

Agenda for an ordinary meeting of the Queenstown Lakes District Council to be held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday, 13 December 2018 commencing at 1.00pm

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**Minutes of an ordinary meeting of the Queenstown Lakes District Council
held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday, 25
October 2018 commencing at 1.00pm**

Present:

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

In attendance:

Mr Mike Theelen (Chief Executive), Mr Stewart Burns (General Manager Finance, Regulatory and Legal), Mr Tony Avery (General Manager, Planning and Development), Dr Thunes Cloete (General Manager, Community Services), Mr Peter Hansby (General Manager, Infrastructure and Property), Mrs Lyn Zeederberg (Financial Controller), Mrs Jeannie Galavazi (Acting Parks Planning Manager), Mr Dan Cruickshank (Property Advisor, APL Property Ltd), Mr Aaron Burt (Senior Planner, Parks and Reserves), Ms Sarah Pickard (Senior Planner, Policy), Mr Lee Webster (Manager, Regulatory), Ms Tara McGivern (Alcohol Licensing Inspector), Ms Laura Gledhill (Contracts Manager, Maintenance and Operations), Mr Paul Speedy (Strategic Projects Manager) and Ms Jane Robertson (Senior Governance Advisor); three members of the media and four members of the public

Apologies/Leave of Absence Requests

There were no apologies.

The following requests for Leave of Absence were made:

- Councillor Stevens: 31 October – 3 November 2018
- Councillor MacLeod: 11-15 November 2018; 25 November – 19 December 2018
- Councillor MacDonald: 21 November – 3 December 2018
- Councillor Forbes: 16 December 2018 – 8 January 2019
- Councillor Smith: 20 January – 4 February 2019

**On the motion of the Mayor and Councillor Ferguson
the Council resolved to grant the requests for leave
of absence.**

Declarations of Conflicts of Interest

Councillor Stevens advised that he had been a Commissioner for item 11 ('Private Plan Change 53: Northlake Special Zone'). The Mayor advised that Councillor Stevens should retire from the table for this item.

Councillor Smith advised that he was associated with the Wanaka Yacht Club as a member of one of their subcommittees and the club was affected by the Community Pricing Policy. He questioned whether this was deemed a conflict. The Mayor did not consider that this disqualified Councillor Smith from the item.

Matters Lying on the Table

The following item remained lying on the table, pending presentation at the 13 December ordinary Council meeting:

- Stakeholder Deed for the proposed Universal Developments (Hawea) Special Housing Area.

Public Forum

1. Michael Ross

Mr Ross spoke about future air access in the region and the concerns of the Wanaka Stakeholders Group about Queenstown Airport Corporation's ('QAC') plans to advance the Wanaka Airport Master Plan following the decision to put the plan to develop Queenstown Airport on hold. This had raised concerns that QAC wished to use Wanaka Airport for jet aircraft because growth could not be accommodated in Queenstown. This was a sea-change from original plans for Wanaka Airport, was both sweeping and radical and would affect the whole community. There had been no substantive community consultation on what was a major change in use and it would have a major impact upon local infrastructure, amenities and the environment. Council should be leading this process rather than QAC needed to work alongside the community to understand the district-wide impact. He asked the Council:

1. How it planned to get a mandate from the local community to redevelop Wanaka Airport to accommodate the overflow from Queenstown Airport;
2. In light of the negative feedback on the Queenstown Noise Boundary issue, the Council should start getting the Wanaka community's views now;
3. Council should determine the community's capacity through a Destination Management Master Plan before advancing the Wanaka Airport Masterplan.

2. Julie Scott and Joanne Conroy, Queenstown Lakes Community Housing Trust

Ms Scott addressed item 10 on the agenda ('Mayoral Housing Affordability Taskforce Progress Report'). She was concerned about the pessimistic tone of the report and the way in which the comment about slow progress could reflect negatively on the Trust. She reminded the Council of the time it took to acquire land and build a house. She was also critical of the statement that the QLCHT housing developments were "well below the need" of the Trust's waiting list, as the report only showed some the developments proposed for the next few years.

Ms Scott observed that the price point for the Toru apartments at \$500,000 was as affordable as Queenstown got and should not be regarded as being "too high". She added that it was the underlying programme that provided the affordability, not the market value. She remained confident that the goal of 1,000 affordable homes was achievable, pointing out that 60-70 homes could be built in Jopp Street and the Council could play a significant role in this.

