

ORDER PAPER

RANGITIKEI DISTRICT LICENSING COMMITTEE HEARING

Date: Tuesday, 24 June 2025
Time: 10.00am
Venue: Council Chambers
Rangitikei District Council
46 High Street
Marton

Chair: Stuart Hylton, District Licensing Commissioner
Committee: Cr Jeff Wong
Mr Chalky Leary
Secretary: Mr Johan Cullis

For any enquiries regarding this agenda, please contact:

Kezia Spence, Governance Advisor, 0800 422 522 (ext. 917), or via email

kezia.spence@rangitikei.govt.nz

Contact:	0800 422 522 info@rangitikei.govt.nz www.rangitikei.govt.nz (06) 327 0099
Locations:	<div><div><u>Marton</u> Head Office 46 High Street Marton</div><div><u>Taihape</u> Taihape Information Centre 102 Hautapu Street (SH1) Taihape</div><div><u>Bulls</u> Bulls Information Centre Te Matapihi 4 Criterion Street Bulls</div></div>
Postal Address:	Private Bag 1102, Marton 4741
Fax:	(06) 327 6970

Notice is hereby given that an Hearings Committee Meeting of the Rangitīkei District Council will be held in the Council Chamber, Rangitīkei District Council, 46 High Street, Marton on Tuesday, 24 June 2025 at 10.00am.

Order Of Business

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3	Overview of the Proceedings	4
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5	Close of Hearing	120

AGENDA

- 1 Welcome and Introductions**
- 2 Conflicts of Interest Declarations**
- 3 Overview of the Proceedings**

4 Reports for Decision

4.1 Rangitikei District Licensing Committee Hearing

Author: Kezia Spence, Governance Advisor

Application Captain Cooks Hospitality Limited for Off Licence

The following reports are provided in relation to the hearing:

1. Application by Captain Cooks Hospitality Limited for Off Licence

- 1.1 Application by Captain Cooks Hospitality Limited for Off Licence - *Page 7*
- 1.2 06 Feb 25 – Public Notice – *Page 46*
- 1.3 13 Feb 25 – Public Notice – *Page 47*

2. Objections

- 2.1 Objection to Off Licence Captain Cooks Hospitality Limited - **Vijay Kumar** - *Page 48*
- 2.2 Objection to Off Licence Captain Cooks Hospitality Limited - **Nathan Cowie** – *Page 61*
- 2.3 Objection to Off Licence Captain Cooks Hospitality Limited – all objections received. (under separate cover)

3. Reports and Submissions of Evidence

- 3.1 Licensing Inspector's Report (Not Opposed) – *Page 62*
 - 3.1.1 Supplementary District Licensing Inspector (Not Opposed) 4 April 25 – *Page 73*
 - 3.1.2 Supplementary - Licensing Inspector's Report (Not Opposed) 16 June 25 – *Page 78*
- 3.2 Police Report (Not Opposed) – *Page 89*
- 3.3 Medical Officer of Health (MOH) Report (Not Opposed) – *Page 92*

4. Further Information

- 4.1 Rangitikei District Licensing Committee – Direction Notice – *Page 94*
- 4.2 Rangitikei District Licensing Committee – Minute No 2 – *Page 98*
- 4.3 Rangitikei District Licensing Committee – Minute No 3 – *Page 103*
- 4.4 Further Information – Letter from Lawyer re Lease – *Page 107*
- 4.5 Further Information – Letter Lawyer for the Objector – *Page 108*
- 4.7 Further Information – Summons – *Page 118*

Attachments:

1. Application by Captain Cooks Hospitality Limited for Off Licence [↓](#)
2. 06 Feb 25 - Public Notice [↓](#)
3. 13 Feb 25 - Public Notice [↓](#)
4. Objection to Off Licence Captain Cooks Hospitality Limited Vijay Kumar [↓](#)
5. Objection to Off Licence Captain Cooks Hospitality Limited Nathan Cowie [↓](#)
6. Objections to Off Licence Captain Cooks Hospitality Limited - all objections recieved (under separate cover)
7. Licensing Inspector's Report (Not Opposed) [↓](#)
8. Supplementary District Licensing Inspector (Not Opposed) 4 April 25 [↓](#)
9. Supplementary - Licensing Inspector's Report (Not Opposed) 16 June 25 [↓](#)
10. Police Report (Not Opposed) [↓](#)
11. Medical Officer of Health (MOH) Report (Not Opposed) [↓](#)
12. Rangitikei District Licensing Committee - Direction Notice [↓](#)
13. Rangitikei District Licensing Committee - Minute No 2 [↓](#)
14. Rangitikei District Licensing Committee - Minute No 3 [↓](#)
15. Further Information - Letter from Lawyer re Lease [↓](#)
16. Further Information - Letter Lawyer for the Objector [↓](#)
17. Further Information- Summons [↓](#)



www.omegahospitality.co.nz

3 February 2025

The Secretary
District Licensing Committee
Rangitikei District Council

Application for Issue of ON LICENCE and OFF LICENCE
Captain Cooks Hospitality Limited

To Whom it May Concern

Current Status: The premises are currently licensed by on-licence (37/ON/0029/2019) and off-licence (37/OFF0025/2024) with expiry dates of 5 April 2026 and 12 November 2024 respectively.

Applicant: Captain Cooks Hospitality Limited, incorporated on 15 November 2024

Trading As: Captain Cooks Bar and Restaurant

Premises Address: 297-303 Broadway, Marton

Style of licence: Tavern

Risk rating: Medium

Designation:

Garden Bar	'Restricted'
Public Bar, Pool Room, TAB Room, Bottle Store	'Supervised'
Restaurant	'Undesignated'

Hours:

On-licence	Monday to Sunday	9.00pm – 2.00am the following day
Off-licence	Monday to Sunday	9.00am – 10.00pm

Application and Annual Fees – Please forward invoice for online payment

The Applicant

The applicant is a Private Company with one director and two shareholders. The director does not have any criminal convictions however the following shareholder has a conviction (Clean Slate does not apply) as follows:

Name	Nature of Offence	Date	Penalty
Aman Singh	Drink Driving	2019	One year license suspension and fine

Terms of licence sought: The applicant seeks an on-licence in accordance with Section 14 and an off-licence in accordance with Section 32(1)(a) of the Sale & Supply of Alcohol Act 2012.

Planning and Building matters

The Planning and Building Compliance Certificates required by s.100(f) of the Act have been granted and are attached to this application.

PO Box 39 395, Howick, AUCKLAND 2145 | 021 1909271
nicky@omegahospitality.co.nz | www.omegahospitality.co.nz



www.omegahospitality.co.nz

Public notification

Can you please advise; if Rangitikei District Council arrange for the application to be publicly notified on Council's website **OR** if this is not an option, the name of the local newspaper that the applications should be notified in. A copy of the notice will then be displayed in a conspicuous place on site for at least ten days.

All information in this application has been supplied by the applicant to Omega Hospitality. Omega Hospitality take no responsibility for any omitted or incorrect information which has been supplied by the applicant. It is hoped that the information has provided a complete picture of the applicant's intentions.

I welcome any queries at all on the applicant and application.

Sincerely

Nicky Maihi

A handwritten signature in black ink, appearing to read "Nicky Maihi".

Licensing Consultant
Omega Hospitality

PO Box 39 395, Howick, AUCKLAND 2145 | 021 1909271
nicky@omegahospitality.co.nz | www.omegahospitality.co.nz

RANGITĪKEI DISTRICT COUNCIL**Application for Off Licence or
Renewal of Off Licence**

P 06 327 0099 | 0800 422 522 (24 hrs)

E info@rangitikei.govt.nz46 High Street, Private Bag 1102,
Marton 4741**To: The Secretary
District Licensing Committee
At Marton****DATE RECEIVED**

___/___/20___

Application for an off licence or renewal of an off licence is made in accordance with the details set out below:

☒ Off Licence ☐ Off Licence Renewal Current Expiry Date _____

ENDORSEMENTS

State by type every endorsement sought or sought to be renewed

DETAILS OF APPLICANT(S)

Full legal name or names to be on the licence _____

CAPTAIN COOKS HOSPITALITY LIMITED

Is the licence already held for premises or conveyance concerned?

☒ Yes☐ No

If yes, state the kind of licence ON AND OFF-LICENCE

Status of applicant (tick appropriate box):

Natural Person	<input type="checkbox"/>	Licensing or Community Trust	<input type="checkbox"/>
Trustee	<input type="checkbox"/>	Territorial Local Authority	<input type="checkbox"/>
Limited Partnership	<input type="checkbox"/>	Partnership	<input type="checkbox"/>
Government Department or instrument of crown	<input type="checkbox"/>	Manager under the Protection of Personal and Property Rights Act 1988	<input type="checkbox"/>
Body Corporate to which section 28(1)(b) of the act applies	<input type="checkbox"/>	A board, organisation or other body to which section 28(1)(c) of the act applies	<input type="checkbox"/>

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Marton 4741

POSTAL ADDRESS

FULL postal address for service of documents

C/- OMEGA HOSPITALITY, PO BOX 50, KUMEU 0841

For applicant(s) that is a natural person or persons, please provide the following details
for each person:

CONTACT DETAILS (NATURAL PERSON)

Full legal name _____

Any aliases _____

Residential address _____

Gender

☐ Male☐ Female

Occupation _____

Date of birth _____ Place of birth _____

Internet site(s) _____

Email address _____

Daytime contact phone number(s) _____

Preferred mode of contact _____

If there is more than 1 natural person please include their details on a separate sheet.

For an applicant that is a body corporate:

INCORPORATED AUTHORITYAuthority under which incorporated COMPANIES ACT 1993Date of incorporation 15 NOVEMBER 2024Place of incorporation NZ

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ITEM 4.1

ATTACHMENT 1

For applicant that is not a natural person, or persons, details of the contact person:**CONTACT DETAILS (NOT A NATURAL PERSON)**Name NICKY MAIHI - LICENSING CONSULTANTContact phone number(s) 0211909271

Fax number _____

Internet site(s) _____

Email address nicky@omegahospitality.co.nzPreferred mode of contact EMAIL**COMPANY DETAILS****For a company:**

Full legal names of each director

Name HARKAMAL VIR SINGHName 9 MOROCCO TERRACE, KELVIN GROVE, PALMERSTON NORTHName DOB: 20.10.1989**Details of each person who holds 20% or more shares, or any particular class or shares
issued by the company:**Name DR HOSPITALITY LIMITEDAddress 301 TREMAINE AVENUE, PALMERSTON NORTH

Date of birth _____ Place of birth _____

Designation _____

Name SSP ENTERPRISES LIMITEDAddress 22 SARDINIA GROVE, PALMERSTON NORTH

Date of birth _____ Place of birth _____

Designation _____

ITEM 4.1

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Name _____

Address _____

Date of birth _____ Place of birth _____

Designation _____

For a private company☐ Authorised Capital☐ Paid Up Capital

Name _____

Address _____

Date of birth _____ Place of birth _____

Designation _____

Face value of shares held _____

Name _____

Address _____

Date of birth _____ Place of birth _____

Designation _____

Face value of shares held _____

Name _____

Address _____

Date of birth _____ Place of birth _____

Designation _____

Face value of shares held _____

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ITEM 4.1

ATTACHMENT 1

For a partnership:**PARTNER 1**

Full legal name _____

Any aliases _____

Residential address _____

Email address _____

Contact phone number(s) _____

Fax number _____

Signature _____

PARTNER 2

Full legal name _____

Any aliases _____

Residential address _____

Email address _____

Contact phone number(s) _____

Fax number _____

Signature _____

PARTNER 3

Full legal name _____

Any aliases _____

Residential address _____

Email address _____

Contact phone number(s) _____

Fax number _____

Signature _____

If there are more than 3 partners please include their details on a separate sheet.

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BUSINESS DETAILS

Describe principal business, any other businesses _____

TAVERN WITH RESTAURANT, BAR & WHOLESALE

CRIMINAL CONVICTIONS

Has the applicant been convicted of any offence?

☒ Yes☐ No

If yes, what are the details of each offence?

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

For minor convictions, the Rangitikei District Council Liquor Licensing Policy states that the general guidelines will be that the applicant has observed a stand down period of 2 years or more.

Nature of Offence	Date of Conviction	Penalty Suffered
EBA AMAN SINGH	2019	1 YEAR LICENSE SUSPENSION AND FINE
_____	_____	_____

DETAILS OF PREMISES (IF NOT A CONVEYANCE)

Address 297-303 BROADWAY, MARTON

Any name, trading name, building name (if applicable) CAPTAIN COOKS BAR AND RESTAURANT

If premises are not owned by the applicant:

Tenure _____

☒ Leasehold☐ Tenancy agreement☐ Licence

Full legal name of owner VIJAY KUMAR KAMBOJ

Address of owner 20 DOGWOOD WAY, MILSON, PALMERSTON NORTH

Type (e.g.: grocery, hotel, retail shop (other than grocery)) _____

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TAB, GAMING

Is a licence sought conditional upon construction or completion of the premises?

☐ Yes☒ No

If yes, please state details _____

DETAILS OF CONVEYANCEKind of conveyance (*eg: ship, railway carriage, bus etc*) _____**If not owned by the applicant:**

Tenure _____

☐ Charter☐ Lease☐ Licence

Full legal name of owner _____

Address of owner _____

Registration number (*if applicable*) _____Address of home base (*if any*) _____

Proposed trading name for conveyance (*if any*) _____

Is the licence sought conditional upon construction or completion of the conveyance?

☐ Yes☐ No

If yes, please state details _____

Application for Off Licence or Renewal of Off Licence

**46 High Street, Private Bag 1102,
Marton 4741**

☐ No

RANGITIKEI DISTRICT COUNCIL**Application for Off Licence or
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If yes, please detail the nature of the other goods or services _____

TAB, GAMING

On which days and during which hours does the applicant intend to sell liquor under the
licence?

Monday	<input checked="" type="checkbox"/>	9AM TO 10PM
Tuesday	<input checked="" type="checkbox"/>	9AM TO 10PM
Wednesday	<input checked="" type="checkbox"/>	9AM TO 10PM
Thursday	<input checked="" type="checkbox"/>	9AM TO 10PM
Friday	<input checked="" type="checkbox"/>	9AM TO 10PM
Saturday	<input checked="" type="checkbox"/>	9AM TO 10PM
Sunday	<input checked="" type="checkbox"/>	9AM TO 10PM

In the case only of a BYO restaurant, do you wish to have the licence endorsed under
section 37 of the Act?☐ Yes☐ No**CONDITIONS**Please detail applicant experience and training _____
DIRECTOR HARKAMAL VIR SINGH HAS MORE THAT 10 YEARS EXPEREINCE IN THE INDUSTRY
AND IS THE CURRENT LICENSEE OF OTHER PREMISES AS DETAILED IN BUSINESS CASEPlease details the steps that will be proposed to prevent the sale and supply of alcohol to
prohibited people SIGNAGE WILL BE DISPLAYED, ANYONE LOOKING UNDER 25 WILL BE ASKED FOR ID
ONLY APPROVED FORMS OF ID ARE ACCEPTED, STAFF ARE FAMILIAR WITH THE INTOXICATION
ASSESSMENT TOOL. NEW/INEXPERIENCED STAFF ARE OVERSEEN/TRAINED BY QUALIFIED/EXPERIENCED DM'SAny other steps that you propose to promote the responsible consumption of alcohol
STAFF ARE FAMILIAR WITH THE NATIONAL GUIDANCE ON ALCOHOL PROMOTIONS FOR
BOTH ON AND OFF LICENSED PREMISESOther systems (including training systems), and staff in place (or to be in place) for
WE HAVE A COMPREHENSIVE SOCIAL RESPONSIBLTY POLICY IN PLACE THAT ALL STAFF ARE FAMILIAR WITH
compliance with the Act _____

THE POLICY IS SUPPORTED BY CLEAR SIGNAGE. TRAINING IS ONGOING IN LINE WITH OUR TRAINING PLAN ATTACHED

RANGITĪKEI DISTRICT COUNCIL**Application for Off Licence or
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Any changes sought to the present conditions of the licence?

☐ Yes☒ No

If yes, what changes are being sought? _____

ATTACHMENTS (PREMISES THAT ARE NOT A CONVEYANCE)

Copy of planning consent

☒ Yes☐ No

Copies of all relevant building certificates/consents

☒ Yes☐ No

If the premises are determined as a grocery store please provide the statement of annual sales revenue required by regulation 12 or 13 (as the case requires) of the Sale and Supply of Alcohol Regulations 2013

☐ Yes☒ No

Floor plan showing:

Any proposed permitted area for the display and promotion of alcohol, and any proposed sub-areas

☒ Yes☐ No

For body corporate applicant, copy of incorporation (or equivalent document)

☒ Yes☐ No**ATTACHMENTS (IF CONVEYANCE)**

Floor plan showing:

Each area to be designated as a supervised area or restricted area, and indicating whether supervised or restricted area; and

☐ Yes☐ No

For body corporate applicant, copy of incorporation (or equivalent document)

☐ Yes☐ No

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ITEM 4.1

ATTACHMENT 1

ADDITIONAL QUESTIONS

All applicants need to fill in the questions below under Section 4(3) of the Act as part of your application for a new/renewal or variation of existing licence.

(attach separate sheet(s) with the answers if applicable)

The granting, or renewal, of this application will not decrease the amenity or good order of the area by more than a minor extent because we _____
 THE PREMISES HAVE BEEN LICENSED AND SUCCESSFULLY OPERATED FOR MANY YEARS
 THE APPLICANT IS DEDICATED TO OPERATING THE PREMISES IN AN EXEMPLARY MANNER AND
 WORK WITH THE AUTHORITIES TO ENSURE THE CONTINUED SUCCESS OF THE PREMISES

The design and layout of our premises complies with the Act because _____

THERE IS GOOD VISIBILITY THROUGHOUT THE PREMISES ALLOWING STAFF TO SEE WHAT IS HAPPENING. THE PREMISES ARE WELL LIT AND CCTV CAMERAS COVERING THE ENTIRE PREMISES ARE IN OPERATION AND VISIBLE FROM POS.

The granting, or renewal, of this application will contribute to the Object of the Act by _____

WE WILL ALWAYS HAVE TRAINED, QUALIFIED MANAGERS ON DUTY
WE WILL NOT SELL ALCOHOL TO MINORS & ONLY THE APPROVED FORMS OF ID WILL BE ACCEPTED
INTOXICATED PERSONS ARE NOT SERVED AND ASKED TO LEAVE THE PREMISES IMMEDIATELY,
IF IT SAFE TO DO SO.

WE ARE AWARE OF AND COMPLY WITH THE NATIONAL GUIDANCE ON PROMOTIONS

Dated at _____ this 31st _____ day of JANUARY 20 25

Signature of Applicant Nicky Maahi

Receipt _____ Date _____

RANGITĪKEI DISTRICT COUNCIL**Application for Off Licence or
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P 06 327 0099 | 0800 422 522 (24 hrs)

E info@rangitikei.govt.nz

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Marton 4741

Notes:**For New Licence Applications**

1. You must apply for the Planning and Building Compliance Certificate and supply the granted Certificate before submitting your new on licence application.
2. You must supply background of your history in the hospitality industry.

For New and Renewal Licence Applications

3. It is your responsibility to provide the required information at the time of submitting your application; an incomplete application will not be accepted.
4. Please supply a copy of your Management Plan or Staff Training Record (if you do not have one you need to start putting one in place as the Inspector will need to see evidence of this at your next renewal).
5. Please supply a copy of your Host Responsibility Policy, up to date floor plans showing intended designations, photo ID and certificate of incorporation.
6. Within 20 working days after filing this application with the District Licensing Committee (or 10 working days if it is an application for renewal), the applicant must give public notice of it in form 7. The notice must be given in compliance with regulation 36. 37. Or 38 of the Sale and Supply of Alcohol Regulations 2013 (whichever applies to this application)
7. Except in case of a conveyance, within 10 working days after filing this application with the District Licensing Committee, the applicant must ensure that notice of this application in form 7 is attached in a conspicuous place on or adjacent to the site to which the application relates (unless the Secretary of the District Licensing Committee agrees that it is impracticable or unreasonable to do so).
8. This application form must be accompanied by the prescribed fee.

RANGITIKEI DISTRICT COUNCIL
**Application for Off Licence or
Renewal of Off Licence**P 06 327 0099 | 0800 422 522 (24 hrs)
E info@rangitikei.govt.nz
46 High Street, Private Bag 1102,
Marton 4741**APPLICATION FOR LIQUOR LICENCE – EVACUATION SCHEME**Premises: CAPTAIN COOKS BAR & RESTAURANTAddress: 297-303 BROADWAY, MARTONOn Licence Number: 37/ON/0029/2019Off Licence Number: 37/OFF/0025/2024

Club Licence Number: _____


I HEREBY STATE THAT

Either

- ☐
- The building in which the premises are situated has an evacuation scheme for public safety which meets the requirements of Section 21A of the Fire Service Act 1975.

Or

- ☐
- The building, by reason of its current use, does not require such a scheme, or the building is exempt from having to meet the requirements for such a scheme.

Signed by the applicant: Date: 22 January 2025



Off-Licence (across the Counter and Bottle Store)

Sections 17 to 20 and 64, Sales and Supply of Alcohol Act 2012

DLC Ref: 37/OFF/0025/2024

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), Gurbani Cooks Ltd T/A Cooks Bar (the licensee) is authorised to sell alcohol on the premises situated at 297-303 Broadway, Marton and known as Captain Cooks Bar and Cafe, to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises.

Endorsement

Section 40 of the Act applies to this licence; and the licensee is authorised to sell alcohol from (but not on) the premises and deliver it somewhere else. The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Act.

Conditions

This licence is subject to the following conditions:

- (a) no alcohol is to be sold or delivered on Good Friday, Christmas Day, or before 1 pm on Anzac Day;
- (b) no alcohol is to be sold or delivered on Easter Sunday unless the alcohol is grape wine or fruit or vegetable wine made—
 - (i) on the premises; or
 - (ii) from grapes or fruit harvested from land on which the premises are situated;
- (c) alcohol may be sold only on the following days and during the following hours:

Monday to Sunday 9am to 10pm

the whole (or each of the following parts) of the premises is designated as a supervised area: **Public Bar and Bottle Store**

- (d) No single bottles, cans or containers of beer or cider priced at, or less than, \$7.00 per unit are to be displayed or sold;
- (e) With the exception of craft beers, no single sales of any beer less than or equal to 500mls. These will be a maximum of ABV 7.2%;
- (f) Alcohol may only be sold in the original form it was received i.e. packs of 4, 6, 12, 18, or 24. Except: where packaging has become broken or damaged (unrecoverable), those items may be repacked and sold in packs of no less than four
- (g) The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours

Duration

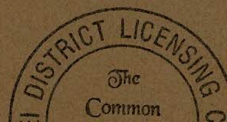
Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force—

- (a) either—
 - (i) until the close of the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—
 - (i) until the close of the period of 3 years after the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Dated at Marton on the 12th day of November 2024

Expiry date: 12 November 2025

Johan Cullis
Secretary,
Rangitikei District Licensing Committee





Certificate of Incorporation

CAPTAIN COOKS HOSPITALITY LIMITED

9295353

NZBN: 9429052474439

This is to certify that CAPTAIN COOKS HOSPITALITY LIMITED was incorporated under the Companies Act 1993 on the 15th day of November 2024.

