

QLDC Council
29 September 2016

Report for Agenda Item: 9

Department: Property & Infrastructure

Proposed new grazing licence for Jacks Point Recreation Reserve

Purpose

The purpose of this report is to consider approval for a new grazing licence for an area of recreation reserve at Jacks Point.

Recommendation

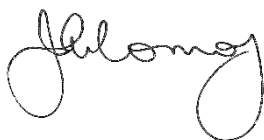
That Council:

1. **Note** the contents of this report;
2. **Approve** a new grazing licence to Jack Point Farm Limited over Lot 13 DP 364700 subject to the following conditions:

Commencement	1 September 2016
Term	Five years
Renewals	One of a further five years at Council's discretion
Rent	\$1.00 (if demanded)
Rent Reviews	Upon renewal
Insurance	Licensee to provide \$2 million public liability insurance
Use	Grazing Sheep only, ability to spray, fertilise and seed
Other	Council able to give 12 months' notice of early termination Licensee to control noxious weeds on the land at his cost.

3. **Delegate** signing authority to the General Manager, Property and Infrastructure.

Prepared by:



Joanne Conroy – APL
Property
Property Advisor
12/08/2016

Reviewed and Authorised by:



Aaron Burt
Planner: Parks and Reserves
12/09/2016

Background

- 1 Lot 13 DP 364700 is a recreation reserve on Maori Jacks Road, Jacks Point that was vested on deposit as part of the reserve land contribution for the subdivision development. It is known as Jack Tewa Park. While some of the area has been developed as sports grounds and playground, the balance is undeveloped and unmaintained, thus creating an eyesore for neighbouring homeowners.
- 2 Jack Point Farm Limited have offered to graze the land with sheep so that the grass and weeds are kept to a minimum. The land is quite difficult with piles of fill and steep contours in some places and so until further development is undertaken, there is little use for it at present. The mounded areas are fill left over from the development of the sports field. When the land was vested some years ago, the mounds were part of it.
- 3 The farmer advises that there is no economic benefit for him in grazing, he is simply helping to keep the grass short. The area has recently been fenced at Council's cost (or shared where it borders Jacks Point land). There is nothing proposed by either Council or the grazer to do anything about the areas of mounding.
- 4 The land is recreation reserve subject to the Reserves Act 1977. Therefore the intention to grant a grazing licence was notified calling for submissions. No submissions were received.

Comment

- 5 The land has not been maintained to date and was recently sprayed by helicopter (at Council's cost). However, that is no longer a maintenance option because houses are being built near to the land. It would be difficult to spray from the ground because the piles of topsoil that are located on it would make it too steep. As it is fenced, having sheep graze it from time to time is a cost effective way of maintaining it.
- 6 The farmer does not wish to pay a licence fee because the land is too small and rough to be of any economic benefit to him. Because of the location there is unlikely to be any alternative grazing proposals – it is too small and in the middle of a residential subdivision so difficult to bring stock in and out from any distance.
- 7 The licence would be granted pursuant to section 74(2) (a) subject to the following terms:

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10 We have consulted with Reserves and they agree this is a cost effective and appropriate way of dealing with this particular reserve in the interim.

Options

11 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.

12 Option 1 Approve a new grazing licence to Jacks Point Farm Limited over Lot 13 DP 364700 as detailed above.

Advantages:

13 The land would be maintained at no cost to Council.

Disadvantages:

14 The land cannot be used for any other purpose for five years unless twelve months' notice is given to terminate.

15 Option 2 To approve a new grazing licence to Jacks Point Farm Limited over Lot 13 DP 364700 subject to different terms and conditions.

Advantages:

16 Similar to above.

Disadvantages:

17 Similar to above.

18 Option 3 To decline the application for a new grazing licence.

Advantages:

19 The land will not be occupied so that other activities can be undertaken on it.

Disadvantages:

20 Council will need to maintain the land.

21 This report recommends Option 1 for addressing the matter because it will be a cost effective way of maintaining an area of reserve until it is required for reserve purposes.

Significance and Engagement

22 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it relates to a recreation reserve. As the reserve is not developed and no immediate use has been identified, the significance is only medium, not high.

