



**Far North  
District Council**



**Te Kaunihera o Tai Tokerau ki te Raki**

# **AGENDA**

## **Bay of Islands-Whangaroa Community Board Meeting**

**Thursday, 5 August 2021**

**Time: 10.00 am**  
**Location: Baysport Complex**  
**Harmony Lane**  
**Waipapa**

**Membership:**

Chairperson Belinda Ward  
Deputy Chairperson Frank Owen  
Member Lane Ayr  
Member Manuela Gmuer-Hornell  
Member Bruce Mills  
Member Manuwai Wells  
Member Dave Hookway-Kopa  
Member Rachel Smith

**The Local Government Act 2002 states the role of a Community Board is to:**

- (a) Represent, and act as an advocate for, the interests of its community;
- (b) Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board;
- (c) Maintain an overview of services provided by the territorial authority within the community;
- (d) Prepare an annual submission to the territorial authority for expenditure within the community;
- (e) Communicate with community organisations and special interest groups within the community;
- (f) Undertake any other responsibilities that are delegated to it by the territorial authority

**Council Delegations to Community Boards - January 2013**

The "civic amenities" referred to in these delegations include the following Council activities:

- Amenity lighting
- Cemeteries
- Drainage (does not include reticulated stormwater systems)
- Footpaths/cycle ways and walkways.
- Public toilets
- Reserves
- Halls
- Swimming pools
- Town litter
- Town beautification and maintenance
- Street furniture including public information signage.
- Street/public Art.
- Trees on Council land
- Off road public car parks.
- Lindvart Park – a Kaikohe-Hokianga Community Board civic amenity.

**Exclusions:** From time to time Council may consider some activities and assets as having district wide significance and these will remain the responsibility of Council. These currently include: The roading network, Hundertwasser toilets, District Library Network, Baysport, the Kerikeri, Kaikohe & Kaitia Airports, Hokianga Vehicle Ferry, i-Site network, Far North Community Centre, Kerikeri Domain, Kawakawa Heated Swimming Pool, Kaikohe Cemetery, Kerikeri Sports Complex, The Centre at Kerikeri, the Bay of Islands/Hokianga Cycle Trail.

Set local priorities for minor capital works in accordance with existing strategies,

1. Recommend local service levels and asset development priorities for civic amenities as part of the Annual Plan and Long Term Plan processes.
2. Reallocate capital budgets within the Annual Plan of up to 5% for any specific civic amenity, provided that the overall activity budgetary targets are met.
3. Make grants from the allocated Community Funds in accordance with policy 3209, and the SPARC/Sport Northland Rural Travel fund in accordance with the criteria set by the respective body, and, for the Bay of Islands-Whangaroa Community Board, the power to allocate the Hundertwasser Donations Account.
4. Provide comment to council staff on resource consent applications having significance within the Community, including the provision of land for reserves or other public purposes.
5. To hold, or participate in hearings, as the Council considers appropriate, in relation to submissions pertinent to their community made to plans and strategies including the Long Term Plan and Annual Plan, and if appropriate recommend decisions to the Council.
6. To hold hearings of submissions received as a result of Special Consultative Procedures carried out in respect of any matter other than an Annual or Long Term Plan, and make recommendations to the Council.
7. Where recommended by staff to appoint management committees for local reserves, cemeteries, halls, and community centres.

8. To allocate names for previously unnamed local roads, reserves and other community facilities, and recommend to Council name changes of previously named roads, reserves, and community facilities subject to consultation with the community.
9. To consider the provisions of new and reviewed reserve management plans for recommendation to the Council in accordance with the Reserves Act 1977, and hear or participate in the hearing of submissions thereto, as considered appropriate by the Council.
10. To provide recommendations to the Council in respect of applications for the use and/or lease of reserves not contemplated by an existing reserve management plan.
11. Prohibit the use of skateboards in specified locations within their communities, in accordance with Council's Skating Bylaw 1998.
12. Recommend new bylaws or amendments to existing bylaws.
13. Prepare and review management plans for local cemeteries within budget parameters and in a manner consistent with Council Policy.
14. Exercise the following powers in respect of the Council bylaws within their community:
  - a. Control of Use of Public Spaces – Dispensations on signs
  - b. Mobile Shops and Hawkers – Recommend places where mobile shops and/or hawkers should not be permitted.
  - c. Parking and Traffic Control – Recommend parking restrictions, and areas where complying camping vehicles may park, and consider and grant dispensations in accordance with clause 2007.2
  - d. Public Places Liquor Control – Recommend times and places where the possession or drinking of alcohol should be prohibited.
  - e. Speed Limits – Recommend places and speed limits which should be imposed.
15. To appoint Community Board members to speak on behalf of their community in respect of submissions or petitions.
16. Specific to the Bay of Islands-Whangaroa Community Board – consider any recommendations of the Paihia Heritage Working Group and make appropriate recommendations to Council on the development of a draft Plan Change and a Section 32 analysis on heritage provisions for Paihia.
17. To set schedule of meeting dates, times and venues, subject to the meetings not conflicting with meetings of the Council and satisfying the provisions of the Local Government Official Information and Meetings Act 1987.
18. To review all proposed public art projects on a project-by project basis to ensure they comply with policy #5105 Art in Public Places, including approval of the aesthetic appearance, maintenance programme, insurance and appropriate location, and to agree to their installation.
19. In respect of applications from food establishments for permission to establish tables and chairs on a public place, i.e. Alfresco dining in accordance with Policy 3116, to consider and decide on any application which does not meet all criteria of the policy, and any application which staff recommend to be declined.
20. Subject to a report from the appropriate managers and the appropriate budgetary provision, to make decisions in respect of civic amenities including the levels of service, and the provision or removal of an amenity not provided for elsewhere in these delegations.

### **Terms of Reference**

In fulfilling its role and giving effect to its delegations, Community Boards are expected to:

1. Comment on adverse performance to the Chief Executive in respect of service delivery.
2. Assist their communities in the development of structure plans, emergency management community response plans, and community development plans.
3. Assist their communities to set priorities for Pride of Place programmes.
4. Have special regard for the views of Māori.
5. Have special regard for the views of special interest groups, e.g. disabled, youth, aged, etc.
6. Actively participate in community consultation and advocacy and keep Council informed on local issues.
7. Seek and report to Council community feedback on current issues by:

- a) Holding a Community forum prior to Board meetings
  - b) Varying the venues of Board meetings to enable access by members of the community
8. Monitor and make recommendations to Council to improve effectiveness of policy.
  9. Appoint a member to receive Annual Plan\Long Term Council Community Plan submissions pertinent to the Board area, attend hearings within the Board area, and attend Council deliberations prior to the Plan adoption.

## Protocols

In supporting Community Boards to fulfil their role, the Council will:

1. Provide appropriate management support for the Boards.
2. Organise and host regular workshops with the Community Boards to assess the 'State of the Wards & District' to establish spending priorities.
3. Prior to decision-making, seek and include 'Community Board views' in Council reports in relation to:
  - a. the disposal and purchase of land
  - b. proposals to acquire or dispose of reserves
  - c. representation reviews
  - d. development of new maritime facilities
  - e. community development plans and structure plans
  - f. removal and protection of trees
  - g. local economic development initiatives
  - h. changes to the Resource Management Plan
4. Organise and host quarterly meetings between Boards, the CEO and senior management staff.
5. Prepare an induction/familiarisation process targeting new members in particular early in the term.
6. Support Board members to arrange meetings with local agencies and service clubs to place more emphasis on partnerships and raising profile of the Boards as community leaders.
7. Permit Board chairperson (or nominated member) speaking rights at Council meetings.
8. Help Boards to implement local community projects.
9. Arrange for Infrastructure and Asset Management Staff to meet with the Community Boards in September each year to agree the capital works for the forthcoming year for input into the Annual or Long Term Plan.
10. Provide information.

# BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MEMBERS REGISTER OF INTERESTS

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
<b>Belinda Ward</b>	Ward Jarvis Family Trust	Trustee		
	Kenneth Jarvis Family Trust	Trustee		
	Residence in Watea			
<b>Belinda Ward (Partner)</b>	Ward Jarvis Family Trust	Trustee and beneficiary		
	Kenneth Jarvis Family Trust	Trustee and beneficiary		
	Residence in Watea	Trustee		
<b>Lane Ayr</b>	Retired			
	Home			
	Residence in Kerikeri			
<b>Lane Ayr (Partner)</b>	Riverview School			
	Home			
	Residence in Kerikeri			
<b>Bruce Mills</b>	Galloquine Trust / Galloquine Limited	Director		
	Whangaroa Community Trust	Trustee		
<b>Manuwai Wells</b>	No form received			
<b>Frank Owen</b>	Retired			Step aside from decisions that arise, that may have conflicts
	House Property in Kerikeri			Step aside from decisions that arise, that may have conflicts
<b>Frank Owen (Partner)</b>	House Property in Kerikeri			
<b>Manuela Gmuer Hornell</b>	Bay of Islands Sailing week Incorporated	Chair	Funding for events	Step aside from decisions that arise, that may have conflicts
	Te Au Mārie 1769 Sestercentennial Trust	Trustee		Step aside from decisions that arise, that may have conflicts
	Chris Hornell and Manuela Gmuer-Hornell Partnership	Partner		Step aside from decisions that arise, that may have conflicts
	Hornell-Gmuer Trust	Trustee and Beneficiary		Step aside from decisions that arise, that may have conflicts
	Russell Contracting Limited	Family Business		Step aside from decisions that arise, that may have conflicts
	Russell Volunteer Fire Brigade	Secretary		Step aside from decisions that arise, that may have conflicts

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
<b>Dave Hookway-Kopa</b>	Manu Hapori Hauora – Community Wellbeing Advisor Northland DHB	Employee	Possibility of joint working groups with FNDC	Consider each situation on merit and declare any potential conflict
	Property on Waipapa West Road	Property owner	Issues to do with the street	Declare as appropriate
<b>Rachel Smith</b>	Friends of Rolands Wood Charitable Trust	Trustee		
	Mid North Family Support	Trustee		
	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member		
	Vision Kerikeri	Financial Member		
<b>Rachel Smith (Partner)</b>	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member and Treasurer		
	Vision Kerikeri	Financial Member		
	Town and General Groundcare Limited)	Director/Shareholder		

**Far North District Council**  
**Bay of Islands-Whangaroa Community Board Meeting**  
**will be held in the Baysport Complex, Harmony Lane, Waipapa on:**  
**Thursday 5 August 2021 at 10.00 am**

---

**Te Paeroa Mahi / Order of Business**

<b>1</b>	<b>Karakia Timatanga – Opening Prayer.....</b>	<b>9</b>
<b>2</b>	<b>Nga Whakapāha Me Ngā Pānga Mema / Apologies and Conflicts of Interest.....</b>	<b>9</b>
<b>3</b>	<b>Public Forum.....</b>	<b>9</b>
<b>4</b>	<b>Te Tono Kōrero / Deputation.....</b>	<b>9</b>
<b>5</b>	<b>Speakers.....</b>	<b>9</b>
<b>6</b>	<b>Confirmation of Previous Minutes.....</b>	<b>10</b>
	6.1 Confirmation of Previous Minutes.....	10
<b>7</b>	<b>Reports.....</b>	<b>17</b>
	7.1 Chairperson and Members Report .....	17
	7.2 Alfresco Dining Application - Duke of Marlborough Limited .....	24
	7.3 Funding Applications.....	98
	7.4 Project Funding Reports.....	123
<b>8</b>	<b>Information Reports.....</b>	<b>129</b>
	8.1 Community and Customer Services Report 1 January – 30 June 2021 .....	129
<b>9</b>	<b>Karakia Whakamutunga – Closing Prayer.....</b>	<b>139</b>
<b>10</b>	<b>Te Kapinga Hui / Meeting Close.....</b>	<b>139</b>





## **1 KARAKIA TIMATANGA – OPENING PRAYER**

We ask that through the boards discussions and decisions the representatives elected may advocate on behalf of the Bay Of Islands-Whangaroa community with aroha, imagination, skill and wisdom to achieve a fairer and more united community that enhances the wellbeing of the community and solves the community's problems efficiently and effectively.

## **2 NGA WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST**

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Community Board and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Democracy Support (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

## **3 PUBLIC FORUM**

Robina Needham speaking in regard to a Private Right of Way Road Naming application.

## **4 TE TONO KŌRERO / DEPUTATION**

MANUWAI WELLS, JOSEPHINE REID-TERETI AND SARAH WYNARD-DAVIS - MINISTRY OF JUSTICE KAIĀRAHI (FAMILY COURT NAVIGATORS).

## **5 SPEAKERS**

Duffus Memorial Trust speaking in regard to Item 7.3 Funding Applications.

Kerikeri Gymnastics Club speaking in regard to Item 7.3 Funding Applications.

Bay of Islands Jazz and Blues Festival speaking in regard to Item 7.3 Funding Applications.

## 6 CONFIRMATION OF PREVIOUS MINUTES

### 6.1 CONFIRMATION OF PREVIOUS MINUTES

**File Number:** A3295304

**Author:** Casey Gannon, Meetings Administrator

**Authoriser:** Aisha Huriwai, Team Leader Democracy Services

#### TE TAKE PŪRONGO / PURPOSE OF THE REPORT

The minutes are attached to allow the Bay of Islands-Whangaroa Community Board to confirm that the minutes are a true and correct record of the previous meeting.

#### NGĀ TŪTOHUNGA / RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board confirm the minutes of the Bay of Islands-Whangaroa Community Board meeting held 8 July 2021 are a true and correct record.

#### 1) TE TĀHUHU KŌRERO / BACKGROUND

Local Government Act 2002 clause 7 Section 28 states that a local authority must keep minutes of its proceedings. The minutes of these proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those meetings.

#### 2) TE MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

The minutes of the meeting are attached.

The Bay of Islands-Whangaroa Community Board Standing Orders Section 27.3 states that “no discussion may arise on the substance of the minutes at any succeeding meeting, except as to their correctness”.

#### Te Take Tūtohunga / Reason for the recommendation

The reason for the recommendation is to confirm the minutes as a true and correct record of the previous meeting.

#### 3) NGĀ PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or the need for budgetary provision.

#### NGĀ ĀPITI HANGA / ATTACHMENTS

1. 2021-07-08 Bay of Islands-Whangaroa Community Board Minutes [A3278191] - A3278191  

**Te Hōtaka Take Ōkawa / Compliance schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<b>He Take Ōkawa / Compliance requirement</b>	<b>Te Aromatawai Kaimahi / Staff assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This report complies with the Local Government Act 2002 Schedule 7 Section 28.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	It is the responsibility of each meeting to confirm their minutes therefore the views of another meeting are not relevant.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications on Māori in confirming minutes from a previous meeting. Any implications on Māori arising from matters included in meeting minutes should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	This report is asking for the minutes to be confirmed as a true and correct record, any interest that affect other people should be considered as art of the individuals report.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications requiring input from the Chief Financial Officer.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

**MINUTES OF  
BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD MEETING  
HELD AT THE BAYSPORT COMPLEX, HARMONY LANE, WAIPAPA  
ON THURSDAY, 8 JULY 2021 AT 10.00 AM**

**PRESENT:** Chairperson Belinda Ward, Member Lane Ayr, Member Manuela Gmuer-Hornell, Member Bruce Mills, Member Frank Owen, Member Manuwai Wells, Member Rachel Smith

**1 KARAKIA TIMATANGA – OPENING PRAYER**

Manuwai Wells opened the meeting with a karakia.

**2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND CONFLICTS OF INTEREST**

**APOLOGY**

**RESOLUTION 2021/50**

Moved: Chairperson Belinda Ward

Seconded: Member Manuela Gmuer-Hornell

**That the apology received from Dave Hookway-Kopa be accepted and leave of absence granted, and apology for lateness from Rachel Smith be accepted.**

**CARRIED**

NOTE: Apologies from David Clendon received.

**3 PUBLIC FORUM**

- Jon Phelong, Waka Kotahi spoke in regard to Northland Speed Reviews and Safety Updates on Roundabouts
- Steve Castle spoke in regard to Whangaroa Village – Whangaroa Footpath
- William Fuller spoke in regard to Shared pathway Russell to Okiato

Member Rachel Smith arrived at 11:07 am.

- Yvonne Sharp and Wade Rowsell spoke in regard to Opito Bay playground
- Paul Condon and Jackie Edwards-Bruce spoke on behalf of Healthy Families Far North in regard to a community garden in Kaeo behind the library.

**4 NGĀ TONO KŌRERO / DEPUTATIONS**

Nil

**5 SPEAKERS**

- Jo David from Northern Community Family Service spoke in regard to Item 7.4 Funding Applications.
- Kerry Gelmi from Towai Market spoke in regard to Item 7.4 Funding Applications.

## 6 REPORTS

### 6.1 FUNDING APPLICATIONS

#### RECOMMENDATION

Moved: Member Manuwai Wells

Seconded: Member Lane Ayr

That the Bay of Islands-Whangaroa Community Board approves the sum of \$875 (plus GST if applicable) be paid from the Board's Community Fund account to Towai Community Market for costs towards gazebo for shelter and community use to support the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

#### AMENDMENT

Moved: Member Manuela Gmuer-Hornell

Seconded: Member Manuwai Wells

That the Bay of Islands-Whangaroa Community Board approves the sum of \$2,750 (plus GST if applicable) be paid from the Board's Community Fund account to Towai Community Market for costs towards gazebo for shelter and community use to support the following Community Outcomes:

- i) Communities that are healthy, safe, connected and sustainable
- ii) Proud, vibrant communities

**CARRIED**

The amendment became the substantive motion.

#### RESOLUTION 2021/51

Moved: Member Manuela Gmuer-Hornell

Seconded: Member Manuwai Wells

**That the Bay of Islands-Whangaroa Community Board approves the sum of \$2,750 (plus GST if applicable) be paid from the Board's Community Fund account to Towai Community Market for costs towards gazebo for shelter and community use to support the following Community Outcomes:**

- i) Communities that are healthy, safe, connected and sustainable**
- ii) Proud, vibrant communities**

**CARRIED**

Abstained: Member Rachel Smith

The meeting adjourned from 11:57 am to 12:29 am.

## 7 CONFIRMATION OF PREVIOUS MINUTES

### 7.1 CONFIRMATION OF PREVIOUS MINUTES

Agenda item 6.1 document number A3264764, pages 10 - 22 refers.

#### RESOLUTION 2021/52

Moved: Chairperson Belinda Ward  
Seconded: Member Manuela Gmuer-Hornell

**That the Bay of Islands-Whangaroa Community Board confirm the minutes of the Bay of Islands-Whangaroa Community Board meeting held 3 June 2021 are a true and correct record.**

**CARRIED**

Abstained: Member Rachel Smith

## **8 REPORTS CONTINUED**

### **8.1 CHAIRPERSON AND MEMBERS REPORT**

Agenda item 7.1 document number A3253284, pages 23 - 34 refers.

#### **RESOLUTION 2021/53**

Moved: Member Manuela Gmuer-Hornell  
Seconded: Member Bruce Mills

**That the Bay of Islands-Whangaroa Community Board note the reports from Chairperson Belinda Ward, Deputy Chairperson Frank Owen, Member Manuela Gmuer-Hornell, and Member Bruce Mills.**

**CARRIED**

Abstained: Member Rachel Smith

### **8.2 RUBBISH COLLECTION POINT AT THE CORNER PAIHIA AND WAIKARE ROADS**

Agenda item 7.2 document number A3248626, pages 35 - 70 refers.

#### **RESOLUTION 2021/54**

Moved: Member Manuela Gmuer-Hornell  
Seconded: Member Lane Ayr

**That the Bay of Islands - Whangaroa Community Board makes a recommendation to the Infrastructure Committee that:**

- (a) The approved collection point at the intersection of Waikare Road and State Highway 11, Kawakawa is closed.**
- (b) That future decisions concerning collection points are delegated to operational staff in consultation with the appropriate community board.**

**CARRIED**

Abstained: Member Rachel Smith

### **8.3 STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 31 MAY 2021**

Agenda item 7.3 document number A3255167, pages 71 - 75 refers.

#### **RESOLUTION 2021/55**

Moved: Member Manuwai Wells  
Seconded: Member Manuela Gmuer-Hornell

**That the Bay of Islands-Whangaroa Community Board receives the report entitled “Statement of the Bay of Islands-Whangaroa Community Board Community Fund account as at 31 May 2021”.**

**CARRIED**

Abstained: Member Rachel Smith

#### **8.4 FUNDING APPLICATIONS**

Agenda item 7.4 document number A3247098, pages 76 - 93 refers.

##### **RESOLUTION 2021/56**

Moved: Member Manuwai Wells

Seconded: Member Lane Ayr

**That the Bay of Islands-Whangaroa Community Board approves the sum of \$5325 (plus GST if applicable) be paid from the Board’s Community Fund account to Northern Community Family Services for costs towards budget advice and advocacy services to support the following Community Outcomes:**

- i) Communities that are healthy, safe, connected and sustainable**
- ii) Proud, vibrant communities**

**CARRIED**

Abstained: Member Rachel Smith

#### **8.5 PROJECT FUNDING REPORTS**

Agenda item 7.5 document number A3256262, pages 94 - 96 refers.

##### **RESOLUTION 2021/57**

Moved: Chairperson Belinda Ward

Seconded: Member Bruce Mills

**That the Bay of Islands-Whangaroa Community Board note the project reports received from:**

- a) Baysports**
- b) Business Paihia Inc**
- c) Guardians of the Bay Inc**
- d) Kerikeri Sports Complex**
- e) Life Education Trust**
- f) Volunteering Northland**
- g) Waka Atea**

**CARRIED**

Abstained: Member Rachel Smith

#### **MAINTENANCE AND CAPITAL WORKS AND INPUT WHERE THE RENEWALS BUDGET IS SPENT**

##### **RESOLUTION 2021/58**

Moved: Member Manuela Gmuer-Hornell

Seconded: Chairperson Belinda Ward

**That the Bay of Islands-Whangaroa Community Board request quarterly updates on upcoming programme of works and renewals for footpaths.**

**CARRIED**

Abstained: Member Rachel Smith

**8 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

Member Manuwai Wells closed the meeting with a karakia.

**9 TE KAPINGA HUI / MEETING CLOSE**

The meeting closed at 2:30 pm.

The minutes of this meeting will be confirmed at the Bay of Islands-Whangaroa Community Board meeting held on 5 August 2021.

.....  
**CHAIRPERSON**



## 7 REPORTS

### 7.1 CHAIRPERSON AND MEMBERS REPORT

**File Number:** A3295312

**Author:** Casey Gannon, Meetings Administrator

**Authoriser:** Aisha Huriwai, Team Leader Democracy Services

#### TE TAKE PŪRONGO / PURPOSE OF THE REPORT

The report provides feedback to the community on matters of interest or concern to the Community Board.

#### NGĀ TŪTOHUNGA / RECOMMENDATION

**That the Bay of Islands-Whangaroa Community Board note the reports from Chairperson Belinda Ward, Member Manuela Gmuer-Hornell.**

#### TE TĀHUHU KŌRERO / BACKGROUND

The Local Government Act 2002 Part 4 Section 52 states that the role of a Community Board is to represent, and act as an advocate for the interests of its community.

#### TE MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS

Community Boards are required to consider and report on any matters of concern or interest to the Community Board, maintain an overview of services provided to the community and communicate with community organisations and special interest groups within the community.

The reports from the Chairperson and Members provide information to community on these requirements. They also provide Request for Service (RFS) information on issues of interest or concern to the Community Board, providing a reference for further enquiry on the progress of the matters raised.

The report from the Chairperson and members are attached.

#### Reason for the recommendation

The reason for the recommendation is to provide information to the Community on the work that has been undertaken by the Chairperson and Members on its behalf.

#### NGĀ PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or the need for budgetary provision as a result of this report.

#### NGĀ ĀPITIHINGA / ATTACHMENTS

1. Chairperson Belinda Ward - Report July 2021 - A3301144 [↓](#) 
2. Manuela Gmuer-Hornell - Members Report July 2021 - A3296396 [↓](#) 
3. Bruce Mills - Members Report July 2021 - A3302022 [↓](#) 

## COMMUNITY BOARD MEMBER'S REPORT

### Report to Community Board: Bay of Islands-Whangaroa Community Board

**Member Name:** Belinda Ward

**Subdivision:** Paihia

**Date:** 22nd June 2021 - 21st July 2021

---

## REPORT

### 1) Meetings

Date:

23/06/21 Representation Arrangements Workshop - Kaikohe

24/06/21 FNDC Meeting & LTP Adoption - Kaikohe

25/06/21 Attended Maromaku Courts Domain Opening.

28/06/21 Paihia War Memorial Hall Committee Meeting - PWMH

29/06/21 BOI-W CB Agenda Preview - Virtual

29/06/21 Community Board Working Group Meeting - Virtual

30/06/21 Customer Experience Programme Update - Kaikohe

30/06/21 Mid-term Governance Review Workshop - Kaikohe

07/07/21 Paihia Waterfront Development Meeting - Waitangi Marae

08/07/21 BOI-W CB meeting - Baysport Waipapa

14/07/21 Met with CB Chairs - Pioneer Village Kaikohe

14/07/21 FNHL quarterly update with CB Chairs - Mint Kaikohe

20/07/21 Strategy & Policy Committee Meeting - Kaikohe

20/07/21 Regulatory & Compliance Committee Meeting - Kaikohe

### 2) Issues

22/06/21 Met with artist Nina Wong to discuss a proposed toilet mural for Tii Beach toilet block. A group of 3 local artists are interested in sharing their skills to deliver environmental messages.

01/07/21 Thank you to Deputy Chair Frank Owen for attending this Council Meeting in my absence. It is important that the CB is represented when invited to the table.

Deputy Chair also attended LGNZ Zone 1 LG reform workshop in Tikipunga 05/07/21

Received an offer from council for the replacement of 3 windows on the northern side of the Paihia War Memorial Hall. Council is requesting a substantial

contribution from the Hall committee. The Hall committee have since met & agreed not to accept councils offer as they are responsible for maintaining the exterior under the Hall Policy. **Discussions are on-going.** Further to the last hall committee meeting, I have been instructed to submit to the AP (as suggested by council staff) to bring the item forward in the LTP for the window replacements.

20/07/21 The first of the Rates accounts were received in Kerikeri today & there are already very disgruntled residents!! So far the highest increase reported is 66.7%!!!

### 3) Resources Consents

NIL

### 4) Requests for Service

05/07/21 4068284 Paihia War Memorial Hall spouting leaking & has no fall. A very poor installation job.

18/12/19 3975787 Bledisloe Domain Lighting - Renewel works programmed for this financial year end June 2020. **Maybe stalled due to Waitangi Estate Future Plan underway. \$ for lights not carried over to this years budget?**

**I will follow up.**

RFS:4059162 Slippery tiled foyer at Williams Road carpark toilets. Two incidents reported & site meeting requested. **No response to date.**

All residents advised how to lodge RFS's themselves.

.

**RFS's are either work in progress or outstanding.**

**RFS: 3795613** 18/04/18 Follow up on flooding issues in front apron of Paihia War Memorial Hall. **Closed but not resolved - I will follow up.**

**01/10/15 3717930** Pedestrian safety issues & parking in front of Heritage Boutique Hotel (The Waterfront) Marsden Road Paihia - Pending NZTA response. **Closed but not resolved - I will follow up.**

## COMMUNITY BOARD MEMBER'S REPORT

**Report to:** Bay of Islands-Whangaroa Community Board

**Member Name:** Manuela Gmuer-Hornell

**Subdivision:** Opuā – Russell

**Date:** 19 July 2021

---

### Meetings

Date	Meeting
25/06/2021	Go Green Awards - Russell
08/07/2021	Community Board Meeting - Waipapa
19/07/2021	Russell Town Hall Committee Meeting – Russell

---

### Issues/Feedback

Our Community Board needs to make sure that management doesn't forward difficult decisions to the Community Boards without consulting or informing us in an appropriate timeframe. The no-surprises policy has to be both ways!

Recently, some Wattle Trees got removed in Russell; I have initially requested this work to be undertaken via RFS – the request was turned down as there was no budget. A couple of months later, these trees were removed without any consultation or communication. The lack of consultation is insulting to the Community Board.

During our May Community Board Meeting, some questionable behaviour from FNDC and FNHL came to light concerning Opuā School (and with this, the Opuā Community) - The Opuā School footpath extension (budgeted at \$3000) has been on top of the list for our ward for a while. As per FNDC, this work will be carried out by FNHL as part of their resource consent conditions; FNDC only added this condition recently; the footpath was scheduled before FNDC granted the resource consent.

A senior staff member told the Community Board that the school's behaviour is difficult; hence FNHL can't carry out the footpath work.

I represent the Opuā Community at the Far North District Council, and I have been involved with these issues for many years.