Registrar of Companies
31st day of January 2025



Certificate generated 31 January 2025 10:06 AM NZDT



Company Extract

CAPTAIN COOKS HOSPITALITY LIMITED

9295353

NZBN: 9429052474439

Entity Type:	NZ Limited Company
Incorporated:	15 Nov 2024
Current Status:	Registered
Constitution Filed:	No
Annual Return Filing Month:	March

Ultimate holding company: No

Company Addresses

Registered Office

9 Morocco Terrace, Kelvin Grove, Palmerston North, 4414, NZ

Address for Service

9 Morocco Terrace, Kelvin Grove, Palmerston North, 4414, NZ

Directors

SINGH, Harkamal Vir

9 Morocco Terrace, Kelvin Grove, Palmerston North, 4414, NZ

Shareholdings

Total Number of Shares: 1,000

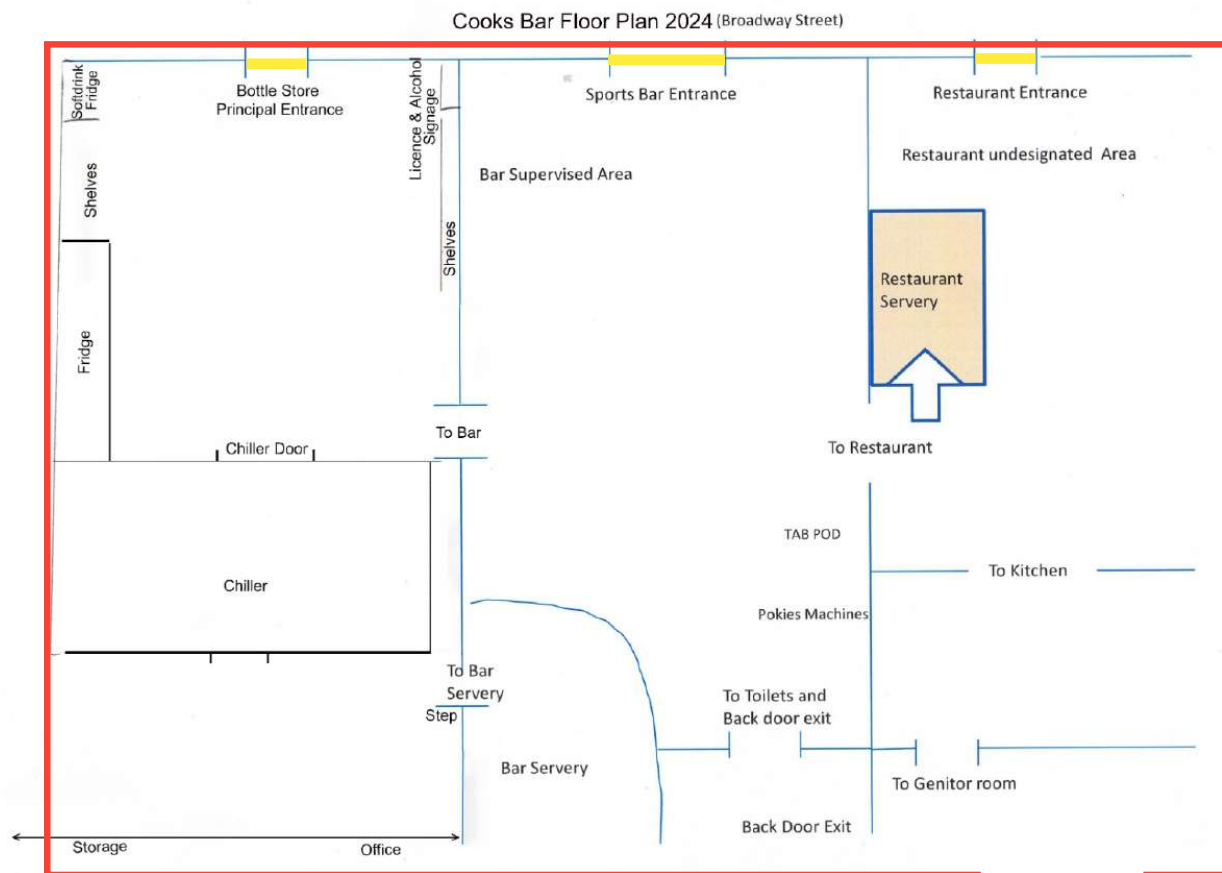
Extensive Shareholdings: No

500	6216527 DR HOSPITALITY LIMITED 301 Tremaine Avenue, Highbury, Palmerston North, 4412, NZ
500	9052393 SSP ENTERPRISES LIMITED PRINCE SHARMA, 22 Sardinia Grove, Fitzherbert, Palmerston North, 4410, NZ

For further details relating to this company, check <https://app.companiesoffice.govt.nz/co/9295353>

Extract generated 14 January 2025 12:35 PM NZDT

Captain Cooks Bar & Restaurant
Licensed Area —
Principal Entrances —
January 2025



ITEM 4.1 ATTACHMENT 1



297-303 Broadway, Marton

PRINCIPAL ENTRANCES

Principal entrance

Photograph of the principal entrances are provided below.

**The Applicant and Staffing**

The applicant is a private company incorporated 15 November 2024. The company has one director and two equivalent shareholders:

Name: Harkamal Vir Singh aka Ricky

Address: Morocco Terrace, Kelvin Grove, Palmerston North

Date of Birth: 20 October 1989

Place of Birth: Nabha India

Designation: Director/Shareholder

Director, Harkamal Vir Singh (Ricky) has extensive knowledge and experience in the hospitality industry and is the current licensee of Cloverlea Tavern, Palmerston North (not currently operating) Merrylees Hotel, Dannevirke, Whangamata Sports Bar and Mangatera Hotel, Dannevirke. Ricky overseas these premises however a venue manager is appointed at each location. Ricky holds the licence controller qualification and a current managers certificate and will be involved in the day-to-day operation of the premises as venue manager.

Duty Managers

Harkamal Vir Singh (Ricky)	39/CERT/031/2020	Exp: 11 June 2027
Chloe Paige Ormsby	38/CERT/353/2027	Exp: 21 April 2027
Linda Rose Hendra	37/CERT/088/2015	Exp: 12 December 2026
Susan Tungane Fotunga	011/CERT/84/2024	Exp: 4 May 2027

Susan Fotunga has over 10 years experience working in the hospitality industry with the last 5 years as Duty Manager. Linda Hendra also has vast experience in the industry with vital local knowledge having worked at the Captain Cooks Bar for more than 15 years.

Additional duty managers will be recruited as required.

Training

- Training will be provided by an experienced and certificated duty manger using the premises Alcohol Management Plan and Intoxication Assessment Tool.
- New staff will always be supervised and supported by the licensee or an experienced and qualified Duty Manager.



297-303 Broadway, Marton

Locality of sensitive premises within the vicinity of the business.

As the business is that of a Tavern, it is deemed to be “medium risk” in terms of potential adverse noise levels, nuisance or vandalism resulting from the issue of this licence. The following is in support of the application.

Education Facilities

There are several educational institutions, schools, day care facilities and pre-schools within in a 1km radius of the premises. These include:

- Bee Kids Childcare Centre
- Play Days Childcare Centre
- Follett Street Kindergarten
- Marton School
- Paimarie Kohana Reo
- All About Children Childcare – Marton
- Rangitikei College

The team are well trained to ensure, they are vigilant in ID checking so as to never serve alcohol to minors and are fully aware of their Host Responsibilities.

The Applicant is very aware of their responsibilities regarding keeping school and college students safe.

There will never be offensive alcohol promotional material on display.

No nuisance due to intoxication is tolerated and this is a safe and enjoyable place to be.

Medical

The closest medical facilities are:

- Marton Pharmacy
- Stewart Street Surgery
- Marton Pluket Clinic
- Rangitikei Health Centre

Patients frequenting these facilities are unlikely to be negatively affected by this licence as the team do not serve anyone who appears to be intoxicated by either alcohol or medication, prescribed or otherwise.

Residents

The closest residential neighbours are located on Lower High Street. There are no known issues or complaints from these locals regarding noise, nuisance or vandalism.

- New staff must attend induction training around safe service, we also have regular staff meetings which will include identifying signs of intoxication using the Intoxication Assessment Tool and acceptable forms of ID for age verification. Any issues that have arisen will be discussed, how we resolved them and how to prevent in the future.
- Selected staff will attend the LCQ training.
- Refresher Training
- Refer to Training Plan

Provision of Food and Beverages:

Food is always available with menus/food options clearly displayed and promoted throughout the premises, on entrance window, at the bar and in the restaurant. Please refer to the food menu attached to this application.

A range of non-alcoholic and low alcohol options are available. An example of the beverage menu is attached to this application.

Jugs of drinking water and clean glasses are available from the bar for customers can help themselves. The jugs will be replenished when finished/as needed.

Signage

The following required signage is displayed:

Copy of Licences - At principal entrances

Licensed Hours - At principal entrances

Name of Duty Manager – Full name prominently displayed at the point of sale

Host/Social Responsibility Policy – At the entrances and at the point of sale

Alternative Forms of Transport – throughout the premises

Prohibited Persons – at point of sale

Transport systems

Signage will be displayed promoting the alternative transport options available.

CCTV/Security

A new CCTV system is currently being installed. The system will cover the entire premises including the wholesale area, tavern area, offices, function room and gaming room. Camera footage will be visible from the POS and footage retained for 2 weeks.

It is unlikely that security will be required to monitor the premises during ordinary business operations. We will however have regular assessments and reviews of what occurs within and around the premises. Based on those assessments, we will decide whether security personnel are required. For any events that do require security, staff will be employed. All staff employed to undertake security must be licensed or certified under the Private Security Personnel and Private Investigators Act 2010 and must hold and carry a current Certificate of Approval (COA). The general role of security staff includes ensuring prohibited persons do not gain entry to the premises, checking of ID, and keeping the immediate outside environment to an appropriate level of behaviour.

Places of Worship within a 1km radius

There are several local places of worship within 1km of the premises including:

- Marton Bible Chapel
- St Andrews Presbyterian Church
- St Stephens Anglican Church
- Kingdom Hall of Jehovahs Witnesses
- St Francis Xavier Catholic Church

The level of interference this business will make on people that frequent places of worship is minimal given the nature of the business. There will be no offensive external advertising and the team will not tolerate any disrespectful behaviour or any people loitering outside.

Other Licensed Businesses

There are several licensed premises, restaurants, bars, wholesale and clubs within in 1km radius of the premises including:

- Fresh Choice Marton
- Three High Street Coffee House
- The Marton Hotel
- Mad Tom's Restaurant & Bar
- Rangitikei Squash Rackets Club
- Marton Rugby & Sports Club
- Marton Wholesale

Visual Amenity

The premises are adequately lit both inside and outside. The exterior of the premises will be kept clean and tidy at all times.

Environment/Neighbouring Land Use

The premises are located in the CBD surrounded by eateries and retail spaces.

Alcohol Ban Area

Our staff will be vigilant in ensuring that no alcohol (on-licence) is removed from the premises (or allowed into the premises for that matter).



Current and Potential Noise Levels

The applicant is unaware of any recent issues resulting from the operation of the premises. Noise levels resulting from activity within the business are minimised as the music volume is controlled by the Duty Manager. Should the unexpected occur and a noise complaint be received, it will be dealt with initially by the manager on duty. Details (date, time, source of music, numbers etc) will be recorded in the Occurrence/Incident Book and discussed by the team at the next team meeting (or sooner if required).

Current & Potential Levels of Nuisance & Vandalism

Potential nuisance and vandalism effects are minimal. The applicant is unaware of any problems in the area stemming from the operation of the business in recent years *and* there have been no issues during the term of the Temporary Authority. The Marton Police Station is located 230 meters from the premises. Given that the premises have been licensed for many years and operated with little cause for concern in relation to noise levels, nuisance or vandalism, it is firmly believed that the issue of the licence will not cause any issue in terms of amenity and good order. The applicant has excellent systems, policies and plans in place and is dedicated to operating the premises in an exemplary manner.

There is no reason to believe that any neighbouring landowner or occupier will be disadvantaged by the issue of this licence.



ALCOHOL MANAGEMENT PLAN

Supporting document to Host Responsibility Policy

THE APPLICANT ADVISES THE DISTRICT LICENSING COMMITTEE THAT THE FOLLOWING STEPS WILL BE TAKEN TO MINIMISE THE HARM FROM ALCOHOL AND PROMOTE A SAFE ENVIRONMENT:

MINORS

- The Public Bar, Pool Room, TAB Room and Bottle Store are designated as a supervised area (Minors **must be** accompanied by a Parent or Legal Guardian), the Garden Bar designated as a restricted area (R18) with the Restaurant undesignated.
- Signage is displayed at each point of service on the premises stating minors will not be served alcohol.
- The duty manager checks appropriate signage is present, clear, and obvious at the commencement of each shift.
- Team is conversant with the requirements of Sale and Supply of Alcohol Act 2012, which prohibits the sale of alcohol to minors. **(persons under 18 years of age)**
- Team is confident in requesting proof of identification for anyone appearing to be under the age of 25. Accepted forms of ID include any current **NZ photo driver's licence, passport, HNZ 18+ card & Kiwi access card.**
- If there is any doubt, the ID will not be accepted, and the person concerned will not be served alcohol.
- If the person is unaccompanied and in a supervised or restricted area, they will also be required to leave the premises.
- Staff are reminded at regular meetings about the laws of supplying alcohol to minors.
- Staff contribute to discussions in regular team meetings to ensure the correct handling and awareness of minors on the premises.
- Our host responsibility policy is visible both at the entrance to the premises and at the bar.
- Our social responsibility policy is displayed in the bottle store.
- Staff will be required to complete the 'Servewise' training offered at www.alcohol.org.nz (Please refer to our Training Plan attached to this application).
- Staff may be required to complete the LCQ (licensed controller qualification) training as applicable.

INTOXICATION

- Team is aware that the Sale and Supply of Alcohol Act 2012 prohibits the sale of alcohol to intoxicated persons and the presence of intoxicated persons on the licensed premises.
- Staff will be instructed that intoxicated persons must not be allowed entry to the premises or served alcohol *and* intoxicated persons must **not** remain on licensed premises.
- Signage will be displayed at point of service stating that intoxicated persons will not be served.
- The Duty Manager checks appropriate signage is present, clear and obvious at the commencement of each shift.
- All staff will be trained how to recognise the signs of intoxication using SCAB, the 'intoxication assessment tool'.
- Any person displaying two or more signs (a manager may deem intoxication without these signs at their own discretion) that their Speech, Coordination, Appearance or Behaviour is affected will not be served any further alcohol and the duty manager will be called to assess that person.

- Any intoxicated customers will be asked to leave the premises immediately, if it is safe to do so.
- If it is not safe, the customer will be managed and supervised in a 'place of safety' until they *can be* removed safely.
- Team is trained (Intoxication Prevention Tool) to intervene when a person shows signs of being influenced by alcohol. Food, non-alcoholic drinks and alternative transport will be recommended.

FOOD

- Signage will be displayed advising the range of food available.
- The food available will be promoted on the window at the entrance to the premises, at the bar and restaurant.
- There is a full kitchen menu as well as an all-day menu. Food is available at all times that the premises are open for the sale of alcohol.
- Staff will actively encourage the consumption of food to slow the onset of intoxication.
- We will always have meals available, as set out in the menu attached to our application, whenever alcohol is being sold or consumed.

NON-ALCOHOL AND LOW-ALCOHOL BEVERAGES & WATER

- We stock a range of non-alcoholic and low alcohol beverages. The options available are set out in the Drinks Menu attached to our application.
- We will ensure that our staff are aware of the options available.
- We have free water with clean jugs and glasses available at the bar.
- We strongly promote - If you are driving – **DO NOT DRINK**.

SAFE TRANSPORT OPTIONS

- Signage is displayed with alternative transport options.
- We strongly promote sober drivers and will make the drivers job more attractive by providing an interesting range of non-alcoholic drinks.
- It is a requirement for staff to engage with customers to build relationships encouraging customers to feel safe in our environment. The team always promote alternative forms of transport.
- A free telephone is available for customers wishing to arrange transportation – in most cases; team will offer to make the call as required on behalf of the customer.
- We support alternative transport options 100%.

SAFE DRINKING ENVIRONMENT

- We will ensure that empty glasses and bottles are cleared promptly.
- Violent, quarrelsome, insulting, or disorderly customers will not be tolerated on the premises and will be removed regardless of whether they are intoxicated or not.
- We will regularly monitor the premises including the toilet facilities to ensure they are kept clean, safe and available.

MANAGERS

We will always have appointed enough certificated, acting or temporary managers to cover the hours we are trading.

AMENITY & GOOD ORDER

- Staff will be instructed to be mindful of the need to manage noise so as to not disturb our neighbours.
- Bottles will not be emptied into outside rubbish bins at a time that could annoy neighbours.
- The entrance to our premises will be kept clean and tidy.
- The licensee will regularly assess the need for security. If deemed necessary, security will be employed.

STAFF TRAINING

New staff must attend training prior to dealing with customers. All staff will go through an extensive induction process and training will be ongoing and recorded. New staff will always be always overseen by a qualified duty manager as their experience grows. Please refer to our training plan.

We will have regular meetings with emphasis on always monitoring intoxication, server intervention, host responsibility and always requesting ID for anyone looking under the age of 25. We will cover the acceptable forms of ID and remind staff to record any occurrences/issues in our Incident Book.

Refresher training will be held annually with the licensee/Duty Manager and will cover Host Responsibility Policy reminders, use of the SCAB tool and DOB Chart to ensure that no underage or intoxicated people are served as well as online ServeWise training.

STAFF MEETINGS

Staff meetings will be held regularly, and training will be a mandatory agenda item.

STAFF COMMUNICATION

Any issues/concerns identified will be reported by the staff member involved to the Duty Manager. The duty manager is responsible for compliance with, and enforcement of the provisions of the Act, conditions of the licence and conduct of the premises. Any issues are recorded in the occurrence/incident register. Any serious matters are brought directly to the attention of the licensee.

ALCOHOL PROMOTIONS

No promotions encouraging the rapid consumption of alcohol or an excessive volume of alcohol will be either initiated or conducted on the premises by any staff member.

We are familiar with the National Guidance on Alcohol Promotions for both on and off--licensed premises.

COMPLAINTS/INCIDENTS

An Incident book will be maintained and located near the till; any incidents or complaints will be recorded accordingly. The occurrence/incident register will be reviewed at team meetings however any serious matters will be highlighted to the licensee so these can be dealt with expeditiously.

REGULATORY AGENCIES

Members of the police, compliance officers from the Medical Officer of Health, and licensing inspectors visiting the premises will be given every assistance to conduct their business.

The staff at the Captain Cooks Bar & Restaurant appreciate our customers and we commit to having a duty of care. We commit to being responsible hosts and keeping our community safe.



HOST RESPONSIBILITY POLICY

The management and staff at Captain Cooks believe that we have a responsibility to provide an environment that is not only comfortable and welcoming but where alcohol is served responsibly. Because of this we have implemented the following Host Responsibility Policy.

Alcohol will NOT be served to minors. Staff will require evidence of age for persons appearing under the age of 25. Accepted forms of ID include photo driver's licence, passport, Kiwi Access Card/HNZ18+ card. Signage is displayed stating minors will not be served.

Anyone showing signs of intoxication will not be served. Our team is trained to recognise signs of intoxication and is under instruction to refuse alcohol service at their discretion with respect to concerns of intoxication. We will remove anyone intoxicated, safely, from our premises. We may offer you food or alternative drink options at our discretion if we wish to 'slow down' the consumption of alcohol.

We will always have appointed enough certificated, acting or temporary managers to cover the hours we are trading.

Regular checks will be made of the toilets to prevent and detect persons taking drugs or becoming intoxicated.

We offer a great range of food so please have a look over our menu and let us know what you would like today! Food is always available at our premises and menus are easy to find.

We provide and actively promote a range of low and non-alcoholic beverages, please have a look over the beverage offer or ask us.

Free water is always available to you at the bar. Please help yourself!!

Alcohol will not be promoted in an irresponsible manner.

Ask our staff about safe transport options. **DO NOT DRINK AND DRIVE.** We encourage people to have a designated driver. We want you to get home safely!

We respect our environment and know you will do the same. We will keep our premises clean and tidy, and we ask you to keep calm decorum when leaving our premises and be mindful of our neighbours and community.

We have a zero-tolerance policy for aggressive, coercive, or violent behaviour. Please respect our space and our people!

Staff training is regular and ongoing in accordance with our training plan.

We look after our team, and they are well trained to take care of your needs on our premises.

The team at Captain Cooks Bar & Restaurant care about our community. We appreciate your help in continuing to make this a safe and respectful environment for everyone to enjoy and we look forward to seeing you again.



SOCIAL RESPONSIBILITY POLICY

The team at Captain Cooks Bar & Restaurant welcomes you to our place. As a responsible supplier of alcohol, we take our responsibilities seriously and we invite you to read and support our policy below.

Customer Statement

As good hosts our expectation is that you will enjoy your visit to our premises. We will make every effort to ensure your visit to our premises is pleasant and enjoyable, and we will provide you with excellent service. You are requested to act in a responsible manner whilst on the premises and not disrupt or cause offence to other patrons and staff. Please also consider our community and do not litter or cause a nuisance and do not drink alcohol outside or near our premises, wait until you arrive home safely first. Refusal of service should be viewed as an indication we are concerned for your welfare. Our staff must comply with their legal obligations under the Supply and Supply of Alcohol Act 2012 (SASAA 2012).

Training

Captain Cooks provides all staff with a comprehensive induction on commencing employment. We also maintain an ongoing training plan to give our staff the skills and support they need to do their job responsibly. We employ managers who as part of their duties have responsibilities for ensuring that all staff know the responsibilities of alcohol service. As part of the training and induction programme, staff are made aware that it is against the law to serve minors. Staff are also made aware that the only acceptable forms of proof of age are a current:

NZ photo drivers' license, a HANZ 18+ or Kiwi Access card or a passport.

Minors

Signage is displayed on the premises stating minors will not be served. If we are in any doubt as to a person's age, we will ask for identification. Any person considered to be 25 years old or younger will be required to produce identification. If a patron is not able to provide one of the accepted forms of identification that can be closely inspected for authenticity, the person is not served and asked to leave (if in Supervised or Restricted areas).

Intoxication

Signage is displayed on the premises stating intoxicated persons will not be served. It is an offence to serve anybody who is intoxicated. Staff have been trained to identify signs of and assess intoxication using the Intoxication Assessment Tool.