Risk

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

Financial Implications

24 There are no financial implications from this matter. The applicant will meet the notification costs.

Council Policies, Strategies and Bylaws

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

- Significance and Engagement Policy

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

27 This matter does not affect in the 10-Year Plan/Annual Plan

Local Government Act 2002 Purpose Provisions

28 The recommended option:

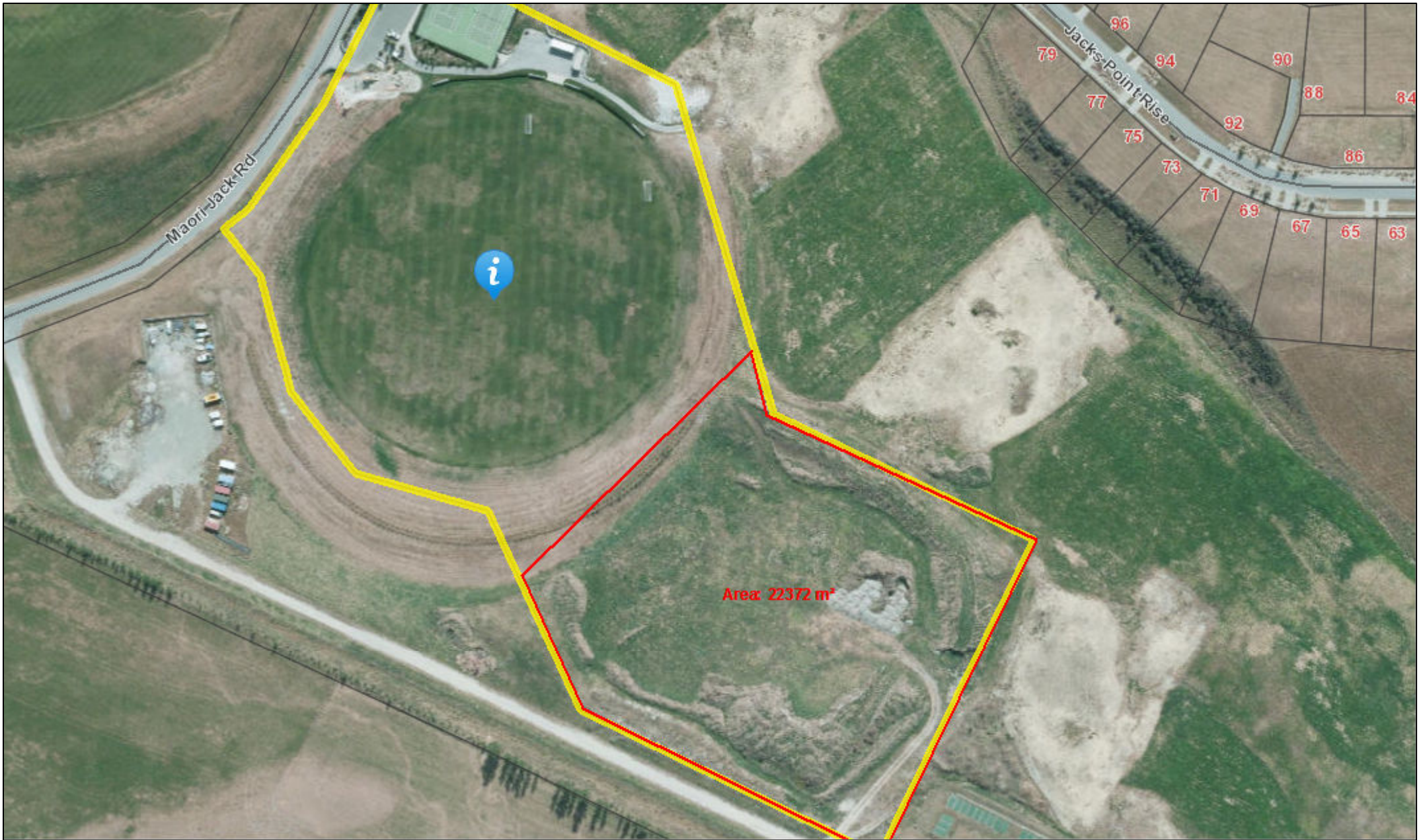
- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by ensuring an area of reserve is maintained without incurring any cost to Council;
- 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. The intention to grant a licence was publicly notified calling for submissions and no submissions were received.

Attachments

A Aerial photograph showing the area to be grazed hatched



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