

QLDC Council
28 September 2017

Report for Agenda Item: 14

Department: Property & Infrastructure

New licence to Free Walking Tours Ltd to undertake guided tours in the Queenstown Town Centre

Purpose

The purpose of this report is to consider granting a new licence to Free Walking Tours Ltd for guided walking tours in the Queenstown Town Centre, once their current licence expires on 31 October 2017.

Recommendation

That Council:

1. **Note** the contents of this report;
2. **Approve** a new reserve licence under Section 54(1)(d) of the Reserves Act to Free Walking Tours Ltd on the following properties, subject to the terms and conditions listed below:

Description	Authority Responsible	Legal Description	Area	District Plan Zone	District Plan Designation
St Omer Park	QLDC	Section 2 Block XVII, Town of Queenstown, Part Sec 110 Blk XX Shotover SD. Certificate of title OTB1/226.	1.4670ha	Rural General Zone	217 – Recreation Reserve
Earnslaw Park	QLDC	Sections 6-18, 27, Crown Land Block XV, Queenstown. Certificate of title OT6A/439, OT4D/228, OT94/273, OT223/156, OT223/155, OT41/117, OT2/78, OT33/164 and OT109/87	0.1847ha	Queenstown Town Centre	219 – Recreation Reserve
Marine Parade	QLDC	Section 6 BLK L1, Town of Queenstown and Part Marine Parade. Certificate of title 46575.	0.6600ha	Queenstown Town Centre	204 – Recreation Reserve
Adjacent to Horne Creek	QLDC	Section 1-3, Block LII, Town of Queenstown. Certificate of Title OT18A/765.	1.3137ha	Rural General Zone	185 – Recreation Reserve
Queenstown Gardens	QLDC	Part section 4, Section 5 and Section 7 Blok L1, Town of Queenstown. Certificate of Title OT18A/765.	13.4545ha	Rural General Zone	205 – Recreation Reserve

Term:	Two years
Rent:	\$500 + GST per annum base rent, or 7.5% of gross revenue, whichever is the greater
Reviews:	Reviewed two-yearly upon renewal
Renewal	Three of two years each by agreement of both parties

Commencement: Upon Signing
Use: Commercially guided walking tours
Insurance: \$2 million public liability insurance cover
Advertising: Signs, advertising hoardings and other billboards etc are not permitted
Assignments: With the approval of Council
Special conditions:
a. Licensee to ensure all rubbish associated with their operation is removed from the area immediately.
b. Max group size of 20 people, plus 1 guide.
c. Sale of merchandise on or about the tracks or trails is not permitted
d. Health and Safety plan to be provided

3. **Agree** to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a new licence to Free Walking Tours Limited over the reserves detailed above.
4. **Delegate** signing authority to the General Manager – Property and Infrastructure.

Prepared by:



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Property Advisor APL

26/08/2017

Reviewed and Authorised by:



Aaron Burt
Senior Planner: Parks &
Reserves

6/09/2017

Background

1. Free Walking Tours were granted a licence from 1 November 2015 to operate walking trips for up to 20 people and one guide on recreation reserve trails administered by Queenstown Lakes District Council for two years (expiring 31 October 2017).
2. The tours last 2½ hours and are located in the town centre, most particularly the foreshore reserves, Earnslaw Park, the Gardens and St Omer Park. The tours provide customers with an entertaining and educational experience. The planned routes visit landmarks and historical buildings, and will include information and stories about local Māori, early settlers, mining and tourism within the area.
3. Tours start at the War Memorial Arch on Marine Parade, with a finishing point at St Omer Park and use trails, paths and pedestrian crossings wherever possible.

Alternative tour options are used during large events (such as Winter Festival). The land to be covered by the licence is as follows:

Description	Authority Responsible	Legal Description	Area	District Plan Zone	District Plan Designation
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- The licence fee proposed is to be the greater of \$500 plus GST or 7.5% of gross revenue, pursuant to the Community Facility Funding Policy.
- The intention to grant the new licence was notified 26 July 2017 with submissions closing 26 August 2017. No submissions were received.