However, assessing intoxication can be difficult and because of this we regularly refresh staff in the signs to watch for as well as the consequences of intoxicated persons on premises. Staff are also made aware of the consequences in respect of Sale and Supply of Alcohol Act 2012 (SASAA 2012). Assistance will be offered to anyone on the premises who is intoxicated. This may include access to safe transport or other means to ensure their safety.

If a customer purchases alcohol from over the bar and decides to stay back at the premises, alcohol will be kept behind the bar. If the customer was then to become intoxicated, we would not let the person leave with the alcohol. The alcohol would be kept behind the bar for collection another day. Most importantly they should not be intoxicated at our venue at all. Our staff are well trained and will manage the premises to avoid this situation happening in the first instance.

The staff at Captain Cooks Bar & Restaurant care about the community. We appreciate your help in continuing to make this a safe and respectful environment for everyone to enjoy and we look forward to seeing you again



STAFF TRAINING PLAN

STAFF INDUCTION - INCOMING STAFF

New staff will be overseen by a qualified duty manager **at all times** as their experience grows.

New staff are required to attend on the job induction training. Training is provided by an experienced and qualified duty manager using:

- Premises Alcohol Management Plan
- Intoxication Assessment Tool
- Intoxication Prevention Tool
- Managers Guide and
- Host Responsibility Guide

Training includes:

- Familiarity with the premises licence/conditions, location
- Familiarity with the Host Responsibility Policy, location
- Licensed area and designation/s
- Use of and importance of Incident Register
 - Location
- Duty Managers
 - Must be on duty at all times
 - Display of full name
 - No Duty Manager – no sales
- Preventing intoxication.
 - Use of the Intoxication Prevention Tool. Location
 - Use of the Intoxication Assessment Tool. Location
 - Laws around serving intoxicated patrons and intoxicated patrons on the premises.
 - Signage – mandatory
 - Fines/penalties
- Service to minors.
 - Acceptable forms of ID.
 - Signage – mandatory
 - All customers who look under 25 should be asked for ID
 - Use of the Date of Birth Chart
 - Premises designations and who can be there
 - Fines/penalties
- Offering low alcohol and non-alcoholic drink options.
 - Must always have a reasonable range and promote range
 - Staff must be aware of range.
 - What is considered a low alcohol beer? (2.5% ABV or less)
 - Water must be freely available, make sure the water is well presented i.e. chilled, clean vessels etc. Location?

- Providing food
 - Available at all times alcohol is being sold. Never say ‘the kitchen is closed’
 - Staff must be aware of what food is available
 - Must always have a reasonable range of substantial food (excludes nuts and chips etc.) – minimum of 3 options
 - Must promote via signage, menus
 - Food should be well presented, appetizing and appealing
 - Consider free food options
- Running acceptable promotions
 - Promotions must not promote excessive or speedy consumption
 - Promotions must not have special appeal to minors
 - Fines/penalties
- Helping customers with transport options
 - Signage
 - Free phone

STAFF

As a minimum **all** staff must attend the following training:

- Induction Training
- Refresher Training

DUTY MANAGERS/SELECTED STAFF

Attend Licence Controller Qualification

The team will undertake the ServeWise online training via <https://servewise.alcohol.org.nz/login/index.php> and their ‘Certificates of Achievement’ will be kept in the Premises Training Folder along with copies of all managers certificates, LCQ certificates and any other training achievements.

A Managers Register will be kept up to date and notifications of management change will to be sent appropriately to Police and Inspectorate

An Incident Book will always remain on the premises. Any incidents or complaints are recorded accordingly. The incident book will be reviewed during meetings and the entries will be discussed, what happened and how the situation was handled and how to mitigate future risk.

We have monthly meetings with emphasis on always monitoring intoxication, server intervention, host responsibility and always requesting ID for anyone looking under the age of 25. We cover the acceptable forms of ID and remind staff to record any occurrences/issues in our Incident Book.

ONGOING TRAINING

Every 12 months: Refresher training on all premises policies. This follows the same guidelines as the staff induction process.

RESOURCES

Host Responsibility Guide: [Alcohol Resources — Host responsibility guide](#)

The Manager Guide: [Alcohol Resources — The Manager's Guide](#)



STAFF TRAINING

Area for Discussion		Training Materials
Online training completed	www.servewise.alcohol.org.nz	Certificates of Achievement kept in training folder
The Object of the Act	You need to commit to memory the object of the act and understand the meaning of alcohol-related harm	Remember
Intoxication	Understand your legal obligations Recognise the progressive signs of intoxication and know what to do	Host Responsibility Guide (Pages 5-9) The Managers Guide (Pages 11-20) Intoxication Assessment Tool
Minors	Understand your legal obligations Understand where minors are allowed on the premises	Host Responsibility Guide (Pages 12-15) The Managers Guide (Pages 21-26) U18 Birth Chart
Drinking Options	Know what's available Know when to offer an alternative	Host Responsibility Guide (Page 16) The Managers Guide (Page 63)
Food	Food must <u>always</u> be available	Host Responsibility Guide (Page 17) The Managers Guide (Pages 63-64)
Promotions	Know what is acceptable and what is not	Host Responsibility Guide (Page 18) The Managers Guide (Page 64) and National Guidance on Promotions
Transport Options	Know what options are available for customers	Host Responsibility Guide (Page 18) The Managers Guide (Pages 64-65)



Duty Managers Check List

Are the base licences displayed near each principal entrance?	
Have you read them?	
Is the duty manager's name prominently displayed at each POS and can it be easily read?	
Is the duty manager on the premises?	
Is the (named) duty manager authorised? i.e. the holder of a manager's certificate, or correctly appointed as an acting or temporary manager.	
Is the Managers Register up to date?	
Is food promoted by appropriate notices/menus throughout the premises? Is food available at all times that alcohol is available? We expect at least THREE food varieties/meals available at ALL TIMES, excluding potato chips, peanuts, etc.	
Do you have a reasonable range of non-alcoholic and low-alcoholic beverages available?	
Does the low-alcohol beer have an ABV between 1.15% and 2.5% inclusive?	
Is free water and clean drinking vessels available at the bar?	
Is information about alternative forms of transport from the premises displayed including bathrooms?	
Is prohibited person signage that relates to minors and intoxicated persons clearly displayed at every point of sale?	
Can you identify the patrons in your bar most likely to require intervention to prevent intoxication?	
Are there minors on the premises that shouldn't be?	
Are there intoxicated persons on the premises? What actions have you taken?	
Is the Incident Book on the premises and being used?	
Notes:	
If the answer to any of the above questions is no, please rectify and record this in the Incident Book.	

Register of managers (section 232 of the Sale and Supply of Alcohol Act 2012)

- When appointing a permanent, temporary or acting manager, it must be recorded on this register.
- This register must be kept at your licensed premises, and be readable and retrievable at all times.

Trading name: Captain Cooks Bar & Restaurant				Address: Broadway, MARTON				
Full legal name of manager	Date manager started	Date manager finished	Are they certified, acting or temporary?	Date of birth and gender	(If acting or temporary) Who are they replacing and why?	(If temporary) Date they applied for a manager's certificate	(If certified) Certificate number & expiry date	Date Notified Council & Police
HARKAMAL VIR SINGH (RICKY)	6 December 2024		Certified	Male 20.10.1989			39/CERT/031/2020 EXP: 11 June 2027	
CHLOE PAIGE ORMSBY	6 December 2024		Certified	Female			38/CERT/353/2023 EXP: 21 April 2027	
LINDA ROSE HENDRA	6 December 2024		Certified	Female			37/CERT/088/2015 EXP: 12 Dec 2026	
SUSAN TUNGANE FOTUNGA	6 December 2024		Certified	Female			011/CERT/84/2024 EXP: 4 May 2027	

Please note:

- Acting managers can only be appointed for three weeks at a time, and no more than six weeks per year.
- Temporary managers must have an LCQ certificate, and must apply for a manager's certificate within two working days of being appointed.
- Acting and temporary managers can only be appointed when another manager is unable to act because of illness or absence.
- When you appoint a manager for more than 48 hours, or terminate a manager, you must also notify the council and your nearest Police station within two working days by COMPLETING A NOTICE OF MANAGEMENT CHANGE FORM and emailing it to the Council and Police.



CAPTAIN COOKS BAR & RESTAURANT

MENU

FRIES \$10.00

GARLIC BREAD \$11.00

WEDGES \$12.50

**CHICKEN TENDERS & CHIPS
\$14.00**



301 Broadway Street, Marton, NZ



06-327 8222



facebook.com/cooksbarmarton



MENU

STARTERS	ONLY \$22	ONLY \$28
Classic Fries.....\$9.00 Fries with tomato sauce	Chicken Burger Southern style chicken thigh, streaky bacon, cheese, lettuce, tomato, onion & fries	Salmon (GF*) Pan seared crispy skin salmon served with creamy mash, seasonal vegetables & hollandaise sauce
Garlic Bread.....\$10.00 Oven baked garlic bread topped with mozzarella cheese	Pirates Fish Burger Beer battered fish fillet, lettuce, tomato, pickled onions, tartare sauce & fries	Creamy Chicken Pasta Fresh linguine pasta, chicken, bacon, mushroom, spinach, olives & parmesan cheese
Beef Taco.....\$15.00 Marinated strips of beef, mixed green salad, tomato & corn salsa & chipotle mayo	Beef Burger Homemade beef patty, streaky bacon, cheese, lettuce, onion, tomato, onion rings & fries (add egg \$2.50)	Sirloin Steak (GF*) 250gms of prime sirloin steak served with creamy mash or fries, salad & choice of mushroom sauce, gravy or garlic butter
Crispy Pork Belly Bites (GF*).....\$15.00 Tossed with hoisin sauce & served with house slaw	Butter Chicken Pizza Marinated chicken thigh, roasted capsicum, red onion, grated mozzarella & butter chicken sauce	Pork Belly (GF*) Crispy pork belly served with creamy mash, seasonal vegetables, apple sauce & gravy
Beef Nachos (GF*).....\$15.00 Corn chips topped with beef mince, tomato & corn salsa, melted cheese & sour cream	Meat Lovers Pizza Marinated beef, bacon, pepperoni, ham, red onions, grated mozzarella & BBQ sauce (Gluten free pizza base \$4.50 extra)	PLATTERS
Famous Wedges.....\$16.00 Seasoned wedges topped with bacon, cheese, sweet chilli sauce & sour cream	Thai Green Curry (GF) Choice of chicken or prawn cooked in green curry, served with jasmine rice	Social Platter.....\$30.00 Spring rolls, samosa, chicken nuggets, fish bites, prawn twister, onion rings & fries
Chicken Wings (GF*).....\$16.00 Fried chicken wings, tossed in a volcanic sauce, house slaw & aioli	Roast of the Day Please ask our friendly staff for today's option	Hunger Buster Platter.....\$48.50 Chicken wings, calamari, nachos, pork belly bites, garlic bread, house slaw & fries
Crispy Calamari (DF).....\$16.00 Crispy calamari, house salad & wasabi aioli	Fish & Chips Heineken battered fish served with salad, fries, tartare sauce & lemon (add egg \$2.50)	SIDES
Seafood Chowder.....\$18.00 Creamy chowder of mixed seafood selection served with garlic bread	Beef Schnitzel Crumbed beef schnitzel, topped with ham & cheese served with creamy mash, salad & gravy	Egg\$2.50 Bacon.....\$4.50 Onion Rings.....\$4.50 House Salad.....\$6.50 House Slaw.....\$6.50
If you have any dietary requirements or allergies please inform our friendly staff prior to ordering. GF* can be Gluten free DF: Dairy free V: Vegetarian		DESSERTS
		Ice Cream Sundae.....\$12.00 Molten Lava Cake.....\$15.00 Tiramisu.....\$15.00



BEVERAGE MENU

Full Range of Beer, Wine & Spirits

Low-Alcohol

Export Citrus 2 %

Speight Mid Ale 2.5%

Non-Alcohol

Coke

Fanta

Lemonade

Assorted Fruit Juices

Form 1e

Authorisation for consultant

This declaration is to be completed when applicant is employing Omega Hospitality and Retail LTD as the acting consultant

The Director
Omega Hospitality and Retail Limited
PO BOX 39-395
Howick
Auckland

Authorisation for Omega Hospitality

I, Harkamal Vir Singh, Director of Captain Cooks Hospitality Limited, trading as Captain Cooks Bar & Café at 297-303 Broadway, Marton authorise **Omega Hospitality and Retail Limited** to act as our agent in all Alcohol Licensing matters relating to the above premises.

I understand that the Police are required to report on the application and as such, I consent to the release of any personal information either relating to myself or Directors or business of Captain Cooks Hospitality Limited.

Signed:



Name:

Harkamal Vir Singh

On behalf of: **Captain Cooks Hospitality Limited**
(Company name or legal entity)

Date:

15 January 2025

8 District Monitor February 6, 2025

ITEM 6.1 ATTACHMENT 2



RANGITITKEI NETBALL

Join our muster & trials. Are you ready to showcase your skills and passion for netball? Join us for an exciting Muster and Trial session! Whether you're a seasoned player or new to the game, we welcome all levels. What to expect: Skill development and drills, fun games, meet our friendly coaches and team. Who can join? College students (who play for their school) and up. Come along solo or bring your friends. There will be a sausage sizzle after to replenish. When: Muster - 5 Feb, 5.45pm, Trial - 12 Feb 5.45pm, 19 Feb 5.45pm, 26 Feb 5.45pm. Where: Centennial Netball Courts, Marton. See you on the court!

MARTON SARACENS SENIOR CRICKET

On Saturday the Matt Burke Engineering Marton Saracens 1st team played Wanganui Wicket Warriors in round 4 of the 40 over competition. The game had to be transferred to the magnificent Rangitikei College Oval, prepared by former 'Saracens original' Bob Fittler, after heavy rain on Thursday rendered Centennial Park unplayable. Saracens captain Dom Rayner won his first toss of the season and chose to bat first. Opener Thomas Westwood got Saracens off to a great start with the assistance of Andrew West. This pair shared a first wicket partnership of 76 before Westwood went for 46. West followed for 31, triggering a collapse of 3 wickets for 3 runs. With Warriors tails up, Rayner and Paul Hutchison rebuilt the innings, reaching 149 for 6 before Hutchison went, for a battling 17. Rayner was then caught in front for 32 but a flurry of runs from the lower order helped Saracens to 185 all out, in 35 overs. Chris Rayner finished 22 not out. Needing early wickets, Saracens prepared for the visitors to come out blazing but opening bowler Brett Cunningham had other ideas and he bowled his full 8 overs 'on the trot', hitting the stumps 3 times on his

way to magnificent figures of 6 for 14. Warriors had no answer and were dismissed for 69 in the 15th over. Will Turner returned figures of 2 for 35, Andrew West 1 for 12 and Dan Ford 1 for 2. Only 4 bowlers were used. The G K Skou player of the day was Brett Cunningham for his wonderful display of in-swing bowling. Dick of the day was Paul Hutchison, for injuring his shoulder while attempting a dive in the gully when Saracens were almost home with the win! Matt Burke Engineering Saracens maintain their perfect season record heading into the last game of the first round against Wanganui Collegiate this Saturday. The Richard's Construction Marton Saracens 2nd team also played a Wanganui Wicket Warriors club side, in their 30 over match at Victoria Park on Saturday. It proved to be a closely contested affair with the Wanganui side coming out on top by just 8 runs. Batting first, Warriors posted 216, all out in the 30th over. Captain Andrew Reynolds-Rowe was the stand-out bowler for Saracens, taking 3 for 31 runs. Peter George and Jomin Joy claimed 2 wickets each, the latter claiming the last 2 wickets to fall, off consecutive deliveries. Sam Edwards and Ryan Smith opened the batting in the Marton team's reply, playing positively to bring up a 100-run opening partnership before Smith was dismissed for 63 on the final delivery before the 15 over drinks break. Edwards eventually 'nicked out' on 48 attempting to accelerate the run rate in the 22nd over. While Kent Stembridge and Hayden Gibbons looked like they might see Saracens home in the closing overs, the team was eventually restricted to 208 for 4. The Alf Downs Electrical player of the match for Saracens was Ryan Smith, for putting his team in a great position with his well-deserved 63. This Saturday, Richards Construction Saracens will be back at Centennial Park, playing Wanganui United.

Local Services



SPORT CONTINUED ON PG 11...

Public Notices



WARNING: RIVER LEVEL INCREASE
FLOW CHANGES IN THE MOAWHANGO AND RANGITIKEI RIVERS

Genesis's resource consents for the Tongariro Power Scheme require flushing flow releases from Moawhango Dam. This release is the third of five releases for the summer of 2024-2025. The purpose of the flushing flow is to help improve the ecology of the Moawhango River. As the Moawhango River flows into the Rangitikei River, the flushing flow will result in an increased flow in both rivers.

The flows will be at least 26 cubic metres per second for 5 hours (flows are released Tuesday 9pm to Wednesday 2am from Moawhango Dam). The flushing flow will result in an increased flow in both the Moawhango River (from Moawhango Dam) and the Rangitikei River on the following date:

•Wednesday 19 February 2025

Please ensure anyone using these rivers is aware of these flow changes.

If you have any questions or require further information, please contact Nicole Tawhiri on 07 984 1151 or visit the Genesis Website www.genesisenergy.co.nz

Form 7, Section 101, Sale & Supply of Alcohol Act 2012

Captain Cooks Hospitality Limited, (THE LICENSEE, C/- Omega Hospitality, PO Box 50, Kumeu), has made an application to the District Licensing Committee at Rangitikei for the issue of an On & Off Licence in respect of premises situated at 297-303 Broadway, Marton known as Captain Cooks Bar & Restaurant. The general nature of the business to be conducted under the licence is: Tavern. The days on which and the hours during which alcohol is intended to be sold under the licence are: On-licence: Monday to Sunday from 9am to 2am the following day.

Off-licence: Monday to Sunday from 9am to 10pm. The application may be inspected during ordinary office hours at the office of Rangitikei District Licensing Committee, 46 High Street, Marton.

Any person who is entitled to object and wishes to object to the issue of the licence may, not later than 25 working days after the first publication of this notice, file a notice in writing of the objection with the Secretary of the District Licensing Committee, Private Bag 1102, Marton 4741. 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.

This is the first publication of this notice.

Employment



JOBS AVAILABLE
Immediate Start
Training Provided

PRODUCTION ASSISTANT
FULL-TIME 40hrs p/w
Starting Rate \$26-\$28

APPLICATION SPECIALIST
FULL-TIME 40HRS p/w and PART-TIME: NEG
Starting Rate \$25-\$27

GENERAL CLEANING
6+ HOURS P/W
Starting Rate \$25

Positions are located in Marton

Full job description and to apply visit www.permanite.co.nz/jobs

Form 7, Section 101, Sale & Supply of Alcohol Act 2012

Aman Marton Limited has made application to the District Licensing Committee at Rangitikei, for the issue of an Off Licence in respect of the premises situated at 280-284 Broadway Marton & known as Marton Freshchoice. The general nature of the business to be conducted under the licence is a Super-market.

The days on which & the hours during which liquor is intended to be sold under the licence are: Monday to Sunday 8am- 10pm.

The application may be inspected during normal office hours at the office of the Rangitikei District Licensing Committee at the Rangitikei District Council, 46 High Street, Marton. Any person who is entitled to object and who wishes to object to the issue of the licence may, no later than 25 working days after the publication of this notice, file a notice in writing of the objection with the Secretary of the District Licensing Committee, Private Bag 1102 Marton 4741. 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 & Supply of Alcohol Act 2012.

This is the second publication of this notice.
This notice was first published on 30.1.2025

Form 7, Section 101, Sale & Supply of Alcohol Act 2012

Marton Wholesale Liquor Limited has made application to the District Licensing Committee at Rangitikei, for the issue of an Off Licence in respect of the premises situated at 113 Bridge Street, Bulls & known as Marton Wholesale Liquor. The general nature of the business to be conducted under the licence is a bottle store. The days on which & the hours during which liquor is intended to be sold under the licence are: Monday to Sunday 9am- 10pm.

The application may be inspected during normal office hours at the office of the Rangitikei District Licensing Committee at the Rangitikei District Council, 46 High Street, Marton. Any person who is entitled to object and who wishes to object to the issue of the licence may, no later than 25 working days after the publication of this notice, file a notice in writing of the objection with the Secretary of the District Licensing Committee, Private Bag 1102 Marton 4741. 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 & Supply of Alcohol Act 2012.

This is the second publication of this notice.
This notice was first published on 30.1.2025

Marton Contract Bridge Club Inc

64 Pukepapa Rd, Marton
martonbridge@gmail.com

UNLOCK THE FUN OF BRIDGE - JOIN US THIS YEAR

Starting Wednesday 12 February 2025 we're offering beginner friendly FREE lessons at our club-rooms from 7pm till around 8ish.

No idea what Bridge is?
No problems, our instructor will guide you through the basics (and beyond).
Any queries please give Bronwyn a call on 0272705990

HOUSIE - HOUSIE - HOUSIE
Bulls Bowling Club

Starting Tuesday 11 February
Thereafter every fortnight
7pm sharp
All welcome - supper provided

Send in your Valentine's Day message

\$10 - up to 20 words: to
monitoradvertising@xtra.co.nz
by February 10; 4pm.

Roses are Red , Violets are Blue
You can send love to the one who loves you.



8 District Monitor February 13, 2025



MARTON CROQUET CLUB

Monday 3 February. A/C - Murray McNae & Selwyn Johnson 17 v David Harrison & Lyn Johnson 14. G/C - Mary McNae & Elmarie Vorster 7 v Val Haaijema & Maria Beamish 2 Donna Hall 10 v Carol Bron 5 (championship). Wednesday 5 February. AC - Murray McNae & Selwyn Johnson 22 v David Harrison & Lyn Johnson 19. G/C - Val Haaijema 7,7 v Donna Hall & Carol Bron 4,4. Saturday 8 February. A.C - Murray McNae 14 v Lyn Johnson 12. G/C - Eila Ogden & Maria Beamish 7,7 v Mary McNae & Donna Hall 5,4 Marilyn Vallance 7,3,7 v Roger Law 3,7,6.

MARTON 9 HOLE GOLF

Tuesday 4 February saw another great turnout with 31 players enjoying more fine, summer weather. This week was medal, plus a putting competition, with some very close scoring in all divisions. In the medal, 1st division was decided on countback (c/b) with Brian Willis first with a nett 34; Steve Whitford second (also on 34 c/b) and new member (out for the first time) Ray Morrissey close behind in third with 35. 2nd division saw Robyn Jackson with the best score of the day at nett 31 in first place; Alan Deighton second on 34 and Shirley Ballard third on 35 c/b. 3rd division was another close one, with Barb Crawford first on 33 from June Fallaver also on 33 (c/b) and in third Hain Dickie with 36. The putting was also a very close-run affair, with Shirley Ballard prevailing in first with just 14 putts from Robyn Jackson second on 15 c/b from Ray Morrissey third on 15 c/b and three unlucky players (also on 15 putts) missing out on countback. The raffle was won by Clare Aston and the lucky card went to Marion McPhee.

