

QLDC Council
17 August 2017

Report for Agenda Item: 14

Department: Property & Infrastructure

Glendhu Adventures – Licence to Occupy Recreation Reserve

Purpose

The purpose of this report is to consider a new licence to Glendhu Adventure Ltd to operate a commercial kayak and stand up paddle board rental, lessons and guided tours operation on adjacent Lake Wanaka, from Rotary Park Reserve, Glendhu Bay.

Recommendation

That Council:

- 1 **Note** the contents of this report;
- 2 **Approve** a new licence over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka, classified as Recreation Reserve to Glendhu Adventure Ltd for conducting commercial kayak and stand up paddle board rental, lessons and guided tours on Lake Wanaka adjacent to the licence area, subject to the following terms and conditions:

Commencement	1 November 2017
Term	5 years
Renewal	One further term of 5 years by agreement of both parties
Rent	Base rent of \$500, or 7.5% of gross turnover, whichever is the greater
Reviews	2.5 yearly
Operating Hours	8.30 am – 7.00 pm
Maximum Craft	No more than 8 stand up paddle boards and no more than 5 sit on top kayaks for hire at any one time.
Insurance	Requirement to have public liability insurance of \$2 million
Safety/Suspension	Council to retain ability to suspend the licence for safety purposes or to avoid large public events.

Other

Licensee must ensure they hold a valid resource consent for the purpose of commercial kayak and stand up paddle board rental, lessons and guided tours.

- 3 **Agree** to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a licence to Glendhu Adventure Limited over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka.
- 4 **Delegate** signing authority to the General Manager, Property and Infrastructure

Prepared by:



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10/07/2017

Reviewed and Authorized by:



Aaron Burt
Senior Planner: Parks & Reserves

28/07/2017

Background

- 1 Glendhu Adventures Ltd (**the applicant**) has been in operation since 7 September 2015. The company provides kayak and stand up paddle board rental, lessons and guided tours based from the Reserve known as Rotary Park, Glendhu Bay, Wanaka. The water-based activities take place on the adjacent lake areas.
- 2 They previously operated on a temporary permit based out of the reserve known as Rotary Park, Glendhu Bay, Wanaka. This land is legally known as SEC 14 SO 347712 and is vested in QLDC.
- 3 The applicant previously held a temporary permit for the summer months of December 2015 through February 2016. This was subject to a maximum of no more than 40 days operation in total, with no more than 6 consecutive days, which is a Reserves Act 1977 requirement.

Comment

- 4 The applicants have requested a licence in an area approved by the Reserve Management Plan update of 2015/16. The current company director, Hamish Mclean, is currently in the process of selling half of the business to Hamish Cooper an experienced kayak guide. Both are experienced operators with a history working in the industry. They seek to offer kayak and stand up paddle board rentals, lessons and tours.

- 5 The proposed licence will be clear that the licence area is only to be used to in conjunction with water-based activities on the immediately adjacent areas of Lake Wanaka.
- 6 Glendhu Adventure Ltd have a current resource consent for the proposed activity and in line with the proposed licence terms and conditions under RM150856.
- 7 The licensee has gained approval for operations from the Harbour Master as of 22 December 2016 after review of their Safety Operational Plan (**SOP**) and emergency procedures.
- 8 The Wanaka Rotary Club has been actively involved in this land parcel. It currently holds naming rights over this land and has given support for the operation to take place.
- 9 The Wanaka Community Board considered the new licence at their meeting on 30 March 2017. They approved notification of the new lease and no submissions were received at completion of the notification period on 13 May 2017.

Options

- 10 Option 1 To approve a new licence over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka, classified as Recreation Reserve to Glendhu Adventure Ltd for conducting kayak and stand up paddle board rentals, lessons and guided tours on adjacent areas of Lake Wanaka, subject to the terms and conditions outlined above.

Advantages:

- 11 Will allow commercial activity that provides a beneficial form of recreation and enjoyment of Council land and access to Lake Wanaka.
- 12 Will generate additional income for Council.

Disadvantages:

- 13 Will potentially increase commercial congestion on the reserve land and lake surface.

- 14 Option 2 To approve a licence over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka, classified as Recreation Reserve to Glendhu Adventure Ltd for conducting kayak and stand up paddle board rentals, lessons and guided tours on adjacent areas of Lake Wanaka, subject to different terms and conditions.

Advantages:

- 15 Similar to above.

Disadvantages:

- 16 Similar to above.

- 17 Option 3 To decline the application made by Glendhu Adventure Ltd over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka.

Advantages:

- 18 Will avoid any additional congestion that might result from the proposed kayak hire and guiding business off the reserve.

Disadvantages:

- 19 Will prevent a new commercial activity from operating off the reserve.
- 20 Will not generate additional income for Council.
- 21 This report recommends **Option 1** for addressing the matter as the recommendations proposed provide a balance between Council controls and the ability for the operator to conduct a successful business.

Significance and Engagement

- 22 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves a Council strategic asset being a lakefront reserve, used by a number of rate payers particularly in the summer season.

Risk

- 23 This matter related to the operational risk, OR011A Decision Making as documented in the Council's risk register. The risk is classed as moderate. The risk is mitigated by the need to publicly notify the licence and consider any submissions received prior to considering granting a licence.

Financial Implications

- 24 Council is set to receive minimum income per annum of \$500+GST, or 7.5% of gross revenue, whichever is the greater. The applicant has agreed to pay for all licence drafting and notification costs.

Council Policies, Strategies and Bylaws

- 25 The following Council policies, strategies and bylaws were considered:
- Wanaka Foreshore Reserves Management Plan
 - Community Facility Pricing Policy 2011
- 26 The recommended option is consistent with the principles set out in the named policy/policies.

Local Government Act 2002 Purpose Provisions

- 27 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 providing a decision for a commercial activity to Council in a timely manner;
- 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

- 28 The persons who are affected by or interested in this matter are predominantly the users of Rotary Park and its boat launching facilities.
- 29 The Rotary Foundation has been consulted prior to granting the 2015 permit and gave the applicant approval to use the reserve.
- 30 The Council has publicly notified the intention to grant a licence for this activity with no submissions being received.

Attachments

- A Location Plan



Proposed Water Based Activity
Glendhu Adventure Ltd
Glendhu Bay, Lake Wanaka

ISSUE	AMMENDMENTS	DATE	Scale:	Job No:
A	Location	25 Nov 2015	1:1000	5429
B	Boat ramp added	26 Nov 2015		
C	Location	2 Dec 2015	Datum:	Plan No:
D			MSL	W848
E				Drawn: MJS
				Date: September 2014