




# Position Description

<b>Position title:</b>	District Licensing Committee chairs and members	<b>Team:</b>	Hearings
<b>Division:</b>	Governance	<b>Reports to:</b>	Regulatory Committee through the Principal Advisor Hearings
<b>Department:</b>	Democracy Services	<b>Direct reports:</b>	Nil
<b>Unit:</b>	Governance Unit	<b>Indirect reports:</b>	Nil

 <b>Our Commitment to Te Ao Māori</b>	<p>We honour Te Tiriti o Waitangi, accord value to Te Ao Māori (the Māori world), support kaitiakitanga and are responsive to the needs of the Māori community. You participate in initiatives to embed Te Ao Maori into the way we do things. You are willing to develop and build your own confidence and capability to be responsive to Māori and recognise and display our commitments under Te Tiriti.</p>
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 <b>Purpose of the job</b> (primary goal / objective)	<p>The District Licensing Committee (DLC) is a quasi-judicial body that has the powers of a commission of inquiry which makes decisions that can be appealed to the Alcohol and Regulatory Licensing Authority. The DLC comprises a chairperson and two members and is responsible for deciding all licence (including special licences) and all managers' certificate applications, renewals and temporary authorities, regardless of whether these are opposed or unopposed. DLCs will also consider and determine applications for temporary licences and for the variation, suspension, or cancellation of special licences.</p>
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 <b>Key responsibilities</b>	<ul style="list-style-type: none"> <li>• Exercise the DLC's powers and functions under the Sale and Supply of Alcohol Act 2012</li> <li>• Adhere to accepted best practice for hearings: using effective communication skills, active listening, distilling the key arguments and facts from the information presented and applying appropriate weight to evidence; recognising common decision-making biases, addressing conscious and unconscious bias, and applying strategies to minimise their impact</li> <li>• Maintain a comprehensive understanding of all relevant legislation, including relevant case law and decisions made by other DLCs, and any local alcohol policy development, to provide a quality service to the council and its customers</li> <li>• Demonstrate impartiality and integrity and commit to the principles of natural justice and a sense of fair play</li> <li>• Demonstrate an understanding of the principles of Te Tiriti o Waitangi, their relevance in legislation, and their application to the decision(s) in question</li> <li>• Apply tikanga Māori to hearings where relevant and appropriate</li> <li>• Embrace diversity and use cultural competency to ensure that all members of Auckland's diverse communities can participate effectively in hearings</li> </ul> <p>Chairperson specific:</p> <ul style="list-style-type: none"> <li>• Prepare directions and/or minutes on procedural matters as required</li> <li>• Allocate tasks among panel members - including drafting parts of the decision where appropriate, decision editing and scrutiny, arranging and attending site visits</li> <li>• Consider and determine unopposed applications on the papers</li> </ul>
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**Outcomes**  
(what success looks like)

- DLCs are prepared for hearings having familiarised themselves of all material provided prior to hearing and making a site visit where appropriate
- Hearings proceed smoothly and in a timely manner and all parties feel that they have had a fair hearing
- New legislation and case law is applied to decisions where appropriate
- DLCs deliberate to reach a clear, impartial and logical decisions
- Decisions: are well-reasoned; are legally and technically correct; contain conditions that are robust; will withstand scrutiny by the Alcohol Regulatory and Licensing Authority; will stand up to judicial review; and, are completed within expected timeframes
- Services are performed to a high standard of professional practice for judicial processes
- DLCs demonstrate neutrality and fairness to all throughout the hearing
- All DLC members disclose any potential conflict of interest, either actual or perceived, to the hearings team prior to the acceptance of work



**Key skills**  
(what you are great at)

No formal qualifications are required, however key skills to undertake the role are:

- experience relevant to alcohol licensing matters
- knowledge of the Sale and Supply of Alcohol Act 2012 and of New Zealand legislation in general and its application
- awareness and understanding of the local alcohol policy
- understanding of tikanga Māori, Te Tiriti o Waitangi and its application in the alcohol licensing context
- cultural competencies - a commitment to diversity and an ability to work effectively with all of Auckland's diverse communities
- understanding of the community and its expectations of alcohol licensing
- behaviours that are consistent with professional standards and ethical conduct in judicial processes
- strong computer skills and ability using technology which will include adapting to a paperless environment
- public hearing experience, advanced listening and questioning skills and an ability to identify key issues
- neutral, tactful and diplomatic with an open mind when assessing applications
- ability and willingness to review one's own performance and review areas for development and improvement through the term

Chairperson-specific:

- necessary knowledge, skill and experience relating to matters that are likely to come before the committee
- experience in legal and regulatory environments
- skill in note-taking and ability to write clear and succinct decisions
- highly-developed oral and written communication and decision-making skills
- ability to interpret and apply case law and knowledge of relevant DLC and ARLA decisions
- knowledge and understanding of hearings procedure and cross-examination
- ability to be calm and measured in difficult or high-pressure situations

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### Job requirements

- The role is as a contractor to the council
- Be prepared for flexible working hours noting that this is not a full-time role
- DLC members must refrain from behavior that fosters the appearance of a conflict of interest. Members need to declare any conflict of interest and take appropriate action to protect themselves and the decision-making role of the DLC. You must disclose any financial or personal conflicts and will need to evaluate conflicts on an ongoing basis.
- You must disclose any criminal convictions that may cause you to be compromised in your decision-making (e.g. alcohol-related offences).
- All DLC members participate in the quality practice programme to improve performance of the Auckland District Licensing Committee.

### Disclaimer

The above statements are intended to describe the general nature and level of work being performed by incumbents in the assigned job. They are not construed as an exhaustive list of all responsibilities, duties, or skills required of the incumbent. From time to time, employees may be required to perform duties outside of their normal responsibilities as needed.

<b>Approving manager:</b>	<b>Version date:</b>
Jessica Carter, Principal Advisor Hearings	23 October 2019

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