MARTON BOWLING CLUB

Wednesday 5 February.
Skips: 1st Josie Bismark,
2nd Andy Creagh, 3rd Ces Allen.
Twos: 1st Denise Stone,
2nd Graham Calkin, 3rd Noeline McDermott.
Saturday 8 February. Skins:

Success for first time competitor at Masters Games

Michelle Donovan recently exited Whanganui's Masters Games having won three



Employment



YEARS 6-8 CLASSROOM
TEACHER POSITION

We joyfully seek an agile, enthusiastic and energetic educator to join our friendly school community as the 'senior class super permanent, part-time .5 teacher'. You will share the class with the principal.

Please send your CV or enquiries to the principal: Tumua Pala'aia
principal@smsm.school.nz

You will receive an application pack to complete. This needs to be received by the principal by the closing date and time of
Friday 28 March (5pm) 2025.

Valentine messages

Our car is red, your eyes are blue,
On Friday night I've a date with you.
So go see Penny and do that hair!
And jump in the car and I'll take you there.
Oh... and BTW Stuart Amor; I love you. D

Painters drive red and paint things in blue,
Grey hair means nothing...I still love you. E

I don't need chocolates, I don't need flowers,
I need time, a few moments that's ours.
Sitting in peace, rare moments in this life.
Happy to just be, your ever-loving wife. B

Public Notices

Target Shooting Marton
AGM

Monday 24 February
French St clubrooms
7pm

New members & members welcome .

Marton Arts & Crafts
Centre
AGM

Monday 24 February
16 Grey St, Marton

Form 7, Section 101, Sale &
Supply of Alcohol Act 2012

Captain Cooks Hospitality Limited, (THE LICENSEE, C/- Omega Hospitality, PO Box 50, Kumeu) has made an application to the District Licensing Committee at Rangitikei for the issue of an On & Off Licence in respect of premises situated at 297-303 Broadway, Marton known as Captain Cooks Bar & Restaurant. The general nature of the business to be conducted under the licence is: Tavern. The days on which and the hours during which alcohol is intended to be sold under the licence are: On-licence: Monday to Sunday from 9am to 2am the following day. Off-licence: Monday to Sunday from 9am to 10pm. The application may be inspected during ordinary office hours at the office of Rangitikei District Licensing Committee, 46 High Street, Marton.

Any person who is entitled to object and wishes to object to the issue of the licence may, not later than 25 working days after the first publication of this notice, file a notice in writing of the objection with the Secretary of the District Licensing Committee, Private Bag 1102, Marton 4741. 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.

This is the second publication of this notice.
This notice was first published on 06.02.25.

20 February 2025

Rangitikei District Licensing Committee
Rangitikei District Council
46 High Street
Marton 4710

RECEIVED

21 FEB 2025

To: ✓ R

File:

Doc:

Re: **Objection to Off - Licence Application – Captain Cooks Hospitality Limited, trading as Captain Cooks Bar and Restaurant at 297 – 303 Broadway, Marton**

Dear Sir/Madam,

My full name is Vijay Kumar Kamboj. I am the sole director of Marton Wholesale Liquor Limited (MWLL).

I am writing to formally lodge an objection to the alcohol licence application submitted by Captain Cooks Hospitality Limited for the premises located at 297 – 303 Broadway, Marton (**Premises**).

MWLL is the registered owner of the Premises. The legal description of the Premises is Lot 1 Deposited Plan 19029. A copy of the Record of Title is **attached**.

This objection is raised on two key grounds which I believe are critical to the assessment of the application and its eventual approval.

1. The Design and layout of the proposed premises – s 105(1)(e)

I would like to raise concerns regarding the structural integrity of the premises. MWLL is currently bound by an agreement with the Rangitikei District Council (Agreement for Works on Cross-Boundary Wall – dated 21 January 2025) (**Agreement**) to undertake significant earthquake strengthening repairs to a cross-boundary wall that directly affects the Premises. These repairs are essential for the safety and compliance of the building with local building codes and safety regulations.

The wall is in poor condition and the parties to the Agreement have agreed the wall requires significant repair or replacement. Following engineering and structural specialist review, Council has offered to replace the wall as set out in the Agreement. A copy of the Agreement is **attached** to this objection.

Until these repairs are completed and the Premises are certified as structurally sound, I do not believe it would be prudent or safe for the Premises to operate as a licensed venue. The required repairs are likely to cause significant disruption to the building's infrastructure, which could necessitate the closure of the Premises or require it to be vacated in order to mitigate safety risks that could endanger both patrons and staff. Additionally, the ongoing construction

work may impede the Premises' ability to meet the council's licensing conditions, particularly those related to health and safety standards and the overall comfort of customers.

It is crucial that the safety and structural integrity of the Premises are addressed before any alcohol licence is granted. The applicant should not be permitted to operate a licensed business on a site that is currently undergoing major repairs that could potentially impact the wellbeing of those on the Premises.

Given the ongoing construction work and potential hazards associated with the building's structural weaknesses, I also have concerns about the general safety of the public and the broader community. If the building is not in a suitable condition to accommodate the operations of a licensed premises, including ensuring compliance with fire safety, structural safety, and customer comfort standards, it poses a risk to public safety. This is especially critical given the responsibility of alcohol licensees to manage the welfare of their patrons and maintain a safe and secure environment for both staff and customers.

2. Failure to Obtain Landlord's Consent

Although, not strictly a matter set out under s 105(1) criteria, I would like to bring to the Committee's attention that the applicant has not obtained the necessary consent from MWLL, as the landlord of the property to apply for and operate an alcohol licence on these premises.

It is generally a requirement that the applicant must have the written consent of the landlord before submitting an application for an alcohol licence. The landlord's consent is crucial as it confirms the applicant's right to operate the business and ensures that all parties involved are aware of and agree to the terms of the licence.

Without this consent, in my view, the application is incomplete and does not satisfy the necessary requirements for approval. As such, I respectfully request that the Committee to refuse this application, as such consent will not be provided for the reasons set out in bullet point 1 of this objection.

In conclusion, I strongly urge the District Licensing Committee to consider this application in light of the issues raised above. The applicant has not fulfilled the legal requirement to obtain the landlord's consent, and the ongoing earthquake strengthening work to the building's boundary wall must be completed to ensure that the Premises are structurally sound and safe for public use. It is my firm belief that these issues must be resolved before any alcohol licence can be granted.

I respectfully request that the District Licensing Committee to takes these concerns seriously and thoroughly evaluates the circumstances surrounding this application. It is important that all legal and safety requirements are met before an alcohol licence is issued, in order to protect the wellbeing of the public, the staff, and the local community.

Thank you for your time and consideration of this matter. I trust that the District Licensing Committee will give due weight to these concerns when making a decision regarding the application.

ITEM 6.1 ATTACHMENT 4

I would like to appear and be heard in regard to my objection.

Yours faithfully,

Vijay Kumar Kamboj



Removed

Removed

Removed

Removed

Removed

Removed

Removed

Removed

Removed

Received 11/3/2025

Secretary of the Rangitikei District Licensing Committee
vicki.reed@rangitikei.govt.nz

**OBJECTION TO ON LICENCE AND OFF-LICENCE
CAPTAIN COOKS BAR & RESTAURANT (297-303 Broadway, Marton)**

1. I object to the application submitted by Captain Cooks Hospitality Limited (the 'Applicant') for an on-licence and off-licence for Captain Cooks Bar & Restaurant (297-303 Broadway, Marton) on all the grounds under section 105 of the Sale and Supply of Alcohol Act 2012 (the 'Act'), especially as follows.

My concerns include the following: -

2. **'Vulnerable' community / Extended Suitability:** The proposed premises is located a community which experiences higher levels of socio-economic deprivation. The extended suitability standard applies.
3. **Extended Suitability / Amenity & good order:** I am concerned by the current levels of disorder, nuisance, and vandalism in the locality and community caused by alcohol-related activities. The proposed bottle store, in particular, is likely to have a more than minor negative effect on amenity and good order. These issues are especially concerning given the proximity of the proposed bottle store to sensitive sites.
4. **Extended Suitability / Suitability:** The threshold of extended suitability applies, but the applicant does not appear to meet this threshold.
5. **Days and Hours:** The days and hours proposed are excessive for this vulnerable location and appear to far exceed operating hours.
6. **Systems, staff & training:** It is not clear whether the staff will be shared across both the bottle store and tavern premises.
7. **Section 100(f) Certificate:** I believe a section 100(f) Certificate is required.
8. **Provision of other services (Gambling):** I hold concerns that the premises is a gambling venue. I note that the Gambling Regulations now require regular sweeps by staff of the on-licence of the gaming machine area and car park to monitor customer behaviour, but no mention is made of this. I ask that a Gambling Area Management Plan be prepared to manage this and that this be included as a condition of the licence.
9. **Object of the Act:** Having regard to the issues set out above, I do not believe that the Applicant has demonstrated that it can meet the object of the Act. That is, to manage the sale, supply, and consumption of alcohol safely and responsibly and in a manner so that any harm caused by the excessive or inappropriate consumption of alcohol is minimised.

Nathan Cowie

**Sale and Supply of Alcohol Act 2012
Inspectors Report**

<u>Inspector:</u>	Vicki Reed
<u>Date:</u>	19 March 2025
<u>Application Type:</u>	OFF – New - Across the counter (Tavern) and Bottle Store
<u>Section of Act:</u>	Section 103 of the Sale and Supply of Alcohol Act 2012
<u>Date of Application</u>	3 February 2025
<u>Applicant:</u>	Captain Cooks Hospitality Limited
<u>Address:</u>	297-303 Broadway, Marton
<u>Premises Trading Name:</u>	Captain Cooks Bar and Cafe
<u>Principal Purpose:</u>	Bottle Store 37/OFF/0025/2024

Business Details

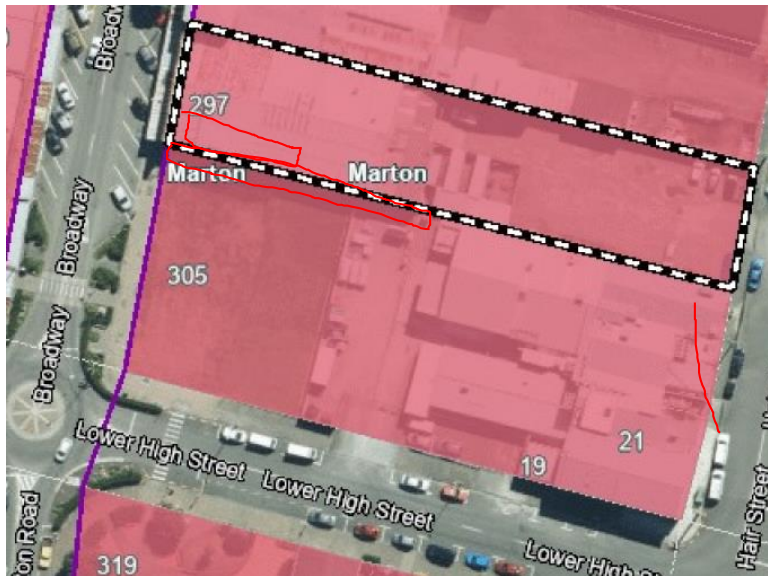
Captain Cooks Hospitality Limited has applied to the Rangitikei District Licensing Agency for the grant of an off-licence for the premises situated at 297-303 Broadway, Marton. The applicant has made application for an off-licence under Section 100 of the Sale and Supply of Alcohol Act 2012, the intended principal of the business is a Tavern with across the counter style off licence and a stand alone Bottle Store. The premises currently holds a current On and Off Licence with the applicant operating under a Off Temporary Authority 37/OFF/0025/2024 which expires on the 6/6/2025, the base licence expires on the 12/11/2025. The premises has held an off licence since 12 November 2024, it is not a new licensed premise but a change in operator.

A proposed floor plan has been supplied which shows the principal entrance and layout. The business is of an approved type as required under Section 28 of the Sale and Supply of Alcohol Act 2012 for the granting of an OFF Licence and meets the criteria 32(1)(a) of the Act. A Planning and Building Certificate was issued on the 24 January 2025 for these premises under Section 100(f) of the Sale and Supply of Alcohol Act 2012.

The applicant has supplied a copy of the a lease agreement for the building for a 5 year period and right of renewal for a further 6 x 5 years.

Site Location:

The proposed premises is within the Marton ward. It is located within a commercial area, neighbouring business are retail. The site is zoned Commercial under the Rangitikei District Plan. The District Plan provisions that relate to the site location apply. No additional consent requirements apply. The premises are within a liquor ban area.



Surrounding Sensitive Uses/Activities:

Sensitive uses or activities within 500m of the premises/activity are:

Marton School, Freshchoice, Follet Street Kindergarten, Youth Centre, Library, Bee Kids Childcare, Stewart Street Doctors, Dentist, Marton Pharmacy, Rangitikei Health Centre, St Andrew Church, St Stephens Church, Marton Park, Police Station, Centennial Courts, Kohanga Reo, All About Kids Daycare, Rangitikei College, Marton Bible Chapel

Surrounding Sensitive Uses/Activities:

Sensitive uses or activities within 1000m of the premises/activity are:

St Matthews School, Lutheran Church

Other Licensed Premises

Off –

- New World (hours are 7am to 10pm)
- Freshchoice (hours are 8am to 10pm)
- Marton Wholesale Liquor x 2 Outlets (hours are 9am to 10pm)

On –

- Mad Toms
- Three High Street Coffee House
- Club Hotel
- Cooks Bar
- Antons Bar

Club –

- Marton Bowling Club
- Rangitikei Squash Club
- Marton Rugby Club

Notification:

The application was notified in the District Monitor on the 6 and 13 February 2025 with a copy of the notice placed at the entrance into the Tavern.

Objections

80 public objections were received, of those 23 has indicated a desire to present themselves at a Hearing if there is one. None of the Agencies have objected.

STATUTORY CRITERIA***The object of the Act***

The applicant has provided a host responsibility policy which demonstrates suitable measures will be taken to ensure responsible sales/supply of alcohol and that harm will be minimised.

Suitability of the applicant:

The applicant is a private company incorporated under the Companies Act 1993 on the 15 November 2024, company record number 9295353. The sole director is Harkamal Vir Singh and shareholders are Dr Hospitality Limited and SSP Enterprises Limited with 500 shares each.

The applicant has supplied the following names, manager's certificate numbers and expiry dates for the certificated managers currently employed at the bottle stores operating in Marton:

Manager's Name	Certificate No.	Expiry Date
Ricky Singh	39/CERT/031/2020	11/06/27
Linda Hendra	37/CERT/088/2015	12/12/26
Chloe Ormsby	38/CERT/353/2023	21/04/27
Susan Fotunga	011/CERT/84/2024	4/5/27

I believe that the applicant is suitable to operate licensed premises.

Local Alcohol Policy

Rangitikei District choose not to implement a local alcohol policy.

Days and Hours

The applicant has applied for Monday to Sunday 9am to 10pm which fits in with the other off licences issued in the area and sits within the National Default Trading Hours of 7am to 11pm.

The design and layout of the proposed premises

The premises are an existing premises that was being used as a TAB. The applicant has moved the TAB area to the rear of the premises and has been in the process out outfitting the bottle store with shelving and fridges. The applicant doesn't intend to change the front window design other than to remove the word TAB, the premise will be tidy and brightly lit, with good visibility in the store. The applicant has requested that the whole of the premises be designated as a supervised area.

The sale of goods and the provision of services other than those directly relating to the sale of alcohol, low and non-alcoholic refreshments and food.

N/A

The amenity and the good order of the locality would be reduced to more than a minor extent by the effects of the issue of the licence.

The following areas have been considered with respect to the amenity and good order of the locality and the effect of the licensed premises:

levels of nuisance and vandalism – A search of Councils records did not reveal complaints in the immediate vicinity regarding nuisance and vandalism. An assessment of the immediate vicinity undertaken on the 14 March revealed no examples of graffiti or vandalism, the general area is kept clean and tidy.

the purposes for which land near the premises concerned is used

Mixture of commercial and retail properties and residential housing, community green space

the purposes for which the premises will be used if the licence is issued.

The intended purpose of the premises is a Tavern with off-style across the counter licence and a bottle store licence. Photos have been supplied to show the street view of the premise and the “party wall” which is the exterior Bottle Store wall, this has been propped up with reinforcing for years now and it is anticipated that work to strengthen and fix the wall in agreement with Council and the building owner will commence within the next 3 months and be completed during 2025. It is anticipated that the bottle store will need to be closed in order for this work to be done.

Whether the applicant has appropriate systems, staff and training

The applicant has provided a comprehensive management plan. They currently have four Duty Managers all holding manager certificates.

Security plan: Security cameras are installed and will be increased if the licence is granted.

Staff training and development plan

All staff have manager’s qualifications and training.

Monitoring systems for minors and intoxication

ID checking is undertaken by staff for all persons who appear to be (under 25 years of age as per host responsibility plan supplied by the applicant). All staff are trained in identifying signs of intoxication. All persons considered intoxicated are removed and are logged in the incident book.

A review of the supporting information demonstrates that the applicant has appropriate systems, staff and training to meet the requirements of the Act.

Any matters in reports.

Police and Public Health Agency do not oppose the application, this is attached to the file. The applicant has not come to the attention of reporting agencies whilst the Temporary Authorities has been in place.

RECOMMENDATION

As this application has attracted public, I leave it to the DLC Commissioner to decide if they meet S.102(4A) to determine if a public hearing is required.

102 Objections to applications

4) This subsection applies to an application—

- (a) for a licence for premises that is of the same kind as the licence currently in force for those premises; and
- (b) in which the conditions sought are the same as apply to that licence.

(4A) In the case of an application to which subsection (4) applies, the ground for an objection may not relate to any matter other than the suitability of the applicant.

VP Reed

Vicki Reed
Inspector,
Rangitikei District Licensing Agency

Public Objections received

Name	Asked to speak
1. Andrew Walters	
2. Ian Gray	
3. Melissa Bullmore	
4. Robert Gunn	Yes
5. Teresa Burne	Yes
6. Rebecca Coss	Yes
7. Hollie Heron	Yes
8. Cameron Heron	Yes
9. Sandra Gunn	Yes
10. Sam Parkinson	Yes
11. Vijay Kamboj	Yes
12. Terry and Donna Kelly	
13. Jamie Clark	Yes
14. Anna Jomin	
15. Tyler Karaynidis	
16. Anaghu Babu	
17. Korran Death	
18. Jomin Jy	
19. Amelia Steele	
20. Cherie Duncan	
21. Richard Hainsworth	
22. P McDonald	Yes
23. Nigel Belsham	
24. Jo Lawson	Yes
25. Monique Lawson	
26. Liza Cater	
27. Lucas Bush	
28. James Rooke	
29. Samuel Thomson	
30. Alecia Hale	
31. Trish McDonald	
32. Regan Mitchell	
33. Christine Mullins	Yes
34. Shane Gribbon	Yes
35. Rebekah Gribbon	Yes
36. Raji Dev	Yes

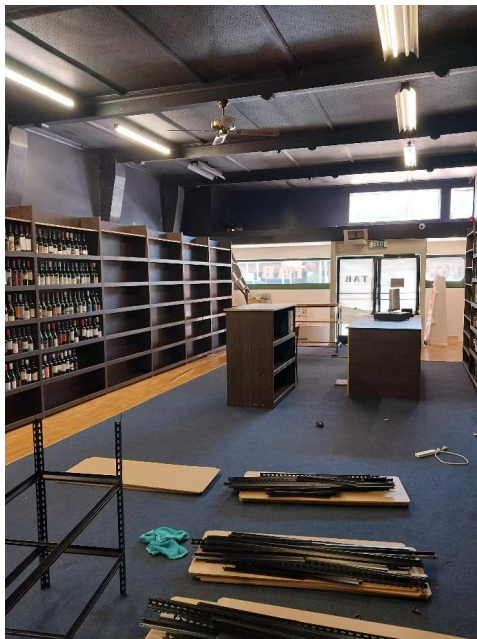
ITEM 6.1 ATTACHMENT 7

37. Tej Singh	Yes
38. Bibin Babu	
39. Rebecca Duigan	Yes
40. Ben Coll	
41. Paul Walters	
42. Divyang Sama	Yes
43. Rajender Sama	
44. Junaith Rahman	Yes
45. Angela Carson	Yes
46. Joanna Gribbon	Yes
47. Emily Gribbon	Yes
48. Mikayla Allison	Yes
49. J Cookson	
50. S Carson	
51. J Brookie	
52. Margaret B	
53. Jack Walter	
54. Bill Down	
55. Valentine Chadwide	
56. Madison Carson	
57. Stephanie Holdaway	
58. Winston Holdaway	
59. Alistair Stewart	
60. Stephen Smith	
61. Craig Bromley	
62. Tracey Holdaway	
63. Wayne Cooksley	
64. Vanessa Woolf	
65. Harim Fritz	
66. Zarita Whittaker	
67. Shane Gritt?	
68. Jackson Broadbent	
69. Sarah Lowe	
70. Karen Retter	
71. Jon Clearwater	
72. Nikki Smith	
73. Marton Bakery	
74. Russell Bakery	
75. Russell Coley	
76. Joanne Donghi	
77. Marsha ?	
78. K Bryers	
79. Tony Ward	
80. Nathan Cowie	

Exterior of Premises where Bottle Store is Located



Interior of Bottle Store



ITEM 6.1
ATTACHMENT 7

Green Space next door to Bottle Store



Party Wall



24 January 2025

Captain Cook Hospitality Limited
c/- Omega Hospitality
PO Box 50
Kumeu 0841

**Request for Building Certificate for Proposed Use
Pursuant to s100(f) Sale and Supply of Alcohol Act 2012**

Site Address: 297-303 Broadway, Marton
Legal Description: LOT 1 2 DP 19029
Certificate Type: Building Certificate for Proposed Use - Liquor
License Description: Off / On License

This letter serves as a Building Certificate for the proposed use for the purposes of section 100(f) of the Sale and Supply of Alcohol Act 2012, and is not a Code Compliance Certificate, Certificate of Acceptance or a Compliance Schedule under Section 91 to 107 of the New Zealand Building Act 2004.

Please note: The New Zealand Fire Service Act 1975 section 21, requires a displayed procedure in place throughout the building informing occupants, what to do in case of a fire. Copies of the required evacuation signage can be obtained from the fire service website.

In the event that you do wish to undertake alterations to this building, or further development of the site, please contact the Council's Planning and Building team on 06 327 0099.

If you require any further information or assistance, please contact the Council.

Yours sincerely,



Lisa Daniels
Building Compliance Officer



23 January 2025

Captain Cooks Hospitality Limited
9 Morocco Terrace
Kelvin Grove
Palmerston North

***Request for Planning Certificate for Proposed Use
Pursuant to s100(f) Sale and Supply of Alcohol Act 2012***

Site Address: 297-303 Broadway, Marton
Legal Description: Lot 1 DP 19029
Certificate Type: Planning Certificate for Proposed Use - Liquor
Licence Description: On Licence and Off Licence

This letter serves as a Planning Certificate for the proposed use for the purposes of section 100(f) of the Sale and Supply of Alcohol Act 2012 and is not a Certificate of Compliance under Section 139 of the Resource Management Act 1991.

