

**Minutes of an ordinary meeting of the Queenstown Lakes District Council
held in the Armstrong Room, Lake Wanaka Centre, Wanaka on Thursday 28
September 2017 commencing at 1.00pm**

Present:

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

In attendance:

Mr Mike Theelen (Chief Executive), Mr Peter Hansby (General Manager, Property and Infrastructure), Ms Meaghan Miller (General Manager, Corporate Services), Mr Tony Avery (General Manager, Planning and Development) Mr Blair Devlin (Planning Practice Manager), Mr Ian Baylis (Planning Policy Manager), Ms Anita Vanstone (Senior Planner - Policy), Mr Lee Webster (Manager, Regulatory), Mr David Collins (Solicitor, Meredith Connell), Mr Stephen Quin (Parks Planning Manager), Mr Aaron Burt (Senior Planner, Parks and Reserves), Mr Peter Harris (Economic Development Manager), Mr Tony Pickard (Principal Planner, Infrastructure), Mr Richard Pope (Property Manager), Ms Michelle Morss (Corporate Services Manager), Mr Dan Cruickshank (Property Advisor, APL Property Ltd) and Ms Jane Robertson (Senior Governance Advisor); three members of the media and approximately 20 members of the public

Apologies/Requests for Leave of Absence

There were no apologies.

The following requests for Leave of Absence were made:

- Mayor Boulton: 9 October - 16 October
- Councillor Smith: 12 - 24 October
- Councillor MacDonald: 30 October to 7 November
- Councillor Ferguson: 1 - 8 November

**On the motion of Councillors Stevens and McRobie
the Council resolved that the requests for Leave of
Absence be approved.**

Declarations of Conflicts of Interest

Councillor MacLeod declared a conflict of interest in item 5 'Proposed District Plan Decision – Chapter 43 Millbrook Resort Zone' because he had been a Commissioner for this hearing. He stated that he would leave the meeting table for the item.

Matters Lying on the Table

The item 'Feedback received on proposed amendments to the Council's Lead Policy for Special Housing Areas to include the Ladies Mile' from the Council meeting on 17 August 2017 remained lying on the table until the Council meeting in Queenstown on 26 October.

Public Forum

1. Graeme Perkins (Chair, Luggate Community Association)

Mr Perkins stated that the Luggate community was upset about the recent closure of the Luggate Memorial Hall because of its poor earthquake rating and wanted a local hall up and running again as soon as possible. He noted that the community was uncertain about whether to build afresh or to strengthen the existing hall but Council needed to act without delay as it was a busy facility and a growing town and a hall was needed urgently. A review of the hall's use over a year revealed that there had been 114 hire days which equated to one day in three. The hall was also memorial hall and it was important to have somewhere to put the community's roll of honour.

The Chief Executive advised that early work on the hall was underway and the Council would consider it as part of the 10-Year Plan. Mr Perkins asked to be kept up to date with progress.

2. Dave Hawkins

Mr Hawkins stated that he took the bookings for Luggate Hall and it was a well-used facility that the community could not do without. However, he believed that the community had outgrown the present hall and some events needed more space. No site or specifications for a new hall had been identified but he was concerned that if the present hall was demolished the community would be without a facility for many years.

3. Steve Moss

Mr Moss observed that the hall was a War Memorial opened in 1954 and it served to honour the memory of the fallen and to remind the present population of the futility of war and the sacrifice of others. He asserted that for these reasons alone it should be replaced. He believed personally that the hall should be rebuilt on the same site but turned around to the northwest to take advantage of the sunlight. It needed a good variety of spaces including a kitchen, meeting rooms and main hall and Luggate's lack of a proper sewerage system should not be used as an excuse not to rebuild because the existing hall had its own septic system.

4. Eve Marshall-Lea

Ms Marshall-Lea supported the comments of the previous speakers about the Luggate Hall. She suggested that the hall was now a little small and as the community grew, it needed something larger. The hall also needed various meeting rooms as well as the main hall space to increase usability and it had the potential to become a thriving community hub.

5. Graham Taylor

Mr Taylor advised that he had read the engineer's report on the Luggate Hall's earthquake risk and he considered that the hall's closure was an opportunity to start afresh. He believed that this was more cost-effective than trying to rebuild the present hall.

6. John Barlow, Fish and Game New Zealand

Mr Barlow was critical that the review of the Navigation Safety Bylaw proposed to uplift the 5 knot speed limit from the Clutha River outlet to the top of rapids. It was not the first time this had been suggested but Fish and Game NZ opposed the idea. The bylaw was about safety and this area of the river was increasingly heavily used and having jet boats in the area would be unsafe. There was also no water recreation plan guiding how the river should be used and consents were being handled ad hoc rather than being planned.

7. Owen Poole, Upper Clutha Anglers Club

Mr Poole stated that Deans Bank was internationally recognised for its fishing and having jet boats going through there would be detrimental for fly fishing. He was concerned that this would adversely affect membership of the local anglers' club. In addition, as population had increased, water activity had similarly increased and there were now people on the river all the time and it was not a good time to approve speed boats on this part of the river. He agreed with the need for a water surface activity plan as ad hoc applications for commercial use should not be assessed piecemeal.

8. Simon Telfer

Mr Telfer advised that he was part of an active transport group in the community and although there were many dedicated trails in the Upper Clutha, there was no network plan joining them all together. The group sought the development of a long term plan and business case which created an integrated and safe walking/cycling network for commuters and recreational users. Mr Telfer paid tribute to the support received from Tony Pickard in trying to reach these goals.