Special Announcements

The Mayor referred with sorrow to the deaths of several local identities in recent days:

Alan Wilson
Robert Rutherford
Nick Wallis
Scott Theobald
Paul Hondelink

On behalf of the district he offered sincere sympathies to all five families affected.

Those present stood for a moment's silence in memory of these people.

Confirmation of agenda

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

Confirmation of minutes

On the motion of the Mayor and Councillor Stevens the Council resolved that the minutes of the meeting held on 6 September 2018 be confirmed as a true and correct record.

Councillor MacLeod abstained from voting because he was not present at the meeting.

1. Adoption of 2017/18 Annual Report

A covering report from Lyn Zeederberg (Financial Controller) introduced the Annual Report for the year ended 30 June 2018. The Annual Report and the Annual Report summary were appended as separate documents.

The report was presented by Mr Burns, Mrs Zeederberg and Ms Morss.

Mr Burns advised that completion of the Annual Report represented an important milestone for the Council and the report had received a clean audit opinion. He highlighted some of the key results, stressing that the surplus of \$51M did not represent profit. He noted that high levels of development throughout the district had driven the workload and the main revenue streams all related to development. He considered that the Council had managed well through a period of significantly increased activity.

Councillor McRobie as Chair of the Audit, Finance and Risk Committee conveyed that committee's congratulations and appreciation for the work on completing the report.

Mrs Zeederberg advised of a small amendment to part of the report. The following was added as the first sentence to Note 26 Subsequent Events on p168 of Attachment A:

“On the 8 August 2018 additional LGFA borrowings were entered into of \$10m with the money currently being held in a new term deposit.”

On the motion of the Mayor and Councillor McRobie it was resolved that the Council accept this change to the 2017/18 Annual Report.

The Council returned to the original report recommendation.

On the motion of the Mayor and Councillor MacDonald it was resolved that the Council adopt the Annual Report for the year ended 30 June 2018 pursuant to sections 98 and 99 of the Local Government Act 2002, and as recommended by the Audit, Finance and Risk Committee.

2. Proposed Amendment to Policy on Development Contributions

A report from Stewart Burns (General Manager, Finance, Legal and Regulatory) presented a Statement of Proposal to amend the policy on Development Contributions in order to rectify incorrect differential values within the current policy.

The report was presented by Mr Burns.

Councillor Smith stated that he had concerns about development contributions as they related to roading transport costs and how they were borne by developers. He also considered that water and wastewater development costs should be able to be dealt with on a more local basis. He was particularly concerned that the Council was failing to recover costs through development contributions under the existing structure.

The Chief Executive advised that this concern, whilst valid, was well outside the scope of the agenda item which was only to address an earlier error in the Development Contributions policy. He considered that the issues Councillor Smith had raised involved a number of intertwining Council projects but he would follow up on these outside the meeting.

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

- 1. Note the contents of this report;**
- 2. Approve the Council entering into consultation on the proposed amendment to the Policy on Development Contributions in accordance with section 102 (4) (b) of the Local Government Act 2002.**

3. Amendments to Queenstown Lakes District Council Freedom Camping Control Bylaw 2012 and Arrowtown-Lake Hayes Reserve Management Plan

A report from Jeannie Galavazi (Acting Parks and Reserves Planning Manager) presented proposed amendments to the Queenstown Lakes District Council Freedom Camping Control Bylaw 2012 and Arrowtown-Lake Hayes Reserve Management Plan 2013 for adoption following completion of a public consultation process. The general object of the amendments was to control freedom camping.

Items 3 and 4 were presented by Dr Cloete and Mrs Galavazi. Dr Cloete introduced a new staff member who was seated in the public gallery, Mr Graeme Davies, who had recently commenced work as the Parks Manager.

Councillor MacLeod observed that there was a cost for freedom camping, and the continuing practice of naming it as such was misleading and did not reflect its social and infrastructural costs.

Councillor Stevens (who had chaired the hearing panel) acknowledged this concern but noted that the Council was obliged to continue using the name as it was amending a 2012 bylaw of that name. He reminded the Council that the scope of this item was very narrow and was limited to a minor amendment to both the Queenstown Lakes District Council Freedom Camping Control Bylaw 2012 and Arrowtown-Lake Hayes Reserve Management Plan 2013. He added that a number of submitters had also commented on matters beyond the scope of the consultation and it had therefore been a recommendation of the panel that all feedback to this process also went to Responsible Camping Strategy.

