

Item: 5 - Proposed New Licence – Lake Hawea BMX Park**Purpose – Decision Making**

- 1 To commence the process to allow the construction of a BMX Park on Council reserve at Lake Hawea

Executive Summary

- 2 The Lake Hawea community is seeking a licence from Council to enable it to establish a BMX Park on the Council reserve on the corner of Noema Terrace and Domain Road.

Recommendation

1. ***That the Wanaka Community Board approve in principle a new licence to the Wanaka Bike Club (or other party as approved by the General Manager, Operations) over Section 37, Block IV Lower Hawea Survey District subject to the following terms and conditions:***
 - a. ***Commencement: 1 December 2013***
 - b. ***Term: 5 years***
 - c. ***Renewal: One of 5 years by agreement of both parties***
 - d. ***Rent: Pursuant to the Community Facilities Pricing Policy which at commencement would be \$1 per annum***
 - e. ***Rent Reviews: 2 yearly***
 - f. ***Development costs: To be met by the applicant***
 - g. ***Assignments: Lease assignable only upon Council consent***
 - h. ***Insurance: Lessee must have Public Liability Insurance of \$2,000,000 (Two Million Dollars)***
 - i. ***Rules of Operation: To be approved by the General Manager, Operations, prior to commencement***
 - j. ***Uses: Restricted to a BMX track but including the ability to build a storage shed at some time in the future, the design of which to be approved by the General Manager, Operations.***
 - k. ***Sub-letting: Only with the approval of Council.***
 - l. ***Audited Health and Safety plan by an accredited member of the MBIE to be provided.***
2. ***That the intention to grant such a licence be publicly notified seeking submissions.***
3. ***That the Mayor nominate a panel to hear the submissions (if required) and make a recommendation to Council.***

Prepared by:



Gordon Bailey, Parks Technical Officer

Reviewed and Authorised by:



Ruth Stokes, GM Operations

Discussion

Detail of the proposal and a summary of the licence approval process are discussed in the attached memorandum from APL Property Ltd.

Options

- 3 To accept the proposal as outlined.
- 4 To decline or amend the proposal.

Local Government Act 2002 Purpose

- 5 In relation to section 10(1) (b) of the Local Government Act 2002 the proposed activity involves meeting the current and future needs of the Hawea community for good quality local public services in a way that is most cost effective for households and businesses.

Significance of Decision

- 6 The recommended decision is not significant under Council's policy on significance. The decision does not affect a large proportion of the population, does not propose unbudgeted expenditure and does not involve a significant asset

Consultation - Interested or Affected Persons

- 7 It is understood that the Community has undertaken appropriate consultation. However the licence is to be publicly notified so this will give a further opportunity for consultation.

Relevant Council Policies and Plans

- 8 Parks Strategy 2002.

Delegations

- 9 The Community Board has the authority to make decisions with respect to reserves within the Wanaka Ward; the Council must approve the appointment of the hearings panel.

Risk Management

- 10 This report does not raise any matters which would impact upon the strategic risks identified in the risk register.

Attachments

- A [Attachment A - Memo from APL outlining the proposal.]
- B [Attachment B - Plan of proposed BMX track.]

New Licence – Lake Hawea BMX Park

Report From: Joanne Conroy, APL Property
Report To: Gordon Bailey, Parks Technical Officer
Report Dated: 16 September 2013

Background

The Lake Hawea Community are seeking approval to build a BMX track on Council recreation reserve on the corner of Domain Road and Noema Terrace, Lake Hawea. The land is known as Section 37, Block IV Lower Hawea Survey District.

They are intending to join with the Wanaka Bike Club so the licence would most likely be in the name of Wanaka Bike Club, and the Bike Club would cover the liability insurance and help with construction. However, if that does not eventuate (the Bike Club are not meeting formally until October) a new club will be formed and incorporated to facilitate the licence. The track has been designed with assistance of International BMX competitors. A draft plan of the track alignment is attached. Rules for the track are yet to be finalised but are intended to seek ownership from the youth population.

The BMX track would be a fun track with small mounds of dirt that smaller children can roll and older children can jump, aimed to teach the skills needed for racing bikes. It is intended to suit all ages. No buildings are required at this stage but at a later date a shed for storage of hand tools for on-going maintenance might be desirable, to be approved by the General Manager, Operations. A water connection will be required to manage dust but this is available on Noema Terrace.

The applicants have consulted with planners and it seems likely that resource consent should be fairly straight-forward as the total earthworks to be moved will not be significant. Consultation has also been undertaken with neighbouring property owners who are mainly supportive, although the owner of an adjacent property has raised concerns about the potential negative impacts of young people being left unsupervised on the site for long periods of time.

Discussion

It is desirable to have a licence in place for the BMX track so that someone other than Council is responsible for construction, on-going maintenance and public liability. The club has discussed this with the Board at a previous meeting.

