

Wānaka Community Board
2 April 2020

Report for Agenda Item | Rīpoata mot e Rāraki take 5

Department: Property & Infrastructure

Title | Taitara New Licence to Place Tables and Chairs in a Public Space – The Catch Wānaka & The Doughbin Bakery

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

The purpose of this report is to consider granting a Licence to Place Tables and Chairs to Warner NZ Investments LP t/a The Catch Wānaka and The Doughbin Bakery for the placement of outdoor furniture in the road reserve.

RECOMMENDATION | NGĀ TŪTOHUNGA

That the Wānaka Community Board:

1. **Note** the contents of this report;
2. **Grant** a new Licence to Place Tables and Chairs in a Public Space to Warner NZ Investments LP t/a The Catch Wānaka and The Doughbin Bakery for the placement of furniture on Ardmore Street road reserve adjacent to their premises, excluding the proposed location by the circular bench seat.
3. **Approve** the surrender of the existing licence held by The Doughbin Bakery dated 7th May 2015.

Prepared by:



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Property Advisor

12/03/2020

Reviewed and Authorised by:



David Wallace
Manager RM Engineering

12/03/2020

CONTEXT | HORPOAKI

- 1 The Queenstown Lakes District Council oversees a number of *Licences to Place Tables and Chairs in a Public Space* (herein called the “Licence”) throughout the district. These licences are in place to encourage al fresco dining, and provide an active street frontage that is vibrant, dynamic, comfortable and attractive.
- 2 Licences are granted and administered in accordance with the QLDC’s Tables and Chairs in Public Space Policy 2006 (herein called the “Policy”).
- 3 Warner NZ Investments LP (herein referred to as “the applicants”) operate two establishments at 121-139 Ardmore Street, Wānaka: The Catch, which is a seafood restaurant and the The Doughbin Bakery, a bakery and fast food outlet.
- 4 The applicants have applied to the QLDC for a licence to place tables and chairs adjacent to their premises within the road reserve/footpath.
- 5 The Doughbin Bakery has an existing annually renewable licence dated 7th May 2015, which entitles them to place tables and chairs on the footpath directly adjacent to their property over 10.2m². It is proposed to terminate this licence, should the new licence be granted.
- 6 The total licence area requested is 31.72m² made up of two spaces. The first is 14.5m in length and 2m wide. A clearance of 0.42m away from the curb has been provided to allow an overhang of vehicles. The second proposed space is 2m in length and 1.36m wide located by the traffic island. An Occupation Plan is attached.
- 7 The proposal will result in a reduction of the Ardmore Street footpath width to 2m while there will be a maximum of 1m space on each side for the separate table next to the circular bench seat.
- 8 The applicant is seeking to place nine bench tables in the licence area (eight on the main footpath and one next to the circular bench seat). The furniture will remain in the road reserve after business hours.
- 9 Photographs of the furniture and their dimensions are attached.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 10 Warner NZ Investments LP was incorporated in October 2010 and is owned by Warner NZ Management Ltd.
- 11 The proposed furniture meets the Amenity and Appearance guidelines noted in Section 5.1 of the Policy in that they will provide an attractive and comfortable place for people to relax and should not compromise the level of amenity for other people in the street.
- 12 Section 5.2 of the Policy requires tables and chairs to “generally be sited in front of the adjoining food premises” which is the case in this application.

- 13 The layout partially meets the requirements of Section 5.4 of the Policy i.e. a minimum pedestrian width of 1.5m will be maintained around the licence area and there will be no chair backing on to the road with less than 800mm clearance. The smaller seating area by the circular bench seat does not meet these requirements as there will only be approximately 1m clearance for pedestrians on each side of the table. On this basis, it is not recommended that a licence be granted for this space.
- 14 Licences to Place Tables and Chairs in a Public Space are annually renewable with each term commencing 1 September.
- 15 If the recommendation to grant only the first space and not the second is adopted, the applicable rent fee would be \$2,900.00 plus GST per annum calculated at the current rate of \$100.00 per m². Further increases to the fees for Licences to Place Tables and Chairs in a Public Space are expected in the coming years.
- 16 Option 1 Agree to grant a new licence for the footpath space (29m²) only.

Advantages:

- 17 The seating capacity for the two establishments is increased and the QLDC will receive income for the use of its road reserve.

