

**Decision number:** 49D/2021/NZDLCWN/823

**IN THE MATTER** of the Sale and Supply of  
Alcohol Act 2012 (the Act)

**AND**

**IN THE MATTER** of an application by Cross  
Hospo Limited pursuant to  
section 136(1) of the Act for a  
Temporary Authority for  
premises situated at 39 Abel  
Smith Street, Te Aro,  
Wellington known as the  
“Southern Cross”  
(SR490784)

## **DECISION OF THE WELLINGTON DISTRICT LICENSING COMMITTEE**

### **THE APPLICATION**

1. On 16 June 2021 the Committee has considered an application by Cross Hospo Limited for a Temporary Authority for premises situated at 39 Abel Smith Street, Wellington, known as the “Southern Cross”. This is the first Temporary Authority application by this applicant for these premises.
2. The application comes about following the change of ownership of the business.
3. The premises are currently licensed and trading as a tavern with over the counter off licence sales. A base off-licence, (49C/OFF/280/2018), expires on 19 September 2021.
4. The application contains supporting documentary evidence of a signed and dated Agreement for Sale and Purchase of A Business.
5. There is a report from the Inspector which does not raise any matters in opposition to this application. The Police have not opposed the application.

### **REASONS FOR THE DECISION**

6. The applicant has established that they hold a right, title or estate in the premises, being a requirement under the Act to obtain a Temporary Authority.
7. The applicant has engaged three staff holding current managers’ certificates to work at the premises.

8. No matters have been raised with the Committee by the reporting agencies that would suggest that this Temporary Authority Order should not be granted.

### **THE DECISION**

9. The application and supporting information satisfies me that the criteria the Committee must have regard to as set out in section 136 of the Act has been met.
10. The District Licensing Committee, acting pursuant to the Sale and Supply of Alcohol Act 2012, makes an order for a Temporary Authority and the existing conditions already on the base licence continue to apply.
11. I remind the applicant that section 136(5) of the Act says the person authorised by the order have for the purposes of this Act the same duties, obligations, and liabilities as the holder of the off-licence concerned. This includes ensuring that a properly appointed and/or certificated manager is on duty at all times when the premises is open for the sale and supply of alcohol.
12. The Order is in force from 21 June 2021 to 19 September 2021, being the date the base licence expires.

**DATED** at Wellington 16 June 2021



Kate Thomson  
**Chairperson/Commissioner**  
**Wellington District Licensing Committee**