

**IN THE MATTER**

of the Sale and Supply of  
Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by Rivers  
Hospitality Limited for renewal  
of an on-licence pursuant to  
s.127 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 the renewal and variation of an on licence in respect of premises situated at 1333 Horotiu Road, Whatawhata known as “The Backyard GastroPub”.
- 2) The general nature of the business is that of a tavern.
- 3) The variation sought is in regard to a change to the licensed area following alterations to the building with the proposed premises as defined within the plan submitted and date stamper received by Waikato District Council on 4 February 2025.
- 4) The application was duly advertised and did not attract any public objection. It is reported that the public notices did not include information regarding the variation.
- 5) The applicant has sought a waiver regarding the omission to publicly notify the variation.
- 6) S.208 allows the licensing committee to grant a waiver to any person who has neglected or omitted to do any act in the precise manner or within the precise time prescribed by this Act if satisfied that the neglect or omission was not wilful and the committee believes the terms of any waiver is equitable.
- 7) Having considered the request for the waiver and considering the reason and nature of the omission, I grant the waiver.
- 8) Reports on the application were received from an Inspector, Medical Officer of Health and the Police and offer no opposition.
- 9) I am satisfied as to the matters which I must have regard as set out in s.105 of the Act, and I am satisfied that the application meets the purpose and object of the Act.

Accordingly, I grant the applicant a variation and renewal of the underlying on licence with the following conditions:

- (a) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day to any person who is not present on the premises to dine.
  - (b) Alcohol may be sold only while the premises are being operated as a tavern, and only during the following days and hours:  
**Monday to Sunday 10.00am to 1.00am the following day**
  - (c) Food must be available for consumption on the premises at all times when the premises are open for the sale of alcohol in accordance with the menu submitted with the application for the licence, or variations of that menu of a similar range and standard.
  - (d) The licensee must have available for consumption on the premises, at all times when alcohol may be sold under the licence, a reasonable range of non-alcoholic and low-alcohol beverages.
  - (e) Drinking water must be freely available the bar service areas.
  - (f) A one-way door policy applies during the following times: Monday to Sunday from 12.00midnight.
  - (g) The licensee must take the following steps to ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed:
    - i. Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
  - (h) The licensee must take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:
    - i. All staff will be trained in their responsibilities under the Act.
    - ii. A sign shall be prominently displayed inside the premises, which identifies by name the manager on duty or of the person responsible for the management of the sale and supply of alcohol under the licence.
  - (i) The whole of the premises is designated as supervised.
  - (j) The sale, supply, and consumption of alcohol is authorised on the premises generally. The premises situated at 1333 Horotiu Road, Whatawhata are more precisely identified in a plan date stamped as received by the Waikato District Council on 4 February 2025.
- 10) The renewal and variation to the underlying licence may issue immediately upon payment of any outstanding fee.
- 11) I refer any party who wishes to appeal this decision or part of this decision to sections 154 through to 158 of the Act.

DATED at Auckland this 10<sup>th</sup> day of March 2025



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Andrew Baker  
Commissioner  
Waikato District Licensing  
Committee