Disadvantages:

- 18 Table and Chair Licences result in private, commercial use of road reserves which limits the greater community from otherwise accessing those areas freely.
- 19 The smaller proposed seating area of 2.72m² will create nuisance for the public as it will not allow enough space for pedestrian movement as required in the Policy.
- 20 Option 2 Agree to grant a new licence for both the footpath space (29m²) and the space next to the circular bench seat (2.72m²).

Advantages:

- 21 Similar to Option 1.

Disadvantages:

- 22 Similar to Option 1 however the smaller proposed seating area of 2.72m² will affect pedestrian movement and will be inconsistent with the Policy.

- 23 Option 3 Decline the new licence.

Advantages:

- 24 Declining the application will keep the proposed licence area on Ardmore Street footpath clear of furniture and diners, allowing pedestrians full access.

Disadvantages:

- 25 Council would not generate additional income from granting a new table and chair licence.
- 26 This report recommends **Option 1** for addressing the matter because the proposed licence meets the requirements Council's policy for Tables and Chairs in Public Spaces. It is also recommend to terminate the existing Table and Chair Licence for The Doughbin Bakery & Café.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 27 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because they involve commercial use of reserves and road reserves in the District.
- 28 There are no persons identified who are directly affected by or likely to be interested in this matter.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 29 This matter relates to the Community & Wellbeing risk category. It is associated with RISK00009 within the QLDC Risk Register. This risk has been assessed as having a high inherent risk rating.
- 30 This matter relates to this risk as a property right contained in a reserve carries risk to Council for any future use. The risk is mitigated by short, 12 month licence terms.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

- 31 The Licensees have paid a fee for their application to be processed which includes the preparation of the new Licence if successful.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

- 32 The following Council policies, strategies and bylaws were considered:
- Tables and Chairs in Public Space Policy 2006
- 33 The recommended option is consistent with the principles set out in the named policy.
- 34 This matter is not included in the Ten Year Plan/Annual Plan
- Rental income derived by this licence contributes to existing property budget provisions.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

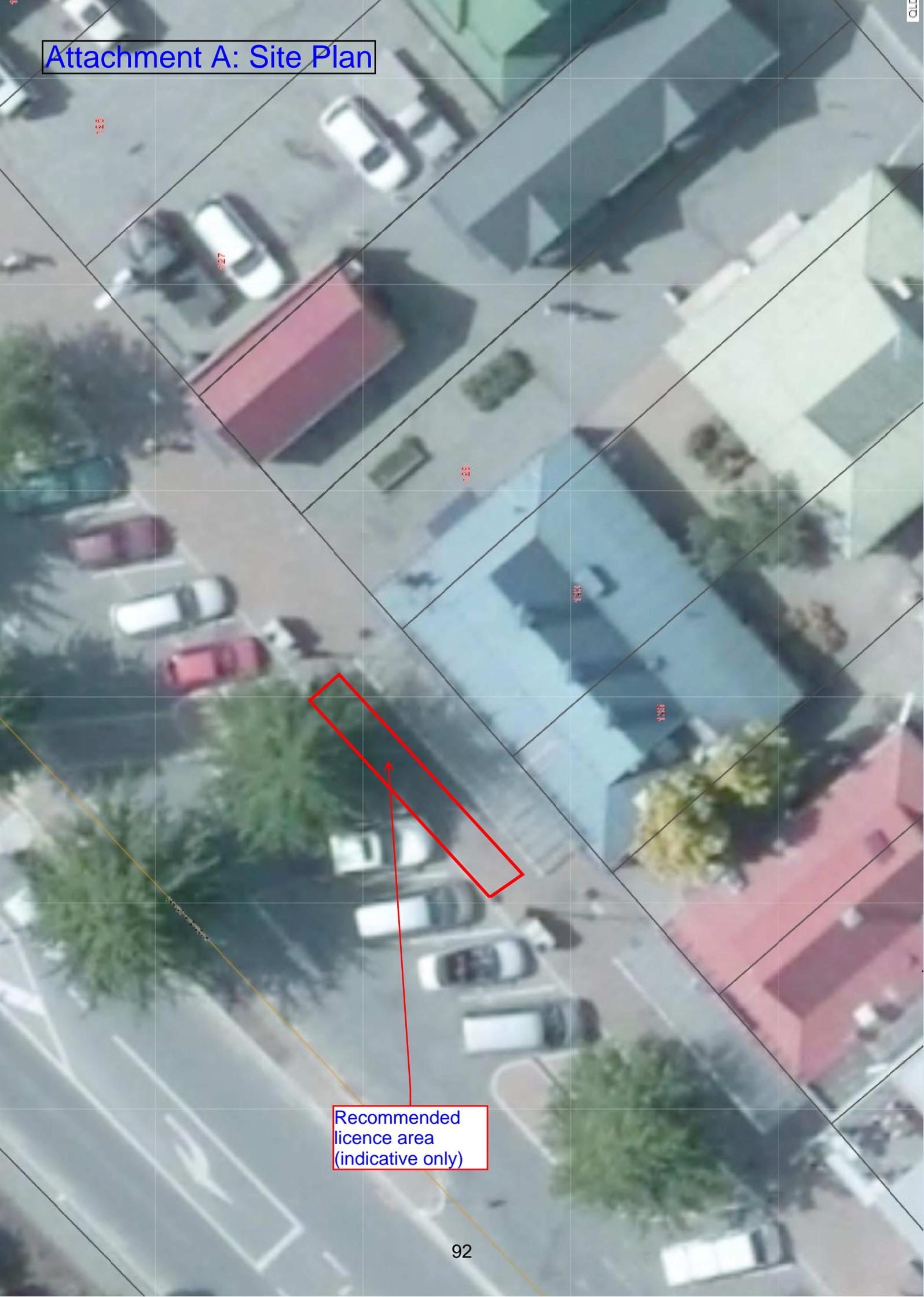
35 The recommended option:

