

SOUTH WAIRARAPA DISTRICT COUNCIL

21 SEPTEMBER 2016

AGENDA ITEM C1

PROPOSED DISTRICT LICENCING COMMITTEE TRANSITION ARRANGEMENTS THROUGH THE 2016 TRIENNIAL ELECTION PERIOD

Purpose of Report

To seek Council's agreement to appoint a commissioner who can serve as chairperson of the South Wairarapa District Council District Licencing Committee (DLC) and to extend the appointments of the current District Licencing Committee members.

Recommendations

Officers recommend that the Council:

1. *Receive the information.*
2. *Appoint Julie Riddell as Commissioner for the District Licencing Committee (DLC) until 1st June 2017.*
3. *Extend the appointments of all current list members of the District Licencing Committee (DLC) until 1st June 2017.*

1. Executive Summary

Council has a requirement to appoint a chairperson to the DLC. Currently, this role is fulfilled by the appointment of an elected member, rather than the appointment of a Commissioner. The appointment of a Commissioner to the DLC chairperson position will allow alcohol licensing applications be determined irrespective of the outcome of local body elections.

Opting to appoint a commissioner to the DLC chairperson position and extending the DLC members' appointments until 1st June 2017 will allow the incoming Council adequate time to review and consider DLC memberships.

2. Background

The current DLC chairperson is an elected member. The results of local elections will determine whether the current DLC chairperson is able to maintain that role. As such, it is seen as necessary to appoint a Commissioner to the role of DLC chairperson in order to provide continued

ability to decide alcohol licensing applications despite the election results and associated transition period.

The appointments for the current DLC list members will expire on 31st December 2016. Due to the local body elections being held in October 2016, it is considered appropriate to extend the DLC appointments and establish the Commissioner for a six month period (with the agreement of list members and Commissioner), to allow the new Council more time to consider and review the appointment of list members.

3. List Members

The list members are jointly appointed by the three Wairarapa councils. The Wairarapa Liquor Working Group recommended these appointments.

There are currently seven list members:

- Damien Pivac
- Gregory Ariell
- Jessie Hunt
- Catherine Rossiter-Stead
- Bruce Farley
- Andrew Beck
- Donald Adams

Members are called upon on a rotational basis by Masterton, Carterton and South Wairarapa District Councils to consider licensing decisions as required.

4. Legal requirements

4.1 Appointment of Commissioner

Section 189 of the Sale and Supply of Alcohol Act 2012 requires each licensing committee to have a chairperson. The chairperson may be either an elected member of the territorial authority or a commissioner appointed by the Chief Executive.

Section 193 of the Act restricts the Chief Executive to only appoint a commissioner if the candidate is of good standing in the community and has the necessary knowledge, skill, and experience relating to matters likely to come before the committee.

Furthermore, a person cannot be appointed as a commissioner if the territorial authority believes the person has an interest in the alcohol industry that would serve as a conflict of interest or if the person is a constable, Medical Officer of Health, an inspector, or an employee of the territorial authority.

It is proposed that Cr Julie Riddell, who is the current deputy chairperson of the DLC, and who is not standing for re-election, would be an appropriate candidate for the role of DLC Commissioner. It is recommended that Cr Julie Riddell be appointed as a Commissioner of the DLC until 1st June 2017.

4.2 Extension of DLC List Members

Section 192 of the Act allows the Chief Executive of a territorial authority, on the recommendation of the territorial authority, to extend the appointment of DLC list members for any one or more periods of up to five years. It is recommended that Council extend the appointment of all current list members until 1st June 2017.

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