

Notice of Meeting:

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

Date: Wednesday 10 April 2024
Time: 10:00 am
Venue: Dunningham Suite, top floor, Dunedin Public Library, Moray Place, Dunedin

Sandy Graham
Chief Executive Officer

District Licensing Committee

On-Licence Renewal – Pride Thai Ltd t/a Mornington Thai

PUBLIC AGENDA

MEMBERSHIP

Chairperson	Colin Weatherall
Members	Karen Elliot Cr Lee Vandervis
Senior Officer	Kevin Mechen, Secretary, District Licensing Committee
Governance Support Officer	Lynne Adamson

Lynne Adamson
Governance Support Officer

Telephone: 03 477 4000
Lynne.Adamson@dcc.govt.nz
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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PART A REPORTS

REPORT FOR ON-LICENCE RENEWAL, "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	07 December 2023

EXECUTIVE SUMMARY

- 1 This is a report for an application for the renewal of an on-licence for the premises situated at 18 Mailer Street, Dunedin, and known as "Mornington Thai". The criteria found at section 131 of the Sale and Supply of Alcohol Act 2012 (the Act) apply to this application.
- 2 The applicant does not seek any changes to the licence.
- 3 Public notice of the application did not attract any public objections.
- 4 However, all three reporting agencies have submitted adverse reports and have opposed the renewal of this licence.

APPLICANT AND APPLICATION

- 5 The applicant, Pride Thai Limited, has a single director and shareholder, Ms Sonthaya Nongyang. This is the first renewal of the licence which was issued in January 2023 after a hearing. The company also owns "Andersons Bay Thai" and "Pride Tyres", an automotive tyre business in Princes Street, Dunedin.
- 6 The current licence hours are Sunday to Thursday 10.00 am to 11.00 pm, and Friday and Saturday 10.00 am to 12.00 midnight. The applicant is not seeking any change to the licence conditions.

PUBLIC NOTICE

- 7 Public notice of the application did not attract and public objection.
- 8 However, all three reporting agencies, the Police, Medical Officer of Health and the Licensing Inspector have opposed the licence renewal.

Licensing Inspector

- 9 The Licensing Inspector stated that there was no evidence of alcohol being sold or supplied in an unsafe or irresponsible manner. However, they have concerns about the ownership of the business and the relationship between the various people involved with each of the businesses owned by the applicant.
- 10 The applicant bought the business from Navnik Limited who operated "Indian Twist" at the premises. The sale was by private agreement. Mr Naveen Malhotra was one of the directors of Navnik Limited who purchased "Shree Restaurant and Takeaways" from Data Enterprises 2018 Limited of which Mr Kirit Gandhi was one of the directors. Mr Gandhi worked at "Indian Twist".
- 11 Both Mr Malhotra and Mr Gandhi appear to be involved with the day to day running of "Mornington Thai". Mr Malhotra regularly worked 3-4 nights per week but is not on the payroll. Mr Gandhi still has a current manager's certificate and helps at "Mornington Thai" and occasionally "Andersons Bay Thai".
- 12 The Inspector is concerned at the poor knowledge of their responsibilities as a licensee and the contents of their own host responsibility policy. Ms Nongyang said she had been assisted in completing the renewal application by Mr Gandhi. Neither could explain the signs of intoxication nor the accepted forms of identification. The Inspector said it was difficult to assess suitability when other people present were answering questions on her behalf.
- 13 When asked by the Inspector, training records could not be produced by the applicant. The Inspector questions whether the applicant has appropriate systems, staff and training at the premises.

Medical Officer of Health

- 14 The Medical Officer of Health (MoH) met Ms Nongyang and Mr Malhotra. At the end of that meeting, they were not satisfied with the systems, staff or training at the premises and therefore oppose the renewal of the licence.
- 15 The MoH learned that the applicant spends the majority of her time in the kitchen and relies on others to look after the alcohol service which was not acceptable.

Police

- 16 The Police expressed similar concerns as the other two agencies. One concern is the ownership of the business and the involvement of the previous two owners. The manner in which this and other businesses have been brought also raises questions about who does own the business and who is managing them.
- 17 The Police found the applicant, Mr Malhotra and Mr Gandhi, all lacked appropriate knowledge to be considered suitable to manage a licensed premises. During the interview, Mr Gandhi led the conversation most of the time which indicated he had had some control over the business.

- 18 Documentation of training was not kept nor had the staff completed ServeWise training. The applicant claimed to have completed the training, but the certificate was 'at home'.
- 19 When questioned about the systems, staff and training generally, the applicant deferred to Mr Gandhi despite his assertion he had no financial interest in the business. The applicant could not answer the questions therefore the Police do not believe the premises has the appropriate systems, staff or training to meet the object of the Act.

CONCLUSION

- 20 The licence for this premises was granted after a hearing at which the applicant's suitability was challenged because of poor knowledge and the involvement of Mr Malhotra in the business. It now appears Mr Gandhi also has some form of control over the operation of the business.
- 21 On this occasion, the applicant's suitability is again challenged because of poor knowledge of her responsibilities as well as the 'basic' indicators of intoxication and forms of acceptable identification.
- 22 The agencies also believe the applicant does not have appropriate systems, staff or training to comply with their responsibilities as set out in the legislation.
- 23 This hearing will be an opportunity for the applicant to demonstrate that she is suitable and that she is the responsible for her business.

Signatories

Author:	Kevin Mechen - Alcohol, Psychoactive Substances and Gambling Advisor
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 renewal of an on licence number ON-8-2022 in respect of the premises situated at 18 Mailer Street Dunedin and known as Mornington Thai

The general nature of the business 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, 13 December 2023

Second publication date: Wednesday, 20 December 2023

Objections Close 5:00 pm Wednesday, 14 February 2024

- 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 25 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 RENEWAL

Incomplete applications will not be processed

The application must be accompanied by the correct fee (see page 2).

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.

Please read and complete the following checklist before submitting the application

- ☒ A copy of both the food and drinks menus
- ☒ Map showing location of 'sensitive' locations, e.g. schools, early childhood facilities, hospitals and churches
- ☒ 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:

 **DUNEDIN** | kaunihera
CITY COUNCIL | a-rohe o
ōtepoti

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Calculate your application fee

- **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

Select your premises type:

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:

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:

Select the number of enforcement findings:

Number of enforcement findings in the last 18 months	Points
None	0
One	10
Two or more	20

Enforcement points:

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

Premises points: Trading hours points: Enforcement points: Total points:

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

APPLICATION FOR ON-LICENCE RENEWAL

Section 127 (2), Sale and Supply of Alcohol Act 2012

TO the Secretary, Dunedin District Licensing Committee

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

Contact person

Name: Sonthaya Nongyang

Phone:

Email: morningtonthai@gmail.com

Postal address for service: 18 Mailer St, Mornington

Postcode: 9011

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

Full legal name or names to be on the licence: Pride Thai Limited Trading As Mornington Thai

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.