- 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 improving amenity with outdoor dining area.
- 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.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	Site Plan
B	New Licence Plan
C	Images of Furniture and Layout

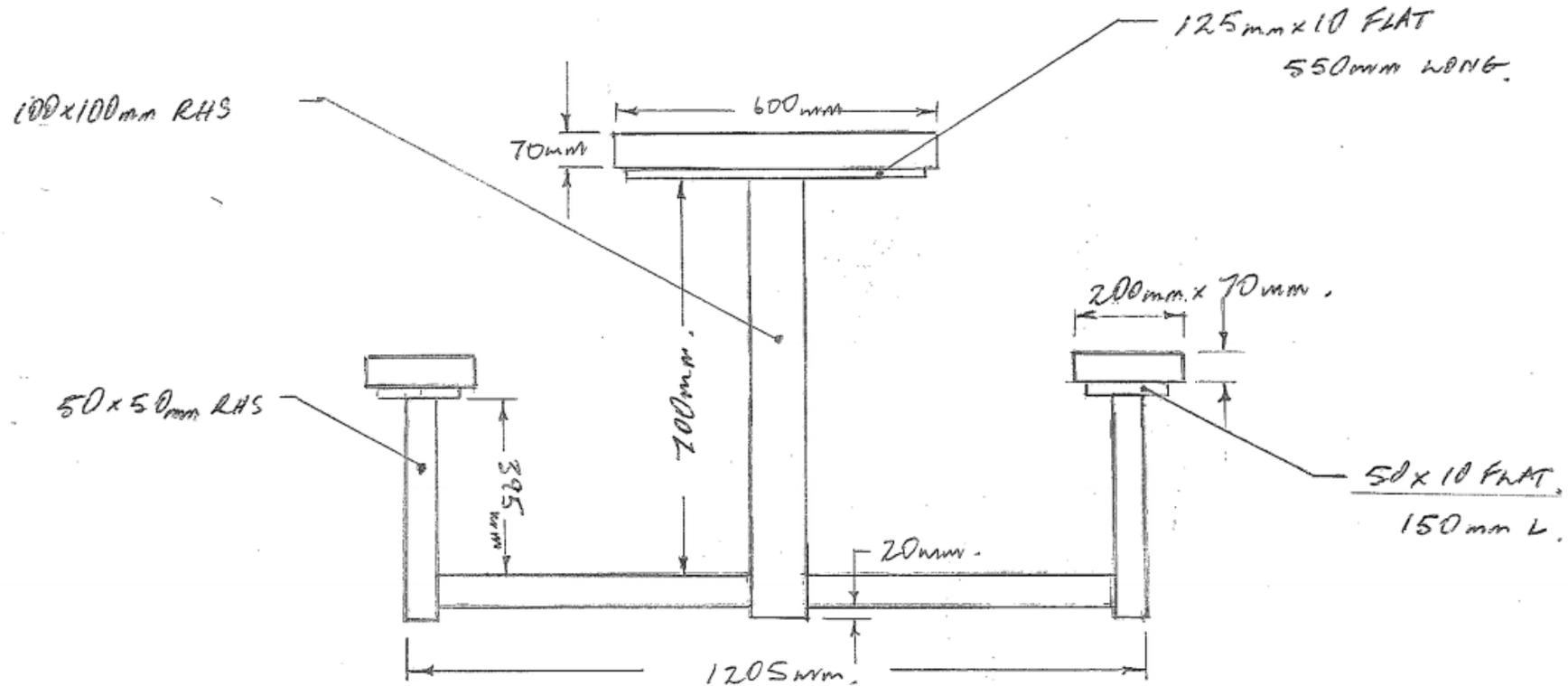
Attachment A: Site Plan



Recommended
licence area
(indicative only)



