

**Minutes of an ordinary meeting of the Queenstown Lakes District Council
held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 9
March 2017 commencing at 1.04pm**

Present:

Mayor Boulton; Councillors Clark, Forbes, Hill, Lawton, MacDonald, MacLeod, McRobie, Miller and Stevens

In attendance:

Mr Mike Theelen (Chief Executive), Mr Peter Hansby (General Manager, Property and Infrastructure), Mr Stewart Burns (General Manager, Finance and Regulatory), Ms Meaghan Miller (General Manager, Corporate Services), Mr Colin Keel (Chief Executive, Queenstown Airport Corporation), Mr John Gilks (Chair, Queenstown Airport Corporation), Mr Dan Cruickshank (Property Advisor, APL Property Ltd), Mr Lee Webster (Manager, Regulatory), Mr Stephen Quin (Parks Planning Manager), Mr Aaron Burt (Senior Planner, Parks and Reserves), Ms Maddy Jones (Parks Officer – Projects), Ms Shelley Dawson (Senior Governance Advisor), Mr Dave Barr (Solicitor, Simpson Grierson) and Ms Jane Robertson (Senior Governance Advisor); two members of the media and four members of the public

Apologies/Requests for Leave of Absence

An apology was received from Councillor Ferguson.

The following requests for Leave of Absence were made:

- Councillor Lawton – 17-23 March 2017
- Councillor MacLeod – 11-21 March and 24-26 March 2017
- Councillor McRobie – 17-21 March 2017
- Councillor MacDonald – 5-7 May and 10-19 May 2017
- Councillor Forbes – 9-30 May 2017

On the motion of the Mayor and Councillor MacDonald the Council resolved that the apology be accepted and the requests for Leave of Absence be approved.

Declarations of Conflicts of Interest

Councillor Lawton stated that three family members had made submissions on the proposed Cemeteries Bylaw (item 5). She urged the Council to have regard to their request for the Council to provide Natural Burial areas in district cemeteries. She undertook to step back from the meeting table and take no part in discussion of the item.

Special Announcements

There were no special announcements.

Matters Lying on the Table

There were no matters lying on the table.

Public Forum

1. Doug Bailey

Mr Bailey expressed concern that increased light commercial air traffic was creating excessive noise, especially for people living along the north western arm of the lake between Frankton and Glenorchy. The problem was not with scheduled air services but light commercial fixed wing and helicopter traffic and all were over 43dB, which was as loud as a car without a muffler and was both wearying and constant for residents. He presented a partial log of air traffic for a period in February, with the worst daily number being a total of 60 flights, although he believed the actual number was probably higher. He noted that there were few legal ways of limiting this activity, but it was important not to let this noise harm Queenstown's special qualities. As the Council was to consider Queenstown Airport's Statement of Intent, he considered this was at least one vehicle by which the Council could address the issue.

2. Bruce Farmer, Sustainable Glenorchy

Mr Farmer presented key facts and issues that had emerged from a recent wastewater seminar held in Glenorchy:

- There is no current baseline information available (e.g. water quality, state of existing systems, volume of waste from commercial users and public toilets, local sampling and monitoring);
- It is unknown when new ORC water standards will be implemented;
- Plans have minimised earthquake and other natural hazards' risk;
- There is a lack of knowledge over who or what is driving implementation of the scheme; and
- Affordability is a major concern.

Mr Farmer noted that also evident at the seminar was a growing disquiet that the scheme endorsed by the previous Council was ill-conceived and ill-considered. He stated that the community wanted the Council to stop spending ratepayers' money on it.

3. Trish Fraser, Sustainable Glenorchy

Ms Fraser stated that the Glenorchy community did not know if the wastewater project was even needed and no one at the Council could tell them why either. She asked for clarification on the Council's timeframe for coming to a final decision. The Chief Executive advised that the Council was well aware of the community's views on this issue and was focused on producing a solution within the next six months. Ms Fraser stated that in light of this, any further design and developmental work should be put on hold in the meantime.