Address: 18 Mailer St, Mornington 9011

Occupation: Resturant

Phone: 034531132

Email: morningtonthai@gmail.com

Applicant's place and date of birth (if an individual):

Gender (if an individual):

Have there been any changes to the licensee status? ☐ Yes ☒ No

A change would include a change of any shareholders, directors or partners.

If yes, please outline the changes:

Is this your principal business? ☒ Yes ☐ No

Please state any other businesses: Andersons Bay Thai

Criminal convictions

Has the applicant or any director or shareholder been convicted of an offence? ☐ Yes ☒ No

Please state all criminal convictions other than convictions for offences against provisions of the Land Transport Act 1998 not contained in part 6, and convictions for offences to which the Criminal Records (Clean Slate) Act 2004 applies.

Full Name	Conviction	Date of Conviction

Details of premises

Trading name: Mornington Thai

Name of the building (if applicable):

Address of the premises: 18 Mailer St, Mornington

Postcode: 9011

Does the building have a current building warrant of fitness (BWOF)? ☐ Yes ☒ No

What is the maximum occupancy of your premises including outside areas? 50

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:

we have 2 toilets one for male with urinal and toilet one for female toilet.

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 scheme

Signed:

Southern

Date:

6/12/2023

Details of conveyance

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

Trading name of conveyance:

Registration number:

Address where based:

Postcode:

Business details

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

☐ Tavern/bar ☒ Café/restaurant ☐ Hotel ☐ Nightclub ☐ Entertainment ☐ Other (specify)

On which days and during which hours do you sell alcohol:

Day	<input checked="" type="checkbox"/> Mon	<input checked="" type="checkbox"/> Tues	<input checked="" type="checkbox"/> Wed	<input checked="" type="checkbox"/> Thurs	<input checked="" type="checkbox"/> Fri	<input checked="" type="checkbox"/> Sat	<input checked="" type="checkbox"/> Sun
Start time	10.00	10.00	10.00	10.00	10.00	10.00	10.00
End time	23.00	23.00	23.00	23.00	00.00	00.00	23.00

Are there any changes to the current licensed hours? ☐ Yes ☒ No

An extension to the existing hours may require resource consent, check with City Planning staff.

If yes, describe changes:

What designations apply to 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)

Is the applicant seeking any changes to the current licensed areas or designations?

☐ Yes ☒ No If yes, provide details:

Is accommodation provided? ☐ Yes ☒ No

Is the sale of alcohol the principal purpose of the business? ☐ Yes ☐ No

If no, provide details:

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

☐ Yes ☒ No If yes, provide details:

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

☐ Yes ☒ No If yes, provide details:

Manager details

Provide the below details for each manager or proposed manager.

Full name	Date of birth	Manager's certificate number	Expiry date
Jose Romeo Echano Santos		069/CERT/116/2023	10-07-2024
Kirit Gandhi		069/CERT/293/2015	04-05-2024
Abigail Van Belrk		069/CERT/163/2023	21-08-2024
Nagaraju Racharla		069/CERT/229/2023	21-11-2024
Sattawan Singh Misherwan		069/CERT/561/2015	19-01-2025
Sonthaya Nongyang		applied already	

Conditions

1) What provision does the applicant make for the sale and/or supply of:

- i. food (describe type and range and when it will be served, attach menu)
as per the attached menu

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

heiniken zero, juices, soft drinks, water, thai tea etc.

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

heiniken light

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

on the bar counter

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

bottled water

4) What steps are taken to provide help with, and information about, transport options from the premises?

display sign with taxi contact details

- 5) What steps are taken to prevent the sale and supply of alcohol to prohibited people? (minors and intoxicated people)
we train our staff to make sure to follow the scab tool for intoxication and for minors if look under 25 ask for ID.
- 6) What other steps does the applicant take to promote the responsible consumption of alcohol?
we monitor the cut, more closely to make sure no excess alcohol is consumed
- 7) How does the applicant staff the premises to ensure compliance with the Act? Please provide the number of staff and their experience.
we have 10 staff they are trained by the duty managers.
- 8) For high risk premises, what arrangements will be made for security staff?
n/a
- 9) How does the applicant train staff to ensure compliance with the Act?
we regularly ask them to read the literature regarding the alcohol sale laws and guidelines.

Signed:

Somth

Date:

6/12/2023

Place:

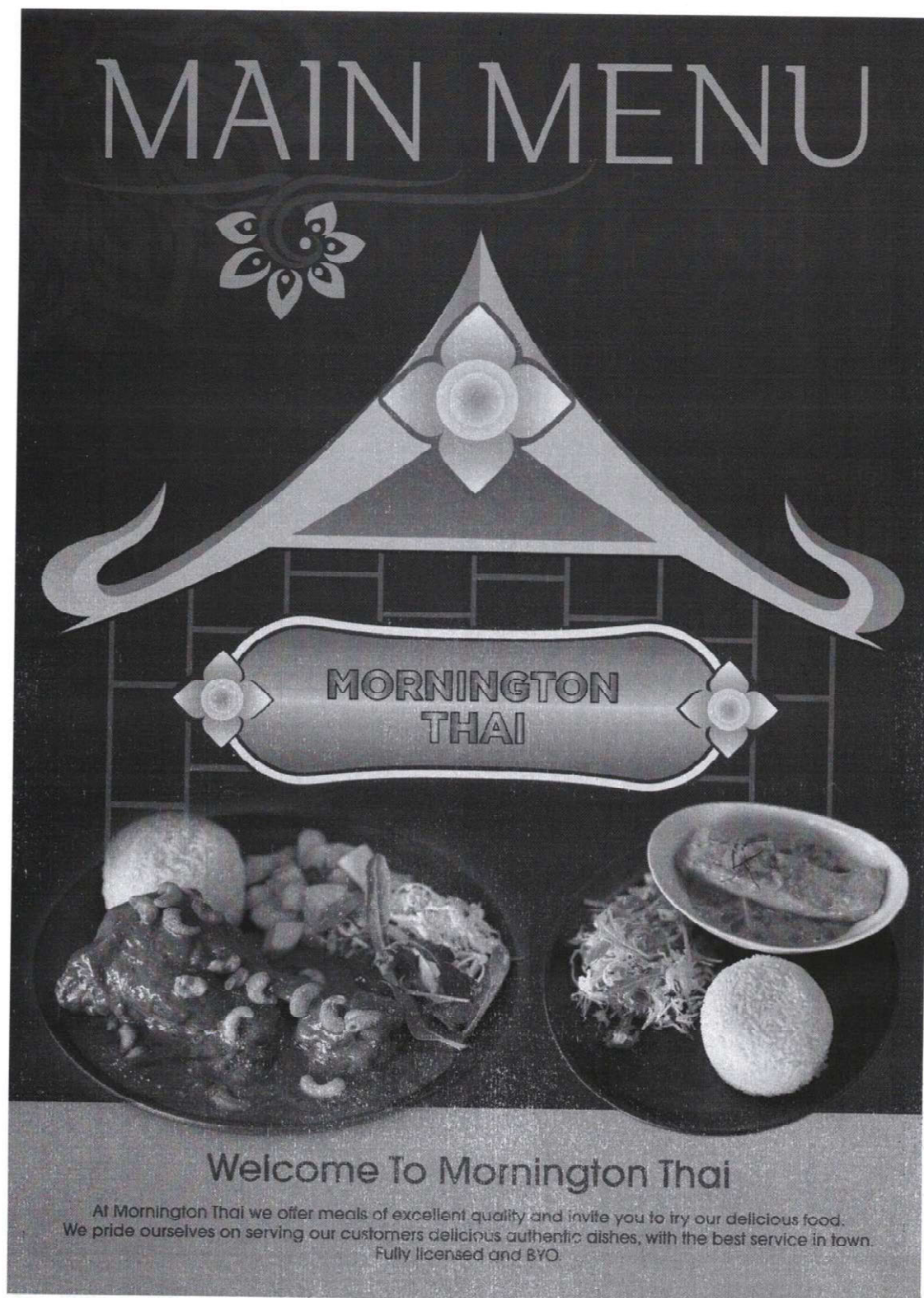
Mornington

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 or 03 477 4000.



