

# Matamata-Piako District Licensing Committee



## IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

## AND

## IN THE MATTER

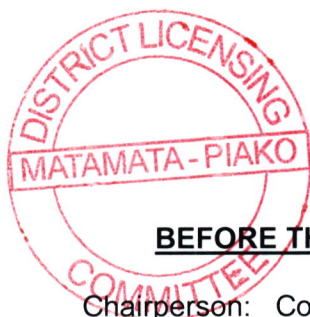
of an application by **Reyna Limited** for an **on-licence** pursuant to section 99 of the Sale and Supply of Alcohol Act 2012.

Licence Number:

**13/ON/007/2021**

File Number:

162.2020.1611.1



## BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Adrienne Wilcock

## DECISION ON THE PAPERS

This is an application by Reyna Limited for an on-licence in respect of a premises situated at 99 Broadway, Matamata known as Sofra. The general nature of the premises is that of Restaurant.

The days and hours which the applicant proposes to sell alcohol are :

**Monday to Sunday from 10.00 am until 11.00 pm**

These days and hours are consistent with the requirements of Council's Provisional Local Alcohol Policy, as it applies to this type of premises.

This application was lodged on 23 November 2020 and was advertised in accordance with s.101 of the Act, in the Scene on 26 January 2021. No public objections were received.

Section 37 (2)(b) of the Sale and Supply of Alcohol Regulations 2013 relates to the manner of publication of public notice of applications for renewals of licences for premises or conveyance in very low-risk or low-risk fees category if published in a newspaper, one publication is sufficient. This application falls within that category.

Section 101 of the Act state that the applicant must within 20 working days after the filing of the application make public notice.

Section 208 of the Act states

Where any person has neglected or omitted to do any act or thing in the precise manner or within the precise time pre-scribed by this Act, the licensing authority or (as the case may require) the licensing committee or the chairperson, if satisfied that the neglect or omission was not wilful, may waive the same on such terms as they think equitable.

A handwritten signature in black ink, located in the bottom right corner of the page.

The reason given for the non compliance falls within Section 208. The applicant was unaware of the requirement.

The application was referred to the Police, Medical Officer of Health and Inspector for comment as required by s.103. None of the reporting agencies have raised any matters in opposition to the application. The certificates required by s.100(d) and (f) have been received.

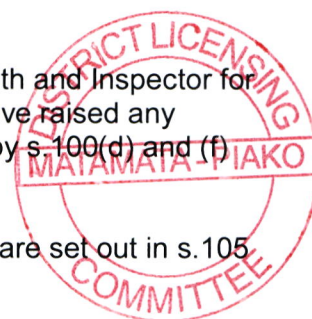
The criteria that must be considered in determining an on-licence are set out in s.105 of the Sale and Supply of Alcohol Act 2012. These are:

- (a) *the object of this Act:*
- (b) *the suitability of the applicant:*
- (c) *any relevant local alcohol policy:*
- (d) *the days on which and the hours during which the applicant proposes to sell alcohol:*
- (e) *the design and layout of any proposed premises:*
- (f) *whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:*
- (g) *whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:*
- (h) *whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence:*
- (i) *whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—*
  - (i) *they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but*
  - (ii) *it is nevertheless desirable not to issue any further licences:*
- (j) *whether the applicant has appropriate systems, staff, and training to comply with the law:*
- (k) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103*

The object of the Act is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

The Licensing Inspector reporting on the application has stated in his report that in his opinion the applicant has the necessary experience and is suitable to operate a licensed premises. He has also noted that in his opinion the amenity and good order of the locality would not be likely to reduce by more than a minor extent if the licence is issued. His recommendation is for the application to be granted subject to conditions.

I am satisfied as to those matters to which I must have regard and grant the applicant an on-licence for a period of 1 year pursuant to s104.



A handwritten signature in black ink, appearing to be "J. Smith".



The applicant must comply with all conditions specified on the licence.