-The school is asking FNHL for its previous promises to be kept (i.e. a playground) when the community went along with the second stage of the Bay of Islands Marina Development.

-The school refuses to sign FNHL pre-written permission to agree to the controversial developments on the hill (now occupied by hapu and iwi).

-The school wants FNHL and FNDC to ensure safety to the entry of the school gates.

FNHL have tried questionable tactics, and the Mayor has been in attendance to "mediate" at a couple of meetings. No progress has been made. The footpath should have NOTHING to do with FNHL and their battle with the school and the wider community.

Yet another episode where FNHL is pushing a community out of their town. And yet another episode where FNDC is interfering with FNHL business to get a deal over the line.

How can this be solved in a timely (within the next two months) and respectful manner?

Unfortunately, the rubbish bin issue for Russell is still not solved, nor has FNDC made any effort to come up with solutions – the community, on the other hand, has proposed several solutions to FNDC. I have been informed that FNDC has applied for funds from MBIE to supply smart bins for Russell and Paihia. I've since learnt that these "smart bins" are not working well in Kaitia; maybe we need to look at a different solution.

This is what the FNDC customers – the ratepayers – are after, prompt replies and action to everyday needs. FNDC's average customers – the ratepayers – is not overly interested in how quick the turnaround is for building and resource consents. The average customer – the ratepayers – want their basic needs looked after, rubbish, water, sewage and roads. Time to look at the customers' – the ratepayers – view (not the property developers from out of our region)!

Roading Issues seem to get the cone treatment and justified as a "fix" – this is totally unacceptable and dangerous as well as very unsightly – we have several of these around my subdivision, and we get zero replies on follow-ups.

Issues with our small-town water supply in Russell, and yet again, staff need time to go through the historic agreements. This is a working system, and FNDC has no idea how and who is drawing water from a council-owned bore? This issue has been raised in October 2021.

Time to pull your socks up, FNDC, and face the hard facts! You are letting communities down with their very basic needs of a sound sewage system and freshwater. FNDC needs to stop being risk-averse and start fixing aging assets, AND maybe it would help allocate funds to EVERY town in your district to keep up with the maintenance. An 80-year plan won't resolve our needs today.

The Russell Rubbish Tip Contract was on a Council Meeting Agenda just last month. I was pleasantly surprised to receive phone calls from two Councillors (Smith & Vujcich) to understand how the community sees the future of this facility. All kudos to Rachel & John for reaching out and understanding how the locals feel and think.

---

## Resource Consents

NIL received

---

## Requests for Service/Information

22/04/2019	RFS-3975374	Oasis Car Park
01/12/2019	RFS-3988901	Russell's Rubbish Woes
09/12/2019	RFS-3996575	Petition Okiato Boundary for paper road
11/02/2020	RFS 4001004	Mark Car Parks outside of Tennis Club
21/02/2020	RFS-3997123	Footpath Damage York St
20/05/2020	RFS-4005808	would you please mark the diesel tank intake at Russell Wharf
17/06/2020	RFS-4010977	Sign and barrier smashed by a car
17/06/2020	RFS-4011525	collapsed drains etc
10/07/2020	RFS-4014411	two small slips - been semi tidied and cone placed
24/08/2020	RFS-4021868	erosion by Matauwhi Bay (tree)

10/09/2020	RFS-4025200	Arcadia Lodge Lemon Track eroding
21/09/2020	RFS-4026086	Russell Sewage Plant Issues
05/10/2020	RFS-4028183	Russell Museum Sister City
06/10/2020	RFS-4028271	russell township maintance
19/10/2020	RFS-4029293	tree to be removed Wellington St
27/10/2020	RFS-4031104	Water Mains Breach Russell
19/11/2020	RFS-4034886	Fire Hydrant Marking RSA Russell
06/01/2021	RFS-4046814	eroded track to Opuia Beach
22/03/2021	RFS-4052859	Duffus Estate Land breach driveway
02/06/2021	RFS-4063234	Russell Hall - birds nesting inside
02/06/2021	RFS-4063241	Washout Long Beach (far end)
02/06/2021	RFS-4063258	Boat Ramp Russell – grass area, dug up by a truck

## In progress

- Opuia Resource Consent non-notified for development Franklin St/Kellett St – petition tabled at CB Meeting 3/2/2020 – this has now gone to a full (over 100 attendees) community meeting 8/3/2020 – and we have just been told FNHL has sold the land to a private developer. The land is now occupied by hapu and locals. This is a community being pushed out of their town.
- Carpark for Oasis Community Centre – this has been ongoing since 2018
- Lack of rubbish collection point and recycling collection during peak season around Russell Wharf (owned by FNHL) and this is still NOT solved
- Footpath Kellett Street – Opuia School – been approved but not carried out – after been promised to be finished by September, it is now "scheduled" for January 2021 and as per this report, this is now FNHL project – I am opposing this decision.
- Petition Okiato Boundary for paper road RFS-3996575 – tabled at CB meeting 9/12.19 – the cost to be carried by petitioners. Motion passed in November 2020 CB meeting
- Include re-doing the FNHL terms of reference/objective in their comments about what the next annual plan and long term plan should cover. – tabled at CB Meeting 3/2/2020
- Walls Bay, Opuia – to be occupied by local hapu
- Speed Limit Review
- Maintenance in Russell Township to be outsourced to a local community group
- Mark boundaries at the "Walls Bay" Opuia reserve clearly with bollards
- Contractor Work (to remove a dead tree) in the middle of Russell, starting at 6.40 am!

## COMMUNITY BOARD MEMBER'S REPORT

**Report to:** Bay of Islands-Whangaroa Community Board  
**Member Name:** Bruce Mills  
**Subdivision:** Whangaroa  
**Date:** June 2021 – July 2021

---

### Meetings

Date	Meeting
23/06/2021	Whangaroa Community Trust
30/06/2021	Whispers: Farewell to Longstanding and Long Suffering Editor
07/07/2021	Whangaroa Community Plan Revision with Ken Ross
07/08/2021	Bay of Islands-Whangaroa Community Board Meeting
07/09/2021	Whispers: Planning for the Future

---

### Issues/Feedback

Heavy rainfall has put pressure on roading. It doesn't help when a roading staff member was in a retail shop (cash sale, no a/c and therefore no name) when staff commented they had lodged RFS re: roading, the FNDC roading staff replied. "Oh we don't look at them." WOW!

---

### Resource Consents

Nil

---

### Requests for Service/Information

RFS 4067841	SH10 footpath in Kaeo. Silt covered and large puddles which can't drain away forcing pedestrians to walk out onto the road – Reply from FH that they have passed it back to Council... HISTORIC
RFS 4067853	To CEO with more historic issues and substandard work done by FH on past RFS noted but no action.

## 7.2 ALFRESCO DINING APPLICATION - DUKE OF MARLBOROUGH LIMITED

**File Number:** A3281464

**Author:** Rochelle Deane, Manager - Environmental Services

**Authoriser:** Dean Myburgh, General Manager - District Services

### TAKE PŪRONGO / PURPOSE OF THE REPORT

To seek approval from the Bay of Islands-Whangaroa Community Board to approve the alfresco dining application submitted by Duke of Marlborough Limited (the DOM). In addition, the report seeks approval for a decision from the Bay of Islands-Whangaroa Community Board regarding a request by the DOM to relocate three public seats located on public space located on 'The Strand', Russell.

### WHAKARĀPOOTO MATUA / EXECUTIVE SUMMARY

Council has received an alfresco dining approval application from the DOM to occupy public space on The Strand in Russell. Step 4 of the Implementation Process of Council's Alfresco Dining Policy requires the application to be approved by the relevant Community Board.

#### TŪTOHUNGA / RECOMMENDATION

**That the Bay of Islands-Whangaroa Community Board:**

- a) **approve the Alfresco Dining Application from the Duke of Marlborough Limited; and,**
- b) **approve the relocation request for 3 public seats to be relocated to an agreed area by Infrastructure and Asset Management staff, with all associated costs covered by the applicant.**

### 1) TĀHUHU KŌRERO / BACKGROUND

The objective of Council's Alfresco Dining Policy (#3116) is to enable the private use of public space for outdoor dining. A copy of Council's Alfresco Dining Policy is included in the attachments of this report. **(Attachment A)**

All applications to use public space for outdoor dining must be lodged in writing to Council. Conditions apply to alfresco dining to ensure Council's policy position in respect of alfresco dining is met. Alfresco dining approvals renew on 1 July each year.

Item 4 of the implementation process of the 3116 policy provides that where an application does not meet all criteria, the application should be referred to the relevant Community Board for approval. This application does not meet condition 10 of the policy. The DOM alfresco dining area application has within it Council seating in the form of 3 park benches.

This report provides to the Community Board all information pertaining to the alfresco dining application submitted by the DOM, to enable it to make a decision.

The DOM is located along The Strand in Russell. The DOM has held alfresco dining approval to occupy public space along The Strand since 2010. The DOM alfresco dining approval expired on 30 June 2021. **(Attachment B)**. The DOM applied for renewal of their alfresco dining approval on 5 July 2021. **(Attachment C)**. The DOM would like to occupy an area of 44m x 3m of public space along The Strand for the purpose of alfresco dining.

There have been no known issues in regard to the DOM occupying public space for the purpose of alfresco dining to date.

Condition 10 of the Alfresco Dining Policy states: "*No tables, chairs, or displays are permitted where the proposed area is adjacent to a bus-stop, taxi stand, pedestrian crossing, Council seating, or rubbish bins.*" The DOM has indicated that it would be prepared to relocate the public seating located within the alfresco dining area at its own expense. Council's District Facilities team are not supportive



of this request as these public amenities are for the use of the public. However, it is understandable that Council seating may pose some challenges for the DOM to be able to monitor and control the alfresco dining area if there is public seating within the alfresco dining area.

Mitigating factors (proposed by relevant Council staff) might include reducing the alfresco footprint applied for from 44m x 3m to 37m x 3m. This would reduce occupation and management of public space to that space directly in front of the Duke restaurant and bar only. Refer to the map appended to the application for reference.



### Additional information

A separate but related matter is that, at present, the DOM alcohol licensed area does not include the alfresco dining area located on public space across the road from its premises. A variation to the alcohol licenced area, to include the alfresco dining area is being considered by the District Licencing Committee (DLC). The DLC has requested that the matter of the alfresco licence application be first considered and decided by the Community Board in accordance with policy 3116. The DLC would then be able to consider the alcohol licence variation application.

For transparency, information regarding the variation to the alcohol licensed area application is also provided and is outlined as follows:

Council's Alfresco Dining Policy condition 17 states: *"No alcohol is to be served, supplied, or brought to the tables and chairs until the appropriate Liquor Licence includes the Alfresco Dining area, permitting such activities"*. On 6<sup>th</sup> May 2021, the DOM applied for a variation to their alcohol licence. As The Strand is a legal road, the Northland Transport Alliance (NTA) were consulted regarding the application. Subsequently, NTA raised an objection (19 May 2021). The concerns of the NTA were that the alcohol variation application did not meet sections 105(1)(c) and 105(1)(h) of the Sale & Supply of Alcohol Act 2012.

Section 105(1)(c) outlines that the licensing authority must have regard to any relevant local alcohol policy. The FNDC does not have a local alcohol policy, nor is it required to have one.

However, Council does have in place an Alcohol Control Bylaw 2018, adopted by Council on 13<sup>th</sup> December 2018 and commenced 19<sup>th</sup> December 2018. **(Attachment D)**. The consumption of alcohol is prohibited along The Strand, however the bylaw states that Alcohol control areas do not apply to licensed premises, which can include situations where a special license has been issued for a specific event. Licensed premises can include areas of public places such as footpaths.

In regard to the NTA objection under section 105(1)(h), this section provides that regard must be had to whether the good order and amenity of the area would be affected by the issuance of an alcohol licence. The operator has been occupying the public space since 2010 and held Council approval as per approval reference ALF-49. A copy of the Council alfresco approval (which expired 30 June 2021) is included in the attachments to this report.

The NTA also raised concerns about public safety as The Strand is a legal road. The objection from the NTA was later withdrawn on 3 June 2021.

The alcohol variation application was considered by the DLC on 24<sup>th</sup> June 2021, the DLC issued a minute on 27<sup>th</sup> June 2021 with the expectation that the alfresco dining approval application is first

considered by the Community Board. **(Attachment E)**. The DLC also expressed their concern around NTA's concerns regarding public safety along The Strand in Russell and that there are public amenities situated within the alfresco dining area previously occupied by the DOM. The decision on the alcohol licence application will be resumed once the Community Board has made its decision regarding the alfresco dining licence application.

### **Relevant updates**

Amendment to the 3116 policy and the relevant governing bylaw is under review. The proposed amendments, if approved, will make like applications compliant with item 10 of the 3116 policy.

Council's Environmental Services department have enhanced its due diligence around alfresco dining applications to ensure affected and interested parties are consulted where relevant; for example, in this case, the NTA and relevant Community Board.

## **2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS**

### **Alfresco dining licence application**

**Staff recommendation is OPTION 2.**

#### **OPTION 1**

**Approve the alfresco dining application submitted by the DOM **without** changes – as per alfresco dining approval application lodged 5<sup>th</sup> July 2021**

The Community Board considers the alfresco dining approval application from the DOM and approves the application without any changes and with the following conditions:

- Occupy public space for the purpose of alfresco dining on an area of 44m x 3m
- The maximum area in which the extended operation can take place must not exceed the premises front boundary points and must leave a minimum of 1.5 metres clear access for pedestrian traffic
- Maintain both pedestrian and vehicular traffic flow in a sensible and safe manner
- If you are serving alcohol in the alfresco dining area for which this approval pertains to, you cannot serve alcohol in the designated area unless your alcohol licence includes the designated area. The Alfresco dining approval does not override your responsibilities under the Sale & Supply of Alcohol Act 2012
- The designated area and facilities provided must be cleaned and maintained to a standard acceptable to Council
- Trading is limited to the area designated; the Licensee is required to remove all items used for alfresco dining by 10pm each day
- Approval is not transferrable, if there is a change in ownership the new owner must apply for approval
- The Licensee for which this approval is granted must abide by the direction of authorized Council Officers
- Council can revoke the approval if any conditions are not being met or any problem cannot be resolved
- The Council accepts no responsibility for any damage or physical injury caused by the Licensees operation
- Public liability Insurance of \$500,000 must be carried by the Licensee
- The Licensee ensures they meet their "Person conducting a Business or Undertaking (PCBU)" and H&S requirements, with particular consideration to safety of their staff and their customers within the public space
- Owners must comply with their resource consents and other licences (e.g. alcohol licence) and seek at their own expense any additional approvals regarding the extension of their premises. Any approval granted by Council to use public space in accordance with this Alfresco dining policy will not automatically imply compliance with any other regulatory issue.

**OPTION 2**

**Approve the alfresco dining application submitted by the DOM with changes – as per alfresco dining approval application lodged 5<sup>th</sup> July 2021**

The Community Board considers the alfresco dining approval application from the DOM and approves the application with the following changes/conditions:

- Occupy public space for the purpose of alfresco dining on an area of 37m x 3m
- The maximum area in which the extended operation can take place must not exceed the premises front boundary points and must leave a minimum of 1.5 metres clear access for pedestrian traffic
- Maintain both pedestrian and vehicular traffic flow in a sensible and safe manner
- If you are serving alcohol in the alfresco dining area for which this approval pertains to, you cannot serve alcohol in the designated area unless your alcohol licence includes the designated area. The Alfresco dining approval does not override your responsibilities under the Sale & Supply of Alcohol Act 2012
- The designated area and facilities provided must be cleaned and maintained to a standard acceptable to Council
- Trading is limited to the area designated; the Licensee is required to remove all items used for alfresco dining by 10pm each day
- Approval is not transferrable, if there is a change in ownership the new owner must apply for approval
- The Licensee for which this approval is granted must abide by the direction of authorized Council Officers
- Council can revoke the approval if any conditions are not being met or any problem cannot be resolved
- The Council accepts no responsibility for any damage or physical injury caused by the Licensees operation
- Public liability Insurance of \$500,000 must be carried by the Licensee
- The Licensee ensures they meet their "Person conducting a Business or Undertaking (PCBU)" and H&S requirements, with particular consideration to safety of their staff and their customers within the public space
- Owners must comply with their resource consents and other licences (e.g. alcohol licence) and seek at their own expense any additional approvals regarding the extension of their premises. Any approval granted by Council to use public space in accordance with this Alfresco dining policy will not automatically imply compliance with any other regulatory issue.

**OPTION 3**

**Decline the alfresco dining application submitted by the DOM – as per alfresco dining approval application lodged 5<sup>th</sup> July 2021**

The Community Board considers the alfresco dining application from the DOM and declines the application due to the application not meeting the condition 10 of the Councils "Alfresco Dining Policy"- *"No tables, chairs, or displays are permitted where the proposed area is adjacent to a bus-stop, taxi stand, pedestrian crossing, Council seating, or rubbish bins."*

**Community bench seat relocation**

**Staff recommendation is OPTION 1.**

**OPTION 1**

**The Community Board considers the DOM request to relocate the public seating in the public space where the DOM intends to occupy for the purpose of alfresco dining**

The Community Board **approves** the request of the DOM to relocate the three public seats located on the public space in the area that the DOM would like to occupy for the purpose of alfresco dining. All relocation costs will be borne by the DOM. The DOM is to seek instruction from Infrastructure and Asset Management staff for the relocation of the community benches.

**OPTION 2**

The Community Board **declines** the request of the DOM to relocate the three public seats located on the public space in the area that the DOM would like to occupy for the purpose of alfresco dining.

**Take Tūtohunga / Reason for the recommendation**






The alfresco dining approval application by the DOM needs to be considered by the Community Board as it currently does not meet the requirements of the Councils "Alfresco Dining Policy".

The Community Board also need to consider the request of the DOM to relocate three public seats located on the public space along the Strand, Russell as this these are situated in a public space that the DOM would like to occupy for the purpose of alfresco dining.

**3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

There are no financial implications for Council relating to approval of the alfresco dining application. The DOM has paid an application fee for the alfresco dining approval application and the DOM is prepared to pay for any relocation costs (if approval is granted to relocate the three public seats that are located on public space along the Strand, Russell).

**ĀPITIHINGA / ATTACHMENTS**

1. Attachment A alfresco-dining-policy-2014 - A3298498 [↓](#) 
2. Attachment B DOM Alfresco Licence 2020\_2021 - A3298511 [↓](#) 
3. Attachment C ALF-49\_ Duke of Marlborough Alfresco Dining Application 05.07.2021 - A3298550 [↓](#) 
4. Attachment D alcohol-control-bylaw-2018 - A3298575 [↓](#) 
5. Attachment E DLC Minute - A3298618 [↓](#) 

**Hōtaka Take Ōkawa / Compliance Schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	Low Significance – this matter does not meet the criteria/threshold for a matter of significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Alfresco Dining Policy (#3116) Sale and Supply of Alcohol Act 2012 Local Government Act 2002 Communities that are healthy, safe, connected and sustainable.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	District wide relevance. This application needs to be considered by the Community Board as per Councils "Alfresco Dining Policy".
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.  State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	There are no specific implications.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	All residents, FNDC Community and visitors to Russell Russell Business owners Northland Transport Alliance FNDC Community Boards
State the financial implications and where budgetary provisions have been made to support this decision.	There will be no financial implications to Council. Alfresco dining approval application fees have been met by the DOM. The DOM are prepared to pay the

	relocation costs if the Community Board approve to relocate the three public seats located on public space along the Strand, Russell.
Chief Financial Officer review.	The Chief Financial Officer has reviewed this report.

## Alfresco Dining Policy (#3116)

Adopted: 22 March 2008  
Reviewed: 16 October 2014

### Background

Café and restaurant owners benefit from increased business opportunities, and the wider community benefits by having a more vibrant commercial sector that is meeting the needs of a more discerning public.

This policy is driven by a growing number of requests for alfresco dining facilities and concerns raised by the public over the legality of this type of operation. This policy formalises the procedures and protocols for the application and the process for approving/declining alfresco dining licenses.

### Objective

To enable the private use of public space for outdoor dining.

### Policy Statements

Council's policy position in respect of alfresco dining is to:

- enable operators to legitimately occupy public space as an extension of their premises.
- create minimum standards for the upkeep and general maintenance of land used for this purpose.
- maintain both pedestrian and vehicular traffic flow in a sensible and safe manner.
- ensure the Council charges a fair rental for the use of these assets so as not to skew commercial considerations.
- ensure the applicant has adequate public liability insurance.
- ensure that provision is made for special events.

### Procedures

#### Application

All requests to use a public space for outdoor dining must be lodged in writing to Council and along with the Alfresco Dining, Application for License, should provide the following information:

- a. Access requirements, including:
  - Footpath clearance, pedestrian access, and setback from the kerb
  - Location of street trees and underground services
- b. Safety and security requirements, including:
  - Location of chairs and umbrellas
  - Heating and lighting
  - Hours of operation
  - Insurance provision
- c. The standard and type of furnishings/fitout as well as a sketch plan.



- d. Extension of licensed premises and resource consents (where applicable).

### Implementation Process

1. Upon inquiry from potential applicant, and application checklist is sent, e.g. compliance conditions as outlined above. The applicant is asked to address these as part of their written request.
2. All applications are forwarded to Environmental Monitoring or Regulatory Services Manager.
3. Council staff (Environmental Monitoring) assess the application for compliance (site visit essential).
4. Approval will be given at staff level to those applications that meet all criteria. All other applications, including those which are declined, are to be approved by the relevant Community Board.
5. License details are entered into the computer for annual renewal, and the license is signed and consent fees paid.

### Minimum Conditions to Apply

6. The maximum area in which the extended operation can take place must not exceed the premises front boundary points and must leave a minimum of 1.5 metres clear access for pedestrian traffic.
7. Letter of support from adjoining (either side but same side of the street) business owners or lessees is desirable.
8. The designated area and facilities provided must be cleaned and maintained to a standard acceptable to Council.
9. The space occupied is not to obstruct access to or egress from the premises or adjoining premises as per fire regulations.
10. No tables, chairs, or displays are permitted where the proposed area is adjacent to a bus-stop, taxi stand, pedestrian crossing, Council seating, or rubbish bins.
11. A sketch plan of the applicant's requirements is to be supplied with each application together with a description of the materials and design of the furniture to be used.
12. The consent is business and person specific. A change of ownership will require a new application to be lodged.
13. The owners must abide by the direction of authorised Council officers.
14. Council can revoke the consent if any conditions are not being met or any problem cannot be resolved.
15. Fees will be determined by Council and are payable before written consent is issued or as specified in the written consent. These fees can be found in Council's Fees and Charges Schedule.
16. Trading is limited to the area designated and time specified in the consent. The owner is required to remove tables, chairs, etc. at the end of each trading day unless otherwise specified.
17. No alcohol is to be served, supplied, or brought to the tables and chairs until the appropriate Liquor Licence includes the Alfresco Dining area, permitting such activities.
18. Council accepts no responsibility for any damage or physical injury caused by the owner's operation.
19. Public liability insurance of \$500,000 is to be carried by the owner.



20. Council reserves the right to temporarily suspend the consent for any special events, e.g. Christmas parades. Written notice will be given to the licence holder in advance.
21. Notwithstanding any of these conditions, any existing conditions shall remain, e.g. building consent, resource consent, or any other Council requirement.
22. Owners must comply with their resource consents and other licences (e.g. liquor licence) and seek at their own expense any additional approvals regarding the extension of their premises. Any approval granted by Council to use public space in accordance with this Alfresco dining policy will not automatically imply compliance with any other regulatory issue.
23. Parking contribution requirements are waived for applications requiring up to five (5) tables. Any number of tables over five may require a parking contribution which will be determined by the Planning Department on a case-by-case basis.



**HE ARA TĀMATA**  
**CREATING GREAT PLACES**  
*Supporting our people*

Email: [ask.us@fncc.govt.nz](mailto:ask.us@fncc.govt.nz)  
Website: [www.fncc.govt.nz](http://www.fncc.govt.nz)

Private Bag 752, Newbold Avenue  
Russett 0440, New Zealand  
Tollfree: 0800 920 029  
Phone: (09) 401 5200  
Fax: (09) 401 2227

20-Aug-2020

Duke Of Marlborough Business Limited  
35 The Strand  
Russell 0202

### ALFRESCO DINING LICENCE

**Alfresco Licence Number:** ALF-49

**Trading Name:** Duke Of Marlborough Business Limited

**Trading Location:** 35 The Strand, Russell 0202

Dear Sir / Madam,

Please find enclosed your Alfresco Dining Licence to occupy a public space, pursuant to the Control of the Use of Public Places Bylaw, 3222.1, of Council's General Bylaws.

If you have any queries or concerns please do not hesitate to contact our Compliance Administration team on our free phone number 0800 920 029.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ian Wilson".

Ian Wilson  
**Team Leader - Monitoring, District Services**





## ALFRESCO DINING LICENCE

Alfresco Dining Licence to occupy a public space, pursuant to the Control of the Use of Public Places Bylaw, 3222.1, of Council's General Bylaws. This Licence is approved under delegated authority to the Licensee for the purposes scheduled below under any conditions stated.

**Licensee:** Duke Of Marlborough Business Limited  
**Registration of :** Duke Of Marlborough Business Limited  
**Site Address:** 35 The Strand, Russell 0202  
**Licence Number:** ALF-49

Unless sooner surrendered or revoked this licence shall remain in force until 30-Jun-2021.

.....  
Signed on behalf of the Far North District Council

**This licence is issued to temporarily occupy the public land directly outside the premises on the designated area**

### **SPECIAL CONDITIONS APPLICABLE TO THE LICENCE:**

1. That the area approved for Alfresco Dining is only used for that purpose and that the consumption of alcohol should only take place during that activity. It is recommended that notices be placed on the tables denoting that they are not used for casual drinking.
2. That the occupation is for five (5) tables and ten (10) chairs.
3. That the tables and chairs are permitted to remain in the designated area until 10pm each day, after which time they must be removed.
4. That all umbrellas or similar displays are securely restrained and are not a risk to the public or vehicles.
5. That the tables and chairs are removed when the premises are closed.
6. That no advertising signs should encroach on the 1.5 meters unimpeded footpath area, and that such signs should be limited to one only.
7. That the Licensee keeps the area clean and tidy at all times at their expense.
8. That at all times the furniture and any object used in the occupied site shall adhere to the Russell Heritage Precinct rules.



## Alfresco Dining Approval Application



## Applicant details

Name of applicant (name to appear on licence)

Duke of Marlborough Business Limited

Address

35 The Strand, Russell, 0202

Contact numbers

Email Address

## Application details

Name of establishment

Duke of Marlborough Business Limited

Address of establishment

35 The Strand, Russell, 0202

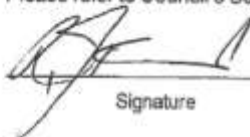
Date from which licence is required

Property ID

Description of operation and planned use, with area size, number of tables, chairs, type of furniture used (please attach clear plans detailing this information):

## Fees

Please refer to Council's Schedule of Fees and Charges

 (Director)

Signature

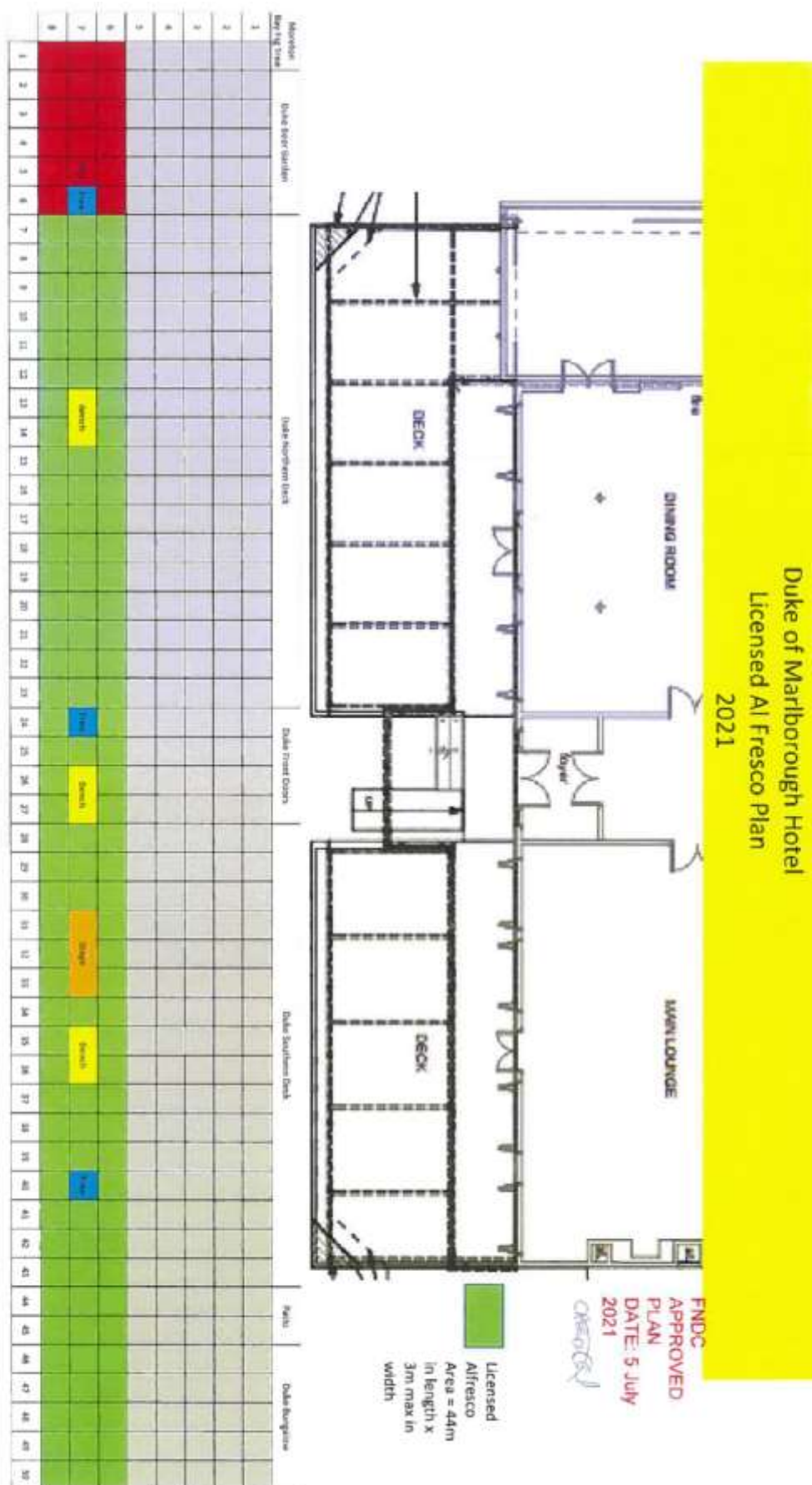
5 July 21.