STARTERS	
Spring Roll Mini/Large (VEG) \$9.90 Filled with vegetables, deep fried & served with sweet chilli sauce & salad.	Pork Spare Ribs (GF) \$12.90 4pcs of small pork spare ribs marinated with soy sauce, garlic pepper served with special sauce & salad.
Sweet & Sour Tofu (GF, VEG) \$10.90 Fresh tofu deep fried and dipped in sweet & sour sauce served with crushed peanut & salad.	Rice Paper Fresh Spring Rolls (GF, VEG) \$12.90 4pcs filled with fresh vegetables, rolled in rice paper, served with special sauce & salad. Also available with chicken/pork/prawns.
Fried Dumplings (VEG) \$9.90 6pcs of vegetable dumplings deep fried & served with sweet chilli sauce & salad.	Steamed Dumplings (VEG) \$9.90 4 pcs of vegetable dumplings steamed & served with homemade vinegar-soya sauce & salad. Also Available in prawns.
Chicken Satay (GF) \$11.90 3 skewers of chicken dipped in a mixture of spices, grilled & served with homemade peanut sauce & salad.	Fried Chicken (GF) \$11.90 Chicken pcs coated with batter, cooked in special sauce, served with homemade special sauce & salad.
Roti & Peanut Sauce (VEG) \$7.90 Roti served with homemade peanut sauce.	Lemon Pepper Squid \$12.90 Tenders pcs of squid marinated overnight with lemon pepper. Deep fried and served with homemade special sauce & salad.
Shrimp Cocktail (GF) \$12.90 Prawns mixed with special homemade sauce, hint of lemon & cucumber served with salad.	Curry Puffs (VEG) \$10.90 3pcs of fluffy pastry wrapped with sweet potatoes & vegetables served with sweet chilli sauce & salad.
Prawn Twist \$12.90 4pcs prawn coated in batter & deep fried. Served with homemade special sauce & salad.	Tempura Prawn \$12.90 4pcs of prawns coated in breadcrumbs & deep fried served with homemade special sauce & salad.
Fish cake \$12.90 4 pcs of ground fish fillet, hint of chilli, lime leaves served with homemade special sauce & salad.	Chicken Nuggets \$10.90 8pcs of chicken nuggets with tomato sauce & salad.
PLATTERS	
Vege Platter (VEG) \$19.90 2pcs each steamed dumplings, curry puffs, mini spring rolls, fried dumplings, rice paper fresh spring rolls, sweet & sour tofu served with selection of sauces.	Tom Yum Soup (GF) \$21.90 Sour soup, hint of spices with coriander & your choice of chicken/pork/beef/vegetables/prawns.
Seafood Platter \$21.90 2pcs each prawn twist, tempura prawns, fish cake & 4-5pcs each lemon pepper squid, shrimp cocktail served with selection of sauces.	Tom Kha Soup (GF) \$21.90 Coconut milk-based soup with mushrooms, lemon grass, fresh lime leaves & your choice of chicken/pork/beef/vegetables/prawns.
Mixed Platter \$23.90 2pcs each chicken satay, rice paper fresh spring roll pork, curry puffs, spring roll, pork ribs, prawn twist served with selection of sauces.	Thai Soup (GF) \$21.90 Bean sprouts, spring onions, vegetables & your choice of chicken/pork/beef/vegetables/prawns.
	Rad Na Gravy Soup (GF) \$22.90 Gravy soup dish made from stock with vegetables, bean sprouts & your choice of chicken/pork/beef/vegetables/prawns.
Any items with GF symbol can be made gluten free please advise our friendly staff. All our dishes can be made vegan or gluten free please advise our friendly staff. Choose tofu, prawns, battered chicken, pork belly for \$3.00 Only. Add any extra protein for \$4.00. Lunch special please ask our friendly staff.	



STIR FRIED NOODLES

Udon Noodles \$24.90
Udon noodle stir fry with fresh vegetables and your choice of chicken/pork/pork belly/beef/vegetables/prawns.

Pad Thai (GF) \$23.90
Stir fried rice noodles, veggies, egg, peanuts & your choice of chicken/pork/pork belly/beef/vegetables/prawns.

Pad Se Ew (GF) \$23.90
Flat rice noodles, egg, vegetables & your choice of chicken/pork/pork belly/beef/vegetables/prawns.

Egg Noodles \$24.90
Egg noodles with onion, carrot, broccoli, bean sprouts and your choice of chicken/pork/pork belly/beef/vegetables/prawns.

Pork Belly Pad Thai (GF) \$26.90
Stir fried rice noodles, veggies, egg, peanuts, homemade Pad Thai sauce with pork belly.

Peanut Egg Noodles \$24.90
Egg noodles with peanut sauce, vegetables & your choice of chicken/pork/pork belly/beef/vegetables/prawns.

Drunken Noodles (GF) \$24.90
Flat Rice Noodles, egg, vegetables, baby pepper corns stir fried with your choice of chicken/pork/pork belly/beef/vegetables/prawns.

Pork Belly Drunken Noodles (GF) \$27.90
Flat Rice Noodles, egg, vegetables, baby pepper corns stir fried with pork belly.

CURRIES (Served with Jasmine Rice)

Salmon Chu Chee Curry (GF) \$29.90
Whole fillet of salmon cooked in special red sauce with hint of kaffir lime, coconut cream, pods, onion.

Massaman Lamb Shank Chef's Special (GF) \$29.90
NZ lamb, cooked with chef's special sauce & served with rice, pieces of potato & salad.

Green Curry (GF) \$23.90
Thai style curry cooked with vegetables & your choice of chicken/battered chicken/pork/beef/vegetables/pork belly/prawns.

Red Curry (GF) \$23.90
Thai red curry with vegetables & your choice of chicken/battered chicken/pork/beef/vegetables/pork belly/prawns.

Massaman Curry (GF) \$23.90
Carrots, onions with potatoes & your choice of chicken/battered chicken/pork/beef/vegetables/prawns/pork belly/lamb.