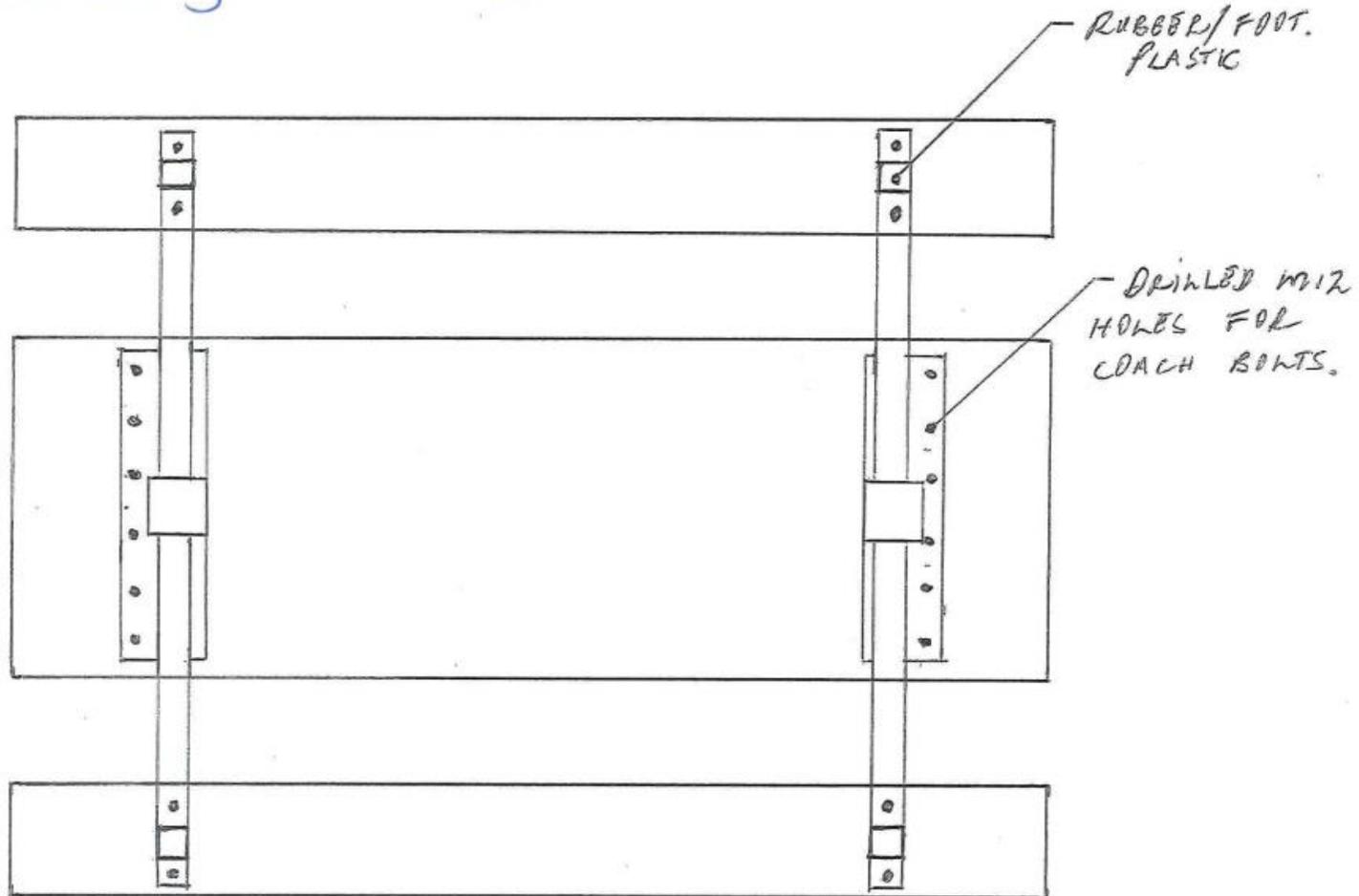
Bench table Seating 1. (Design)