Councillor Forbes noted that the Responsible Camping Strategy had made great advances but asked whether changes made via the Strategy would require consequential amendments to the Freedom Camping Control Bylaw. Dr Cloete agreed that this was a valid concern and observed that there would need to be a comprehensive review of the bylaw in the future, which may also involve renaming it.

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

- 1. Note the contents of the report;**
- 2. Amend the Queenstown Lakes District Council Freedom Camping Control Bylaw 2012 to update 'Schedule A Maps' to prohibit freedom camping at all Council administered Lake Hayes Reserves and the parking area at the Shotover Delta located to the northwest of the Shotover Bridge.**
- 3. Amend the Arrowtown-Lake Hayes Reserve Management Plan 2013 to update the policy to:**

17.1 Freedom Camping is permitted in the Reserves only to the extent allowed in the Council's Freedom Camping Control Bylaw

- 4. Note that all submissions and feedback received through this consultation will be fed into the responsible camping strategy work that is currently underway.**
- 5. Agree to exercise the Conservation Minister's consent (under delegation from the Minister).**

4. Responsible Camping Strategy 2018

A report from Jeannie Galavazi (Acting Parks and Reserves Planning Manager) presented the Responsible Camping Strategy for adoption.

Mrs Galavazi expressed thanks to the partner organisations in this project for their involvement in the strategy and the funding received from them. She added that Central Otago District Council and the Southland District Council had also joined the discussions and work had started with these agencies about implementing the actions identified in the strategy. A Memorandum of Understanding would be developed with these agencies to guide how they would work together to implement the plan.

Mrs Galavazi noted a correction to of her report, in that the workshop detailed in paragraph 5 had taken place in November 2017 and not 2018 as printed.

Councillor Stevens stated that the strategy's development was an acknowledgment that the QLDC could not manage this problem alone. He observed that the lack of an effective definition of self-containment made enforcement difficult and it had ultimately been left to the QLDC to lead this process, with other councils waiting to see what would happen. He warned against getting too far ahead of the rest of the country which could be confusing for travellers, but the problem was so nationally important he was confident other councils would soon follow. He believed a priority in any new bylaw was to redefine 'self-containment'.

The Mayor considered that as probably the most affected community in New Zealand it was appropriate for the QLDC to take a lead on freedom camping.

Councillor Forbes noted that the Council was still trying to find camping locations that people could use for nothing, but the option of people paying to 'freedom' camp had not been examined. She considered that the Council needed to start educating both campers and the local community about the provision of basic camping facilities at an affordable level that nonetheless covered the Council's expenses. The Mayor advised he was conflicted on this point, as whilst he did not know if it was reasonable to expect to camp for 'free' he was aware of the expectation of New Zealanders being able to camp in the bush if they wished to do so.

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

- 1. Note the contents of this report and in particular the collaborative approach taken by DoC, NZTA, MBIE, LINZ and QLDC to develop this district wide strategy; and**
- 2. Adopt the Responsible Camping Strategy for the Queenstown Lakes District.**

5. Lessor's and Minister's Approval to enable Skyline Enterprises Limited, to establish a (replacement) luge workshop building within their Lease Area on the Ben Lomond Recreation Reserve

A report from Aaron Burt (Senior Planner, Parks and Reserves) assessed whether the Council should provide Lessor's Approval and exercise the Minister's delegation to provide Minister's Approval to Skyline Enterprises Limited ('SEL'), to establish a (replacement) luge workshop building within their Lease Area on the Ben Lomond Recreation Reserve. The report recommended that the Council give approval as it would enable SEL to establish the building, whilst approved resource consent conditions would appropriately mitigate any adverse effects on the greater environment.

The report was presented by Dr Cloete and Mr Burt.

Councillor Stevens asked why any small variation to SEL's lease required Council's approval. Mr Burt advised that a condition of SEL's lease, which was common to many leases, was the approval of the Minister of Conservation and this responsibility had been delegated to the full Council.

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

- 1. Note the contents of this report; and**
- 2. Approve Lessor's Approval and Minister's Approval for SEL to establish a (replacement) luge workshop building within their Lease Area on Section 1 SO 24832.**

6. Millbrook Cricket Club – New Reserve Licence

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application from the Millbrook Cricket Club for a new licence for the clubhouse building to occupy Recreation Reserve located on the corner of Malaghans Road and Arrowtown-Lake Hayes Road, locally known as Millbrook Corner. The report advised that the proposal had been subject to public consultation with no submissions received and it was therefore recommended that a licence be granted for an initial term of 10 years, subject to various conditions.