Jungle Curry (GF) \$23.90
This curry originated from Thai forested area, cooked in water based with lemongrass, kaffir lime, green peppercorn, vegetables, and your choice of chicken/battered chicken/pork/beef/vegetables/prawns. Med Spice

Panang Curry (GF) \$23.90
Thai curry cooked with vegetables & your choice of chicken/battered chicken/pork/beef/vegetables/prawns/pork belly/venison

FRIED RICE

Pork Belly Fried Rice (GF) \$24.90
Fried rice includes mixed vegetables cooked with egg, onions, & pork belly in special ingredients.

Pineapple Fried Rice (GF) \$24.90
Our special fried rice includes pineapple, cashew nuts, raisins with curry powder, onion, carrot, egg & your choice of chicken/pork/beef/vegetables/prawns.

Fried Rice (GF) \$22.90
Mixed vegetables cooked with egg, onions & your choice of chicken/pork/beef/vegetables/prawns/pork belly.

Salted Fish Chicken Fried Rice (GF) \$24.90
Vegetables cooked with egg, onions, bean sprout with salted fish & chicken.

Green Curry Fried Rice (GF) \$23.90
Mixed vegetables cooked in special green curry paste with egg, onions & your choice of chicken/pork/pork belly/beef/vegetables/prawns.

Red Curry Fried Rice (GF) \$23.90
Mixed vegetables cooked in special red curry paste with egg, onions & your choice of chicken/pork/pork belly/beef/vegetables/prawns.

*Any items with GF symbol can be made gluten free please advise our friendly staff.
All our dishes can be made vegan or gluten free please advise our friendly staff.
Choose tofu, prawns, battered chicken, pork belly for \$3.00 Only.
Add any extra protein for \$4.00. Lunch special please ask our friendly staff.*



STIR FRY DISHES *(Served with Jasmine Rice/Thin Noodles/Flat Noodles/Egg Noodles)*

Cashew Nut Stir Fry (GF) **\$25.90**
Vegetables, stir fried cashew nuts & your choice of battered chicken/pork/pork belly/beef/vegetables/prawns.

Honey Lemon Chicken (GF) **\$25.90**
Sweet honey & tangy lemon sauce, onion, chicken cooked with sesame seeds.

Sweet & Sour Stir Fry (GF) **\$25.90**
Sweet & sour sauce with pineapple, onions & your choice of battered chicken/pork/beef/vegetables/prawns.

Peanut Sauce Stir Fry (GF) **\$24.90**
Vegetables cooked in rich peanut sauce & your choice of chicken/battered chicken/pork/pork belly/beef/vegetables/prawns.

Ginger Stir Fry (GF) **\$24.90**
Stir fried vegetables cooked in ginger & your choice of chicken/battered chicken/pork/pork belly/beef/vegetables/prawns.

Pork Belly Stir Fry (GF) **\$26.90**
Stir fried vegetables, basil & pork belly. Med spice

Black Pepper Stir Fry (GF) **\$24.90**
Vegetables stir fried with black pepper & your choice of chicken/battered chicken/pork/pork belly/beef/vegetables/prawns.

Kung Pao Chicken (GF) **\$24.90**
Cubed chicken stir fried with special sauce, capsicum, whole peanuts, peppers & cucumber.

Sweet & Sour Fish **\$28.90**
Deep fried battered seasonal fish stir fried in sweet & sour sauce with pineapple & onions.

Chili Basil Stir Fry (GF) **\$24.90**
Stir fried basil & fresh vegetables & your choice of chicken/battered chicken/pork/pork belly/beef/vegetables/prawns.

Garlic Stir Fry (GF) **\$24.90**
Stir fried vegetables cooked in garlic & your choice of chicken/battered chicken/pork/pork belly/beef/vegetables/prawns.

Stew Pork Belly **\$27.90**
Cooked in slow cooker with five spice, chefs special sauce. Served with steamed vegetables & rice.

Green Curry Stir Fry (GF) **\$25.90**
Fresh vegetables stir fry in special green curry paste and your choice of chicken/pork belly/pork/beef/vegetables/prawns.

Red Curry Stir Fry (GF) **\$25.90**
Fresh vegetables stir fry in special Red curry paste and your choice of chicken/pork belly/pork/beef/vegetables/prawns.

SALAD

Laab Salad (GF) **\$23.90**
Fresh vegetables, kaffir lime leaves, a hint of lime juices & your choice of chicken/pork/ beef vegetables/prawns

Som Tum Thai Salad (GF, VEG) **\$17.90**
Fresh carrots, fresh tomato & fresh lime juice all mixed with special dressing to create an authentic flavour of Thailand.

SIDES

Steamed Vegetables (GF, VEG) **\$5.90**

RoTi (VEG) **\$3.90**

Jasmine Rice (GF) **\$3.90**

Satay Peanut Sauce (GF) **\$4.90**

DESSERTS

Ice Cream Sundae **\$9.90**
Vanilla bean ice cream served with caramel/chocolate/strawberry ganache sauce.

Chocolate Brownie (GF) **\$10.90**
Served with vanilla bean ice cream with caramel/chocolate/strawberry ganache sauce.

Deep Fried Banana With Ice Cream **\$12.90**
Fresh banana deep fried with flour batter & sesame seeds, served with vanilla ice cream.

*Any items with GF symbol can be made gluten free please advise our friendly staff.
All our dishes can be made vegan or gluten free please advise our friendly staff.
Choose tofu, prawns, battered chicken, pork belly for \$3.00 Only.
Add any extra protein for \$4.00. Lunch special please ask our friendly staff.*

DRINKS MENU

WHITE WINES

Glass

Bottle

SAUVIGNON BLANC

Stoneleigh (Malborough)

\$12

\$39

Church Road (Hawkes Bay)

\$13

\$42

CHARDONNAY

Boundary Tuki Tuki (Hawkes Bay)

\$12

\$39

Church Road (Hawkes Bay)

\$13

\$42

PINOT GRIS

Camshorn (Waipara)

\$12

\$39

Gwen (Hawkes Bay)

\$13

RIESLING

Camshorn (Waipara)

\$13

\$42

PROSECCO

Makers Anonymous Prosecco (Australia)

\$12

\$39

SPARKLING

Deutz Methode Traditionnelle 200ml (Malborough)

\$14

Lindauer Brut Cuvee 200ml

\$14

Lindaue Fraise 200ml

\$14

ROSÉ

Stoneleigh Pinot Noir Rosé (Malborough)

\$12

\$39

RED WINES

Glass

Bottle

PINOT NOIR

Camshorn (Waipara)

\$12

\$39

The Last Shepherd (Central Otago)

\$13

\$42

Rabbit Ranch (Central Otago)

\$13

\$45

SHIRAZ

George Wyndham Bin 555 (Australia)

\$12

\$39

Double Barrel (Australia)

\$13

\$42

MERLOT

George Wyndham Bin 999 (Australia)

\$12

\$39

COCKTAILS

Glass

Cosmopolitan with vodka, Cointreau, fresh lime & cranberry juice.

\$15

Espresso Martini Vodka, Kahlúa with espresso plus coffee beans.

\$15

Margarita with tequila, Cointreau, agave nectar & lime juice.

