

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

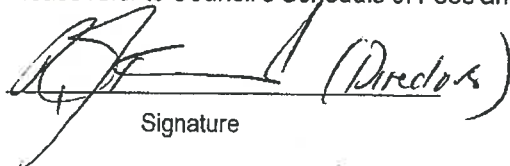
Date from which licence is required

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


Signature

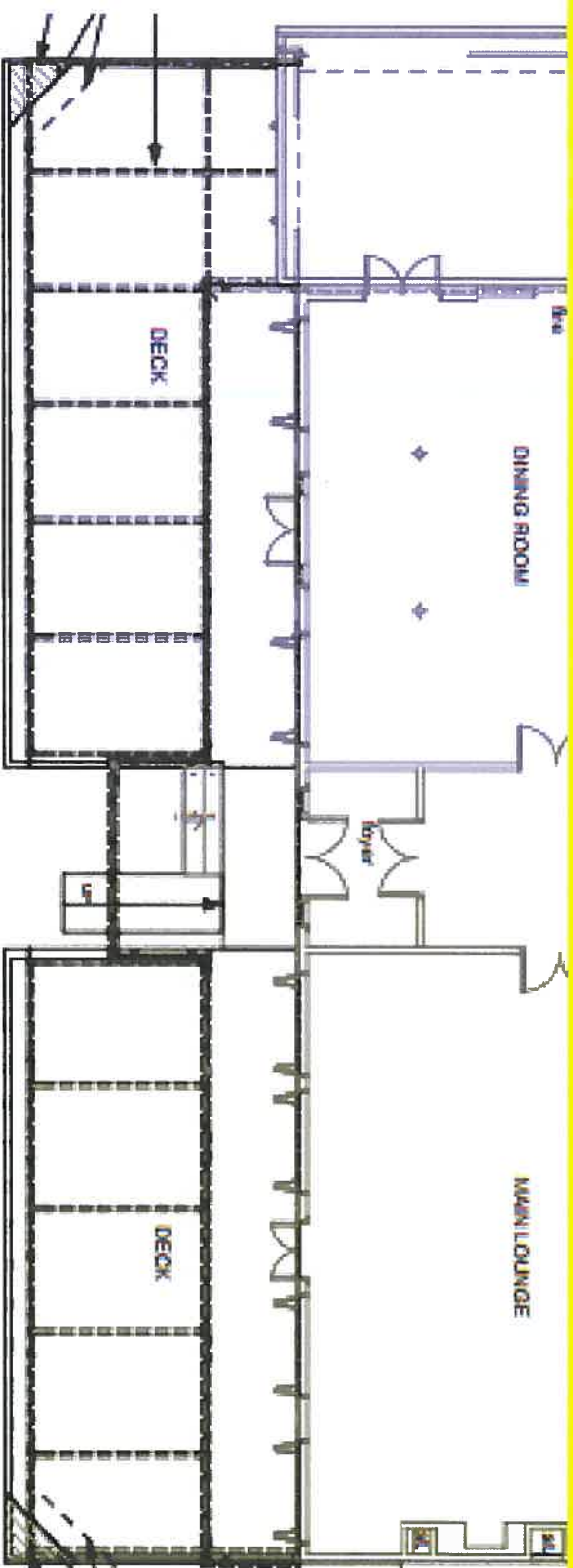
5 July 21.
Date

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.

Duke of Marlborough Hotel Licensed Al Fresco Plan 2021



FNDC
APPROVED
PLAN
DATE: 5 July
2021
OKS/CL



Licensed
Alfresco
Area = 44m
in length x
3m max in
width

Moreton Bay Fig Tree	Duke Beer Garden												Duke Northern Deck												Duke Front Doors								Duke southern Deck												Patio					Duke Bungalow																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
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Policy Schedule

Policy No

Reference No

AON

The Duke of Marlborough Business Ltd
C/- Aon New Zealand - Takapuna

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
PUBLIC & PRODUCTS LIABILITY	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