9. Andrew Howard

Mr Howard stated that he was speaking on behalf of local schools which had a combined roll of 2000 students and growing. He supported the comments about the disconnected nature of the present walking/cycling tracks. He believed that more people would make use of them if they were more functional, which would have a positive impact upon transport congestion (eg, drop off zones at schools). He added that Council needed to take advantage of the present community enthusiasm for active transport as it provided an opportunity to create something great for the future.

10. Steve Wilde, (General Manager, Downtown Queenstown)

Mr Wilde stated that Downtown Queenstown supported the proposed transport mode shift and commended council officers who had listened about the need for late night parking to be made available in the CBD. However, retailers had issues with the bus stops proposed on Camp Street and the fact that buses could be outside their doors all day. He hoped that Council had funding available to make major infrastructural changes and not just paint lines on the road. He accepted that Camp Street was an interim solution until the arterial route was in place but this was five years away, if ever. He suggested that Council investigate using Athol Street as a bus facility instead which he considered would be essential until an arterial route was in place.

11. Jude Battson

Ms Battson spoke on the following issues:

- Unknown algae from Lake Hawea was being tested. The outcome would not be known for a month but she did not believe it was harmful.
- Lake Wanaka Tourism and DOC both promoted the Isthmus Peak walk but there was no toilet there. The number of users was increasing and it should be included in the Council's plans for new toilets.
- The Friends of Ruby Island were considering the future of the 20 litre tanks on the island. They would be kept if they would be useful for firefighting and if so, would be fenced.
- The Norski Toilet was already full after only one year.

12. Jo Fyfe

Although generally supportive of the introduction of SHAs in Wanaka, Ms Fyfe had some concerns that section 3.5 of the Lead Policy did not define 'affordable housing'. She also wanted clarification on how this clause would be applied and administered, adding that some flexibility was desirable.

She understood that the earthworks provisions would be reviewed although they were only recently updated. She was concerned that only a few days had been allowed to review them even though some would have immediate effect and they needed to be scrutinised before they were implemented.

13. John Fookes, NZ Police

Senior Sergeant Fookes advised that the police sought to reduce alcohol related harm, but this had to be balanced with any reduction of personal freedom. They wanted to take a pragmatic approach to Crate Day but were aware that if there was a liquor ban in the Queenstown CBD, participants could simply move elsewhere. It was noted that the Council could also take action under the Trespass Act in relation to activities occurring on Council-owned land.

**On the motion of Councillors Forbes and McRobie
the Council resolved that Standing Orders be
suspended to allow the Public Forum to continue
beyond 30 minutes.**

14. Kathy Deedo, Link Upper Clutha

Ms Deedo spoke about the recent Community Forum on growth held in Wanaka. She noted that the main issues raised were the need to protect what is special about Wanaka and what new infrastructure will be needed because of population growth. 35 community groups had been represented at the forum and there had been a lot of positive feedback about it. She noted that the community wanted to turn these ideas into action and hoped to see a Council commitment to building this infrastructure in the 10-Year Plan.

15. Councillor Ferguson

Councillor Ferguson presented to the Mayor letters written to him by students at Queenstown Primary School expressing concern about the use of plastics in the community and around the world.

16. Trent Yeo, Chief Executive, Ziptrek NZ Ltd

Mr Yeo expressed concern about Skyline Enterprise's proposed luge development as the access road was used by his staff as part of the Ziptrek tour

and they had not been notified about the application. 344 heavy vehicle movements would affect their health and safety and as a legal leaseholder on public reserve they wanted to maintain their own and public use rights.

On the motion of Councillors Hill and MacDonald the Council resolved that Standing Orders be reinstated.

Confirmation of agenda

On the motion of the Mayor and Councillor MacDonald it was resolved that the Council confirm the agenda with the addition of a further item 'RCL Queenstown PTY Ltd/Hanley's Farm, Proposal to Vest Various Lands as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy' to be considered as item 17a; the reason it was not included on the agenda was that it was submitted after the agenda had closed and it cannot be delayed until a future meeting because a decision to allow vesting of reserves is necessary for title establishment of the residential properties.

Confirmation of minutes

17 August 2017

On the motion of the Mayor and Councillors Stevens the Council resolved that the public part of the ordinary meeting of the Queenstown Lakes District Council held on 17 August 2017 be confirmed as a true and correct record.

1. Inclusion of Wanaka within the Housing Accords and Special Housing Areas Act 2013 Implementation Guidelines (Lead Policy)

A report from Anita Vanstone (Senior Policy Planner) assessed the inclusion of the Proposed District Plan residential zoned areas of Wanaka (being the High, Medium and Low Density Residential, Large Lot Residential and Business Mixed Use Zones) in Category 2 of the Housing Accords and Special Housing Areas Act Implementation Guidelines (Lead Policy) and make subsequent changes to this policy.

The report was presented by Ms Vanstone and Mr Avery.

Ms Vanstone circulated a map of the Urban Growth Boundary around Wanaka to in order to show an overview of the different areas.

Councillor MacLeod advised that he supported the recommendation adding Wanaka into Category 2 of the lead policy but he opposed the following statement under 3(5) of the policy:

'As guidance, the Council considers at least 5% of the residential component of the development by developed market value or by area (depending on the nature of the development) is identified for affordable housing.'

He stated that 5% was too low and needed to be reviewed. He noted that there were examples of 20-30% overseas and he favoured an increase in the lead policy to 10%.

