

**Notice of Meeting:**

I hereby give notice that an ordinary meeting of the District Licensing Committee will be held on:

**Date:** Friday 21 October 2022  
**Time:** 9.30 am  
**Venue:** Plaza Conference Room, Civic Centre, The Octagon, Dunedin

Sandy Graham  
Chief Executive Officer

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**District Licensing Committee**  
**New On-Licence Application – Mornington Thai**  
**PUBLIC AGENDA**

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**MEMBERSHIP**

<b>Chairperson</b>	Colin Weatherall
<b>Members</b>	Rakei Amohau Katie Lane
<b>Senior Officer</b>	Kevin Mechen, Secretary, District Licensing Committee
<b>Governance Support Officer</b>	Lynne Adamson

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Lynne Adamson  
Governance Support Officer

Telephone: 03 477 4000  
Lynne.Adamson@dcc.govt.nz  
[www.dunedin.govt.nz](http://www.dunedin.govt.nz)

**Note:** Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.



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**1 APOLOGIES**

At the close of the agenda no apologies had been received.

**2 CONFIRMATION OF AGENDA**

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.



## PART A REPORTS

### REPORT FOR ON-LICENCE, "MORNINGTON THAI", 18 MAILER STREET, DUNEDIN – FROM SECRETARY, DISTRICT LICENSING COMMITTEE

Department: Civic

#### APPLICATION DESCRIPTION

Applicant's Name:	Pride Thai Limited
Site Address	18 Mailer Street, Dunedin
Trading Name:	Mornington Thai
Style of Licence	On-licence
Application Number	ON-8-2022
Date received by Council	30 May 2022

#### EXECUTIVE SUMMARY

- 1 This is a report for an application for a new on-licence for the premises situated at 18 mailer Street, Dunedin, and known as "Mornington Thai". The criteria found at section 105 of the Sale and Supply of Alcohol Act 2012 (the Act) apply to this application.
- 2 The applicant bought the business from the former operators of an Indian Restaurant.
- 3 Public notice of the application did not attract any opposition and the reporting agencies have not submitted any adverse report.
- 4 However, after reading the application and documents requested by the agencies, the Committee has some concerns they would like addressed at a public hearing.

#### APPLICANT AND APPLICATION

- 5 The sole director and shareholder of the applicant company is Sonthaya Nongyang, a resident in Dunedin. They were a former director and shareholder of Savoury Japan 2015 Limited but ceased these roles in October 2021.
- 6 The applicant's current business was bought from Navnik Limited. One of the directors of Navnik Limited, Naveen Malhotra, is currently very involved with the day-to-day running of Mornington

Thai which is part of the purchase agreement signed by the parties. Mr Malhotra is also assisting the applicant with the licence application process.

- 7 The hours originally sought in the application were 10.00 am to 12.00 midnight each day of the week. However, the Planning Certificate limits trade on Sunday to Thursday to 11.00 pm. After discussion, the hours now sought are Sunday to Thursday 10.00 am to 10.00 pm, Friday and Saturday 10.00 am to 12.00 midnight.

## **PUBLIC NOTICE**

- 8 Public Notice of the application did not attract any objections.
- 9 While the reporting agencies have not opposed the grant of the licence, the following comments were made by the Licensing Inspector:
- a) Naveen Malhotra is one of three directors another company associated with an on-licence in Dunedin. The Police are seeking a cancellation of this licence.
  - b) Mr Malhotra is the sole director and majority shareholder of a company in liquidation.
  - c) The sale and purchase of the applicant's business was done privately with no apparent legal overview. While not unlawful, it is uncommon, as are the terms of the agreement.
  - d) Ms Nongyang was a former employee of the vendor company, albeit for a short time.
- 10 The inspector stated that the applicant is very forthcoming with information as it has been requested. There is nothing to suggest the applicant is unsuitable therefore there is no opposition.

## **CONCLUSION**

- 11 This application has not been opposed by the reporting agencies nor have there been any objections recorded.
- 12 However, the terms of the purchase agreement and the continued association with the previous licensee has raised some concern for the Committee so they have asked for the matter to be heard before a decision is made.

## **Signatories**

Author:	Kevin Mechen - Secretary, District Licensing Committee
Authoriser:	

## **Attachments**

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## **PUBLIC NOTICE**

### **Section 101(a), Sale and Supply of Alcohol Act 2012**

Pride Thai Limited has made application to the District Licensing Committee at Dunedin for the grant of an On Licence number ON-8-2022 in respect of the premises situated at 18 Mailer Street Dunedin and to be known as Mornington Thai.

The general nature of the business to be conducted under the licence is Restaurant.

The applicant seeks the licence on the following hours:

Sunday to Thursday 10.00 am to 11.00 pm

Friday and Saturday 10.00 am to 12.00 midnight

First publication date: Wednesday, 1 June 2022

Second publication date: Wednesday, 8 June 2022

Objections Close 5:00 pm Thursday, 23 June 2022

- The application may be inspected during ordinary office hours at the office of the Dunedin District Licensing Committee at 50 The Octagon, Dunedin, or on-line at <https://www.dunedin.govt.nz/services/licensing/alcohol-licence-applications>
- No objection to the issue of a licence may be made in relation to a matter other than a matter specified in section 105(1) of the Sale and Supply of Alcohol Act 2012
- Any person who is entitled to object and who wishes to object to the issue of the application may, not later than 15 working days after the date of the first publication of this notice, file a notice in writing of the objection with the Secretary of the Dunedin District Licensing Committee at 50 The Octagon, PO Box 5045, Dunedin 9058

## APPLICATION FOR ON LICENCE

Incomplete applications will not be processed

The application must be accompanied by the correct fee (see below).

When a licence has been granted, it will not be issued until the annual fee has been paid.

The District Licensing Committee (DLC) will notify the public of this application via the Dunedin City Council website and the Otago Daily Times (the advertising cost is included in the application fee).

The contact person will be emailed a copy of the public notice to be displayed on the premises.

Please use separate pages to provide extra information where necessary.

If you have any questions while completing this form, please contact Dunedin DLC staff on 03 474 3481 or email [dla@dcc.govt.nz](mailto:dla@dcc.govt.nz).

Please read and complete the following checklist before submitting the application

- ☒ Written statement from the owner of the building or property giving you approval to sell and supply alcohol and allow its consumption on the premises. An email is acceptable, this can be sent to [dla@dcc.govt.nz](mailto:dla@dcc.govt.nz) with the name of the premises and applicant included as a reference.
- ☐ If a body corporate: certificate of incorporation (or equivalent document)
- ☐ Planning and building certificates (not required for a conveyance)
- ☒ A copy of the proposed food and drinks menus
- ☒ A scale plan of the premises showing the principal entrance and the areas where alcohol is to be sold, supplied and consumed, with an indication of which areas are to be:
  - undesignated - anyone of any age allowed
  - supervised - minors must be with their parent/guardian
  - restricted - R18.
- ☒ Map showing location of 'sensitive' locations, e.g., schools, early childhood facilities, hospitals and churches
- ☒ A risk mitigation plan detailing how you will ensure the impact on the community will be minimized, e.g. control of noise and litter, parking and dispersal of patrons
- ☒ Copy of host responsibility policy - for high risk premises please also include an alcohol management plan explaining how you will implement the points of the policy
- ☐ Letter of authorisation if a consultant is completing this form on your behalf

Office use only

Date received:



**Calculate your application fee**

**Select your premises type:**

Class 1 restaurants – restaurants with a significant separate bar area which, in the opinion of the DLC, operate that bar at least one night a week in the nature of a tavern (such as serving alcohol without meals to tables situated in the bar area)

Class 2 restaurants – restaurants that have a separate bar (including small bar areas) but which, in the opinion of the DLC, do not operate that area in the nature of a tavern at any time

Class 3 restaurants – restaurants that only serve alcohol to tables and do not have a separate bar area

Type of premises	Points
Class 1 restaurant, nightclubs, taverns, adult premises	15
Class 2 restaurant, hotels, function centres, universities, polytechnics	10
Class 3 restaurant, other premises not specified	5
Theatres, cinemas, BYO restaurants, cellar doors	2
Premises points	5

**Select the latest time you intend to sell alcohol:**

Latest alcohol sales time	Points
2am or earlier	0
Between 2.01am and 3am	3
3am onwards	5
Trading hours points	0

Add the premises points and trading hours points together to get the total:

Use the table below to work out the fee payable:

Total points	Risk rating	Application fee (GST inc)	Annual fee (GST inc)	Total fee required
0-2	Very low	\$368.00	\$161.00	\$529.00
3-5	Low	\$609.50	\$391.00	\$1000.50
6-15	Medium	\$816.50	\$632.50	\$1449.00
16-25	High	\$1,023.50	\$1,035.00	\$2058.50
26 plus	Very high	\$1,207.50	\$1,437.50	\$2645.00

As premises there have been 50 occupancy for indoor only  
we have requested for 4 tables outside within our  
premises (NOT ON FOOTPATH) Please advise if possible  
to increase the occupancy. Thanks.