The application relates to Captain Cooks Bar & Cafe, located at 297-303 Broadway, Marton, which is in the Commercial Zone of the Rangitikei District Plan. Under the Commercial Zone of the Rangitikei District Plan the activity would be considered to be a Retail Activity which is a permitted activity in the Commercial Zone.

Please note that the operation of the activity must (at all times) comply with noise limits, signage, storage and wastes disposal, and light and glare standards.

In the event that you do wish to undertake alterations to this building, or further development of the site, please contact the Council's Planning and Building team on 06 327 0099.

If you require any further information or assistance, please contact the Council.

Yours sincerely,

Jonty Whale
Graduate Planner

Rangitikei District Council, 46 High Street, Private Bag 1102, Marton 4741
Telephone (06) 327 0099 **Facsimile** (06) 327 6970 **Email** info@rangitikei.govt.nz **Website**
www.rangitikei.govt.nz

Sale and Supply of Alcohol Act 2012 Inspectors Report



<u>Inspector:</u>	Vicki Reed
<u>Date:</u>	4 April 2025
<u>Application Type:</u>	OFF – New - Across the counter (Tavern) and Bottle Store
<u>Section of Act:</u>	Section 103 of the Sale and Supply of Alcohol Act 2012
<u>Date of Application</u>	3 February 2025
<u>Applicant:</u>	Captain Cooks Hospitality Limited
<u>Address:</u>	297-303 Broadway, Marton
<u>Premises Trading Name:</u>	Captain Cooks Bar and Cafe
<u>Principal Purpose:</u>	Bottle Store and across the counter 37/OFF/0025/2024

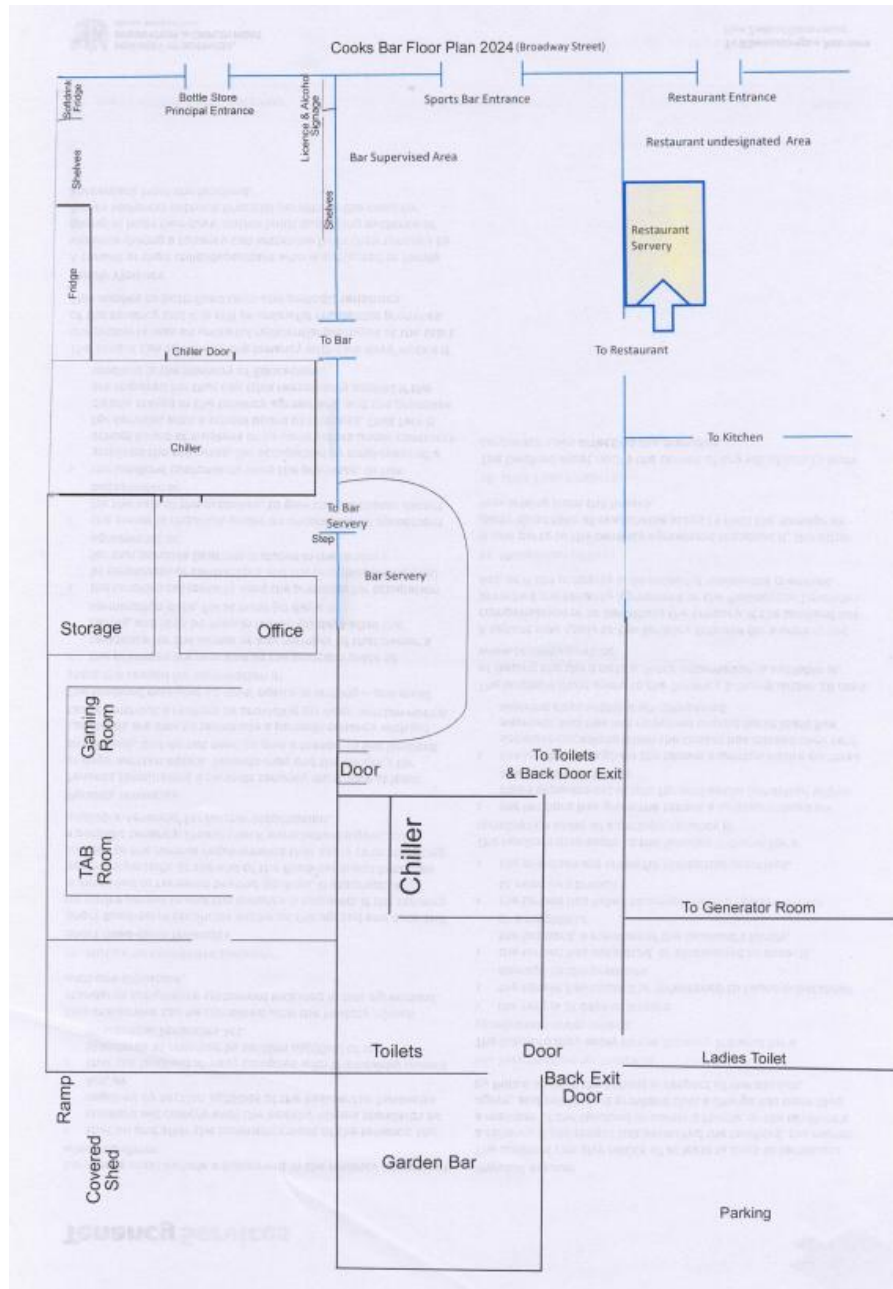
Licence Change

The applicant is seeking a off licence for the proposed bottle store and across the counter off licence in the public bar. This application is from a change of applicant and an amended footprint. The current off licence that was issued to Gurbani Cooks was not operational and no physical changes were made to the premises. With the granting of a Temporary Authority Licence to Captain Cooks Hospitality, work was started to outfit the exiting TAB area into a bottle store with a chiller being installed and new shelving.

The design and layout of the proposed premises

A new floor plan has been supplied showing the proposed changes to the existing floor plan on the licence issued to Gurbani Cooks. The TAB room will now become the bottle store. The TAB area has been moved to the rear of the site and sits behind the office area, this area has been enclosed so public cannot access the office or rear of the bottle store (chiller area). Only staff can access the office and chiller area as security locks have been installed. There is an internal door from the public bar into the bottle store which is locked and intends to remain locked to the public so alcohol can only be purchased at the counter to take off the premises or they can go out the main door on Broadway and then enter the bottle shop entrance to make their purchase.

ITEM 6.1 ATTACHMENT 8



These were the proposed conditions from MOH in 2024

- No single bottles, cans or containers of beer or cider priced at, or less than, \$7.00 per unit are to be displayed or sold;
- With the exception of craft beers, no single sales of any beer less than or equal to 500mls. These will be a maximum of ABV 7.2%
- No single sales of RTDs, shots, or premixed shots;
- No sales of cask wine;
- Alcohol may only be sold in the packaging provided by wholesalers (for example, no carton packaging of units may be broken down and sold in smaller units (for example 1, 2, 4 or 6 units;
- No externally facing advertising of alcohol products or brands on the building frontage; -
- No advertising on signs outside the premises other than the trading name of the business; -
- Premium beer and cider products, products in a vessel measuring 330mls or greater, can be sold as a single unit. -
- The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours –

This is what was granted on the Off Licence

- (a) There will be no single sales of any alcohol in containers less than 330ml (this includes beer, cider, RTD;s, shot and premixed shots)
- (b) Alcohol may be only sold in the packaging provided by wholesalers (for example, no carton packaging of units may be broken down and sold in smaller units, e.g. 1, 2, 4 or 6 units)
- (c) Premium beer and cider products, products in a vessel measuring 330ml or greater, can be sold as a single unit

Proposed Conditions 2025

I have reflected on the conditions MOH proposed last time and recommend the following Proposed Conditions which I have discussed with Ricky Singh – he has verbally agreed to these but I have not received his written confirmation yet

- No single bottles, cans or containers of beer or cider priced at, or less than, \$7.00 per unit are to be displayed or sold;
- There will be no single sales of alcohol in containers less than 330mls (this includes beer, cider, RTD's, shots and premixed shots). This restriction does not apply to individual handcrafted beers in single bottles/cans or multi-serve sizes of 330ml or higher.
- No single sales of RTDs, shots, or premixed shots;
- Alcohol may only be sold in the packaging provided by wholesalers (for example, no carton packaging of units may be broken down and sold in smaller units (for example 1, 2, 4 or 6 units;
- No externally facing advertising of alcohol products on the building frontage;
- No advertising on signs outside the premises other than the trading name of the business;

The applicant has requested the conditions stay the same confirmed by email on the 31/3/2025**New Proposed Conditions (stay the same)**

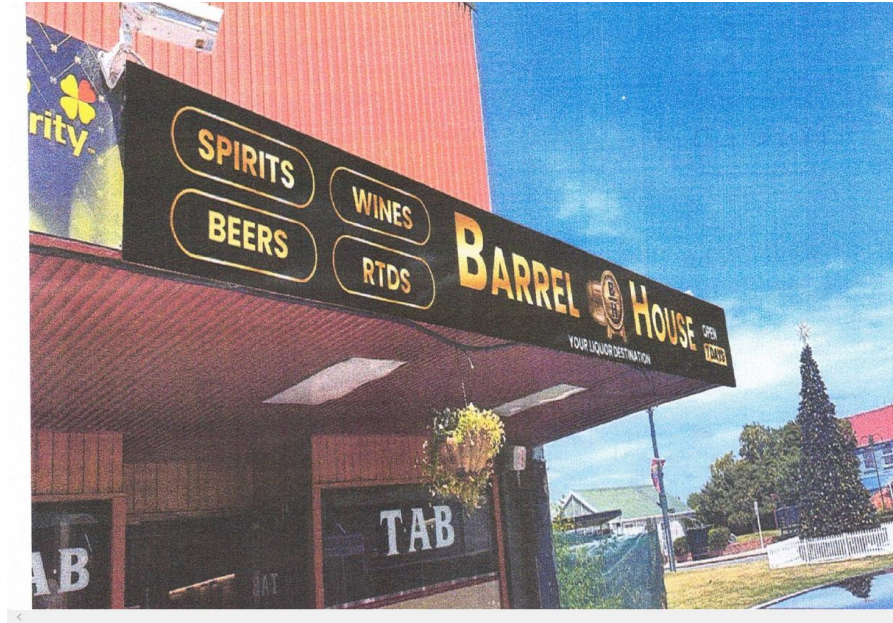
- (a) There will be no single sales of any alcohol in containers less than 330ml (this includes beer, cider, RTD;s, shot and premixed shots)
- (b) Alcohol may be only sold in the packaging provided by wholesalers (for example, no carton packaging of units may be broken down and sold in smaller units, e.g. 1, 2, 4 or 6 units)
- (c) Premium beer and cider products, products in a vessel measuring 330ml or greater, can be sold as a single unit
- (d) No externally facing advertising of alcohol products on the building frontage;
- (e) No advertising on signs outside the premises other than the trading name of the business;

ITEM 6.1

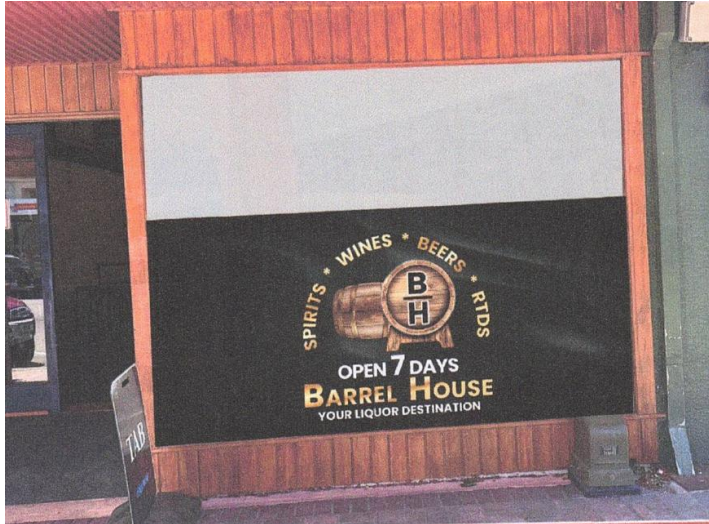
ATTACHMENT 8

Signage

New Proposed Signage at Bottle Store and Tavern – this is a mock up only, the name Barrel House will be changing to Black Bull Liquor



Tavern Entrance



Tavern Entrance



Sale and Supply of Alcohol Act 2012 Inspectors Report



<u>Inspector:</u>	Vicki Reed
<u>Date:</u>	16 June 2025
<u>Application Type:</u>	OFF – New - Across the counter (Tavern) and Bottle Store
<u>Section of Act:</u>	Section 103 of the Sale and Supply of Alcohol Act 2012
<u>Date of Application</u>	3 February 2025
<u>Applicant:</u>	Captain Cooks Hospitality Limited
<u>Address:</u>	297-303 Broadway, Marton
<u>Premises Trading Name:</u>	Captain Cooks Bar and Cafe
<u>Principal Purpose:</u>	Bottle Store and across the counter 37/OFF/0025/2024

Applicant

The applicant operates licenced premises in Feilding (The Empire) and Palmerston North (Cloverley Tavern), no issues have been noted.

Site Visit

A compliance site visit was undertaken on the 16 June 2025 to assess the application for compliance with the current Temporary Authority Licence, a new Off Licence Toolkit was provided.

Earthquake Prone Status

Building Notes

9/11/18	Building has been assessed as potentially earthquake prone Category A unreinforced Masonry.
14/9/22	Council decision on whether the building or part is earthquake prone. The council has not received an Engineering assessment or previous assessment of the buildings. I am writing to you to advise you that the council are processing as if we had determined the building earthquake prone. NBS notice to issue.
27/9/22	EPB Notice issued for deadline 14/9/37



The design and layout of the proposed premises

CPTED – existing building which has been outfitted from a TAB to a bottle store (internal fitout). Checklist attached to my report. Very good lightning, no dim areas, there are 4 CCTV cameras installed inside and one outside.

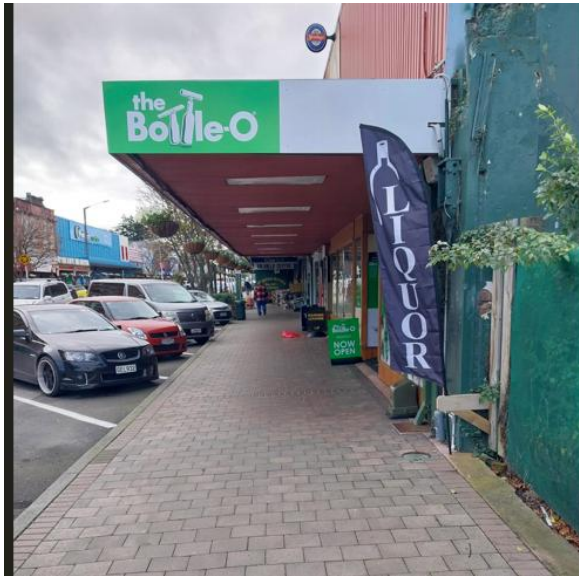
Updated Duty Managers for the Proposed Bottle Store

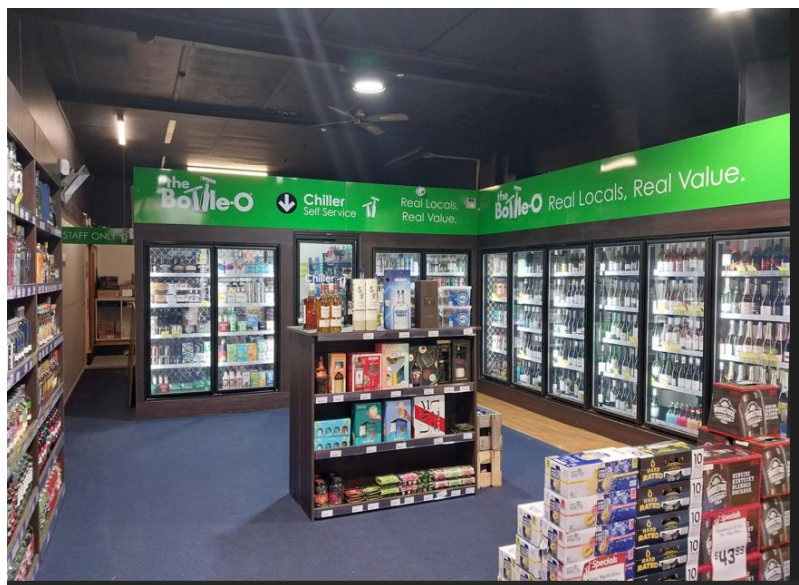
Manager's Name	Certificate No.	Expiry Date
Harkamal Singh	39/CERT/031/2020	11/06/27
Jesse Luke Herbert	36/CERT/088/2016	18/12/25
Gourav Kumar	38/CERT/322/2022	24/3/26
Prince Sharma	36/CERT/032/2019	11/07/25

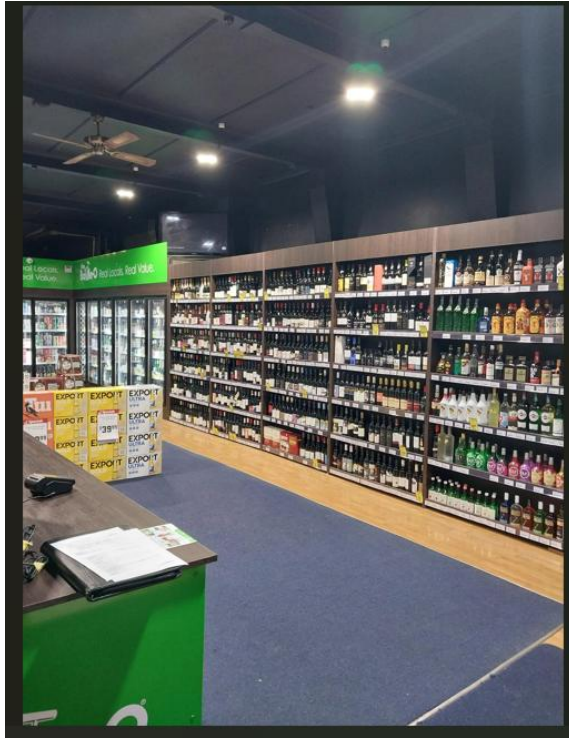
Signage

New signage has been installed.

ITEM 6.1 ATTACHMENT 9





ITEM 6.1 ATTACHMENT 9**Appendix 1**

Attached to this report please find a written response from Jarrod Calkin in relation to the Summons from the Commissioner for a Council Officer to attend the hearing.

16 June 2025



Written response from Rangitikei District Council in relation to the matter of an application by **Captain Cooks Bar & Hospitality Limited** for a new Off-Licence pursuant to s.100 of the Act in relation to the premise situated at 297-303 Broadway, Marton known as 'Captain Cooks Bar and Café'.

This is in direct response to 'Committee Minute No. 3' point 13.c. and offers four items for the committee's consideration.

1. At the 26 September 2024 Council meeting, Council resolved to remedy the issue relating to structural matters on 'Cooks Wall'. This decision was made in 'Public Excluded' for the following reasons;

To enable commercially sensitive information to be discussed without impacting negotiations.

The Local Government Official Information and Meetings Act 1987 Section 7(2)(a) – Privacy, and Section 7(2)(b)(ii) – Commercial position apply.

2. Rangitikei District Council has an Agreement with Wholesale Liquor Limited for Works on Cross-Boundary Wall dated 21 January 2025.
3. The planned works are outlined in the Agreement are as follows:
 - Demolition of the wall
 - Replacement of the foundation
 - Construction of a replacement framed wall
 - Re-instate the landowners panelling and fittings to no less standard than at the commencement of the works
4. Engineering drawings are attached to this report which have been prepared by BPL Engineering Limited.

Signed

Jarrod Calkin
Economic Wellbeing Lead
Rangitikei District Council

Making this place home.

06 327 0099

info@rangitikei.govt.nz

www.rangitikei.govt.nz

46 High Street, Private Bag 1102, Marton 4741

STATUS: PRICING

NEW WALL

CORNER OF BROADWAY & LOWER HIGH STREET, MARTON



LOCALITY
1 : 1000

S:\Engineering Jobs\9300 - 9399\9347\Drawings\9347 New Wall.rvt

CONSTRUCTION NOTES:

1.

ALL WORK SHALL BE IN ACCORDANCE WITH THE NZ BUILDING ACT.

2.

ALL DIMENSIONS ARE IN MILLIMETERS UNLESS NOTED OTHERWISE.

3.

THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL AND OTHER CONSULTANTS DRAWINGS AND SPECIFICATIONS AND WITH SUCH OTHER WRITTEN INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ALL DISCREPANCIES SHALL BE REFERRED TO THE ENGINEER FOR DECISION BEFORE PROCEEDING WITH THE WORK.

4.

DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THE STRUCTURAL DRAWINGS.

5.

IN THE EVENT OF A CONTRADICTION BETWEEN DIFFERENT COMPONENTS OF THE DOCUMENTATION, THE FOLLOWING PRECEDENCE ORDER SHALL BE ADOPTED:

-

DRAWINGS

-

DRAWING NOTES

-

SPECIFICATION

6.

SETTING OUT DIMENSIONS SHOWN ON THE DRAWINGS SHALL BE VERIFIED BY THE CONTRACTOR.

7.

THE CONTRACTOR SHALL COMPLY FULLY BOTH ON AND OFFSITE WITH THE HEALTH AND SAFETY IN EMPLOYMENT ACT AND THE PROVISIONS OF THE NZ BUILDING CODE IN ALL MATTERS RELATING TO CONSTRUCTION SAFETY.

8.

DURING THE CONSTRUCTION, THE STRUCTURE SHALL BE MAINTAINED IN A STABLE CONDITION AND NO PART SHALL BE OVER-STRESSED.

9.

TEMPORARY STRUCTURES, FORMWORK, FALSEWORK, TEMPORARY BRACING, SHORING AND THE LIKE SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

10.

ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CURRENT EDITIONS, INCLUDING AMENDMENTS OF THE NEW ZEALAND BUILDING CODE EXCEPT AS VARIED BY THE CONTRACT DOCUMENTS.

11.

SUBSTITUTIONS ARE TO BE MADE ONLY WITH THE APPROVAL OF THE ENGINEER.

12.

WHERE THE ENGINEERS ARE ENGAGED FOR INSPECTIONS, A MINIMUM OF 24 HOURS NOTICE IS REQUIRED.

13.

IF UNSURE ASK FOR ASSISTANCE.

14.

CONFIRM ALL LEVELS ON SITE.

15.

CONTRACTOR SHALL VERIFY ALL EXISTING SERVICES PRIOR TO COMMENCING WORK ON SITE.

16.

CONTRACTOR SHALL PROVIDE EFFECTIVE FENCE BARRIERS, TO F5/AS1-1992, TO ENCLOSE THE ENTIRE SITE PRIOR TO COMMENCING WORK, DURING CONSTRUCTION & TO SECURE THE SITE AFTER HOURS.