Some concern was expressed that changing the figure would remove all flexibility. There was further discussion about whether deleting or altering the words 'as guidance' or 'at least' was desirable, although it was noted that these also served to provide flexibility around the figure.

It was moved (MacLeod/Miller):

That the Council amend its Housing Accords and Special Housing Areas Act 2013 Implementation Policy to read:

As guidance, the Council considers at least 10% of the residential component of the development by developed market value or by area (depending on the nature of the development) is identified for affordable housing.

There was discussion about the Council delaying making a decision on the level of contribution until the research on this subject requested at the last meeting in relation to the Ladies Mile was available

Councillor Miller spoke in support of the motion. In her view SHAs did not create affordable housing and the only mechanism currently available in the district was via the Queenstown Lakes Community Housing Trust. Changing the lead policy as proposed sent a message to developers that Council wanted to make a difference in relation to affordable housing.

The motion was put and carried on a show of hands.

On the motion of Councillors MacLeod and MacDonald the Council resolved to:

- 1. Note the contents of this report;**
- 2. Include Wanaka residential zoned land within the Proposed District Plan, being the proposed High, Medium and Low Density Residential, Large Lot Residential and the Business Mixed Use Zones within Category 2 of the Lead Policy;**
- 3. Approve the amendments to the Housing Accords and Special Housing Areas Act 2013 Implementation Policy (Lead Policy), as amended at the meeting; and**

- 4. Agree that Expressions of Interest can now be accepted and processed by the Council only for Category 1 and 2 land that is consistent with the amended Lead Policy.**

2. Stage 2 Proposed District Plan Notification

A report from Ian Bayliss (Planning Policy Manager) introduced the parts of Stage 2 of the Proposed District Plan to Council for its approval to proceed to the statutory public notification.

The report was presented by Mr Bayliss and Mr Avery. Mr Bayliss advised that this work represented the next big tranche of the Proposed District Plan with hearings likely to take most of 2018. The Mayor expressed the Council's thanks to all planning staff as it was recognised that reaching this stage of the Proposed District Plan review represented an enormous amount of work.

Mr Bayliss circulated maps. He advised of an amendment in relation to the classification of administered reserves in the Open Space Zone. Councillor Smith advised that Kelly's Flat Reserve was not on the maps in any form.

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

- 1. Note the contents of this report;**
- 2. Having particular regard to the section 32 evaluation reports, approve pursuant to section 79(1) and clause 5 of the First Schedule of the Resource Management Act 1991 the Stage 2 provisions of the Queenstown Lakes District Council Proposed District Plan 2015 for notification as set out in Attachment 2: Stage 2 Proposed District Plan Attachments Bundle:**
 - a) Chapter 25 Earthworks**
 - b) Chapter 31 Signs**
 - c) Chapter 38 Open Space and Recreation Zones in relation to the purpose statement; and**
 - d) New definitions in Chapter 2 Definitions, in relation to earthworks, signs and open space and recreation zones.**
- 3. Having particular regard to the section 32 evaluation reports, approve pursuant to clauses 5 and 16A of the First Schedule of the Resource Management Act 1991 the following variations to the Stage 1 provisions of the Queenstown Lakes District Council Proposed District Plan 2015 for notification:**
 - a) Planning Maps 2, 5 - 39 introducing proposed Open Space and Recreation Zones**

- b) Chapter 2 Definitions in relation to earthworks, signs, and open space and recreation related definitions**
- c) Chapter 6 Landscapes in relation to the purpose statement and assessment matters**
- d) Chapter 17 Airport Mixed Use in relation to signs provisions**
- e) Chapter 35 Temporary Activities and Relocated Buildings in relation to open space and recreation zones**
- f) Chapter 27 Subdivision and Development in relation to earthworks provisions, and open space and recreation zones**
- g) Chapter 36 Noise in relation to open space and recreation zones**
- h) Chapter 41 Jacks Point Zone in relation to earthworks provisions.**

4. Authorise the Manager Planning Policy:

- a) to make minor edits and changes to the chapters, maps and section 32 reports to improve clarity and correct errors; and**
- b) To notify Stage 2 of the Queenstown Lakes District Council Proposed District Plan 2015 in accordance with clause 5 of the First Schedule of the Resource Management Act 1991 from 23 November 2017 for a period of 50 working days.**

5. Note that the (Stage 2) Wakatipu Basin Variation, Visitor Accommodation Variation and Transport Chapter provisions will be considered for notification at the 26 October meeting of Full Council.

3. Amendments to Resource Management Act 1991 Register of Delegations

A report from Blair Devlin (Manager, Planning Practice) presented proposed amendments to the Resource Management Act 1991 Register of Delegations following the enactment of the Resource Legislation Amendment Act 2017. The report also proposed several other minor changes to tidy up the present delegations.

This report and that following were presented by Mr Devlin and Mr Avery.

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

1. **Note the contents of this report; and**
2. **Amend from 28 September 2017, the existing Resource Management Act delegations to Council officers and appointed Commissioners and the General Rules for Delegations.**
4. **Amendments to the fees and charges schedule used for resource consents, building consents, resource management engineering and other matters**

A report from Blair Devlin (Manager, Planning Practice) presented proposed updates to the current fees and charges for resource consents, building consents, resource management engineering and other matters. The report noted that changes to the fees schedule were necessary to reflect the changes brought about by the Resource Legislation Amendment Act 2017 and the increased cost of securing engineers and engineering services in the Queenstown Lakes District.