\$15

Long Island Iced Tea It's so classic, everyone knows what's in it.

\$15

Mojito Classic Flavours

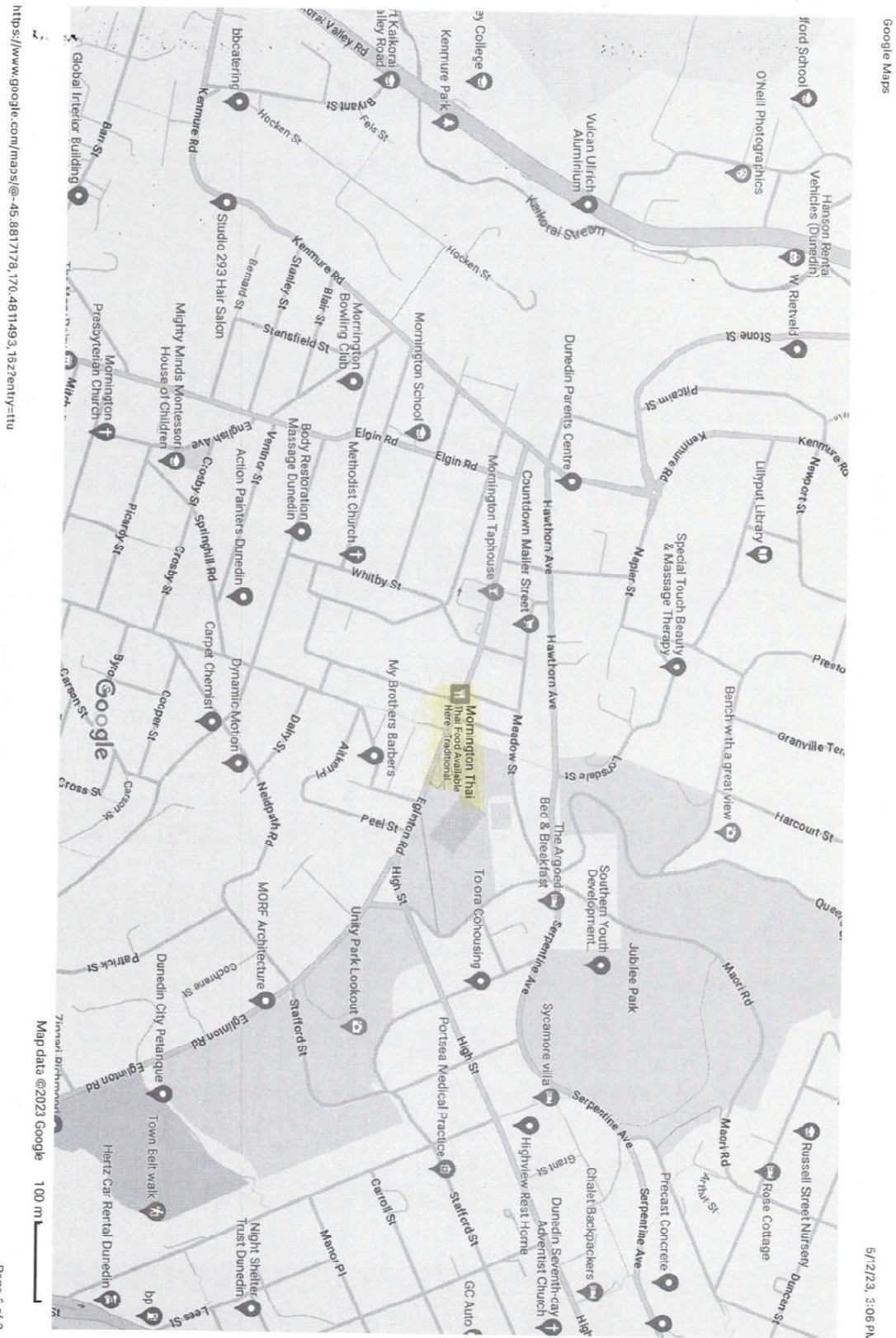
\$15

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



DRINKS MENU			
TAP BEER			
	Glass	Pint	
Tiger	\$10	\$12	
Heineken	\$10	\$12	
Tuatara Hazy	\$10	\$12	
BOTTLED BEER			
Heineken Zero		\$8	
Heineken Light		\$8	
Corona		\$11	
Heineken		\$11	
Chang		\$11	
Export Gold		\$10	
Tiger		\$10	
Singha		\$10	
Sol		\$10	
Monteith's Black		\$10	
Monteith's Radler		\$10	
Monteith's Phoenix IPA		\$10	
CIDERS			
Monteith's Apple			\$10
Somersby Apple			\$10
Somersby Blackberry			\$10
RTD's			
Jim Beam with cola			\$10
Jack Daniels with cola			\$10
KGB Silver			\$10
KGB Black			\$10
Smirnoff Ice			\$10
Smirnoff Double Black			\$10
Long White Raspberry			\$10
Long White Lemon & Lime			\$10
Long White Passionfruit			\$10
Long White Apple & Pear			\$10
HOUSE DRINK			
Grants Whisky		\$10	
Beefeater Gin		\$10	
Smirnoff Vodka		\$10	
Early Birds Bourbon		\$10	
Bacardi Rum White or Gold		\$10	
REMIUM DRINKS			
Black Label 12 years Whisky			\$12
Chivas Regal 12 years Whisky			\$12
Absolut Vodka			\$12
Jameson Irish Whiskey			\$12
Glenfiddich 12 years Whisky			\$12
Bombay Sapphire Gin			\$12
NON-ALCOHOLIC			
Thai Iced Tea		\$5.5	
Thai Iced Milk Tea		\$6.5	
Soft Drink (Pepsi, Pepsi Max, 7up, Fanta,			
Moutain Dew, Raspberry Cola,			
Raspberry Lemonade)	\$4.5 / \$7		
Sparkling Water		\$4.5	
Ginger Beer		\$4.5	
Lemon, Lime & Bitters			\$4.5
Juices (orange, cranberry,			
pineapple, apple, tomato)			\$5.5
V Energy Original Green			\$4.5
V Energy Drink Blue			\$4.5
V Energy Drink Silver			\$4.5
Jasmine Green Tea			\$4.5
Coffee Also Available			

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



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 HANZ 18+ 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, Juices 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.

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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 undesignated venue.

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, Juices and coffee menu.

Free tap water is always available at all times.

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INSPECTOR'S REPORT ON-LICENCE APPLICATION

Applicant	Pride Thai Limited
Trading Name	Mornington Thai
Address of premises	18 Mailer Street, Mornington, Dunedin
Type of licence	ON-Licence
Application type	Renewal
Pathway number	ON-8-2022
Application status	All agencies have opposed.
Date of application	6 December 2023
Interviewee	Sonthaya Nongyang, Kirit Ghandi
Date of interview	18 December 2023
Agencies present	Licensing Inspector, NZ Police

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.

This company purchased another business in August 2023, Pride Tyres, situated at 631 Princes Street, Dunedin. This is in addition to owning and operating both Mornington and Anderson's Bay Thai restaurants.

