

**AUCKLAND COUNCIL**  
**ANNUAL REPORT TO THE**  
**ALCOHOL REGULATORY AND LICENSING**  
**AUTHORITY**  
**2015**



## **Overview of DLC workload**

### **DLCs structure**

Auckland Council has a region-wide pool of 11 commissioner chairs and 20 members, who are selected on a case-by-case basis to sit as a District Licensing Committee. Two DLC members resigned their positions over the last year due to other commitments.

The commissioner chairs are allocated unopposed applications by DLC Administration staff to decide on-the-papers. This allocation is made on a proportionate basis according to the availability of the chairs.

Opposed applications or temporary authorities are allocated to panel members and chairs by DLC Hearings staff on the basis of their availability, location and expertise.

Approximately 98 hearings involving contested matters were held over the 12 month period.

We continue to hold quarterly DLC forums (for chairs and members) and semi-regular DLC chairs meetings approximately every two months. These are well attended and are a good opportunity to discuss current issues and developments. They are led by Auckland Council's Principal Advisor - Hearings

### **Personnel**

The Auckland DLC is directly supported by 7 administration and hearings staff and 25 licensing inspectors, including 3 team leaders and a senior advisor. The inspectors work in 3 teams, from 7 locations.

As noted above, there are two separate teams that allocate work to the DLC.

The DLC Administration team has two staff and a team leader, who act as the primary liaison between DLC chairs and Auckland Council licensing and administration staff for on-the-papers applications.

DLC Hearings staff support and administer all DLC hearings and form part of a broader Hearings team. Three out of six members of the Hearings team are dedicated to DLC hearings and are overseen by a team leader.

DLC Hearings staff are the primary liaison between DLC chairs and members, DLC Administration, and licensing and administration staff for hearings and temporary authority applications.

The Principal Advisor – Hearings is the key point of contact for DLC chairs and members in relation to legal and process-related queries, complaints, performance management and training matters.

## **DLC Review**

The Council conducted a review of the operation of the DLC in its first year of operation and gathered feedback from staff, agencies, objectors, applicants, local boards and the DLC chairs and members. The review found that in general, the DLC was working fairly well, however stakeholders identified:

- a lack of consistency in decision-making, partly due to the size of the DLC pool
- a need for more information and guidance about how to object, the hearings process and evidential requirements
- concerns about the formality of hearings, in particular the venues and hearings process
- a desire for more education and training of local boards, DLC chairs and members, objectors and other interested parties
- a need for greater flexibility of DLC hearings
- a need for greater consistency and more user-friendly documents and processes (internal and external)
- a need for a more strategic focus on enforcement and giving more prominence to initiatives such as the graduated response model
- a desire for better access to alcohol licensing information.

The result of the review was a decision to reduce the size of the DLC pool (chairs and members) in October 2016 once the existing contracts expire. An action plan was also developed to capture the opportunities for operational improvement that were identified through the review.

## **Local Alcohol Policy**

On 13 May 2015 the Council adopted a Provisional Local Alcohol Policy (PLAP). This PLAP has been appealed by 8 parties and is now awaiting a hearing before the Authority.

## **Current legislation**

The Auckland District Licensing Committee wishes to again convey its concern that temporary authority applications are not listed in Section 191(3) of the Sale and Supply of Alcohol Act 2012.

The result of this omission is that a quorum of three members is required for all temporary authority applications. This is an onerous and time-consuming exercise for applications that are generally urgent, low-risk and can only be granted for a maximum of three months.

The DLC would like temporary authorities to be added to the list in Section 191(3), to enable those applications to be determined by a quorum of one member who must be the chairperson.

Rob Abbott  
Secretary DLC  
(Processing & Issuing)

Elizabeth McKenzie  
Secretary DLC  
(Hearings)

## Statistical information

### **TERRITORIAL AUTHORITY: AUCKLAND COUNCIL**

ANNUAL REPORT FOR YEAR ENDING 30 JUNE

2015

#### On-licence, off-licence and club applications received

Application Type	Risk Category				
	Very Low	Low	Medium	High	Very High
On-licence new	28	264	185	59	2
On-licence variation	0	0	0	0	0
On-licence renewal	37	315	348	86	3
Off-licence new	5	43	50	39	1
Off-licence variation	0	0	0	0	0
Off-licence renewal	16	36	110	113	12
Club licence new	3	12	5	0	0
Club licence variation	0	0	0	0	0
Club licence renewal	24	82	20	0	0
<b>TOTAL</b>	<b>113</b>	<b>752</b>	<b>718</b>	<b>297</b>	<b>18</b>
<b>FEE</b>	<b>\$15</b>	<b>\$30</b>	<b>\$45</b>	<b>\$75</b>	<b>\$150</b>
<b>Fee paid to ARLA</b>	<b>\$1,949.25</b>	<b>\$25,944.00</b>	<b>\$37,156.50</b>	<b>\$25,616.25</b>	<b>\$3,105.00</b>

#### Annual fees for existing licences received

	Risk Category				
	Very Low	Low	Medium	High	Very High
On-licence	78	738	697	217	5
Off-licence	41	96	230	289	19
Club licence	46	184	32	0	1
<b>TOTAL</b>	<b>165</b>	<b>1,018</b>	<b>959</b>	<b>506</b>	<b>25</b>
<b>FEE</b>	<b>\$15</b>	<b>\$30</b>	<b>\$45</b>	<b>\$75</b>	<b>\$150</b>
<b>Fee paid to ARLA</b>	<b>\$2,846.25</b>	<b>\$35,121.00</b>	<b>\$49,628.25</b>	<b>\$43,642.50</b>	<b>\$4,312.50</b>

#### Managers' certificate applications received

	ALL
Manager's cert new	2,807
Manager's cert renewal	2,644
<b>TOTAL</b>	<b>5,451</b>
<b>FEE</b>	<b>\$25</b>
<b>Fee paid to ARLA</b>	<b>\$156,716.25</b>

Special licence applications received

	Class 1	Class 2	Class 3
Special Licence	219	1,015	1,073

Temporary authority applications received

Temporary authority	608
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Under / Overpayment

Some levies were initially miscalculated and this has been remedied.

Amounts Paid

Levy Amounts	GST Incl
Jul-14	\$27,076.75
Aug-14	\$35,305.00
Sep-14	\$25,260.00
Oct-14	\$33,516.75
Nov-14	\$32,614.00
Dec-14	\$25,087.25
Jan-15	\$30,486.50
Feb-15	\$28,537.25
Mar-15	\$29,825.25
Apr-15	\$31,441.00
May-15	\$36,644.75
Jun-15	\$42,297.00
<b>TOTAL</b>	<b>\$378,091.50</b>

Amounts To Be Paid

Payment exc GST

Audited	Variance	To Pay
\$27,663.25	\$586.50	\$586.50
\$35,839.75	\$534.75	\$534.75
\$29,325.00	\$4,065.00	\$4,065.00
\$33,810.00	\$293.25	\$293.25
\$33,200.50	\$586.50	\$586.50
\$30,791.25	\$5,704.00	\$5,704.00
\$25,334.50	\$5,152.00	-\$5,152.00
\$29,175.50	\$638.25	\$638.25
\$30,239.25	\$414.00	\$414.00
\$31,717.00	\$276.00	\$276.00
\$36,644.75	\$0.00	\$0.00
\$42,297.00	\$0.00	\$0.00
<b>\$386,037.75</b>	<b>\$7,946.25</b>	<b>\$7,946.25</b>