

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of an application by Rivers
Hospitality Limited for a
temporary authority to carry on
the sale and supply of alcohol
pursuant to s.136 of the Act in
respect of premises situated at
1333 Horotiu Road
WHATAWHATA known as "The
Backyard Gastropub".

BEFORE THE WAIKATO DISTRICT LICENSING COMMITTEE

Commissioner: Andrew Baker

DECISION

[1] I have before me an application by Rivers Hospitality Limited for a temporary authority in respect of premises situated at 1333 Horotiu Road WHATAWHATA known as "The Backyard Gastropub".

[2] The application for the temporary authority is the fourth such application made by this applicant and was filed with the Waikato District Council prior to expiry of the third temporary authority which expired on the 17/07/2023.

[3] The applicant has sought this temporary authority on the grounds that they have purchased the business, and wish to continue to trade within the conditions of the underlying licence for the premises whilst the application for a substantive licence is determined.

[4] The inspector has filed a report on the application and does not oppose the granting of the temporary authority. The Police have not opposed the application. It is noted the issues of opposition dealt with in the decision for the second temporary authority dated 9th December 2022.

[5] In that decision I included a condition that the applicant was required take every reasonable step to apply for a substantive off licence for the premises prior to the expiry of this temporary authority and that failure to meet that condition required either a written explanation from the applicant or should the Chair determine, a hearing.

[6] The applicant has provided an explanation whereby they have lodged all the required documentation for the substantive licence but that there will be opposition from at least one of the reporting agencies meaning there will need to be a hearing which is out of the control of the applicant.

[7] I am satisfied as to the matters to which I must have regard, and I am satisfied that the application meets the Purpose and Object of the Act, accordingly, **I grant the temporary authority.**

[8] This temporary authority authorises the applicant to carry on the sale and supply of alcohol with the same conditions contained within the underlying licence number 14/ON/15/2021.

[9] The temporary authority is issued for the period not exceeding three months and may issue to take effect immediately.

[10] A copy of this temporary authority is to be displayed alongside a copy of the underlying licence within the premises.

DATED at Auckland this 20th day of July 2023



Andrew Baker
Commissioner

Waikato District Licensing Committee