Items 6-9 were presented by Dr Cloete, Mr Burt and Mr Cruickshank.

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

1. Note the contents of this report;
2. Grant a new licence under section 54(1)(c) of the Reserves Act 1977, to the Millbrook Cricket Club (or nominee), for clubrooms and storage, on Section 8 SO 434963, subject to the following conditions:

Commencement	TBC
Term	10 years
Rent	\$1 per annum pursuant to Community Pricing Policy
Reviews	At renewal or when Community Facility Funding Policy is reviewed
Renewals	One of 10 years (by agreement of both parties)
Use	Clubrooms, meeting space and storage facilities associated with cricket
Assignment and Sublease	With Lessor's prior written approval
Insurance	\$2 million public liability insurance cover
Termination	Council can give 2-years cancellation notice if the land is required for the 'provision of core infrastructure services' (not in the first 2 years)
Special Conditions	At expiry, lessee to remove all chattels from the premise but all fixtures and fittings affixed to the premises shall revert to the lessor without any compensation

3. Agree to the exercise of the Minister's consent under delegation from the Minister of Conservation, to grant a licence to the Millbrook Cricket Club over the reserve land detailed above.

4. Delegate final licence terms and conditions, approval of entity name and signing authority to the General Manager Community Services.

7. **Proposed Reserve Licence - Otago Regional Council Water Monitoring Stations at Hayes Creek and Mill Stream**

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application from the Otago Regional Council for a reserve licence to enable water quality monitoring equipment to be sited on the banks of Hayes Creek and Mill Stream, upon reserve land legally described as Lot 3 DP 15096 and Lot 307 DP 505513. The report did not consider that the proposal required public notification as the equipment would not materially alter the reserve or affect the rights of the public to access the report. Accordingly, the report recommended that the Council approve the licence, subject to various recommended conditions.

The Mayor expressed appreciation for the Otago Regional Council's efforts to become more active in this district.

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

1. Note the contents of this report;
2. Approve a new licence, in accordance with Section 48(a) of the Reserves Act 1977, to Otago Regional Council over Lot 3 DP 15096 and Lot 307 DP 505513 subject to the following conditions:
Commencement TBC

Term	Three years
Rent	\$1.00+GST (if charged)
Use	Water Monitoring Equipment including installation, maintenance and use of the equipment and conduits running from the housing units to the creek.
Cancellation	By either party with 3 months' notice
Insurance	\$2 million public liability insurance cover
Renewals	None

- 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 Otago Regional Council over Lot 3 DP 15096 and Lot 307 DP 505513; and**
- 4. Delegate final licence terms and conditions and signing authority to the General Manager Community Services**

8. Parkrun New Zealand Ltd – New Wanaka Licence

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application from Parkrun New Zealand Limited for a new licence to use parts of the Roys Bay Recreation Reserve and Wanaka Station Park to host free, weekly, 5km timed runs. The Wanaka Community Board had considered the licence at its meeting held on 5 July 2018 and had approved notification of the intention to grant a licence. No submissions had been received and the report recommended that a licence be granted subject to conditions. It was noted that the licence did not enable exclusive use of the reserve areas, with the applicant required to share the reserves with otherwise unrestricted public use.

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

- 1. Note the contents of this report;**
- 2. Approve a licence over the areas of Recreation Reserve outlined in the Schedule below, to Parkrun New Zealand Limited for hosting free, weekly, 5km timed runs, subject to the following terms and conditions:**

Schedule – Recreation Reserve Land

Commonly known as	Legal description	Certificate of title
Wanaka Station Park	Lot 1 DP 16152 and Lot 14 DP 26147	OT18A/1013
Roys Bay Recreation Reserve	Section 45 Blk III Lower Wanaka SD	-
Waterfall Creek to Wanaka Station Park	Section 46 Blk III Lower Wanaka SD	2290

Commencement TBC

Term 3 years

Renewal One further term of 3 years by agreement of both parties

Rent	\$1.00 (if demanded) per annum pursuant to Community Facility Funding Policy
Reviews	At renewal
Operating Hours	Each Saturday morning from 7.30 am – 11.00 am
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
Termination	Council to retain ability to terminate the licence at their sole discretion with a minimum of three months' notice
Other	Licensee to ensure they hold a valid resource consent (if required) Participants to be capped to a maximum of 200 persons engaged in the activity upon the land, as a licence condition Licensee to monitor ground conditions (including grass) and modify their activity if noticeably adverse effects are occurring as a result of the activity. Licensee to ensure that all attendees to the event be made aware of the location of public toilets on the reserve, and that all rubbish be placed in designated Council rubbish bins post event or be collected and removed offsite should Council require such Licensee to ensure that the event is well sign posted to forewarn other users of the reserve of the event