STRUCTURAL STEEL:

1.

ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH NZS 3404:1997 AND AS/NZS 1554.1:2014 EXCEPT WHERE VARIED

BY CONTRACT DOCUMENTS.

2.

UNLESS NOTED OTHERWISE ALL STEEL SHALL BE IN ACCORDANCE WITH:

-

AS/NZS 3679.1 - HOT ROLLED BARS SECTIONS.

-

AS/NZS 3679.2 - WELDED "I" SECTION.

-

AS/NZS 3678 - STRUCTURAL STEEL, HOT ROLLED PLATES, FLOOR PLATES & SLABS.

-

AS 1163 - STRUCTURAL STEEL HOLLOW SECTIONS.

-

AS/NZS 4600 - COLD FORMED STEEL STRUCTURES.

3.

UNLESS OTHERWISE NOTED, ALL BOLTS SHALL BE M16-8.8/S

4.

BOLT TYPE AND INSTALLATION PROCEDURE SHALL BE DENOTED AS FOLLOWS:

-

4.6/S COMMERCIAL BOLTS OF STRENGTH GRADE 4.6, MANUFACTURED TO AS 1111 AND NUTS TO AS 1112, TIGHTENED USING A STANDARD WRENCH TO A SNUG TIGHT CONDITION.

-

8.8/S HIGH STRENGTH STRUCTURAL BOLTS OF STRENGTH GRADE 8.8 MANUFACTURED TO AS/NZS1252, TIGHTENED USING A STANDARD WRENCH TO A SNUG TIGHT CONDITION.

-

8.8/TF & 8.8/TB HIGH STRENGTH STRUCTURAL BOLTS OF STRENGTH GRADE 8.8 CONFORMING TO AS/NZS 1252, INSTALLED IN ACCORDANCE WITH NZS 3404 AND SHALL BE TIGHTENED TO THE CORRECT TENSION USING APPROVED LOAD INDICATING WASHERS. CONTACT SURFACES OF ALL TF BOLTED CONNECTIONS SHALL BE LEFT UNPAINTED.

5.

ALL WELDS SHALL BE CATEGORY SP UNLESS NOTED ON THE DRAWINGS

6.

ALL WELDS SHALL BE 6mm CONTINUOUS FILLETS, UNLESS NOTED OTHERWISE. ALL MEMBERS IN CONTACT SHALL BE WELDED AS

SUCH UNLESS NOTED OTHERWISE.

7.

ALL GUSSET PLATES, BASE PLATES, FIN PLATES, STIFFENERS etc. SHALL BE 10mm THICK, UNLESS NOTED OTHERWISE.

8.

BUTT WELDS WHERE INDICATED ON THE DRAWINGS ARE TO BE COMPLETE PENETRATION BUTT WELDS AS DEFINED IN AS/NZS1554.

9.

CONCRETE ENCASED STEELWORK SHALL BE WRAPPED WITH W5 WIRE AT 150mm CENTRES AND SHALL HAVE A MINIMUM OF 40mm

COVER, UNLESS NOTED OTHERWISE.

10.

STRUCTURAL STEELWORK SHALL HAVE THE FOLLOWING SURFACE TREATMENT:

EXPOSURE:

SYSTEM DESIGNATION TO SNZ TS 3404:2018:

EXTERNAL STEEL

HDG500 OR
TSZ100 + SEALER

11.

STRUCTURAL STEELWORK CONTRACTORS TO SUPPLY PS3 FOR ALL WORK INCLUDING SURFACE TREATMENT

12.

THE ENDS OF ALL HOLLOW SECTIONS SHALL BE SEALED WITH A MINIMUM OF 3mm THICK PLATE, UNLESS NOTED OTHERWISE.

13.

ALL BUTT WELDS TO SHS MEMBERS INCLUDING VEE BUTT WELDS AT INTERSECTION SHALL BE FULL PENETRATION WELDS WITH BACKING STRIPS HAVING A THICKNESS NOT LESS THAN 3mm OR DIAPHRGAM PLATES NOT LESS THAN 12mm.

14.

THE BUILDER SHALL PROVIDE ALL CLEATS AND DRILL ALL HOLES NECESSARY FOR FIXING STEEL TO STEEL AND TIMBER WHETHER OR NOT DETAILED ON THE DRAWING

15.

UNLESS NOTED OTHERWISE, ALL BASE PLATES CLEATS etc. SHALL BE CONSTRUCTED WITH EDGE DISTANCE TO BOLT HOLES IN ACCORDANCE WITH NZS 3404.

16.

ENGINEER TO INSPECT ALL STEEL CONNECTIONS PRIOR TO CLOSING IN, THE ENGINEER REQUIRES 24 HOURS NOTICE BEFORE ANY VISIT.

17.

WELDING TO BE CARRIED OUT IN ACCORDANCE WITH AS/NZS 1554.1:2014.

18.

ALL WELDS TO BE 6mm CONTINUOUS FILLET WELDS SP CATEGORY - 490 NOMINAL TENSILE STRENGTH UNLESS OTHERWISE NOTED.

19.

INSPECTIONS TO BE CARRIED OUT TO AS/NZS 1554.1.

20.

ALL SP WELDS TO BE 100% VISUALLY SCANNED.

CONCRETE NOTES:

1.

ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH NZS 3101 & NZS 3109, CURRENT EDITION WITH AMENDMENTS, EXCEPT WHERE VARIED BY THE CONTRACT DOCUMENTS.

2.

CONCRETE AND FORMWORK SHALL COMPLY WITH THE REQUIREMENTS OF NZS 3109.

ALL CONCRETE SHALL BE STANDARD GRADE IN ACCORDANCE WITH NZS 3109 TO THE FOLLOWING STRENGTHS:

INSITU CONCRETE - 25MPa

COVER - 50mm

3.

CONCRETE QUALITY CONTROL TESTING SHALL BE IN ACCORDANCE WITH NZS 3109.

4.

SIZES OF CONCRETE ELEMENTS DO NOT INCLUDE THICKNESS OF APPLIED FINISHES.

5.

CONSTRUCTION JOINTS WHERE NOT SHOWN SHALL BE LOCATED TO THE APPROVAL OF THE ENGINEER.

6.

BEAM DEPTHS INCLUDE SLAB THICKNESS, IF ANY.

7.

NO HOLES OR CHASES OTHER THAN THOSE SHOWN ON THE STRUCTURAL DRAWINGS SHALL BE MADE IN CONCRETE MEMBERS WITHOUT THE PRIOR APPROVAL OF THE ENGINEER.

8.

REINFORCEMENT IS REPRESENTED DIAGRAMMATICALLY, IT IS NOT NECESSARILY SHOWN IN TRUE PROJECTION.

9.

SPLICES IN REINFORCEMENT SHALL BE MADE ONLY IN THE POSITIONS SHOWN. THE WRITTEN APPROVAL OF THE ENGINEER SHALL BE OBTAINED FOR ANY OTHER SPLICES WHERE THE LAP LENGTH IS NOT SHOWN.

10.

WELDING OF REINFORCEMENT WILL NOT BE PERMITTED UNLESS SHOWN ON THE STRUCTURAL DRAWING.

11.

PIPES OR CONDUITS SHALL NOT BE PLACED WITHIN THE CONCRETE COVER TO REINFORCEMENT WITHOUT THE APPROVAL OF THE ENGINEER.

12.

REINFORCEMENT:

-

D - DENOTES GRADE 300E HOT ROLLED DEFORMED BAR TO AS/NZS 4671 : 2001.

-

HD- DENOTES GRADE 500E HOT ROLLED DEFORMED BARS TO AS/NZS 4671 : 2001.

-

TO BE SUPPLIED BY PACIFIC STEEL NZ.

-

TO COMPLY WITH AS/NZS 4761 : 2001.

-

NO IMPORTED REINFORCING IS TO BE USED WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER.

13.

ALL REINFORCEMENT FABRIC SHALL COMPLY WITH NZS 3422, AND SHALL BE SUPPLIED AS FLAT SHEETS.

14.

ALL CONCRETE TO BE EFFICIENTLY COMPACTED WITH AN APPROVED VIBRATOR.

15.

ALL CONCRETE SHALL BE PLACED AND 'CURED' IN ACCORDANCE WITH NZS 3109. WHERE APPROVED CURING COMPOUND IS USED, IT MUST BE APPLIED ONTO:

-

SLABS WITHIN 2 HOURS OF FINISHING OPERATION.

-

WALLS AND COLUMNS IMMEDIATELY AFTER REMOVAL OF FORMWORK.

-

PVA CURING COMPOUNDS ARE NOT PERMITTED.

16.

TOP AND BOTTOM REINFORCEMENT IN SLABS SHALL BE SUPPORTED IN BOTH DIRECTIONS AT MAXIMUM CENTERS OF 60

DIAMETERS FOR BARS AND 800mm FOR FABRIC.

17.

CLEAR CONCRETE COVER TO REINFORCEMENT IS 40mm OR AS INDICATED ON THE DRAWINGS.

18.

WHERE THE ENGINEERS ARE ENGAGED FOR INSPECTIONS/OR SUPERVISION, A MINIMUM OF 24 HOURS NOTICE SHALL BE GIVEN.

STRUCTURE DURABILITY:

DESIGN LIFE = 50 YEARS

DURABILITY PROVISIONS ARE ACHEIVED BY:

1.

CONCRETE: THROUGH COVERS IN ACCORDANCE WTH NZS3101:2006

2.

STEEL ITEMS: THROUGH SURFACE TREATMENT IN ACCORDANCE WITH NZS 2312.2:2014 AND TS NZS 3404:2018

3.

TIMBER: TREATMENTS HAVE BEEN SELECTED IN ACCORDANCE WITH BRANZ RECOMMENDATIONS

SAFETY BY DESIGN

THE SAFETY RISK ITEMS BELOW HAVE BEEN IDENTIFIED AT THE DESIGN STAGE BUT DO NOT NECESSARILY IDENTIFY ALL CONSTRUCTION, OPERATION, MAINTENANCE AND DEMOLITION SAFETY RISKS. IT IS EXPECTED THAT ALL AGENCIES INVOLVED WITH THE PROJECT WILL UNDERTAKE APPROPRIATE RISK MANAGEMENT AS PART OF THEIR INVOLVEMENT.

1.

HANDLING OF WET CONCRETE – FOLLOW ESTABLISHED PROCEDURES.

2.

FABRICATION AND PLACING OF STEEL REINFORCING – FOLLOW ESTABLISHED PROCEDURES.

3.

LIFTING OF STEEL COLUMNS – OBSERVE NORMAL PROCEDURES.

4.

TRANSPORTATION OF CONCRETE AND STEEL COMPONENTS – CARRY OUT RISK ASSESSMENT.

5.

IDENTIFICATION OF EXISTING SITE SERVICES – UNDERGROUND OR OVERHEAD AND INCORPORATE IN SITE SAFETY PLAN.

6.

REVIEW ADEQUACY OF SITE WORK AREAS FOR DEMOLITION AND CONSTRUCTION ENSURE SEPARATION OF PLANT, AND PERSONNEL FROM ROAD TRAFFIC ON-SITE.

7.

SEPARATE LIFTING / SLEW AND PUT DOWN AREAS CLEAR FROM TRAFFIC AND WORK AREAS.

8.

PROTECT OPEN EXCAVATIONS AND PROVIDE SUITABLE ACCESS WHERE REQUIRED.

9.

MINIMISE SITE TREATMENTS SUCH AS WELDING, CUTTING, GRIT-BLASTING OR SPRAY-PAINTING PROVIDE PROTECTION, SCREENING AND VENTILATION TO PERSONNEL IF SITE TREATMENTS ARE UNAVOIDABLE.

10.

PROVIDE FULL PROTECTION BARRIERS FOR WORK AREAS AS REQUIRED.

DEMOLITION AND TEMPORARY WORKS:

1.

CHECK ALL SERVICES TO THE AFFECTED AREA. NOTE POSITION OF SERVICES TO BE PROTECTED.

2.

ALLOW TO ERECT FULL HEIGHT DUST PROOF TEMPORARY SCREENS.

3.

PROTECT ALL SECTIONS OF THE BUILDING AND MATERIALS TO BE RETAINED OR REUSED.

4.

PROVIDE ALL NECESSARY TEMPORARY SUPPORT FOR SECTIONS TO BE MAINTAINED UNTIL NEW STRUCTURE IS IN PLACE.

5.

PROTECT ALL STRUCTURE INTENDED FOR REUSE.

6.

REMOVE AND DISPOSE OF ASBESTOS CONTAINING MATERIALS IN ACCORDANCE WITH THE ASBESTOS REGULATIONS AND HEALTH AND SAFETY IN EMPLOYMENT ACT

7.

LEAVE SITE CLEAN AND TIDY.

TIMBER:

1.

UNLESS THE TIMBER WORK IS BEYOND THE SCOPE OF NZS 3604 AND DETAILED IN THESE DRAWINGS ALL TIMBER WORK SHALL COMPLY WITH NZS 3604:2011

2.

UNLESS SHOWN OTHERWISE ON THE DRAWINGS OR SPECIFIED OTHERWISE TIMBER SHALL BE GAUGED AND GRADED TO VSG 8 OR MSG 8 IN ACCORDANCE WITH NZS 3622.

3.

UNLESS SHOWN OTHERWISE ON THE DRAWINGS OR SPECIFIED OTHERWISE TIMBER SHALL BE TREATED FOR EXPOSURE TO THE FOLLOWING:

H1.2 - PROTECTED FROM THE WEATHER, ABOVE GROUND

H3.2 - EXPOSED TO THE WEATHER, ABOVE GROUND

H4 - EXPOSED TO THE WEATHER IN GROUND

H5 - EXPOSED TO THE WEATHER IN GROUND OR WATER

4.

ALL JOISTS AND PURLINS SHALL HAVE FULL DEPTH BLOCKING AT MID SPAN OR GREATER AS REQUIRED.

5.

FIX ALL PURLINS, BEAMS, COLUMNS AND FRAMING AS REQUIRED IN NZS 3604 UNLESS SHOWN OTHERWISE.

6.

ALL BOLTS TO STRUCTURAL TIMBERWORK SHALL BE CLASS 4.6 WITH WASHERS AS SHOWN BELOW:

-

BOLT SIZE:

-

UP TO 8mm25x25x3

-

10 - 12mm50x50x3

7.

GALVANISED STRAP BRACING SHALL BE OF THE SIZE REQUIRED AND FIXED TO THE MANUFACTURERS SPECIFICATION. TENSION AS LATE AS POSSIBLE IN THE STAGE OF CONSTRUCTION AND THEN FIX TO INTERMEDIATE MEMBERS WITH A MINIMUM OF 3 NAILS EACH.

8.

ALL METAL FIXING TO H5 TREATED TIMBER SHALL BE GALVANISED OR STAINLESS STEEL.

9.

ALL SURFACES OF GALVANISED FIXINGS IN CONTACT WITH H5 TREATED TIMBER SHALL HAVE 1 COAT OF "MULSEAL" BITUMINOUS COATING.

bpl

GROUP

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engineering

ACENZ

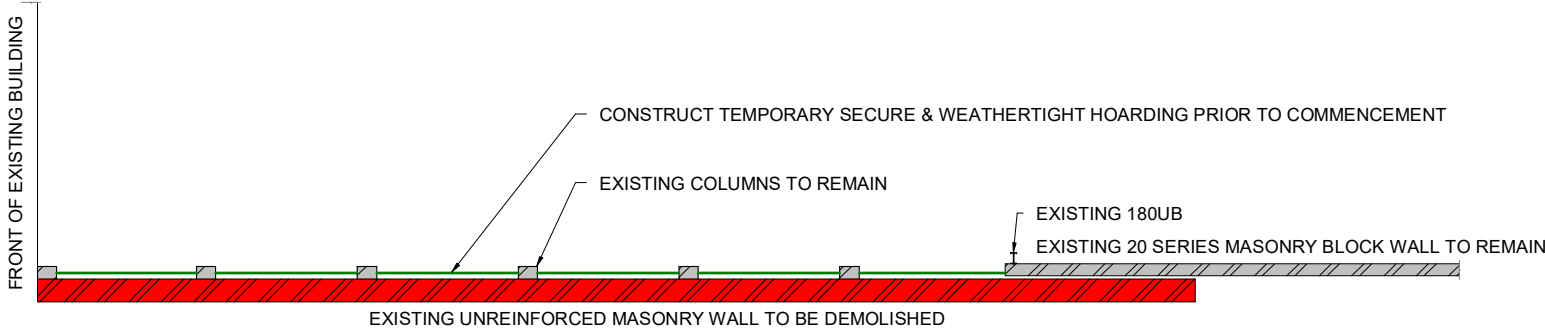
RANGITIKEI DISTRICT COUNCIL

CORNER OF BROADWAY & LOWER HIGH STREET, MARTON

NEW WALL

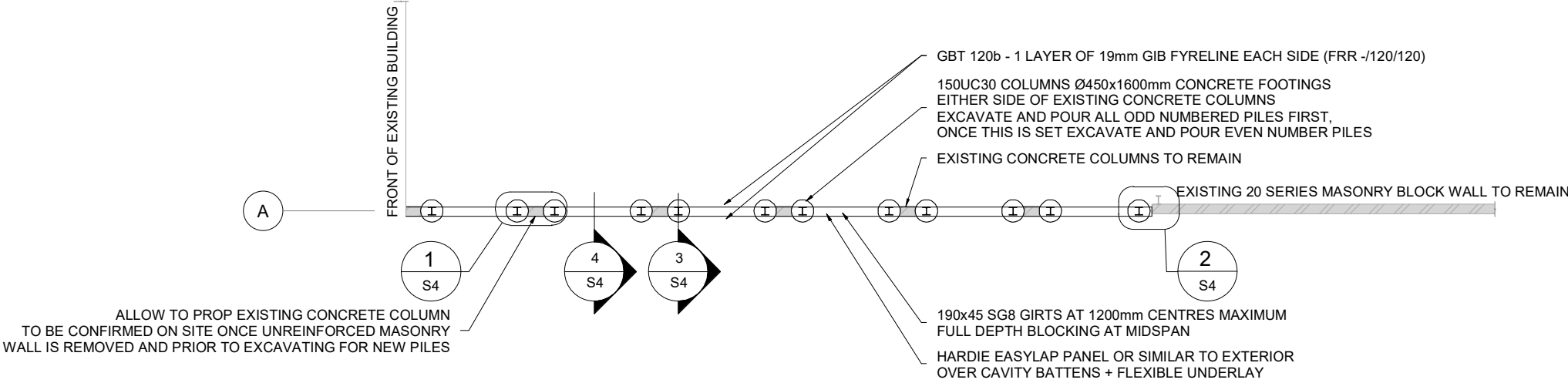
CONSTRUCTION NOTES

				Designed	Date	Job No.
				JJS	MAY 2024	9347
				Drawn		
				TJO		
B	PRICING	TJO	09.05.2024	Checked	Scale	Sheet Size
A	PRELIMINARY	TJO	10.10.2019	JJS	As indicated	A3
ISSUE	REASON	DRAWN	DATE			Sheet No.
						Issue
						S2
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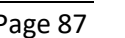
DEMOLITION PLAN
1 : 100

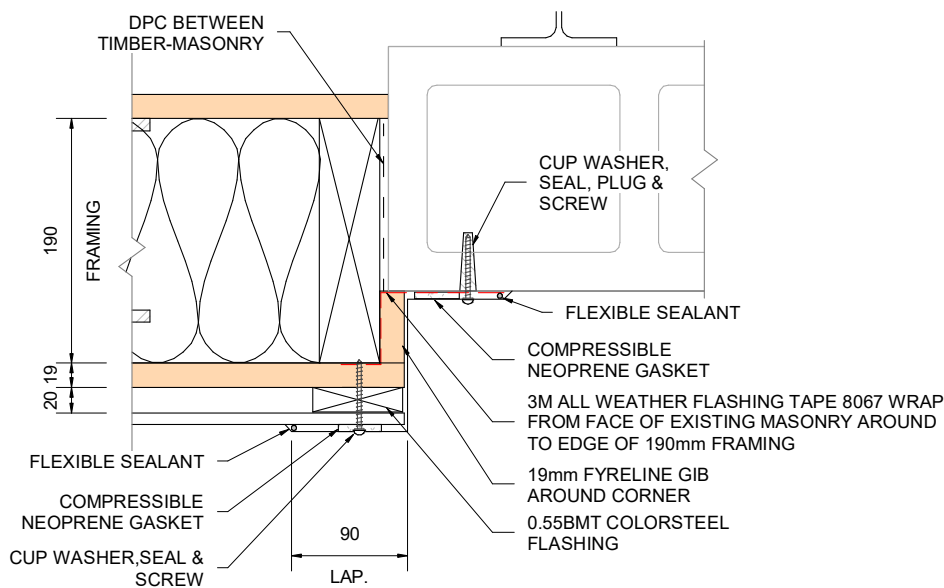
ALL MEASUREMENTS TO BE CONFIRMED ONSITE BY CONTRACTOR PRIOR TO ANY WORK COMMENCING