AON

The Duke of Marlborough Business Ltd
C/- Aon New Zealand - Takapuna

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

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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 Haagh
Governor
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www.theduke.co.nz

Begin forwarded message:

From: <services@theduke.co.nz>
Date: 5 July 2021 at 11:38:41 AM NZST
To: Anton Haagh <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>
Sent: Monday, 5 July 2021 11:32 AM
To: <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: [05072021113143-0001.pdf](#)
[Policy Schedule Insurance 2021-2022.pdf](#)
[Re Scan Data from FX-1C7D224318B1.msg](#)
[DOM Alfresco Site Plan 230621.pdf](#)
[image002.png](#)
[image001.png](#)
[image003.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

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

From: Christina Rosenthal <Christina.Rosenthal@fndc.govt.nz>
Sent: Monday, 5 July 2021 2:39 PM
To: Piata Komene <Piata.Komene@fndc.govt.nz>; Compliance Admin <compliance.admin@fndc.govt.nz>
Cc: Carla Ditchfield-Hunia <Carla.Ditchfield-Hunia@fndc.govt.nz>; Rochelle Deane <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 - \$166
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	\$55.00
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
<i>Example: All new compliant applications will incorporate an application fee (\$110.00), a site inspection fee (\$77.00) and a charge per table (\$55.00). Therefore a new application for one table will be a total fee of \$242.00</i>	

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 | 24-hour Contact Centre 0800 920 029

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

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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

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Date: 5 July 2021

To: Anton Haag

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Hey Anton

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Hope this is what you are after.

Cheers

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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: [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: [05072021113143-0001.pdf](#)
[Policy Schedule Insurance 2021-2022.pdf](#)
[Re Scan Data from FX-1C7D224318B1.msg](#)
[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 |

24-hour Contact Centre 0800 920 029

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Cc: Carla Ditchfield-Hunia <Carla.Ditchfield-Hunia@fndc.govt.nz>; Piata Komene <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

24-hour Contact Centre 0800 920 029

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Governor

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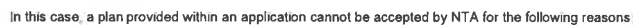
Attachment File Type: PDF

Device Name: DocuCentre-V 3060

Device Location: The Duke of Marlborough Hotel Russell

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



-



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

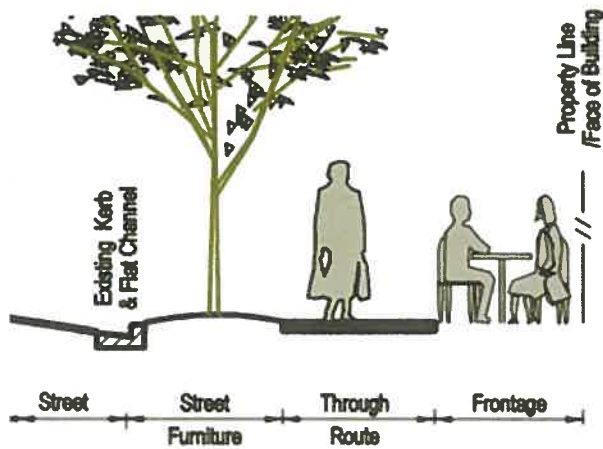


Table 14.3 – Minimum footpath dimensions

Location	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	4.5 m
CBD						
Alongside parks, schools and other major pedestrian generators						
Local roads in pedestrian districts	60 p/min	0.15 m	1.2 m	1.8 m	0.45 m	3.6 m
Commercial/ industrial areas outside the CBD						
Collector roads	60 p/min	0.15 m	0.9 m	1.8 m	0.15 m	3.0 m
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*		0.15 m	0.0 m	1.5 m	0.0 m	1.65 m
# 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@fndc.govt.nz

NORTHLAND TRANSPORTATION ALLIANCE



The Northland Transportation Alliance is a partnership between all four councils within Northland and Waka Kotahi (NZTA). 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@fndc.govt.nz>

