

5. SALE OF LIQUOR

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Corporate Plan Output: Sale of Liquor	

The purpose of this report is to inform members that as a consequence of the Sale of Liquor Amendment Act 1999 the District Licensing Agency (DLA) will have a greater and more varied role in the day-to-day administration of the Sale of Liquor Act 1989 from 1 April 2000. This report is a forerunner of others that will discuss policy matters.

The Liquor Licensing Authority has in a circular to all District Licensing Agencies invited Council Officers and Licensing Inspectors to attend a meeting to be held in Wellington on 22-23 February 2000 to discuss the changes. They quote:

“Understandably this has prompted many questions from Agencies as to what guidance can be expected from the Liquor Licensing Authority. Inevitably circumstances will from time to time require solution-seeking and problem-solving exercises previously undertaken by the Authority and/or its support staff.

Whilst the Authority is not a training organisation it nevertheless recognises the potential benefit to be gained by sharing a wealth of experience accumulated since 1990.

It is essential that Agencies be made aware of the necessity to adopt a consistent approach to their wider obligations and responsibilities under the revised legislation to ensure the establishment of the “level playing field” which has become a feature of modern process. Particular attention will need to be paid to matters of Agency structure, decision making procedures, and application and enforcement of the penal provisions of the Act.

The intention is to ensure that, as far as possible, the procedures put in place to deal with matters under the Act produce the same result irrespective of whether the application is made in Wellington, Whangarei or Invercargill.”

Two staff members will attend this meeting.

The 1999 Amendment Act extends the powers by providing for granting (where there is no objection) of on-licences, off-licences, and club licences together with setting of conditions. It also allows consideration of variations. Manager certificate applications are similarly affected. The effect of these changes will be that the majority of processing will be able to be carried out locally without the need to refer them to the Liquor Licensing Authority (Wellington) for determination. This should dramatically reduce the time-frame from application to grant of the licence/certificate.

The changes bring with them the need to ensure clear separation of administrative function within the Agency (reporting versus decision making roles). The ‘process’ is presently being reviewed. While there will be need for some changes it is anticipated they will not be that great. The meeting in Wellington will further clarify the position so that all is in place for commencement from 1 April 2000.

Chairman’s

Recommendation: That the information be received.