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

1. **Note the contents of this report;**
2. **Note the contents of this report and in particular the Statement of Proposal and proposed changes to the fees and charges schedule used for resource consents, building consents, resource management engineering and other matters;**
3. **Adopt the Statement of Proposal including amendments to the fee schedules used for resource consents, building consents, resource management engineering and other matters as part of a special consultative procedure; and**
4. **Appoint the Planning and Strategy Committee to hear the submissions and report back to full Council.**

Councillor MacLeod left the room at 2.18 pm.

5. Proposed District Plan Decision – Chapter 43 Millbrook Resort Zone

A covering report from Ian Bayliss (Planning Policy Manager) introduced the report and recommendation of independent commissioners regarding the provisions and matters raised in submissions for Chapter 43 Millbrook Resort Zone. The report sought ratification of the commissioners' recommendation as a Council decision and approval for staff to notify the decision.

The report was presented by Mr Bayliss. He noted that the area was one of three resort zones notified with Stage 1 of the Proposed District Plan and because it was a very discrete geographical area and topic, it was a decision that could be released early.

Councillor Stevens expressed concern that the commissioner recommendation placed no obligation on Millbrook to grant an easement for a trail through the Zone. Mr Bayliss noted that there was no opportunity to address this now as it was not raised by submissions and the hearing had finished. He noted however, that submissions on the zoning of land outside the resort zone would be carried over into the hearings for the Wakatipu mapping variation, meaning that their points would not be lost.

Councillor Forbes stated that it would be helpful if the Council was able to indicate to Commissioners that provision for trails was needed in future decisions. Staff acknowledged that although the Millbrook Resort Zone was an essential link for the Queenstown Trails Trust, there was now no opportunity to alter this via the Proposed District Plan. The Mayor suggested that the only course of action remaining was to make a direct approach to the owners and management of Millbrook about the issue of trails through the property.

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

- 1. Note the contents of this report; and**
- 2. Adopts the Independent Commissioners' report and recommendations as a Council decision and direct staff to notify the decision in accordance with the First Schedule of the Resource Management Act 1991.**

Councillor MacLeod returned to the meeting at this point.

6. Temporary Alcohol Ban on 2-3 December 2017

A report from Lee Webster (Manager, Regulatory) proposed that the Council adopt a temporary alcohol ban to apply in specified areas within Queenstown on the weekend of 2 and 3 December 2017. This temporary alcohol ban was to cover the period when 'National Crate Day' would occur and was sought to prevent a repeat of high levels of disorder in Queenstown that had occurred as a part of the 2016 Crate Day event.

The report was presented by Mr Webster and Mr Collins.

It was noted that the proposed temporary alcohol ban coincided with the Queenstown Rugby League 9's Carnival on the Queenstown Recreation Ground. Mr Webster advised that he had met with the organisers of the Rugby League 9's Carnival and recommended that they obtain a Special Licence to accommodate their event. They had accepted that this was a

workable solution that would allow consumption of alcohol within a defined area.

Questions were asked about Council's powers if participants in Crate Day 2017 relocated to another area of the district. Mr Collins advised that the Council had limited powers under the Local Government Act 2002 and could not add additional sites for a liquor ban without meeting the statutory threshold of providing evidence that excess alcohol consumption had caused crime and disorder at that site at that time.

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

- 1. Note the contents of this report and the recommendation that the Council adopt a temporary alcohol ban on the weekend of 2 and 3 December 2017;**
- 2. Adopt pursuant to clause 6 of the Alcohol Control Bylaw 2014 a temporary alcohol ban to apply between 12am Saturday 2 December 2017 until 12am Monday 4 December 2017 within the highlighted area in Attachment C of this report [being Attachment A to these minutes];**
- 3. Approve the public notification of this decision by publication in Otago Daily Times, Southland Times, Mirror and Wanaka Sun; and**
- 4. Authorise the Council's General Manager of Finance and Regulatory to arrange for staff to install appropriate signage in conspicuous locations in or adjacent to the geographical area to be subject to the temporary alcohol ban prior to the weekend of 2-3 December 2017**

7. Navigation Safety Bylaw review

A report from Lee Webster detailed an internal review undertaken on the Waterways Bylaw and the current Navigation Safety bylaw. This had resulted in the development of a proposed Navigation Safety Bylaw 2017, the purpose of which was to update existing navigation safety controls to ensure greater consistency with the Maritime Transport Act 1994 and maritime rules, reduce duplication, remove controls that were no longer required and to simplify regulation where appropriate. The report recommended that the Council approve the commencement of the special consultative procedure in relation to the proposal to:

- a. adopt the proposed Navigation Safety Bylaw 2017 ;
- b. revoke the Waterways and Ramp Fees Bylaw 2014;
- c. revoke the Navigation Safety Bylaw 2014; and
- d. adopt the proposed maritime fees and charges.

The report was presented Mr Webster, Mr Collins and Mr Black.

The Mayor invited Mr Webster to comment on the concerns expressed in the Public Forum. Mr Webster advised that the purpose of the current report was to initiate the consultation process and the Council had the ability to amend the proposed bylaw in response to submissions.

Councillor Smith questioned the definition of 'white water board' and whether this would also encompass a raft. Mr Webster advised that the definition had been taken directly from the maritime rules and was intended also to capture rafts. Furthermore, it was also a requirement for bylaws to be consistent with maritime rules. The exception for commercial rafts was also to ensure consistency with maritime rules.