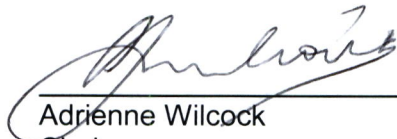
The licence will be subject to the following conditions:

- a) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not—  
i) present on the premises to dine.
- b) Alcohol may be sold only on the following days and during the following hours:  
**Monday to Sunday from 10.00 am until 11.00 pm**
- c) The licensee shall take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:  
i) All staff will be trained in their responsibilities under the Act.  
ii) Evidence of age documents will be requested from any person appearing to be under the age of 25.  
iii) A sign shall be prominently displayed inside the premises which identifies the name of the manager on duty or the person responsible for the management of the sale and supply of alcohol under the licence.  
iv) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition of sales to intoxicated persons.
- d) The licensee shall have a reasonable range of food available for consumption on the premises at all times when alcohol may be sold under the licence. The food shall be of the range and types of food submitted with the application or alternately the range of food should include items such as paninis, pizza, lasagne, toasted or fresh sandwiches, wedges, pies, filled rolls and/or salads. Menus must be visible and food shall be actively promoted.
- e) The licensee shall have a reasonable range of low alcohol and non-alcoholic refreshments available for consumption on the premises at all times when alcohol may be sold under this licence.
- f) The licensee shall ensure that drinking water will be made readily available to all patrons, free of charge.
- g) The premises is undesignated.
- h) Manager's register (as required by s.232 of the Act) is to be maintained and available onsite.
- i) The holder of a Manager's Certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold. If a duty manager is not present then there must be no alcohol sales and a notice displayed advertising the public of this fact.
- j) The area where alcohol is to be sold and consumed is described in the plan stamped and received by the District Licensing Committee on the 23 January 2021.



- k) The licensee must ensure the following are displayed:
- (i) A sign to be seen from outside the principle entrance stating the ordinary hours of business during which the premise will be open for the sale of alcohol
  - (ii) A copy of the original licence with all the conditions, just inside the principal entrance so persons entering can read it.

**Dated** at Te Aroha this 23<sup>rd</sup> day of June 2021

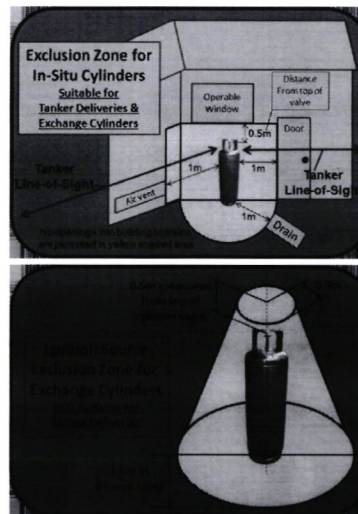
  
\_\_\_\_\_  
Adrienne Wilcock  
Chairperson  
Matamata-Piako District Licensing Committee





MAIN ENTRANCE

Vodafone Shop



## 2/ 45Kg Gas Bottle Clearances

### NZ LPG Gas Bottle Location Regulations

- In summary:
- Gas bottles must be placed safely away from ignition sources — primarily electrical devices and flames — in the event of a leak.
  - Gas bottles cannot be placed close to wall openings, including windows, doors and vents, to preclude possible entry and collection of gas in enclosed spaces.
  - Gas bottles must be a safe distance from openings to below ground spaces, for instance drains and pits, to prevent any possible build up of the heavier than air LPG.
  - Gas bottles must be placed in well ventilated locations, avoiding alcoves and enclosures, to prevent possible accumulations of gas.
  - Gas bottles must be placed on a solid base that is not subject to the accumulation of water.
  - Line of sight must be maintained for in situ tanker deliveries.
- Please read more for additional information and the required safe distances for placement...

**Ignition Sources**  
Ignition sources must also be kept a minimum safe distance clearance from the LPG gas cylinders. This includes all electrical gear like electrical switches, power points, air conditioners, compressors, pumps, lights, movement sensors, bug zappers, etc. Basically anything that can potentially spark. Of course, it also includes your gas hot water heater, pool heater, barbecues, patio heaters or anything else with a flame. The distance also varies based on whether you have tanker delivery or gas cylinder exchange.

**NBN (Internet) Connection Boxes**  
Regarding the National Broadband Network (NBN) installation, the comms boxes used (see image) cannot be installed inside the exclusion zone of an LPG cylinder, as per AS/NZS 1596. While considered no, or very low voltage, the current standard - AS 60079 - prohibits the installation inside the LPG cylinder exclusion zone.