- 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 Parkrun New Zealand Limited over Lot 1 DP 16152, Lot 14 DP 26147, Section 45 Blk III Lower Wanaka SD and Section 46 Blk III Lower Wanaka SD;**
- 4. Delegate final licence terms and conditions and signing authority to the General Manager Community Services.**

9. Underground Service Easement – Bannister Street, Hanley's Farm

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application for an underground service easement in favour of Queenstown Lakes District Council over land previously vested through subdivision as Recreation Reserve Lot 97 DP 505055, by the developer of Hanley's Farm, RCL Henley Downs Ltd. The easement was required for a stormwater pipe for the Hanley's Farm development. The report advised that the proposed easement did not require public notification because it would not affect the ability of people to use the reserve nor would it have any long-term effect, and the report recommended that the easement be granted subject to various recommended conditions.

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

- 1. Note the contents of this report;**
- 2. Approve an underground stormwater easement, for right to drain water (in gross), over Recreation Reserve Lot 97 DP 505055 subject to section 48(1)(f) of the Reserves Act, to Queenstown Lakes District Council subject to the following conditions;**
 - a. Any works to be undertaken to the specification and approval of Council's Engineers in accordance with the current Land Development and Subdivision Code.**
 - b. A comprehensive safety plan must be prepared and implemented, at the applicant's cost, to ensure a safe environment is maintained around the subject site.**
 - c. Certificate of adequate public liability cover to be held.**
 - d. Reinstatement of the area to be completed immediately following installation and to the satisfaction of the Council.**

- e. Within 3 months of completion of the work, RCL Henley Downs Limited to provide QLDC with a surveyed easement and signed Deed of Easement.
3. Agree 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;
4. Delegate authority to approve final terms and conditions of the easement, including location, and execution authority to the General Manager – Community Services;
5. Agree to exercise the Minister's consent (under delegation from the Minister of Conservation) to granting of an easement to Queenstown Lakes District Council over Lot 97 DP 505055.

10. Mayoral Housing Affordability Taskforce Progress Report

A report from Katie Russell (Policy Planner) updated the Council on progress with implementing the six recommendations of the Mayoral Housing Affordability Taskforce report.

The report was presented by Mr Avery.

Councillor MacDonald commented further on the contents of the report and the points raised in the Public Forum. He noted that whilst not yet evident, much activity was soon to be rolled out.

The Mayor agreed that the pace of delivery was somewhat frustrating but he acknowledged that major initiatives often took a while to gain traction. He believed that the pace would increase noticeably through the 10% contribution from SHA developments. The Mayor also acknowledged the valuable input to the work of the Housing Trust of the outgoing Chair, Martin Hawes.

Councillor Forbes observed that the present steps all came from the current system and systemic change was needed on the way housing was provided in New Zealand to make a significant difference. The Mayor advised that the Council continued to lobby central government strongly about housing and whilst the Minister of Housing was supportive, widespread systemic change was harder to achieve. Councillor MacDonald added that there were initiatives being planned that could not be discussed at this stage but the district could anticipate major changes over the next few years.

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

- 1. Note the contents of this agenda report; and**

2. Note the progress implementing the recommendations of the Mayoral Housing Affordability Taskforce Report.

11. Ratification of Hearings Panel's recommendation on Private Plan Change 53: Northlake Special Zone

A report from Sarah Picard (Senior Planner – Policy) presented the report and recommendation of the Hearings Panel on matters raised in submissions on Private Plan Change 53 – Northlake Special Zone which was presented for ratification as a Council decision.

Concern was expressed that the Plan Change effectively eroded what had been proposed under the Northlake Special Zone Structure Plan in the Operative District Plan. Ms Pickard confirmed that approval of the Plan Change would remove the rule requiring certain community facilities to be provided beyond 50 lots being created.

The Mayor questioned why the Council would agree to what was proposed in the Plan Change. Councillor Smith agreed that it removed the positive carrots that had been provided under the original Private Plan Change process.

There was discussion about the Council's limited ability to change the Hearings Panel recommendation as it had not heard the evidence at the hearing or read the submissions.