Date

## Final Check and Attachment Checklist

- ☐ Form is completed and is legible
- ☐ Letter of support from adjoining (either side but same side of street) business owners
- ☐ A description of the materials and design of the furniture to be used in the alfresco area
- ☐ A clear plan outlining the area to be used for alfresco dining
- ☐ Public liability insurance of \$500,000 is to be carried by the owner - provide proof

Application forms that do not include all the information required will not be processed. Applications will not be processed until the application fee has been paid.



Policy Schedule		Policy No	Reference No
The Duke of Marlborough Business Ltd C/- Aon New Zealand - Takapuna			

**Aon**

**LegalEdge**

**POLICY NUMBER**

**WORDING** [VL POL AON LEGALEDGE-082017](#)

**INSURED** The Duke of Marlborough Business Ltd.

**BUSINESS DESCRIPTION** Hospitality Provider and Property Owner

**PERIOD OF INSURANCE**

From 4pm:	3 May 2021
To 4pm:	3 May 2022

**Section 1**

**TERRITORY** New Zealand

**PRODUCTS TERRITORY** New Zealand

**JURISDICTION** New Zealand

**All Other Sections**

**TERRITORY** New Zealand except Worldwide in respect of Internet Liability

**JURISDICTION** New Zealand except Worldwide in respect of Internet Liability

		LIMIT	EXCESS	RETROACTIVE DATE
<b>PUBLIC &amp; PRODUCTS LIABILITY</b>	Included	\$ 5,000,000	\$ 500	

Signed for and on behalf of Vero Liability Insurance Limited



Authorised Officer  
BJS



30 April 2021



**Policy Schedule**

Policy No

Reference No

The Duke of Marlborough Business Ltd  
C/- Aon New Zealand - Takapuna**AON****DIRECTORS & OFFICERS LIABILITY**

LAWSAFE

CONSEQUENTIAL LOSS

INTERNET LIABILITY

DEFENCE COSTS

EMPLOYMENT DISPUTES

WORK ACCIDENT

**ENDORSEMENTS**

BSP9999

**Contract Works**

It is hereby noted and agreed that in respect of Section 1 - Public and Products Liability, this section does not apply to liability for loss of or damage to property the subject of contract works which is or should have been insured under a separate contract works or construction risks policy.

BSP9999

**Hold Harmless**

It is hereby noted and agreed that in respect of Section 1 - Public and Products Liability, it is a condition precedent to indemnity that the Insured shall not enter into any hold harmless agreements.

Signed for and on behalf of Vero Liability Insurance Limited



Authorised Officer:  
BJS



30 April 2021

**From:** Anton Haag  
**To:** Christina Rosenthal  
**Subject:** Re: Scan Data from FX-1C7D224318B1  
**Date:** Monday, July 5, 2021 1:22:03 PM  
**Attachments:** image002.png

**CAUTION:** This email originated from outside Far North District Council.  
Do not click links or open attachments unless you recognise the sender and know the content is safe.

5 as per current - i may have mucked the plan up though as i think we only have 4 at the moment !!

Kind regards  
Anton Haag  
Governor  
Duke of Marlborough Hotel  
www.theduke.co.nz

On 5/07/2021, at 1:20 PM, Christina Rosenthal  
<Christina.Rosenthal@fndc.govt.nz> wrote:

Thanks Anton.

Just for confirmation – are you planning on having 4 or 5 tables in the alfresco dining area?

<image002.png> Christina Rosenthal

Team Leader - Environmental Health Services  
District Services, Far North District Council  
| Christina.Rosenthal@fndc.govt.nz | 24-hour Contact  
Centre 0800 920 029  
[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

**From:** Anton Haag  
**Sent:** Monday, 5 July 2021 12:16 PM  
**To:** Christina Rosenthal <Christina.Rosenthal@fndc.govt.nz>  
**Subject:** Fwd: Scan Data from FX-1C7D224318B1

**CAUTION:** This email originated from outside Far North District Council.  
Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Christina



please find attached the forms for the al fresco license

we leave everyone alone on the park benches - providing they are not drinking alcohol ,  
we advise them where to sit if the alcohol is from us - and point out the bylaws if it's  
from an off license

Kind regards  
Anton Haag  
Governor  
Duke of Marlborough Hotel  
[www.theduke.co.nz](http://www.theduke.co.nz)

Begin forwarded message:

**From:** <[services@theduke.co.nz](mailto:services@theduke.co.nz)>  
**Date:** 5 July 2021 at 11:38:41 AM NZST  
**To:** Anton Haag <[anton@theduke.co.nz](mailto:anton@theduke.co.nz)>  
**Subject:** FW: Scan Data from FX-1C7D224318B1

Hey Anton

Form is completed (attached), Riki has signed it. I have also attached the  
Public Liability Insurance Policy.

Hope this is what you are after.

Cheers

-----Original Message-----

**From:** DocuCentre-V 3060 <[scan@theduke.co.nz](mailto:scan@theduke.co.nz)>  
**Sent:** Monday, 5 July 2021 11:32 AM  
**To:** <[services@theduke.co.nz](mailto:services@theduke.co.nz)>  
**Subject:** Scan Data from FX-1C7D224318B1

Number of Images: 1  
Attachment File Type: PDF

Device Name: DocuCentre-V 3060  
Device Location: The Duke of Marlborough Hotel Russell

**From:** [Piata Komene](#)  
**To:** [Christina Rosenthal](#)  
**Subject:** FW: ALF-49: Duke of Marlborough Alfresco Dining Application 05.07.2021  
**Date:** Tuesday, July 6, 2021 1:23:19 PM  
**Attachments:** [05072021112319-0001.pdf](#)  
[Policy Schedule Insurance 2021-2022.pdf](#)  
[Site Spec Data from DX-10-2021-011001.mxd](#)  
[DOH Alfresco Site Plan 230621.pdf](#)  
[image001.png](#)  
[image001.png](#)  
[image001.png](#)

Hi Chrissie  
 FYI – I have sent the customer payment options. Once I received the payment then I will lodge the application.  
 Regards  
 Piata



**Piata Komene**

Compliance Administration Officer

District Services, Far North District Council | 24-hour Contact Centre 0800 920 029

( [Piata.Komene@fndc.govt.nz](mailto:Piata.Komene@fndc.govt.nz) )

[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

**From:** Christina Rosenthal <[Christina.Rosenthal@fndc.govt.nz](mailto:Christina.Rosenthal@fndc.govt.nz)>

**Sent:** Monday, 5 July 2021 2:39 PM

**To:** Piata Komene <[Piata.Komene@fndc.govt.nz](mailto:Piata.Komene@fndc.govt.nz)>; Compliance Admin <[compliance.admin@fndc.govt.nz](mailto:compliance.admin@fndc.govt.nz)>

**Cc:** Carla Ditchfield-Hunia <[Carla.Ditchfield-Hunia@fndc.govt.nz](mailto:Carla.Ditchfield-Hunia@fndc.govt.nz)>; Rochelle Deane <[Rochelle.Deane@fndc.govt.nz](mailto:Rochelle.Deane@fndc.govt.nz)>

**Subject:** ALF-49: Duke of Marlborough Alfresco Dining Application 05.07.2021

Hi Piata

Please lodge the attached "Alfresco Dining" application from the Duke of Marlborough.

The application will need to go before the BOI-Whangaroa Community Board for consideration.

Can you please send an invoice to the applicant? The applicable fee for this application is:

Application/renewal fee - \$186

Site inspection fee - \$77

Five tables - \$276

#### Alfresco dining license

All licenses renewable on 1 July each year

Application and renewal fee	\$110.00
Site inspection	\$77.00
One table	\$35.00
Two tables	\$109.00
Three tables	\$166.00
Four tables	\$220.00
Five tables	\$276.00
New application received during licensing year	Pro rata, according to number of tables (however the application fee and site inspection will be charged at full fee)
Re-inspection fee	\$55.00
New application – not compliant and needing Community Board approval	\$166.00
Change of new ownership – new licensee	\$60.00

*Example: All new compliant applications will incorporate an application fee (\$110.00), a site inspection fee (\$77.00) and a charge per table (\$35.00). Therefore a new application for one table will be a total fee of \$242.00*

Note: All fees are GST Inclusive at the current rate of 15% unless otherwise stated (where applicable)

I will process this application and send it to the NTA for input before I send the application to the BOI-W CB meeting in August.  
Any questions please do not hesitate to contact me.

Thanks

Chrissie

Christina Rosenthal



Team Leader - Environmental Health Services  
District Services, Far North District Council

[Christina.Rosenthal@fndc.govt.nz](mailto:Christina.Rosenthal@fndc.govt.nz) | 24-hour Contact Centre 0800 920 029

[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

**From:** Anton Haag

**Sent:** Monday, 5 July 2021 12:16 PM

**To:** Christina Rosenthal <[Christina.Rosenthal@fndc.govt.nz](mailto:Christina.Rosenthal@fndc.govt.nz)>

**Subject:** Fwd: Scan Data from FX-1C7D22431881

**CAUTION:** This email originated from outside Far North District Council.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Christina

please find attached the forms for the al fresco license

we leave everyone alone on the park benches - providing they are not drinking alcohol , we advise them where to sit if the alcohol is from us - and point out the bylaws if it's from an off license

Kind regards

Anton Haag

Governor

Duke of Marlborough Hotel

[www.theduke.co.nz](http://www.theduke.co.nz)

Begin forwarded message:

**From:** <[services@theduke.co.nz](mailto:services@theduke.co.nz)>

**Date:** 5 July 2021

**To:** Anton Haag

**Subject:** FW: Scan Data from FX-1C7D22431881

Hey Anton

Form is completed (attached), Riki has signed it. I have also attached the Public Liability Insurance Policy.

Hope this is what you are after.

Cheers

-----Original Message-----

From: DocuCentre-V 3060 <[scan@theduke.co.nz](mailto:scan@theduke.co.nz)>

Sent: Monday, 5 July 2021 11:32 AM

To: <[services@theduke.co.nz](mailto:services@theduke.co.nz)>

Subject: Scan Data from FX-1C7D22431881

Number of Images: 1

Attachment File Type: PDF

Device Name: DocuCentre-V 3060

Device Location: The Duke of Marlborough Hotel Russell

**From:** [Christina Rosenthal](#)  
**To:** [Aram Goes NTA](#); [Sandi Morris NTA](#)  
**Cc:** [Rochelle Deane](#)  
**Subject:** FW: ALF-49 Duke of Marlborough (DOM) Alfresco Dining Application 05.07.2021  
**Date:** Thursday, July 15, 2021 2:05:00 PM  
**Attachments:** [Q5672021113143-0001.pdf](#)  
[Policy Schedule Insurance 2021-2022.pdf](#)  
[Re Scan Data from FX-1C7D22431061.meg](#)  
[DOM Alfresco Site Plan 230621.pdf](#)  
[image001.png](#)  
[image002.png](#)  
**Importance:** High

Hi Aram and Sandi

Just following up on the email I sent through on 5 July 2021. Refer below.

Would you be able to provide some input asap please so that I can complete my report which will go to the BIWCB meeting. Deadline date for reports is 20 July 2021.

Thanks in advance.  
Chrissie



Christina Rosenthal

Team Leader - Environmental Health Services

District Services, Far North District Council

| [Christina.Rosenthal@fndc.govt.nz](mailto:Christina.Rosenthal@fndc.govt.nz) | 24-hour Contact Centre 0800 920 029

[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

**From:** Christina Rosenthal  
**Sent:** Monday, July 5, 2021 3:03 PM  
**To:** Aram Goes NTA <[Aram.Goes@nta.govt.nz](mailto:Aram.Goes@nta.govt.nz)>; Sandi Morris NTA <[Sandi.Morris@nta.govt.nz](mailto:Sandi.Morris@nta.govt.nz)>  
**Cc:** Carla Ditchfield-Hunia <[Carla.Ditchfield-Hunia@fndc.govt.nz](mailto:Carla.Ditchfield-Hunia@fndc.govt.nz)>; Piata Komene <[Piata.Komene@fndc.govt.nz](mailto:Piata.Komene@fndc.govt.nz)>  
**Subject:** ALF-49 Duke of Marlborough (DOM) Alfresco Dining Application 05.07.2021  
**Importance:** High

Hi Aram and Sandi

Please find attached an application for alfresco dining approval from the DOM located on the Strand in Russell.

The DOM has held alfresco dining approval since 2010. There have been no known issues or reports of unacceptable behaviour or trading by the DOM whilst they have held alfresco dining approval.

The DOM does not exceed their premises front boundary points. Their premises front boundary point is approximately 52m in length, the length of space that the DOM wishes to occupy for the purpose of alfresco dining is 44m x 3m as per the attached site plan. The DOM plans to have 5 tables within the alfresco dining area located on public space across the road from their premises. You will note that there is a stage and 3 FNDC bench seats laid out amongst the alfresco dining space. has been sent to the District Facilities team for consideration in regards to relocating the FNDC bench seats.

The alfresco dining application, FNDC bench seats and NTA input will be captured in a report that will go to the BOI-Whangaroa CB in August. I will need to complete my report by 13 July 2021 so that I can meet

the agenda deadline for the CB meeting.

Look forward to your input.

Kind Regards  
Chrissie



Christina Rosenthal

Team Leader - Environmental Health Services

District Services, Far North District Council

[Christina.Rosenthal@fndc.govt.nz](mailto:Christina.Rosenthal@fndc.govt.nz) | 24-hour Contact Centre 0800 920 029

[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

**From:** Anton Haag  
**Sent:** Monday, 5 July 2021 12:16 PM  
**To:** Christina Rosenthal <[Christina.Rosenthal@fndc.govt.nz](mailto:Christina.Rosenthal@fndc.govt.nz)>  
**Subject:** Fwd: Scan Data from FX 1C7D224318B1

**CAUTION:** This email originated from outside Far North District Council.  
Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Christina

please find attached the forms for the al fresco license

we leave everyone alone on the park benches - providing they are not drinking alcohol , we advise them where to sit if the alcohol is from us - and point out the bylaws if it's from an off license

Kind regards  
Anton Haag  
Governor  
Duke of Marlborough Hotel  
[www.theduke.co.nz](http://www.theduke.co.nz)

Begin forwarded message:

**From:** <[services@theduke.co.nz](mailto:services@theduke.co.nz)>  
**Date:** 5 July 2021 at 11:38:41 AM NZST  
**To:** Anton Haag  
**Subject:** FW: Scan Data from FX-1C7D224318B1

Hey Anton

Form is completed (attached), Riki has signed it. I have also attached the Public

Liability Insurance Policy.

Hope this is what you are after.

Cheers

-----Original Message-----

From: DocuCentre-V 3060 <[scan@theduke.co.nz](mailto:scan@theduke.co.nz)>

Sent: Monday, 5 July 2021 11:32 AM

To: <[services@theduke.co.nz](mailto:services@theduke.co.nz)>

Subject: Scan Data from FX-1C7D22431881

Number of Images: 1

Attachment File Type: PDF

Device Name: DocuCentre-V 3060

Device Location: The Duke of Marlborough Hotel Russell



From: [Chris Davidson - NTA](#)  
 To: [Chris Davidson](#)  
 Cc: [Planning Dept](#), [Alan Davis NTA](#), [John Brown](#)  
 Subject: RE: ALF-49 Duke of Marlborough 2020 Alfresco Dining Application 05.07.2021  
 Date: 18 July 2021, 3:27:48 PM  
 Attachments: [image001.jpg](#), [image002.jpg](#), [image003.jpg](#), [image004.jpg](#)

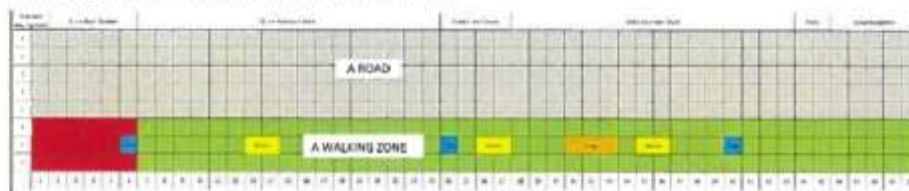
**CAUTION:** This email originated from outside the North District Council.  
 Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Christine,

Thank you for editing more clearly.

If this is the case then:

I presume a grey area on the Plan is a road and a green area is a pedestrian/walking zone:



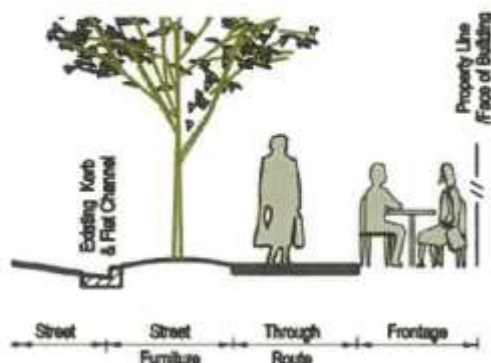
In this case, a plan provided within an application cannot be accepted by NTA for the following reasons:

- It is seriously obstructing pedestrian access and not comply with item 6 of PhDC Access Policy, as a clear access for pedestrian traffic is definitely below 1.5 meters.
- The current and proposed layout is forcing walking pedestrians to share a road with cars, because the footpath/pedestrian/walking zone (here) is occupied by street furniture.
- Mobility impaired pedestrians will also not be able to move through the footpath/pedestrian/walking zone, because of several barriers created.



I also noted that wooden bollards are not shown on the plan. Is it a subject for the removal because of proposal?

Please also find the requirement of [Pedestrian Planning and Design Guide 2017](#), which outlines a good practice across New Zealand.



Locations	Maximum pedestrian flow	Zone				Total
		Kerb	Street furniture #	Through route	Frontage	
Arterial roads in pedestrian districts	80 p/min	0.15 m	1.2m	2.4 m +	0.75 m	4.3 m
CBD						
Alongside parks, schools and other major pedestrian generators	60 p/min	0.15 m	1.2 m	1.8 m	0.45 m	3.6 m
Local roads in pedestrian districts						
Commercial/ industrial areas outside the CBD	60 p/min	0.15 m	0.9 m	1.8 m	0.15 m	3.0 m
Collector roads						
Local roads in residential areas	50 p/min	0.15 m	0.9 m	1.5 m	0.15 m	2.7 m
Absolute minimum*						
* Consider increasing this distance where vehicle speeds are higher than 55 km/h.						
* Only acceptable in existing constrained conditions and where it is not possible to reallocate road space.						

Please let me know if you have any further questions

Regards

Victor Devyatov

Intermediate Road Safety & Traffic Engineer | Northland Transportation Alliance

Far North | Kaipara | Whangarei

[Victor.Devyatov@nra.co.nz](mailto:Victor.Devyatov@nra.co.nz)

## NORTHLAND TRANSPORTATION ALLIANCE



The Northland Transportation Alliance is a partnership between all four councils within Northland and their district (NRA). The information contained within this email may be confidential. Therefore, if you have received this in error, you should delete it immediately and advise the sender noting that information contained within this communication should not be used or transmitted in any format.

From: Christina Rosenthal <Christina.Rosenthal@fnhc.govt.nz>

Sent: Friday, 16 July 2021 11:53 am

To: Victor Devyatov <MTA-Victor.Devyatov@nra.govt.nz>

Cc: Rochelle Deane <Rochelle.Deane@fnhc.govt.nz>; Aram Dore <MTA-Aram.Dore@nra.govt.nz>; John Shagan <John.Shagan@fnhc.govt.nz>

Subject: RE: ALF-49 Duke of Marlborough (DOM) Alfresco Dining Application 05.07.2021

Hi Victor

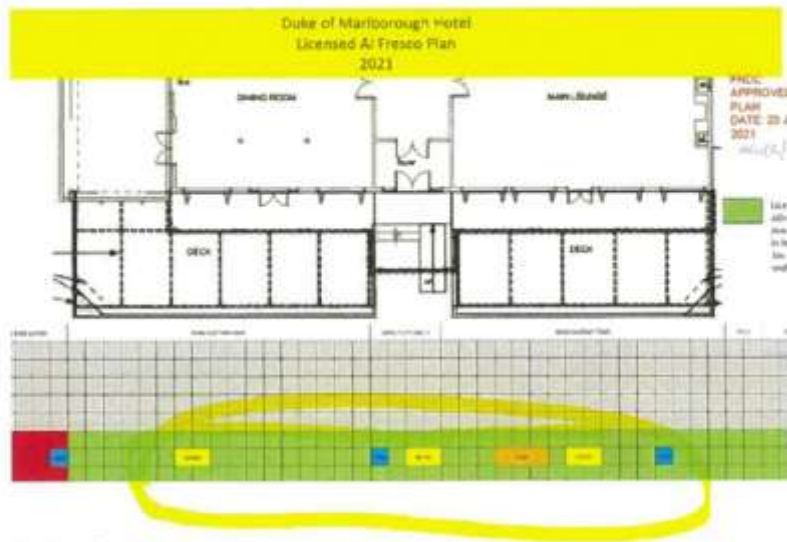
The picture you have provided is their alfresco dining area situated on private land owned by the DOM. They do not require Councils approval to occupy private land for the purpose of alfresco dining.

The area that their alfresco dining application pertains to is situated on public space across the road from the DOM



The 3 Council seats and stage in the above picture can be seen on their site plan as follows





I hope this helps?

Kind Regards  
Christine



Christina Rosenthal  
Team Leader - Environmental Health Services  
District Services - Far North District Council  
[christina.rosenthal@fnz.govt.nz](mailto:christina.rosenthal@fnz.govt.nz) | 09 400 4000  
Locations: | Leveah | Whangaroa | Whangarei

From: Victor Devorov | NTA <[victor.devorov@nta.govt.nz](mailto:victor.devorov@nta.govt.nz)>  
Sent: Friday, 16 July 2021 10:02 AM  
To: Christina Rosenthal <[christina.rosenthal@fnz.govt.nz](mailto:christina.rosenthal@fnz.govt.nz)>  
Cc: Rochelle Deane <[rochelle.deane@fnz.govt.nz](mailto:rochelle.deane@fnz.govt.nz)>, Aileen Gies NTA <[aileen.gies@nta.govt.nz](mailto:aileen.gies@nta.govt.nz)>, Ivan Hoque <[ivan.hoque@nta.govt.nz](mailto:ivan.hoque@nta.govt.nz)>  
Subject: RE: ALF-49 Duke of Marlborough (DOM) Alfresco Dining Application 05.07.2021

**CAUTION:** This email originated from outside Far North District Council.  
Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Christine,

One more question.

Could you please confirm what footage is this relates to?

Is it that one from the screenshot below?



My understanding that this area is located within a private property. Can we apply Alfresco Dining Policy for it?

Regards

Victor Deryazov

Intermediate Road Safety & Traffic Engineer | Northland Transportation Alliance

Far North | Kaipara | Whangarei

[Victor.Deryazov@ndt.co.nz](mailto:Victor.Deryazov@ndt.co.nz)

## NORTHLAND TRANSPORTATION ALLIANCE



The Northland Transportation Alliance is a partnership between all four councils within Northland and Waikato (NTA). The information contained within this email may be confidential. Therefore, if you have received this in error, you should delete it immediately and advise the sender noting that information contained within this communication should not be used or transmitted in any format.

From: Victor Deryazov | NTA

Sent: Friday, 16 July 2021 9:32 am

To: Christina Rosenthal <[christina.rosenthal@ndt.co.nz](mailto:christina.rosenthal@ndt.co.nz)>

Cc: Rachelle Deane <[rachelle.deane@ndt.co.nz](mailto:rachelle.deane@ndt.co.nz)>; Aram Ganes | NTA <[aram.ganes@ndt.co.nz](mailto:aram.ganes@ndt.co.nz)>; Rohan Bhagat <[rohan.bhagat@ndt.co.nz](mailto:rohan.bhagat@ndt.co.nz)>

Subject: RE: ALF-49 Duke of Marlborough (DOM) Alfresco Dining Application 05.07.2021

Hi Christina,

I am happy to review the attached application. However, I would appreciate if you can add more clarity on matters below:

I have found an Alfresco Dining Policy document in Objective (please find attached). But in that document I there is only a list of conditions that needs to be checked. However, requirements (required setbacks, meters ?) that should be followed are not outlined in that document.

### 4 COMPLIANCE CONDITIONS

All requests to use a public space for outdoor dining must be lodged in writing to Council and should provide the following information:

#### Access Requirements

- Footpath clearance
- Pedestrian access
- Setback from kerb
- Location of street trees
- Underground services

- Could you please advise if there are any other local PADC documents where I can check these requirements?

If there is nothing available, I will check it using [Professional Planning and Design Guide \(PPDG\)](#)

- I presume that numbers highlighted on the diagram below is a scale distance in meters. However, I would appreciate if you can confirm it?



Reprints

Victor Devyatov  
Intermediate Road Safety & Traffic Engineer | Northland Transportation Alliance  
Far North | Kaipara | Whangarei | [Victor.Devyatov@ndc.govt.nz](mailto:Victor.Devyatov@ndc.govt.nz)

## NORTHLAND TRANSPORTATION ALLIANCE



The Northland Transportation Alliance is a partnership between all four councils within Northland and Whangaroa (NTA). The information contained within this email may be confidential. Therefore, if you have received this email, you should delete it immediately and advise the sender using that information contained within this communication should not be used or transmitted in any format.

From: Christina Rosenthal <[Christina.Rosenthal@ndc.govt.nz](mailto:Christina.Rosenthal@ndc.govt.nz)>

Sent: Thursday, 15 July 2021 4:55 pm

To: Iwan Bragat <[Iwan.Bragat@ndc.govt.nz](mailto:Iwan.Bragat@ndc.govt.nz)>; Victor Devyatov <[Victor.Devyatov@ndc.govt.nz](mailto:Victor.Devyatov@ndc.govt.nz)>; Victor Devyatov | NTA <[Victor.Devyatov@ndc.govt.nz](mailto:Victor.Devyatov@ndc.govt.nz)>

Cc: Rochelle Deane <[Rochelle.Deane@ndc.govt.nz](mailto:Rochelle.Deane@ndc.govt.nz)>; Aram Goon | NTA <[Aram.Goon@ndc.govt.nz](mailto:Aram.Goon@ndc.govt.nz)>

Subject: FW: ALF-48 Duke of Marlborough (DOM) Alfresco Dining Application 05.07.2021

Importance: High

Hi Iwan and Victor

I was hoping I could get some input from NTA on the attached alfresco dining application from the Duke of Marlborough in Russell.

Aram and Sarah normally provide the NTA input required but I see that they are both on well deserved breaks.

I have to complete a report, which will be considered by the DOR Whangaroa Community Board and the deadline date for the report is 20 July 2021. I need to have the NTA input on this alfresco application.

