

QLDC Council  
6 October 2016

Report for Agenda Item: 8

Department: Property & Infrastructure

Proposed new licence for Wakatipu Dog Agility Club at Jardine Park

Purpose

The purpose of this report is to consider a new licence to Wakatipu Dog Agility Club for their operation and shed on Jardine Park.

Recommendation

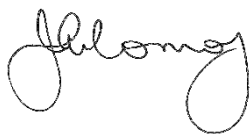
That Council:

1. **Note** the contents of this report;
2. **Approve** a new licence to Wakatipu Dog Agility Club on Part Lot 69 DP 9249 subject to the following terms:

Commencement	1 October 2016
Term	3 years
Renewals	Two of 3 years each by agreement of the parties
Rent	Pursuant to the Community Facilities Pricing Policy
Reviews	At renewal
Early Termination notice	1 year (but not in the first three year term) for core infrastructure projects
Other	At expiry or termination, improvements to be removed or revert to Council ownership (Licensees choice). Public liability Insurance required. Health and Safety plan to be provided for approval. Club to remove all waste after each session. Council able to suspend the licence if the reserve is needed for another event, for maintenance or development or due to safety issues. Public access to be maintained at all times.

3. **Agree** to the exercise of the Minister's prior consent (under delegation from the Minister of Conservation) to the granting of a licence to the Wakatipu Dog Agility Club on Part Lot 69 DP 9249.
4. **Delegate** signing authority to the General Manager, Property and Infrastructure.

Prepared by:



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Property Advisor

23/08/2016

Reviewed and Authorised by:



Aaron Burt  
Parks & Reserves: Planner

15/09/2016

## Background

- 1 The Wakatipu Dog Agility Club was granted an "agreement" to operate on Jardine Park for five years from 1 October 2011 so the agreement expires on 31 September 2016. The agreement allows them to have a storage shed on the reserve and to operate dog training sessions for up to 40 days in any year. The area of their shed and operation are shown on Attachment 2.
- 2 The club currently has around 15 members. They are hoping to expand by offering classes in the early evening mid-week during the summer as well as their usual Saturday morning classes (9.30-12.30).
- 3 Jardine Park is a recreation reserve legally known as Pt Lot 69 DP 9249. It is covered by the Kelvin Heights recreation reserve management plan. Policy 6.1.9 states "To arrange leases or agreements for all clubs and organisations using particular areas of the Reserve on a regular basis."
- 4 For those who are not familiar with dog agility, it is akin to "Tux Wonder Dogs". Some images of the activity are included as Attachment 1.
- 5 We have not had any complaints about this activity in the past.
- 6 The intention to grant a new licence was notified on 31 August 2016 with the period for submissions closing on 28 September 2016. No submissions were received.

## Comment

- 7 Although the club is small, it is intending seeking more members in the coming summer by offering an alternative session. Dogs who have been through the programme are generally well trained and well behaved.
- 8 There is not a lot of formal recreation on Jardine Park.
- 9 The following terms and conditions are suggested for a new licence:

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Rent	Pursuant to the Community Facilities Pricing Policy
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Early Termination notice	1 year (but not in the first 3 year term) for core infrastructure projects
Other	At expiry or termination, improvements to be removed or revert to Council ownership (Licensees choice). Public liability Insurance required. Health and Safety plan to be provided for approval. Club to remove all waste after each session. Council able to suspend the licence if the reserve is needed for another event, for maintenance or development or due to safety issues. Public access to be maintained at all times.

- 10 It should be noted that the 'early termination notice' above has been revised subsequent to the notification period and the preceding decision of the Property Subcommittee. This is to reflect the standard terms of the conditions for community leases. Whereas the original recommendation was that termination could be "1 year (but not in the first year)", this has been revised to be "1 year (but not in the first 3 year term)."

## Options

- 12 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002:

- 13 Option 1 Approve new licence to Wakatipu Dog Agility Club on Part Lot 69 DP 9249 subject to the above terms.

### *Advantages:*

- 14 Will enable the Dog Agility Club to continue to operate.

### *Disadvantages:*

- 15 The Club will continue to occupy part of the reserve during Saturday mornings and extend to some mid-week evenings during the summer.

- 16 Option 2 Approve a new licence to Wakatipu Dog Agility Club on Part Lot 69 DP 9249 subject to different terms than those above.

*Advantages:*

17 Similar to above.

*Disadvantages:*

18 Similar to above.

19 Option 3 Decline the new licence to Wakatipu Dog Agility Club.

*Advantages:*

20 Reserve will be free of the Club on Saturdays and one evening during the summer.

*Disadvantages:*

21 The club will not be able to continue to operate.

22 This report recommends Option 1 for addressing the matter because the club, although small, offers another recreational activity for the community and results in well-behaved dogs.

***Significance and Engagement***

23 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it refers to a recreation reserve that is important to the community.

***Risk***

24 This matter relates to operation risk OR011A Decision Making. The risk is classed as moderate

**Financial Implications**

25 The Club will meet all costs incurred in granting this licence. This matter does not have any other financial implications.

**Council Policies, Strategies and Bylaws**

26 The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy
- Kelvin Heights Recreation Reserve Management Plan

The recommended option is consistent with the principles set out in the named policy/policies.

27 This matter is not included in the 10-Year Plan/Annual Plan and does not have any impact on it.

## **Local Government Act 2002 Purpose Provisions**

28 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by facilitating the operation of a volunteer club;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

## **Consultation: Community Views and Preferences**

29 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes District community, and the Kelvin Peninsula Community Association (KPCA). The intention to grant the licence was publicly notified and no submissions were received. The KPCA has been consulted and does not object to a new licence being granted.

## **Attachments**

- A Photographs of activity and shed
- B Aerial photograph showing area of activity and location of shed

## Wakatipu Dog Agility Club – Attachment 1





## Wakatipu Dog Agility Club – Attachment 1





## Wakatipu Dog Agility Club – Attachment 1



Storage shed with Wakatipu Croquet Club building in background.





The map is an approximate representation only and must not be used to determine the location or size of items shown, or to identify legal boundaries. To the extent permitted by law, the Queenstown Lakes District Council, their employees, agents and contractors will not be liable for any costs, damages or loss suffered as a result of the data or plan, and no warranty of any kind is given as to the accuracy or completeness of the information represented by the GIS data. While reasonable use is permitted and encouraged, all data is copyright reserved by Queenstown Lakes District Council. Cadastral information derived from Land Information New Zealand. CROWN COPYRIGHT RESERVED