4. Mike Spencer

Mr Spencer stated that he was a resident of Glenorchy and had attended the recent wastewater seminar. He did not believe that the Council had made an informed decision on the proposal and there were too many 'don't know' answers. He asked the Council to halt the project until further research was undertaken.

Confirmation of agenda

On the motion of the Mayor and Councillor Stevens the Council resolved that the agenda be confirmed without addition or alteration.

Confirmation of minutes

Ordinary meeting, 26 January 2017

On the motion of the Councillors MacDonald and MacLeod the Council resolved the minutes of the public part of the meeting of the Queenstown Lakes District Council held on 25 January 2017 be confirmed as a true and correct record.

- An update was sought on the review of the price NZTA had received to install wastewater infrastructure on the Kawarau Falls Bridge. Mr Hansby was invited to the table and advised that the need for a review by an independent assessor had been signalled clearly to NZTA, but could not start until the design was complete and this work was still being undertaken.

1. Draft Statement of Intent, Queenstown Airport Corporation 2017/18

A covering report from Stewart Burns (General Manager, Finance and Regulatory) presented the draft Statement of Intent [‘SOI’] for Queenstown Airport Corporation (QAC) for the 2017/18 year in accordance with sections 64 and 65 of the Local Government Act 2002 for the Council to receive and consider.

The report was presented by Mr Burns, Mr Keel and Mr Gilks.

Mr Burns advised that by law the Council had until 30 April to provide final comment back to the Board on the draft SOI, with the final SOI provided for Council adoption by 30 June 2017.

The Mayor referred to the recent consultation on future governance options for the Wanaka Airport. He noted that one of the options presented had been that QAC be the long term operator of Wanaka airport under a lease arrangement. Should this proceed, he asked what plans were in place for development of Wanaka Airport to ensure that the Council received best value from it.

Mr Gilks stated that the SOI deliberately made little reference to Wanaka Airport because it was a matter still in progress. Should the proposal proceed, Mr Keel observed that conditions would have to be right for QAC to develop Wanaka Airport beyond its current context. Accordingly, further development remained an open question. However, Mr Keel stressed the importance of both airports being complementary, describing the approach as being ‘one company – two airports’.

Councillor Forbes noted that QAC anticipated major growth in its passenger numbers by 2025. She expressed concern about the impact these increased numbers could have on road traffic in Queenstown. She noted that the airport was a major strategic asset and the threat of congestion represented a significant threat to it and she questioned why the SOI did not therefore address this issue.

Mr Keel stated that he considered the SOI did recognise that the airport had a role in addressing traffic congestion, but it was a collaborative issue. He added that this was one of the functions of the Transport and Governance Group of which the airport was a member.

The Mayor paid tribute to the contribution of John Gilks as Chair of the Board of Directors to the successful growth of Queenstown Airport, noting that this would be the last Statement of Intent he would present to the Council as he would retire from the Board at the end of this current term.

On the motion of Councillors MacDonald and McRobie it was resolved that Council:

- 1. Note the contents of this report; and**
- 2. Receive the Draft Statement of Intent for 2017/18 for the Queenstown Airport Corporation and make any comments on the draft Statement of Intent to the QAC Board by 30 April 2017.**

2. Local Easter Sunday Shop Trading Policy 2017

A report from Lee Webster (Manager, Regulatory) presented the Queenstown Lakes District Local Easter Sunday Shop Trading Policy for adoption following completion of the consultation process.

Mr Webster presented the report. He briefly outlined the provisions of the policy. Members supported its adoption and agreed it was important for local businesses to have a choice.

On the motion of Councillors Stevens and McRobie it was resolved that the Council:

- 1. Note the contents of this report; and**
- 2. Adopt the Queenstown Lakes District Local Easter Sunday Shop Trading Policy 2017.**

The meeting adjourned at 1.52 pm and reconvened at 2.03pm.

3. Amendment to QLDC Standing Orders

A report from Shelley Dawson (Senior Governance Advisor) presented proposed amendments to the QLDC Standing Orders, making a minor addition to the provisions for speaking in the public forum and adding the meeting procedures for the Elected Member Conduct Committee that had been inadvertently omitted from the new Standing Orders adopted in December.