Pride Tyres, formally known as Dunedin Discount tyres was acquired by way of private sale from the previous owner Mr Ravinder Mohan, father of Naveen Malhotra and good friend of Kirit Ghandi, who works at Mornington and Anderson's Bay Thai restaurants in a casual capacity.

Mr Malhotra continues to 'help' at Mornington Thai restaurant approximately 3-4 nights per week, however, is not on any staff roster nor the payroll as an official employee. When Ms Nongyang was asked if she and Mr Malhotra were in a relationship, she replied no and stated they did not live together, but may do soon and that they were just good friends.

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 still current 25% shareholders of Eleven 2021 Limited, who operated Eleven Bar based at 11 The Octagon Dunedin.

Naveen Malhotra is also the sole director and 51% shareholder in a company Anirav Limited which is currently in Liquidation.

When Mornington Thai was purchased/established, this was by way of 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 where she worked for them between July and September 2021. Mr Ghandi also worked for Navnik Limited (trading as Indian Twist), having owned the restaurant prior to that when the business operated as Shree Indian restaurant.

Both Mr Ghandi and Mr Malhotra appear to still be involved in the day to day running and operation of Mornington Thai to varying degrees.

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.

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

Jose Santos – Expires 10/07/24
Kirit Gandhi – Expires 04/05/24
Abigail Van Belrk – Expires 21/08/24
Nagaraju Racharia – Expires 21/11/24
Sattawan Misherwan – Expires 19/01/25
Sonthaya Nongyang – Application currently with agencies

The above-mentioned managers may also work at Anderson's Bay Thai, with Mr Misherwan being mainly based at the Anderson's Bay site and other staff members floating between the two as required.

Kirit Gandhi is a previous owner/operator of a business formerly at this location, Shree Indian Restaurant which closed in November 2019. 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 basis when required, which he informed agencies during the onsite meeting was approximately 10-25 hours per week on average (across both restaurants, but mainly at Mornington Thai).

Licensing hours sought

Sunday to Thursday: 10am until 11pm
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.

Note: The Planning certificate for this premises does not allow alcohol sales beyond 11pm Sunday to Thursday.

Current trading hours are generally 11am – 2.30pm and 4.30pm – 8.30pm (dine in, approximately). Social media posts throughout late 2023 indicated the restaurant was opening until 12am (midnight) most nights of the week. Ms Nongyang clarified this is to allow for late night deliveries via Uber Eats, and that the restaurant itself (for dining in) closes earlier in the evening in general (unless functions or bookings are held).

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

No.

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

MORNINGTON THAI CUISINE

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current valid Passport or HANZ 18+ card.

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Welcome to Mornington Thai,
please enjoy our venue and facilities Remember to be respectful at all times.

Ms Nongyang and Mr Ghandi were asked about the host responsibility policy for the premises and if they were aware of the contents of their policy. As was discussed at the initial licence application, there was some confusion over the designation being sought for the premises when the (initial and) renewal application stated no designation was being sought, yet the Host Responsibility policy stated the premises was a 'Supervised' venue. I asked both Ms Nongyang and Mr Ghandi if they could explain what a 'Supervised' designation meant. Neither could answer this question correctly.

The current designation is 'undesignated' which is what the applicant continues to seek. When asked why the Host Responsibility policy did not reflect the actual designation, Mr Ghandi stated that the policy had been acquired from elsewhere (online) and they had put the business name on it, as they knew they had to produce a policy with the application to "tick that box".

I then enquired again if Ms Nongyang or Mr Ghandi knew the contents of the policy, to which they stated again that they did. However, they could not recognise when the acceptable forms of identification were also discussed, that the 'Kiwi Access card' was not mentioned within their policy as would be expected.

On 7 February 2024, an updated version of this premises host responsibility was received via email. The update version has corrected the wording around being an 'undesignated' venue and added Kiwi Access as a listed form of acceptable identification.

Does the premises utilise DCC owned footpath?

No.

What is the maximum occupancy number for the premises?

50, which includes any outside seating.

Public Notification process

ODT 13 and 20 December 2023.

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 alcohol is not being sold in a safe nor responsible manner from this premises, which is predominantly focused on the sale of food (and a large proportion of this being takeaway food).

The relationship and association with the former operators, namely Naveen Malhotra and Kirit Ghandi is however questionable. During the onsite interview I asked who had completed the renewal application form, to which Mr Ghandi replied he had helped Ms Nongyang complete the form.

Whilst this is not unlawful and is in fact understandable when English is the second language of Ms Nongyang, this did raise concerns about who is really running this business day-to-day, given Mr Ghandi was answering most of the questions posed during the onsite interview by the agencies.

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. The applicant has tables outside (and to the left of the main entrance from street view) for diners. This area has been screened off from the footpath by way of planter boxes. This land is a part of the business (not the 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 during the initial application process for this licence).

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. BWOFF not required.

(b) Sale of food. Current Food Act 2014 Registration expires 30/04/24.

(c) Fire. No issues as of 08/12/23.

(d) Security. Not required.

(e) Staff Training. Staff are told to review the onsite Alcohol toolkit folder.

No records of any staff training had been kept or were able to be produced to the agencies during the onsite interview.

Ms Nongyang was asked about staff undertaking Serve wise training, to which she replied she had personally done it, but her certificate was at home, and she was not aware that any other staff members had completed it.

Mr Ghandi, when both he and Ms Nongyang were asked what the signs of intoxication were, replied 'Smelly, rough, bad behaviour'. The commonly used 'SCAB' tool could not be recited correctly. Mr Ghandi explained he, alongside Mr Santos and Ms Van Belk trained other staff.

Any matters dealt with in any report from the Police or a Medical Officer of Health
Opposition NZ Police and Delegated Medical Officer of Health.

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 issues.

Inspector's comment

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

No evidence of alcohol related harm or breaches of the licence are known to the best of my knowledge in relation to this applicant/business.

However, I have concerns about who is really running the business day-to-day. Mr Ghandi appeared to be heavily involved, and the full relationship between Ms Nongyang and Mr Malhotra is not fully known nor understood, given he is a past owner of the business (likewise Mr Ghandi), yet Mr Malhotra is not on the payroll, despite regularly 'working' at the premises 3-

4 nights each week. When asked, Mr Malhotra stated he was unemployed, therefore I question his source of personal income and why the business does not employ him as a staff member.

The lack of basic knowledge around the intoxication assessment tool by the applicant and seemingly experienced staff who have been in the industry for several years, along with not having a business specific host responsibility policy (until questioned upon this prompting an updated version to be supplied), and lack of records for any staff training that may occur also raises concerns.

I believe the committee may benefit from hearing from the applicant directly to address concerns raised regarding specifically 105 (j), having appropriate systems, staff, and training to comply with the law, and based upon 105 (k) being matters raised by other agencies, namely the New Zealand police who have opposed this application. The applicant's suitability under section 105 (b) of the Act is difficult to assess when other persons have been answering questions and providing information on her behalf.

For the above reasons, I oppose the application.