In light of his grave discomfort in approving the Plan Change, the Mayor suggested that the Council consider leaving the item on the table which would still leave the Council able to appoint a new hearing panel or for the Council to become the hearings panel itself.

On the motion of the Mayor and Councillor Smith the Council resolved that the item lie on the table pending legal advice and the advice of the Executive Leadership Team.

12. Queenstown Lakes District Council Alcohol Restrictions in Public Places Bylaw 2018

A report from Tara McGivern (Liquor Licencing Inspector) presented the final form of the Alcohol Restrictions in Public Places Bylaw 2018 following completion of the public consultation process. It was noted at the beginning of the consultation the bylaw had been known as the 'Alcohol Ban Bylaw' but submissions about the negative connotations of the name had resulted in the recommendation that it be renamed.

The report was presented by Mr Webster and Ms McGivern.

Councillor McRobie asked why part 7 of the recommendation had been included. Mr Webster advised that currently the Local Government Act 2002 only permitted a Council to introduce a bylaw for alcohol control purposes if there was evidence that an area had experienced “a high level of crime or disorder” that had either been “caused or made worse by alcohol consumption” and could be justified as “a reasonable limitation on people’s rights and freedoms.” He considered that because of this need to provide evidence, communities could not be proactive and he considered it would be helpful to be able to change this criteria.

Councillor Smith left the meeting at 2.13pm.

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

- 1. Note the contents of this report;**
- 2. Accept the proposal to increase the hours of the current alcohol restrictions in the specified areas e.g. Queenstown CBD from 8.00 pm on any day to 8.00 am the following day;**
- 3. Accept the proposal to include alcohol restrictions in the Queenstown CBD from 12.00 am on National Crate Day (or any variation of this event or promotion) of any given year to 12.00 am the following day;**
- 4. Accept the title of the bylaw be amended to ‘Alcohol Restrictions in Public Places Bylaw 2018’, following the hearing panels deliberations;**
- 5. Adopt the Alcohol Restrictions in Public Places Bylaw 2018;**
- 6. Agree that Council endorses a greater level of collaboration with the Southern District Health Board and NZ Police, to ensure stronger evidence and information is available from them to assist Council’s decision making in any future reviews of the bylaw;**
- 7. Agree that Council write to Central Government requesting a review of clause 147(b) of the Local Government Act 2002 to allow councils to create more proactive measures to reduce alcohol harm in their communities.**

Councillor Smith returned to the meeting at 2.16pm.

13. Dog Control Policy and Practices Report 2017 – 2018

A report from Lee Webster (Manager, Regulatory) presented information about the administration of the Council's dog control practices and dog control policy in accordance with section 10A of the Dog Control Act 1996.

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

- 1. Note the contents of this report;**
- 2. Adopt the Dog Control Policy and Practices report 2017/2018, in accordance with Section 10A of the Dog Control Act 1996;**
- 3. Approve the publication of the Dog Control Policy and Practices report 2017/2018; and**
- 4. Direct Council staff to forward a copy of the Dog Control Policy and Practices report 2017/2018 to the Secretary for Local Government.**

14. Chief Executive's Report

A report from the Chief Executive:

- Presented a minor amendment to the Rates Resolution made at the Council meeting on 6 September 2018;
- Asked the Council to rescind resolution 4 of a motion made at a Council meeting on 25 May 2017 on a proposed Frankton Flats land exchange with Remarkables Park because it was now proposed to take the land under the Public Works Act as Local Purpose (Access way) reserve;
- Asked the Council to rescind a portion and then vary a resolution made on 8 October 2018 in relation to a Morven Ferry Road stopping request;
- Sought the appointment of a hearings panel of three from the Community and Services Committee to hear submissions made on the Community Facility Funding Policy;
- Noted a change to the hearings panel for Traffic and Parking Bylaw;
- Sought endorsement of Andrew Blair as a new Trustee and new Chair of the Queenstown Lakes Community Housing Trust; and
- Presented a summary of the items from recent Standing Committee and Wanaka Community Board meetings, including recommendations for ratification from the Wanaka Community Board and Community and Services Committee.

Due to the size of the Community and Services Committee it was agreed that the hearings panel for the Community Facility Funding Policy did not need all to come from the Community and Services Committee. It was further agreed to appoint four, from which a panel of three form a hearings panel.

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

1. Note the contents of this report;
2. Note the items considered during the past meeting round by the Planning and Strategy Committee, Infrastructure Committee, Wanaka Community Board, Community and Services Committee and Appeals Subcommittee.