Sent: Friday, 16 July 2021 11:33 am

To: Victor Devyatov | NTA <Victor.Devyatov@nta.govt.nz>

Cc: Rochelle Deane <Rochelle.Deane@fndc.govt.nz>; Aram Goes | NTA <Aram.Goes@nta.govt.nz>; Ishan Bhagat <Ishan.Bhagat@fndc.govt.nz>

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

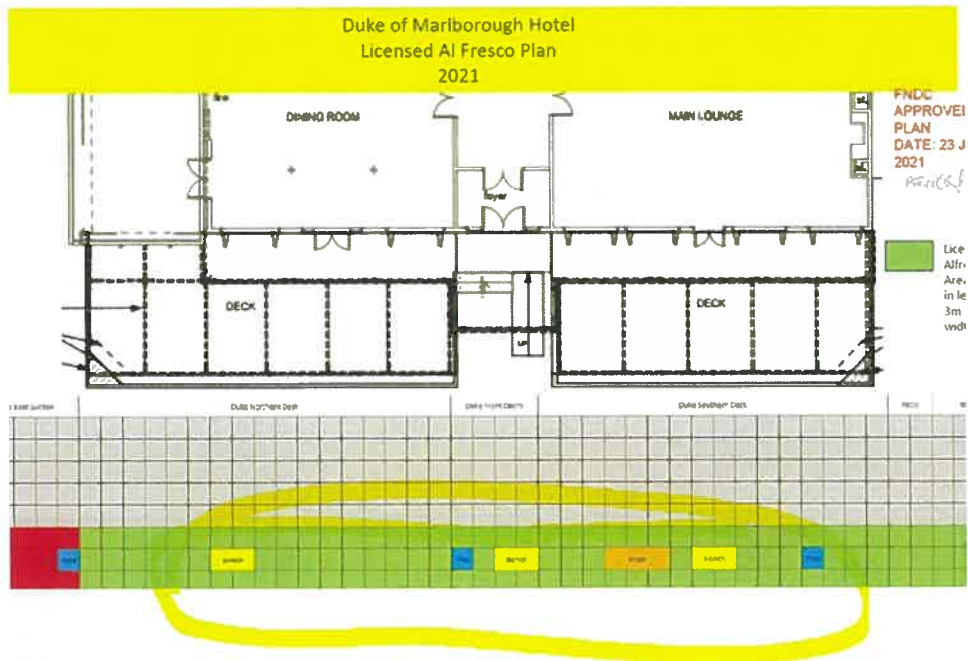
Hi Victor

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
 Chrissie



Christina Rosenthal
 Team Leader - Environmental Health Services
 District Services Far North District Council
Christina.Rosenthal@fndc.govt.nz | 24-hour Contact Centre 0800 920 020
[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

From: Victor Devyatov | NTA <Victor.Devyatov@nta.govt.nz>
Sent: Friday, 16 July 2021 10:02 AM
To: Christina Rosenthal <Christina.Rosenthal@fndc.govt.nz>
Cc: Rochelle Deane <Rochelle.Deane@fndc.govt.nz>; Aram Goes NTA <Aram.Goes@nta.govt.nz>; Ishan Bhagat <Ishan.Bhagat@fndc.govt.nz>
Subject: RE: ALF-49 Duke of Marlborough (DOM) Alfresco Dining Application 05.07.2021

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Hi Christina,

One more question.

Could you please confirm what frontage 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 Devyatov

Intermediate Road Safety & Traffic Engineer | Northland Transportation Alliance

Far North | Kaipara | Whangarei

Victor.Devyatov@fndc.govt.nz

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From: Victor Devyatov | NTA

Sent: Friday, 16 July 2021 9:32 am

To: Christina Rosenthal <Christina.Rosenthal@fndc.govt.nz>

Cc: Rochelle Deane <Rochelle.Deane@fndc.govt.nz>; Aram Goes | NTA <Aram.Goes@nta.govt.nz>; Ishan Bhagat <Ishan.Bhagat@fndc.govt.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 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: -