Comments

- The activity has operated over the past 21 months with no complaints having been received. Rent paid for the year ended 31 October 2016 was \$2,229. They commenced in December 2015, and when they ceased operating in April 2017 for the winter, they had taken a total of 5,688 people on tour. Their TripAdvisor rating is currently #38 of 160 tours in Queenstown.
- The Queenstown Bay Foreshore Reserves Management Plan covers the reserves in this area and contemplates low impact guided tours, but not this operation specifically, so notification was undertaken.
- Free Walking Tours are a common activity internationally and can be found in most major tourist destinations.
- Terms and conditions in this report reflect the current licence, but lengthen the term to allow two-yearly renewals by agreement of both parties. Suggested terms are:

Term:	Two years
Rent:	\$500 + GST per annum base rent, or 7.5% of gross revenue, whichever is the greater
Reviews:	Reviewed two-yearly upon renewal
Renewal	Three of two years each by agreement of both parties
Commencement:	Upon Signing

Use:	Commercially guided walking tours
Insurance:	\$2million public liability insurance cover
Advertising:	Advertising hoardings and other billboards not permitted
Assignments:	With the approval of Council
Special conditions:	<ul style="list-style-type: none"> a. Licensee to ensure all rubbish associated with their operation is removed from the area immediately. b. Max group size of 20 people, plus 1 guide. c. Sale of merchandise on or about the tracks or trails is not permitted d. Health and Safety plan to be provided

Options

10 Option 1 To approve a new reserve licence to Free Walking Tours Limited over the land in the table above subject to the terms and conditions listed above.

Advantages:

- 11 Enables a low impact small business to continue to operate.
- 12 Increases the enjoyment, vibrancy and education of Queenstown Town Centre Reserves.
- 13 Generates income of over \$2,000 per annum.

Disadvantages:

- 14 May lead to increased congestion upon the Queenstown Town Centre reserves.

18 Option 2 To approve a new reserve licence to Free Walking Tours Limited over the land in the table above subject to different terms and conditions.

Advantages:

- 19 As above.

Disadvantages:

- 20 As above.

21 Option 3 To decline a new reserve licence to Free Walking Tours Limited.

Advantages:

- 22 May lead to decreased congestion upon the Queenstown Town Centre reserves.

Disadvantages:

- 23 Would not enable a low impact small business to continue to operate.
- 24 Would not increase the enjoyment, vibrancy and education of Queenstown Town Centre Reserves.
- 25 Council would not receive income of over \$2,000 per annum.
- 26 This report recommends Option 1 for addressing the matter because it will enable Free Walking Tours Ltd to continue to operate a low impact tourism activity in the Queenstown Town Centre.

Significance and Engagement

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

Risk

- 28 This matter relates to operation risk OR011A Decision Making. The risk is classed as moderate and is mitigated through public notification of the intention to grant a licence.

Financial Implications

- 29 The activity generated a licence fee of \$2,229 in the year ended 31 October 2016. The turnover figures for the current year are not yet available.
- 30 The licensee will pay all costs incurred in granting the licence.

Council Policies, Strategies and Bylaws

- 31 The following Council policies, strategies and bylaws were considered:
- Significance and Engagement Policy 2014.
 - Community Facility Funding Policy update 2012.
 - Queenstown Bay Reserves Management Plan 2016.
- 32 The recommended option is consistent with the principles set out in the named policy/policies.
- 33 This matter is not included in the 10-Year Plan/Annual Plan and does not have any impact on it.

Local Government Act 2002 Purpose Provisions

- 34 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 a low impact commercial tourist activity to operate on Council land;

- 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

35 The persons who are affected by or interested in this matter are residents and visitors in the Queenstown Lakes district.

36 The Council has publicly notified the intention to grant this new licence calling for submissions. No submissions were received.

Attachments

- A List of stops on the tour
- B Map of tour

Free Walking Tours Queenstown Stopping Points

1. The Fallen Soldiers Memorial Archway
2. Botanical Gardens Bridge
3. Small Wharf
4. Lookout on corner of Gardens
5. Sailing boat
6. Botanical Gardens Bridge
7. Native Garden
8. Citizens Advice Bureau
9. Cookie Time
10. St Peter's Church
11. Vesta (William's Cottage)
12. Masonic Lodge
13. Sasso (Dux de lux)
14. The Mall
15. The Cow Restaurant
16. Corner by Glassons looking across to the Mountaineer building
17. Eicharts and Rees statue
18. Moa statue in the waterfront park
19. Steamer Wharf – Earnslaw
20. New artwork on St Omer's Park land
21. Atlas

Attachment B: Map of Tour

Free Walking Tours Queenstown Route Plan

