

**Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday, 7 March 2019 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 Peter Hansby (General Manager, Property and Infrastructure), Dr Thunes Cloete (General Manager, Community Services), Mr Tony Avery (General Manager, Planning and Development), Mr Colin Keel (Chief Executive, Queenstown Airport Corporation), Mr Andrew Williamson (Chief Financial Officer/Company Secretary, Queenstown Airport Corporation), Mr Blair Devlin (Consultant Planner), Mr Chris Baker (Consultant, Opus), Mr Ian Bayliss (Planning Policy Manager), Ms Katie Russell (Policy Planner), Mr Naell Crosby-Roe (Communications and Engagement Manager), Ms Anita Vanstone (Performance and Risk Manager), Ms Michelle Morss (Strategy and Development Manager), Ms Polly Lambert (Acting Strategy and Asset Planning Manager), Mr Daniel Cruickshank (Property Advisor, APL Property Ltd), Mr Richard Pope (Property Director), Mr Paul Carter (Property Strategy Advisor) and Ms Jane Robertson (Senior Governance Advisor); 4 members of the media and approximately 45 members of the public

**Apologies/Leave of Absence Requests**

An apology was received from Councillor Ferguson for early departure from the meeting.

The following requests for Leave of Absence were made:

- Councillor Scott Stevens: 25-29 March 2019
- Councillor Alexa Forbes: 16 May – 1 June 2019

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

**Declarations of Conflicts of Interest**

Councillor MacLeod advised that he had been a Commissioner for Stage 2 of the Proposed District Plan on hearings stream 15 and was currently appointed as a Commissioner. Councillor Smith advised that he had been a Commissioner for Stream 14 of the hearings.

The Mayor advised that he did not consider in light of the decision being sought on this item, that these represented a conflict of interest.

## **Matters Lying on the Table**

There were no items lying on the table.

## **Confirmation of agenda**

The Mayor advised that he wanted to add a further item to the agenda being consideration of the Council undertaking a referendum on the proposal to introduce a Visitor Levy.

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

- a. The agenda be confirmed with the addition of a further item entitled: 'Visitor Levy Referendum Resolution' to be considered as item 1 on the agenda and before the Public Forum;**
- b. The reason it is not on the agenda is that the Council was advised of the item after the agenda papers had been published;**
- c. The reason it cannot be delayed to a future meeting is that the referendum must commence immediately so that it is complete before delivery of the Draft Spatial Plan for consultation.**

### **1. Visitor Levy Referendum Resolution**

A report from Meaghan Miller (General Manager, Corporate Services)

The Mayor stated that he considered this the most significant decision since local government amalgamation in 1989. He believed that such a charge was necessary because there were 34 international visitors to Queenstown to every resident and 24,000 ratepayers supported 6 million bed nights. He asserted that if funding was not put into improving local infrastructure, the tourist experience would deteriorate. He did not consider that maintaining a high level of visitor experience should be a burden on ratepayers. The proposed referendum would allow residents and ratepayers to show their views on such a proposal.

The Mayor noted a change to the recommendation in that 'ratepayers' should instead read 'residents and ratepayers'.

Councillor Stevens stated that more detail was needed in order to enable the population to make an informed vote. The Mayor advised that the report in front of the Council was simply to instigate the process to hold a poll under the Local Electoral Act 2001. The law stipulated that the timeframe for any poll was 90 days but material to inform the community would be developed over the coming weeks. In addition, the model of how the proposed visitor levy would be applied had yet to be determined.

**On the motion of the Mayor and Councillor MacDonald it was resolved that the Queenstown Lakes District Council:**

- 1. Note the contents of this report;**
- 2. Agree to hold a non-binding referendum of Queenstown Lakes District residents and ratepayers on the proposal to introduce a Visitor Levy to support the delivery of visitor growth-related infrastructure and services investment; and**
- 3. Direct the Electoral Officer to commence the process of conducting a non-binding referendum.**

### **Special Announcements**

The Deputy Mayor announced Wānaka Town Centre activations which were taking place 14-19 March. The objective was to 'activate' the town centre space and to link the lake with the town centre. He encouraged other elected members to visit during the trial to observe the activity.