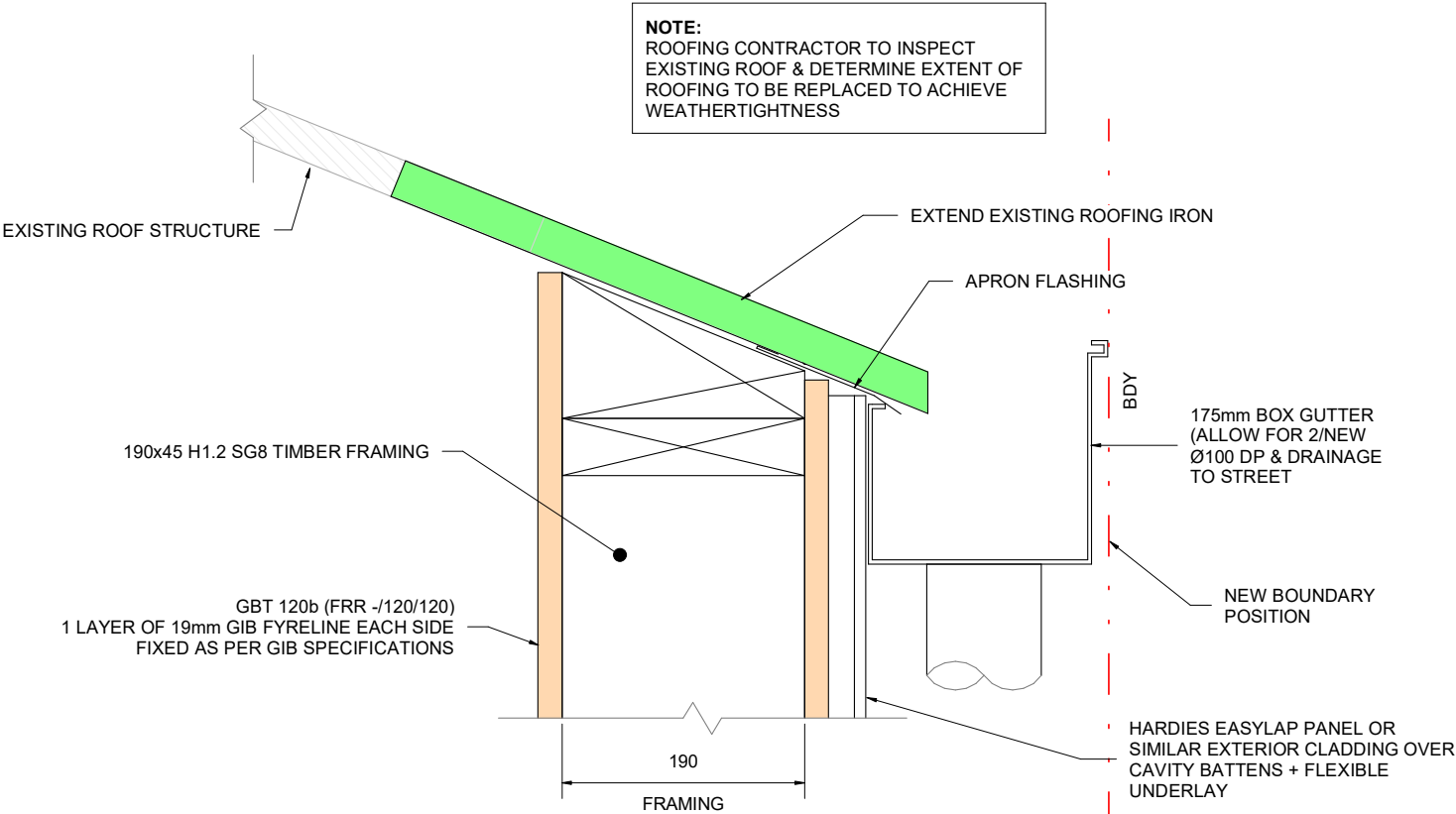
NEW WALL FRAMING PLAN
1 : 100

<div></div> <div>CONSULTING ENGINEERS BPL Engineering Ltd. 86 Victoria Avenue, Wanganui New Zealand Phone: (06) 3453959 E-mail: office@bplgroup.co.nz Website: www.bplgroup.co.nz</div> <div></div> <div>© COPYRIGHT 2022</div>	RANGITIKEI DISTRICT COUNCIL CORNER OF BROADWAY & LOWER HIGH STREET, MARTON	NEW WALL DEMOLITION AND NEW WALL PLAN						Designed	Date	Job No.			
									JJS	MAY 2024	9347		
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									TJO	Scale	Sheet Size	Sheet No.	Issue
			B	PRICING	TJO	09.05.2024	Checked	1 : 100	A3	S3	B		
			A	PRELIMINARY	TJO	10.10.2019	JJS						
			ISSUE	REASON	DRAWN	DATE							





NEW-EXISTING FLASHING DETAIL
1 : 5



GUTTER FLASHING DETAIL
1 : 5

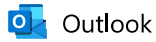


ALL MEASUREMENTS TO BE CONFIRMED ONSITE BY CONTRACTOR PRIOR TO ANY WORK COMMENCING

<div></div> <div>CONSULTING ENGINEERS BPL Engineering Ltd. 86 Victoria Avenue, Wanganui New Zealand Phone: (06) 3453959 E-mail: office@bplgroup.co.nz Website: www.bplgroup.co.nz  <small>© COPYRIGHT 2022</small></div>	RANGITIKEI DISTRICT COUNCIL CORNER OF BROADWAY & LOWER HIGH STREET, MARTON	NEW WALL DETAILS																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
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6/11/25, 10:01 AM

RE: [EXTERNAL] New On and Off Licence application for Cooks Bar - Kezia Spence - Outlook



RE: [EXTERNAL] New On and Off Licence application for Cooks Bar

From HEIHEI, Vincent (Vinnie) <Vincent.Heihei@police.govt.nz>**Date** Tue 4/02/2025 10:12 AM**To** Vicki Reed <vicki.reed@rangitikei.govt.nz>; Liquor Licence <Liquor.Licence@midcentraldhb.govt.nz>; MOORE, Janice <Janice.Moore@police.govt.nz>**Cc** Rochelle Baird <rochelle.baird@rangitikei.govt.nz>

6/11/25, 10:01 AM

RE: [EXTERNAL] New On and Off Licence application for Cooks Bar - Kezia Spence - Outlook

Nil issues with Applicant nor Application

Regards

From: Vicki Reed <vicki.reed@rangitikei.govt.nz>

Sent: Monday, February 3, 2025 1:34 PM

To: Liquor Licence <Liquor.Licence@midcentraldhb.govt.nz>; HEIHEI, Vincent (Vinnie) <Vincent.Heihei@police.govt.nz>; MOORE, Janice <Janice.Moore@police.govt.nz>

Cc: Rochelle Baird <rochelle.baird@rangitikei.govt.nz>

Subject: [EXTERNAL] New On and Off Licence application for Cooks Bar

CAUTION: This email originated from outside the New Zealand Police Network. DO NOT click links or open attachments unless you recognise the sender and are assured that the content is safe.

Good Afternoon

Please find attached new applications for an on and off licence at Captain Cooks Bar, Marton, they are currently operating on a TA and will be needing to apply for a second TA due to advertising delays. The attached application covers both licences thanks.

Kind Regards Vicki

Vicki Reed	Senior Regulatory Officer & Licensing Inspector	
Rangitikei District Council	46 High Street, Private Bag 1102, Marton 4741	
P 06 327 0099 or 0800 422 522	C 0272503031	www.rangitikei.govt.nz



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6/11/25, 10:01 AM

RE: [EXTERNAL] New On and Off Licence application for Cooks Bar - Kezia Spence - Outlook

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ITEM 6.1 ATTACHMENT 10

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3/3



Health New Zealand
Te Whatu Ora

21 February 2025

The Secretary
District Licensing Committee
Rangitikei District Council
Private Bag 1102
Marton 4741

Dear Sir/Madam

RE: SALE AND SUPPLY OF ALCOHOL ACT 2012 - APPLICATION FOR NEW ON LICENCE – Captain Cooks Hospitality Limited Ref# ON0118

I refer to your request received by our office on 3 February 2025, together with the application for a new on-licence for the above applicant, for the premises Captain Cooks Bar & Restaurant situated at 297-303 Broadway Marton.

On 19 February 2025, I visited the above premises on behalf of the Medical Officer of Health, and met with Harkamal Vir Singh (Ricky). A discussion was undertaken regarding strategies and procedures required by the Licensee to ensure a safe environment for the consumption of alcohol and harm minimisation. The premises were also assessed for compliance with the requirements of the Sale and Supply of Alcohol Act 2012 (SASA 2012).

Section 105(1),(j) Criteria for issuing licenses “*whether the applicant has appropriate systems, staff, and training to comply with the law*”:

A discussion was undertaken, to ensure on-going compliance with licence conditions and strategies used to ensure a safe environment for drinking.

Also discussed were responsibilities, under the **Health and Safety at Work Act 2015** that as a licensee they are required to have procedures in place to manage emergencies effectively.

These include:

- Staff must be trained in these procedures.
- All staff know about your emergency procedures
- All staff must be aware of risks within their working environment i.e., maximum capacity / occupancy of building, where all fire / emergency exits are, alternative options for evacuation exits etc
- All staff must know where you keep this information and where emergency equipment is stored,
- Staff must know how to dial 111 and give a clear description of their location (signage by the phone with instructions are helpful)

I have not been advised of any noncompliance issues at the present time and so am not aware of any problems that might reflect upon the applicant's suitability for licensing.

Public Health Centre, Health Protection, Lambie Hostel | Private Bag 3003, Whanganui 4541

Phone: 06 348 1775; E-mail: PHUWang@midcentralthb.health.nz

Health New Zealand – Te Whatu Ora
Te Pae Hauora o Ruahine o Tararua | MidCentral

Te Kāwanatanga o Aotearoa
New Zealand Government

During my visit the applicant has also been advised of their responsibilities under the Smokefree Environments and Regulated Products Act 1990 to prohibit smoking and vaping in all internal areas of the premises.

I have considered this application with respect to the public health issues involved and I am not aware of any problems that would require opposition.

I have no opposition to the issue of the licence.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'Jill Job'.

Jill Job
Compliance Officer – Public Health
For Dr Patrick O'Connor
Medical Officer of Health
National Public Health Service | Central Region
Te Pae Hauora o Ruahine o Tararua

Cc New Zealand Police, Fire and Emergency NZ

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012 ("Act")

AND**IN THE MATTER**

of an application by **Captain
Cooks Bar & Hospitality Limited**
for a new Off-licence pursuant to
s.100 of the Act in relation to the
premises situated at 297-303
Broadway, Marton and known as
"Captain Cooks Bar and Cafe".

BEFORE THE RANGITIKEI DISTRICT LICENSING COMMITTEE

Commissioner: Stuart Hylton

Committee Minute**Application**

1. This is an application for a new Off-licence by **Captain Cooks Bar & Hospitality Limited** in relation to the premises known as "Captain Cooks Bar and Cafe". The application was made on the 3 February 2025.
2. The intended principal business of this application is an over the counter/bottle store style Off-licence.
3. The premises currently holds both a Tavern style On-licence and an Off Licence that allows for both over the counter and bottle store Off-sales. The 'over the counter' sales of alcohol for consumption 'off' the premises was granted on 15 February 2024. In November 2024, a variation to alter the Off-licence to include a stand-alone bottle store for Off-sales, was also granted.
4. Whilst this is not a new Off-licence, a new licence is required due to a change in licensee. The applicant is currently operating the premises under a Temporary Authority 37/OFF/0025/2024 which allows the current Off-licence conditions issued on 12 November 2024, to continue until a new licence is determined.
5. The application was publicly notified in accordance with s. 101 of the Act.

Statutory Reports

6. The application was sent to the Inspector, Medical Officer of Health and NZ Police for their statutory reports. All three reporting agencies filed reports of **no opposition**.

Public Objections

7. The publicly notified application attracted 80 objections of which 23 indicated they wish to be heard. Of the 80 public objections received, 30 were signatures as part of a petition type objection letter. A number of the other written objections were of a similar form and style using the same or similar wording as grounds for objection.
8. One of the objections was made by Vijay Kumar Kamboj. Mr Kamboj is sole director of Marton Wholesale Liquor Limited, who is the registered owner of the premises in relation to this application. The Committee understands Marton Wholesale Liquor Limited purchased the building at 297-303 Broadway, Marton, in January 2025.
9. In his objection Mr Kamboj raised two issues -
- (i) Concerns regarding the structural integrity of the premises, more specifically significant earthquake strengthening repairs required to a cross-boundary wall that directly affects the premises. Mr Kamboj provides a copy of an 'Agreement for Works' on Cross-Boundary Wall between the Rangitikei District Council and Marton Wholesale Liquor Limited, with Council agreeing to replace the wall as per the agreement. Mr Kamboj states further – *"Until these repairs are completed, and the Premises are certified as structurally sound, I do not believe it would be prudent or safe for the Premises to operate as a licensed venue. The required repairs are likely to cause significant disruption to the building's infrastructure, which could necessitate the closure of the Premises or require it to be vacated in order to mitigate safety risks that could endanger both patrons and staff."*
 - (ii) Failure to obtain landlord's consent. Mr Kamboj states – *"I would like to bring to the Committee's attention that the applicant has not obtained the necessary consent from MWLL, as the landlord of the property to apply for and operate an alcohol licence on these premises... Without this consent, in my view, the application is incomplete and does not satisfy the necessary requirements for approval. As such, I respectfully request that the Committee to refuse this application, as such consent will not be provided for the reasons set out in bullet point 1 of this objection."*

Landlords Consent

10. With regards to the matter of Landlord Consent, Mr Kamboji submits that the applicant has failed to gain written consent from him as landlord to apply for and operate an alcohol licence on these premises.

11. The Committee understands the applicant signed a five-year tenancy agreement with Singh Family Trust on the 6/12/2024 with right of renewal for a further 6 x 5 years. This Deed of Lease was supplied with the licence application. The building was then sold on the 8/01/2025 to Vijay Kamboj (Marton Wholesale Liquor Limited).
12. The Committee assumes there has been no further tenancy agreement between (Mr Kamboj Marton Wholesale Liquor Limited) and the applicant, and the application is silent on any ongoing rights from the applicant's tenancy agreement with the Singh Family Trust as they now relate to the new landlord, Mr Kamboj.
13. Whilst we do not consider that it is within the scope of this Committee's powers to resolve any lease disputes between the applicant and its landlord, as this is a contractual matter between the parties, it is incumbent on the applicant to satisfy the Committee that it has clear tenure and/or lawful authority to control all areas of its premises. If there is uncertainty as to such authority, this is a relevant matter to the Committee's evaluation of the new application.
14. Consequently, the Committee sought formal evidence from the applicant that they had tenancy rights over the area seeking to be licenced.
15. The applicant responded to the Committee's request with a letter dated 14 April 2025 from their lawyer who –
 - Attached a copy of the Lease of Premises dated 6 December 2024 and noted clause 16.1 and the First Schedule, clause 13, which provides that "Business Use" shall be "bar, gaming, restaurant, and bottle store", and
 - Understands the premises were acquired by the new owner on or around 8 January 2025. He further states *"It is trite law that the new owner takes ownership of the premises subject to existing lease arrangements. It is bound by the terms of the lease agreed on 6 December 2024, which includes the consent to operate the bottle store. It would have acquired the premises with full knowledge of the terms of the lease. It has therefore consented to the bottle store."*

Note: 'trite law' according to Wiktionary means "Laws that are obvious and common knowledge".

16. On this basis the Committee is of the initial view that tenure over the area to be licensed has been established by the applicant.

Opportunity for the Committee to hear from the Objector on the matter

17. To ensure this Committee observes the fundamental rules of natural justice, we invite the objector and current owner of the premises - Mr Kamboj of Marton Wholesale

Liquor Limited, with the opportunity to present written evidence to support or disprove the applicant's tenure as presented by the applicant's lawyer.

18. The District Licensing Committee therefore directs that this further written evidence from the objector, must be filed with the Secretary of the Committee within 10 working days from the date of this minute.

DATED this 18 day of April 2025



**Stuart Hylton
Commissioner
Rangitikei District Licensing (Alcohol) Committee**

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012 ("Act")

AND**IN THE MATTER**

of an application by **Captain
Cooks Bar & Hospitality Limited**
for a new Off-licence pursuant to
s.100 of the Act in relation to the
premises situated at 297-303
Broadway, Marton and known as
"Captain Cooks Bar and Cafe".

BEFORE THE RANGITIKEI DISTRICT LICENSING COMMITTEE

Commissioner: Stuart Hylton

Committee Minute No 2**Application**

1. This is an application for a new Off-licence by **Captain Cooks Bar & Hospitality Limited** in relation to the premises known as "Captain Cooks Bar and Cafe". The application was made on the 3 February 2025.
2. The intended principal business of this application is an over the counter/bottle store style Off-licence.
3. The premises currently holds both a Tavern style On-licence and an Off Licence that allows for both over the counter and bottle store Off-sales. The 'over the counter' sales of alcohol for consumption 'off' the premises was granted on 15 February 2024. In November 2024, a variation to alter the Off-licence to include a stand-alone bottle store for Off-sales, was also granted.
4. Whilst this is not a new Off-licence, a new licence is required due to a change in licensee. The applicant is currently operating the premises under a Temporary Authority 37/OFF/0025/2024 which allows the current Off-licence conditions issued on 12 November 2024, to continue until a new licence is determined.
5. The application was publicly notified in accordance with s. 101 of the Act.

Statutory Reports

6. The application was sent to the Inspector, Medical Officer of Health and NZ Police for their statutory reports. All three reporting agencies filed reports of **no opposition**.

Public Objections

7. The publicly notified application attracted 80 objections of which 23 indicated they wish to be heard. Of the 80 public objections received, 30 were signatures as part of a petition type objection letter. A number of the other written objections were of a similar form and style using the same or similar wording as grounds for objection.
8. The stated grounds for objection could be grouped into the following general categories:
 - (a) The effect on amenity and good order, with Marton already having enough existing outlets which negatively affect the area.
 - (b) Proximity of the premises to sensitive sites such schools and childcare centres, parks and recreation areas, medical facilities, and other important community spaces.
 - (c) Public safety relating to a wall demolition at this site.
 - (d) Failure to gain landlord's consent.
 - (e) Economic sustainability.
9. Firstly, the Committee must determine whether the objections meet the objection criteria under the Act i.e. comply with s. 102 objection requirements under the Act i.e.

102 Objections to applications

- (1) *Any person may object to an application for the grant of a licence, whether as an individual or as a representative of a group or an organisation.*

(1A) *However, —*

- (a) *a trade competitor may object to an application only if the trade competitor is directly affected by the application in a way that does not relate to—*

- (i) *trade competition; or*
- (ii) *the effects of trade competition; and*

- (b) *a person may not object to an application if the person receives, or is likely to receive, direct or indirect help from a trade competitor to object to the application.*

- (2) *An objection must be in writing and filed with the licensing committee within 25 working days after the first publication of the public notice of the making of the application.*

- (3) *No objection may be made in relation to a matter other than a matter specified in section 105.*

- (4) *This subsection applies to an application—*

(a) for a licence for premises that is of the same kind as the licence currently in force for those premises; and

(b) in which the conditions sought are the same as apply to that licence.

(4A) In the case of an application to which subsection (4) applies, the ground for an objection may not relate to any matter other than the suitability of the applicant. (our emphasis)

10. The determination of an objector's compliance with s.102 matters will determine whether this Committee can take into account the objection when determining the application and whether the objector has rights to appear and give evidence at any hearing proceedings.
11. The Committee has looked at all the objections and determines they all –
 - Were in writing and received on time.
 - Were made in relation to section 105 matters under the Act.
12. However, as this application is for premises that is of the same kind as the licence currently in force for those premises; and in which the conditions sought are the same as apply to that licence, section 102 (4) and (4A) provisions must apply i.e. the ground for an objection may not relate to any matter other than the suitability of the applicant.
13. The Committee has assessed all the objections and concluded that none of the objections relate to the suitability of the applicant other than that made by Vijay Kumar Kamboj. Therefore, in accordance with section (4) and (4A) of the Act, all other matters raised by the objectors are unable to be considered in this particular application.

Objection raised by Vijay Kumar Kamboj

14. In our first Committee Minute relating to this application dated 18 April 2025, the Committee considered the objection made by Vijay Kumar Kamboj. Mr Kamboj is the sole director of Marton Wholesale Liquor Limited, who are the registered owner of the premises in relation to this application. The Committee understands Marton Wholesale Liquor Limited purchased the building at 297-303 Broadway, Marton, in January 2025.
15. In that first minute we highlighted the two issues raised by Mr Kamboj namely –
 - (a) Concerns regarding the structural integrity of the premises, more specifically significant earthquake strengthening repairs required to a cross-boundary wall that directly affects the premises, and

(b) Failure to obtain landlord's consent.

16. The Committee determined in that 'minute' that Mr Kamboj has a right to object and the two matters raised are matters this Committee should have some regard to.
17. The Committee noted it had sought and received formal evidence from the applicant that they had tenancy rights over the area seeking to be licenced.
18. In the Committee 'minute' we gave some preliminary views on both matters raised by Mr Kamboj and to ensure natural justice rules were observed, we invited the objector to present further written evidence in relation to the evidence produced by the Counsel for the applicant.

Objectors Further Evidence

19. On the 1 May 2025, Counsel for the Objector responded to the Committee Minute giving further evidence around the imminent earthquake strengthening repairs to the cross-boundary wall impacting the premises, evidence around the lack of landlord consent for the application and questioning the applicant's suitability due to non-disclosed material.

Hearing Required

20. The Committee determines that there are matters and evidence with this application best heard, considered and determined by way of hearing.
21. The Committee directs that a suitable hearing date be set and notified to all parties that have rights to appear and be heard.
22. We further direct that this 'Minute' be sent to all objectors and that their attention is drawn to our determination that, apart from Mr Kamboj, all other objectors do not meet the statutory threshold to have their objection considered in this particular application.
23. A formal hearing agenda will be sent to all parties to proceedings closer to the hearing date.
24. Prior to hearings of this nature, adequate disclosure of reports and briefs of evidence is important to ensure that natural justice is observed in the hearing process and to avoid unnecessary delays. The Committee notes the Challenge Enterprises decision NZARLA PH 1107/2013 at [28], in which ARLA gives the following guidelines on disclosure:

...the Authority expects parties appearing before the Authority to have made adequate disclosure of their evidence well prior to the hearing. There should be no need for a

request. It should be done automatically simply because that is the only fair way of proceeding. Failure to do so can result in an adjournment or (in the worst scenario) the Authority refusing to accept evidence which has not been disclosed. Of course, this does not apply to unrepresented objectors who usually will have already provided a good summary of their case in their written objections.

25. The Committee therefore further directs that all briefs of evidence and any other documentary material that parties to proceedings seek to introduce as evidence must be filed with the Secretary of the Committee, not less than 10 working days prior to the hearing. This is to provide parties sufficient time to consider the documents before the hearing.
26. The Committee Advisor will be in contact to confirm the hearing date.
27. I direct that this Direction Notice be sent to all respondents to proceedings in this application.

DATED this 14 day of May 2025



**Stuart Hylton
Commissioner
Rangitikei District Licensing (Alcohol) Committee**

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012 ("Act")

AND**IN THE MATTER**

of an application by **Captain
Cooks Bar & Hospitality Limited**
for a new Off-licence pursuant to
s.100 of the Act in relation to the
premises situated at 297-303
Broadway, Marton and known as
"Captain Cooks Bar and Cafe".

BEFORE THE RANGITIKEI DISTRICT LICENSING COMMITTEE

Commissioner: Stuart Hylton

Committee Minute No 3**Previous Committee Minutes and Determinations**

1. This Committee Minute should be read in conjunction with the previous two minutes issued by this Committee in relation to this application.
2. In our first Committee Minute dated 18 April 2025, the Committee determined that all the public objectors to this application, apart from that made by Vijay Kumar Kamboj, were unable to be considered in this particular application.
3. In that first minute we highlighted the two issues raised by Mr Kamboj namely –
 - (a) Concerns regarding the structural integrity of the premises, more specifically significant earthquake strengthening repairs required to a cross-boundary wall that directly affects the premises, and
 - (b) Failure to obtain landlord's consent.
4. The Committee determined in that 'minute' that Mr Kamboj has a right to object and the two matters raised are matters this Committee should have some regard to.
5. The Committee noted it had sought and received formal evidence from the applicant that they had tenancy rights over the area seeking to be licenced.

6. In the Committee 'minute' we gave some preliminary views on both matters raised by Mr Kamboj and to ensure natural justice rules were observed, we invited the objector to present further written evidence in relation to the evidence produced by the Counsel for the applicant.
7. On the 1 May 2025, Counsel for the Objector responded to the Committee Minute giving further evidence around the imminent earthquake strengthening repairs to the cross-boundary wall impacting the premises, evidence around the lack of landlord consent for the application and questioning the applicant's suitability due to non-disclosed material.
8. In Minute No 2 dated 14 May 2025, the Committee determined that there were matters and evidence with this application best heard, considered and determined by way of hearing. The matter was set down to be determined by way of hearing scheduled for 24 June 2025.
9. The Committee further directed that all briefs of evidence and any other documentary material that parties to proceedings seek to introduce as evidence must be filed with the Secretary of the Committee, not less than 10 working days prior to the hearing.

