

QLDC Council
23 June 2017

Report for Agenda Item: 7

Department: Property & Infrastructure

Queenstown Commercial Parapenters – New Reserve Licence

Purpose

The purpose of this report is to consider granting a new commercial reserve licence to Queenstown Commercial Parapenters Limited, operating as GForce Paragliding, to land at the Queenstown Recreation Ground, as a secondary location.

Recommendation

That Council:

1. **Note** the contents of this report;
2. **Approve** a new licence over Section 134 BLK XX Shotover SD, classified as Recreation Reserve to the Queenstown Commercial Parapenters Ltd, for commercial parapent landings, subject to the following terms and conditions:

Commencement	Immediate
Term	5 years
Renewal	One further term of 5 years by agreement of both parties
Rent	\$10.00 (incl. GST) per landing, landing logs to be provided to Council on a 6-monthly basis.
Reviews	At renewal.
Use	Daytime only, when primary landing site is unavailable at the Queenstown Primary School.
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. Health and Safety plan to be provided to Council. CAA certification to be supplied to Council and kept up to date. Incident and near miss reporting to QLDC and Council as soon as is reasonably possible.

Other

Must ensure that a safe landing location is used free of other reserve users and members of the public, at all times. Not to interfere with Rugby club use of the grounds. Council event bookings to take priority over licence activity.

3. **Agree** to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a licence to Queenstown Commercial Parapenters Limited over Section 134 BLK XX Shotover SD.
4. **Delegate** signing authority to the General Manager, Property and Infrastructure.

Prepared by:



Dan Cruickshank
APL Property – Property
Advisor
5/06/2017

Reviewed and Authorised by:



Aaron Burt
Senior Planner: Parks &
Reserves
6/06/2017

Background

- 1 Queenstown Commercial Parapenters Limited (GForce) have operated in Queenstown for some decades. They currently have a lease from Council to take off from Bobs Peak above the Skyline Restaurant building. This lease commenced on the 1st June 2000 and expires on the 31st May 2020.
- 2 The Parapenters will typically land on the Queenstown Primary School's sports fields, where they have approval to do so, unless they are in use by the School, at which point they require a secondary landing site. This usually occurs during lunch time at the School, or when some other event is taking place on the grounds.
- 3 GForce currently hold a temporary reserve permit to land on the Queenstown Recreation Ground (Rec. Ground), adjacent to Memorial Centre. This allows them to land for a maximum of no more than 6 days consecutively or 40 days in total per year, which is a Reserves Act 1977 requirement.
- 4 Council developed and adopted a Reserve Management Plan for the Rec. Ground in 2005/6. This approved parapent landings taking place at the grounds, subject to limits and restrictions being imposed to limit user conflicts and to mitigate safety concerns that might arise.
- 5 Along with passive users, the Wakatipu Rugby Club are the main users of the Rec. Ground rugby field, and currently hold a lease over part of the Queenstown

Memorial Centre building. This lease commenced on the 1st October 2012 and expires on the 30th September 2032.

Comment

- 6 GForce provide an iconic adventure tourism activity in the heart of the Queenstown town centre. They have requested a licence over the Rec. Ground to formalise their use of the site, which has been ongoing for some decades.
- 7 We understand that previous approval for landings at the Rec. Ground was likely obtained on an informal basis through Council's CCO Lakes Leisure, prior to the sport and recreation portfolio being taken back in house at Council. Both private recreation and commercial users land at the site when the School's field is unavailable.
- 8 They are experienced operators, and require use of the site only as a backup location when the Queenstown Primary School is unavailable.
- 9 With an activity such as this, safety is a paramount consideration for both GForce and Council. The applicants have supplied a Safety Operating Plan and confirmed that they are also CAA approved.
- 10 The intention to grant a licence to GForce does not need to be publicly notified under the Reserves Act 1977, as the use was approved under the Reserve Management Plan process.
- 11 GForce have confirmed that they no longer land at Warren Park and therefore this location has not been included in the licence request.

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 To approve a licence over Section 134 BLK XX Shotover SD, classified as Recreation Reserve to the Queenstown Commercial Parapenters Ltd for commercial parapent landings, subject to the terms and conditions outlined above.

Advantages:

- 14 Will provide long term surety of use for an iconic Queenstown tourism activity.
- 15 Will generate additional income for Council.
- 16 Will enable Council to monitor and control use of the site by commercial operators.

Disadvantages:

- 17 There are potential safety concerns to other users of the Rec. Ground, which need to be managed closely by GForce and monitored by Council.
- 18 Option 2 To approve a licence over Section 134 BLK XX Shotover SD, classified as Recreation Reserve to the Queenstown Commercial Parapenters Ltd for commercial parapent landings, subject to different terms and conditions.

Advantages:

- 19 Similar to the above.

Disadvantages:

- 20 Similar to the above.

- 21 Option 3 To decline the application by Queenstown Commercial Parapenters Ltd over Section 134 BLK XX Shotover SD.

Advantages:

- 22 Would not create potential safety concerns to other users of the Rec. Ground.

Disadvantages:

- 23 Would not provide long term surety of use for an iconic Queenstown tourism activity.
- 24 Would not generate additional income for Council.
- 25 Would not enable Council to monitor and control use of the site by Commercial operators.
- 26 This report recommends Option 1 for addressing the matter as it provides a pragmatic licensing process which will aid in the management of the reserve and provide a long-term approval and surety of tenure to the commercial operator.

Significance and Engagement

- 27 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it formalises a commercial use of an important reserve in the Queenstown Town Centre.

Risk

- 28 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 because the use was foreseen and approved under a reserve management plan process.

Financial Implications

29 Council is set to received income of \$10.00 (incl. GST) per landing. Licence administration costs will be covered by existing property OPEX budgets.

Council Policies, Strategies and Bylaws

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

- Queenstown Recreation Reserve Management Plan 2006
- Community Facility Pricing Policy 2011

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

32 This matter is included in the 10-Year Plan/Annual Plan

- Through existing property OPEX budgets.

Local Government Act 2002 Purpose Provisions

33 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 income to Council and a decision 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

34 The persons who are affected by or interested in this matter are the users of the Rec. Ground. Specifically, the Wakatipu Rugby Club have been consulted with by GForce, and approve of the licence being granted, subject to rugby training and match use taking priority. The use was also publicly notified during the reserve management plan process.

Attachments

A Plan of proposed operating area

Figure 1: The Queenstown Recreation Reserve



 Landing Area