Currently there is temp licence

## APPLICATION FOR ON LICENCE

Section 224 of the Sale and Supply of Alcohol Act 2012

To the Secretary, Dunedin District Licensing Committee

Application for an on-licence is made in accordance with the particulars set out below:

### Endorsements (tick if applicable)

BYO restaurant – tick if you are a restaurant that does not intend to sell alcohol, i.e. you want to offer BYO only  
Caterer's on licence – for off-site catering, instead of, or in addition to, food/alcohol supplied on the premises (please provide menus, website information, bookings etc)

### Contact person

Name: **SONTHAYA NONGYANG**

Phone: **0211094094**

Email: **morningtonthai@gmail.com**

Postal address: **18 mailer street mornington Dunedin**

Postcode: **9010**

### Applicant details

Applicant status (please select from the below options)

Individual

Partnership

Body corporate

Public company

Private company

Club

Trustee

Local authority

Licensing trust

Government department or  
other instrument of the Crown

Manager under the Protection of  
Personal Property Rights Act 1988

Board, organisation or other body

Legal name/s of the person/s or organisation that will receive any proceeds from alcohol sales.  
Include any other names you may be known by:

Full legal name: **Pride Thai LTD**

Any other names you may be known by:

Address: **428 North Road North east valley**

Postcode: **9010**

Occupation: **Restaurant**

Phone: **03453112**

Email: **morningtonthai@gmail.com**

Date of birth: **27/11/1977**

Place of birth: **Thailand**

Gender: **Male**

Is this your principal business? ☒ Yes ☐ No

Please state any other businesses:



**Further details where the applicant is a company or an incorporated society**

For a company (whether incorporated under the Companies Act 1993 or equivalent foreign legislation), give full legal names of directors.

**COMPANY**  
**SONTHAYA NONGYANG**

Where the applicant is a **private company**, give full details of each person who holds any shares issued by the company as follows: full name, address, date of birth, place of birth, designation in company and percentage of shares held.

**SONTHAYA NONGYANG 100%**

Please also provide:

Authorised capital:

**600,000**

Paid up capital:

**600,000**

Where the applicant is a **public company**, give full details of each person who holds 20% or more of the shares, or any particular class of shares, issued by the company, as follows: full name, address, date of birth, place of birth, designation in company.

**Further details where the applicant is a partnership**

Full details of each partner as follows: full legal name, address, date of birth, place of birth.

Signature of each partner

If a body corporate, please state the authority under which you are incorporated, e.g. Companies Act 1993, Incorporated Societies Act 1908, Charitable Trusts Act 1957.

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**Criminal convictions**

Please state all criminal convictions against any applicants including Directors or Shareholders (except convictions for offences to which the Criminal Records (Clean State) Act 2004 applies)

Full Name Conviction Date of conviction

N/A

(Use a separate sheet if necessary)

**Details of premises**

Proposed trading name: MORNINGTON THAI

Current trading name (if applicable): AS ABOVE

Name of the building (if applicable):

Address of the premises: 18 MAILER ST MORNINGTON

Postcode:

Does the applicant own the premises? Yes ☒ No

If "no", please provide the full legal name and address of the owner:

Bihari Lal CHANDEL 32, Stirling Cr MOSGIL 9024  
021 265 5203

A written statement is required from the owner of the building or property giving you approval to sell and supply alcohol and allow its consumption on the premises. This can be sent to [dla@dcc.govt.nz](mailto:dla@dcc.govt.nz) with the name of the premises and applicant included as a reference.

What type of lease does the applicant have and when does it expire?

Commercial Lease 2028

Is the licence conditional on completion of building work? Yes ☒ No

If yes, please provide details:

Does the building have a current building warrant of fitness (BWOF)?

yes — NO (Need clarification)

What is the maximum occupancy of your entire premises including outside areas?

30

Please describe in detail the number and nature of the toilet arrangements, e.g. number of male and female toilets, number of urinals, unisex facilities and accessible facilities:



**Fire Evacuation Declaration – Fire and Emergency Act 2017**

Which of the following fire evacuation statements applies to you?

If unsure, check with Fire and Emergency New Zealand

☒ The owner of the building in which the premises is situated provides and maintains an evacuation scheme as required by section 76 Fire and Emergency Act 2017

Because of the building's current use, the owner is not required to provide and maintain an evacuation scheme

Because of the nature of the building, the owner is exempt from the requirement to provide and maintain an evacuation

Signed

*Santhya*

Date *26/5/22*

**Details of conveyance** (e.g. if this application is for a ship, bus, train etc.)

Type of conveyance (e.g. ship, bus or train):

Trading name of conveyance:

Registration number:

Address where based:

Postcode:

Does the applicant own the conveyance? Yes No

If "no", please provide the full legal name and address of the owner:

A written statement is required from the owner of the building or property giving you approval to sell and supply alcohol and allow its consumption on the premises. This can be sent to [dla@dcc.govt.nz](mailto:dla@dcc.govt.nz) with the name of the premises and applicant included as a reference.

What type of lease does the applicant have and when does it expire?

**Business details**

Is there a current alcohol licence for the premises?? Yes No Type: on off club

Licence number: 069/ON/27/2020 Expiry: 28/JULY/2022

What is the general nature of the business to be conducted under the licence?

Tavern/bar Cafe/restaurant Hotel Nightclub Entertainment

Other (specify)

Please select which days, and during which hours, you wish to be licensed to sell alcohol.

Day	Mon	Tues	Weds	Thurs	Fri	Sat	Sun
Start time	<u>10am</u>	<u>10am</u>	<u>10am</u>	<u>10am</u>	<u>10am</u>	<u>10am</u>	<u>10am</u>
End time	<u>midnight</u>	<u>midnight</u>	<u>midnight</u>	<u>midnight</u>	<u>midnight</u>	<u>midnight</u>	<u>midnight</u>

Is the sale of alcohol intended to be the principal purpose of the business? Yes No

If no, what is the principal purpose of the business?





Does the applicant supply or sell, or intend to supply or sell, any goods other than alcohol and food?

Yes ☒ No ☒ If yes, provide details:

Does the applicant provide, or intend to provide, any services other than those related to the sale or supply of alcohol or food?

Yes ☒ No ☒ If yes, provide details:

What designation(s) are required for the premises?

- ☒ Undesignated (people of any age are permitted)  
☐ Supervised (people under 18 years must be accompanied by a parent or legal guardian)  
☐ Restricted (people under 18 years not permitted)

If different designations are required for different areas, please describe:

### Manager details

Provide the below details for each manager or proposed manager

Full name	Date of birth	Manager's certificate number	Expiry date
KIMI WINATIA	2/8/91	069/CERT/75/2016	17-3-23
KIRIT GHANDHI	28/10/53	069/CERT/293/2015	4-5-24

### Conditions

What experience and training does the applicant have in relation to premises licensed to sell and/or supply alcohol?

Been working in this restaurant since APRIL AS OWNER  
~~HAVE~~ HAVE WORKED AS MANAGER IN JULY 2021 TO  
 SEP 2021 AS WELL.

What provision does the applicant intend to make for the sale and/or supply of:

i. food (describe type and range and when it will be served, attach menu)

there will be variety of food  
 MON - SUN 11am to midnight (if the restaurant is open)

ii. non-alcoholic drinks (describe type and range)

water, juice, coffee, soft drinks, energy drinks.

iii. low-alcohol drinks (2.5% alcohol by volume or less, describe type and range)

Heineken Light  
 Heineken Zero



To what extent, and where, will drinking water be freely available to patrons?

at the Counter

If no access to mains water supply is available, how will clean drinking water be made available?

Bottled water

What steps will be taken to provide help with, and information about, transport options from the premises?

A4 Displayed with All The Taxi Numbers

What steps will be taken to prevent the sale and supply of alcohol to prohibited people (minors and intoxicated people)?

always Ask FOR Identification IF the customers Look Young.

What other steps will the applicant take to promote the responsible consumption of alcohol?

offer water, free soft drinks. NOT Making Alcohol Cheaper or Discounted in any way.

How does the applicant intend to staff the premises to ensure compliance with the Act?  
Please provide the number of staff and their experience.

We have 2 experienced DM they have been working in  
Licence Premises for 5 years or more.

How will the applicant train staff to ensure they comply with the Act?

Given them managers guide to the Sale and Supply of alcohol,  
act 2012 and the managers are to Contact DCC if ~~any~~ need more information.

For high risk premises, what arrangements will be made for security staff?

Signed

*[Signature]*

Date

26/5/22

Place

Mornington

#### Privacy statement

The information you provide in this application, and any supporting documents, will be used by the Dunedin City Council to process your application under the Sale and Supply of Alcohol Act 2012. The information will be shared with the Dunedin District Licensing Committee (DLC), Dunedin District Licensing Inspectors, Police and the Medical Officer of Health as part of the approval process. If required, the information may form part of a public hearing before the DLC and may be used in any subsequent decision relating to your application. The decision will be publicly available.

If your application is publicly advertised, the associated information will be publicly available.

The DCC is required to keep a statutory register of all alcohol licence applications and anyone can request a copy of that information under the Local Government Official Information and Meetings Act 1987. This information may also be used or shared for other purposes in line with the Privacy Act 2020. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at [privacy@dcc.govt.nz](mailto:privacy@dcc.govt.nz) or 03 477 4000.



## Certificate of Incorporation

PRIDE THAI LIMITED

8039122

NZBN: 9429048393430

This is to certify that PRIDE THAI LIMITED was incorporated under the Companies Act 1993 on the  
25th day of June 2020.