Further Correspondence Received from Respondents

10. The Committee received a memorandum from counsel for the applicant dated 5 June 2025, seeking to strike out the objection by Marton Wholesale Liquor Ltd for the following reasons:
 - (a) *Firstly, as non-compliant with s 102(4A), by relating to matters other than the suitability of the Applicant.*
 - (b) *Secondly, pursuant to s 202(3)(b), as:*
 - (i) *Relating to matters outside the scope of the Act; or*
 - (ii) *As vexatious and an abuse of the Committee's processes.*
 - (c) *Counsel acknowledge that the Committee may, if minded to do so, choose to set this matter down for a public hearing regardless of whether it strikes out the Objection.*
 - (d) *However, counsel respectfully submit that, should the Committee decide to take that option, it would be procedurally improper to take into account or question the Applicant relating to the matters raised in the Objection, given the Objection relates to irrelevant considerations.*
 - (e) *The option remains open to the Committee (presuming the Objection is struck out) to grant the application on the papers, as none of the reporting agencies have raised any matters in opposition, and no other public objections remain.*

11. Subsequently the Committee received a memorandum from counsel for the objector dated 5 June 2025, responding to the Applicant's memorandum seeking to strike out the objection.
12. The memorandum concludes stating –

[24] *"the Applicant's attempt to strike out MWLL's objection is unfounded, unfair, and inconsistent with both the statutory scheme and the principles of natural justice. The objection raises serious and relevant concerns that go to the core of s 105 of the Act.*

[25] *"The Committee is respectfully urged to dismiss the Applicant's memorandum and allow the objection to proceed to a full hearing where the concerns can be properly examined. The Applicant will have the opportunity to address these concerns before the Committee at that time".*

Committees Determination

13. The Committee has considered both parties memorandums on this matter and concludes that –
 - (a) Mr Kamboj's objection does not meet the s. 102(4a) criteria in that 'suitability' was not raised or alluded to in his original letter of objection. The matter of suitability was only raised by the objectors Counsel in later correspondence.
 - (b) Mr Kamboj raised concerns around (i) Design and Layout, and (ii) Landlords Consent. As per our earlier minute these are matters this Committee should have regard to and principally for this reason, we invite Mr Kamboj, along with the applicant, to attend a hearing to hear further evidence on these matters.
 - (c) In this regard the Committee intends to summons an appropriate Rangitikei District Council officer to assist the Committee with evidence and answers to questions on matters relating to the buildings design and layout.
 - (d) The Committee amends its earlier directive of disclosure of evidence from not less than 10 working days prior to the hearing to not less than 5 working days prior to the hearing.
 - (e) The Committee reiterates its earlier determination that there are matters and evidence with this application best heard, considered and determined by way of hearing, and that hearing is scheduled for Tuesday, 24th June 2025, starting at 10am. An agenda will be sent to all parties soon.
14. The Committee also records that it has reconsidered its earlier decision around objector 'status' to allow objector – Nathan Cowie, the ability to attend and give evidence at the hearing. Mr Cowie raised 'suitability' as an issue in his objection.

15. I direct that this Direction Notice be sent to all respondents to proceedings in this application.

DATED this 9 day of June 2025



Stuart Hylton
Commissioner
Rangitikei District Licensing (Alcohol) Committee



14 April 2025

By email

Rangitikei District Council
46 High Street
Marton 4741

Attention: Vicky Reed

Captain Cooks Bar – Off Licence

- 1 We act for Captain Cooks Hospitality Limited (**CCH**), the operator of the business known as Captain Cooks Bar at 297-301 Broadway, Marton (**Premises**).
- 2 We understand the Rangitikei District Council is in the process of assessing an application by CCH for an off licence for the Premises. We understand the Council would like formal evidence of CCH's lease of the Premises.
- 3 Please find **attached** a copy of the Lease of the Premises agreed on 6 December 2024. In particular, we direct you to clause 16.1 and the First Schedule, clause 13, which provides that "Business Use" shall be "Bar, gaming, restaurant, and **bottle store**" (emphasis added).
- 4 The further terms also provided for additional rent to be payable once "*the bottle store is opened to the public*", clearly showing the parties always contemplated a bottle store would be opened and was a consented use by the Landlord.
- 5 We understand the premises were acquired by the new owner on or around 8 January 2025. It is trite law that the new owner takes ownership of the Premises subject to any existing lease arrangements. It is bound by the terms of the lease agreed on 6 December 2024, which includes the consent to operate the bottle store. It would have acquired the premises with full knowledge of the terms of the lease. It has therefore consented to the bottle store.
- 6 Please let us know if any further information is required.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'J Nolen'.

James Nolen
Director
DDI: +64 21 881 209
James@nwlaw.co.nz

Nolen Walters Limited
Level 6, 70 Shortland Street, Auckland 1010
PO Box 37, Shortland Street, Auckland 1140
info@nwlaw.co.nz
+64 9 558 3302
nwlaw.co.nz

BEFORE THE RANGITIKEI DISTRICT LICENSING COMMITTEE

UNDER the Sale and Supply of Alcohol Act 2012 (**Act**)

IN THE MATTER of an application by **Captain Cooks Hospitality Limited** for a new off-licence in respect of a premises at 297 – 303 Broadway, Marton, and known as ‘Captain Cooks Bar and Café’ (**Premises**)
Applicant

MEMORANDUM OF COUNSEL FOR THE OBJECTOR RESPONDING TO DLC MINUTE

Dated: 1 May 2025

Presented for filing by:

Pervinder Davies Law
5 Chert Street
Rolleston

Telephone: +64 21 2140191
Counsel: P Davies
Email: pervinder@PervinderDaviesLaw.co.nz

**MEMORANDUM OF COUNSEL FOR THE OBJECTOR RESPONDING TO THE DLC
MINUTE**

**MĒNĀ KA PAI KI TE KOMITI
MAY IT PLEASE THE COMMITTEE**

1. Counsel for the objector, Marton Wholesale Liquor Limited (**MWLL**), submits this memorandum in response to the Rangitikei District Licensing Committee's Minute dated 18 April 2025 (**Minute**).
2. MWLL has lodged an objection to the grant of off-licence raising concerns about the safety and structural integrity of the Premises – particularly the poor condition of the cross-boundary wall (discussed further in the memorandum). MWLL also raised concern that the applicant failed to obtain landlord's consent before applying for an alcohol licence.
3. In response, the applicant has confirmed that it holds a lease agreement for the Premises and therefore has the requisite tenure, rendering landlord consent unnecessary.
4. Following the applicant's response, the Committee has directed MWLL to provide a reply in accordance with the principles of nature justice.

Background

5. The applicant entered into a tenancy agreement with Singh Family Trust on 6 December 2024, for the lease of the Premises (**Lease**).
6. Subsequently, on 8 January 2025, MWLL became the registered proprietor of the Premises, having completed the purchase transaction. As part of this acquisition, MWLL assumed the rights and obligations of the existing landlord under the applicant's Lease.
7. In addition to acquiring the Premises and tenancy, MWLL also assumed responsibility for an existing agreement "Agreement for Works on Cross-Boundary Wall" dated 15 October 2024 between the former landlord and Rangitikei District Council (**Council**). This agreement obliges MWLL to undertake

significant earthquake strengthening repairs to a cross-boundary wall directly impacting the Premises (**Works**).

Business Use and Landlord Consent

8. The Lease specifies the permitted Business Use as including "Bar, gaming, restaurant, and bottle store." However, it is critical to emphasise that historically, the off-licence was used only to allow "over the counter sales" of alcohol incidental to the main on-licence activities.
9. At no stage, prior to the current application had a standalone bottle store operation been established on the Premises despite the variation of the off-licence in November 2024. The reference to "bottle store" in the Lease was therefore largely theoretical at the time of MWLL's acquisition of the property.
10. On 3 February 2025, the applicant lodged an application for a new off-licence to operate a dedicated standalone bottle store. This constitutes a material change in the nature and intensity of alcohol sales on the Premises, distinct from the previous, off-licence use.
11. MWLL submits that it was entirely reasonable to expect that, following the change in property ownership, the applicant would consult with and seek the express consent of MWLL as the new landlord before pursuing such a substantial change in operation, including any internal fit-out works required (undertaken without consent and in breach of clause 20.1 of the Lease) for the standalone bottle store. Seeking landlord consent in these circumstances would have aligned with good commercial practice and the legal framework underpinning the alcohol licensing regime.
12. The need for landlord consultation and consent was particularly pressing given that a formal notice had been issued to the applicant on 16 January 2025, requiring it to vacate a portion of the Premises by 31 January 2025 for a period of 12 months to enable the Works to be carried out. A copy of the notice dated 16 January 2025 is annexed and marked 'A'.
13. For clarity, the cross-boundary wall is located within the portion of the Premises intended to house the proposed standalone bottle store. Accordingly, the

structural works required to the wall will directly impact the area subject to the current off-licence application.

14. MWLL wishes to confirm that it is not challenging the validity of the Lease before the Committee. MWLL accepts, and agrees with, the Committee's observation at paragraph [13] of the Minute that any dispute arising under the lease is a contractual issue between landlord and tenant, outside the scope of the Committee's jurisdiction.
15. However, MWLL does not accept the applicant's assertion that its acquisition of the property automatically amounts to consent for the establishment of a standalone bottle store, particularly given that the applicant was issued with a formal notice to vacate the portion of the Premises subject to the Works.
16. Furthermore, it is a well-recognised and standard requirement within the alcohol licensing regime that landlord consent is usually provided, in writing, as part of a new licence application. District Licensing Committees frequently request evidence that the landlord is aware of and supports the proposed alcohol-related activity – particularly where that activity diverges substantially from prior operations.
17. This is not a mere formality. The requirement reflects the critical role of landlords in ensuring that their premises are used lawfully and appropriately for alcohol sales, and that any risks — including compliance with building, resource consent, and health and safety obligations — are properly managed.
18. Here, the applicant's proposal represents a fundamental change: transitioning from over the counter sales to a dedicated retail outlet for off-site alcohol sales in the portion of the Premises that is about to undergo significant structural repairs. The distinct operational risks and regulatory responsibilities associated with a standalone bottle store — including matters such as fit-out, security, public health, and safety — underscore the importance of obtaining landlord consent.

Failure to disclose material information calls applicant's suitability into question

19. Despite having been formally notified that it was required to vacate the Premises to enable the Works to be carried out, the applicant proceeded to apply for a new off-licence, presumably without disclosing the notice to vacate or the imminent closure of the Premises to the District Licensing Committee. This failure to disclose material information goes directly to the applicant's suitability under the Act, particularly its obligations to demonstrate honesty, transparency, and compliance with legal requirements.
20. The applicant's failure to disclose material information is particularly concerning given the socio-economic context of the area. The Premises is in a locality that scores 8 on the 2023 New Zealand Index of Deprivation, indicating a high level of deprivation (with 10 being the most deprived and 1 being the least).¹ The surrounding areas around the Premises score 10 on the Index. Areas with higher deprivation scores often experience greater alcohol-related harm, which places an increased responsibility on licensees to operate with transparency, honesty, and a strong sense of social responsibility.
21. In this context, the applicant's lack of openness and candour raises serious doubts about their suitability to hold a licence. Trust and integrity are essential attributes for a licensee, particularly in vulnerable communities where the risks associated with alcohol misuse are heightened. If the applicant has not been forthcoming during the licensing process, it is reasonable to question how the Committee could have confidence that the applicant would fully and responsibly carry out their obligations if granted a licence.
22. The Committee must be able to trust that licensees operating in high-deprivation areas will act diligently to minimise harm and uphold the object of the Act. In this case, the applicant's conduct undermines that trust.
23. The applicant's failure to obtain landlord consent — particularly in circumstances where it had been formally notified to vacate a portion of the Premises to enable critical structural repairs — is a significant and material

¹ <https://www.ehinz.ac.nz/indicators/population-vulnerability/socioeconomic-deprivation-profile/#nzdep-for-2023-nzdep2023>

omission. This failure (along with the failure to disclose the notice to vacate) goes directly to the applicant's suitability and is a matter the Committee must carefully consider in assessing both the application and the applicant's overall fitness to hold a licence.

Structural Repairs and compliance with the Building Act 2004

24. MWLL is responsible for the Works affecting the Premises (and in light of the formal notice to vacate the portion of the Premises), it was particularly important that the landlord be consulted regarding any physical alterations to the area of the Premises that is subject to the Works.
25. This is especially critical because clause 21.3 of the Lease imposes a statutory obligation on MWLL to comply with s 363 of the Building Act 2004, which requires the landlord to ensure that the Premises are safe and that all necessary consents and works are completed before the Premises can be lawfully opened for use by members of the public.
26. Accordingly, MWLL would be in breach of the Building Act 2004 if it permitted the Premises to be used by members of the public without first completing the Works. The current measures in place to support the cross-boundary wall appear inadequate and present a significant risk to public safety.
27. MWLL recently received correspondence from the Council confirming that the Works are expected to commence in mid-2025. A copy of the letter is annexed and marked 'B'. These works are extensive and will directly affect the Premises.
28. The impending commencement of the Works reinforces the importance of landlord oversight and consent in relation to any material changes to the Premises. The operation of a standalone bottle store — particularly during a period when the building will be subject to significant construction activity — raises additional considerations regarding health and safety, customer access, security, and business continuity.
29. In these circumstances, MWLL reiterates that express landlord consent was, and continues to be, a necessary requirement for the establishment and operation of a standalone bottle store on the Premises. The absence of such consent,

particularly in light of the statutory obligations under the Building Act 2004, should weigh heavily in the Committee's consideration of the application.

Request for public hearing

30. MWLL remains firmly opposed to the applicant's application for a new off-licence to operate a standalone bottle store. MWLL submits that, given the material issues raised — including the failure to obtain landlord consent, the failure to disclose the notice to vacate due to imminent structural works, and the broader concerns regarding the applicant's suitability — the Committee should set the matter down for a public hearing.
31. A public hearing is necessary to ensure that all relevant facts are fully explored, to allow proper testing of the applicant's evidence, and to enable the Committee to discharge its statutory duty to assess the application carefully and transparently in the public interest.
32. Counsel acknowledges the Inspector's comments regarding s 102(4A) of the Act and submits that MWLL has raised serious concerns about the Premises, the applicant's conduct, and the implications for public safety — all of which the Committee is empowered to investigate. Furthermore, s 202(3) applies to the current application.

Dated this 1st day of May 2025



P Davies
Counsel for the Objector

James Nolen
Solicitor
Nolen Walters
(by email only)

16 January 2025

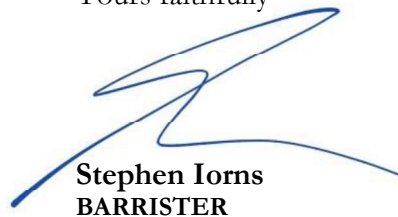
Dear James

Lease at Captain Cooks Bar - 297-301 Broadway, Marton – Notice for Access for Works

1. I understand you act for Captain Cooks Hospitality Limited. I have instructions to act for Marton Wholesale liquor Limited, the landlords of the property following settlement of their purchase. I have read your email of 20 December 2024.
2. We appear to be in an unfortunate situation where your clients have undertaken works without consent, in circumstances where the portion of the premises that they have modified is about to be subjected to substantial works requiring the removal of all chattels. My instructions are that your clients were fully aware of the need for substantial works, having been present at a meeting with the previous owner and landlord (the Singh Family Trust) and the Rangitikei District Council ("RDC"). My clients have been advised this by the previous landlords. The agreement I have seen with RDC is dated in October 2024.
3. My client has repeatedly requested copies of written consent for the works, which have not been supplied. We assume this is because they do not exist. It is implausible that the previous owner would consent to works being undertaken on the wall which was destined to be demolished. It is equally implausible that works which may impact the structure of an earthquake prone building have been consented to without advising my client as purchaser.
4. This is an earthquake prone building. The eastern wall is in need of replacement following the RDC removing a neighbouring building, causing a significant structural weakness. The RDC and the previous owners reached agreement on the replacement of the wall, which is estimated to take between 9 and 12 months. This will require vacant possession of the portion of the premises previously utilised as a TAB. As you are aware, the deed of lease provides for reduced rent until the TAB area becomes a bottle store. I refer you to Clause 48 in the third schedule.
5. Pursuant to Clause 15.3 of the Deed of Lease, the landlord's reasonable opinion is that the works to the wall cannot be done without the vacant possession of the TAB area. Notice is given accordingly to vacate that portion of the premises by 31 January 2025 for a period of 12 months. I have advised my client to email a copy of this letter to your client direct, to ensure notice requirements of Clause 42.1(b)(2) are met.

6. Given the implications of Clause 48, no rental adjustment is required. It is our understanding that this was anticipated when the deed of lease was negotiated.
7. I note that my client still requires the following:
 - a. Any written consent for the works undertaken.
 - b. The name of security company engaged by the tenant.
 - c. Provision of a spare key to the premises to enable access for works.
8. We would be grateful for your prompt attention.

Yours faithfully



Stephen Iorns
BARRISTER

Level 3, 276 Lambton Quay, Wellington
Email: stephen@rubiconchambers.com
DDI: +644 9749121

"B"



RANGITIKEI
DISTRICT COUNCIL

19 February 2025

Marton Wholesale Liquor limited
297 Broadway
Marton

Attention Vijay,

Boundary wall between 297 Broadway and 305 Broadway

As you are aware, Rangitikei District Council owns 305 Broadway, Marton which is the neighbouring property of 297 Broadway, Marton. Council purchased this property as is in May 2019. The condition of the remaining portion of the brick wall between 297 and 305 Broadway was acknowledged and accepted by Council.

Council has since committed to a streetscape upgrade for Marton with a design phase followed by a construction phase. The wall is located on a prominent entry at the southern end of the town centre. It is currently propped up with structural supports and fenced off to ensure safety to public. This creates a visual eyesore for the streetscape of the town and the neighbouring greenspace which detracts from the streetscape.

Late last year, Council resolved to replace the wall. This was publicly announced on the Council website on 2 October 2024.

As you know, Rangitikei District Council made attempts to establish an agreement with the previous owner of 297 Broadway to outline the proposed work. No formal agreement was signed however we understand a copy of the proposed agreement was made available to you prior to your purchase. A subsequent agreement between Council and you was then signed.

Council's intention was to begin work in early 2025 however we now expect the work to begin in mid-2025 (subject to contractor availability). Council has budgeted for the work to be completed in 2025 and delays will most likely result in construction and budget overruns. There are secondary benefits to completing the work in 2025 aligned to the town centre streetscape upgrade plans for Marton and future events planned at 305 Broadway, Marton.

As discussed with you on site, internal access to the wall throughout the whole of the project is essential for the contractor, sub-contractors, regulatory officers and any other personnel contributing to the final outcome.

This letter outlines Council's position relating to the wall. We will advise a project timeline once the contractor has been appointed.

Jarrod Calkin
Economic Wellbeing Lead

Making this place home.

"B"

19 February 2025

Marton Wholesale Liquor limited
297 Broadway
Marton



Attention Vijay,

Boundary wall between 297 Broadway and 305 Broadway

As you are aware, Rangitikei District Council owns 305 Broadway, Marton which is the neighbouring property of 297 Broadway, Marton. Council purchased this property as is in May 2019. The condition of the remaining portion of the brick wall between 297 and 305 Broadway was acknowledged and accepted by Council.

Council has since committed to a streetscape upgrade for Marton with a design phase followed by a construction phase. The wall is located on a prominent entry at the southern end of the town centre. It is currently propped up with structural supports and fenced off to ensure safety to public. This creates a visual eyesore for the streetscape of the town and the neighbouring greenspace which detracts from the streetscape.

Late last year, Council resolved to replace the wall. This was publicly announced on the Council website on 2 October 2024.

As you know, Rangitikei District Council made attempts to establish an agreement with the previous owner of 297 Broadway to outline the proposed work. No formal agreement was signed however we understand a copy of the proposed agreement was made available to you prior to your purchase. A subsequent agreement between Council and you was then signed.

Council's intention was to begin work in early 2025 however we now expect the work to begin in mid-2025 (subject to contractor availability). Council has budgeted for the work to be completed in 2025 and delays will most likely result in construction and budget overruns. There are secondary benefits to completing the work in 2025 aligned to the town centre streetscape upgrade plans for Marton and future events planned at 305 Broadway, Marton.

As discussed with you on site, internal access to the wall throughout the whole of the project is essential for the contractor, sub-contractors, regulatory officers and any other personnel contributing to the final outcome.

This letter outlines Council's position relating to the wall. We will advise a project timeline once the contractor has been appointed.

Jarrod Calkin
Economic Wellbeing Lead

Making this place home.

06 327 0099

info@rangitikei.govt.nz

www.rangitikei.govt.nz

46 High Street, Private Bag 1102, Marton 4741

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012 ("Act")

AND**IN THE MATTER**

of an application by **Captain
Cooks Bar & Hospitality Limited**
for a new Off-licence pursuant to
s.100 of the Act in relation to the
premises situated at 297-303
Broadway, Marton and known as
"Captain Cooks Bar and Cafe".

BEFORE THE RANGITIKEI DISTRICT LICENSING COMMITTEE

Commissioner: Stuart Hylton

**Summons to Appear at the Rangitikei District Licensing Committee Hearing
on 24 June 2025**

1. The application for a new off-licence by Captain Cooks Bar & Hospitality Limited has been set down to be determined by way of hearing by the Rangitikei District Licensing Committee.
2. The application is set down to be heard on Tuesday 24 June 2025 at Rangitikei District Council Chambers starting 10.00am.
3. The need for a hearing arises from opposition from the landlord around design/layout issues with the building and perceived lack of landlord's consent.

**Summons to Appear and Assist the Committee with matters around the Buildings Cross
Boundary Wall**

4. A key matter raised within this particular application is the state of the buildings 'cross boundary wall', the related remedial work required including a signed works agreement between Council and the building owner regarding completion of this remedial work.

5. Under s. 201 of the Act, this Committee acts as a Commission of Inquiry under the Commissions of Inquiry Act 1908, including the power to summons attendances of witnesses before it or the production of documents to assist.
6. The Committee believes it would assist proceedings to have an appropriate Council officer to attend the hearing on Tuesday 24 June 2025 and assist the Committee with matters surrounding the cross-boundary wall.
7. Therefore, in accordance with Section 201 (3) of the Act 2012, the Committee issues this summons requiring the attendance of the most appropriate Council Officer to attend the hearing on Tuesday 24 June 2025.

DATED this 9 day of June 2025



**Stuart Hylton
Commissioner
Rangitikei District Licensing (Alcohol) Committee**

5 Close of Hearing .