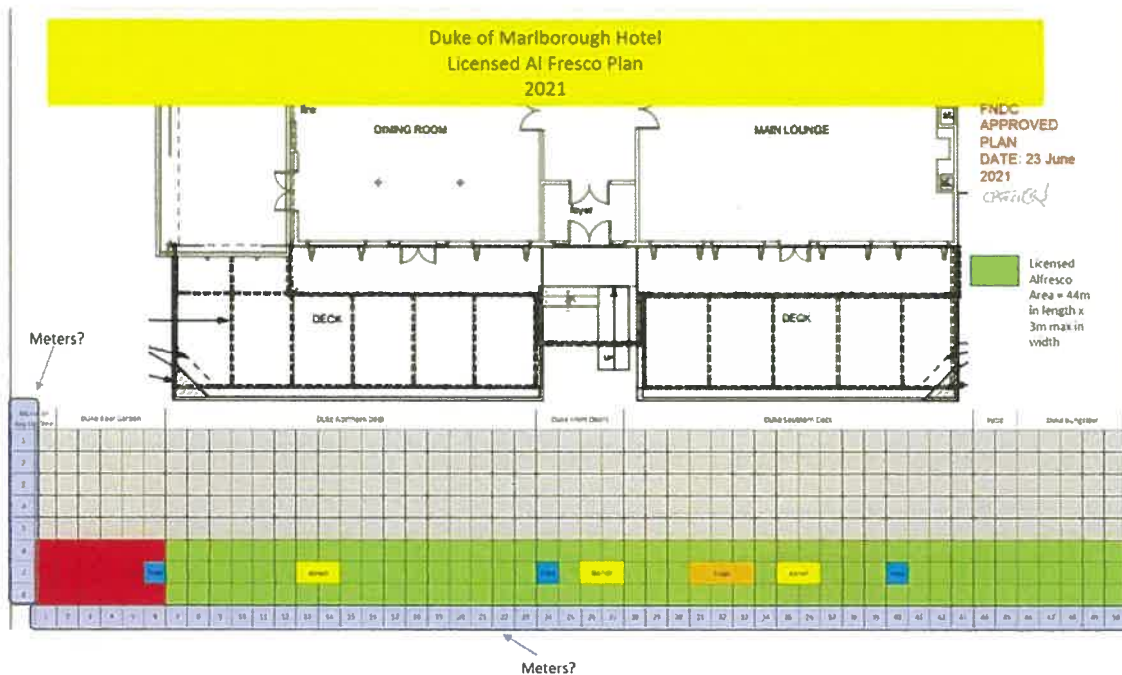
Access Requirements

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

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

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

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



Regards

Victor Devyatov

Intermediate Road Safety & Traffic Engineer | Northland Transportation Alliance

Far North | Kaipara | Whangarei

| Victor.Devyatov@fndc.govt.nz

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

Sent: Thursday, 15 July 2021 4:55 pm

To: Ishan Bhagat <Ishan.Bhagat@fndc.govt.nz>; Victor Devyatov <Victor.Devyatov@fndc.govt.nz>; Victor Devyatov | NTA <Victor.Devyatov@nta.govt.nz>

Cc: Rochelle Deane <Rochelle.Deane@fndc.govt.nz>; Aram Goes | NTA <Aram.Goes@nta.govt.nz>

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

Importance: High

Hi Ishan 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 Sandi 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 BOI-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
Chrissie



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: Christina Rosenthal

Sent: Thursday, 15 July 2021 2:05 PM

To: Aram Goes NTA <Aram.Goes@nta.govt.nz>; Sandi Morris NTA <Sandi.Morris@nta.govt.nz>

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From: Anton Haagh
Sent: Monday, 5 July 2021 12:16 PM
To: Christina Rosenthal <Christina.Rosenthal@fnhc.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 alfresco 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 Haagh
Governor
Duke of Marlborough Hotel
www.theduke.co.nz

Begin forwarded message:

From: <services@theduke.co.nz>
Date: 5 July 2021 at 11:38:41 AM NZST
To: Anton Haagh <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>
Sent: Monday, 5 July 2021 11:32 AM
To: Nicole George <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