

**QLDC Council
25 October 2018**

Report for Agenda Item: 6

Department: Community Services

Millbrook Cricket Club – New Reserve Licence

Purpose

To consider approving a new licence to the Millbrook Cricket Club, for part of a building located on Recreation Reserve at Millbrook Corner.

Recommendation

That Council:

1. **Note** the contents of this report;
2. **Grant** a new licence under section 54(1)(c) of the Reserves Act 1977, to the Millbrook Cricket Club (or nominee), for clubrooms and storage, on Section 8 SO 434963, subject to the following conditions:

Commencement	TBC
Term	10 years
Rent	\$1 per annum pursuant to Community Pricing Policy
Reviews	At renewal or when Community Facility Funding Policy is reviewed
Renewals	One of 10 years (by agreement of both parties)
Use	Clubrooms, meeting space and storage facilities associated with cricket
Assignment and Sublease	With Lessors prior written approval
Insurance	\$2 million public liability insurance cover
Termination	Council can give 2-years cancellation notice if the land is required for the 'provision of core infrastructure services' (not in the first 2 years)

Special Conditions

At expiry, lessee to remove all chattels from the premise but all fixtures and fittings affixed to the premises shall revert to the lessor without any compensation

3. **Agree** to the exercise of the Minister's consent under delegation from the Minister of Conservation, to grant a licence to the Millbrook Cricket Club over the reserve land detailed above.
4. **Delegate** final licence terms and conditions, approval of entity name and signing authority to the General Manager Community Services.

Prepared by:

Reviewed and Authorised by:



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Property Advisor - APL

2/10/2018



Aaron Burt
Senior Planner:
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2/10/2018



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Community Services
General Manager
10/10/2018

Background

- 1 The QLDC is responsible for the Recreation Reserve located on the corner of Malaghans Road and Arrowtown-Lake Hayes Road, locally known as Millbrook Corner. This is reserve legally described as Section 8 SO 434963.
- 2 The Millbrook Cricket Club has been using the reserve since the clubs' inception in 1992. The club is not currently incorporated, but this is expected to be completed over the next few months.
- 3 After approximately two years of negotiations and discussions between the club, QLDC and Millbrook Resort, a building was constructed on the reserve, which functions as both public rest rooms, as well as the club house for the Millbrook Cricket Club.
- 4 In early 2014, an agreement was made between the Millbrook Cricket Club and QLDC, which outlined each parties' responsibilities following the completion of the building. The club is responsible for the cleaning to those areas not accessible to the public (inside the club room & storage area), while QLDC is responsible for cleaning to the public toilets, exterior maintenance to the building and the surrounding land.

- 5 The building was opened in 2015 under a second agreement with Council, which provided the club with five years' free use, to be reassessed on the 7th of November 2019. Free use of the space is in line with the conditions outlined in the Community Facility Funding Policy.
- 6 Following this agreement, an official licence has never been put in place. The club are currently seeking a licence which will provide some longevity and security for the clubs previous 25 years of development.
- 7 The process to grant a licence required notification under section 119 of the Reserves Act. The intention to grant a new licence was notified on 23 August 2018 and no submissions were received.

Comment

- 8 As the licence is proposed on a Recreation Reserve, and is not contemplated by the Reserve Management Plan, the intention to grant a licence was publicly notified, calling for submissions. The Reserve Management Plan specifically provides for sporting activities, but not for buildings aside from public toilets and shelters.
- 9 The club often allow other cricketers to use the facilities. The club is used for T20 competition, Saturday club cricket, and regular Sunday games.
- 10 The club is nearing completion of two top level practice wickets, which will be gifted to Council to operate on behalf of the community.
- 11 The actual cricket grounds are booked through the QLDC Events Office, however priority of use is given to the Millbrook Cricket Club. Other events are considered and addressed on a case by case basis.
- 12 The club has contributed upwards of \$80,000 to the construction of the various facilities, including cricket wickets, practice nets and contributions to the clubhouse construction. The club has also provided at their expense, plants for the landscaping and currently maintain the area within the picket fence and immediately around the car park.
- 13 An artificial cricket wicket was installed on the ground at the club's expense in 2008/9 at an approximate cost of \$25,000.
- 14 The licence covers the use of the clubhouse portion of the building only and all exterior building maintenance and grounds landscaping will be undertaken by Council.
- 15 An initial term of 10 years is proposed, with one renewal by agreement of both parties, in line with Council's community lease terms guidance, due to contribution to the construction of the facility and the additional improvements made at the grounds by the club over the past few years.

