

IN THE MATTER

of the Sale of Liquor Act 1989

AND

IN THE MATTER

of an application by **SOUTHERN CROSS HOTEL LIMITED**
pursuant to s.16 of the Act for
variation of the conditions of an
on-licence in respect of premises
situated at 118 High Street,
Dunedin known as "Southern
Cross Hotel"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley

Members: Mr R J S Munro

Mr J W Thompson

DECISION

This is an application by Southern Cross Hotel Limited for variation of the conditions of an on-licence in respect of premises situated at 118 High Street, Dunedin, known as "Southern Cross Hotel".

The applicant seeks to extend the hours during which the sale of liquor is authorised.

The trading hours currently authorised are:

- (i) At any time on any day to any person who is for the time being living on the premises whether as a lodger or an employee of the licensee, or otherwise.
- (ii) Sunday, Good Friday and Christmas Day 7.00 am to 3.00 am the following day to any person who is present on the premises for the purpose of dining.
- (iii) Monday to Saturday 7.00 am to 3.00 am the following day (7.00 am to 12.00 midnight on Christmas Eve and on the Thursday before Good Friday) to any person who is present on the premises for the purpose of attending any function or entertainment (whether live or not).
- (iv) Monday to Saturday 7.00 am to 3.00 am the following day (7.00 am to 12.00 midnight on Christmas Eve and on the Thursday before Good Friday) to any person who is present on the premises.

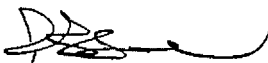
The applicant now seeks trading hours as follows:

- (i) At any time on any day to any person who is for the time being living on the premises whether as a lodger or an employee of the licensee, or otherwise.
- (ii) At any time on any day (at any time until 12.00 midnight on the Thursday before Good Friday, Easter Saturday, Christmas Eve and the day before ANZAC Day) to any person who is present on the premises.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.13 of the Act. We grant the application and authorise the issue of a replacement licence. A copy of the replacement licence setting out the conditions to which it is subject is attached to this decision.

DATED at WELLINGTON this *13th* day of *March* 2000


R Barber
Deputy Secretary



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ON-LICENCE

Sections 7 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, **SOUTHERN CROSS HOTEL LIMITED** is authorised to sell and supply liquor on the premises situated at 118 High Street, Dunedin and known as "Southern Cross Hotel", for consumption on the premises to:

- (a) Any person who is for the time being living on the premises, whether as a lodger or an employee of the licensee, or otherwise; or
 - (b) Any person who is present on the premises for the purpose of dining; or
 - (c) Any person who is present on the premises for the purpose of attending any function or entertainment (whether live or not); or
 - (d) Any other person who is present on the premises,
- and to allow the consumption of liquor on the premises by any such person.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) The licensee shall have available for consumption on the premises, at all times when the premises are open for the sale of liquor, a reasonable range of non-alcoholic refreshments:
- (b) No liquor is to be sold or supplied on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on ANZAC Day to any person other than persons who are:
 - (i) For the time being living on the premises whether as a lodger or an employee of the licensee or otherwise;
 - (ii) Present on the premises for the purpose of dining
- (c) Liquor may be sold only on the following days and during the following hours:
 - (i) At any time on any day to any person who is for the time being living on the premises whether as a lodger or an employee of the licensee, or otherwise.
 - (ii) At any time on any day (at any time until 12.00 midnight on the Thursday before Good Friday, Easter Saturday, Christmas Eve and the day before ANZAC Day) to any person who is present on the premises.
- (d) Food shall be available for consumption on the premises as follows:
At all times when the premises are authorised to be open for the sale of liquor, food of a range and style similar to that shown on any menu submitted or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, shall be conveniently available for all patrons and the availability of those foodstuffs shall be notified to them by appropriate notice throughout the premises.
- (e) Each of the following parts of the premises is designated as a supervised area: Every bar.
- (f) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of liquor to minors and the complete prohibition on sales to intoxicated persons.

THE LICENSED PREMISES

In terms of Regulation 7 of the Sale of Liquor Regulations 1990 the sale, supply or consumption of liquor is authorised on the first, second, third and attic floors of the premises excluding the casino areas. The premises located at 118 High Street, Dunedin are more precisely identified as outlined in a plan date stamped as received by Tribunals Division on 8 February 1999.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S


A copy of this licence shall be displayed at the principal entrance to the premises. The entrance from High Street is designated the principal entrance.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

DATED at WELLINGTON this 14th day of May 1990


R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY

NOTE: This licence replaces licence no. 069/ON/10/99.
This licence shall expire on the same expiry date (or anniversary) as that of the licence it replaces or, if renewed, of the most recent renewal certificate.