Registrar of Companies  
26th day of May 2022



Certificate generated 26 May 2022 09:29 PM NZST

From:  
B L CHANDEL  
& KRISHNA DEVI 32 Stirling Cr MOSGIEL 9024 Ph: 0212655203

TO WHOM IT MAY CONCERN

This is to confirm that as building owners we have no objection to our new would be tenant  
Pride Thai limited operating restaurant at our premises at 18 Mailer Street- Mornington,  
Dunedin and selling or serving liquor to their customers.

For any queries you may contact me on 0212655203 or email me at  
[blchandel67@gmail.com](mailto:blchandel67@gmail.com).

Regards

BIHARI LAL CHANDEL



# MORNINGTON THAI CUISINE

## STARTERS

### Chicken Satay \$10.90

3pcs on a stick dipped in a mixture of spices; grilled and served with peanut sauce and salad. (GF)

### Spring Roll \$10.90

5pcs filled with vegetables; deep fried and served with sweet chili sauce and salad. (VEG)

### Fresh Spring Roll \$12.90

6pcs filled with fresh vegetables, rolled in rice paper, served with homemade special sauce and salad. (GF, VEG)

### Prawn Twist \$12.90

5pcs prawn coated in batter and deep fried. Served with homemade special sauce and salad.

### Fried Chicken \$12.90

Chicken coated with batter, cooked in special sauce and served with homemade special sauce and salad.

### Dumplings \$10.90

7pcs of vegetable dumplings deep fried and served with sweet chili sauce and salad. (VEG)

### Curry Puffs \$10.90

5pcs of fluffy pastry wrapped with sweet potatoes and vegetables served with sweet chili sauce and salad. (VEG)

### Chicken Nuggets \$10.90

8pcs of chicken nuggets served with homemade special sauce and salad.

## SOUP

### Tom Yum Soup \$19.90

Sour soup, hint of spices topped with coriander and your choice of **chicken/vegetables/prawns** for extra \$3.00 (GF)

### Tom Kha Soup \$19.90

Coconut milk-based soup with mushrooms, chicken, lemon grass, fresh lime leaves and your choice of **chicken/vegetables/prawns** for extra \$3.00 (GF)

## NOODLE SOUP

### Thai Noodle Soup \$16.90

Rice noodles soup served with bean sprouts, spring onions and your choice of **chicken/pork/beef/vegetables**. (GF)

### Tom Yum Noodle Soup \$16.90

Rice noodles in tom yum based soup, vegetables and your choice of **chicken/pork/vegetables/prawns** for extra \$3.00 (GF)

## STIR FRIED NOODLES

### Pad Thai \$21.90

Stir fried rice noodles, vegetables, eggs, Crushed peanuts and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Pad Se Ew \$21.90

Flat rice noodles, egg, vegetables and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Peanut Egg Noodles \$22.90

Egg noodles with peanut sauce, vegetables and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00

### Drunken Noodles \$22.90

Flat Rice Noodles, egg, vegetables and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

## SALAD

### Laab Salad \$22.90

Served with mix fresh vegetables, kaffir lime leaves, a hint of lime juices and your choice of **chicken/pork/beef**. (GF)

### Som Tum Thai Salad \$14.90

Fresh carrots, fresh tomato and fresh lime juice all mixed with special dressing to create an authenticated flavour of Thailand. (GF, VEG)

*For vegan & tofu options ask our friendly staff.  
All food comes with rice except starters and noodles.  
GF=Gluten Free, VEG = Vegetarian.*

**MorningtonThai**  
[www.morningtonthai.co.nz](http://www.morningtonthai.co.nz)

# MORNINGTON THAI CUISINE

## STIR FRY DISHES

### Sweet & Sour \$22.90

Sweet and sour sauce with pineapple, onions and your choice of **pork/chicken/vegetables**

### Chicken Cashew Nuts \$22.90

Chicken & vegetables, stir fried cashew nuts. Your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00

### Beef Oyster Sauce \$22.90

Beef and vegetables stir fried in oyster sauce. Your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Black Pepper Beef \$22.90

Beef and vegetables stir fried with black pepper. Your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Chicken Peanut Sauce \$22.90

Chicken and vegetables cooked in rich peanut sauce. Your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Crispy Pork Belly \$22.90

Stir fried chicken, basil and fresh vegetables. Your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Chili Basil Chicken \$22.90

Stir fried chicken, basil and fresh vegetables. Your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Honey Lemon Chicken \$22.90

Sweet honey and tangy lemon sauce, onion, chicken cooked with sesame seeds.

### Garlic Stir Fry \$22.90

Stir fried vegetables cooked with garlic and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Ginger Stir Fry \$22.90

Stir fried vegetables cooked with ginger and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

## CURRY

### Massaman Curry \$21.90

Carrots, onions with potatoes and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Green Curry \$21.90

Thai green style curry cooked with vegetables and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Red Curry \$21.90

Thai red curry with vegetables and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Panang Curry \$21.90

Curry cooked with vegetables and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

## FRIED RICE

### Thai Fried Rice \$21.90

Mixed vegetables cooked with egg, onions and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Salted Fish Chicken Fried Rice \$21.90

Vegetables cooked with egg, onions, bean sprout with salted fish and chicken. (GF)

### Pineapple Fried Rice \$24.90

Our special fried rice includes pineapple, cashew nuts, raisins with curry powder, onion, carrot and your choice of **chicken/pork/beef/vegetables/prawns** for extra \$3.00 (GF)

### Extra Plain Rice \$2.50

Jasmine Rice (GF)

## DESSERTS

### Ice Cream Sundae \$9.00

Vanilla bean ice cream served w/ caramel or chocolate ganache sauce.

### Chocolate Brownie \$12.00

Served with chocolate ganache sauce and vanilla bean ice cream.

*For vegan & tofu options ask our friendly staff.  
All food comes with rice except starters and noodles.  
GF=Gluten Free, VEG = Vegetarian.*

**MorningtonThai**  
[www.morningtonthai.co.nz](http://www.morningtonthai.co.nz)



# MORNINGTON THAI CUISINE

## NON - ALCOHOLIC

Pepsi Can	\$4.50
Pepsi Max Can	\$4.50
Mountain Dew Can	\$4.50
7up Can	\$4.50
Juices (orange, cranberry, pineapple, apple, tomato)	\$5.50
Sparkling Water	\$4.50
V Energy Original Green Can	\$5.50
V Energy Drink Pure Blue Can	\$5.50
V Energy Drink Pure Silver Can	\$5.50
Ginger Beer Bottle	\$4.50
Lemon, Lime & Bitters Bottle	\$4.50
Pepsi 1.25ltr	\$5.50
Pepsi Max 1.25ltr	\$5.50
Mountain Dew 1.25ltr	\$5.50
7up 1.25ltr	\$5.50
Cappuccino	\$4.50
Latte	\$4.50
Mochaccino	\$4.50
Black Coffee	\$4.50
Flat White	\$4.50
Hot Chocolate	\$4.50
Chai Latte (special taste)	\$4.50

## TAP BEER

	<b>Glass</b>
Tiger	\$9
Heineken	\$9
Tuatara Hazy	\$9

## RTDS & CIDERS

Jim Beam with cola	\$7
Jack Daniels with cola	\$7
Tui Bourbon & Cola	\$7
Gordons Gin & Tonic	\$7
Coruba Original	\$7
Monteith's Apple Cider	\$7
Somersby Apple & Pear	\$7
Somersby Blackberry	\$7
Odd Company Pear & Apple	\$7
Odd Company Peach & Passionfruit	\$7
Malibu Passion Fruit	\$7
Tui Vodka Lime & Soda	\$7
KGB Silver	\$7
KGB Black	\$7
Smirnoff Ice	\$7
Smirnoff Double Black	\$7
Long White Raspberry	\$7
Long White Lemon & Lime	\$7
Long White Passionfruit	\$7
Long White Apple & Pear	\$7

## BOTTLED BEER

Export Gold	\$7
Heineken Zero	\$8
Heineken Light	\$8
Heineken	\$8
Kingfisher	\$8
Tiger	\$8
Singha	\$8
Sol	\$8
DB Draught	\$8
Monteith's Black	\$8
Monteith's Radler	\$8
Monteith's Phoenix IPA	\$8
Monteith's Pale Ale	\$8
Monteith's Pilsner	\$8

*Please ask our friendly staff to see the full selection of drinks.*

# MORNINGTON THAI CUISINE

## WHITE WINES

	Glass	Bottle
<b>SAUVIGNON BLANC</b>		
Stoneleigh (Malborough)	\$10	\$39
Church Road (Hawkes Bay)	\$11	\$42

## CHARDONNAY

Boundary Tuki Tuki (Hawkes Bay)	\$10	\$39
Church Road (Hawkes Bay)	\$11	\$42

## PINOT GRIS

Camshorn (Waipara)	\$10	\$39
Gwen (Hawkes Bay)	\$11	\$42

## RIESLING

Camshorn (Waipara)	\$11	\$42
--------------------	------	------

## PROSECCO

Makers Anonymous	\$10	\$40
Prosecco (Australia)		

## SPARKLING

Deutz Methode		
Traditionnelle 200ml (Malborough)		\$16
Lindauer Brut Cuvee 200ml		\$10
Lindauer Fraise 200ml		\$10

