

**Wanaka Community Board
12 April 2018**

Report for Agenda Item: 4

Department: Community Services

Go Jets Wanaka – New Licence Notification

Purpose

The purpose of this report is to consider notifying a new licence to Go Jets Wanaka Limited. A licence is sought to utilise reserve land adjacent to State Highway 6 and the Clutha River as a loading and unloading point for commercial jetboating trips.

Recommendation

That the Wanaka Community Board:

1. **Note** the contents of this report;
2. **Approve** notification of the intention to grant a licence to Go Jets Wanaka Ltd over recreation reserve at Albert Town, with legal description Lot 2 DP 375247, subject to the following terms and conditions:

Commencement	TBC
Term	5 years
Rent	The greater of \$500.00 plus GST or 7.5% of gross revenue
Reviews	At renewal
Renewals	1 of a further 5 years by agreement of both parties
Assignment/Sublease	With Council's approval
Use	Utilise the Albert Town boat ramp for loading and unloading of boats and passengers for commercial jetboating trips
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, and be approved by the Harbourmaster's office

prior to commencing the activity. Council to retain the ability to relocate and manage the activity within the reserve if required

Other

Licensee must ensure they hold a valid resource consent for the purpose of commercial jetboating trips and associated activities.

The licensee to obtain a Commercial Activity Permit in accordance with the Waterways and Ramp Fees Bylaws (if required) or successors to this policy.

Licensee to ensure that all customers/staff are aware there is no bathroom facility at the reserve, and that all rubbish is to be removed.

Vehicle parking upon the reserve may be conditional upon directives from QLDC to ensure that any vehicle presence does not affect the character and public use of the area.

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

Prepared by:

Reviewed and Authorised by:



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20/03/2018



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8/03/2018



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Background

- 1 Go Jets Wanaka Ltd (**the applicant**) has been in operation since 2004. The company has been active under two existing resource consents for the past 13 years and is now seeking landowner permission as this was never completed at the time of the consents.

- 2 There are currently two existing consents in place which allow for 8 return trips on the Clutha River per day and 100 trips per annum respectively. It is intended that the new licence being sought will work in conjunction with the applicant's existing consents.
- 3 In November 2017, QLDC's Resource Consent Monitoring Team found the company to be operating within the consent limits, however they highlighted the need to obtain landowner approval for the activity.
- 4 The purpose of the new licence is to allow for the continuation of their current operations by providing land owner approval for the use of the reserve.
- 5 The reserve land will serve as the primary location for boat loading and unloading utilising the existing boat ramp. The reserve will also serve to provide an area for customers to embark and disembark the boats for jetboating trips on the river.
- 6 A temporary permit was issued by QLDC's Parks and Reserves Team to allow operations during the months of December 2017 to March 2018 whilst their activity was monitored. No complaints or issues have arisen throughout the duration of the current permit.

Comment

- 7 The applicant wishes to be granted a licence over land classified as Recreation Reserve with the legal description Lot 2 DP 375247 (held in certificate title 302906).
- 8 The reserve is covered by the Albert Town Recreation Reserve Management Plan. The current activities do not contravene any of the policies in the Management Plan as no structures are proposed and the activity will not inhibit any of the listed activities from operating. However, it is noted the existing resource consents were granted prior to this management plan implementation in 2010.
- 9 The harbourmaster has been consulted on the proposed operating procedures and has provided approval to their Safety Operating Procedures Plan.
- 10 The proposed licence will be conditional on the applicant abiding by all rules and requirements of the existing resource consents. These include a variety of conditions covering hours of operation, number of trips per year/day and health and safety requirements etc.
- 11 The applicants have specified in their application how they will manage waste and toilet requirements for their customers. Prior to arriving at the reserve, it will be outlined that there are no toilet facilities on site. All waste from the activity will be removed as well as any additional rubbish found on site will be removed by the applicant.
- 12 From a licence perspective, we recommend that the request be notified in accordance with the Reserves Act legislation. This requires publication of a notice to the public and a waiting period of one 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

13 Option 1 To approve notification of the intention to grant a licence to Go Jets Wanaka Limited over recreation reserve with legal description Lot 2 DP 375247, to operate commercial jet boat trips.

Advantages:

- 14 Allows for commercial activity that provides a beneficial and enabling form of recreation and enjoyment from the Council land.
- 15 Supports an established and successful local business operator.
- 16 Will add to the existing tourist offering in Wanaka.
- 17 Will provide additional income for Council.

Disadvantages:

- 18 May increase commercial congestion on the reserve land and river surface.
- 19 May create potential safety concerns on the water which will require close management by the operator and Harbour Master.

20 Option 2 To approve notification of the intention to grant a licence to Go Jets Wanaka Limited over recreation reserve with legal description Lot 2 DP 375247, to operate commercial jet boat trips, subject to different terms and conditions.

Advantages:

- 21 Similar to above.

Disadvantages:

- 22 Similar to above.

23 Option 3 To decline the application by Go Jets Wanaka Ltd.

Advantages:

- 24 Will not increase commercial congestion on the reserve land and river surface.
- 25 Will not create potential safety concerns on the water which will require close management by the operator and Harbour Master.

Disadvantages:

- 26 Will not allow for commercial activity that provides a beneficial and enabling form of recreation and enjoyment from the Council land.
- 27 Will not support an established and successful local business operator.
- 28 Will not add to the existing tourist offering in Wanaka.
- 29 Will not provide additional income for Council.
- 30 This report recommends **Option 1** for addressing the matter as the recommendations proposed provide a balance between Council controls and the ability for the reserve to be used for a unique form of recreation.

Significance and Engagement

- 31 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves a riverside reserve and council infrastructure (boat ramp), that can be used by many local rate payers as well as tourists visiting the area.

Risk

- 32 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

- 33 It is proposed that Council will receive base income of \$500+GST or 7.5% of turnover, whichever is the greater.
- 34 All legal fees and advertising associated with issuing the licence will be met by the applicant.

Council Policies, Strategies and Bylaws

- 35 The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy
- Albert Town Recreation Reserve Management Plan
- Community Facility Pricing Policy

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

- 37 This matter is not included in the 10-Year Plan/Annual Plan but has no impact on it.

Local Government Act 2002 Purpose Provisions

- 38 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

- 39 The persons who are affected by or interested in this matter are predominantly the users of the reserve and the residents and ratepayers of the Queenstown Lakes District community.
- 40 The Council will provide a mechanism for community consultation through the public notification of the intention to grant a licence.
- 41 The Harbourmaster has been consulted prior to this application and provided their approval to the request.

Attachments

- A Reserve Application
- B Site Plan – Albert Town Recreation Reserve