The report was presented by Ms Miller and Ms Dawson.

A question was raised about whether five days was adequate notice to a member for a meeting of the Elected Member Conduct Committee and staff undertook to clarify if the option of offering more time was available.

On the motion of Councillors McRobie and MacLeod it was resolved that the Council:

- 1. Note the contents of this report;**
- 2. Amend Standing Order 14.15 bullet point 6 to read “the matter is subject to a hearing, including the hearing of submissions where the local authority, a committee, or hearings panel sits in a quasi-judicial capacity.” and**
- 3. Adopt the “Additional Meeting Procedures for the Elected Member Conduct Committee” as Appendix 12 of Standing Orders.**

4. Local Governance Statement

A report from Jane Robertson (Senior Governance Advisor) presented the 2016/19 Local Governance Statement for adoption in accordance with Section 40 of the Local Government Act 2002.

The report was presented by Ms Miller.

Councillor Lawton advised of the following corrections to the draft presented:

- Addition of her name to the membership of the Community and Services Committee.
- Amending the description of Queenstown Airport Corporation as a CCTO (Council-controlled Trading Organisation) rather than ‘CCO’.

On the motion of the Mayor and Councillor Stevens it was resolved that the Council:

- 1. Note the contents of this report; and**
- 2. Adopt the Governance Statement for 2016/19.**

Councillor Lawton left the meeting at 2.08pm.

5. Queenstown Lakes District Council Cemeteries Bylaw 2017

A report from Maddy Jones (Parks Officer – Projects) presented the proposed Queenstown Lakes District Council Cemeteries Bylaw 2017 for adoption following completion of the Special Consultative Procedure in accordance with the Local Government Act 2002.

The report was presented by Ms Jones and Mr Quin.

Councillor Forbes asked how the submissions requesting a Natural Burial service at district cemeteries were being addressed. Ms Jones advised that staff would seek funding via an internal submission to the 2017/18 Annual to allow an investigation into how best to offer the service in the district's unique soils and climate. Councillor Forbes stated that she supported the introduction of such a service and did not understand the environmental concerns described by staff. She asked for the concept to be progressed without delay.

It was suggested that the Cemeteries Handbook be made available at cemeteries.

**On the motion of the Mayor and Councillor MacLeod
it was resolved that the Council:**

- 1. Note the contents of this report;**
- 2. Accept the recommendation from the Cemeteries 2017 Bylaw hearing panel and to adopt the Bylaw and formalise the Cemeteries Handbook;**
- 3. Adopt the proposed Queenstown Lakes District Council Cemeteries Bylaw 2017, to be implemented on Monday 13 March, 2017 and direct officers to publicly notify the Council's decision; and**
- 4. Agree that approximately \$15,000 funding be allocated in the 2017/18 Annual Plan to investigate offering a natural burial service in the District.**

Councillor Lawton returned to the table at 2.14pm.

6. Nook Road Stopping and Sale

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application to stop a small part of Nook Road, Hawea and to sell that area to the adjoining neighbour. The report recommended that the Council agree to initiate the road stopping procedures for 179m² of Nook Road and sell the road to the adjacent property owner for \$16,000 (plus GST if any). The report noted that although it would result in the width of Nook Road being reduced, it would ensure a reasonable width of road remained in

place and would also enable the property owner to legalise the encroachment and eventually sell the house.

The report was presented by Mr Cruickshank and Mr Hansby.

