

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by Fiona Louise
Gates for a Manager's
Certificate pursuant to s.219 of
the Act

BEFORE THE WAIKATO DISTRICT LICENSING COMMITTEE

DECISION

The application for a Manager's Certificate is granted.

[1] This is an application by Fiona Louise Gates for a Manager's Certificate.

[2] The Liquor Licensing Inspector and Police have provided reports and do not oppose the application (s 220). Accordingly, this application is decided on the papers (s 202).

Criteria for determining the application:

[3] In considering an application for a Manager's Certificate, the Licensing Committee must consider the following questions (s 222):

- a) Is the applicant suitable to be a manager?
- b) Have any convictions been recorded against the applicant?
- c) Does the applicant have any recent experience in controlling any premises for which a licence was in force?
- d) Has the applicant undertaken appropriate training and completed relevant qualifications under section 218?
- e) Have the Inspector and Police raised any relevant matters in their reports?

Reasons and decision:

[4] The Inspector's report notes that the applicant displays a good knowledge of the Sale and Supply of Alcohol Act 2012 and of host responsibility and is aware of their responsibilities as a duty manager. The Inspector has not identified any concerns in their report that would suggest the certificate should not be issued

[5] The applicant declared an alcohol-related driving offence involving excess breath alcohol on 28 July 2023. This resulted in a conviction and a six-month disqualification from driving. She has accepted responsibility for the incident and described it as a significant error in judgment. The Inspector reports that she has expressed remorse for her actions,

which appeared genuine. The Licensing Inspector considers the incident to have been isolated and out of character.

[6] The Police report also does not raise any concerns, noting that the conviction falls outside the two-year stand-down period referred to in the *Osbourne*¹ decision.

[7] I am satisfied that Fiona Louise Gates is a suitable person to hold a Manager's Certificate because she has appropriate training, qualifications and experience. Accordingly, I grant the application for a Manager's Certificate. The Manager's Certificate may issue immediately.

DATED at Ngaaruawaahia on 29th September 2026



Tegan McIntyre
Commissioner
Waikato District Licensing Committee

¹ G L Osborne, LLA PH 2388/95