### **Public Forum**

1. Tim Allen (Director, Laurel Hills)

Mr Allen spoke in support of the Laurel Hills SHA. He observed that the officer report stated that the proposal was well designed and integrated and he considered Ladies Mile was a logical area for urban development. He advised that 10% of the developable land area had been offered to the Queenstown Lakes Community Housing Trust for affordable housing and this represented about 16 homes. The Trust had accepted this offer in writing. He noted that short term rental restrictions would be implemented which favoured owner occupiers over investors. He also observed that the feedback received had commented little on the proposal itself but more about pressures on the school roll and traffic congestion. He considered that Laurel Hills was part of the solution to these issues and would not compound them.

2. David Mayhew

Mr Mayhew addressed the Council about Queenstown Airport's ('QAC') Statement of Intent ('SOI') and its references to "sustainable growth". He questioned what was meant by this, stating that it was a value-laden concept that hid more than it revealed. He noted that it was not defined anywhere in the SOI and without adequate or specific definition, the activities of QAC would be without boundaries. He asked where Queenstown would be without the environment and Council as the guardian of the local environment should direct the definition of "sustainable" within the SOI. Until "sustainable growth" was defined he considered that QAC should have to continue to operate within its current noise boundaries.

**QUEENSTOWN LAKES DISTRICT COUNCIL****7 MARCH 2019****Page 4****3. Gillian Macleod**

Ms Macleod observed that although consultation had resulted in some minor amendments to QAC's SOI these were not enough to reflect the community's concerns, as the community wanted an assurance that QAC's noise boundaries would remain fixed. She was of the view that airport noise monitoring and enforcement should be done in house, adding that QAC would continue to be a profitable entity if it remained within its present noise boundaries. At stake was the environment and 92% of the local community had opposed extending the noise boundaries. The SOI needed to clearly reflect the community's position.

**4. Clark Pirie, Chair Lake Hayes Estate Community Association**

Mr Pirie spoke on behalf of the Community Association in opposition to the Laurel Hills SHA proposal which was close to both Lake Hayes Estate and Shotover Country. He observed that it was clear from submissions that residents were firmly opposed to the Council approving the proposed SHA without addressing the infrastructure as there was no further capacity on the roads and Lower Shotover School was bursting at the seams. Because of these capacity issues the EOI should be declined and no more SHAs considered before there was a strategic approach taken to improving roading infrastructure, health, education and cultural services. In any case, housing affordability was not achieved by SHAs.

**5. Julie Scott, Queenstown Lakes Community Housing Trust**

Ms Scott spoke in support of the new agreement between Council and the Trust that would be considered later in the meeting. The Trust welcomed this opportunity to strengthen its relationship with Council and it was a more complex document than the previous agreements which was indicative both of aligned goals and the scaling up of the Trust. She expressed thanks to Councillor Macdonald and the Council executive who had helped to work through the agreement and she also acknowledged their support of the secure home programme which had taken considerable work to develop. She noted that it was urgently needed because there had been an influx of people registering with the Trust which was indicative of the need and desperation within local households. She observed that the people being helped were those that the community needed to keep in town.

**6. Jo Bagrie**

Mr Bagrie advised that he lived in Maxs Way. He considered that the Laurel Hills report raised a number of matters that were not adequately addressed such as the visual effects. Bunding would not lessen the visual effects and instead of a view of Cecil Peak, he would see a sea of grey rooves. Further, there would be more than 1,000 additional vehicles using the roadways as it could be expected that there would be as many as 6-7 vehicles per residence. These vehicles would have to negotiate three intersections in 30 metres. Neither the Shotover Bridge nor the road could accommodate any more traffic. He also considered that a permafrost would be created by the shadow, adding that the land was zoned rural for a good reason.

7. Ian Scott

Mr Scott advised that he lived in Shotover Country and considered he would be massively affected by the Laurel Hills development. Although deemed not to be an affected party, the proposal backed onto his house and this meant his house would lose the winter sun and his view would be adversely affected. If 10% of the land developed was to be offered to the Community Housing Trust for affordable housing and a total of 156 houses were proposed, there would be 140 unaffordable houses. He asked how builders could be stopped from buying land to develop as the owners of this site were developers who simply wanted to make money. Approval of the proposal would not help the people who needed affordable housing. He asked the Council to reject the Laurel Hills SHA in its current form.

