

4. SALE OF LIQUOR

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Corporate Plan Output: Sale of Liquor	

The purpose of this report is to alter the current delegations to the Council Hearing Panel in relation to Sale of Liquor Act matters and to bring them into line with the amendment Act 1999.

The amendment Act extends the powers of the District Licensing Agency by providing for involvement in the grant of unopposed on-licences, off-licences and club licences, together with setting of conditions of these licences. The Agency is also given a power to consider variations to conditions of those licences. It also is able to consider applications for managers certificates where there is no opposition.

Prior to the amendment all “new” applications had to be forwarded to the Liquor Licensing Authority in Wellington for issue. This will now enable the grant of licences and certificates more quickly than in the past.

The Office Solicitor reports and recommends that the existing delegation passed on 4 November 1998 be revoked and substituted by the following:

- “1. That pursuant to section 104(1) of the Sale of Liquor Act 1989 the Council delegates to the Council Hearings Panel the following powers, duties and discretions of the Council under the Sale of Liquor Act 1989:*
- (a) Under Parts I, II, III, IV and VI;*
 - (b) Under section 103 relating to the appointment of a licensing inspector;*
 - (c) Under section 133 (the variation or cancellation of special licences),*
 - (d) Under section 134 (suspension of on or club licences for non-compliance with public health or fire precaution requirements);*
 - (e) Under section 136 (restraining continuing breaches of conditions of licence); and*
 - (f) Under section 111 relating to waiver of certain omissions.*
- 2. That pursuant to section 104(2) the Council Hearings Panel may sub-delegate to the secretary or to any subcommittee such are those powers, duties and discretions as relate to any matter that is the subject of an application to which no objections have been received.”*

Recommendation: That the delegation be approved.

Chairman’s

Recommendation: That the officer’s recommendation be endorsed.