**Cylinders under and inside a building and minor storage**  
**Prohibited Locations**  
Cylinders should not be installed in the following locations:  
(a) In an inaccessible location;  
(b) Under a stairway;  
(c) In a location where there would be no air movement across the cylinder;  
(d) Under a building, other than permitted in section 4.5 of AS/NZS 1596:2008  
(e) In a position that would obstruct egress from a building;  
(f) Buried in the ground, unless the cylinder and gas installation have been specifically designed for such a location; or  
(g) Where damage is likely to occur, unless adequate protection is provided.

**Cylinders under a building supported by piers**  
Where a cylinder is under a building that is supported by piers, the following requirements apply:  
(a) No part of the cylinder shall be more than 800 mm within the perimeter of the building's walls (see Figure 4.5 Sec 4 of AS/NZS 1596:2008).  
(b) The area between the piers shall be:-  
(i) open on at least three sides, or  
(ii) enclosed by a construction through which cross-ventilation can occur (eg slats or battens) on at least three sides, or  
(iii) a combination of items (i) and (ii) above.  
(c) Where the area between the piers is walled in so as to be vapour-proof, the limitation of item (a) still applies.

99 Broadway Matamata Fire Report Requirements For Penetrations

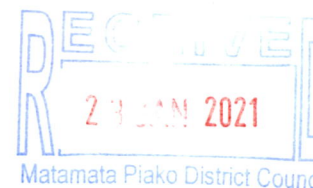
4.4 Fire stopping  
All penetrations are to comply with the following:  
- Passive firestopping of all penetrations into fire rated wall, floor, ceilings are to use a material that has been tested to AS1530.4:2005 or AS4072:1:2005 as fit for purpose with the substrate. The passive fire protection is to achieve the equivalent integrity and insulation values of the fire rated element.  
- Ventilation ducts penetrating fire rated walls are to be fitted with approved fire rated dampers or equivalent appropriate passive fire material to the opening to achieve the minimum required FRR.  
- A fire stop for a penetration is not required to have an insulation rating if means are provided to keep combustible materials at 300mm away from the penetration and the fire stop to prevent ignition.  
- All passive fire penetrations are to be identified with an individual label that is permanently fixed on or adjacent to the penetration, identifying the system. The label shall contain the Fire Resistance Rating, date of installation, product used, installers name and company details. A register of all penetrations with plans identifying the penetration locations is to be kept by the building owner and able to be accessed by the FOP. Any fire stopping system that requires regular testing is to be highlighted.

## DRAWINGS

- COVER PAGE
- SITE PLAN
- ROOF PENETRATION
- LAYOUT PLAN
- BRACING
- INNOVWOOD SHIPLAP
- INNOVWOOD SHIPLAP
- INNOVWOOD SHIPLAP
- INNOVWOOD SHIPLAP
- FLOOR PLAN
- FLOOR JOISTS
- CEILING JOISTS
- EXISTING DRAINAGE
- PLUMBING
- PLUMBING DETAILS
- SECTION AA & BB
- WALL ELEVATIONS
- WALL ELEVATIONS
- ISOMETRIC OVER VIEW
- SECTION VIEW
- SECTION VIEW
- SECTION VIEW
- STRUCTURAL OVER VIEW

Wind Zone: M, H, VH, EH, SED  
Wind Region: A, W, Lee Zone  
Exposure: Low, C, Medium, D, High  
Earthquake Zone: 2, 3, 4  
L: Low, M: Medium, H: High, VH: Extra High, SED: Severe  
M: Medium, VH: Very High, SED: Severe

REVISION	DATE	DESCRIPTION
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**Steven Morton Architectural Design**  
back to the basic principles of architecture  
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Page Date Published  
Thursday, 31 October 2020

The Contractor Shall Check And Verify All Dimensions And Levels Prior To Commencing Any Work All Construction Shall Be In Accordance With NZS 3604 Unless Specifically Engineered And In Accordance With The Current Building Act

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**A D N Z**  
ARCHITECTURAL DESIGNERS NZ

