprehensive understanding of alcohol-related harm and its minimisation.

Key qualifications include:

- **Understanding of Alcohol-Related Harm:** Members must grasp the nature of alcohol-related harm, including its broader health, social, economic, and cultural impacts on communities, particularly high-risk groups.
- **Experience in Legal Processes:** While opinions vary on the necessity of formal legal training, it is essential for DLCs to have members who can effectively address legal matters during hearings. Some councils prioritize legal expertise, while others rely on chairs with experience in relevant regulatory processes.
- **Facilitation of Community Participation:** Members should possess skills to engage effectively with community participants, ensuring that hearings are welcoming, especially for objectors unfamiliar with judicial processes.
- **Awareness of Community Diversity:** Members should understand the diverse communities served by the DLC and recognize how alcohol-related harm disproportionately affects different groups.
- **Flexibility and Cultural Competence:** Consideration should be given to members' willingness to hold hearings at convenient times for community participation and their familiarity with te reo Māori and tikanga.

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

The District licencing Committee (DLC) at Tasman district Council has drafted a procedures document. The following changes in legislation have been included in this document:

- Cross examination is no longer allowed at DLC hearings
- Tikanga is allowed to be incorporated into proceedings
- Evidence is allowed to be received in te reo Māori
- Requests for remote attendance should be considered.

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

- Tikanga is allowed to be incorporated into proceedings
- Evidence is allowed to be received in te reo Māori

4. **Have you seen any notable changes in community participation since implementation of the Sale and Supply of Alcohol Act (Community**

Participation) Bill?

The recent legislative changes have empowered more community members to voice their objections to applications, fostering a stronger sense of involvement. With the elimination of cross-examination during hearings, objectors are likely to feel more confident participating in the process.

Additionally, the timeframe for community members to be informed about licensing applications has been extended, allowing 25 working days for objections to be submitted. This change enhances the opportunity for community engagement in the licensing process. However, we have not held a hearing in Tasman District Council since the changes have been made, therefore we cannot comment specifically on the changes.

If you are unsatisfied with the Council's response, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely,
Legal Services Officer