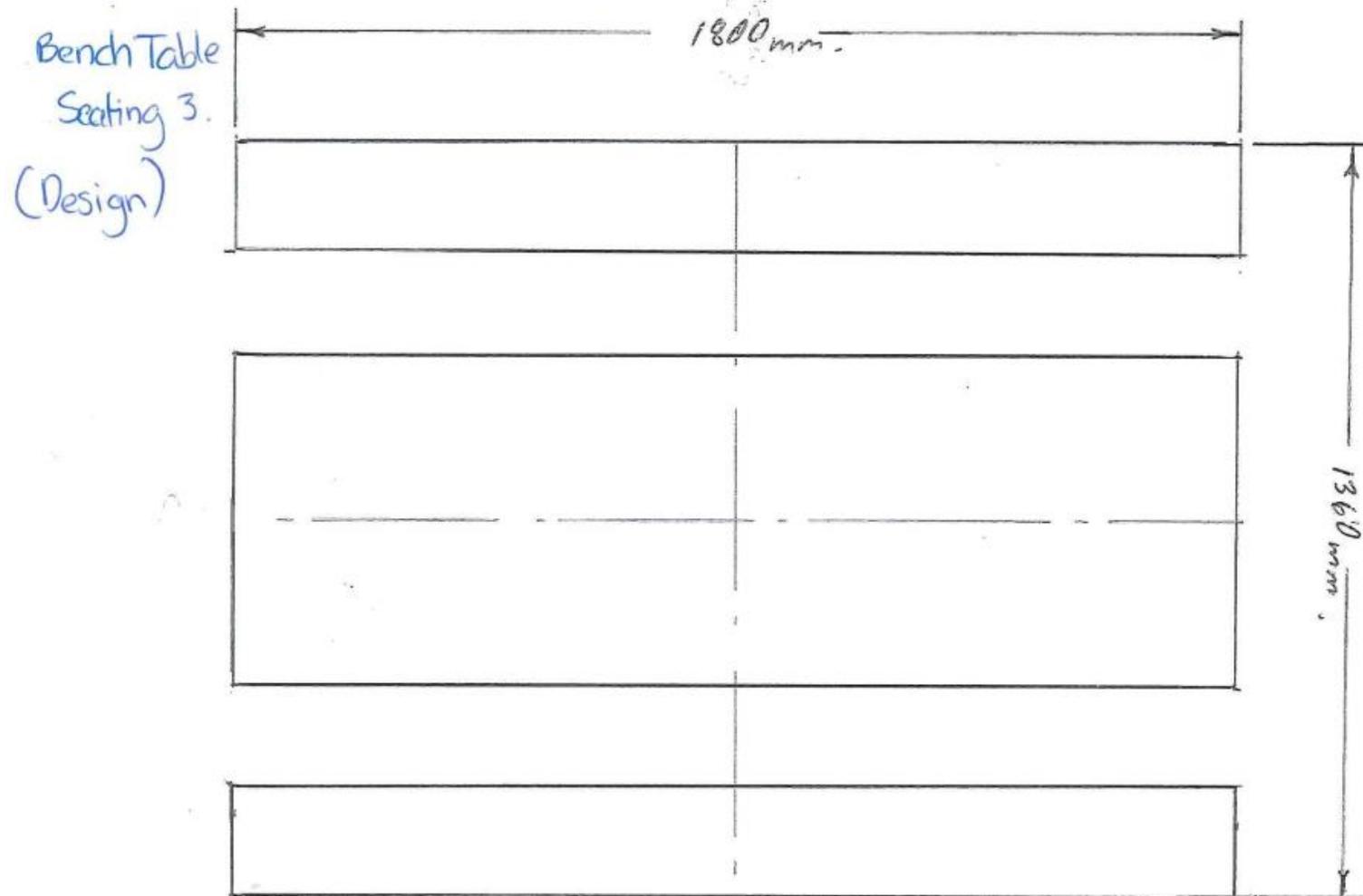
BENCH TABLE & CHAIRS - END ELEVATION STEEL FRAME WITH WOOD TOPS, 2x STEEL FRAMES / TABLE.

BENCH TABLE & CHAIR - PLAN. BOTTOM VIEW.

Bench Table Seating 2. (Design)



BENCH TABLE & CHAIR - PLAN. BOTTOM VIEW.



BENCH TABLE & CHAIRS - OVERALL DIMENSIONS.