PROJECT  
Oru Oxbal  
99 Broadway, Matamata  
Matamata

Part Section 5 Block VII Town of Matamata

**NEW RESTAURANT FIT OUT**

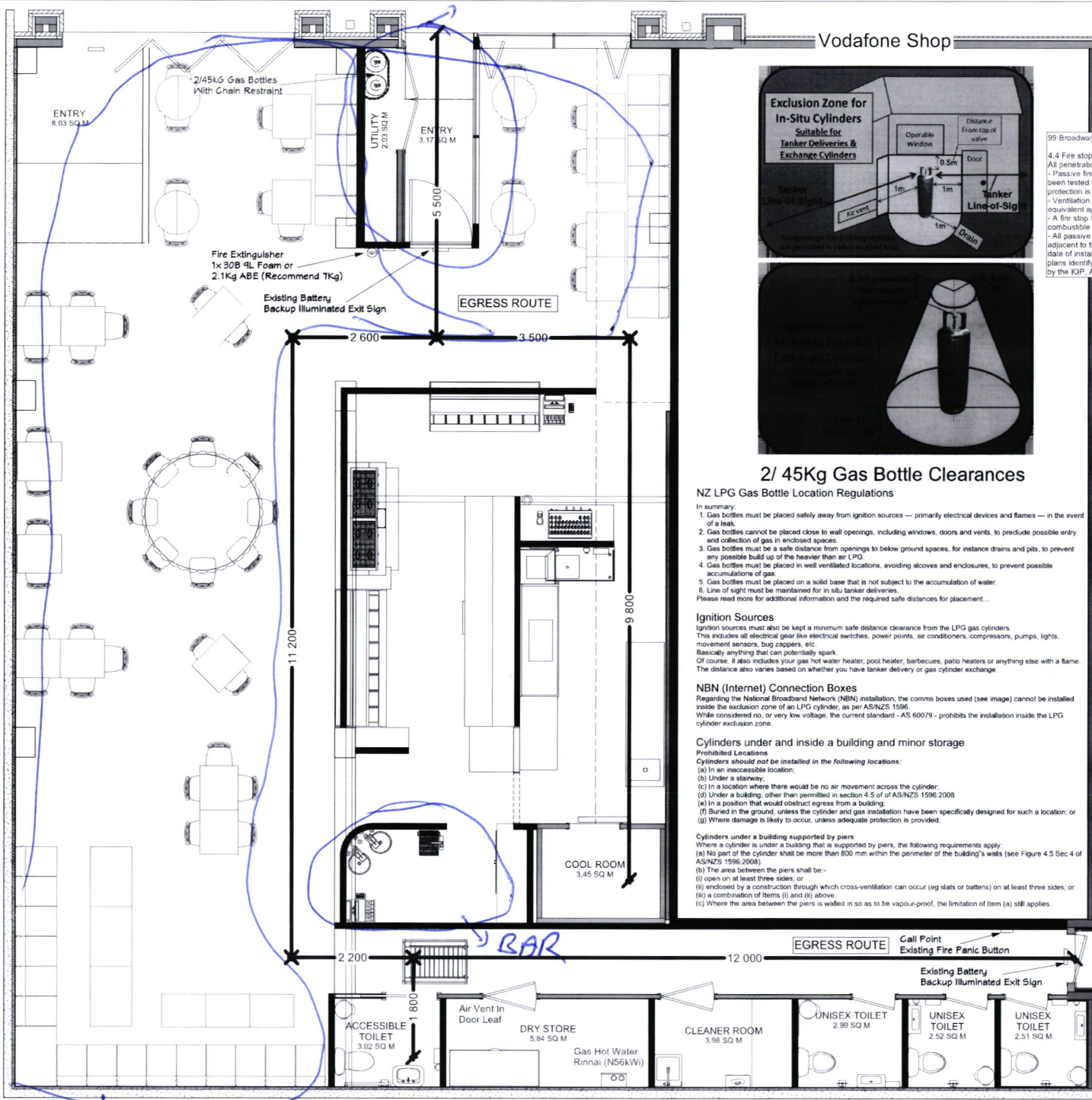
REF SM: 244  
DRAWN S.P.M.

DATE 31/10/2020  
DRAWING TITLE  
Fire Egress Plan

SCALE 1:50

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SEATING AREA