The process to grant a licence for a recreational activity on a recreation reserve is as follows:

1. Approval of the Board in principle and nomination of a hearing panel;
2. Notification seeking submissions;
3. A hearing if needed;
4. A resolution of QLDC

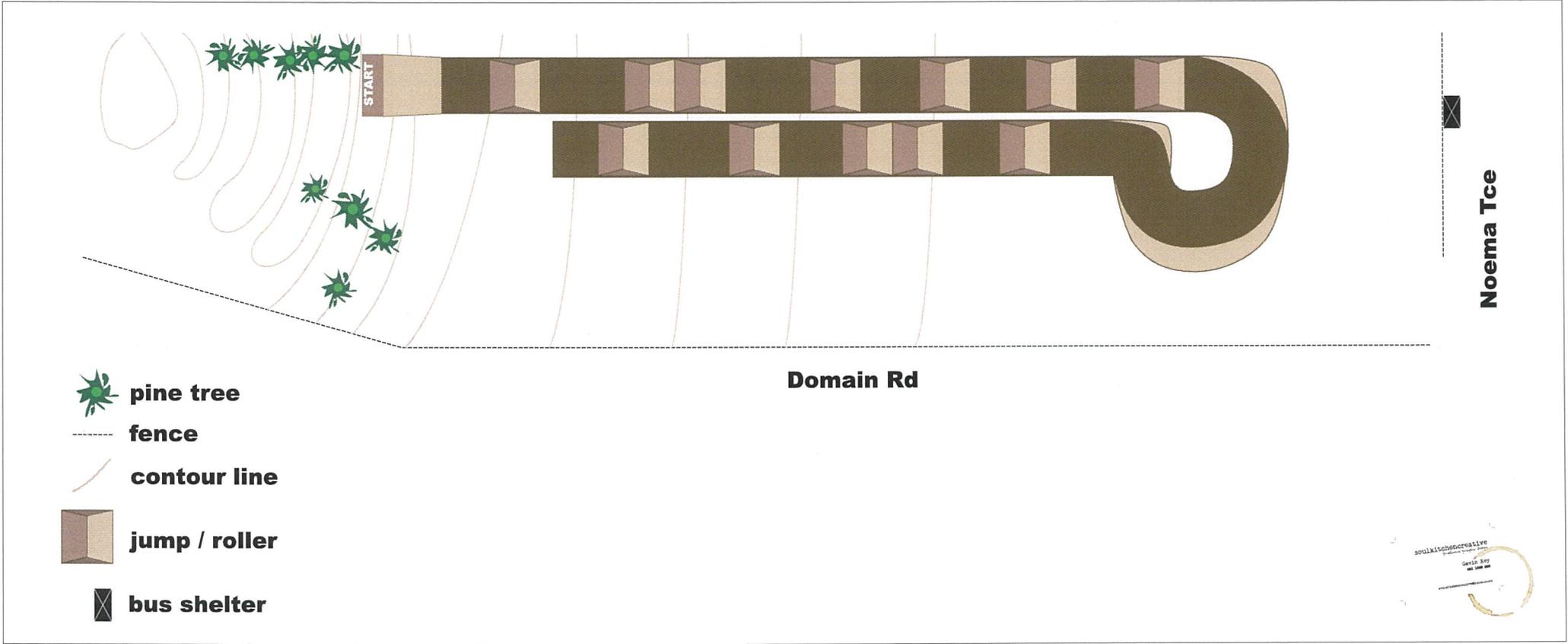
As the local body elections are nearing, we recommend that the Mayor be delegated to nominate a hearing panel if required. If the track does not come under the umbrella of Wanaka Bike Club, the General Manager, Operations could be delegated to approve an alternative incorporated club.

We recommend that the terms and conditions of the licence be as follows:

- a. Commencement: 1 December 2013**
- b. Term: 5 years**
- c. Renewal: One of 5 years by agreement of both parties**
- d. Rent: Pursuant to the Community Facilities Pricing Policy which at commencement that would be \$1 per annum.**
- e. Rent Reviews: 2 yearly**
- f. Development costs: To be met by the applicant**
- g. Assignments: Lease assignable only upon Council consent**
- h. Insurance: Lessee must have Public Liability Insurance of \$2,000,000 (Two Million Dollars)**
- i. Rules of Operation: To be approved by the general manager Operations prior to commencement**
- j. Uses: Restricted to a BMX track but including the ability to build a storage shed at some time in the future, the design of which to be approved by the General Manager, Operations.**
- k. Sub-letting: Only with the approval of Council**
- l. Audited Health and Safety plan by an accredited member of the MBIE to be provided.**

Options

1. To approve the licence in principle, approve notification of the intention to grant such a licence and to approve the nomination of a hearing panel (if required) by the Mayor; or
2. Not to approve the above.



pine tree



fence



contour line



jump / roller



bus shelter

Domain Rd

Noema Tce