Options

- 16 Option 1 Approve a new licence to the Millbrook Cricket Club, for the clubhouse building, subject to the terms and conditions listed above

Advantages:

- 17 Will enable the Millbrook Cricket Club to continue to provide cricket facilities for ten years.
- 18 Will provide clarity to both parties as to the agreement in place.
- 19 Will be in line with other local community group licences

Disadvantages:

- 20 Will commit Council to having the club on site for at least another 10 years (unless the land and/or building are required for significant infrastructure purposes).
- 21 Option 2 Decline a licence to the Millbrook Cricket Club and to require them to vacate the site when the current agreement ends in 2019.

Advantages:

- 22 Would not commit Council to having the club on the site for a further 10 years.

Disadvantages:

- 23 The Cricket Club would cease to provide facilities to support cricket in Arrowtown.
 - 24 It would severely impact the success of a local community club and may force the club to find an alternate location.
- 25 This report recommends **Option 1** for addressing the matter because it will allow cricket to continue in Arrowtown and permit a local community group to continue to grow and develop.

Significance and Engagement

- 26 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves the use of a reserve that is a strategic Council asset.

Risk

- 27 This matter relates 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

28 The cricket club will meet the cost of advertising and drafting the new licence.

Council Policies, Strategies and Bylaws

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

- Community Facility Funding Policy 2011
- Community Lease and Licence Terms Resolution of 2016
- Arrowtown – Lake Hayes Reserve Management Plan 2013

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

31 This matter is not included in the 10-Year Plan/Annual Plan and has no impact on it.

Local Government Act 2002 Purpose Provisions

32 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 enabling the sport of cricket to continue in Arrowtown for the next 10 years;
- 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

33 The persons who are affected by or interested in this matter are the residents and visitors the Queenstown Lakes District, including the club members and other visitors to the reserve.

34 The Council provided a mechanism for community consultation through the public notification of the intention to grant a licence. No submissions were received, although an information pack was provided to the Millbrook Country Club.

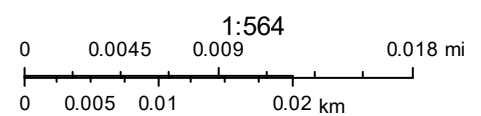
Attachments

- A Licence Area Aerial Image
- B Plan of Building and Licence Area
- C Site Location

Attachment A - Millbrook Cricket Club - Licence Area¹⁰⁴



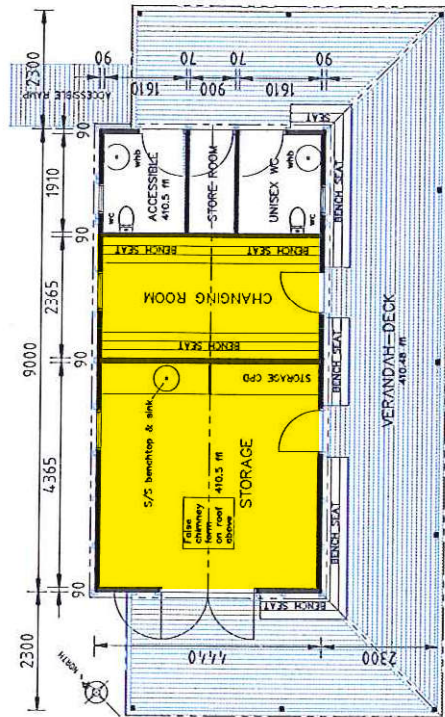
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BC 131233



Tuesday, 29 October 2013

PROPOSED NEW TOILET & STORAGE BUILDING at
MILLBROOK CORNER for QUEENSTOWN LAKES DISTRICT COUNCIL.
FLOOR PLAN AND ELEVATIONS

Scale:	1:100	Sheet:	sk
File:	MILLBROOK CORNER	Update:	21-5-13.
Drawn:	MATTHEW WHITE		

sk5-2

Attachment C - Reserve Location