## HOUSE DRINK

Grants Whisky	\$9
Beefeater Gin	\$9
Smirnoff Vodka	\$9
Early Birds Bourbon	\$9
Bacardi Rum White or Gold	\$9
Tequila Shot	\$8

## RED WINES

### PINOT NOIR

Camshorn (Waipara)	\$10	\$39
The Last Shepherd (Central Otago)	\$11	\$42
Rabbit Ranch (Central Otago)	\$13	\$45

### SHIRAZ

George Wyndham	\$10	\$39
Bin 555 Shiraz (Australia)		
Double Barrel Shiraz (Australia)	\$11	\$42

### MERLOT

George Wyndham		
Bin 999 Merlot (Australia)	\$10	\$39

## ROSÉ

	Glass	Bottle
Stoneleigh Pinot Noir	\$10	\$39
Rosé (Malborough)		

## PREMIUM DRINKS

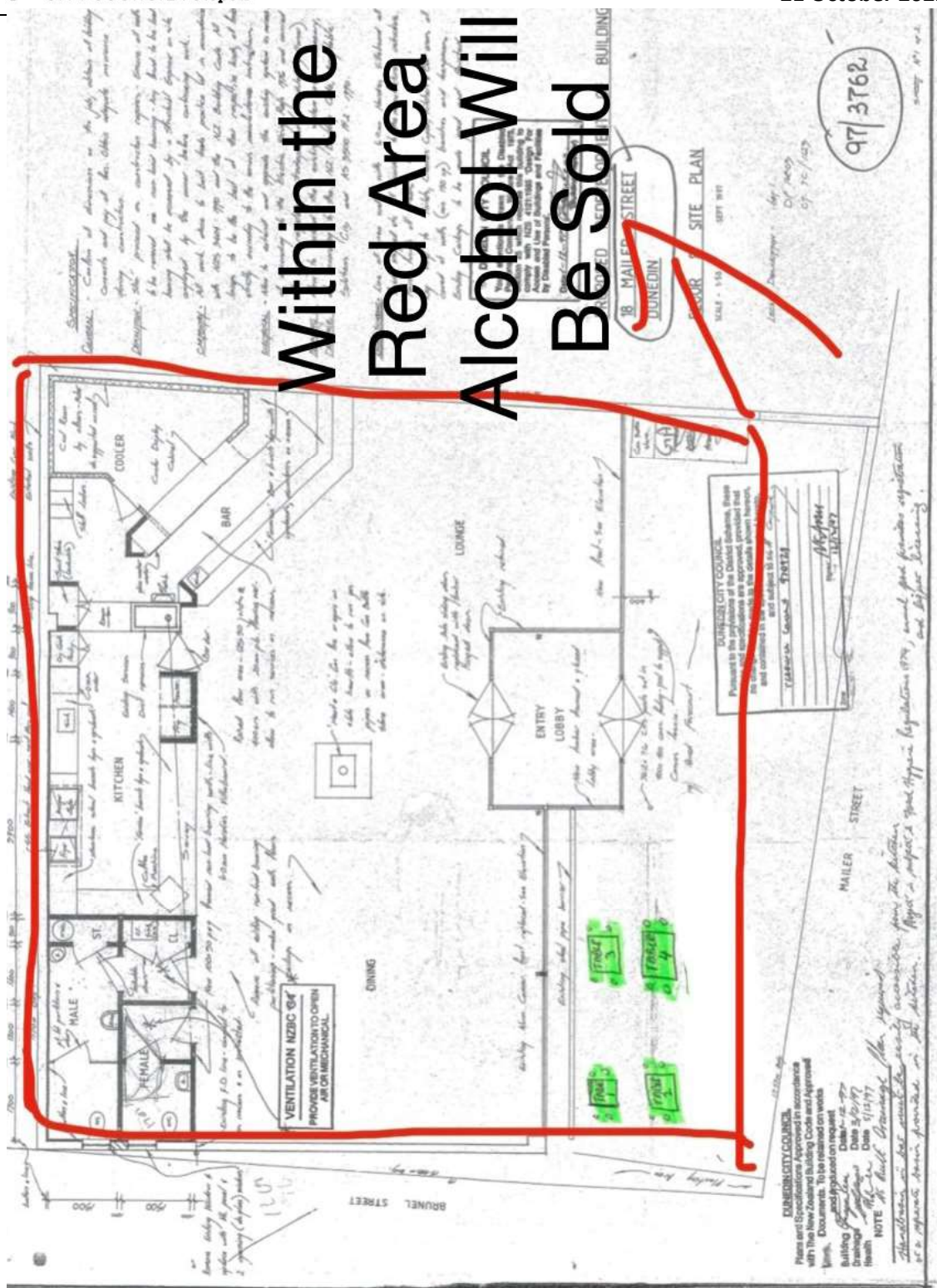
Black Label 12 years Whisky	\$10.50
Chivas Regal 12 years Whisky	\$10.50
Absolut Vodka	\$10.50
Jameson Irish Whiskey	\$10.50
Glenfiddich 12 years Whisky	\$10.50
Bombay Sapphire Gin	\$10.50

## COCKTAILS

<b>Cosmopolitan</b> with vodka, Cointreau, fresh lime & cranberry juice.	\$16
<b>Martini</b> with vodka or dry gin with lemon twist & olive.	\$18
<b>Margarita</b> with tequila, Cointreau, agave nectar & lime juice.	\$18
<b>Long Island Iced Tea.</b> It's so classic, everyone knows what's in it.	\$18

*Please ask our friendly staff to see the full selection of drinks.*

# Within the Red Area Alcohol Will Be Sold



## MORNINGTON THAI CUISINE

### Host Responsibility Policy

Our aim at Mornington Thai is to provide a safe and inclusive venue for all our patrons and guests.

We expect our guests to always behave and treat our venue, other guests and staff with respect at all times. Unruly or inappropriate behaviour, sexual inappropriateness and intoxication will not be tolerated under any circumstances.

If you or a member of your party is feeling unsafe or uncomfortable, please do not hesitate to speak to a member of our staff and we will get you to a safe place, assess with the situation and take the appropriate action.

This is a supervised venue and as such no minor is to be present on site without, a legal parent or guardian present with them, at all times. Please be aware you may be asked for appropriate identification to confirm this.

Current appropriate identification must be carried and will be checked.

Current acceptable identification is a

current New Zealand Driver's License,

current valid Passport or

Kiwi Access card.

No other forms are acceptable.

We have a full and extensive menu available at all times.

We also have with a full and extensive soft drink and coffee menu.

Free tap water is always available at all times.

We have a large range of low and non-alcoholic beverages available at all times.

Intoxicated patrons will be asked to leave the premises. Intoxication will not be tolerated.

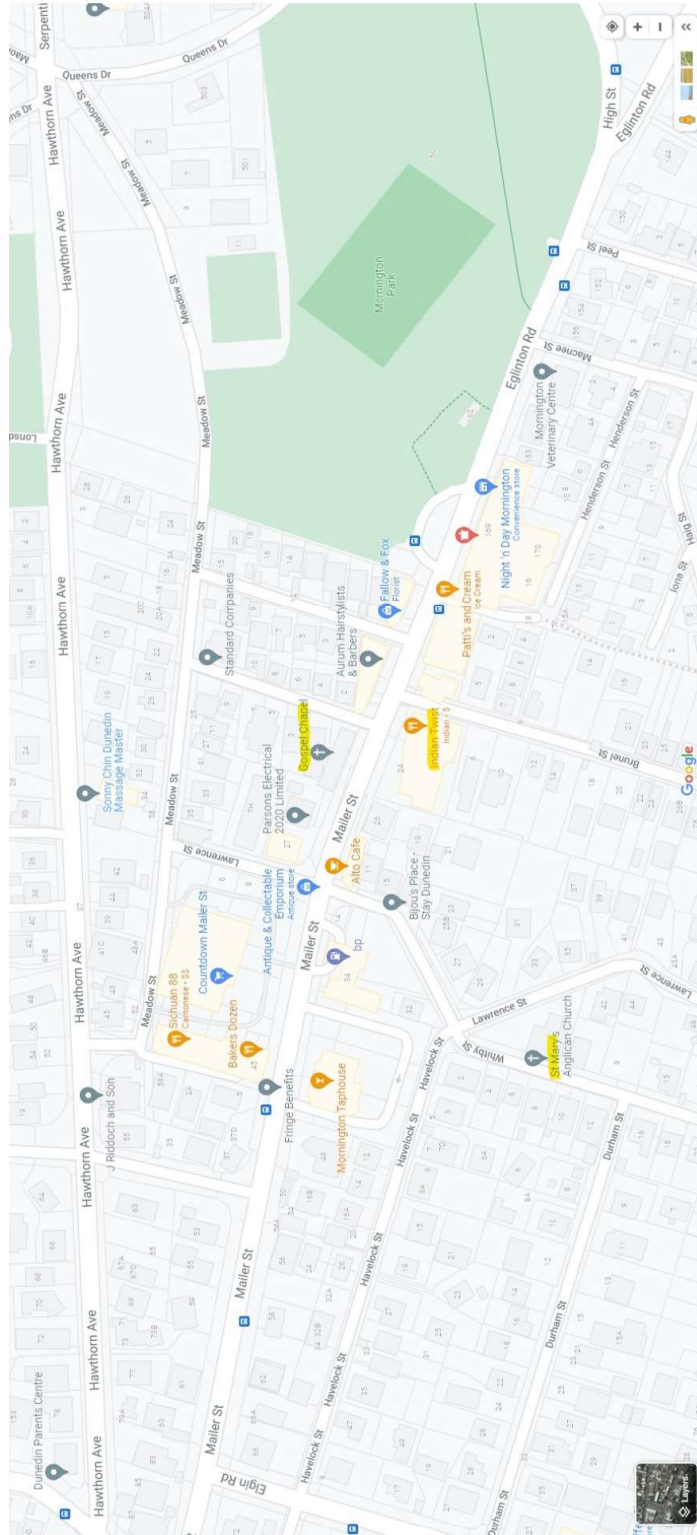
We operate a safe space and safe transport option to ensure our guests always have a safe way to get home. If you need any assistance please speak to our staff.