**Confirmation of minutes**

**On the motion of Councillors Stevens and Miller the Council resolved that the minutes of the meeting held on 31 January 2019 be confirmed as a true and correct record.**

2. **Draft Statement of Intent, Queenstown Airport Corporation 2019/20**

A covering report from Stewart Burns introduced the draft Statement of Intent ('SOI') for the Queenstown Airport Corporation ('QAC') for 2019/20. The report noted that QAC was to consider the Council's comments within two months (by 30 April) and must provide Council with the completed Statement of Intent by 30 June.

This and item 2 were presented by Mr Keel, Mr Williamson and Mr Burns.

Mr Keel highlighted the four business values contained within the SOI and briefly summarised the overall content. He noted that the company was now planning for more sustainable growth and for growth to taper. This was in response to public feedback and reflected the company's social and environmental values. In addition, it was the first time that plans for Wānaka Airport had been included and the SOI showed how the two airports would develop over time. QAC wanted to support the social fabric of the community and its goal was to incorporate one or more sustainability goals into each project.

Members acknowledged the intense public interest in the activities of the airport and there was extensive discussion about the draft SOI, especially where members had concerns or questions.

Councillor Forbes questioned the statement in the covering report that the Council had "provided some guidance to the QAC board around key matters that it wanted to see reflected in the SOI" as such matters had not come to Council. The Chief Executive agreed that he had provided input but not the political arm of Council and it would have been clearer to state that the Chief Executive had provided feedback.

The following specific points requiring attention or amendment in the draft SOI were made:

- There was no such thing as sustainable growth beyond the limits of growth and a key limit was the present noise boundaries. No alternative except reopening the discussion about noise boundaries again in 2022 was offered. An alternative needed to be offered and both 'sustainable growth' and the limits of sustainable growth needed definition.
- What was meant by "more limited flight choices" needed clarification (page 6).
- There was no apparent commitment to reducing carbon emissions.
- There remained much misunderstanding in the Wānaka community of the implications of airport development.
- Pages 6 and 13 contained conflicting statements about noise boundaries, the former suggesting "a modest level of growth" and the latter referring to the "existing parameters of noise consents."

**On the motion of the Mayor and Councillor Forbes it was resolved that**

**1. Note the contents of this report;**

**2. Receive the Draft Statement of Intent for 2019/20 for the Queenstown Airport Corporation and make any comments on the draft Statement of Intent be made to the QAC board by 30 April 2019.**

**3. Queenstown Airport Corporation: Six Month Report**

A covering report from Stewart Burns (General Manager, Finance, Legal and Regulatory) presented the financial and management report for the Queenstown Airport Corporation ('QAC') for the half year to 31 December 2018.

**On the motion of Councillors Hill and Stevens it was resolved that the Council note the contents of this report and receive the half yearly report of the Queenstown Airport Corporation.**

**4. Expression of Interest for a Special Housing Area: Laurel Hills Ltd (adjacent to Shotover Country)**

A report from Blair Devlin (Consultant Planner) assessed the Laurel Hills Ltd Expression of Interest (EOI) against the various criteria of the Council's Housing Accords and Special Housing Areas Act 2013 Implementation Guidelines. The report recommended that the Council approve in principle the EOI subject to various matters to be negotiated, namely, the contribution to the Queenstown Lakes Community Housing Trust, a legal restriction on visitor accommodation, determining infrastructure requirements (including public transport infrastructure), parks and reserves (including trails, footpaths and connections) and qualifying development criteria for the proposed Special Housing Area.

The report was presented by Mr Devlin, Mr Avery and Mr Baker. It was noted that Mr Baker had prepared the transport assessment upon which the officer report had been based.

It was noted that since preparation of the report, agreement had been reached with the Queenstown Lakes Community Housing Trust ('QLCHT') for the developer to offer 10% of the developed land area.

