

**QLDC Council
24 March 2015**

Report for Agenda Item: 11

**Department
Operations**



Table and Chair Licence Request – Public Kitchen and Bar

Purpose

- 1 To consider a Table and Chair licence at Steamer Wharf.

Recommendation

- 2 *That the Queenstown Lakes District Council:*
 - a. **Grant** a table and chair licence over Section 2 Block XVII Town of Queenstown to Public Kitchen and Bar with terms and conditions as set in the Table and Chair Policy 2006 or future updates;
 - b. **Delegate** final terms and conditions and execution authority to the Chief Executive;
 - c. **Agree** to the exercise of the Minister's prior consent (under delegation from the Minister of Conservation) to the granting of a licence to Public Kitchen and Bar over Section 2 Block XVII, Town of Queenstown.

Advice Prepared by:	Reviewed and Authorised by:
 Dan Cruickshank	
Senior Property Manager APL Property	General Manager, Infrastructure
6/03/2015	9/03/2015

Background

- 3 Council has issued a number of licences for outdoor dining around the district in accordance with the Table and Chairs Policy 2006. Following an audit of all Property of all Table and Chair licences in the district, APL approached Public to formalize the Table and Chairs currently in use upon a section of Steamer Wharf, across from the kiwi statue.
- 4 The legal description of the land is Section 2 Block XVII, Town of Queenstown. The certificate of title is OT B1/226. The land is classified as Recreation Reserve.

- 5 As the restaurateur was not aware that the land being occupied was administered by Council, temporary approval has been given for them to continue to occupy the land until the decision on the licence has been made.

Comment

- 6 It is proposed to grant a licence for an outdoor dining area on recreation reserve adjacent to the Steamer Wharf in central Queenstown. Public Kitchen and Bar wish to place one long communal table, three square tables, four bench seats and nine chairs on the aforementioned reserve. As per the included plans and photos, the tables are made of Kiwla and Iron, and the chairs are made of distressed wood and metal. These are in keeping with the present furniture in the area, such as Patagonia and Vudu Café.
- 7 Under the terms of the licence, the restaurant would be able to locate table and chairs, on the reserve for use by their customers until 10pm each day. They will pay to Council a fee equivalent to \$80 + GST per square metre pursuant to the Councils Table and Chairs policy of 2006. The licence is annually renewable on the 1st of December as is the fee. Please note that this policy is scheduled for review and any pricing or policy changes will be incorporated at renewal each December.
- 8 As the land is recreation reserve, there was a requirement for Council to advertise the intention to grant a lease under section 54(1) (d) and section 119 of the Reserves Act 1977. The submission period closed on the 30th January 2015 with no submissions received.
- 9 The reserve is managed in conjunction with the Sunshine Bay to Kelvin Heights Reserve Management Plan 1991. The application conforms to all objectives of the plan, but most specifically to no.3 whereby:
To accommodate appropriate commercial development that enhances public use and enjoyment of the foreshore and adjoining waters.

Options

1. To grant a licence over Section 2 Block XVII, Town of Queenstown to Public Kitchen and Bar as per the attached plans, subject to the Table and Chairs policy terms and conditions.

Advantages

- Council will be encouraging further alfresco dining in the area which is known for adding vibrancy to the town centre and therefore visitor experience.
- Council and the rate payers will derive rental income from the licence.

Disadvantages

The activity requires the occupation of reserve land, which would be otherwise available for public use.

2. To decline granting a license over Section 2 Block XVII, Town of Queenstown to Public Kitchen and Bar.

Advantages

The reserve land would be kept free for public use.

Disadvantages

- Council would not be encouraging alfresco dining in the area which is known for adding vibrancy to the town centre and therefore visitor experience.
- Council and the rate payers would not derive rental income from the licence.

Financial Implications

10 There are no material financial implications.

Local Government Act 2002 Purpose Provisions

11 The proposed action is consistent with the principle to operate in accordance with sound business practices (s.14 (1) (f).)

Council Policies

12 The following Council Policies were considered:

- Significance and Engagement Policy 2014.
 - The recommendations of this paper are considered of low significance as outlined in the policy, whereby there is little impact to residents or ratepayers.
 - The level of community engagement envisaged is appropriate given the reserve is not a strategic asset but that the issue is still of community interest.
- Table & Chair Policy 2006. The application conforms to the policy criteria in all aspects.
- Sunshine Bay to Kelvin Heights Reserve Management Plan 1991. The application conforms with objective 3 of the plan.

Consultation

13 Public notice with respect to the intention to grant a lease over a recreation reserve has been conducted under Section 52(1) (d) & 119 of the Reserves Act 1977. No submissions were received.

Publicity

14 There is no requirement for a media statement or public communication to support this decision at this time

Attachments

- a) Map of table and chair area
- b) Supporting photos of furniture to be used (not in location requested)



Attachment B



photo #1 Long Communal Table 4000 x 800



photo #2 Outside Area as per Plan.



photo #3 Wooden Table 800 x 800 with
Distressed wood chairs.