Welcome to Mornington Thai, please enjoy our venue and facilities

Remember to be respectful at all times.

RISK MITIGATION PLAN

- This site has been operating as an on licenced premise since 2000 and has never had any noise or public disturbance complaints or issues to my knowledge.
- The premises is in close proximity to The Gospel Church, on the opposite side of the road to the restaurant and a medical centre approximately 250 meters away, Mornington Medical Centre and also situated in a residential zone, no complaints from any neighbours to my knowledge.
- We operate as an Thai Restaurant, and we don't accommodate large gatherings of noisy and disobedient patrons.
- We do not accommodate any alcohol driven gatherings nor do we promote the large-scale consumption of alcohol.
- Our music is soft and ambient that suits a small and cosy environment for families to enjoy.
- There is plenty of parking on the street and we have never had any complaints associated with parking as we also have off street parking on the premises as well as use of our neighbours off street parking after hours.
- We have a large skip onsite to accommodate any litter from the site and take pride in our settings.





## **INSPECTOR'S REPORT ON-LICENCE APPLICATION**

<b>Applicant</b>	Pride Thai Limited
<b>Trading Name</b>	Mornington Thai
<b>Address of premises</b>	18 Mailer Street, Mornington, Dunedin
<b>Type of licence</b>	ON-Licence
<b>Application type</b>	New
<b>Pathway number</b>	ON-8-2022
<b>Application status</b>	No matters in opposition
<b>Date of application</b>	25 May 2022
<b>Interviewee</b>	Sonthaya Nongyang, Naveen Malhotra, Kimi Winata
<b>Date of interview</b>	27 July 2022

### **Applicant details**

PRIDE THAI LIMITED  
Company number: 8039122  
NZBN: 9429048393430  
Incorporation Date: 25 June 2020  
Company Status: Registered  
Entity type: NZ Limited Company

The sole director and 100% shareholder is Sonthaya Nongyang of Dunedin. Ms Nongyang was also a former director and shareholder of Savoury Japan 2015 Limited, having ceased directorship and shareholding (10%) for this company on 28 October 2021.

### **General nature of the business (description/background/previously licensed)**

Mornington Thai is a restaurant based in Mornington offering dine-in and takeaway food. The restaurant is situated within the Mornington shopping area which includes a medical centre, pharmacy, takeaway food outlets, nearby cafes/bakery, a small supermarket, a gospel church and another licensed venue, the Mornington Tavern.

The property has been owned by Bihari Lal Chandel and Krishna Devi of Mosgiel since August 2019. Bihari Lal Chandel also owns and operates Krishna (Indian) restaurant and takeaway, a licensed restaurant/takeaway in Mosgiel.

The previous operator of this business was Navnik Limited, Trading as Indian Twist. The director of Navnik Limited is Nikesh Singh and equal (50%) shareholders are Nikesh Singh and Naveen Malhotra of Dunedin. Both Nikesh Singh and Naveen Malhotra are two out of three of the directors, and both 25% shareholders of Eleven 2021 Limited, who operate Eleven Bar based at 11 The Octagon Dunedin. Currently Police have lodged three applications with ARLA against Eleven 2021 Limited for the cancellation of their alcohol licence, with decisions pending on all requests.

Naveen Malhotra is also the sole director and 51% shareholder in a company Anirav Limited which is currently in Liquidation. Naveen Malhotra is still heavily involved in the day to day running and operation of Mornington Thai, based upon the privately arranged sale & purchase agreement which states he will assist the new owner Sonthaya Nongyang for a period of 180 days following the change of ownership dated 19 April 2022.

From correspondence with Ms Nongyang, the intention is for Mr Malhotra to continue his involvement with the business following the expected 180 day expiry date detailed in the sale and purchase agreement, with Mr Malhotra being recently listed as one of the duty managers for Mornington Thai.

The sale & purchase agreement was reviewed following the onsite interview with the applicant. This was a private sale with a low deposit (\$2000) being paid for the business, with the \$118,000 balance (totalling \$120,000 sale price) being privately repaid to Navnik Limited by

way of interest free repayments at a minimum of \$500 per week, commencing from mid-August 2022 from Pride Thai Limited. Whilst not unlawful, this is arguably uncommon to have such a private arrangement with interest-free terms for achieving full financial settlement of the business. Ms Nongyang was also a former employee of Navnik Limited as stated in the application, which states she worked for them between July and September 2021.

**Site Location (zoning/surrounding uses or activities)**

This business is located within the Local Activity 1 zone under the 2GP District Plan, with Residential areas backing onto/adjacent to this zone and property.

**Manager details**Current Manager's Certificate holders are

Kimi Winata – Expires 17/02/23

Kirit Gandhi – Expires 04/05/24

Naveen Malhotra – Expires 11/11/24

Kirit Gandhi is a previous owner/operator of a business formerly at this location, Shree Indian Restaurant which closed in November 2019. Upon enquiries and review of staff rosters and timesheets, Mr Gandhi has not been officially rostered on to work, nor has he appeared on any payslip/timesheet evidence produced since 1 May 2022 to early August 2022. The Owner Ms Nongyang explained Mr Gandhi is a retired gentlemen who still holds a current Manager's Certificate and is often called upon to assist on a casual, volunteer basis when required.

Mr Malhotra has been working with/assisting the owner with the business since the change of ownership date of 19 April 2022. He was not however listed as manager in the Alcohol On Licence application. Following the onsite interview with the applicant where Mr Malhotra was also present, and it was determined he had been covering some shifts as a duty manager in Ms Kimi Winata's absence. An official notification of appointed manager form was received by Ms Nongyang for Mr Malhotra on 8 August 2022. From recent email correspondence with the applicant, Mr Malhotra will be the second Duty manager alongside Ms Winata for this premises.

Upon request, the applicant provided an updated roster showing who the rostered duty manager(s) were to be for the forthcoming week (request dated 9 August 2022). This roster system should remain in place moving forward so there is no ambiguity over who the rostered duty manager(s) will be at any given time.

The applicant has been made aware that ideally an additional manager would be beneficial, however given the nature of the business (predominantly food and takeaway based), two managers are currently sufficient, with the option of using Mr Gandhi on a casual, on-call volunteer basis.

**Licensing hours sought**

Sunday to Thursday: 10am until 10pm

Friday and Saturday: 10am until midnight

The applicant expressed an interest in having licensed hours until midnight for Friday/Saturday's to accommodate bookings and functions at the venue.

The Planning certificate for this premises does not allow alcohol sales beyond 11pm Sunday to Thursday – hence the hours stated in the application (until midnight every day) were discussed and revised by the applicant. (See accompanying email from applicant confirming requested hours, which differ from those listed in original application).

Current trading hours are 11am – 2.30pm and 4.30pm – 8.30pm according to Mornington Thai's website (as of 19/08/22).



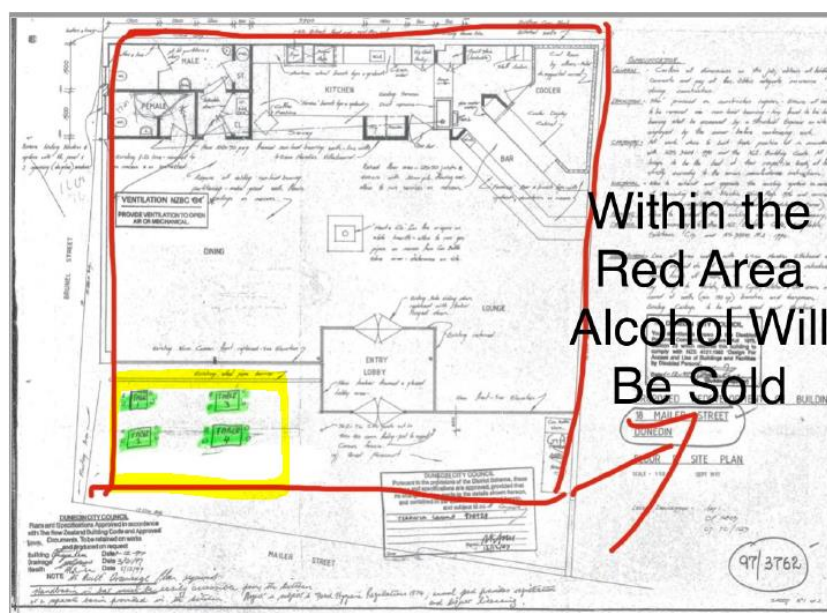
**Are there any changes from the existing licence or Temporary Authority?**

Slight amendment in hours with Sunday to Thursday hours now intending to cease at 10pm (previously 11pm).

