

Decision N° MC990-2017

**In The Matter**

of the Sale and Supply of Alcohol Act 2012

**And**

**In The Matter**

of an application by John Buchanan Burt for  
the renewal of a manager's certificate pursuant to  
s.224 of the Act.

**Before The Kaipara District Licensing Committee**

Chair: Mr Mark Farnsworth  
On Call: Chief Licensing Inspector: Rachel Sheppard  
Democratic Services Manager: Sean Mahoney  
General Manager Planning and Regulatory: Fran Mikulicic  
Regulatory Manager: Dean Nuralli  
Licensing Inspector: Jason Sheehan

**Decision (on the papers)**

This is an application for the renewal of a manager's certificate to John Buchanan Burt.

The District Licensing Committee notes that the applicant is currently working in the licenced premises known as Te Whai Bay Wines, situated at 367 King Road, Mangawhai, Kaipara District.

This application was made under s.224 of the Sale and Supply of Alcohol Act 2012 and determined by the District Licensing Committee under s.226 of the Act.

The application was referred to the Police and Inspector for comment. No matters in opposition to the renewal of the certificate have been raised, however, it is referenced that the applicant was the duty manager and also the seller during the time that a controlled purchase operation (CPO) was undertaken on 03 December 2016 where alcohol was sold to a minor.

This matter has been dealt with by the Alcohol Regulatory Licensing Authority (ARLA) with a 28 day negotiated suspension of the applicant's certificate having been served from 24 April 2017. In the absence of any additional offending or general concerns during the twelve month probationary period, it is appropriate that this matter be considered as an isolated event.

I am satisfied as to the matters to which I must have regard as set out in ss.225 and 227 of the Act and I grant the renewal of a manager's certificate under s.202 (1).

The certificate may be issued immediately for a further period of three years commencing from 12 July 2017. pursuant to s.228 (2) of the Act.

**Dated at Mangawhai this 23<sup>rd</sup> day of June 2017**



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**Mark Farnsworth MNZM**  
**Chair**  
**Kaipara District Licensing Committee**