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

- 1. Note the contents of this report;**
 - 2. Approve the commencement of the special consultative procedure in relation to the proposal to:**
 - a. adopt the proposed Navigation Safety Bylaw 2017 ;**
 - b. revoke the Waterways and Ramp Fees Bylaw 2014;**
 - c. revoke the Navigation Safety Bylaw 2014; and**
 - d. adopt the proposed maritime fees and charges.**
 - 3. Appoint Councillors MacDonald, MacLeod and Smith to hear and consider the submissions on the proposal to:**
 - a. adopt the proposed Navigation Safety Bylaw 2017 ;**
 - b. revoke the Waterways and Ramp Fees Bylaw 2014;**
 - c. revoke the Navigation Safety Bylaw 2014; and**
 - d. adopt the proposed maritime fees and charges.**
- 8. Frankton Library – Expressions of Interest**

A report from Meaghan Miller (General Manager, Corporate Services) sought approval for staff to seek Expressions of Interest for the provision of a short term leased library facility at Frankton. The report proposed the Council entering into a short- term lease (3+2 years) of an existing premise with easy access and ample parking in Frankton from which it would trial and refine a library service in Frankton.

The report was presented by Ms Miller. She stressed that the purpose of the proposal was to explore the opportunity and if successful, a business case could be prepared and funding provision made. The proposal had already received positive feedback from the community and library staff. Councillor Stevens thanked staff for persisting with this initiative.

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

- 1. Note the contents of this report;**
 - 2. Direct the Chief Executive to seek Expressions of Interest ['EOI']for a potential Frankton Library lease;**
 - 3. Agree that the Chief Executive direct officers to prepare a Business Case for a leased library facility in Frankton;**
 - 4. Note that the terms conveyed in the EOI should reflect the short term intention of any lease arrangement, namely 3+2 years;**
 - 5. Agree that any proposal to enter into a lease for a Frankton Library be consulted on through the 2018 10 Year Plan given that this potential decision would require funding and timelines to be brought forward from 2020 (as per the 2015 10 Year Plan) to 2018/19.**
- 9. 2017/18 Contestable Economic Development Fund proposed principles and process**

A report from Peter Harris (Economic Development Manager) detailed the goals, principles and processes for the Economic Development Fund for 2017/18 and sought the Council's agreement to proceed.

The report was presented by Ms Miller, Ms Morss and Mr Harris. An amendment to the recommendation was proposed, in that three Councillors rather than four should be appointed to the panel to make recommendations on the allocation of the Economic Development Fund. It was suggested that representation from each ward was an appropriate approach.

Councillor MacLeod expressed concern about the tight timeframes involved in the overall process. In reply it was noted that the intention was to ensure the process was as simple as possible and staff considered that the timeframe was achievable. It was also intended that the fund should be a long-term initiative and budgetary provision would be made for it in the 10-Year Plan.

The Mayor asked Councillors interested in membership of the panel to contact him.

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

- 1. Note the contents of this report;**
- 2. Accept the recommended goals, principles, criteria and processes for the 2017/18 contestable Economic Development Fund in order to proceed with a round of funding in the 2017 calendar year;**
- 3. Delegate to the Mayor the appointment of a panel three Councillors to deliberate on applications and make a recommendation to Council on allocation of the remaining Economic Development Fund.**

10. Queenstown Integrated Transport Strategy

A report from Tony Pickard (Principal Planner, Infrastructure) introduced the Queenstown Integrated Transport Programme and sought its endorsement. The report noted that it was a multi-agency transport programme involving the Council, NZTA and Otago Regional Council.

The report was presented by Mr Pickard and Mr Hansby. Mr Pickard signalled a change to his report, noting that the recommendation in relation to each option was to endorse rather than 'to adopt'.

The importance of not progressing projects in isolation was noted, as alignment with funding cycles increased the likelihood of assistance. Furthermore, whilst there was a significant QLDC commitment, multi actions would serve to attract external funding and would stimulate the local economy.

Councillor Smith noted that although 1 in 5 people in New Zealand lived with a disability this was not addressed in the plans. He considered that a broader disability policy that could be incorporated into these sorts of documents needed to be developed.

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

- 1. Note the contents of this report; and**
- 2. Endorse the Queenstown Integrated Transport Strategy as its main transport strategy for the Wakatipu area.**

11. Queenstown Town Centre Transport Strategy - Mode Shift Improvements

A report from Tony Pickard (Principal Planner, Infrastructure) detailed the recommended measures to encourage a mode shift from private car usage to public transport, including:

- a. Review of parking charges
- b. Further parking restrictions
- c. Additional enforcement resources

Mr Pickard circulated updates to attachments A and B. New attachment A divided the stages for the introduction of the revised parking charges into Phase 1 and Phase 2. New attachment B proposed a different configuration of new bus stops and loading zones in Camp Street and added a proposed change to evening parking restrictions for the parking spaces on Church Street, making enforcement of the P30 parking limit apply between 8am and 6pm only.

There was further discussion about the position of bus stops on Camp Street and the proposed siting of two stops on each side of the road. A preference was expressed for them to be off-set.

It was noted that whilst there was still some debate about the final position of stops, for the volume of buses, four stops were needed on Camp Street between Shotover Street and Ballarat Street. It was noted that as part of Master Plan, the option of using Athol Street as a transport hub would be reviewed, but the present proposal was derived from uncertainty about when CBD arterials would be developed. A further difficulty with Athol Street was its present use for the regional bus service and tour coaches.