The applicant wishes to put four tables outside (and to the left of the main entrance from street view) for diners. This area would be screened off from the footpath by way of planter boxes or similar. See map below included with application – the yellow highlighted area shows where tables would be placed. This land is apart of the business (not footpath).

The inclusion of tables outside does not increase the occupancy of the premises, which remains at 50 persons. This was confirmed by the Building Compliance Officer on 19/08/22.

Provided this area is suitably screened off by way of planter boxes or similar, no issues are foreseen with this proposed amendment to the seating area.



**Designation sought**

Undesignated. Note: applicant's host responsibility policy refers to the premises being a supervised venue. Either designation would be acceptable, given food is the primary objective of the business.

**Correct signage on display?**

The licensee displays the following in the correct manner

1. **Copy of licence at principal entrance?** Yes
2. **Duty Manager?** Yes
3. **Prohibited persons?** Yes
4. **Availability of food?** Yes
5. **Transport options?** Yes

**Host Responsibility**

1. **Food.** Full menu offered. A current Food Act 2014 registration is held, which expires 30/04/23. The premises currently holds an 'A' Excellent food grading.
2. **Minors.** The premises operates the Under 25 policy in terms of asking for ID.
3. **Intoxication.** SCAB tool used by staff to assess intoxication. Consumption of food and water/non-alcoholic beverages are actively promoted.
4. **Transport options.** All staff promote a range of transport options, signage displayed.

**Does the premises utilise DCC owned footpath?**

No.

**What is the maximum occupancy number for the premises?**

50, which includes any outside seating (currently proposed) (Confirmed by Building Officer 19/018/22)

**Public Notification process**

ODT 1 and 8 June 2022

**Public Objections (interest in the application/reasons for)**

None

In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:

**The object of this Act:**

No issues.

**The suitability of the applicant:**

No evidence suggests the applicant, being the sole director and shareholder of Pride Thai Limited Ms Sonthaya Nongyang is unsuitable.

The relationship and association with the former operator, namely Naveen Malhotra of Navnik Limited however is questioned based upon other businesses he is associated with including a company in liquidation, and another currently licensed premises in Dunedin with three applications pending via ARLA for cancellation of the alcohol licence due to unsuitability.

**Any relevant local alcohol policy:**

The activity complies with the provisions of the LAP.

**The days on which and the hours during which the applicant proposes to sell alcohol:**

No issues.

**The design and layout of any proposed premises:**

No issues.

**Whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:**

None.

**Whether the applicant has appropriate systems, staff, and training to comply with the law:**

(a) **Building.** No issues – confirmed by Building Compliance Officer 19/08/22.

(b) **Sale of food.** No issues.

(c) **Fire.** No issues as of 09/06/2022

(d) **Security.** Not required.

**Any matters dealt with in any report from the Police or a Medical Officer of Health**

None.

**Whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:**

No issues.

**The manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.**

No known issues.

A discussion was had with the applicant and Mr Malhotra during the onsite interview regarding the pricing of alcohol drinks on their menu. Whilst the designated Medical Officer of Health nor I can dictate the pricing a business wishes to set for their products sold, we questioned the possible link to alcohol related harm by having spirit based ready to drink (RTD) alcohol beverages priced at \$7 per serve, the same price as low alcohol beer options.

In comparison, (mainstream) tap beers were notably more expensive (\$9 per glass for an approximate 330ml serve) compared to \$8 per bottle of the same/similar mainstream beer products (also 330ml serves typically). It was noted too that some spirits were also quite cheap at \$8 per serve, compared to again mainstream tap beers being priced at \$9 each.

The applicant informed us that Mr Malhotra had assisted with the pricing of drinks on the menu, however upon discussion both the applicant and Mr Malhotra agreed price adjustments could be considered to ensure low alcohol options were at a price point below other mainstream products including RTD drinks. The intention is for an updated drinks menu to be in place before the end of 2022, when the menu (including food) is next updated/printed.

**Copy of drinks menu (Photo taken during interview, 27 July 2022)**

<b>MORNINGTON THAI CUISINE</b>			
<b>TAP BEER</b>			
Tiger	Glass	Pint	
Heineken	\$9	\$11	
Tuatarā Hazy	\$9	\$11	
<b>BOTTLED BEER</b>			
Export Gold		\$7	
Heineken Zero		\$7	
Heineken Light		\$7	
Heineken		\$8	
Tiger		\$8	
Singha		\$8	
Sol		\$8	
Monteith's Black		\$8	
Monteith's Radler		\$8	
Monteith's Phoenix IPA		\$8	
<b>CIDERS</b>			
Monteith's Apple		\$7	
Somersby Apple		\$7	
Somersby Blackberry		\$7	
<b>RTDS</b>			
Jim Beam with cola		\$7	
Jack Daniels with cola		\$7	
KGB Silver		\$7	
KGB Black		\$7	
Smirnoff Ice		\$7	
Smirnoff Double Black		\$7	
Long White Raspberry		\$7	
Long White Lemon & Lime		\$7	
Long White Passionfruit		\$7	
Long White Apple & Pear		\$7	
<b>DRINKS</b>			
Pepsi Can			\$4.50
Pepsi Max Can			\$4.50
Moutain Dew Can			\$4.50
7up Can			\$4.50
Sparkling Water Can			\$4.50
Ginger Beer Bottle			\$4.50
Lemon, Lime & Bitters Bottle			\$4.50
Juices (orange, cranberry, pineapple, apple, tomato)			\$5.50
V Energy Original Green Can			\$5.50
V Energy Drink Blue Can			\$5.50
V Energy Drink Pure Silver Can			\$5.50
Jasmine Green Tea			\$5.50
<b>HOUSE DRINK</b>			
Grants Whisky			\$8
Beefeater Gin			\$8
Smirnoff Vodka			\$8
Early Birds Bourbon			\$8
Bacardi Rum White or Gold			\$8
Tequila Shot			\$8
<b>PREMIUM DRINKS</b>			
Black Label 12 years Whisky			\$10
Chivas Regal 12 years Whisky			\$10
Absolut Vodka			\$10
Jameson Irish Whiskey			\$10
Glenfiddich 12 years Whisky			\$10
Bombay Sapphire Gin			\$10

Please ask our friendly staff to see the full selection of drinks.

**Inspector's comment**

This report is prepared for the District Licensing Committee's consideration.

Following the onsite interview with the applicant, additional information was requested from the applicant, including a copy of the sale & purchase agreement, staff rosters and timesheets from 1 May 2022 and clarification around who the duty managers working within the premises are/have been in recent months. All information was provided as requested and thoroughly reviewed. The applicant has also been very responsive throughout discussions, for example being willing to adjust staffing rosters to clearly identify duty manager coverage moving forward.

The association with the previous operator Mr Malhotra in relation to the current operator Ms Nongyang is tied to the sale and purchase agreement and terms privately negotiated regarding the ongoing payments towards the full purchase price for the business.

Mr Malhotra is not on paper associated with the applicant from a business perspective in relation to Pride Thai Limited (beyond sale & purchase conditions), though I am aware he is still heavily involved in the current operations of the business.

The sole director/shareholder of Pride Thai Limited, Ms Sonthaya Nongyang has not displayed nor produced any evidence to suggest they are unsuitable to hold an alcohol licence.

Therefore, no opposition is raised overall.



Tanya Morrison  
**Licensing Inspector**  
19/08/2022



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**From:** [Dunedin AHPU](#)  
**To:** [Dunedin Licensing Agency](#)  
**Cc:** [FMC TWP](#)  
**Subject:** FW: [EXTERNAL] ON-8-2022 - Pride Thai Limited, Mornington Thai, 18 Mailer Street Dunedin  
**Date:** Friday, 8 July 2022 09:11:28 a.m.  
**Attachments:** [0.png](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[ON-8-2022 Mornington Thai cover sheet.doc](#)  
[ON-8-2022 Mornington Thai application.pdf](#)

Morena,

Police have no opposition to this On Licence application.

FMC, for entry and filing please.

