

**Wanaka Community Board  
30 March 2017**

**Report for Agenda Item: 2**

**Department: Property & Infrastructure**

**Title: Glendhu Adventures – Licence to Occupy Recreation Reserve**

**Purpose**

The purpose of this report is to consider a notifying a new licence to Glendhu Adventure Ltd to operate a commercial kayak and stand up paddle board rental, lessons and guided tours operation from Rotary Park Reserve, Glendhu Bay, Wanaka.

**Recommendation**

That the Wanaka Community Board:

1. **Note** the contents of this report;
2. **Approve** notification of the intention to grant a licence over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka, classified as Recreation Reserve to Glendhu Adventure Ltd for conducting commercial kayak and stand up paddle board rental, lessons and guided tours on Lake Wanaka, subject to the following terms and conditions:

Commencement	TBC
Term	5 years
Renewal	One further term of 5 years by agreement of both parties
Rent	Base rent of \$500, or 7.5% of gross turnover, whichever is the greater
Reviews	2.5 yearly
Operating Hours	8.30 am – 7.00 pm
Maximum Craft	No more than 8 stand up paddle boards and no more than 5 sit on top kayaks for hire at any one time.
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.

Other

Licensee must ensure they hold a valid resource consent for the purpose of commercial kayak and stand up paddle board rental, lessons and guided tours.

3. **Appoint** three Community Board members (any two of which can form a hearing panel) to hear any submissions and make a recommendation to Council.

Prepared by:



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Property Advisor - APL

23/02/2017

Reviewed and Authorized by:



Aaron Burt  
Senior Planner: Parks &  
Reserves

2/03/2017

## Background

- 1 Glendhu Adventures Ltd (**the applicant**) has been in operation since September 7<sup>th</sup> 2015. The company provides kayak and stand up paddle board rental, lessons and guided tours based from the Reserve known as Rotary Park, Glendhu Bay, Wanaka.
- 2 They previously operated on a temporary permit based out of the reserve known as Rotary Park, Glendhu Bay, Wanaka. This land is legally known as SEC 14 SO 347712 and is vested in QLDC.
- 3 The applicant previously held a temporary permit for the summer months of December 2015 through February 2016. This was subject to a maximum of no more than 40 days operation in total, with no more than 6 consecutive days, which is a Reserves Act 1977 requirement.
- 4 The previous permit mentioned above was subject to the requirement of a licence application being made to the Council. This application did not progress at the time, but is being applied for now through this licence request.

## Comment

- 5 The applicants have requested a licence in an area approved by the Reserve Management Plan update of 2015/16. The current company director, Hamish Mclean, is currently in the process of selling half of the business to Hamish Cooper an experienced kayak guide. Both are experienced operators with a history working in the industry. They wish to offer kayak and stand up paddle board rentals, lessons and tours.

- 6 Glendhu Adventure Ltd have a current resource consent for the proposed activity and in line with the proposed licence terms and conditions under RM150856.
- 7 The licensee has gained approval for operations from the Harbour Master as of December 22<sup>nd</sup> 2016 after review of their Safety Operational Plan (**SOP**) and emergency procedures.
- 8 From a licence perspective, we recommend that it be notified in accordance with the Reserves Act legislation. This requires publication of a notice to the public, and a submission period of 1 calendar month. If opposing submissions are received Council is required to consider those submissions through a reserve hearing process and then make a recommendation back to full Council as to whether to proceed with the granting of a licence.

## **Options**

- 9 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.
- 10 Option 1 To approve notification of the intention to grant a licence over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka, classified as Recreation Reserve to Glendhu Adventure Ltd for conducting kayak and stand up paddle board rentals, lessons and guided tours on Lake Wanaka, subject to the terms and conditions outlined above.

### *Advantages:*

- 11 Will allow commercial activity that provides a beneficial form of recreation and enjoyment of Council land and access to Lake Wanaka.
- 12 Will generate additional income for Council

### *Disadvantages:*

- 13 Will potentially increase commercial congestion on the reserve land and lake surface.
- 14 Option 2 To approve notification of the intention to grant a licence over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka, classified as Recreation Reserve to Glendhu Adventure Ltd for conducting kayak and stand up paddle board rentals, lessons and guided tours on Lake Wanaka, subject to different terms and conditions.

### *Advantages:*

- 15 Similar to above paragraphs 11 and 12.

### *Disadvantages:*

- 16 Similar to above paragraph 13.

17 Option 3 To decline the application made by Glendhu Adventure Ltd over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka.

*Advantages:*

18 Will avoid any additional congestion that might result from the proposed kayak hire and guiding business off the reserve.

*Disadvantages:*

19 Will prevent a new commercial activity from operating off the reserve.

20 Will not generate additional income for Council.

21 This report recommends **Option 1** for addressing the matter as the recommendations proposed provide a balance between Council controls and the ability for the operator to conduct a successful business.

***Significance and Engagement***

22 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves a Council strategic asset being a lakefront reserve used by a number of rate payers particularly in the summer season.

***Risk***

23 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 by the need to publicly notify the licence and consider any submissions received prior to considering granting a licence.

**Financial Implications**

24 Council is set to receive minimum income per annum of \$500+GST, or 7.5% of gross revenue, whichever is the greater. The applicant has agreed to pay for all licence drafting and notification costs.

**Council Policies, Strategies and Bylaws**

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

- Wanaka Foreshore Reserves Management Plan
- Community Facility Pricing Policy 2011

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

**Local Government Act 2002 Purpose Provisions**

27 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**

28 The persons who are affected by or interested in this matter are predominantly the users of Rotary Park and its boat launching facilities.

29 The Rotary Foundation has been consulted with prior to granting the 2015 permit and gave their approval to use of the reserve by the applicant.

30 The Council will provide a mechanism for community consultation through the public notification of the intention to grant a licence.

### **Attachments**

A Location Plan



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**Proposed Water Based Activity**  
 Glendhu Adventure Ltd  
 Glendhu Bay, Lake Wanaka

ISSUE	AMMENDMENTS	DATE
A	Location	25 Nov 2015
B	Boat ramp added	26 Nov 2015
C	Location	2 Dec 2015
D		
E		

Scale: 1:1000  
 Datum: MSL

Job No: 5429  
 Plan No: W848  
 Drawn: MJS  
 Date: September 2014