Look forward to your response

Nga mihi

Christine



Christina Rosenthal  
Team Leader - Environmental Health Services  
District Services, Far North District Council  
[Christina.Rosenthal@ndc.govt.nz](mailto:Christina.Rosenthal@ndc.govt.nz) | 24 Hour Contact Centre 0800 520 520  
[Website](https://www.far-north.govt.nz) | [Facebook](https://www.facebook.com/far-north) | [Instagram](https://www.instagram.com/far-north)

From: Christina Rosenthal

Sent: Thursday, 15 July 2021 2:05 PM

To: Aram Goon NTA <[Aram.Goon@ndc.govt.nz](mailto:Aram.Goon@ndc.govt.nz)>; Sarah Morris NTA <[Sarah.Morris@ndc.govt.nz](mailto:Sarah.Morris@ndc.govt.nz)>

Cc: Rochelle Deane <[Rochelle.Deane@ndc.govt.nz](mailto:Rochelle.Deane@ndc.govt.nz)>

Subject: FW: ALF-48 Duke of Marlborough (DOM) Alfresco Dining Application 05.07.2021

Importance: High

Hi Aram and Sarah

Just following up on the email I sent through on 5 July 2021. Hello Sarah.

Would you be able to provide some input asap please so that I can complete my report which will go to the BWVCB meeting. Deadline date for reports is 20 July 2021.

Thanks in advance

Christine



Christina Rosenthal  
Team Leader - Environmental Health Services  
District Services, Far North District Council  
[Christina.Rosenthal@ndc.govt.nz](mailto:Christina.Rosenthal@ndc.govt.nz) | 24 Hour Contact Centre 0800 520 520  
[Website](https://www.far-north.govt.nz) | [Facebook](https://www.facebook.com/far-north) | [Instagram](https://www.instagram.com/far-north)





# ALCOHOL CONTROL BYLAW

2018

Pursuant to the Local  
Government Act 2002, Far  
North District Council makes the  
following bylaw about alcohol  
control in public places.

### 1. Title

---

This bylaw is the Alcohol Control Bylaw 2018.

### 2. Commencement

---

19 December 2018.

### 3. Application

---

This bylaw applies to the Far North District.

## Part 1 – Preliminary Provisions

### 4. Purpose

---

The purpose of this bylaw is to provide for the prohibition and control of the consumption or possession of alcohol in public places (including vehicles in public places) to reduce alcohol related harm.

*Explanatory notes:*

*The provisions of the Act provide explicit details about what this type of bylaw can control. Generally, any transporting of alcohol in unopened containers within an alcohol control area is permitted, subject to certain conditions. See section 147 of the Act for further details.*

*Alcohol control areas do not apply to licensed premises, which can include situations where a special license has been issued for a specific event. Licensed premises can include areas of public places such as footpaths.*

*Under the Act, only constables (New Zealand Police Officers) can take enforcement action under this Bylaw. Constables have powers of arrest, search and seizure under the Act and they can issue infringement notices.*

### 5. Interpretation

---

5.1 Any word used in this Bylaw that is defined in section 5, 147, 169, 169A and 243 of the Act, or section 5 of the Sale and Supply of Alcohol Act 2012 has, for the purposes of this Bylaw, the same meaning as in those sections, unless otherwise provided for in this clause.

5.2 In this Bylaw, unless the context otherwise requires -

**Act** means the Local Government Act 2002

**Council** means the Far North District Council.

**Far North District** means the area within the boundaries under the territorial authority of the Far North District and includes all coastal areas to the line of mean low water springs.

5.3 Any explanatory notes and attachments are for information purposes only and do not form part of this Bylaw.



- 5.4 The Interpretation Act 1999 applies to this Bylaw.

## Part 2 – Control of Alcohol

### 6. Alcohol control areas

---

- 6.1 Council may, by resolution, declare alcohol control areas in which the consumption, bringing in, and possession of alcohol in public places is prohibited or controlled.
- 6.2 Any resolution made under clause 6.1 must also:
- (a) include a map of the alcohol control area;
  - (b) specify the time(s) that any prohibition or control applies, and whether the alcohol control area is permanent or temporary;
  - (c) if consumption, bringing in, and possession of alcohol is controlled rather than prohibited, specify the nature of the control.
- 6.3 No person shall consume, bring into, or possess alcohol in any public place (including inside a vehicle) in an alcohol control area that contravenes a resolution made under clauses 6.1 and 6.2.
- 6.4 Clause 6.3 does not apply to a person who is acting pursuant to, and in accordance with any conditions of, a consent granted under clause 12.1.

*Explanatory note: As at 01 April 2014, The Act defines a public place for the purposes of an alcohol control area as:*  
*"a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but does not include licensed premises."*

### 7. Permanent alcohol control areas

---

- 7.1 Council may under clause 6.1 declare an area to be a permanent alcohol control area at all times; or for specified, repeated periods of time.
- 7.2 Council will consult in accordance with section 82 of the Act on any proposal to declare, amend or revoke a permanent alcohol control area.

*Explanatory note: All resolutions of Council declaring alcohol control areas are contained within the additional information for the Alcohol Control Bylaw 2018 - Register of Resolutions, attached to this Bylaw.*

### 8. Temporary alcohol control areas

---

- 8.1 Council may under clause 6.1 declare an area to be a temporary alcohol control area for a specific period not exceeding seven consecutive days.

- 8.2 Council will give public notice of a temporary alcohol control area at least 14 days before the temporary alcohol control area comes into force.

## 9. Matters to be considered before declaring alcohol control areas

---

- 9.1 Before declaring a permanent alcohol control area the Council:

(a) must consider views presented to the Council through consultation on the proposal to declare a permanent alcohol control area;

(b) must consider the relevant criteria in sections 147A and 147B of the Act, as applicable;

(c) may consider any other matter it considers relevant.

*Explanatory note: Sections 147A and 147B of the Act are outlined in Section 3 of the Additional Information to this Bylaw.*

- 9.2 Before declaring a temporary alcohol control area the Council:

(a) must consider the relevant criteria in sections 147A and 147B of the Act, as applicable;

(b) where the temporary alcohol control area applies to an event:

i) may consider the nature and type of the event

ii) the history (if any) of the event

iii) the number of people expected to attend the event

iv) the area in which the event is to be held

v) whether the Police support the proposed temporary alcohol control area, and whether the Police will be present at the event to enforce it

(c) may consider any other information it considers relevant.

*Explanatory note: Records of resolutions made for temporary alcohol controls will not be included in the 'register of resolutions' but are permanently recorded through the appropriate Council records of meetings, minutes and resolutions.*

## Part 4: Enforcement Powers

### 10. Enforcement

---

- 10.1 A constable may use their powers under the Act to enforce this Bylaw.

- 10.2 This Bylaw authorises a constable to exercise the power of search under sections 169(2)(a) and 170(2) of the Act for temporary alcohol areas declared in accordance with clauses 6 and 8.

*Explanatory note: Section 170(2) provides constables with additional powers of search in relation to temporary alcohol controls that have been notified and indicated by signs in accordance with section 170(3) of the Act.*



## Part 5: Offences and Penalties

### 11. Bylaw breaches

---

- 11.1 Every person who breaches this bylaw commits an offence.
- 11.2 Every person who commits an offence under this bylaw is liable to a penalty under the Local Government Act 2002.

*Explanatory note: As at 29 October 2013 the penalty for breaching an alcohol bylaw is an infringement fee of \$250 under the Local Government (Alcohol Ban Breaches) Regulations 2013.*

## Part 6: Exceptions

### 12. Exceptions

---

- 12.1 Council may, issue a consent to any person, or class of persons, to allow the consumption, bringing in and possession of alcohol in a public place (including inside a vehicle) within an alcohol control area.
- 12.2 In considering an application for a consent under clause 12.1, Council will consider the following matters:
- (a) the purpose of the exception
  - (b) the proposed duration of the exception
  - (c) the area of the proposed exception
  - (d) whether the area is under the control of, or managed by, Council
  - (e) whether any other permits are required from Council for the event
  - (f) Any other matter Council considers relevant.
- 12.3 Council may prescribe conditions for any such consent, including, but not limited to:
- (a) the duration of the consent
  - (b) the exact location to which the consent applies
  - (c) the maximum number of people the consent applies to.
- 12.4 Council may by resolution made after consultation that gives effect to the requirements of section 82 of the Act:
- (a) prescribe a fee for receiving and processing an application and issuing a consent
  - (b) determine situations when consent fees may be remitted, refunded or waived.
- 12.5 A consent may be cancelled by Council at any time.

*Explanatory note: Exceptions for events with special licences do not require consent under clause 12.1, as they are excluded from the definition of public places that applies to this Bylaw.*

### Additional information to Alcohol Control Bylaw 2018

This document is for information purpose only and does not form part of this Bylaw. It contains matters made pursuant to this Bylaw and information to help users to understand, use and maintain this Bylaw. The document may be updated at any time.

#### Section 1: History of the bylaw

Action	Description	Date of decision	Commencement
Expire	Public Places Liquor Control Bylaw 2003 expires in accordance with Local Government (Alcohol Reform) Amendment Act 2012	13 December 2018	18 December 2018
Make	Alcohol Control Bylaw 2018	13 December 2018	19 December 2018

#### Section 2: Related documents

Document	Description	Location	Date
<i>Reports to Council/Committee/Panels</i>			
Adoption of Statement of Proposal	Statement of Proposal including draft Bylaw adoption for public consultation	<a href="#">Statement of Proposal</a>	30 August 2018
Submissions	Public submissions on the Statement of Proposal	<a href="#">Submissions</a>	8 September – 8 October 2018
Deliberations	Deliberations on submission issues raised	<a href="#">Deliberations</a>	27 November 2018
Making of Bylaw	Council makes final Bylaw	<a href="#">Adoption</a>	13 December 2018

Document	Description	Location	Date
<i>Legislation</i>			
Local Government Act 2002	Provides the functions, duties, powers and penalties to make and enforce this Bylaw. Particularly sections 147A and 147B relating to the making of alcohol control bylaws.	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>	NA
Sale and Supply of Alcohol Act 2012	Associated legislation	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>	NA
Local Government (Alcohol Ban Breaches) Regulations 2013	Regulations that determines the infringement fee for breaching an alcohol ban	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>	NA
Bylaws Act 1910	Provides for certain matters related to the validity of bylaws.	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>	NA
Interpretations Act 1999	Provides for certain matters related to the interpretation of bylaws.	<a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a>	NA

### Section 3: Delegations

Clause	Function,Duty,Power to be delegated	Delegated Authority	Delegation date	Delegation active date
All	All of its responsibilities, duties and powers under this bylaw, except - (a) the power to set fees (b) the power to make a decision for which a Council resolution is required (c) the power to hear and decided on any appeal process	Chief Executive	13 December 2018	19 December 2018

### Section 4: Enforcement powers

Legislative provision	Description
Section 169 and 170 of the Local Government Act 2002	A constable has powers of arrest, search and seizure in relation to alcohol controls.

### Section 5: Offences and penalties

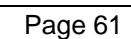
Provision	Description of offence	Maximum fine upon conviction	Infringement fee
cl 4*	Breach of bylaw	n/a	\$250*

\*Local Government (Alcohol Ban Breaches) Regulations 2013

### Section 6: Register of resolutions for permanent alcohol controls

General location description	Map number	Operative time	Decision date	Commencement date
Ahipara	1	24 hours, 7 days a week	13/12/2018	19/12/2018
Coopers Beach Reserve	2	24 hours, 7 days a week	13/12/2018	19/12/2018
Haruru Falls	3	24 hours, 7 days a week	13/12/2018	19/12/2018
Hihi Beach	4	7 days a week from 10pm to 10am except New Years Eve	13/12/2018	19/12/2018
Kaeo	5	24 hours, 7 days a week	13/12/2018	19/12/2018
Kaikohe	6	24 hours, 7 days a week	13/12/2018	19/12/2018
Kaitaia	7	24 hours, 7 days a week	13/12/2018	19/12/2018
Kawakawa	8	24 hours, 7 days a week	13/12/2018	19/12/2018
Kerikeri	9	24 hours, 7 days a week	13/12/2018	19/12/2018
Kohukohu	10	24 hours, 7 days a week	13/12/2018	19/12/2018
Lily Pond	11	24 hours, 1 December – 31 January	13/12/2018	19/12/2018

General location description	Map number	Operative time	Decision date	Commencement date
Moerewa	12	24 hours, 7 days a week	13/12/2018	19/12/2018
Okaihau	13	24 hours, 7 days a week	13/12/2018	19/12/2018
Omapere	14	24 hours, 7 days a week	13/12/2018	19/12/2018
Opononi	15	24 hours, 7 days a week	13/12/2018	19/12/2018
Paihia	16	24 hours, 7 days a week	13/12/2018	19/12/2018
Pukenui	17	24 hours, 7 days a week	13/12/2018	19/12/2018
Rawene	18	24 hours, 7 days a week	13/12/2018	19/12/2018
Russell	19	24 hours, 7 days a week	13/12/2018	19/12/2018
Taipa	20	24 hours, 7 days a week	13/12/2018	19/12/2018
Taupo Bay	21	24 hours, 7 days a week	13/12/2018	19/12/2018
Tokerau Beach	22	24 hours, 1 December – 31 January	13/12/2018	19/12/2018
Waipapa	23	24 hours, 7 days a week	13/12/2018	19/12/2018

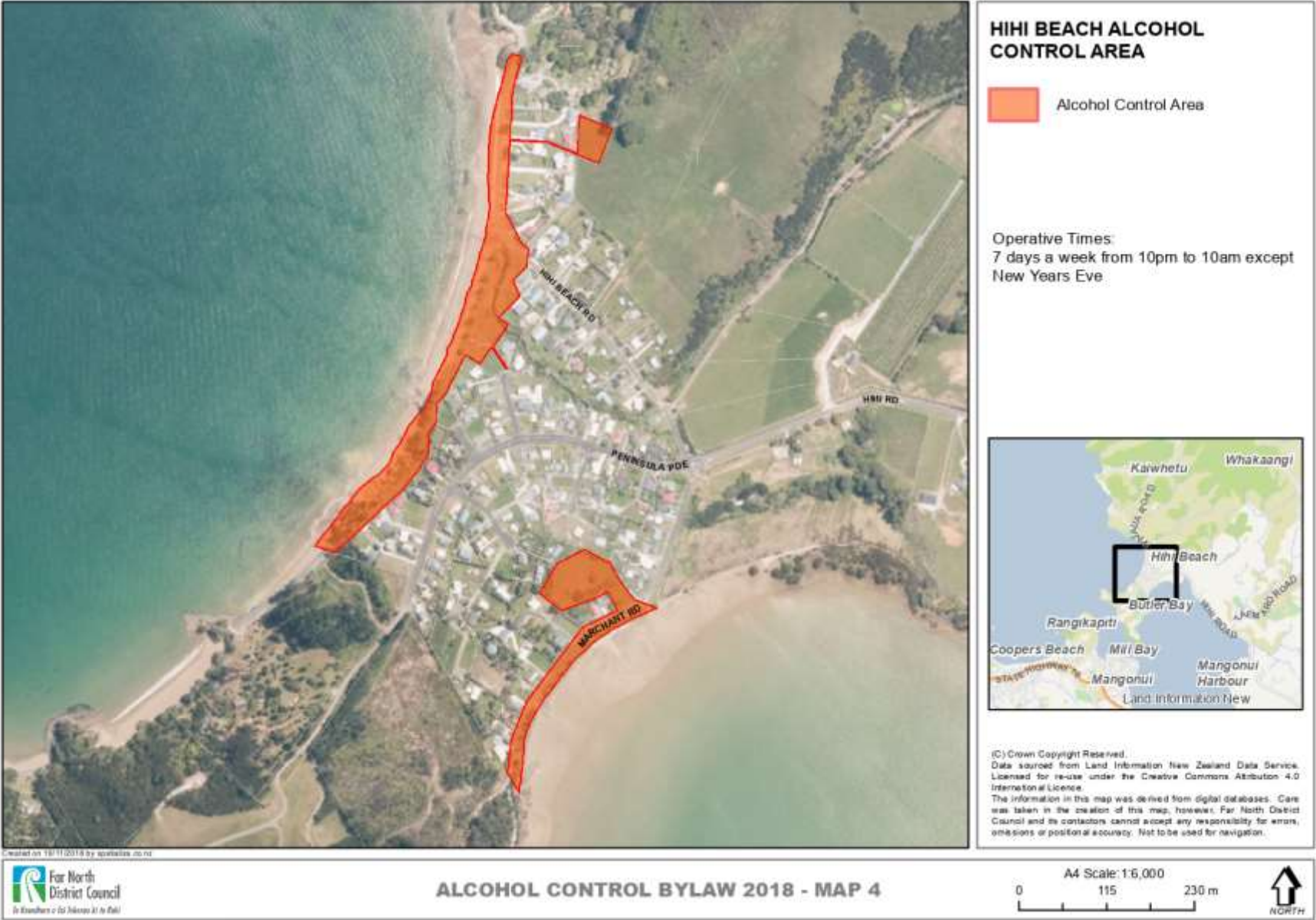




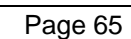


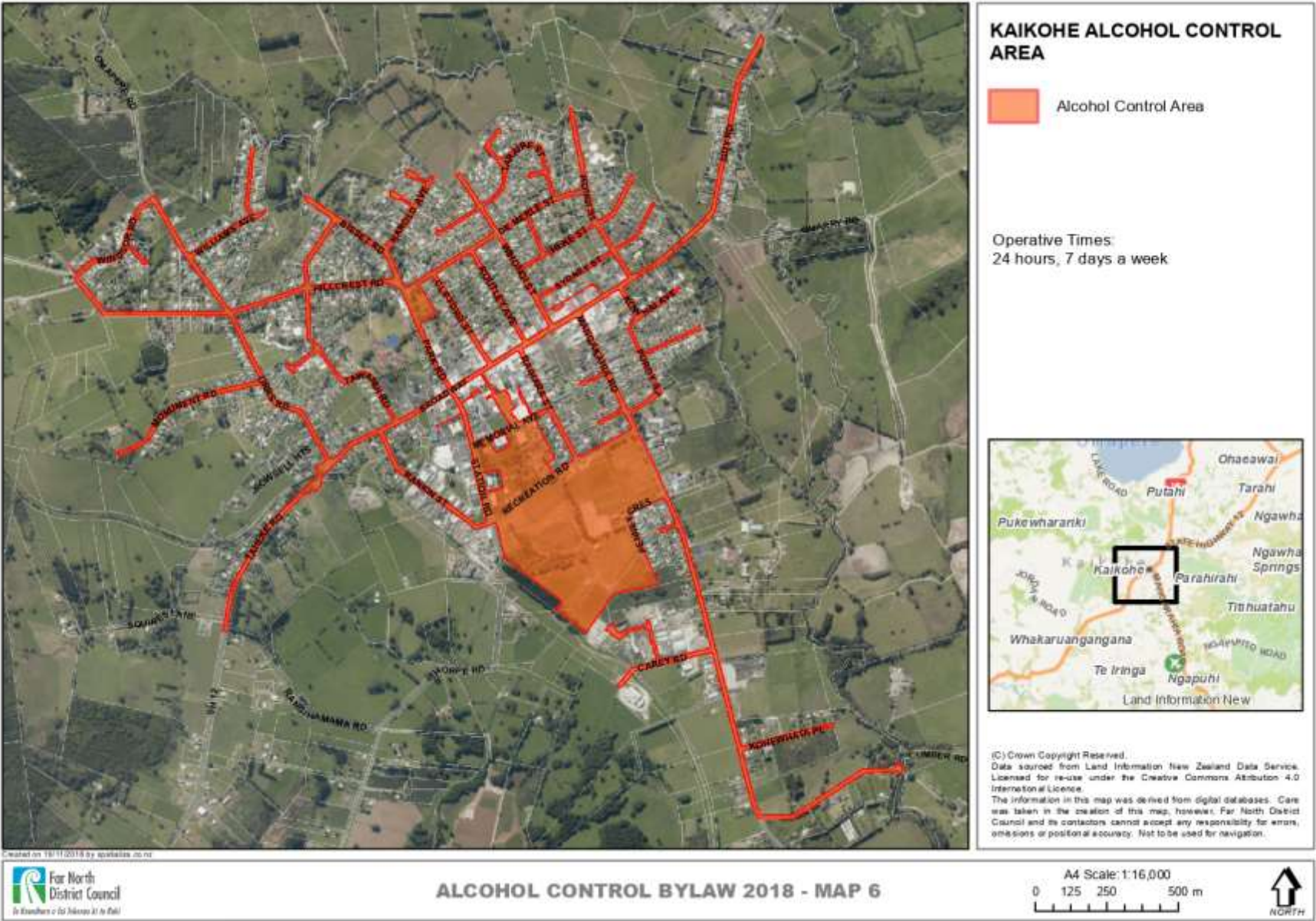




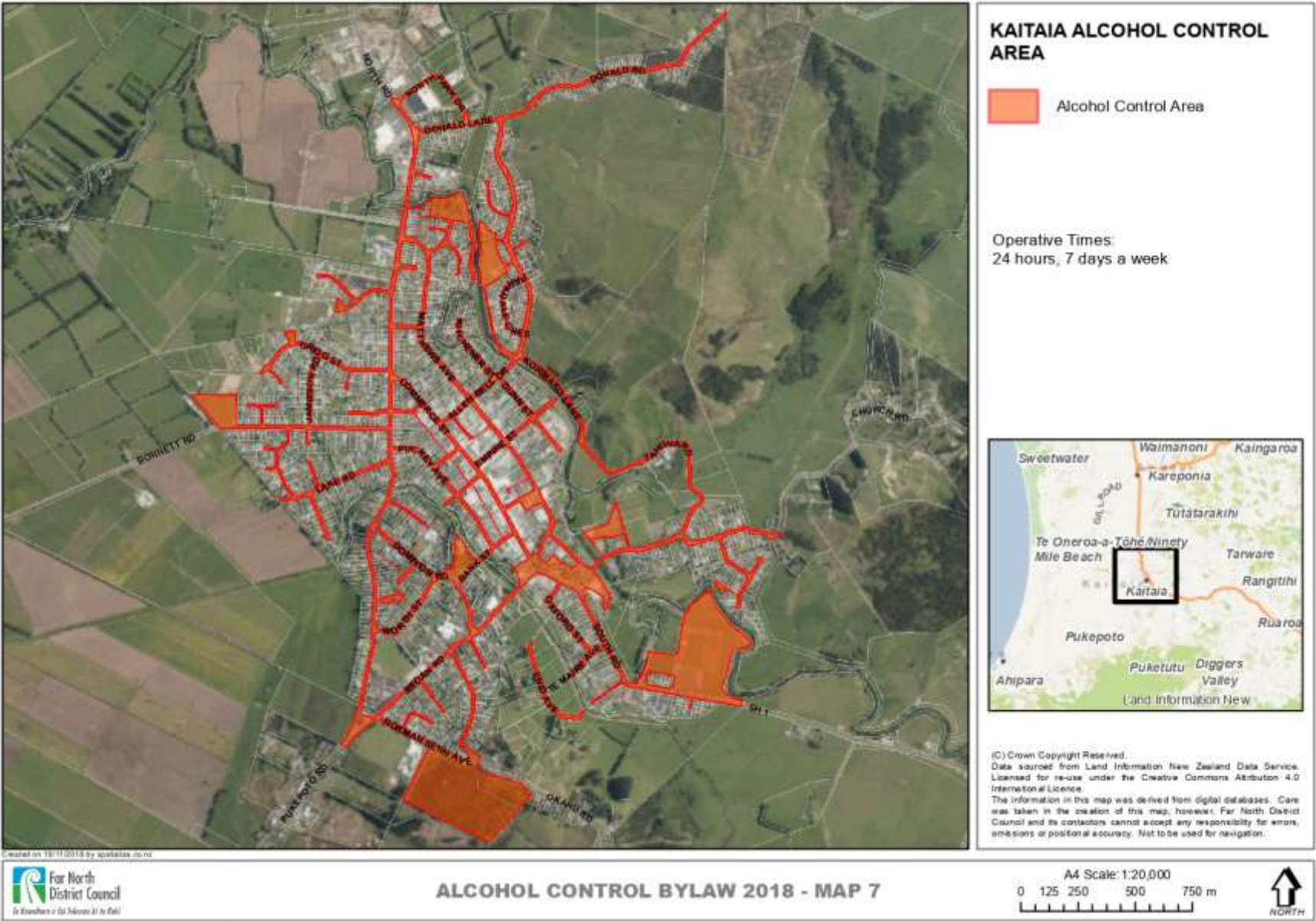


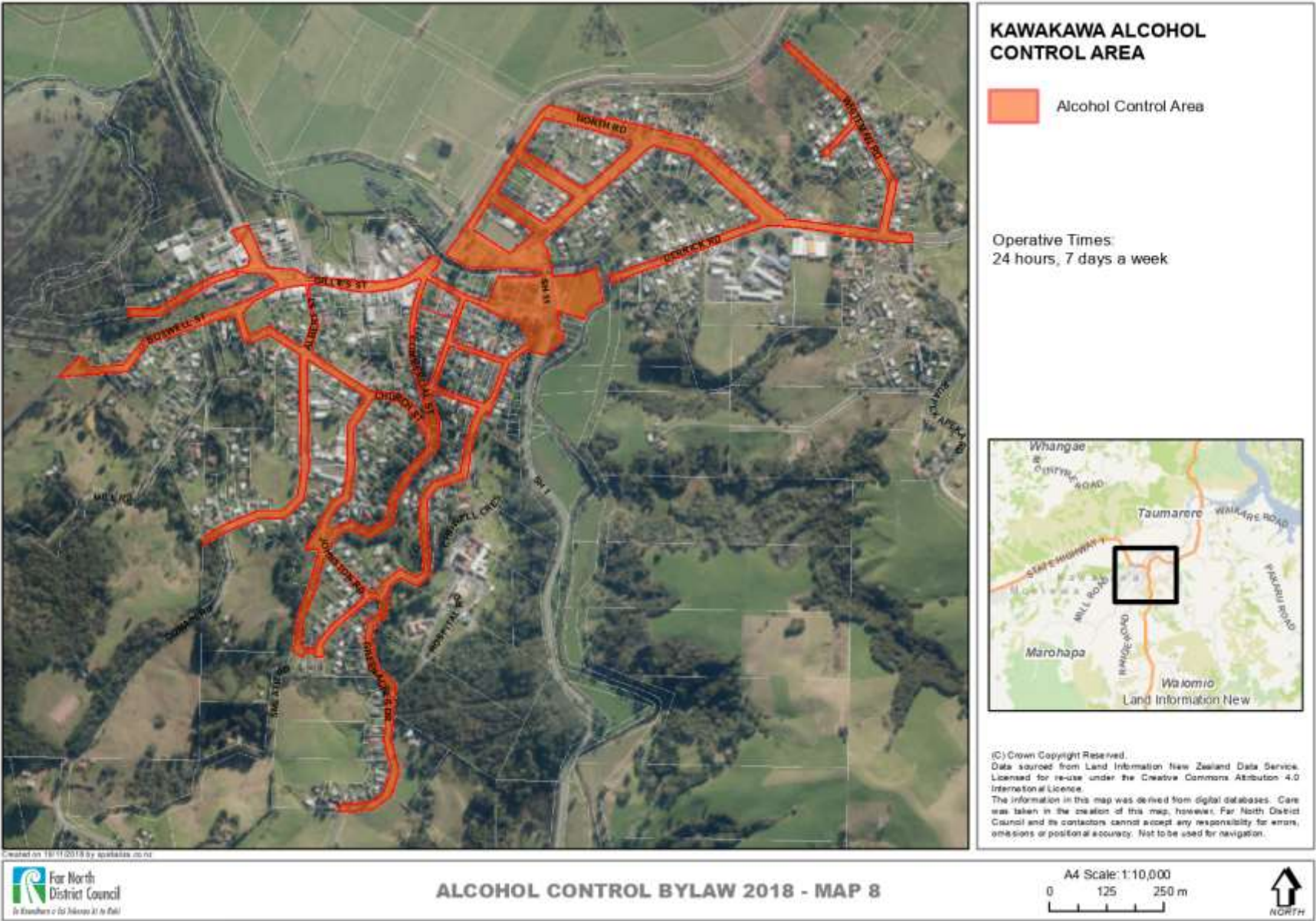




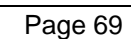


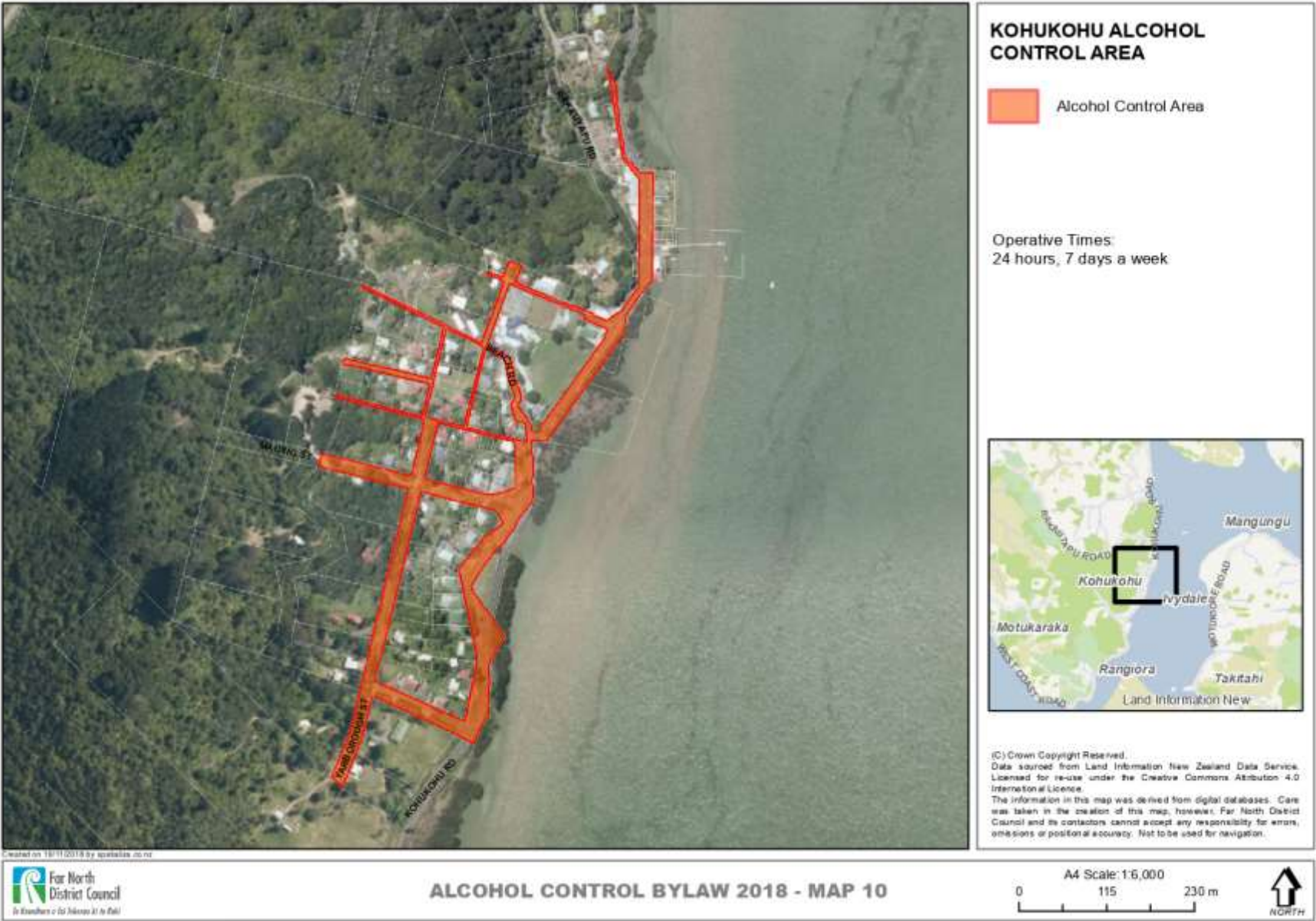












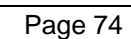
























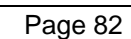
















1 | Far North District Licensing Committee

**FAR NORTH DISTRICT LICENSING COMMITTEE  
ON-LICENCE RENEWAL AND VARIATION - TAVERN  
MINUTE  
NZDLCFN/01/289/MIN [2021]**