Some concern was expressed that no information about bus timetables and routes was yet available and this did not help to relieve public anxiety. Staff advised that the information had been released earlier in the day.

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

- 1. Note the contents of this report;**
- 2. Agree to the further restrictions and amendments to parking provisions in the Town Centre and CBD;**
- 3. Note the provision of new minor infrastructure for public transport;**
- 4. Direct officers to amend the parking charges; and**
- 5. Note the additional resources required to cover the transition period.**

The meeting adjourned at 3.19pm and reconvened at 3.30pm.

12. Lessor's and Minister's approval – Skyline Enterprises Limited, Replacement and Upgrade of the Skyline Luge Chairlift and associated development

A report from Aaron Burt (Senior Planner, Parks and Reserves) assessed an application from Skyline Enterprises Ltd for the Council to grant Lessor's and Minister's approval for a proposed replacement and upgrade of the existing luge chairlift and associated development. The report recommended that approval be given.

The report was presented by Mr Burt and Mr Quin.

In reply to the concerns expressed in the Public Forum, it was noted that the 344 vehicle movements described were over a 6 month period and a limit on the total number permissible daily was a condition of consent. If traffic movements increased, a planner would consider the adverse effects. Furthermore, regard could be had to the number of vehicle movements in the health and safety plan.

Councillor Stevens observed that Skyline's consent application had been processed non-notified and he stated that an updated Reserve Management Plan was needed for the area to avoid piecemeal development. Mr Quin agreed that this could be added to the project list for the Council to consider priorities.

Councillor Forbes acknowledged the importance of Skyline in providing a major tourist attraction in Queenstown but she was concerned that the community was not seeing the bigger development picture for the area. This was not helpful for the other businesses operating in the area or for the cyclists and walkers that used it. She referred to it as 'creep' and her views were supported by Councillor MacDonald who believed that Skyline deliberately presented their plans bit by bit. It was suggested that the Council invite Skyline to make a presentation to Council about its future development plans.

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

- 1. Note the contents of this report;**
- 2. Approve Lessor's Approval and Minister's Approval for the proposed replacement and upgrade of the existing luge chairlift and associated development, granted in accordance with resource consent RM170147, on Section 1 SO 24832.**
- 3. Ensure that prior to any works being undertaken upon the site, a Health and Safety Plan is first provided to Council to ensure the health and safety of users of the Ben Lomond Recreation**

Reserve, for all works associated with the proposal.

- 4. Require that the development of the chairlift and associated development is undertaken in accordance with RM170147.**

13. Easement to Skyline Enterprises Limited – Bobs Peak

A report from Aaron Burt (Senior Policy Planner) considered an application from Skyline Enterprises Limited (SEL) for a pedestrian right of way easement over recreation reserve land in order to form and use a pedestrian pathway. The report noted that the proposed easement was over land that was not part of the lease area occupied by SEL, but by Queenstown Commercial Parapenters Ltd (QCPL). Although SEL had advised that QCPL supported the easement, the report recommended that any approval should be subject to QCPL providing formal approval for any easement over their lease area. Overall the report recommended that an easement be granted subject to a number of conditions.

The report was presented by Mr Burt and Mr Quin.

Councillor Forbes again observed that there were a variety of other users in the reserve in addition to the commercial users. She considered that this demonstrated the need for a Reserve Management Plan that had regard to the needs of all users.

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

- 1. Note the contents of this report;**
- 2. Approve a pedestrian right of way easement over Recreation Reserve, Pt Section 110 Blk XX Shotover SD, in favour of SEL, subject to section 48(1)(d) of the Reserves Act 1977, and the following conditions:**
 - a. Queenstown Parapenters Limited first provide information necessary to formally endorse the easement, and all matters necessary to enable the easement over the land are resolved.**
 - b. Commencement: To be determined.**
 - c. Extent of Easement: To be confirmed prior to commencement, and having regard to the endorsement of Queenstown Parapenters Limited.**
 - d. Fees: As per QLDC's Easement Policy 2008, and subject to the extent of the easement being confirmed. This shall also include any outstanding application fees.**

- e. A bond of \$5,000.00 be payable to QLDC prior to any works commencing;
 - f. The work site to be evidenced by before and after photographs, video or similar to be provided to QLDC by Skyline Enterprises Ltd;
 - g. A comprehensive safety plan must be prepared and implemented, at Skyline Enterprises Ltd's cost, to ensure a safe environment is maintained around the subject site;
 - h. Certificate of adequate public liability cover to be received;
 - i. Reinstatement and landscaping of the area to be completed within two months following construction and to the satisfaction and timeframes communicated by the QLDC's Property & Infrastructure Department. Reinstatement to include any landscaping, fencing or other structures.
 - j. Within 3 months of completion of the work, Skyline Enterprises Ltd to provide QLDC with a surveyed easement and signed Deed of Easement.
2. Agree that notification of the intention to grant the easement is not required, as the statutory test in section 48(3) of Reserves Act 1977 is met for the reasons set out in this report;
3. Delegate authority to approve final terms and conditions of the pedestrian right of way easement, including location, and execution authority to the General Manager – Property & Infrastructure; provided all relevant requirements of the Easement Policy 2008 are addressed; and;
5. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of an easement to Skyline Enterprises Ltd over Pt Section 110 Blk XX Shotover SD.
14. **New licence to Free Walking Tours Ltd to undertake guided tours in the Queenstown Town Centre**

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application from Free Walking Tours Ltd for a the renewal of a licence to provide guided walking tours in the Queenstown Town Centre. A new licence was needed once their current licence expired on 31 October 2017. The report recommended that a new licence be granted subject to several recommended conditions.