Nga mihi,

**Steve Jones**  
Sergeant SJCT35  
Alcohol Harm Prevention  
Dunedin Central

**P** +64 3 471 4800  
**M** +64 21 191 2755  
**E** [sjct35@police.govt.nz](mailto:sjct35@police.govt.nz)



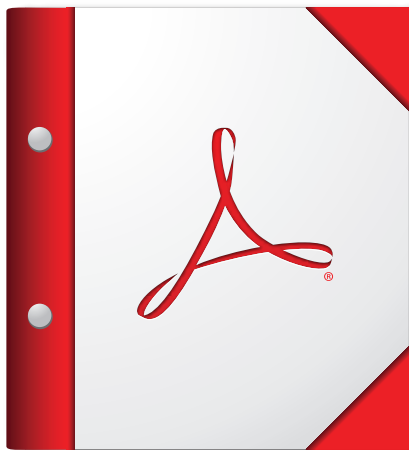
*Kaua e rangiruatia te hā o te hoe;  
e kore tō tātou waka e ū ki uta*

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**From:** Karen Tytsma <Karen.Tytsma@dcc.govt.nz>  
**Sent:** Monday, 30 May 2022 9:19 AM  
**To:** Aaron Whipp <Aaron.Whipp@southerndhb.govt.nz>; Admin DHB <admin@phsouth.co.nz>; Alison Blair <Alison.Blair@dcc.govt.nz>; Kevin Mechen <Kevin.Mechen@dcc.govt.nz>; Mark Bredenbeck <OtagoRiskReduction@fireandemergency.nz>; Melissa Joyce <Melissa.Joyce@southerndhb.govt.nz>; Dunedin AHPU <Dunedin.AHPU@police.govt.nz>; Tanya Morrison <Tanya.Morrison@dcc.govt.nz>; Tony Mole <Tony.Mole@dcc.govt.nz>  
**Subject:** [EXTERNAL] ON-8-2022 - Pride Thai Limited, Mornington Thai, 18 Mailer Street Dunedin

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Karen Tytsma



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16 May 2022

Pride Thai  
18 Mailer Street  
Mornington  
Dunedin 9011

Via email: morningtonthai@gmail.com

Dear Pride Thai,

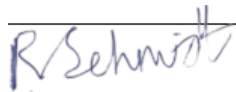
**PLANNING COMPLIANCE CERTIFICATE SALE AND SUPPLY OF ALCOHOL ACT 2012 – POL-2022-16 – 18 MAILER STREET, DUNEDIN**

Thank you for your recent application for a planning certificate for the purposes of the Sale and Supply of Alcohol Act 2012 for the premises proposed to be called Mornington Thai at 18 Mailer Street, Dunedin.

Please find enclosed the planning certificate. I have also forwarded a copy of the certificate to the Council's alcohol licensing team for their information.

If you have any further queries regarding the planning certificate, please do not hesitate to contact me.

Yours faithfully



Robbie Schmidt  
**Planner**

**CERTIFICATE FOR THE PURPOSES OF SECTION 100(f)  
OF THE SALE AND SUPPLY OF ALCOHOL ACT 2012**

<b>Planning Certificate Number:</b>	POL-2022-16
<b>Property Address:</b>	18 Mailer Street, Dunedin
<b>Applicant:</b>	Pride Thai
<b>Premises Name:</b>	Mornington Thai
<b>Hours:</b>	Sunday to Thursday: 10am – 11pm Friday and Saturday: 10am – 12am
<b>Legal Description:</b>	LOT 1 DP 16803
<b>Owner:</b>	Bihari Lan Chandel and Krishna Divi
<b>Proposed Second Generation Dunedin City District Plan:</b>	Suburban Centre – Commercial and Mixed Use Pedestrian Street Frontage Mapped Area – Primary Frontage

The Dunedin City Council hereby certifies that the premises operating under the name Mornington Thai, located at 18 Mailer Street, Dunedin, meets the requirements of the Resource Management Act 1991 to operate as a licensed premises (on-licence) as defined by the Sale and Supply of Alcohol Act 2012 for the following reason:

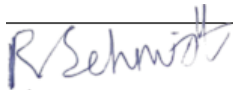
- The activity is permitted in the zone and complies with the relevant rules in the Proposed Second Generation Dunedin City District Plan.

**Explanation**

In terms of the Proposed Second Generation Dunedin City District Plan, the subject site is located in the Suburban Centre subject to a Pedestrian Street Frontage Mapped Area – Primary Frontage. Within this zone, ancillary licensed premises have the same activity status as the underlying activity they are part of pursuant to Rule 18.3.3.2. The underlying activity is can be classed as either an *entertainment and exhibition* activity or a *restaurant*, pursuant to rules 18.3.3.5 and 18.3.3.10, respectively. Both are permitted activities in the zone. Thus, the ancillary licensed premise is permitted.

**Advice Notes**

1. This activity must comply with the performance standards for noise, glare and electrical interference outlined in the Proposed Second Generation Dunedin City District Plan.
2. New signage must comply with the rules set out in the Proposed Second Generation Dunedin City District Plan, or else obtain resource consent. The alteration to any existing sign or the erection of a new sign may require resource consent.
3. This consent has been assessed under the Resource Management Act 1991, the Dunedin City District Plan and the Proposed Second Generation Dunedin City District Plan. It does not remove the need to comply with other legislation and Dunedin City Council regulations. These include the Dunedin City Council Local Alcohol Policy.
4. The licensed premises may only operate during the hours specified in the certificate. Any proposal to extend or change the hours of operation will require further authorisation by a further planning certificate or by way of a resource consent processed in terms of the provisions of the Dunedin City District Plan, the Proposed Second Generation Dunedin City District Plan and the Resource Management Act 1991.



Robbie Schmidt  
**Planner**

Authorised by:



Campbell Thomson  
**Senior Planner**

**Issue Date:** 16 May 2022

1 June 2022

The Secretary  
Dunedin District Licensing Committee  
P O Box 5045  
Dunedin

Dear Sir/Madam

**Building Compliance Certificate**  
**Sale and Supply of Alcohol Act 2012**  
**18 Mailer Street Dunedin-Indian Twist**

The above premises have been inspected by an officer of the Council for suitability for an On Licence under Section 100(f) Sale and Supply of Alcohol Act 2012.

The premises contain systems, features and attributes that meet the requirements of the New Zealand Building Code to the extent required by the Building Act 2004.

The premises contain fire safety features and sanitary facilities to safely cater for a maximum of **50** people. It is the licence holder's responsibility to ensure the maximum number of people using the premise at any one time is not exceeded.

Yours faithfully



Cory Barnes  
**Building Compliance Officer**

Reference: BCC-2022-7

DCCBCA-F5-BCC-1B-v4.0

**From:** [Cory Barnes](#)  
**To:** [Dunedin Licensing Agency](#)  
**Subject:** BCC-2022-7, 18 Mailer Street  
**Date:** Wednesday, 1 June 2022 04:18:23 p.m.

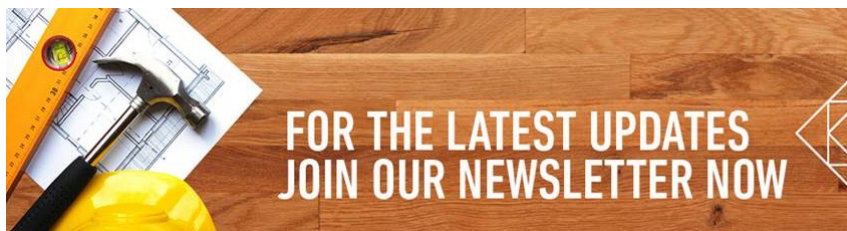
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Hi guys,

I had a site visit today for the above BCC and the applicant indicated that he wanted to utilise the outdoor area with a couple of tables. I explained that this did not increase the occupancy of 50. His application has no ticked where the question is asked. Can you please amend his application to reflect his desire for the outdoor tables.

Thank you

[Cory Barnes](#)  
**BUILDING COMPLIANCE OFFICER**  
**BUILDING SERVICES**  
**P** 03 477 4000 | **E** [cory.barnes@dcc.govt.nz](mailto:cory.barnes@dcc.govt.nz)  
Dunedin City Council, 50 The Octagon, Dunedin  
PO Box 5045, Dunedin 9054  
New Zealand  
[www.dunedin.govt.nz](http://www.dunedin.govt.nz)





## NOTICE OF MANAGEMENT CHANGE

Section 224 of the Sale and Supply of Alcohol Act 2012

Forward a copy of this completed form, within two working days of the appointment or termination, to:

The Secretary Dunedin District Licensing Committee  
C/o Dunedin City Council  
PO Box 1045, Dunedin 9054  
Fax: (03) 474 3523  
Email: dia@dcc.govt.nz

New Zealand Police  
Private Bag 1924, Dunedin 9054  
Attention: Alcohol Harm Reduction Officer  
Fax: (03) 479 9363  
Email: dunedin.ahpu@police.govt.nz

### Licensee details

Name of licensed premises: Pride Thai Limited t/a Mornington Thai

Address of licensed premises: 18 mailer st Mornington, 9018

Licensee: Sonthaya Nongyang

Phone: 0211094094

Email: morningtonthai@gmail.co

What are you notifying? (Please tick and complete the applicable information below)

☐ New certificate holding manager

Full name: / Effective from: / /  
Certificate number: /CERT/ /20 / Expiry date: / / /

☒ Temporary manager – Section 229, Sale and Supply of Alcohol Act 2012

A temporary manager must apply for a manager's certificate within two working days of their appointment

Full name: Naveen Malhotra Date of birth: 18 / 11 / 2021  
Certificate number: 069 /CERT/ 146 /20 20 Expiry date: 11 / 11 / 2024

Who are they replacing?

Full name: / Date of birth: / /  
Certificate number: /CERT/ /20 / Expiry date: / / /

Reason: Just incase we have sick call

☒ Acting manager – Section 230, Sale and Supply of Alcohol Act 2012

Full name: Naveen Malhotra Date of birth: 18 / 11 / 2021  
Certificate number: 069 /CERT/ 146 /20 20 Expiry date: 11 / 11 / 2024

Who are they replacing?