**IN THE MATTER OF** Sale and Supply of Alcohol Act 2012 (the Act)

**AND**

**IN THE MATTER** of an application by Duke of Marlborough Business Limited pursuant to Section 120 of the Sale and Supply of Alcohol Act 2012 for the renewal of an On Licence held in respect of premises situated at 35 The Strand, Russell, Far North District known as Duke of Marlborough Hotel

**AND**

**IN THE MATTER** of an application by Duke of Marlborough Business Limited pursuant to Section 127 of the Sale and Supply of Alcohol Act 2012 for the Variation of an On Licence held in respect of premises situated at 35 The Strand, Russell, Far North District known as Duke of Marlborough Hotel

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

**2 | Far North District Licensing Committee****Subpart 3- Licensing Process: On-Licences, Off-Licences and Club Licences*****Applications for licences*****Section 127: Application for renewal of licence**

- (1) The holder of a licence may apply in accordance with this section to renew the licence.
- (2) Every application for renewal-
  - (a) Must be filed with the licensing committee with which the application for the licence was filed; and
  - (b) Must be made no later than 20 working days before the expiry of the licence, or by such later date (not being later than the date of the expiry of the licence) as the licensing committee may allow; and
  - (c) Must be made in the prescribed form and manner; and
  - (d) Must contain the prescribed particulars; and
  - (e) If it relates to any premises, must be accompanied by a statement by the applicant that-
    - i. The owner of the building in which the premises are situated provides and maintains an evacuation scheme as required by section 21B of the Fire Services Act 1975; or
    - ii. Because of the building's current use, its owner is not required to provide and maintain such a scheme; or
    - iii. Because of the nature of the building, its owner is exempt from the requirement to provide and maintain such a scheme; and
  - (f) Must be accompanied by the prescribed fee

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited



**3 | Far North District Licensing Committee**

- (3) The applicant must comply with the notification requirements set out in Section 101; but public notice of the application must be given within 10 working days after filing the application not 20.

**Section 120: Variation of conditions**

- (1) The holder of a licence may at any time apply to the licensing committee to vary or cancel and condition of the licence (whether the condition was imposed by the licensing authority or the committee)
- (2) The application must be made in the prescribed form and manner and be accompanied by any prescribed fee.
- (3) The applicant must comply with the notification requirements in Section 101.
- (4) A person may object to the grant of the application if he or she has a greater interest in the application than the public generally.
- (5) Every objection must comply with the requirements set out in Section 102(2) to (5).
- (6) Section 103 and 104, with any necessary modifications, apply to applications under this section.
- (7) In considering the application, the licensing authority or licensing committee concerned must have regard to any relevant matter that is specified in Section 105.
- (8) In deciding whether or not, or to what extent, to vary any conditions imposed on a licence, the licensing authority or licensing committee concerned must have regard to any inconsistency between the conditions as proposed to be varied and any relevant local alcohol policy.

**Nature of the Variation**

The applicant has sought a redefinition of the premises licensed area to include the alfresco dining area, as currently authorized pursuant to the Far North District Councils 'Control of the Use of Public Places Bylaw 3222.1. Authority ALF-49 refers. This authority expires 30 June 2021.

**Licensing Inspectors Report**

The licensing inspector by report advises the applicant has held Council approval to occupy public space since 2010. But records this authority is inconsistent with the Councils Alfresco Dining Policy and that consideration will be required as to whether the alfresco licence is renewed when it represents for its annual renewal 1 July 2021.

The following is an extract from the licensing inspectors report:

*The required location map, photographs and floor plan for the variation have been provided and date stamped as received by the Far North District Licensing Committee as at 23 June 2021.*

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

**4 | Far North District Licensing Committee**

*The alfresco dining area for which the variation application pertains to is an outdoor alfresco dining area located on public space across the road from the premises, covering an area of 44m x 3m. The alfresco dining area located on public space across the road from the premises does not exceed the premises front boundary points.*

*The Northland Transport Alliance (NTA) have confirmed that this public space is located along a legal carriageway. The NTA have requested that the applicant has 'Health & Safety' processes in place to ensure staff and patrons are safe when using the public space for the purpose of alfresco dining.*

*Located within the approved alfresco dining space are three Council owned seats. The Council's District Facilities Department have confirmed that they "are not in favour of work and associated costs to Council in relocating existing park benches that exist for the wider public, free for use". It is recommended that the Applicant is able to exclude the public park benches from his licensed alfresco dining area. It is understandable by having a licensed alfresco dining area with public park benches amongst it will create issues for the Applicant to be able to adequately monitor the sale, supply and consumption of alcohol in the approved alfresco dining area – it is recommended that the Applicant reports any 'Alcohol Control Bylaw' breaches to Police as Police Officers have the powers of enforcement under the 'Alcohol Control Bylaw'.*

*From a telephone conversation had with the Applicant on 25 May 2021, the Applicant has confirmed that he would be prepared to remove the public park benches at his own expense, the Applicant would need to discuss this request with the Council's Infrastructure & Asset Management Department. On 23 June 2021, a 'Request for Service' reference number RFS4066636 was lodged and assigned to the Council's Infrastructure & Asset Management Department to consider the Applicants request to remove the three Council owned seats that are situated within the Applicants approved alfresco dining area located on public space. This request is currently being considered by the relevant Department.*

*The applicant has requested that the alfresco dining area for which the variation application pertains to is designated Supervised".*

**Objection subsequently withdrawn**

The licensing Inspectors reports:

*"One objection was received in opposition from the Northland Transport Alliance (NTA) dated 19 May 2021. The NTA objection was pursuant to sections 105c and 105h of the Sale and Supply of Alcohol Act 2012.*

*In regard to the NTA objection under section 105c of the Sale and Supply of Alcohol Act 2012, there is no local alcohol policy in the Far North District, however the 'Alcohol Control Bylaw 2018' which was adopted by Council on 13 December 2018 and commencement date was 19 December 2018.*



## 5 | Far North District Licensing Committee

*The Strand, Russell is included in the alcohol control area under map 19 of the 'Alcohol Control Bylaw 2018'. A link to the current 'Alcohol Control Bylaw 2018' can be found at the following link: <https://www.fndc.govt.nz/files/assets/public/objectivedocuments/governance-and-executivemanagement-gem/bylaws/alcohol-control/alcohol-control-bylaw-2018.pdf>.*

*Alcohol control areas under this Bylaw does not include 'Licensed Premises' as explained in the 'Explanatory notes' of the Bylaw document which reads 'Alcohol control areas do not apply to licensed premises, which can include situations where a special license has been issued for a specific event. Licensed premises can include areas of public places such as footpaths.'*

*In regard to the NTA objection under section 105h of the Sale and Supply of Alcohol Act 2012, the operator has been occupying the public space since 2010 and held Council approval as per approval reference ALF-49. A copy of the current Council alfresco approval is included with the application.*

*It would appear that the process for Council approval to occupy public space has not been consistent in terms of consultation with relevant stake holders such as NTA, Community Board or Public.*

*The objection from the NTA was later withdrawn on 3 June 2021 and a copy of their request to withdraw their objection is included in the application file."*

### **For completeness**

There are three operators located along The Strand in Russell who currently hold Council approval to occupy public space for the purpose of alfresco dining.

At present there is only one operator permitted to serve alcohol along the Strand in Russell, this operator is 'Sambrosis Limited trading as Seaside' holder of ON-Licence 01/ON/002/2021 with an expiry/renewal date of 15 March 2022.

### **Section 131**

Section 131 of the Act establishes the matters to which the committee must have regard when considering whether to renew a licence:

- (1) In deciding whether to renew a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:
  - (a) The matters set out in paragraphs (a) to (g) (j) and (k) of Section 105 (1).
  - (b) Whether (in its opinion) the amenity and good order of the locality would be likely to be increased by more than a minor extent by the effects of a refusal to renew the licence
  - (c) Any matter dealt with in any report from the Police, an Inspector or a Medical Officer of Health made by virtue of section 129:

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

## 6 | Far North District Licensing Committee

- (d) The manner in which the applicant has sold (or as the case may be sold and supplied) displayed, advertised or promoted alcohol.
- (2) The Authority or Committee must not take into account any prejudicial effect that the renewal of the licence may have on the business conducted pursuant to any other licence.

A renewal on-licence specifically does not capture subsections (h) and (i) of Section 105 of the Act. These are the two sections that relate specifically to amenity and good order.

- 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:

### Section 105: Criteria for issue of licences

As stated above the matters to which a licensing authority or the licensing committee concerned must have regard in relation to a renewal application are restricted to sections (a) to (g) (j) and (k):

- a) The Object of the 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 the appropriate systems, staff and training to comply with the law.
- k) Any matters dealt with in any report from the Police, an Inspector or a Medical Officer of Health made under Section 103.

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

## 7 | Far North District Licensing Committee

### Section 120

Critically, as this is an application for a renewal as well as a variation subsection (7) reintroduces the requirement for the District Licensing Committee to have regard to Section 105 matters in completeness.

In this regard Section 106 sets the characteristics to which the committee must assess compliance with section 105 matters.

### Section 106: Considering effects of issue or renewal of licence on amenity and good order of locality

Considering effects of issue or renewal of licence on amenity and good order of locality

- (1) In forming for the purposes of section 105(1)(h) an opinion on whether the amenity and good order of a locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of a licence, the licensing authority or a licensing committee must have regard to –
  - (a) the following matters (as they relate to the locality):
    - i. current and possible future noise levels;
    - ii. current and possible future levels of nuisance and vandalism;
    - iii. the number of premises for which licences of the kind concerned are already held; and
  - (b) the extent to which the following purposes are compatible:
    - i. the purposes for which land near the premises concerned is used;
    - ii. the purposes for which those premises will be used if the licence is issued.
- (2) In forming for the purposes of section 131(1)(b) an opinion on whether the amenity and good order of a locality would be likely to be increased by more than a minor extent by the effects of a refusal to renew a licence the licensing authority or a licensing committee must have regard to the following matters (as they relate to the locality)
  - a) Current and possible future noise levels
  - b) Current and possible future levels of nuisance and vandalism.

### In consideration of Section 105, 106 and 131 matters

In considering this application the first matter to which we must have regard is that the applicant's current licence to occupy public space is (as stated by the licensing inspector) inconsistent with the Far North District Councils Alfresco Dining Policy. A copy of which is appendices to this decision. The specific section of the Policy that appear non-compliant are recorded below:

- Councils' policy specifies that both pedestrian and vehicular traffic flow must be maintained in a sensible and safe manner.
- The maximum area in which the extended operation can take place must leave a minimum of 1.5 metres clear access for pedestrian traffic.

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

## 8 | Far North District Licensing Committee

- No tables, chairs or displays are permitted where the proposed area is adjacent to a bus-stop, taxi stand, pedestrian crossing, Council seating or rubbish bins.
- Maintain both pedestrian and vehicular traffic flow in a sensible and safe manner.
- The maximum area in which the extended operation can take place must not exceed the premises front boundary points and must leave a minimum of 1.5 metres clear access for pedestrian traffic.

Although the objection from the Northland Transport Alliance was subsequently withdrawn the correspondence attached to the application raises legitimate concerns regarding public safety as the area is legally defined as public road.

Correspondence and photographs contained within the application identify this area is settled with Council seating. Correspondence on file states that the Councils District Facilities Department have confirmed that they *"are not in favour of work and associated costs to Council in relocating existing park benches that exist for the wider public, free for use."*

The maximum area in which the extended operation can take place must not exceed the premises front boundary points. This statement is subjective in that it can be read as being the area not exceeding the total width of the buildings footprint as appears captured in the current authority. Equally it can be interpreted as being contiguous with the premises front boundary by not exceeding it. The District Licensing Committee are not experts on the application of the policy. We are entitled to rely on subject experts to provide clarity where ambiguity exists. In this application clarity has not been provided.

The practical application of the Alfresco Dining Policy requires that applications which meet all criteria can be approved at a staff level. All other application, including those which are declined, are to be approved by the relevant Community Board. It appears as if this process has not been followed.

Case law on the matter of the application of certificates issued by a territorial authority relates specifically to the application of the Resource Management Act 1991 and the Building Code. In this regard the Court has held that Licensing Committees and the Licensing Authority do not have the authority to enquire into the validity of an authority. In *Kyriak v Opuia General Store Ltd* [1993] (HC) per Gallen J, the High Court held that if a certificate purports to come from a local authority and is signed by a person who purports to be signing on behalf of the local authority, the licensing committee or licensing authority cannot go behind that and is entitled to rely on a presumption that the formalities within the territorial authority have been complied with.

Whilst this section of the Act is silent on the application of By-Laws the commentary in Westlaw goes on to state that "If there is no valid certificate and it is clear that the proposed use of the premises do not match then the licensing committee and the Licensing Authority will lack jurisdiction to consider the application. In such cases, the Authority has in the past regarded the file as incomplete and referred it back for further certificates to be provided."

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

**9 | Far North District Licensing Committee**

In further consideration of this matter, the Licensing Inspector acknowledges in her report that the authority for the alfresco dining licence was issued in error stating "It would appear that the process for Council approval to occupy public space has not been consistent in terms of consultation with relevant stake holders such as NTC, Community Board or public and that Council will need to consider whether it renews the alfresco dining licence now that it is aware the alfresco dining area is located on a legal road."

**Second Matter**

The second matter to which I must have regard is the proposed designation of supervised. In reality given this is public road which transitions into public beach the practicalities of enforcing supervised access only will be extremely challenging for the applicant.

Russell is an area that is popular with tourists over the peak summer holiday season and restricting access from this area given its interface with the beach and road, alongside providing shelter from the existing amenity trees would be challenging.

The committee need to consider the practicalities of imposing a supervised designation on this area and note the commentary from the Councils Facilities Department whereby they recommend excluding the public park benches from the alfresco dining area.

As stated above this will create significant challenges for the applicant in monitoring and enforcing the conditions of the licence should it issue.

**Third matter**

At 44m x 3m the area in question is not small. The Medical Officer of Health has recommended the installation of a barrier. The NTA has not supported a barrier but has sought a Health and Safety process to ensure staff and patrons are safe when using public space for the purposes of alfresco dining.

The District Licensing Committee are not experts in this matter and are entitled to rely on statements made by subject experts on the matter of public safety.

**Proliferation**

Section 105(2) specifically requires that the district licensing committee must not take into account any prejudicial effect that the issue of the licence may have on the business conducted pursuant to any other licence. Accordingly, the fact that one other licensed premise holds an authority to supply alcohol for onsite consumption is excluded as one of the matters to which we must have regard.

Proliferation on the other hand is one of the criteria required to be considered as part of our Section 106 analysis.

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited



**10 | Far North District Licensing Committee**

We know Russell currently has one other authority that permits the sale, supply and consumption of alcohol in a public place via the premises current Alfresco Dining Licence and On-Licence.

We are aware this places restrictions on the publics unfettered and free access to all parts of the foreshore along the Strand.

What we are not clear on is the cumulative effects that could be imposed on the community by allocating further public space that would restrict public access to unaccompanied minors.

For completeness, the current alfresco dining policy does not place restrictions on unaccompanied minors being present.

**Deliberation**

The committee are required to have regard to all matters specified in sections 105 and 106 of the Act.

At this time, the committee have insufficient information to enable us to make an informed decision on the application of subsections (e) (h) and (i) of Section 105 and Section 106 of the Act.

Specifically, we record the absence of clarity on the use of public road, proliferation, the application of designations in a public place, the purposes for which land near the premises is used and the loss of public amenity.

The committee are unable at this time to determine if amenity and good order of the locality would be adversely impacted by the grant of the authority.

We have been advised of concerns expressed by the NTA in regard to public safety, this matter remains outstanding.

We have been advised of concerns expressed by the Councils Facilities Department in regard to the relocation of public amenities. At this time, this matter remains outstanding.

The committee are unable to be satisfied as to the legitimacy of the Alfresco Dining Licence given statements made by the licensing Inspector. For completeness we are not unsympathetic to the situation the licensee finds themselves in. This appears to be an historic matter that has arisen from a misunderstanding of what an alfresco dining licence permitted.

Accordingly, the simplest way to address this, in lieu of the fact the alfresco licence expires in 4 days is to refer this matter back to the territorial authority for a new Alfresco Dining Licence to be issued.

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

**11 | Far North District Licensing Committee**

It is out expectation that the Alfresco Dining Licence application will be referred to the relevant Community Board in compliance with the policy who will be able to provide a report back to the committee addressing the substantive matters raised in this minute.

**SUBSTANTIVE LICENCE RENEWAL**

For completeness, the Far North District Licensing Committee record that there are no matters in regard to the suitability of the applicant to continue to hold an authority for the premises pursuant to Section 127 of the Act based on the premise's current authority.

**DECISION**

The Far North District Licensing Committee in considering all of the matters to which we must have regard are unable, at this time, to arrive at a positive finding.

The Far North District Licensing Committee acting pursuant to Sections 187 and 188 of the Sale and Supply of Alcohol Act 2012 directs that the application be referred back to the Far North District Licensing Agency.

The matter of the substantive licence renewal will be held over until such time as the application for the variation has been disposed of.

**DATED** at Kerikeri this 27<sup>th</sup> day of June 2021.



\_\_\_\_\_  
A L Court

Chairperson

Far North District Licensing Committee

**Alfresco Dining Policy (#3116)****Background**

Café and restaurant owners benefit from increased business opportunities, and the wider community benefits by having a more vibrant commercial sector that is meeting the needs of a more discerning public.

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited



**12 | Far North District Licensing Committee**

This policy is driven by a growing number of requests for alfresco dining facilities and concerns raised by the public over the legality of this type of operation. This policy formalises the procedures and protocols for the application and the process for approving/declining alfresco dining licenses.

**Objective**

To enable the private use of public space for outdoor dining.

**Policy Statements**

Council's policy position in respect of alfresco dining is to:

- enable operators to legitimately occupy public space as an extension of their premises.
- create minimum standards for the upkeep and general maintenance of land used for this purpose.
- maintain both pedestrian and vehicular traffic flow in a sensible and safe manner.
- ensure the Council charges a fair rental for the use of these assets so as not to skew commercial considerations.
- ensure the applicant has adequate public liability insurance.
- ensure that provision is made for special events.

**Application**

All requests to use a public space for outdoor dining must be lodged in writing to Council and along with the Alfresco Dining, Application for License, should provide the following information:

- a. Access requirements, including:
  - Footpath clearance, pedestrian access, and setback from the kerb
  - Location of street trees and underground services
- b. Safety and security requirements, including:
  - Location of chairs and umbrellas
  - Heating and lighting
  - Hours of Operation
  - Insurance Provision
- c. The standard and type of furnishing/fitout as well as a sketch plan.
- d. Extension of licensed premises and resource consents (where applicable).

**Implementation Process**

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

**13 | Far North District Licensing Committee**

1. Upon inquiry from potential applicant, and application checklist is sent, e.g., compliance conditions as outlined above. The applicant is asked to address these as part of their written request.
2. All applications are forwarded to Environmental Monitoring or Regulatory Services Manager.
3. Council staff (Environmental Monitoring) assess the application for compliance (site visit essential).
4. Approval will be given at staff level to those applications that meet all criteria. All other applications, including those which are declined, are to be approved by the relevant Community Board.
5. License details are entered into the computer for annual renewal, and the license is signed, and consent fees paid.

**Minimum Conditions to Apply**

6. The maximum area in which the extended operation can take place must not exceed the premises front boundary points and must leave a minimum of 1.5 metres clear access for pedestrian traffic.
7. Letter of support from adjoining (either side but same side of the street) business owners or lessees is desirable.
8. The designated area and facilities provided must be cleaned and maintained to a standard acceptable to Council.
9. The space occupied is not to obstruct access to or egress from the premises or adjoining premises as per fire regulations.
10. No tables, chairs, or displays are permitted where the proposed area is adjacent to a bus-stop, taxi stand, pedestrian crossing, Council seating, or rubbish bins.
11. A sketch plan of the applicant's requirements is to be supplied with each application together with a description of the materials and design of the furniture to be used.
12. The consent is business and person specific. A change of ownership will require a new application to be lodged.
13. The owners must abide by the direction of authorised Council officers.
14. Council can revoke the consent if any conditions are not being met or any problem cannot be resolved.
15. Fees will be determined by Council and are payable before written consent is issued or as specified in the written consent. These fees can be found in Council's Fees and Charges Schedule.
16. Trading is limited to the area designated and time specified in the consent. The owner is required to remove tables, chairs, etc. at the end of each trading day unless otherwise specified.
17. No alcohol is to be served, supplied, or brought to the tables and chairs until the appropriate Liquor Licence includes the Alfresco Dining area, permitting such activities.

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

**14 | Far North District Licensing Committee**

18. Council accepts no responsibility for any damage or physical injury caused by the owner's operation.
19. Public liability insurance of \$500,000 is to be carried by the owner.
20. Council reserves the right to temporarily suspend the consent for any special events, e.g., Christmas parades. Written notice will be given to the licence holder in advance.
21. Notwithstanding any of these conditions, any existing conditions shall remain, e.g., building consent, resource consent, or any other Council requirement.
22. Owners must comply with their resource consents and other licences (e.g., liquor licence) and seek at their own expense any additional approvals regarding the extension of their premises. Any approval granted by Council to use public space in accordance with this Alfresco dining policy will not automatically imply compliance with any other regulatory issue.
23. Parking contribution requirements are waived for applications requiring up to five (5) tables. Any number of tables over five may require a parking contribution which will be determined by the Planning Department on a case-by-case basis.

NZDLCFN/01/289/MIN [2021] Duke Of Marlborough Business Limited

### 7.3 FUNDING APPLICATIONS

**File Number:** A3299161

**Author:** Kathryn Trewin, Funding Advisor

**Authoriser:** Ana Mules, Team Leader - Community Development and Investment

#### TAKE PŪRONGO / PURPOSE OF THE REPORT

This report summarises applications for Local Community Grant funding to enable the Bay of Islands-Whangaroa Community Board to determine which application/s will receive funding at the 5 August 2021 meeting.

#### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Three new applications for funding have been received, requesting \$52,693
- At time of writing, the amount of funding for the Community Board for the 2021/22 financial year is not available.
- It has been indicated that the amount of funding for the Board to grant will increase by 25% on the 2020/21 financial year.
- It has also been indicated that the Boards will also have \$100,000 for placemaking funding to grant in the 2021/22 financial year.

#### TŪTOHUNGA / RECOMMENDATION

**That the Bay of Islands-Whangaroa Community Board approves the sum of \$18,406 (plus GST if applicable) be paid from the Board's Community Fund account to Duffus Memorial Trust for costs towards repainting and refurbishment of Russell pensioner cottages to support the following Community Outcomes:**

- i) **Communities that are healthy, safe, connected and sustainable**
- ii) **Proud, vibrant communities**

#### TŪTOHUNGA / RECOMMENDATION

**That the Bay of Islands-Whangaroa Community Board approves the sum of \$15,000 (plus GST if applicable) be paid from the Board's Community Fund account to Kerikeri Gymnastics Club for costs towards venue hire to the following Community Outcomes:**

- i) **Communities that are healthy, safe, connected and sustainable**
- ii) **Proud, vibrant communities**

#### TŪTOHUNGA / RECOMMENDATION

**That the Bay of Islands-Whangaroa Community Board approves the sum of \$4,287 (plus GST if applicable) be paid from the Board's Community Fund account to Bay of Islands Jazz and Blues Festival for costs towards transport and promotion to the following Community Outcomes:**

- i) **Communities that are healthy, safe, connected and sustainable**
- ii) **Proud, vibrant communities**

#### 1) TĀHUHU KŌRERO / BACKGROUND

Each application has been checked by staff for completeness and complies with the conditions of the Community Grant Policy, Community Outcomes as stated in the LTP and all provisions listed on the application form.

**2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS**

<b>Applicant</b>	<b>Project</b>	<b>Requested</b>	<b>Recommended</b>	<b>Comments</b>	<b>Community Outcome(s)</b>	<b>Type</b>
Duffus Memorial Trust	Refurbishing pensioner housing in Russell	\$18,406 (100%)	\$18,406 (100%)	These houses were purchased from Far North District Council in 2011 and require substantial remedial work. While this application appears to be for 100% of the costs, the Trust has done extensive work already.	i) Communities that are healthy, safe, connected and sustainable ii) Proud, vibrant communities	Infrastructure
Kerikeri Gymnastics Club	Venue hire	\$30,000 (50%)	\$15,000 (50%)	Kerikeri Gymnastics Club had to move to new premises last year due to increasing numbers and activities. Their annual rental costs have increased from \$25,000pa to \$60,000pa and are asking the Board if they would be willing to cover half of the annual costs.	i) Communities that are healthy, safe, connected and sustainable ii) Proud, vibrant communities	Community service
Bay of Islands Jazz and Blues Festival	2021 Jazz and Blues Festival	\$4,287 (32%)	\$4,287 (32%)	The applicant has applied in previous years for costs towards mileage and promotion for this annual event. They did not apply to the Events Investment Fund, and the event is due to take place in late August 2021.	i) Communities that are healthy, safe, connected and sustainable ii) Proud, vibrant communities	Event



**Take Tūtohunga / Reason for the recommendation**

The applicant was required to complete a standard application form and provide supporting information.

For each application, the Board has three options.