The report was presented by Mr Cruickshank and Mr Burt.

On the motion of Councillors McRobie and MacLeod it was resolved that the 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:	Licensee to ensure all rubbish associated with their operation is removed from the area immediately
	Maximum group size of 20 people, plus 1 guide
	Sale of merchandise on or about the tracks or trails is not permitted

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.

15. Classification and reclassification of land at Luggate Red Bridge

A report from Blake Hoyer (Property Advisor, APL Property Ltd) considered the classification and reclassification of land at the Luggate Red Bridge pursuant to the Reserve Act 1977. The report noted that the intention to classify and reclassify the reserves was publicly notified but no submissions were received. Accordingly, the report recommended that classification and reclassification of the reserves be approved.

The report was presented by Mr Cruickshank and Mr Quin.

Councillor MacLeod paid tribute to the work of the local people and the Council staff who were behind this project in Luggate.

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

1. Note the contents of this report;
2. Approve the following reserve classifications for the land at the Luggate Red Bridge Reserves:
 - a. To be classified or reclassified as Historic Reserve
 - i. Lot 5 DP 490602
 - ii. Section 37 Blk VII Lower Hawea SD
 - iii. Section 6 Blk VII Lower Hawea SD
 - iv. Section 1 SO 489559
 - v. Section 3 SO 489559
 - b. To be reclassified as Recreation Reserve
 - i. Section 34 Blk VII Lower Hawea SD
3. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the classification and reclassification of the reserves as detailed above;
4. Delegate signing authority and to register the appropriate notices in the New Zealand Gazette to the General Manager, Property and Infrastructure.

16. Suburban Estates Ltd, Proposal to Vest Land as Reserve

A report from Aaron Burt (Senior Planner, Parks and Reserves) assessed a proposal to vest a new reserve within a development being undertaken by Suburban Estates Ltd. The report recommended that the Council accept the reserve, subject to various works being undertaken by the applicant; and also recommended that reserve land contributions are offset in accordance with Council policy.

The report was presented by Mr Burt and Mr Quin.

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

- 1. Approve the vesting of the proposed reserve;**
 - a. Lot 201 Recreation Reserve**
subject to the following works being undertaken at the applicant's expense:
 - i. Presentation of the reserve in accordance with Council's standards for reserves;**
 - ii. A potable water supply point to be provided at the boundary of the reserve lot;**
 - iii. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land;**
 - iv. A three year maintenance period by the current landowner commencing from vesting of the reserve in accordance with the relevant consent, and subject to consent conditions being imposed under variation RM170060 to ensure such;**
 - v. A landscape plan to be provided to the Parks Planning Manager to identify removal/replacement trees to be established prior to the commencement of the maintenance period;**
 - vi. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.**
- 2. Approve reserve land contributions are offset in accordance with the Development Contributions Policy current at the time of contributions**

**payment and the Parks and Open Space Strategy
2017, subject to recommendation (iii) above.**

17. Easement – Wanaka-Mount Aspiring Road

A report from Blake Hoger (Property Advisor, APL Property Ltd) assessed an application from Roys Bay Estate Limited for an in-ground service easement over reserve land for the purposes of draining sewerage via a foul sewer line to existing infrastructure in the adjacent road reserve. The report concluded that the easement neither affected the ability of people to use the reserve nor did it create any long-term permanent effect on it, so the proposed easement over the reserve did not require public notification. The report recommended that the easement be granted subject to conditions.

The report was presented by Mr Cruickshank, Mr Burt and Mr Quin.

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

- 1. Note the contents of this report;**
- 2. Approve an underground easement over Scenic Reserve Lot 2 DP 23625 subject to section 48 (1)(d) of the Reserves Act 1977, in favour Roys Bay Estate Limited subject to the following conditions:**
 - a. Roys Bay Estate Limited to notify and liaise with QLDC's Infrastructure Department in advance of any onsite works so that they can oversee and provide input relating to existing in ground infrastructure;**
 - b. The new sewer connection must be installed in accordance with the Conditions of RM 081295 relating to work around the trees and QLDC's subdivision code of practice.**
 - c. Works are to be completed in a manner and supervised by an arborist to ensure no damage occurs to the existing trees. The arborist must provide a report on completion of the works identifying the degree of any root severance undertaken, and demonstrating that no damage has occurred to the health of the tree as a consequence.**
 - d. A bond of \$2,000.00 be payable to QLDC prior to any works commencing;**
 - e. The work site to be evidenced by before and after photographs, video or similar to be provided by Roys Bay Estate Limited;**

- f. A comprehensive safety plan must be prepared and implemented, at Roys Bay Estate Limited's cost, to ensure a safe environment is maintained around the subject site;
 - g. Certificate of adequate public liability cover to be received;
 - h. Reinstatement of the area to be completed immediately following installation and to the satisfaction of QLDC's Infrastructure Department. Reinstatement to include any fencing or other structures.
 - i. Within 3 months of completion of the work, Roys Bay Estate Limited to provide QLDC with a surveyed easement and signed Deed of Easement.
- 3. Agree that notification of the intension to grant the easement is not required as the statutory test in section 48(3) of Reserves Act 1977 is met for the reasons set out in this report;
- 4. Delegate authority to approve final terms and conditions, and execution authority to the General Manager - Property and Infrastructure; and
- 5. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of an easement to Roys Bay Estate Limited over Lot 4 DP 300273.