Alteration to Rates Resolution from 6 Sept 2018

3. Amend the setting of rates for the Queenstown Lakes District Council for the 2018/19 financial year as per section 23 of the Local Government (Rating) Act 2002 by inserting the rates and charges applicable for rating category “11. Country Dwelling plus Flat” and amending the numbering of “12. Other” and “13. Mixed Use Apportioned.”

Frankton Flats Land Exchange

4. Rescind the following resolution from the Council meeting held on 25 May 2017 in regard to the Frankton Flats Land Exchange report:

4. Approve the land being acquired from Remarkables Park Ltd measuring approximately 370 square metres and situated at the Eastern end of the exchange area, being amalgamated with Council freehold land currently held in Computer Freehold Register 507467, subject to resource consent being granted.

And replace it with:

5. Approve the land being acquired from Remarkables Park Ltd measuring approximately 370 square metres and situated at the Eastern end of the exchange area, being taken for local purpose (access way), pursuant to section 20 of the Public Works Act;

Road Stopping – Unformed Roads in the vicinity of Morven Ferry Road – Approval Amendment

6. Rescind the following resolution from the Council meeting held on 8 October 2013 in regard to the Road Stopping - Unformed Roads in the vicinity of Morven Ferry Road report:

i) Alignments 'ABC', 'BD' and 'FG' amalgamate

with C.F.R. OT82/232 and further to ensure that the residual titles retain legal frontage, C.F.R.s OT18C/655 and 3324 amalgamate with C.F.R. OT84/82, and C.F.R. 3323 amalgamates with C.F.R. OT82/232.;

7. Approve alignments, 'ZD' and 'FG' amalgamate with C.F.R. OT82/232 and further to ensure that the residual titles retain legal frontage, C.F.R.s OT18C/655 and 3324 amalgamate with C.F.R. OT84/82, and C.F.R. 3323 amalgamates with C.F.R. OT82/232, in conjunction with the updated road closure plan; and
8. Approve applying compensation for the trail easements to the purchase value of the land.

Community Facility Funding Policy – Appointment of Hearings Panel

9. Appoint Councillors Clark, Miller, Smith and Stevens, of whom any three may form a panel to hear submissions and make a recommendation to Council on the Community Facility Funding Policy.

Traffic and Parking Bylaw - Hearings Panel Membership Change

10. Note that Councillors Clark, Forbes and McRobie will participate in a hearing panel to consider and hear submissions on the draft Traffic and Parking Bylaw 2018 and the Traffic and Parking Bylaw 2018 Statement of Proposal and make recommendations on its final form back to Council.

Membership of Queenstown Lakes Community Housing Trust

11. Endorse the appointment of Andrew Blair as a Trustee and Chair of the Queenstown Lakes Community Housing Trust.

Recommendation from Wanaka Community Board

Proposal to vest land in Wanaka as two Local Purpose Reserves and to offset Reserve Improvement Contributions as per the Development Contributions Policy

12. Approve the vesting of the two proposed Local Purpose reserves:
Orchard Road Holdings Ltd – RM171177

13. Lot 997 (0.936 hectares): Local Purpose (Stormwater) Reserve, Ballantyne Road

14. Lot 998 (2.162 hectares): Local Purpose (Connection) Reserve, Ballantyne Road

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

15. Consent being granted (and subject to any variations to RM171177) for the subdivision required to formally create the reserves and to level out topography (if advised necessary by the Parks & Reserves Planning Manager);

16. Presentation of the reserve in accordance with Council's standards for reserves;

17. Areas of reserve shall exclude areas of road;

18. The submission of a Landscape Plan to Council by the developer for certification as appropriate, including subsequent implementation of landscape and planting for the reserves. The certification of such a plan shall be by the Parks & Reserves Planning Manager;

19. All areas of mounding shall be mowable, and not have a gradient steeper than 1:5;

20. Final locations of all specimen tree planting and the tree planting methodology should be determined on site with the QLDC Arborist Officer prior to planting;

21. The formation of sealed pathways within Lot 998 to a minimum 2 metre wide width, and to also meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016). Pathways shall connect Ballantyne Road with Lot 1 DP 477622, and Road 2 via pathway linkages between lots 37/38 and 45/46;

22. Confirmation that the pathways on Lot 998 will connect and align with any corresponding pathways proposed in association with the potential Special Housing Area on Lot 1 DP 477622. The Parks & Reserves Planning Manager shall approve the location of such connections;