**Option 1** Authorise funding for the full amount requested

**Option 2** Authorise partial funding



**Option 3** Decline funding

Each application has been assessed and meets the criteria of the Community Grant Policy, Community Outcomes as listed in the LTP, and the conditions listed on the application form.

**3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

Budgetary Provision has been made and the grant is allocated in accordance with the Community Grant Policy

**ĀPITI HANGA / ATTACHMENTS**

1. Pages from BOIWCB - Application - Duffus Memorial Trust - A3299055 [↓](#) 
2. Pages from BOIWCB - Application - Kerikeri Gymnastics Club - A3299100 [↓](#) 
3. Pages from BOIWCB - Application - BOI Jazz & Blues Festival - A3299120 [↓](#) 

**Hōtaka Take Ōkawa / Compliance Schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Community Grant Policy.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This report does not have district-wide relevance.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.  State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	No implications for Māori in relation to land and/or water.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Considered in the application.
State the financial implications and where budgetary provisions have been made to support this decision.	Budgetary Provision has been made and the grant is allocated in accordance with the Community Grant Policy.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

## Local Grant Application Form



### Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website [www.fndc.govt.nz](http://www.fndc.govt.nz)
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- If there's anything on this form you're not sure of, please contact the Community Development team at freephone 0800 920 029, or [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) – we're happy to help.

- Send your completed form to [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) or to any Council service centre

The following must be submitted along with this application form:

- ☒ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☒ Most recent bank statements and (signed) annual financial statements
- ☒ Programme/event/project outline (*see both this form & its attachments*)
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable) *see attached Supplementary Note*
- ☒ If your event is taking place on Council land or road/s, evidence of permission to do so *n/a*
- ☒ Signed declarations on pgs 5-6 of this form

### Applicant details

Organisation	<u>DUFFUS MEMORIAL TRUST</u>	Number of Members	<input type="text"/>
Postal Address	<u>24, POMARE ROAD, RUSSELL 0202</u>	Post Code	<u>0202</u>
Physical Address	<u>12, LONG BEACH ROAD, RUSSELL</u>	Post Code	<u>0202</u>
Contact Person	<u>DAVID SCOFFHAM</u>	Position	<u>Chairman &amp; Trustees</u>
Phone Number	<u>021 566 237</u>	Mobile Number	<u>09-403-8104</u>
Email Address	<u>davidscoffham@xtra.co.nz</u>		

Please briefly describe the purpose of the organisation.

*To fulfill the intent of the Duffus Bequest of 1905 to care for elderly Russell residents through affordable housing.*

[www.fndc.govt.nz](http://www.fndc.govt.nz) | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) | Phone 0800 920 029

A2696814 (version Sept 2018)

Page 1

## Local Grant Application Form



### Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku ☐ Kaikohe-Hokianga ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Refurbishment of exteriors of pensioner Date Q3 & Q4 2021  
 Location cottages built in 1986. Time n/a  
12 Long Beach Road Russell  
 Will there be a charge for the public to attend or participate in the project or event? ☐ Yes ☒ No n/a  
 If so, how much? n/a

Outline your activity and the services it will provide. Tell us:

- a) Who will benefit from the activity and how; and  
 b) How it will broaden the range of activities and experiences available to the community.

a) Refurbishment of the exteriors of these cottages is vital maintenance that is long overdue since no maintenance whatsoever when managed by BoICC&FADC from 1986-2011. Ensuring their longevity will help both the existing tenants and the community more generally by 'smoothening up the appearance of the Estate. This will help the Trust in raising more funding to build more dwellings for needy tenants - we have a dozen or so on our waiting list!

b) Completion of the refurbishment of the 1986 cottages will provide work to local tradesmen and enable the Trust to progress further development that will result in more employment for Russell locals - see above.

Our trust aims to build "a village within a village" through which the Russell community will become more involved in the Duffus Estate and tenants, existing and future will benefit not only socially but in many other respects by becoming more involved in the wider community in which they live.

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0500 920 029

A2966814

(version Sept 2018)

Page 2

## Local Grant Application Form



### Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

#### Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire	n/a	
Advertising/Promotion	n/a	
Facilitator/Professional Fees <sup>2</sup>	n/a	
Administration (incl. stationery/copying)	n/a	
Equipment Hire	n/a	
Equipment Purchase (describe)	n/a	
Utilities	n/a	
Hardware (e.g. cement, timber, nails, paint)	see attached note	Supplementary
Consumable materials (craft supplies, books)	" " "	
Refreshments	n/a	
Travel/Mileage	n/a	
Volunteer Expenses Reimbursement	n/a	none
Wages/Salary	n/a	not applicable
Volunteer Value (\$20/hr)	200	not applicable
Other (describe)	\$18,406	\$18,406
see attached note with quotes		
<b>TOTALS</b>	200	

<sup>2</sup> If the application is for professional or facilitator fees, a job description or scope of work must be attached.



## Local Grant Application Form



### Financial Information

Is your organisation registered for GST? ☐ Yes ☒ No GST Number

How much money does your organisation currently have?

*see attachment (page 2)*

How much of this money is already committed to specific purposes?

*see attached note*

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
<i>Refurbishment of Duffus pensioner cottage #4 (see below).</i>	<i>12 000</i>
TOTAL	

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
<i>L.W. Nelson Charitable Trust Grant</i>	<i>2000</i>	<input checked="" type="checkbox"/> Yes / Pending <i>spent</i>
<i>NZCGT grant</i>	<i>10 000</i>	<input checked="" type="checkbox"/> Yes / Pending <i>most spent*</i>
		Yes / Pending
		Yes / Pending
		Yes / Pending

*\* See attached note*

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
<i>Refund for plants bought to reinstate damage to Estate land next to Long Beach Rd by FVDC contractor in Q4/2020</i>	<i>405</i>	<i>30/6/21</i>	<i>Y / <input checked="" type="checkbox"/> N</i> <i>n/a</i>
			Y / N
			Y / N
			Y / N

www.fndc.govt.nz | Memorial Ave, Kaitake 0440 | Private Bag 752, Kaitake 0440 | funding@fndc.govt.nz | Phone 0800 920 029

A2666814

(version Sept 2018)

Page 4

*[Handwritten signature]*

## Local Grant Application Form



### Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. **If there is sensitive information in the proposal or personal details you wish to be withheld, please advise.** These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

### Applicant Declaration

*This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.*

On behalf of: (full name of organisation)

*The Duffus Memorial Trust, Russell*

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
  - Two signatories to all bank accounts (if applicable)
  - A regularly maintained and current cashbook or electronic equivalent
  - A person responsible for keeping the financial records of the organisation
  - A regularly maintained tax record (if applicable)
  - A regularly maintained PAYE record (if applicable)
  - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
  - Tracking of different funding, e.g. through a spreadsheet or journal entry
  - Regular financial reporting to every full meeting of the governing body

Signatory One

*David Graham*

Signatory Two

*[Signature]*

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0800 920 029

A2686814

(version Sept 2018)

Page 5

## Local Grant Application Form



### We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained in **advance** from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

### Signatory One

Name DAVID SCOFFHAM Position TRUSTEE & CHAIRMAN  
 Postal Address 18, KAHIA PLACE, RD1 RUSSELL Post Code 0272  
 Phone Number 09 403 8104 Mobile Number 021 566 237  
 Signature [Signature] Date 8th July 2021

### Signatory Two

Name PETER SHARPE Position TRUSTEE  
 Postal Address 43A WAIRUHE WAY RUSSELL Post Code 0272  
 Phone Number  Mobile Number 0272 515291  
 Signature [Signature] Date 8th JULY 2021

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0800 920 029

A2690814

(version Sept 2018)

Page 6

**Funding Application from Duffus Memorial Trust****Schedule of Supporting Documentation**

<b>Document</b>	<b>Title</b>
<b>1</b>	<b>Background Information</b>
<b>2</b>	<b>Photo of cottages (pre-painting)</b>
<b>3</b>	<b>Quotations for refurbishment works</b>
<b>4</b>	<b>History of Duffus Trust</b>
<b>5</b>	<b>Performance Report</b>
<b>6</b>	<b>Bank Statement</b>
<b>7</b>	<b>Photo – pre/post painting of cottages</b>



## Local Grant Application Form



### Instructions

**Please read carefully:**

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website [www.fndc.govt.nz](http://www.fndc.govt.nz)
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of**, please contact the Community Development team at freephone 0800 920 029, or [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) – we're happy to help.
- **Send your completed form** to [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) or to any Council service centre

**The following must be submitted along with this application form:**

- ☐ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☐ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form

### Applicant details

Organisation	Kerikeri Gymnastics Club Incorporated	Number of Members	305
Postal Address	1901 State Highway 10, Waipapa	Post Code	0295
Physical Address	1901 State Highway 10, Waipapa	Post Code	0295
Contact Person	Jaime Pavicevic	Position	Club President
Phone Number		Mobile Number	020 4112 3405
Email Address	<a href="mailto:jaime@kerikerigymnastics.co.nz">jaime@kerikerigymnastics.co.nz</a>		

**Please briefly describe the purpose of the organisation.**

We provide gymnastics programmes in a fun and safe environment and deliver quality coaching that enables our members to confidently develop fundamental movement skills.

[www.fndc.govt.nz](http://www.fndc.govt.nz) | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) | Phone 0800 920 029



## Local Grant Application Form



### Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku      ☐ Kaikohe-Hokianga      ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity  Date

Location  Time

Will there be a charge for the public to attend or participate in the project or event? ☐ Yes ☒ No

If so, how much?

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

Please see the enclosed application letter which details the far-reaching benefits this financial support will provide for the community.

## Local Grant Application Form



### Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

**Please Note:**

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire	60,000	30,000
Advertising/Promotion		
Facilitator/Professional Fees <sup>2</sup>		
Administration (incl. stationery/copying)		
Equipment Hire		
Equipment Purchase (describe)		
Utilities		
Hardware (e.g. cement, timber, nails, paint)		
Consumable materials (craft supplies, books)		
Refreshments		
Travel/Mileage		
Volunteer Expenses Reimbursement		
Wages/Salary		not applicable
Volunteer Value (\$20/hr)		not applicable
Other (describe)		
<b>TOTALS</b>	<b>\$60,000</b>	<b>\$30,000</b>

<sup>2</sup> If the application is for professional or facilitator fees, a job description or scope of work must be attached.

## Local Grant Application Form



### Financial Information

Is your organisation registered for GST? ☐ Yes ☒ No GST Number

How much money does your organisation currently have?

How much of this money is already committed to specific purposes?

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
July Rent	\$5,000.00
Term 2 Wages	\$ 575.33
<b>TOTAL</b>	<b>\$5,575.33</b>

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Lotteries Community Organisation Grant	\$15,000	Yes / Pending
Membership fees	\$15,000	Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
Facility improvements	\$2958.00	11 June 2021	Y / N
			Y / N
			Y / N
			Y / N

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0800 920 029

## Local Grant Application Form



### Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. **If there is sensitive information in the proposal or personal details you wish to be withheld, please advise.** These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

### Applicant Declaration

*This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.*

**On behalf of: (full name of organisation)**

Kerikeri Gymnastics Club Incorporated

**We, the undersigned, declare the following:**

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
  - Two signatories to all bank accounts (if applicable)
  - A regularly maintained and current cashbook or electronic equivalent
  - A person responsible for keeping the financial records of the organisation
  - A regularly maintained tax record (if applicable)
  - A regularly maintained PAYE record (if applicable)
  - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
  - Tracking of different funding, e.g. through a spreadsheet or journal entry
  - Regular financial reporting to every full meeting of the governing body

**Signatory One**

J L Pavlicic

**Signatory Two**

Rebecca Davison

www.fndc.govt.nz | Memorial Ave, Kalkohe 0440 | Private Bag 752, Kalkohe 0440 | funding@fndc.govt.nz | Phone 0800 920 029



## Local Grant Application Form



### We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained **in advance** from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

### Signatory One

Name	<input type="text" value="Jaime Pavlicevic"/>	Position	<input type="text" value="Club President"/>
Postal Address	<input type="text" value="31b Skudders Beach Road, RD1 Kerikeri"/>		Post Code <input type="text" value="0294"/>
Phone Number	<input type="text"/>	Mobile Number	<input type="text" value="02041123405"/>
Signature	<input type="text" value="JP Pavlicevic"/>	Date	<input type="text" value="8 July 2021"/>

### Signatory Two

Name	<input type="text" value="Rebecca Davison"/>	Position	<input type="text" value="Committee Secretary"/>
Postal Address	<input type="text" value="7 Homestead Road, Kerikeri"/>		Post Code <input type="text" value="0230"/>
Phone Number	<input type="text"/>	Mobile Number	<input type="text" value="0273727712"/>
Signature	<input type="text" value="Rebecca Davison"/>	Date	<input type="text" value="8 July 2021"/>

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0800 920 029



**Schedule of Supporting Documentation****KERIKERI GYMNASTICS CLUB INCORPORATED**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

<b>1</b>	<b>ASB Bank Transaction list (1 June to 30 June 2021) x 7 pages</b>
<b>2</b>	<b>Application Letter x 4 pages</b>
<b>3</b>	<b>Strategic Priorities 2020-2023 x 2 pages</b>

## Local Grant Application Form



### Instructions

#### Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website [www.fndc.govt.nz](http://www.fndc.govt.nz)
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of**, please contact the Community Development team at freephone 0800 920 029, or [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) – we're happy to help.

- **Send your completed form** to [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) or to any Council service centre

#### The following **must** be submitted along with this application form:

- ☐ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☐ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form

### Applicant details

Organisation	BAY OF ISLANDS JAZZ + BLUES FESTIVAL		Number of Members	6
Postal Address	PO BOX 100 MOERUWA		Post Code	
Physical Address	418 HAUTAPU ROAD, RD2 KAIKOHE		Post Code	
Contact Person	SHIRLEY MAY	Position	DIRECTOR	
Phone Number	09 4041063	Mobile Number	0272350106	
Email Address	maysplace@actix.co.nz			

Please briefly describe the purpose of the organisation. (see attached letter)

To provide a music festival which will attract out of town people to our community at a quiet time of year.

[www.fndc.govt.nz](http://www.fndc.govt.nz) | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) | Phone 0800 920 029

A2686814 (version Sept 2018)

Page 1

## Local Grant Application Form



### Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku ☐ Kaikohe-Hokianga ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity BAY OF ISLANDS JAZZ + BLUES FESTIVAL Date 13<sup>th</sup>, 14<sup>th</sup> + 15<sup>th</sup> August 2021  
 Location PAIHA + RUSSELL Time 6pm.

Will there be a charge for the public to attend or participate in the project or event? ☒ Yes ☐ No

If so, how much? \$60 DAY PASS or \$80 3DAY PASS

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

It helps get continued business for local businesses by encouraging people to return to our community with family + friends throughout the year.

## Local Grant Application Form



### Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

**Please Note:**

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire		
Advertising/Promotion	11,763.00	1,801.53
Facilitator/Professional Fees <sup>2</sup>		
Administration (incl. stationery/copying)		
Equipment Hire		
Equipment Purchase (describe)		
Utilities		
Hardware (e.g. cement, timber, nails, paint)		
Consumable materials (craft supplies, books)		
Refreshments		
Travel/Mileage	2,485.74	2,485.74
Volunteer Expenses Reimbursement		
Wages/Salary		not applicable
Volunteer Value (\$20/hr)		not applicable
Other (describe)		
<b>TOTALS</b>	13,248.74	4,287.27

<sup>2</sup> If the application is for professional or facilitator fees, a job description or scope of work must be attached.



## Local Grant Application Form



### Financial Information

Is your organisation registered for GST? ☒ Yes ☐ No GST Number 66-454-657

How much money does your organisation currently have? 5,300.00

How much of this money is already committed to specific purposes? 53,200.00 +

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Sound + Lighting	18,000.00
Musician Travel + Accommodation	35,000.00
Badges	3,200.00
<b>TOTAL</b>	

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Pub Charity (Sound + Lighting)	28,000.00	Yes / <u>Pending</u>
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
Shuttle Bus	\$2,485.74	Aug 2019.	<u>(Y)</u> / N
			Y / N
			Y / N
			Y / N

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0800 920 029

A2686814

(version Sept 2018)

Page 4



## Local Grant Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained in advance from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within two months of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

### Signatory One

Name JASMINE MURDO Position TREASURER  
 Postal Address 5288A SH12, RD2 KAIOHĒ Post Code 0472  
 Phone Number  Mobile Number 021743369  
 Signature Jasmine Murdo Date 20/06/2021

### Signatory Two

Name SHARLEY MAY Position DIRECTOR  
 Postal Address PO BOX 100 MOIREWA Post Code   
 Phone Number 09 4041 063 Mobile Number 027 2350106  
 Signature Sharley May Date 20/06/2021

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0800 920 029

A260614

(version Sept 2018)

Page 6

## Local Grant Application Form



### Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. If there is **sensitive information in the proposal or personal details you wish to be withheld, please advise**. These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

### Applicant Declaration

*This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.*

On behalf of: (full name of organisation)

BAY OF ISLANDS JAZZ + BLUES FESTIVAL

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
  - Two signatories to all bank accounts (if applicable)
  - A regularly maintained and current cashbook or electronic equivalent
  - A person responsible for keeping the financial records of the organisation
  - A regularly maintained tax record (if applicable)
  - A regularly maintained PAYE record (if applicable)
  - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
  - Tracking of different funding, e.g. through a spreadsheet or journal entry
  - Regular financial reporting to every full meeting of the governing body

Signatory One

*[Signature]*

Signatory Two

*[Signature]*

www.fndc.govt.nz | Memorial Ave, Kaikohe 0440 | Private Bag 752, Kaikohe 0440 | funding@fndc.govt.nz | Phone 0800 923 029

A206614 (version Sept 2018)

Page 5

**Funding Application from Bay of Islands Jazz and Blues Festival****Schedule of Supporting Documentation**

<b>Document</b>	<b>Title</b>
<b>1</b>	<b>Cover Letter</b>
<b>2</b>	<b>Quotes</b>
<b>3</b>	<b>Charities Registration</b>
<b>4</b>	<b>Bank Statement</b>
<b>5</b>	<b>Financial Statement</b>
<b>6</b>	<b>Bank Statement</b>

## 7.4 PROJECT FUNDING REPORTS

**File Number:** A3299176

**Author:** Kathryn Trewin, Funding Advisor

**Authoriser:** Ana Mules, Team Leader - Community Development and Investment

### TAKE PŪRONGO / PURPOSE OF THE REPORT

Recipients of funds from the Community Board's Local Grant Fund must complete and submit a project report no later than two months after the completion of their project.

### TŪTOHUNGA / RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board note the project reports received from:

- a) Bay of Islands Country Music Festival
- b) Jacman Entertainment – Hullabaloo Outreach

### 1) TĀHUHU KŌRERO / BACKGROUND

Clause 15 of the Community Grant Policy states that: "At the completion of a project that received community funding, recipients are required to complete a Project Report. These reports must be received no later than two months after the completion of the project, or, if the activity is ongoing, within two months of the funding being spent. Recipients who do not complete this form are ineligible for Council funding for a period of five years."

### 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Copies of the project reports are attached for the Board's information. Should Board members have concerns or issues with these reports, these should be discussed at this part of the meeting.

It is noted that the Board requested further information regarding the report from Te Ruapekapeka Trust, as when the funding was granted, the applicant indicated that they were anticipating funding from another source that would mean that the Board's funding would not be required. The applicant has not responded to emails or phone calls at time of report writing to advise of the actual situation. The Funding Advisor will continue in efforts to get a response for the Board.

### Take Tūtohunga / Reason for the recommendation

To receive the project reports from funding applicants in accordance with the Community Grant Policy.

### 3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary requirements.

### ĀPITI HANGA / ATTACHMENTS

- 1. Pages from BOIWCB - Project Report - BOI Country Music Festival - A3299125 [↓](#) 
- 2. Pages from BOIWCB - Project Report - Jacman Entertainment Limited (Hullabaloo Children's Arts Festival - Outreach Programme) - A3299131 [↓](#) 

**Hōtaka Take Ōkawa / Compliance Schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Community Grant Policy.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	It is the responsibility of each Community Board to confirm the funding that they allocated has been spent correctly.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications on Māori in confirming the project reports. Any implications on Māori arising from matters included in project reports should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	This report is asking for the project reports to be approved, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.





**Far North  
District Council**

**Project Report  
COMMUNITY GRANT FUND - LOCAL**

F0060402

At the completion of a project that received community funding, recipients are required, as stated in the Community Grant Policy, to submit a Project Report to the Community Board. Project Reports are to be received no later than two months after the completion of the project or if the activity is ongoing, within two months of the funding being spent.

Applicants who fail to provide a project report within the required time will not be considered for future funding.

Please return the completed form to: [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) PDF attachment via email is preferred) OR:

Funding Advisor  
Far North District Council  
Private Bag 752  
KAIKOHE 0440

Name of organisation: Bay of Islands Country Music Festival  
Name & location of project: Bay of Islands Pahiua + Russell  
Date of project/activity: 7th, 8th + 9th May 2021

Which Community Board did you receive funding from?

☐ Te Hiku

☐ Kaikohe-Hokianga

☒ Bay of Islands-Whangaroa

Amount received from the Community Fund: \$ 3433.90

Board meeting date the grant was approved: 8th April 2021

Please give details of how the money was spent:

- Your contribution to the project and the funding you received from the Community Board must be accounted for
- Attach supplier receipts or bank statements to show proof of expenditure of Community Board funds.

Supplier/Description	Amount	Receipt/s attached (please tick)
Clarks Coachline (shuttle bus)	\$ 2485.74	✓
NZME Publishing	\$ 1669.80	✓
	\$	
	\$	
Total:	\$ 4155.54	

Give a brief description of the highlights of your project including numbers participating:

This years attendance was down slightly from previous years due to nervous covid travellers however festival was still a success with highlight acts such as Rising Star Carson Tare along with all NZ's other top country music performers due to no overseas acts attending.

Private Bag 752, Havelock Rd, Kaikohe 0440, New Zealand, Telephone: 0800 920 829,  
Phone: (09) 425 2150, Fax: (09) 401 2137, Email: [ask.as@fndc.govt.nz](mailto:ask.as@fndc.govt.nz), Website: [www.fndc.govt.nz](http://www.fndc.govt.nz)

1



**Far North  
District Council**

**Project Report  
COMMUNITY GRANT FUND - LOCAL**

F0080402

At the completion of a project that received community funding, recipients are required, as stated in the Community Grant Policy, to submit a Project Report to the Community Board. Project Reports are to be received no later than two months after the completion of the project or if the activity is ongoing, within two months of the funding being spent.

Applicants who fail to provide a project report within the required time will not be considered for future funding.

Please return the completed form to: [funding@fndc.govt.nz](mailto:funding@fndc.govt.nz) PDF attachment via email is preferred) OR:

Funding Advisor

Far North District Council

Private Bag 752

KAIKOHE 0440

<b>Name of organisation:</b>	JACMAN ENTERTAINMENT LIMITED
<b>Name &amp; location of project:</b>	Hullabaloo Children's Arts Festival (Outreach Programme)
<b>Date of project/activity:</b>	8 October 2020

**Which Community Board did you receive funding from?**

☐

Te Hiku

☐

Kaikohe-Hokianga

☒

Bay of Islands-Whangaroa

<b>Amount received from the Community Fund:</b>	\$ 1955
<b>Board meeting date the grant was approved:</b>	6 August 2020

**Please give details of how the money was spent:**

- Your contribution to the project and the funding you received from the Community Board must be accounted for
- Attach supplier receipts or bank statements to show proof of expenditure of Community Board funds.

Supplier/Description	\$amount	Receipt/s attached (please tick)
Artist fees and accom (contribution towards costs)	\$ 1725	YES
Equipment (contribution towards costs)	\$ 230	YES
NB: Sound Equipment hire in Angelstar invoice with artist fee, slightly more expensive at \$500	\$	
	\$	
Total:	\$1955	

**Give a brief description of the highlights of your project including numbers participating:**

Chris Sanders and Anika Moa performed at the Totara North Hall on the 8 October.
Each show was 45-60mins duration. The Hall is small, approx 90 capacity
We had 116 attendees across the two shows. This was made up of 104 paid tickets and 12 complimentary tickets. We also hired a coffee cart to come and do coffee / hot chocs

Private Bag 752, Memorial Ave, Kaitake 0400, New Zealand. Freephone: 0800 920 029.  
Phone: (09) 405 2750. Fax: (09) 401 2137. Email: [ask.us@fndc.govt.nz](mailto:ask.us@fndc.govt.nz). Website: [www.fndc.govt.nz](http://www.fndc.govt.nz)

1

**Describe the main findings in your evaluation of the project/event; describe how your project/event benefited the community:**

The funding made it possible to keep ticket prices low (\$7.50) and the community came out to support! Our complimentary tickets were via radio promotion and donated tickets to Bald Angels to distribute to families that may not have been able to afford to come. Funding and the support of artists in reducing their fees made this event possible. We loved seeing the hall buzzing for the day and added extra's such as bunting, coffee cart and an appearance from Jack Rabbit to add to the fun.

**Please provide details and attach or email photos and/or any marketing collateral that was produced for your event/project acknowledging the Community Board:**

We made a video of our day at Totara North Hall You can view the video at this link  
<https://www.dropbox.com/s/0cxrcgdgdfsw5o/Hullabaloo%20Totara%20North%202020%20v1.1.mp4?dl=0>  
 Photos provided  
 Digital poster attached with logos

**If you have a Facebook page that we can link to please give details:**

@hcafnz

**This report was completed by:**

Name: Jackie Sanders  
 Address: 154 Waipapa West Road, RD2, Kerikeri 0295  
 Phone: mob: 021 373739  
 Email: jackie@jacman.co.nz  
 Date: 1 Dec 2020

**Schedule of Supporting Documentation**  
**JACMAN ENTERTAINMENT LIMITED**  
**HULLABALOO CHILDREN'S ARTS FESTIVAL**  
**(OUTREACH PROGRAMME)**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Income & Expenses report – 14/10/2020 o 02/11/2020 x 4 pages
2	Invoices – Anika Moa (Diamond & Kowhai Ltd), Jacman Entertainment x 2 pages
3	Event photos – Hullabaloo Outreach Bay of Islands/Whangaroa (Anika Moa) x 3 pages

## **8 INFORMATION REPORTS**

### **8.1 COMMUNITY AND CUSTOMER SERVICES REPORT 1 JANUARY – 30 JUNE 2021**

**File Number:** A3293910

**Author:** Jacine Warmington, General Manager - Corporate Services (Acting)

**Authoriser:** Dean Myburgh, General Manager - District Services

#### **TAKE PŪRONGO / PURPOSE OF THE REPORT**

The purpose of the report is to provide information to the Bay of Islands-Whangaroa Community Board for the community and customer service activities including Libraries and Museum, i-SITEs, Customer Care (Service Centres, Contact Centre), Housing for Elderly tenancy, Event applications and Cemeteries plots and burials.

#### **WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY**

This information only report is provided by way of an update to Community Boards every six months.

#### **TŪTOHUNGA / RECOMMENDATION**

**That the Bay of Islands-Whangaroa Community Board receive the report Community and Customer Services Report 1 January – 30 June 2021.**

#### **TĀHUHU KŌRERO / BACKGROUND**

Statistical information in relation to the Community and Customer Service Department (District Services Group) is provided to the Bay of Islands-Whangaroa Community Board giving an overview of activity and performance for the months of January to June 2021 for the Bay of Islands-Whangaroa area.

#### **MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND NEXT STEPS**

##### **Contact Centre**

When comparing statistics against the same time last year it needs to be recognized that, for six weeks from the end of March 2020 to mid-May 2020, NZ was in lockdown due to Covid-19 halting building inspections and halving customer contact via phone and requests for service.