Tanya Morrison
Licensing Inspector
15/02/24

ON-8-2022
24 January 2024

Te Whatu Ora
Health New Zealand

The Secretary
District Licensing Committee
Dunedin City Council

Attention: DLC Secretary

Dear Sir

**RE: SALE AND SUPPLY OF ALCOHOL ACT 2012 – APPLICATION FOR RENEWAL OF ON LICENCE
Mornington Thai**

I refer to the application received on **7th of December 2023**, from **Pride Thai**, for a renewal of On License for the premises situated at **18 Mailer Street, Mornington, Dunedin**.

I have considered this application with respect to the public health issues involved. This report advises that **the application is opposed**, and the grounds for our opposition are as follows.

On **18th January 2024**, **Aaron WHIPP** from the National Public Health Service Te Waipounamu District, Te Whatu Ora visited the above premises, and met with **Sonthaya NONGYANG** and **Naveen MALHOTRA**. During the visit the premises was assessed for compliance with its licence conditions, and strategies for a safe and responsible supply of alcohol.

At this inquiry, I requested to see training records – specifically for “Serve wise” – and the response I received was that no one has done this yet. I suggested that this be completed as soon as it is practicable to do so. This raised concerns as this had been discussed with the applicant at the previous meeting.

Furthermore, when I asked to see the managers register Mr Malhotra informed me that there wasn't one in the Toolkit folder but said he kept a list of managers online. At that point, I asked him to print off a copy and put it into the Toolkit folder. He went online and printed a copy whilst I was there. This is concerning because these systems were not implemented following previous visits by the Licensing Inspector and Police.

Furthermore, when I asked to see the managers register Mr Malhotra informed me that there wasn't one in the toolkit and said he have a list of managers online. To that, I asked him to print this off and put it into the Toolkit went online and printed one off.

Additionally, as the applicant spends her time in the kitchen, I believe that other people manage the alcohol licensing aspects of the operation, and this is not up to standard.

Ref Sale and Supply of Alcohol Act 2012 Section 105:
(j) whether that applicant has the appropriate systems, staff, and training to comply with the law:
(k) any matters dealt with in any report from the Police, an inspector or a Medical Officer of Health made under section 103.

I oppose the issue of this licence.

Yours sincerely



Aaron Whipp

Delegated by the Medical Officer of Health under Section 151 of the Sale and Supply of Alcohol Act 2012

Te Whatu Ora - Southern
Private Bag 1921, Dunedin 9054
Waea: 03 476 9800

Te Whatu Ora - Southern
PO Box 1610, Invercargill 9840
Waea: 03 211 8500

Te Whatu Ora - Southern
PO Box 2180, Wakatipu, Queenstown 9349
Waea: 03 450 9156



Central Police Station
25 Great King street
Private Bag 1924
DUNEDIN
Telephone (03) 4714800
Fax (03) 479 9363

18th January 2024

Re: ON-8-2022 – Pride Thai Limited

Dear Sir/Madam,

On 7th December 2023 Police received an application from Pride Thai Limited for the renewal of the On-Licence for the premises known as 'Mornington Thai'.

This premises is situated at 18 Mailer Street, Mornington, Dunedin. The general nature of the business to be conducted under this licence is 'Restaurant'.

Anecdotal and factual evidence regards this locality as a medium to high risk, vulnerable community in regard to Alcohol Harm.

On 18th December 2023 Police visited the premises alongside the District Licensing Inspector. During this visit both Police and the Inspector developed concern for the operation of the business.

As such Police oppose the renewal of this licence under Section 105:

- (a) Object of the Act
- (b) Suitability of the applicant
- (j) whether the applicant has the appropriate systems, staff and training to comply with the law

Object of the Act

(1) *The object of this Act is that-*

- (a) *The sale, supply and consumption of alcohol should be undertaken safely and responsibly; and*
- (b) *The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

(2) *for the purposes of subsection (1), the harm caused by the excessive or inappropriate consumption of alcohol includes-*

- (a) *any crime, damage, death, disease, disorderly behavior, illness or injury, directly or indirectly caused or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and*

Sgt Steve Jones - Dunedin Police – Alcohol Harm Prevention Officer

sjct35@police.govt.nz DDI- 4714945 Cell 021 1912755

(b) any harm to society generally or the community, directly or indirectly caused or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behavior, illness or injury of a kind described in paragraph (a)

It is submitted that due to ongoing concerns around the involvement of the applicant's ex-partner, Naveen MALHOTRA, a lack of suitability and knowledge on behalf of the applicant, and one of the Duty Managers, Kirit GANDHI, and evidence of a failure in systems, staff and training during the agencies visit indicates that the Object of the Act can not be met in regard to this application.

Furthermore, the applicant is also involved with another business selling car tyres, trading as Pride Tyres. This adds further doubt around the applicants ability to meet the object of the act if failing to already do so. In addition, the way in which this business was obtained by the applicant casts doubt over her suitability.

Suitability of the Applicant

During the interview, the applicant disclosed that she had travelled back to Thailand in September 2023, yet no change of management notification had been received by the agencies.

Sitting in on the interview was Duty Manager, Kirit GANDHI. He led the conversation for much of the time, indicating he had some control over the business and not letting the applicant speak for herself. When he was advised to let the applicant answer the questions of the agencies, she was unable to.

When asked of his involvement, GANDHI claimed to work at the business to 'help out'. He further advised he worked no more than 20 hours per week at the premises and also 'helped out' at another friend's business, Mela Eatery. He stated he held no investment in the applicant's business.

MALHOTRA was also present during the interview and seemed to be working behind the bar near where the interview was taking place. When asked, MALHOTRA claimed that he didn't work at the premises and that he was not working at all. He just liked to help out. Subsequent reports from the Medical Officer of Health delegate indicate that MALHOTRA has advised he works 3 days a week. This is a clear lack of candor with the reporting agencies, a seemingly common theme with this individual.

Pride Tyres is also owned by the applicant, as well as Andersons Bay Thai. Pride Tyres was formerly owned by MALHOTRA's father, Ravinder MOHAN. MOHAN and MALHOTRA are both ex-directors of Eleven 2021 Ltd, and were accountable for the licence cancellation of the premises trading as 'Eleven Bar' by the Alcohol Regulatory and Licensing Authority in 2023.

Appropriate Systems, Staff, and Training to Comply with the Law

The applicant as the licensee is responsible for ensuring the systems, staff, and training associated with the premises are at an appropriate level that complies with the law. Unfortunately, Police have discovered multiple failings in this area.

As previously mentioned, GANDHI was very controlling of the applicant during the interview to the point where she appeared submissive. Yet, GANDHI claims to have no financial interest in the company and is not one of the main Duty Managers, whom the applicant claims are 'Abigail' and 'Jose' for both the Mornington and Andersons Bay sites.

GANDHI advised that he is responsible for staff training in aspects of the Sale and Supply of Alcohol Act and boasts 19 years of experience, but neither he nor the applicant knew the SCAB intoxication assessment tool, licensee and managers offences, or licenced area designations. When further asked about inadequacies associated with the Host Responsibility Policy, GANDHI casually stated they had just copied and pasted it off the internet.