23. A potable water supply point to be provided at the boundary of the reserve lots;

24. 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;
25. The registration of a Consent Notice on any land (being Lots created by RM171177) adjoining the reserves, to ensure any fences on land adjoining, or boundaries along the reserve, shall be 50% visually permeable;
26. A three year maintenance period by the current landowner commencing from vesting of the reserves;
27. A maintenance agreement being prepared specifying how the reserves will be maintained during the maintenance period; and
28. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
29. Agree that reserve improvement contributions for the Local Purpose (Connection) Reserve (Lot 998) are offset against those payable in accordance with the Development Contributions Policy current at the time of contributions payment, subject to:
30. Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks & Reserves Planning Manager.
31. Final approval of reserve improvement costs to be delegated to the Parks & Reserves Planning Manager and is subject to the applicant demonstrating the actual costs of the improvements.
32. 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.

Recommendation from Community and Services Committee

Proposal to Vest Two Local Purpose Reserves

33. Approve the vesting of the two proposed Local Purpose Reserves:

Moreteon Investments Ltd – RM170870

34. Lot 300 (7,250m²): Local Purpose (Stormwater) Reserve, Kent St, Kingston.

RCL Henley Downs Ltd - RM180631

35. Lot 94 (223m²): Local Purpose (Utility) Reserve, Jack Hanley Drive, Hanley Farm.

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

- 36. Consent being granted (and subject to any variations) for subdivision required to formally create the reserves and to level out topography (if advised necessary by the Parks & Reserves Planning Manager);**
- 37. Presentation of the reserve in accordance with Council's standards for reserves;**
- 38. Areas of reserve shall exclude areas of road;**
- 39. The submission of a Landscape Plan to Council by the developer for certification as appropriate, including subsequent implementation of landscape and planting for the reserves. The certification of such a plan shall be by the Parks & Reserves Planning Manager;**
- 40. All areas of Lot 94 RM180631 shall be mowable, and not have a gradient steeper than 1:5;**
- 41. A potable water supply point to be provided at the boundary of the reserve lots;**
- 42. 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 the reserve vested in or administered by the Council, and any adjoining land;**
- 43. The registration of a Consent Notice on any land (being Lots created by RM180631) adjoining the Lot 94 RM180631 reserve, to ensure any fences on land adjoining, or boundaries along the reserve, shall be 50% visually permeable and no higher than 1.2 metres;**

- 44.A three year maintenance period by the current landowner commencing from vesting of the reserves;
- 45.A maintenance agreement being prepared specifying how the reserves will be maintained during the maintenance period; and
- 46.Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.

Resolution to Exclude the Public

On the motion of Councillors MacDonald and Hill 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

- Item 1: Stakeholder Deed for the proposed Universal Developments (Hawea) Special Housing Area*
- Item 2: Draft Stakeholder Deed for the Bright Sky Limited Expression of Interest for a Special Housing Area*
- Item 11: Well Smart (Thompson Street) Sale of Lot 10*
- Item 12: CE Remuneration*

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

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
1. Stakeholder Deed for the proposed Universal Developments (Hawea) Special Housing Area (Attachment A)	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: 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);	Section 7(2)(h) Section 7(2)(i)
2. Draft Stakeholder Deed for the Bright Sky Limited Expression of Interest for a Special Housing Area	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: 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);	Section 7(2)(h) Section 7(2)(i)

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
11. Well Smart (Thompson Street) Sale of Lot 10	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)
12. CE Remuneration	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 14a: Chief Executive's Report: TechnologyOne: Software as a Service

Item 15: New Solid Waste Services Contract

Item 16: MOU with Ngāi Tahu Property

Item 17: Lakeview Hot Pools (Ngāi Tahu Tourism) Reserves Lease

Item 18: Resolution in relation to Housing Infrastructure Fund ("HIF") funding and related arrangements in connection with the projects at Kingston, Ladies Mile and Quail Rise

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
14a. CE report: TechnologyOne: Software as a Service	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)
15. New Solid Waste Services Contract	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)

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
16. MOU with Ngāi Tahu Property	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)
17. Lakeview Hot Pools (Ngāi Tahu Tourism) Reserves Lease	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)
18. Resolution in relation to Housing Infrastructure Fund ("HIF") funding and related arrangements in connection with the projects at Kingston, Ladies Mile and Quail Rise	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, commercial activities	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 2.22pm.

The meeting came out of public excluded and concluded at 2.55pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

M A Y O R

D A T E