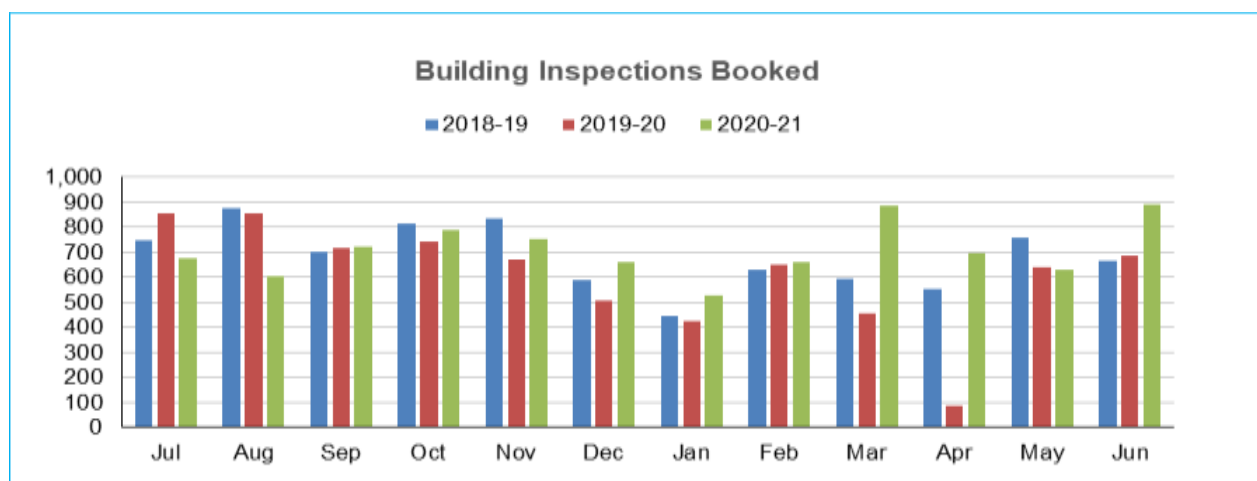
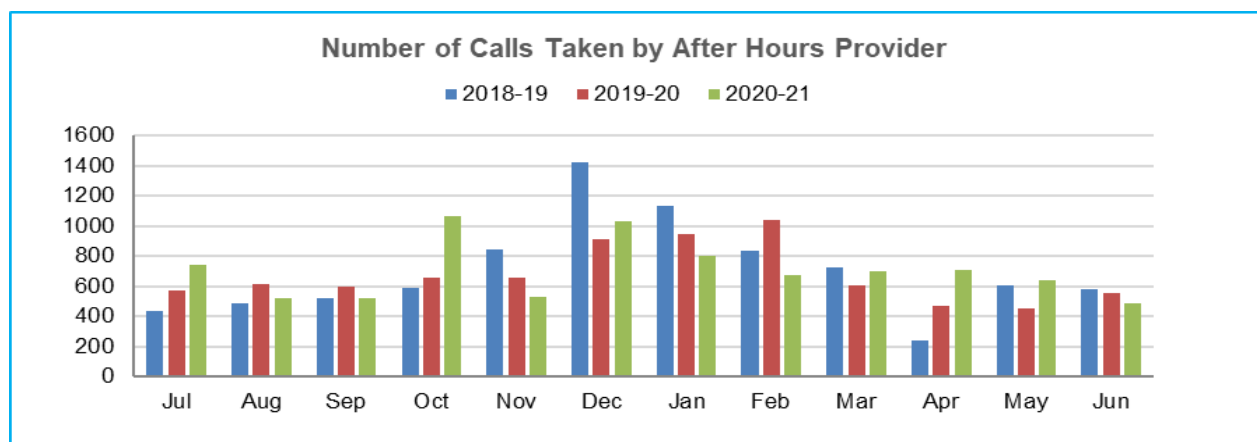
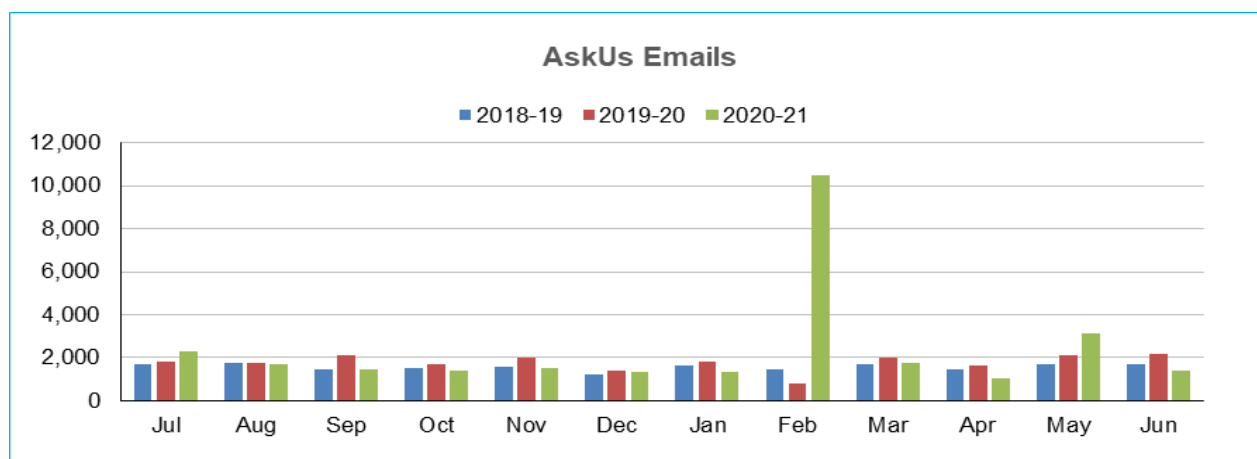
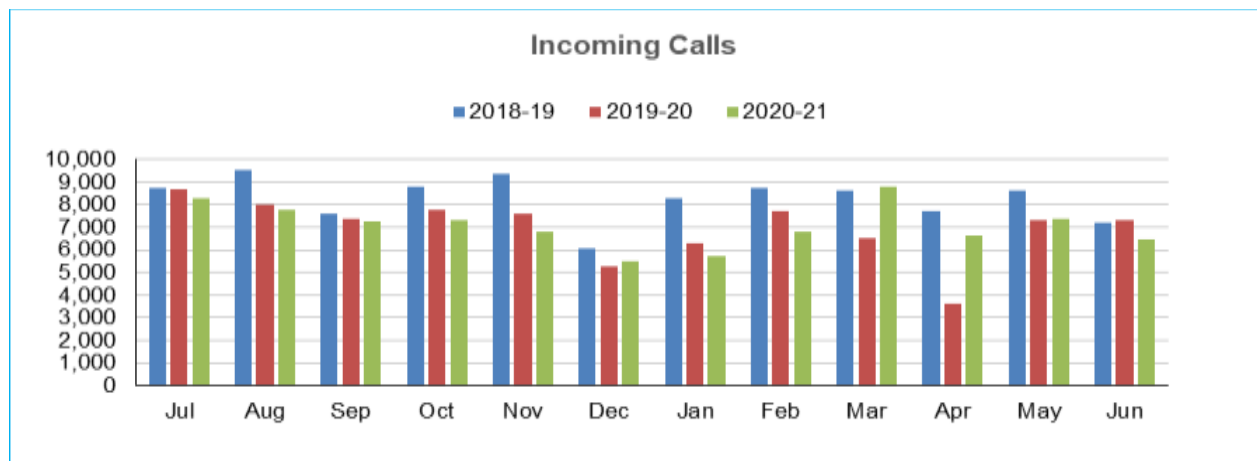
Customer interactions district wide for the six months ending June 2021 totalled 84,165 which is a 21.6% increase (up from 69,206) for the same six months in the previous year. These interactions included Phone calls: 41,787, AskUs emails: 19,112, Requests for Service: 13,822, and Booking Building Inspections: 4,291 (a 45.7% increase).

The spike in AskUs Emails in February 2021 was caused by a technical issue which caused thousands of 'no response required' emails to drop into the inbox. These had to be manually deleted by staff.

The use of the after-hours service is holding steady at approximately 4,000 calls over the six-month period for both years.

District-wide the top two issues that customers contacted Council about were Rates: 21,435 (including payments, account balance queries, and direct debits) and Building: 13,211 (includes booking building inspections).

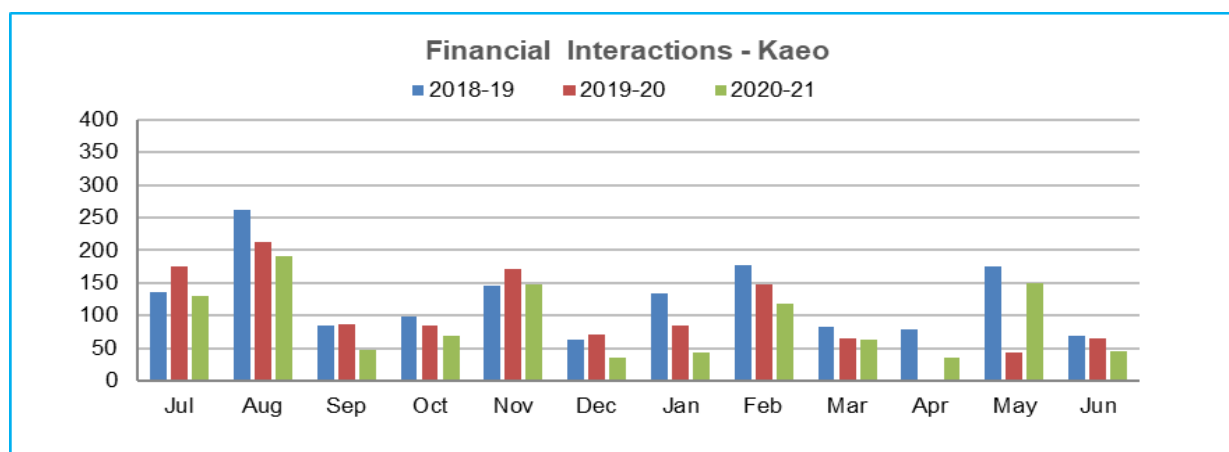
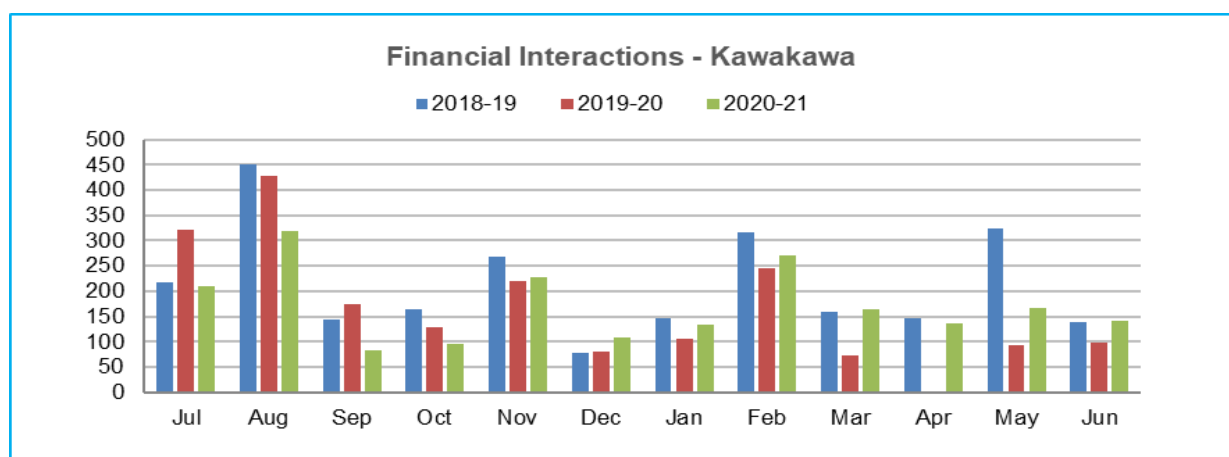
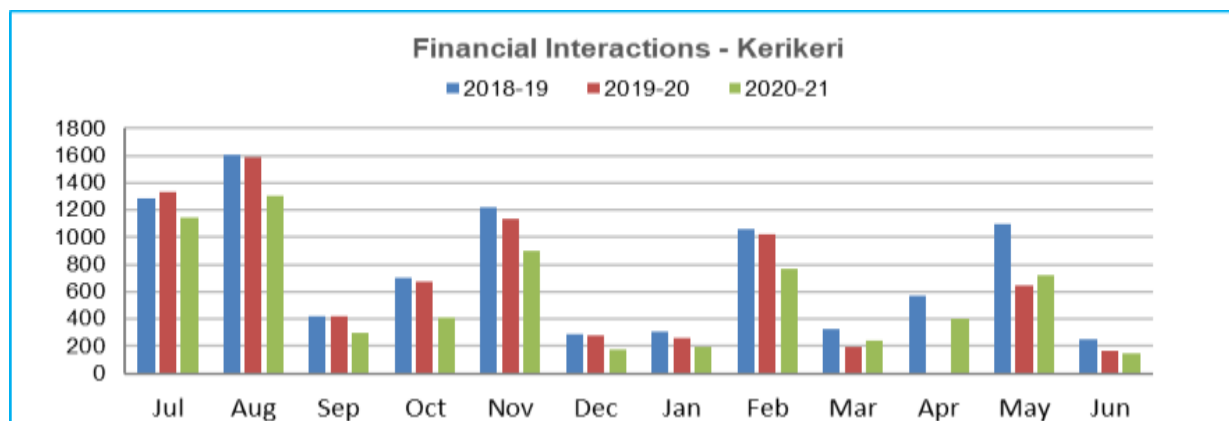




## **Service Centres**

The Covid-19 lockdown halted face-to-face interactions for 6 weeks last year, as indicated in the data for April and May 2020. However overall, the total walk-ins for January to June both years has remained the same.

There is a new Customer Experience Programme which is in its early stages of receiving customer feedback. Early indications are that the service centres district-wide are consistently high-performing and meeting the needs of customers.



## **Libraries**

### **Kerikeri, Procter Library**

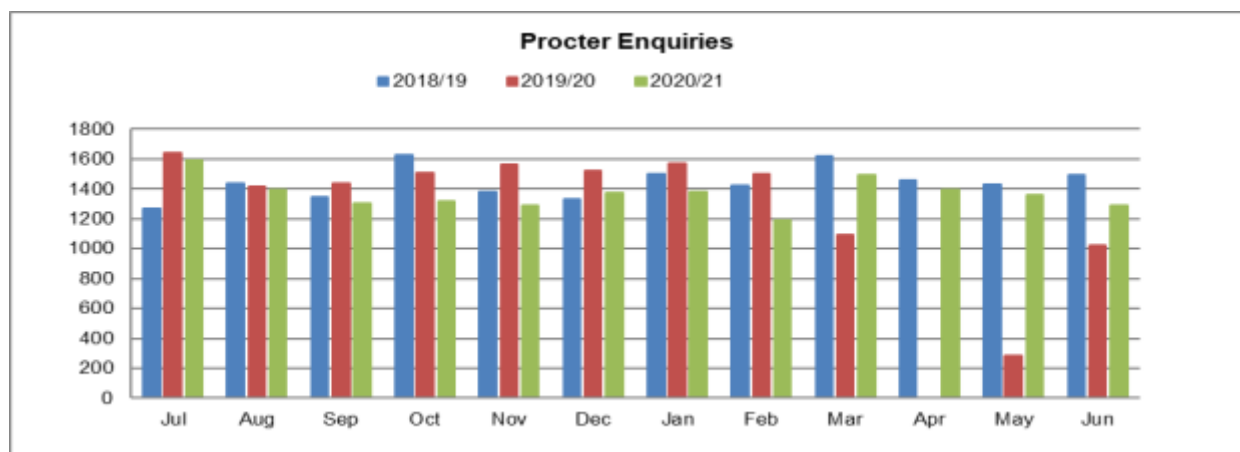
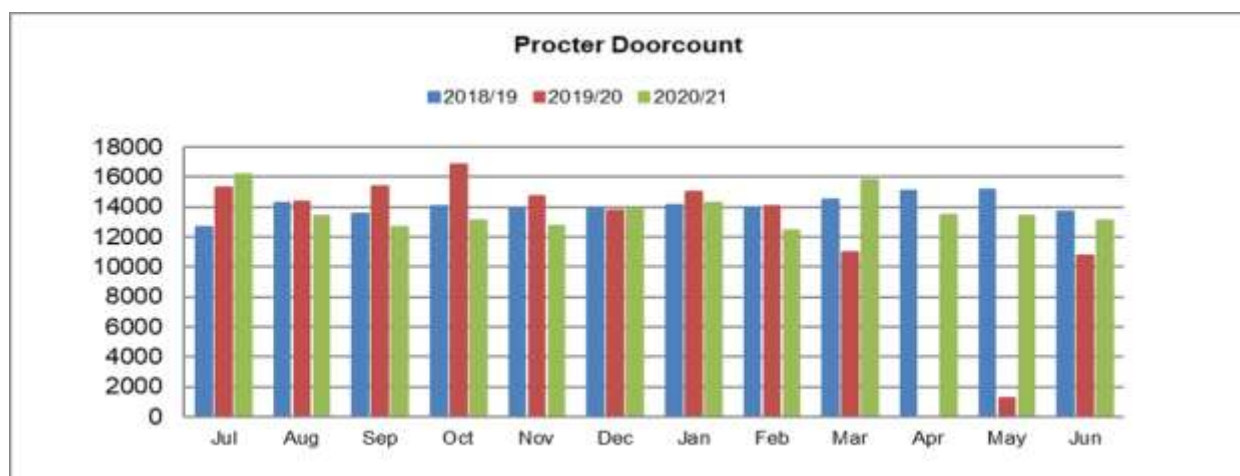
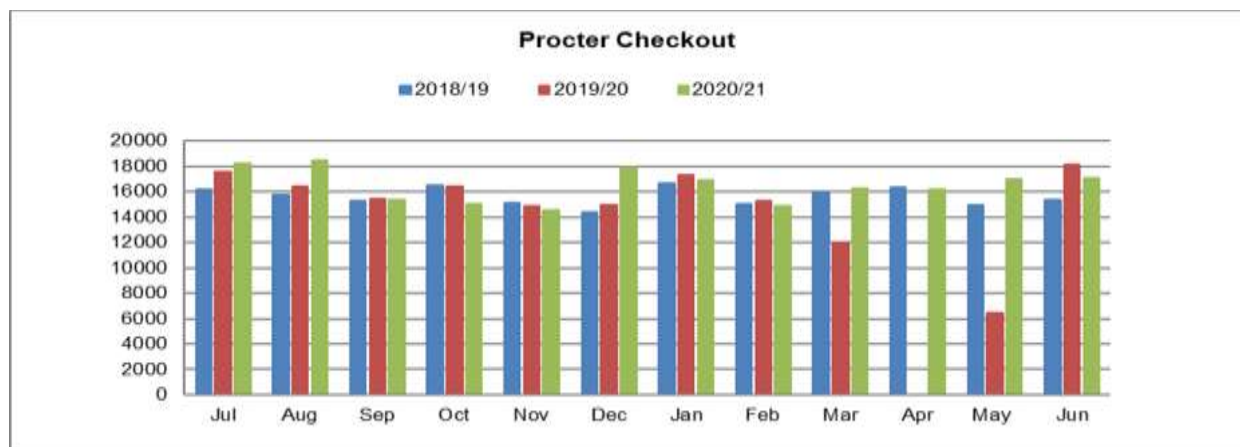
Programming continues to grow at Procter Library. With English classes for new immigrants, CV courses and Minecraft for children, there are now almost ten regular weekly- or monthly programmes running in the library.

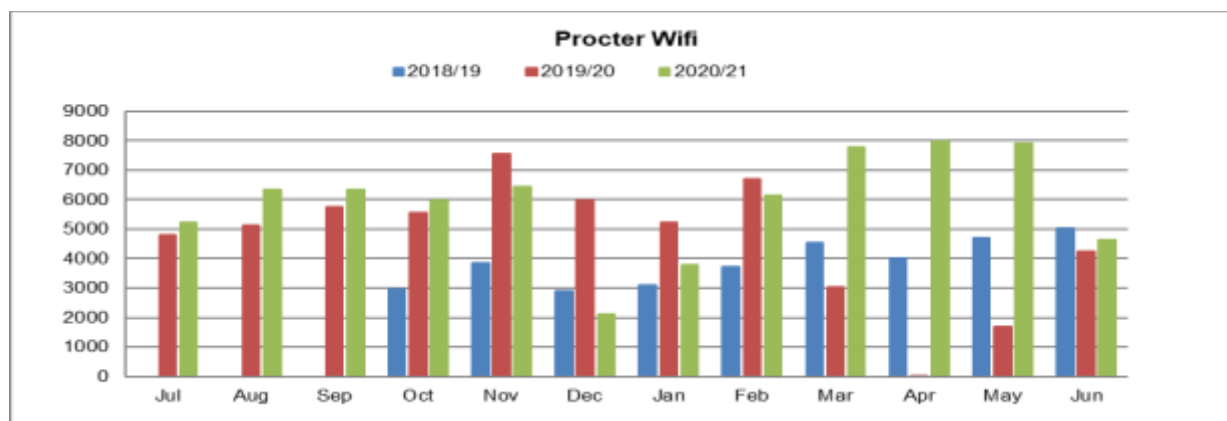
Library services continue to grow outside the walls. One example of this is recent trips into retirement villages to deliver virtual reality experiences for residents, which have been well received.

Local author Roze Webster gave an author talk and read from her new book. There has also been music in the atrium on Saturdays.

The library is currently undergoing a refresh, internally. Painting has been done, and the teen area has been moved upstairs. A makerspace is also being added on the ground floor and this will be in action by the end of 2021.

The elimination of fines on overdue child and teen books has led to a sharp increase in borrowing. Over the year that the change has been in place, borrowing in this age group has increased by 75%.





## Kawakawa

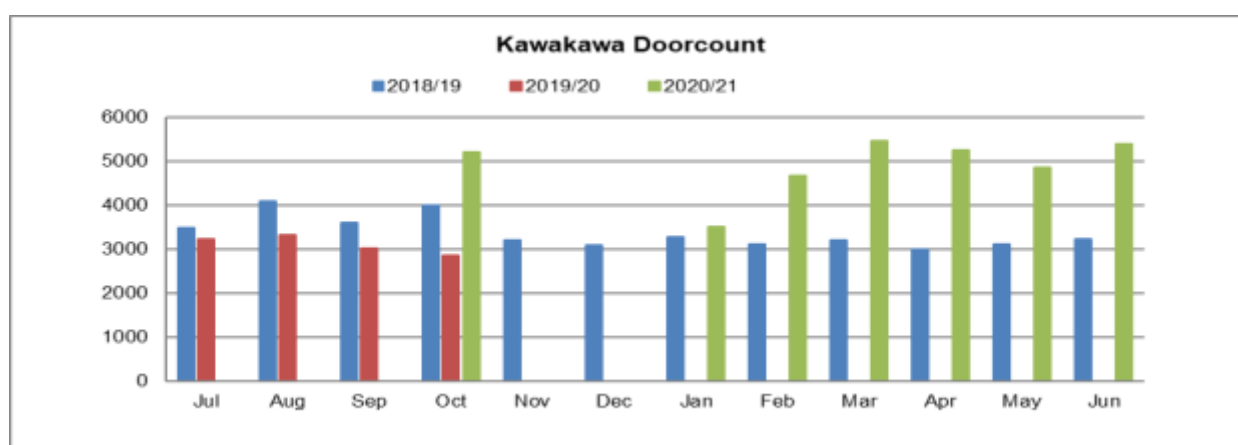
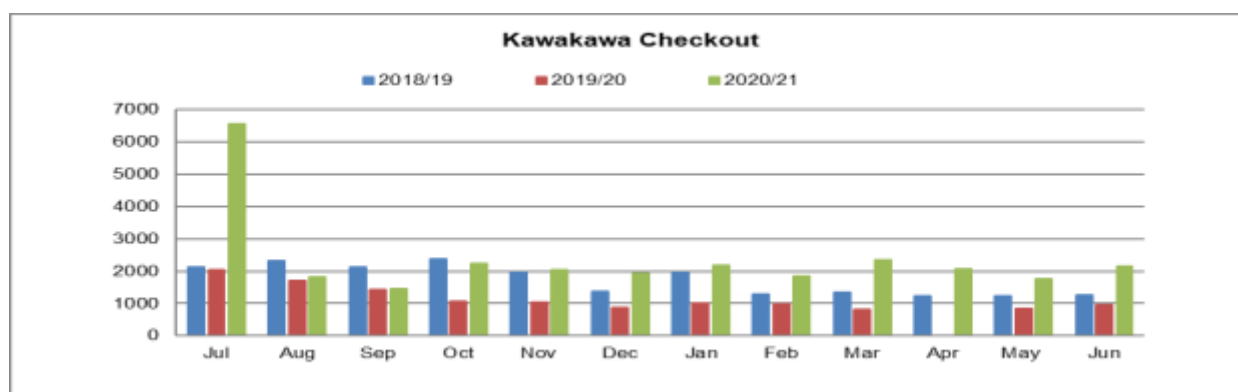
Public programming has been flourishing since the new library opened. A range of child and teen programmes, including robotics and Minecraft, have been well supported by local youth and schools.

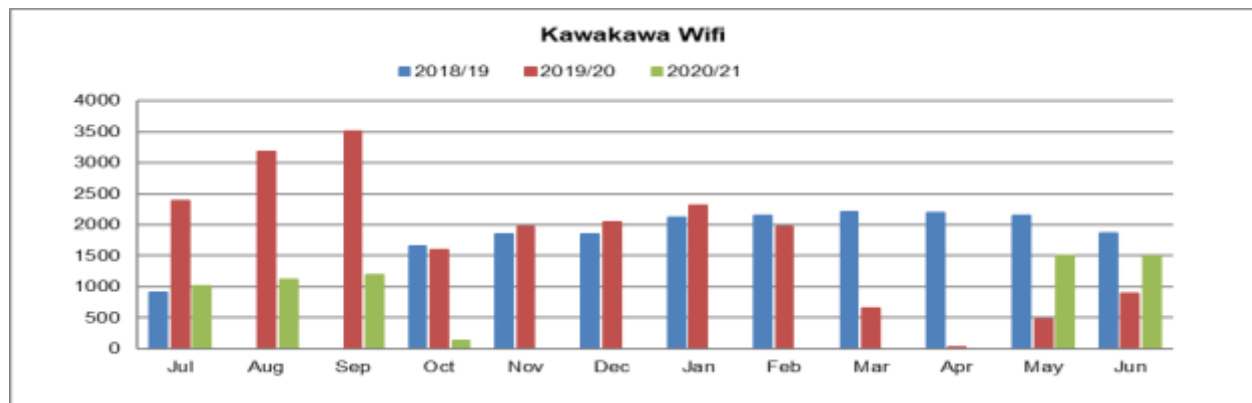
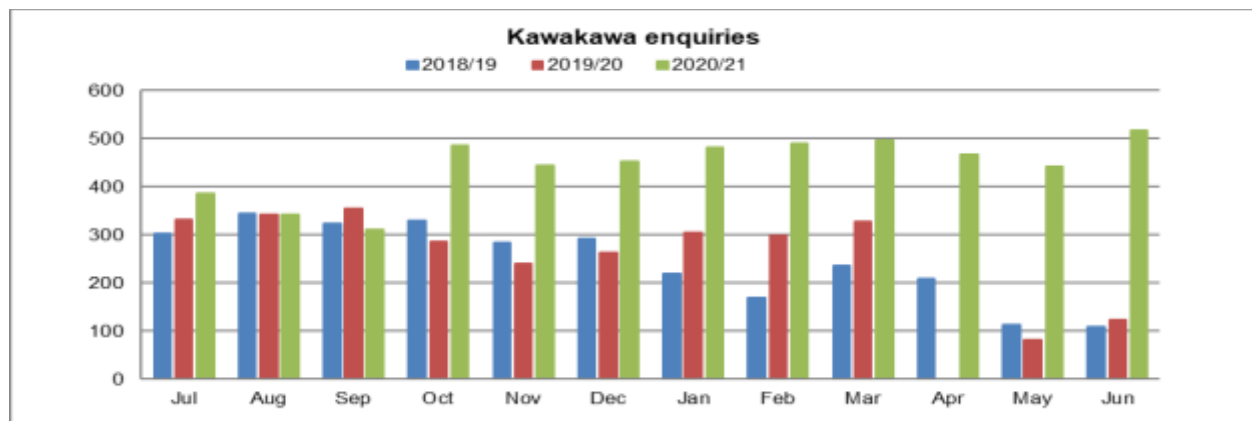
Adult programming has also been well-supported, including a compostable toilet workshop that was oversubscribed. An ongoing seed exchange and purapura pai is also in place, having been kicked off to mark the start of Matariki. There are also monthly plastic free workshops on Saturdays that have been popular.

There is now a JP who is regularly available at the library. Skinny Jump – the provision of free modems and low-cost internet to local families – has also had strong uptake.

The elimination of fines on overdue child and teen books has led to a sharp increase in borrowing. Over the year that the change has been in place, borrowing in this age group has increased by 75%.

The library doorcounter was installed in January 2021, and this is reflected in the table below.





