



Position Description: List Member, Buller District Licensing Committee

Position purpose:

The purpose of this position is to act as a List Member of the Buller District Council Licensing Committee (DLC) that will consider and determine applications made under the Sale and Supply of Alcohol Act 2012 (the Act) as a quasi-judicial body, making decisions that can be appealed.

More particularly, the functions of the DLC are:

- To consider and determine licence applications, renewals, variations, suspensions and cancellations.
- To consider and determine new applications for and renewals of manager's certificates.
- To consider and determine applications for temporary authority.
- To conduct inquiries and make reports to the Alcohol Regulatory and Licensing Authority (ARLA).
- With the leave of ARLA, to refer applications to ARLA.

A DLC consists of at least three members appointed by a territorial authority from a list of qualified persons for its district, one of whom is appointed Chairperson. A Deputy Chairperson may also be appointed. The Position of Chair is currently filled.

Workload

The workload of the DLC will depend on the number of applications made under the Act, however, it is envisaged that all uncontested applications (no objections received) could be considered on the papers by the Chairperson, while any contested applications (objections received) would be considered by the full DLC at a hearing.

This position will operate on an on-call basis as and when a full committee meeting is required for hearings of contested applications. There were two hearings in for Buller District in 2024.

List Members will be rotated as required to sit at hearings; rotation will be influenced by such factors as availability, location of hearing, territorial locality of premises involved, conflict of interest etc.

Duration of Appointment

The appointment will be for an initial period of five years. The appointee may be re-appointed for one or more further terms of up to five years. A List Member may resign from office at any time by written notice to the Buller District Council (the Council).

The Council may at any time remove a List Member of a DLC for inability to perform the functions of office, bankruptcy, neglect of duty, or misconduct, proved to the territorial authority's satisfaction.

Remuneration

As determined by the Minister of Justice in accordance with the Cabinet fees framework, a DLC List Member will receive remuneration at a rate of \$408.00 per day or \$51.00 per hour for part days.

A List Member will also be reimbursed for reasonable expenses incurred in the discharge of duties associated with the position.

Terms of Employment

The successful applicant will be contracted to the Council under a contract for service. The List Member will not be a direct employee of the Council's.

Key relationships

Internal	External
Council administration staff and reporting officers	Police
DLC chairperson and other list members	Licence Inspector
DLC secretary	Medical Officers of Health
	Alcohol Regulatory Licensing Authority representatives.

Person Specification

Under the Act a person must not be approved to be included on the DLC members' list unless that person has experience relevant to alcohol licensing matters.

Additionally, a person must not be a DLC List 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 (Liquor Licensing), or an employee of the territorial authority.

Knowledge/Skills/Experience - Summary

- 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.

See below for more detailed skills and experience being sought.

Skills and Experience

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	√	