Full name: / Date of birth: / /  
Certificate number: /CERT/ /20 / Expiry date: / / /

Effective from: / / To: / /

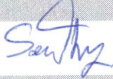
Reason: Just incase we have sick call



☐ **Cancellation or termination of manager appointment**

Full name: \_\_\_\_\_ Date of birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Certificate number: \_\_\_\_\_ /CERT/ \_\_\_\_\_ /20 \_\_\_\_ Expiry date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Signature:  \_\_\_\_\_ Name: Sonthaya Nongyang

Date: 5/8/2022 Position (licensee, partner etc.): Licensee

Page 2 of 2

Roster

<b>Restaurant Moving Forward Intended Roster</b>							
	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Mai Chef		Open To Close	Open To Close	Open To Close	Open To Close	Open To Close	
Nav Manager	On call	On call	On call	On call	On call	On call	On call
Kimi Manager		12.00-2.00 4.30-8.30	12.00-2.00 4.30-8.30	12.00-2.00 4.30-8.30	11.30-2.00 4.30-8.00	11.30-2.00 4.30-8.00	
Kirit Manager	12.00-2.00 4.30-8.00						12.00-2.00 4.30-8.30
James Chef	4.00-8.00						
Hanh FOH			5.00-8.00		5.00-8.00	5.00-8.00	5.00-8.00
Ryan FOH		5.00-8.00		5.00-8.00			5.00-8.00
Hire New Manager Until then Naveen or kirit will help	12.00-2.00 4.30-8.30				12.00-2.00 4.30-8.30	12.00-2.00 4.30-8.30	12.00-2.00 4.30-8.30
Jenny Chef Waiting for visa approval	Open To Close				Open To Close	Open To Close	Open To Close



**From:** [Sonthaya Nongyang](#)  
**To:** [Tanya Morrison](#); [Karen Tytsma](#)  
**Subject:** Mornington Thai  
**Date:** Thursday, 28 July 2022 06:16:31 p.m.

---

Hi Tanya

As discussed please see the changes below:

License hours Sun to Thu 10am to 10pm

Friday & Saturday 10am to midnight.

Naveen Malhotra will be the acting/temporary/Fill in manager until we find one more manager.

Will commute to change some of the Sri k prices to make sure light and zero breads are cheaper and rtds are not expensive.

Ciders \$8 or more

House drink \$9 or more

Rtd \$8 or more

If u need more information please don't hesitate to contact me thanks.

Sonthaya Nongyang

**From:** [Sonthaya Nongvang](#)  
**To:** [Karen Tytsma](#)  
**Subject:** Re: Licensed hours re On Licence application Mornington Thai 18 Mailer Street Dunedin  
**Date:** Friday, 27 May 2022 10:20:32 a.m.

---

Hi Karen  
That should be fine thanks

Sonthaya

On 27 May 2022, at 10:16 am, Karen Tytsma <[Karen.Tytsma@dcc.govt.nz](mailto:Karen.Tytsma@dcc.govt.nz)> wrote:

Hello

Thank you for the floor plan

Also, the Licensed hours applied for can only be Sunday to Thursday 10.00 am to 11.00 pm, and Friday and Saturday 10.00 am to 12.00 midnight as per your planning certificate POL-2022-16

These hours are in accordance with the Local Alcohol Policy

Kind regards Karen

[Karen Tytsma](#)

**ALCOHOL LICENSING ADMINISTRATOR**  
**DUNEDIN DISTRICT LICENSING COMMITTEE**

**P** 03 477 4000 | **DD** 03 474 3526 | **E** [Karen.Tytsma@dcc.govt.nz](mailto:Karen.Tytsma@dcc.govt.nz)

Dunedin City Council, 50 The Octagon, Dunedin

PO Box 5045, Dunedin 9054

New Zealand

[www.dunedin.govt.nz](http://www.dunedin.govt.nz)



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**Kevin Mechen**

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**From:** Sonthaya Nongyang <morningtonthai@gmail.com>  
**Sent:** Tuesday, 9 August 2022 01:58 p.m.  
**To:** Tanya Morrison  
**Subject:** Re: Manager clarification query  
**Attachments:** Roster.HEIC

Hi Tanya

- Who covers Kimi when she is on leave (day off, sick etc). For example, days within the past few months where she wasn't working (due to covid for example), who covered her as Duty manager please?  
**Answer: Naveen was covering and kirit helped out few days.**
- What is your plan moving forward once Naveen's 180 day handover is up (approx. mid-October) in terms of having any other managers available – will you rely solely on Kirit as a backup or be seeking to employ another manager?  
I just want to check you have enough manager's to cover you – I'm a little concerned with Kimi being your only full-time manager so to speak. If she has planned or unexpected leave, you need to ensure you have sufficient coverage.  
**Answer: we are actively looking to hire another manager then kimi will work only 5days, spoken to kirit he is also happy to help when needed so we agreed that he will do 2 days a week from now on to give kimi a break, Naveen has also agreed to stay on and get paid so he will help one day a week as long as we needed. It is in Naveen best interest to help the business to make sure business works otherwise how can I pay them because it will take me more than one year to pay their money to them.**
- With Kirit, I understand he is casual and can be used if needed. Your rosters however really need to outline who is intended to be your duty manager at all times. Whether he is paid or in a volunteer role doesn't concern me, but would it be possible for you to draft a roster for the next 2 weeks which clearly shows who is meant to be your manager at any given time and could you send me a copy of this? Ideally, this would be how you would structure your rosters moving forward, so it is clear who your managers are intended to be whenever you're open.  
**Answer: please remember we only call duty manager in lunch times if we have bookings if we have no bookings then we don't sell alcohol because its only takeaway. See the future roster attached**  
**Thanks**

Sonthaya

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**From:** Tanya Morrison <Tanya.Morrison@dcc.govt.nz>  
**Date:** Tuesday, 9 August 2022 at 12:27 PM  
**To:** Sonthaya Nongyang <morningtonthai@gmail.com>  
**Subject:** Manager clarification query

Hi Sonthaya,

I've been through all the documentation you sent me and just wanted to check a final couple of things. We did discuss some of these points when we met onsite, but I just want to make sure I have the correct information.

- Who covers Kimi when she is on leave (day off, sick etc). For example, days within the past few months where she wasn't working (due to covid for example), who covered her as Duty manager please?
- What is your plan moving forward once Naveen's 180 day handover is up (approx. mid-October) in terms of having any other managers available – will you rely solely on Kirit as a backup or be seeking to employ another manager?  
I just want to check you have enough manager's to cover you – I'm a little concerned with Kimi being your only full-time manager so to speak. If she has planned or unexpected leave, you need to ensure you have sufficient coverage.
- With Kirit, I understand he is casual and can be used if needed. Your rosters however really need to outline who is intended to be your duty manager at all times. Whether he is paid or in a volunteer role doesn't concern me, but would it be possible for you to draft a roster for the next 2 weeks which clearly shows who is meant to be your manager at any given time and could you send me a copy of this? Ideally, this would be how you would structure your rosters moving forward, so it is clear who your managers are intended to be whenever you're open.

Hopefully the above queries will be the final queries I have for you – again, just asking these questions to ensure you have sufficient manager coverage at all times and moving forward in the months to come.

Thanks,

Tanya

Tanya Morrison

Acting Team Leader Environmental Health & Alcohol Licensing  
Environmental Health Officer  
Alcohol Licensing Inspector  
**CUSTOMER & REGULATORY SERVICES**

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P 03 477 4000 | E [tanya.morrison@dcc.govt.nz](mailto:tanya.morrison@dcc.govt.nz)  
Dunedin City Council, 50 The Octagon, Dunedin  
PO Box 5045, Dunedin 9054  
New Zealand  
[www.dunedin.govt.nz](http://www.dunedin.govt.nz)



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## **ALCOHOL LICENCE APPLICATIONS**

Off-1-2012 – General Distributors Limited,  
Countdown Dunedin South, 323 Andersons Bay  
Road Dunedin. Second notice. Closes Thursday, 16  
June 2022.

Off-9-2011 – Alan Malcolm Donald Cameron,  
Portobello Deli, 1 Harington Point Road, Portobello.  
First notice. Closes Thursday, 23 June 2022.

On-8-2022 – Pride Thai Limited, Mornington Thai,  
18 Mailer Street, Dunedin. First notice. Closes  
Thursday, 23 June 2022.

On-6-2022 – Ryman Healthcare Limited, Yvette  
Williams Retirement Village, 383 Highgate, Dunedin.  
Second notice. Closes Thursday, 16 June 2022.

On-8-2012 – Portobello Hotel Limited, Portobello  
Hotel and Bistro, 2 Harington Point Road, Portobello.  
Second notice. Closes Thursday, 9 June 2022.

Visit [www.dunedin.govt.nz/alcohol-applications](http://www.dunedin.govt.nz/alcohol-applications) for  
full details of the applications.

## ALCOHOL LICENCE APPLICATIONS

Clu-2723-2006 – Carisbrook Dunedin Cricket Club Incorporated, Carisbrook Dunedin Cricket Club, 173 Surrey Street, Dunedin. First notice. Closes Friday, 1 July 2022.

Off-9-2011 – Alan Malcolm Donald Cameron, Portobello Deli, 1 Harington Point Road, Portobello. Second notice. Closes Thursday, 23 June 2022.

On-8-2022 – Pride Thai Limited, Mornington Thai, 18 Mailer Street, Dunedin. Second notice. Closes Thursday, 23 June 2022.

Visit [www.dunedin.govt.nz/alcohol-applications](http://www.dunedin.govt.nz/alcohol-applications) for full details of the applications.