The applicant did understand low alcohol options, however, when she was asked, she could not provide training records, or a Duty Managers register. She did, however, have some Duty Managers certificates on file.

Upon evaluating the information presented the committee will see that this application can not meet the Object of the Act and that it must fail.

For your consideration,



Steve Jones
Sgt SJCT35
Dunedin Police

From: [White, Nikki](#)
To: [Kirsten Allan](#)
Subject: RE: Renewal - ON-8-2022 - Pride Thai Limited, Mornington Thai, 18 Mailer Street Dunedin
Date: Friday, 8 December 2023 08:42:05 a.m.
Attachments: [image001.png](#)
[image002.png](#)

Hi team

No issues with this one.

Ngā mihi / Many thanks

Nikki White
Business Services Coordinator

Otago District – Dunedin
Te Kei Region
Dunedin Central Fire Station
85 Castle Street, Dunedin 9016
PO Box 341, Dunedin 9054
Mobile: 027 559 1825

nikki.white@fireandemergency.nz
www.fireandemergency.nz



From: Kirsten Allan <Kirsten.Allan@dcc.govt.nz>
Sent: Thursday, 7 December 2023 12:10 pm
To: Aaron Whipp <Aaron.Whipp@southerndhb.govt.nz>; Admin DHB <admin@phsouth.co.nz>; Alison Blair <Alison.Blair@dcc.govt.nz>; Otago Risk Reduction <OtagoRiskReduction@fireandemergency.nz>; Kevin Mechen <Kevin.Mechen@dcc.govt.nz>; Police <Dunedin.AHPU@police.govt.nz>; Tanya Morrison <Tanya.Morrison@dcc.govt.nz>
Subject: Renewal - ON-8-2022 - Pride Thai Limited, Mornington Thai, 18 Mailer Street Dunedin



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PUBLIC NOTICE DECLARATION

To the Secretary, Dunedin District Licensing Committee

Premises Name: Mornington Thai
Premises Address: 18 Mailer Street Dunedin
Reference number: ON-8-2022

The Public Notice of the above application was displayed on or adjacent to the site of the premises in accordance with the requirements of the Sale and Supply of Alcohol Act 2012

The notice was displayed (describe where):

At front door

From Date: Wednesday, 13 December 2023

To Date: Wednesday, 14 February 2024

Name: Sonthaya Nongyang

Signature: Sonthaya

- Within 10 working days after filing the application with the District Licensing Committee the applicant must ensure that notice of the application in accordance with form 1A is attached in a conspicuous place on or adjacent to the site to which the application relates.
- The notice shall be displayed until the close of the public objection period. (The public objection period is 25 working days from the first public notice being advertised in the newspaper).
- This declaration shall be forwarded to the Secretary of the District Licensing Committee via email dla@dcc.govt.nz, posted to: Alcohol Licensing, Dunedin City Council, P.O Box 5045, Dunedin

First notice Wednesday, 13 December 2023

LIQUOR LICENCE APPLICATIONS

Off-7-2022 - The Local Brews and Bites Limited, Strath Taleri Hotel, 25 Snow Avenue, Middlemarch. Second notice. Closes Wednesday, 7 February 2024.

Off-7-2023 - F J S Love Limited, Macandrew Bay Store, 497 Portobello Road Macandrew Bay. Second notice. Closes Wednesday, 7 February 2024.

Off-8-2022 - Julie Marie Adams, The Hamper Room Nz, 2 Gannet Lane St Leonards. Second notice. Closes Wednesday, 7 February 2024.

On-8-2022 - Pride Thai Limited, Mornington Thai, 18 Mailer Street Dunedin. First notice. Closes Wednesday, 14 February 2024.

On-27-2016 - Greenland's Cafe and Bar Limited, Greenlands Cafe & Bar, 215 Main South Road Green Island. First notice. Closes Wednesday, 14 February 2024.

On-6-2022 - Ryman Healthcare Limited, Yvette Williams Retirement Village, 383 Highgate Dunedin. Second notice. Closes Tuesday, 7 February 2024.

On-17-2022 - The Local Brews and Bites Limited, Strath Taleri Hotel, 25 Snow Avenue Middlemarch. Second notice. Closes Wednesday, 7 February 2024.

On-25-2013 - Monarch Wildlife Limited, Monarch Wildlife Cruises, 20 Fryatt Street Dunedin. Second notice. Closes Tuesday, 7 February 2023.

On-32-2023 - Residency Octagon Limited, Residency, 11 The Octagon Dunedin. Second notice. Closes Wednesday, 7 February 2024.

On-4086-2006 - Brabuhr Limited, Rhubarb, 297 Highgate Dunedin. Second Notice. Closes Wednesday, 7 February 2024.

On-6219-2006 - Perry M and Tracey A Reid Partnership, Natures Wonders (naturally), 1265 Harington Point Road Peninsula. Second Notice. Closes Wednesday, 7 February 2024.

Visit www.dunedin.govt.nz/alcohol-applications for full details of the applications.

Second notice Wednesday, 20 December 2023

Falls Roads, will be closed to traffic on Wednesday, 20 December, 8am to 5pm, for the above works. Resident access will be available.

LIQUOR LICENCE APPLICATIONS

On-8-2022 - Pride Thai Limited, Mornington Thai, 18 Mailer Street, Dunedin. Second notice. Closes Wednesday, 14 February 2024.

On-27-2016 - Greenland's Cafe and Bar Limited, Greenlands Cafe & Bar, 215 Main South Road, Green Island. Second notice. Closes Wednesday, 14 February 2024.

Visit www.dunedin.govt.nz/alcohol-applications for full details of the applications.

From: [Dunedin AHPU](#)
To: [Dunedin Licensing Agency](#)
Cc: [Kevin Mechen](#); [Tanya Morrison](#); [Aaron Whipp](#)
Subject: FW: [EXTERNAL] Renewal - ON-8-2022 - Pride Thai Limited, Mornington Thai, 18 Mailer Street Dunedin
Date: Thursday, 14 December 2023 11:56:02 a.m.
Attachments: [0.png](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[ON-8-2022 - Pride Thai Limited, Mornington Thai, 18 Mailer Street Dunedin.pdf](#)

Morena,

The agencies have been unable to meet with the applicant. A meeting has been scheduled with the applicant for Monday 18th December.

Police enter interim opposition for this application on the basis of this meeting taking place.

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



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

From: Kirsten Allan <Kirsten.Allan@dcc.govt.nz>
Sent: Thursday, 7 December 2023 12:10 PM
To: Aaron Whipp <Aaron.Whipp@southerndhb.govt.nz>; Admin DHB <admin@phsouth.co.nz>; Alison Blair <Alison.Blair@dcc.govt.nz>; Fire <OtagoRiskReduction@fireandemergency.nz>; Kevin Mechen <Kevin.Mechen@dcc.govt.nz>; Dunedin AHPU <Dunedin.AHPU@police.govt.nz>; Tanya Morrison <Tanya.Morrison@dcc.govt.nz>
Subject: [EXTERNAL] Renewal - ON-8-2022 - Pride Thai Limited, Mornington Thai, 18 Mailer Street Dunedin

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