On the motion of Councillors Hill and Clark it was resolved that the Council:

- 1. Note the contents of this report;**
- 2. Approve initiation of the procedures of section 116 of the Public Works Act 1981 to stop that portion of road shown on the attached C. Hughes and Associates plan No W925 highlighted and labelled "A" with a total area of 179 square metres [Attachment A to these minutes]; and**
- 3. Approve the road, when stopped, being disposed of in accordance with sections 117 & 120(3) of the Public Works Act 1981 and amalgamated with the adjoining land held in Computer Freehold Register OT6C/339; and**
- 4. Approve the disposal of the stopped road for \$16,000 (plus GST if any) less the costs incurred; and**
- 5. Agree that Council's approval to undertake this process and any sale and purchase agreements relating to it shall be limited to a period of 3 years from the date of this resolution; and**
- 6. Approve Council's costs in undertaking the procedures of the Public Works Act 1981 be billed and paid on a monthly basis by the applicant; and**
- 7. Delegate final terms and conditions along with approvals for any placing or removal of easements in favour of Council, minor alignment and area changes, pro-rata changes in sale price based on area and signing authority to the Chief Executive of Council.**

7. Luma Light Festival Trust - Licence to Occupy Recreation Reserves

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application Luma Light Festival Trust for a new reserve licence to hold the annual festival of light sculptures in the Queenstown Gardens. The report recommended that a licence be granted, subject to conditions.

The report was presented by Mr Cruickshank and Mr Burt.

Councillor Clark asked about responsibility for rubbish disposal. Mr Cruickshank advised that the Trust would be required to submit a waste plan as part of its resource consent application. Councillor Clark asked for regard to be had during the event to the regular clearance of rubbish bins and the provision of adequate toilets.

On the motion of Councillors Forbes and MacDonald it was resolved that the Council:

1. Note the contents of this report;

2. Approve a new licence to the Luma Light Festival Trust over Sections 4, 5, 6 & 7 Blk LI Queenstown TN, Sections 1, 3 Blk LII Queenstown TN, Lot 1 DP 25870, and Sections 8-18 Blk XV Queenstown TN subject to the following terms and conditions:

Commencement 25 May 2017

Term Three years

Renewal One right of renewal of two years by agreement of both parties

Rent Subject to the Community Facility Pricing Policy

Reviews At renewal

Insurance Requirement to have public liability insurance of \$2 million

Duration To hold the Luma light festival, approximately 4 days each year in the month of June, plus pack in/pack out days to be agreed with Council. Booking date to be confirmed with Council annually to avoid booking clashes.

Safety/Suspension Council to retain ability to suspend the licence for safety purposes or to avoid other operations that might take priority over this event. Full Health and Safety plan to be provided to Council.

Other Licensee must ensure they have a valid resource consent for the activity.

Licensee to take all necessary precautions to ensure that damage to trees, plants or structures in the reserves does

not occur. Council may require Licensee to employ a qualified arborist of its choice to ensure that trees and plants are protected from any harm.

3. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a licence to Luma Light Festival Trust over Sections 4, 5, 6 & 7 Blk LI Queenstown TN, Sections 1, 3 Blk LII Queenstown TN, Lot 1 DP 25870, and Sections 8-18 Blk XV Queenstown TN.

4. Delegate signing authority to the General Manager, Property and Infrastructure.

8. New Reserve Licence for Paddle Queenstown Ltd

A report from Joanne Conroy (Property Advisor, APL Property Ltd) presented and assessed an application for a new licence for Paddle Queenstown Ltd to allow the company to operate commercial guided and self-guided kayak tours from the One Mile Recreation Reserve. The report recommended that a licence be granted, subject to conditions.

In reply to some concern expressed that the proposed position could interfere with public amenity, Mr Cruickshank advised that the recommendation was in line with similar approvals for smaller commercial Licence to Occupy applications. He also confirmed that the business would be located within a cluster of other commercial activities and was envisaged in the applicable Reserve Management Plan.

On the motion of Councillors Clark and McRobie it was resolved that the Council:

1. Note the contents of this report;

2. Approve a new licence over Part Section 110 Block XX Shotover SD, classified as Recreation Reserve to Paddle Queenstown Ltd for conducting guided and self-guided kayak tours on Lake Wakatipu, subject to the following terms and conditions:

Commencement 1 April 2017

Term 5 years

Renewal One further term of 5 years by agreement of both parties

Rent Base rent of \$1,000, or 7.5% of gross turnover, whichever is the greater

Reviews	3 yearly
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 Harbourmasters office prior to commencing the activity.
Other	Licensee must ensure they hold a valid resource consent for the purpose of guiding and self-guided kayak tours. Number of kayaks permitted to be offered for hire from the beach to be at the discretion of Council.

3. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a licence to Paddle Queenstown Limited over Part Section 110 Block XX Shotover SD.

4. Delegate signing authority to the General Manager, Property and Infrastructure.

9. Chief Executive's Monthly Report

A report from the Chief Executive:

- Presented recommendations to fill the two external member positions on the Council's Audit, Finance and Risk Committee;
- Sought Council authority for a budget adjustment to allow for immediate construction of the Anderson Road Water Main;
- Sought Council authority for a \$650,000 variation to the EAR budget to fund the Council's contribution to the Park and Ride project;
- Presented the Triennial Agreement 2016-2019 of the Local Authorities of the Otago Region for adoption;
- Presented a recommendation from the Wanaka Community Board to adopt the Wanaka Recreation Reserve ('A & P Showgrounds') Reserve Management Plan; and
- Presented a summary of the delegations exercised by the Chief Executive for licences to occupy and temporary road closures during the period 26 January – 22 February 2017.

Councillor Forbes expressed concern that no female candidates had been put forward to fill either of the two external membership spaces on the Audit, Finance and Risk Committee.

Mr Hansby joined the table and commented further on the proposed budget transfer to fund the Anderson Road water main installation, explaining also why the Mt Aspiring Road booster was no longer needed. He also provided further detail about the Council's contribution to the Park and Ride facility in Frankton. He commented positively on it as a good example of cooperation between different authorities to produce a better outcome, adding that discussions continued with NZTA regarding making a funding contribution.

On the motion of the Mayor and Councillor MacDonald it was resolved that Council:

- 1. Note the contents of this report;**
- 2. Appoint Stuart McLauchlan and Roger Wilson as the two external members of the Audit, Finance and Risk Committee and approve payment of \$1,000 to each external member per meeting plus travel and disbursement costs, if attending from outside the district;**
- 3. Approve the reallocation of \$53,243 from the Mount Aspiring Road Booster project to the Anderson Road Water Main installation project to give a total budget of \$545,000:**

Project Description	Uncommitted	Reallocation
Mt Aspiring Road Booster	\$602,402	\$53,243
Anderson Road Water Main	Current budget	\$491,757
Total		\$545,000

- 4. Approves a \$650,000 variation to the EAR project to fund the Council's contribution to the proposed joint Park and Ride, to be loan funded;**
- 5. Adopt the Triennial Agreement 2016-2019 of the Local Authorities of the Otago Region;**
- 6. Adopt the Wanaka Recreation Reserve ('A & P Showgrounds') Reserve Management Plan; and**
- 7. Note the delegations exercised for licences to occupy and temporary road closures by the Chief Executive during the period 26 January – 22 February 2017.**

Resolution to Exclude the Public

On the motion of the Mayor and Councillor Stevens the Council resolved that the public be excluded from the following parts of the proceedings of the meeting:

That the following persons remain because of their knowledge and expertise of matters in the following agenda items:

Item 10: Mr David Barr (Simpson Grierson Lawyers)

The general subject of the matters to be discussed while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(a) of the Local Government Information and Meetings Act 1987 for the passing of this resolution is as follows:

Confirmation of minutes

Item 7 Appointment of former Councillors as Resource Management Act Commissioners

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
7. Appointment of former Councillors as Resource Management Act Commissioners	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: a) Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)

Agenda items

Item 10: Pre-approval for settlement clearance

Item 11: District Licensing Committee Membership

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
10. Pre-approval for settlement clearance	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
11. District Licensing Committee Membership	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: a) Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)

This resolution is made in reliance on Section 48 [1] [a] of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982 as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above with respect to each item.

The meeting went into public excluded at 2.30 pm.

The meeting came out of public excluded and concluded at 2.54pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

M A Y O R

20 April 2017

D A T E