17a. RCL Queenstown PTY Ltd/Hanley's Farm, Proposal to Vest Various Lands as Reserve and to Offset Reserve Land and Reserve Improvement Contributions as per Development Contributions Policy

A report from Aaron Burt (Senior Planner, Parks and Reserves) assessed a proposal to vest five proposed reserves associated with the Hanley's Farm development, and to offset reserve land and reserve improvement development contributions in accordance with Council policy. The report recommended that the Council accept the proposal in accordance with the Parks and Open Space Strategy 2017, because the reserves would be vested at no cost to Council and reflected what was proposed in the resource consents and applicable applications for the developments.

The report was presented by Mr Burt and Mr Quin.

It was noted that various parcels of land were involved and some would be recreation reserve and some local purpose reserve (for stormwater drainage). The recreation reserve at just over 2ha would be a community park with the usual facilities eg, public toilets, playground.

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

1. Approve the vesting of the five identified proposed reserves:

- a. Lot 95 RM161129 Local Purpose Reserve (Drainage)**
- b. Lot 96 RM161129 Local Purpose Reserve (Drainage)**
- c. Lot 97 RM161129 Recreation Reserve**
- d. Lot 98 RM160562 Local Purpose Reserve (Drainage)**
- e. Lot 99 RM160562 Recreation Reserve**

Subject to the following works being undertaken at the applicant's expense:

- i. Consent being granted (as necessary) for any subdivision required to formally create the reserve;**
 - ii. Presentation of the reserve in accordance with Council's standards for reserves and any conditions of the applicable resource consents;**
 - iii. A potable water supply point to be provided at the boundary of the reserves;**
 - iv. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserves to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land;**
 - v. A five year maintenance period by the current landowner commencing from vesting of the reserve;**
 - vi. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.**
- 2. Agree that reserve land contributions created through consented stages of subdivision included within the "Area Subject to this Agreement" in the *Hanley Downs – Reserves for***

Early Stages plan, 3 March 2016, are offset against Lot 97 RM161129 Recreation Reserve and Lot 99 RM160562 Recreation Reserve in accordance with the Development Contributions Policy current at the time of contributions payment and the Parks and Open Space Strategy 2017, subject to the approval of the reserves in (1) above being vested in Council.

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

1. Approve credit up to the value of \$1,479,000 from reserve improvement contributions created through consented stages of subdivision included within the “Area Subject to this Agreement” in the *Hanley Downs – Reserves for Early Stages* plan dated 3 March 2016;

Subject to the works being undertaken in Recreation Reserve and in accordance with the Landscape Plans approved by consents RM160562 and RM161129, subject to:

- a. Detailed design plans for the reserve to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager.
- b. Final approval of reserve improvement costs to be delegated to the Parks and Reserves Planning Manager and is subject to the applicant demonstrating the actual costs of the improvements.
- c. If the cost of work to construct the approved plans exceeds the contributions available to be credited, the additional cost shall be at the applicant’s expense.

18. Chief Executive’s Report

A report from the Chief Executive:

- Presented a meeting schedule for 2018 for adoption;
- Recommended the appointment of Councillor McRobie as the third councillor representation on the Queenstown Community Housing Trust Liaison Group;
- Sought the allocation of funding for an accelerated LED street lighting upgrade.

It was noted that the meeting schedule recommended that two 2018 Council meetings be held in Wanaka, but the actual location could be anywhere in the Upper Clutha area.

Members commented positively on the opportunity provided by the funding available from the NZTA for the LED street lighting upgrade.

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

- 1. Note the contents of this report;**
- 2. Adopt the schedule of ordinary Council, Standing Committee and Wanaka Community Board meetings for 2018;**
- 3. Agree that the ordinary Council meetings to be held on 23 March 2018 and 6 September 2018 be held in Wanaka; and**
- 4. Appoint Councillor McRobie as the Council's third elected representative on the Queenstown Lakes Community Housing Trust Liaison Group.**
- 5. Approve budget of \$3.2million for an accelerated LED street lighting upgrade, on the understanding that this will be funded 85% by the NZTA.**

Resolution to Exclude the Public

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

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 of ordinary meeting held on 17 August 2017

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

19. Funding of Legal Settlements 2016/17	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; and i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(a) Section 7(2)(i)
20. Chief Executive salary review and tenure	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;	Section 7(2)(a)

Agenda Items

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
19. Appointment of Resource Management Act Hearings 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)

QUEENSTOWN LAKES DISTRICT COUNCIL

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
20. Commonage Land Sale	<p>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:</p> <ul style="list-style-type: none"> h) enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities; i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); j) prevent the disclosure or use of official information for improper gain or improper advantage. 	<p>Section 7(2)(h)</p> <p>Section 7(2)(i)</p> <p>7(2)(j)</p>
21. Proposed new lease to Peak Bungy Limited for the bungy operation on Ben Lomond Reserve	<p>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:</p> <ul style="list-style-type: none"> b) protect information where the making available of the information: <ul style="list-style-type: none"> i) would disclose a trade secret; and ii) would likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information 	<p>Section 7(2)(b)(i) & (ii)</p>

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
22. Appointment of QAC Directors	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 h) enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities;	Section 7(2)(a) Section 7(2)(h)

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 3.45pm.

The meeting came out of public excluded and concluded at 4.10pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

M A Y O R

26 October 2017

D A T E