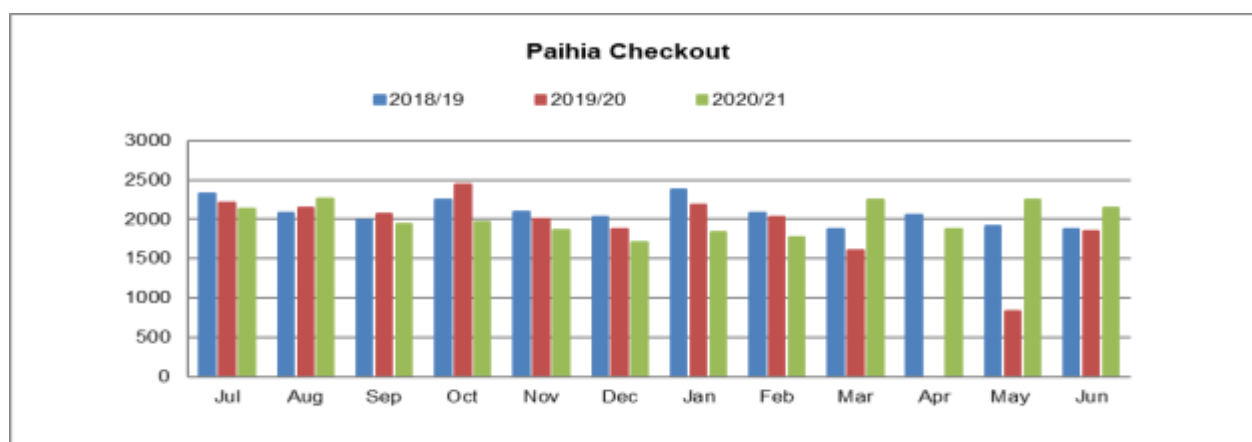
## Paihia

Local author Tere Davies provided an inspirational talk for library customers, reading from her newest books.

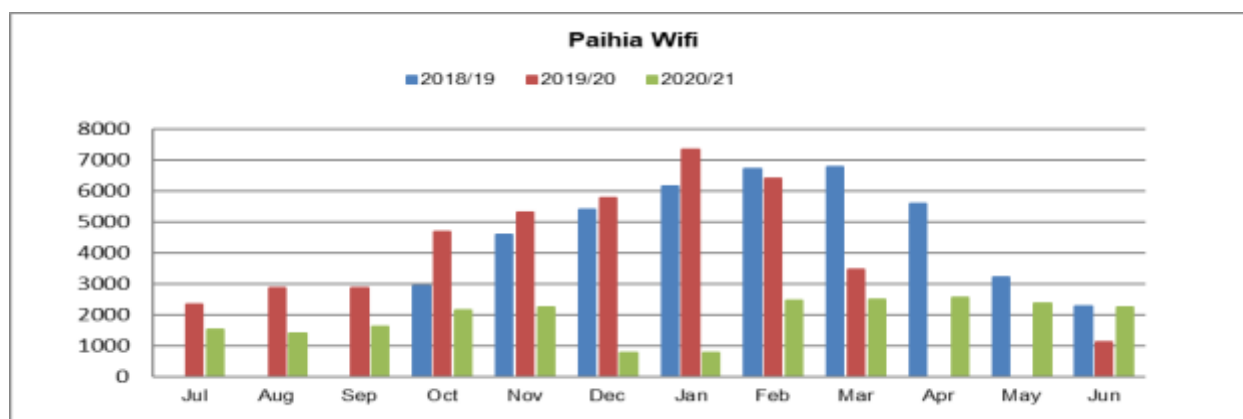
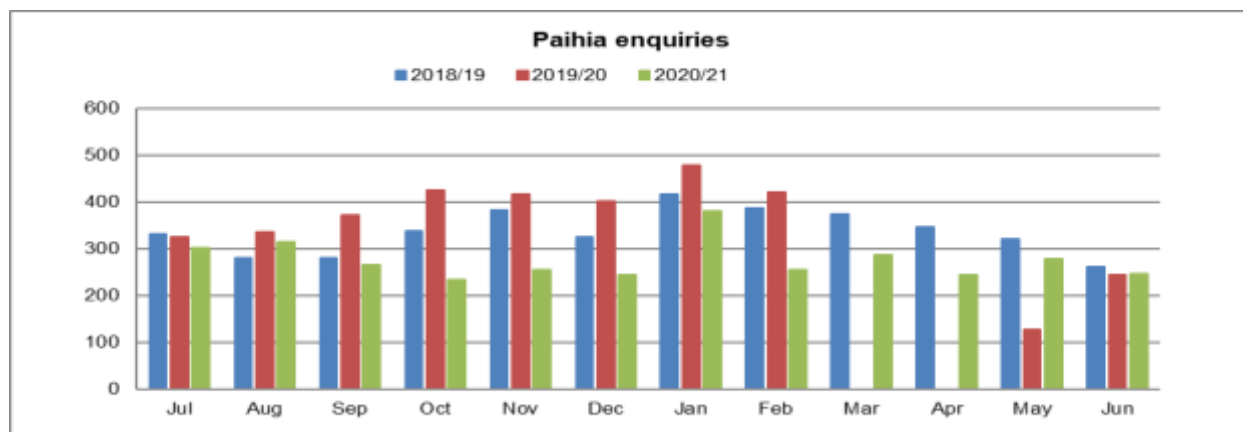
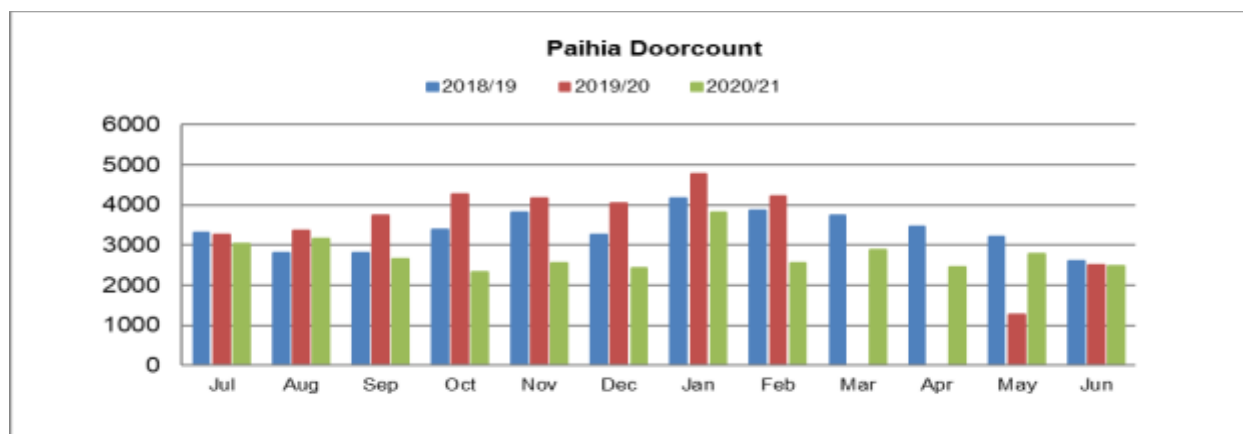
Work has continued in the background on potential uses upstairs in Williams House, with the Friends group progressing plans to create a small, high-spec space where artifacts from the Williams family can be displayed and experienced by locals and visitors alike.

Use of new library digital databases has increased in the past six months. In particular, the Pressreader magazine and newspaper app, and Beamafilm, an independent movie streaming app, have proved popular with local customers.

The absence of cruise ships continues to impact library and Wi-Fi use.





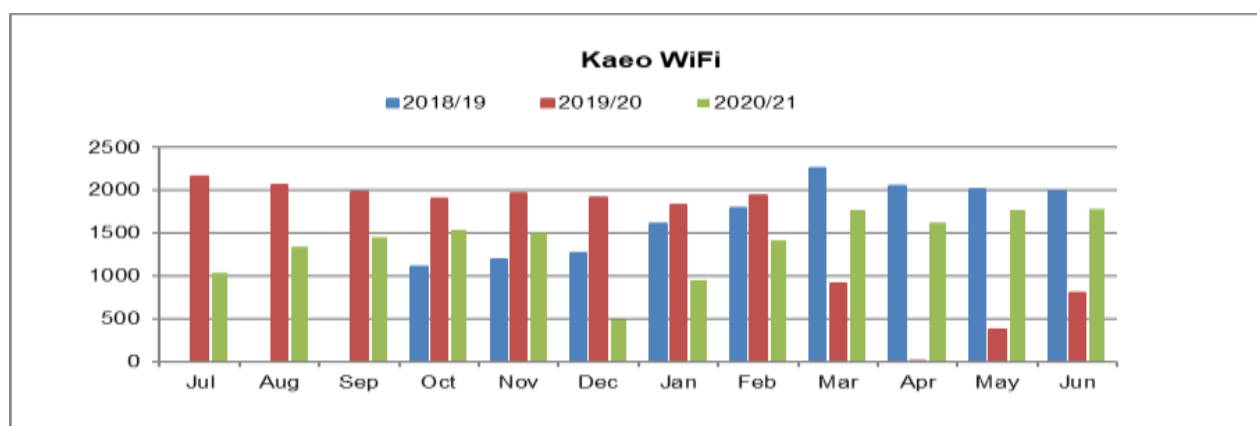
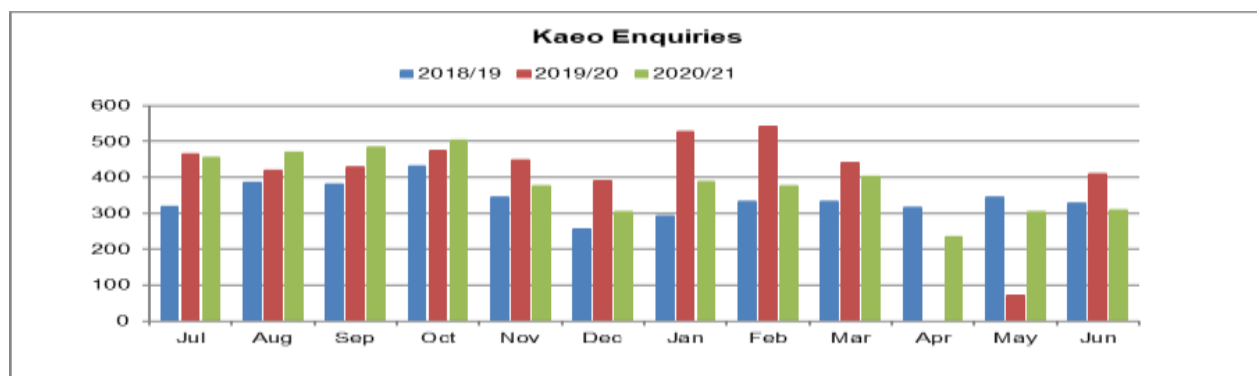
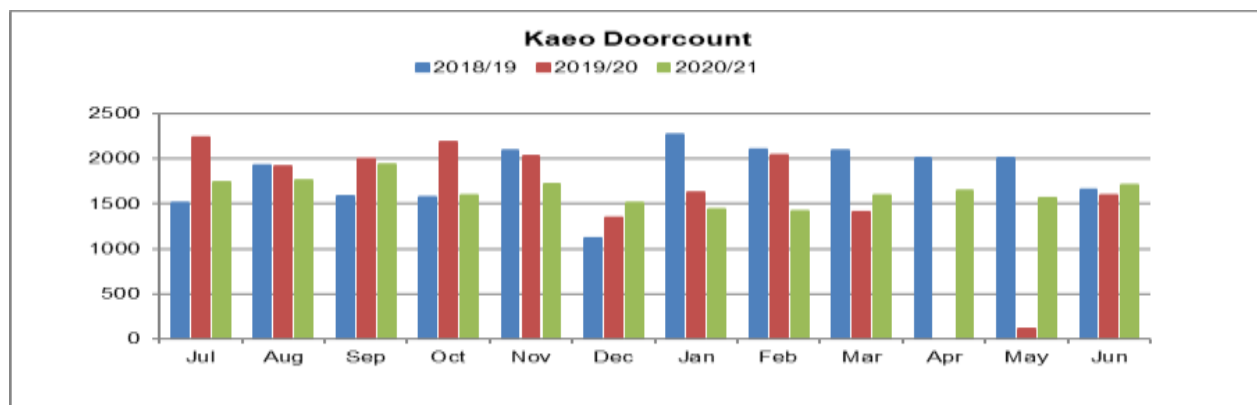
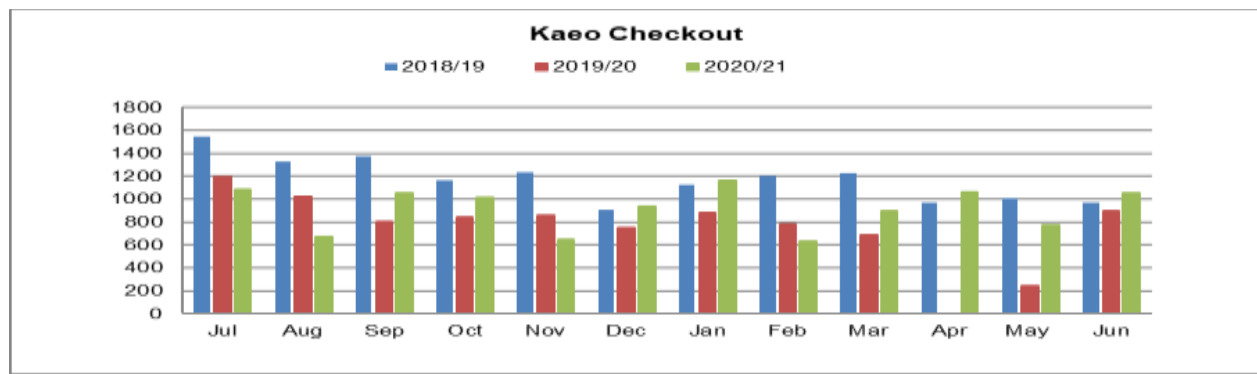


## Kaeo

Kaeo Library continues to provide Skinny Jump modems and low-cost internet into the local community, helping to bridge the digital divide.

Senior Librarian Sabine Weber-Beard was appointed to the IFLA Asia-Oceania Regional Committee. This is a great opportunity for Sabine to contribute to library policy in the region and highlights the work she has been doing as part of Far North District Libraries both in Kaeo but also in helping implement new digital technologies.

The library space has been recently refreshed on a small scale, with older books being rehoused in the district stack, creating space for new collections including graphic novels and Te Reo early readers. Space has also been set aside to support upcoming implementation of customer self-checkout units.



### **Bay of Islands i-SITE**

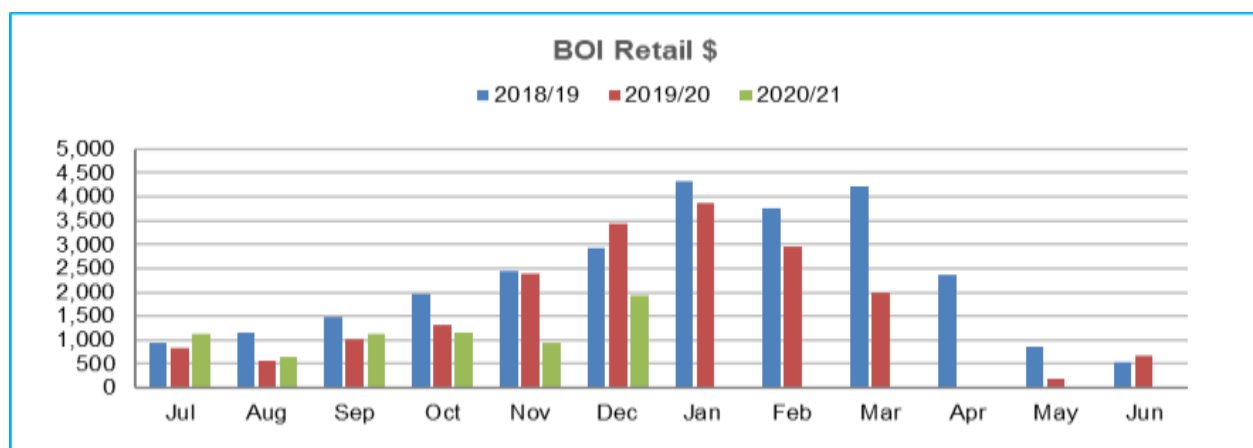
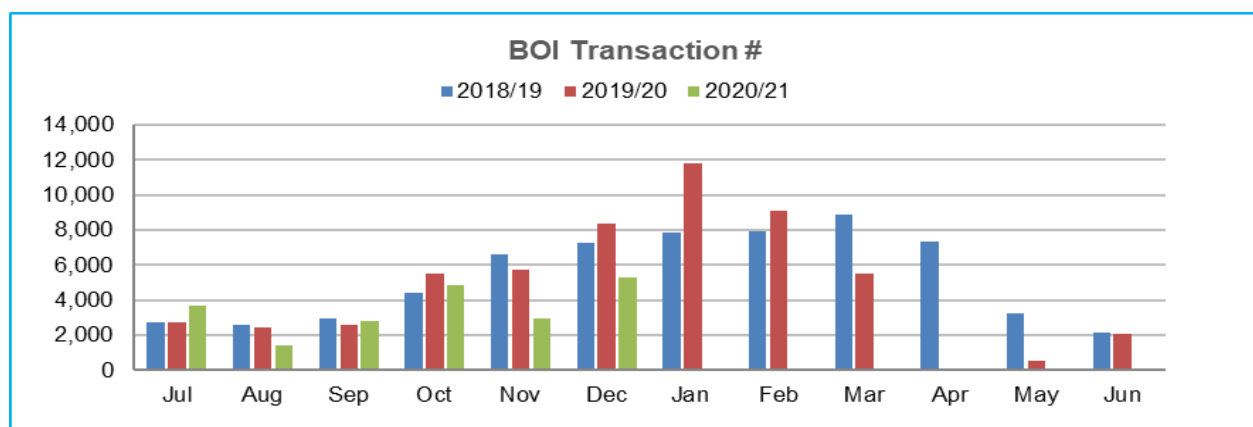
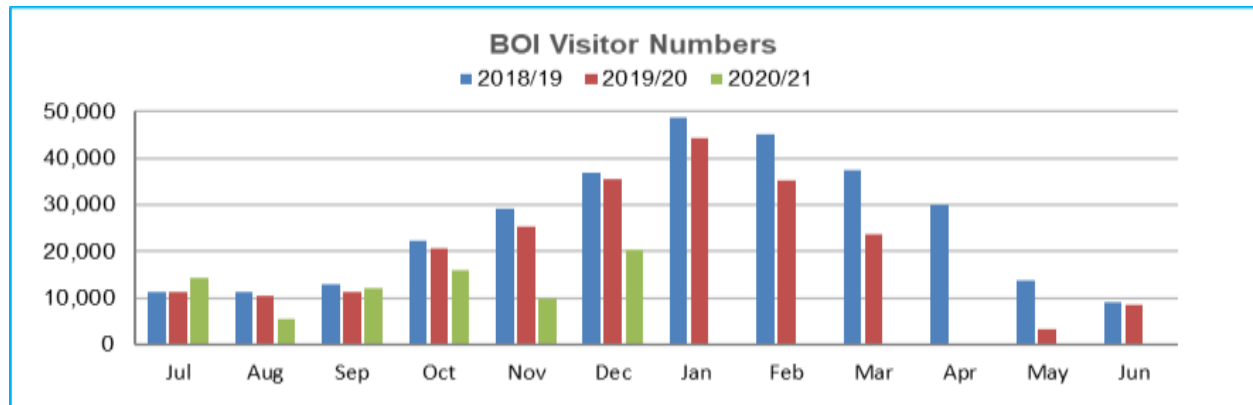
Visitor numbers are down due to Covid-19. New Zealanders have been travelling and coming to the Bay of Islands, but the lack of cruise ships and international visitors are reflected in the numbers. Over this period of time, 17 cruise ships were expected into the Bay with over 50,000 passengers on board. Other (city) lockdowns such as Auckland and Wellington, have also affected visitor numbers and sales during this 6-month period.

Retail that is not already being sold in Paihia is proving difficult to source. There is a need for more local product, but it is difficult to find or maintain supply.

Russell ferry tickets, Parasail and Sea Shuttle are strong sellers, along with sailing trips. Going out on the water has been popular in fine weather but with low visitor numbers, companies are cancelling their trips resulting in i-SITEs having to issue refunds.

Bookings for Department of Conservation huts and walks are still strong but down due to visitor numbers.

The Bay of Islands i-SITE continues processing of Council payments and other Council work. The community finds the i-SITE very useful for ease of payments and for getting information and visitors still pop into the i-SITE to get 'local gems' such as where's the best coffee, restaurant, etc. which give staff the opportunity to upsell.



### **Events on Council Reserves and other Council Managed Spaces**

*Permits are issued to applicants for the use of Councils open spaces for many kinds of activities such as weddings, family picnics, sporting events, circuses, fairs and large community events.*

From January to the end of June, 28 events were successfully held across the district. The move to COVID19 level 2 in February and March resulted in some large events been cancelled.

Events on Council property across the district can now be applied for online. This is in line with Council's move to more online services enabling customers to be able to help themselves, where and when they need to. The following link is available on Council's website:

<https://www.fndc.govt.nz/Our-Facilities/Parks-playgrounds-and-reserves/Book-a-Park-Reserve-or-Open-Space>

### **Cemeteries - Sexton Services**

*Council manages the Kaikohe, Kohukohu, Okaihau and Rawene public cemeteries under the legislation of the Burial and Cremation Act 1964 and Far North District Council By-Law 1401-1442.*

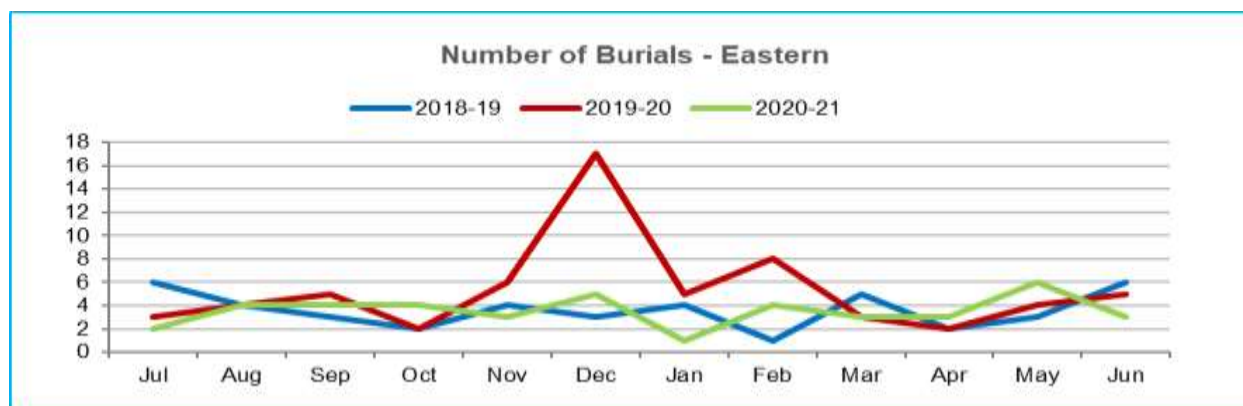
The Cemeteries and Crematoria Collective Conference was successfully run on 26-27 May 2021 in Rotorua, after it was postponed last year.

The programme included the formation of a Cemeteries and Crematoria Response Team and Emergency Preparedness group. The group will formulate a plan for the provision of specialised assistance for emergency events involving large numbers of fatalities.

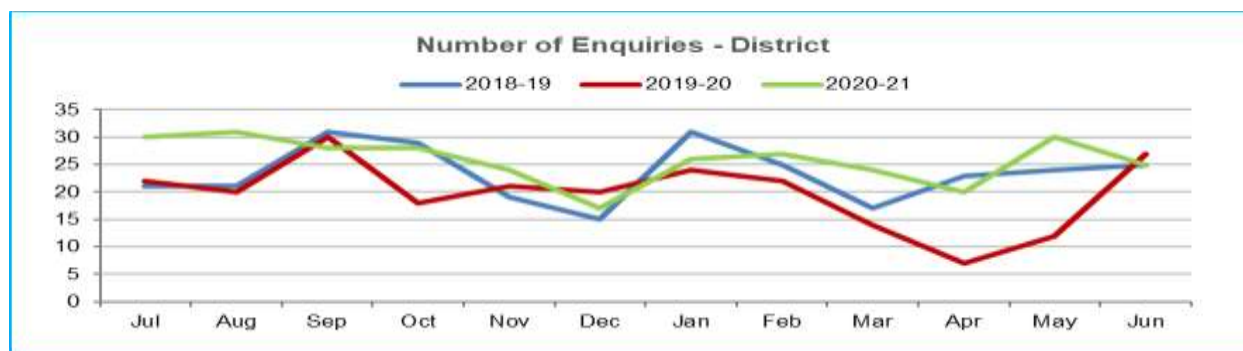
A presentation on the sector response to the Christchurch Mosque Attacks and COVID19 showed the importance of working together. The organisation and logistics required for the digging of over 50 graves, and burials which took 3 days to complete were exemplary. It was also a reminder of what we could face should the pandemic take hold in New Zealand.

Plans remain in place for the management the Council-run cemeteries during the COVID 19 pandemic.

There has been an increase in the number of ash burials during this period. There are also a number of ash burials on hold, waiting to families to be able to travel from overseas.



There were 8 full burials and 12 ash burials in the Eastern Ward during this period.



There has been an average of 25.5 enquiries per month during the January to end of June 2021.

### Housing for the Elderly

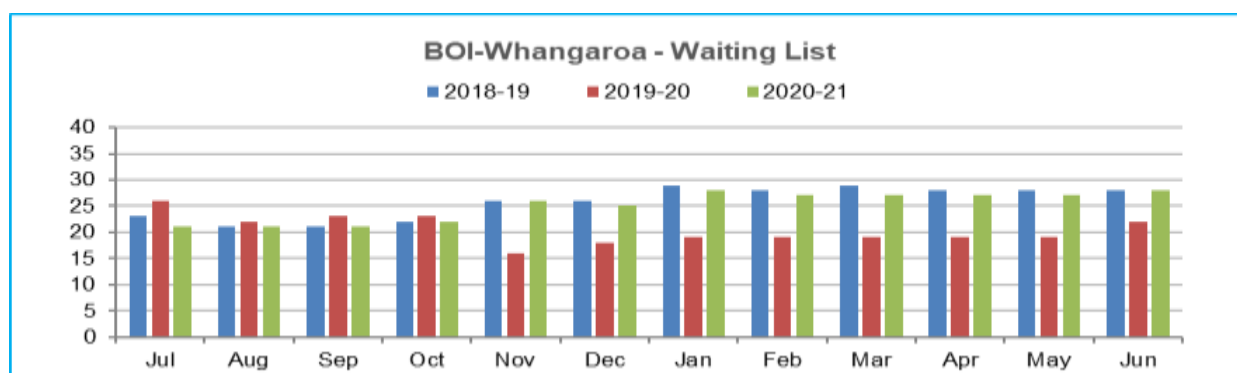
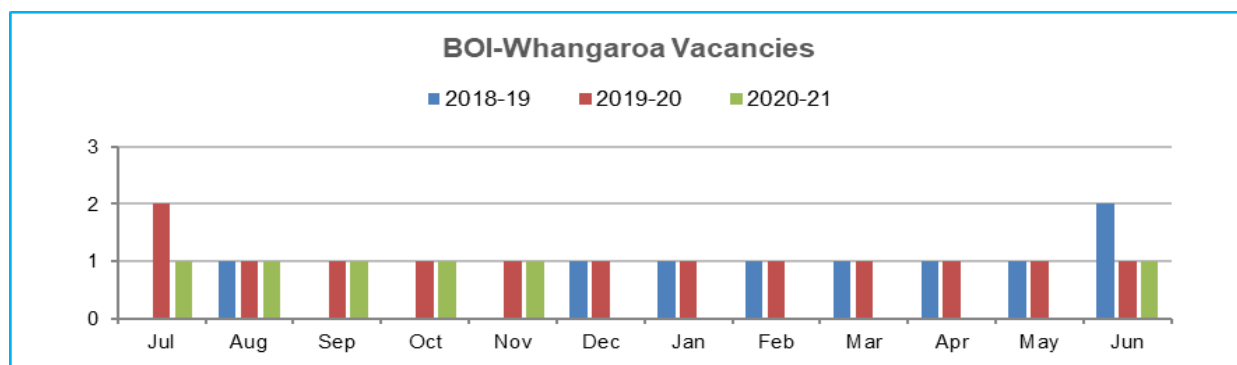
*Council owns and rents out 147 Housing for the Elderly units and bedsits overall.*

*In the Bay of Islands-Whangaroa area there are villages in:*

<b>Location</b>	<b>One- bedroom</b>	<b>Bed-sit</b>	<b>Vacancies</b>
<i>Kerikeri</i>	4	3	0
<i>Kawakawa</i>	6	-	1

During the period from 1 January – 30 June 2021, 1 tenancy ended in Kawakawa and this unit remains vacant while it undergoes major refurbishment.

The Healthy Homes regulations came into effect on 1 July 2021 and heating and ventilation has been installed in all units. Draft stopping is yet to be completed.



### **PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION**

There are no financial implications.

### **ĀPITIHINGA / ATTACHMENTS**

Nil

### **9 KARAKIA WHAKAMUTUNGA – CLOSING PRAYER**

### **10 TE KAPINGA HUI / MEETING CLOSE**