Members questioned how the proposal contributed to housing affordability (excluding the 10% contribution to QLCHT) and observed that most of the public feedback had been around transport congestion if the development went ahead. Whilst strong transport links that did not rely on the private car, including public transport, could be incorporated, it was considered that a major mode shift was required to achieve any significant change to the traffic levels. Further, buses used the same roads as other traffic and would be just as delayed. The Mayor expressed frustration that Otago Regional Council continued to put off introducing a direct bus route into the town centre from Lake Hayes Estate and Shotover Country. Members observed that another problem continued to be the capacity of the Shotover Bridge.

It was noted that the HASSHA legislation was due to expire in December meaning that new applications had to be presented for Council consideration by April. Mr Avery advised that two further Ladies Mile and two other SHA applications were due to be presented at the Council meeting scheduled for 18 April 2019.

In light of Mr Avery's advice, Councillor Macdonald observed that there would be the same debate at the next meeting because other SHA applications proposed for a similar area of Queenstown were due to be considered. He believed that there would be value in considering the Laurel Hills SHA EOI alongside other SHA items.

Councillor Macdonald moved/Councillor McRobie seconded:

**That the item lie on the table until the next scheduled Council meeting on 18 April 2019.**

The motion was put and **carried** on a show of hands (7:4).

## 5. Proposed District Plan Decisions on Stage 2 Chapters

A covering report from Ian Bayliss (Planning Policy Manager) presented the reports and recommendations of independent commissioners on provisions and matters raised in submissions for the variations and chapters of Stage 2 of the Proposed District Plan review. The report sought ratification of the reports and recommendations as a Council decision to enable public notification of the decisions on chapters 24, 25, 29, 31 and 38 along with variations to Chapters 2, 7, 8, 9, 10, 11, 16, 21, 22, 23, 41, 42, and 43 in accordance with Clause 10 and 11 of the First Schedule of the Resource Management Act 1991.

The report was presented by Mr Bayliss and Mr Avery.

The Council recognised that this report signified an important stage in the project and represented an enormous amount of work.

The Mayor acknowledged the involvement of Councillors MacLeod and Smith in the hearings. He reminded the Council that it could only resolve to adopt or reject the reports and recommendations of the commissioners in full and could not select which aspects it chose to adopt. Councillor Forbes expressed some frustration with the process, but accepted that it was a procedural necessity.

Mr Bayliss advised of a correction to the section of the Resource Management Act 1991 referenced in paragraph 2 of the covering report, noting that it should correctly read **section 79(1)**.

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

- 1. Note the contents of the report;**
- 2. Adopts the Independent Commissioners reports and recommendations as the Council's decision and directs staff to notify the decision in accordance with Clause 10 and 11 of the First Schedule of the Resource Management Act 1991;**
- 3. Directs staff to alter the Proposed District Plan provisions to reflect the Independent Commissioners' recommended chapters, to correct minor errors and to make changes of minor effect in accordance with Clause 16(2) of the First Schedule of the Resource Management Act 1991 as recommended in the reports and recommendations;**
- 4. Notes that adopting the reports and recommendations on submissions as the Council's decision means the Council also adopts the independent hearing panel's reasons for those decisions on groups of submissions and individual submissions as set out in the recommendation reports; and**
- 5. Notes that adopting the reports and recommendations as the Council's decision does not mean Council has formed a view on possible future variations, possible withdrawal of areas of land from the current review and other possible future decisions mentioned in the reports and recommendations.**



6. **Relationship framework agreement and Secure Programme Protocol between the Queenstown Lakes District Council and the Queenstown Lakes Community Housing Trust**

A covering report from Katie Russell (Policy Planner) presented the new Relationship Framework Agreement and Secure Programme Protocol between the Council and the Queenstown Lakes Community Housing Trust for Council approval.

The report was presented by Ms Russell and Mr Avery. Mr Avery observed that this was a significant step forward which built on the first Memorandum of Understanding signed in 2008 and confirmed the Trust as the Council's preferred provider for delivering affordable housing in the district. It also defined the new Secure Home product.

*Councillor Ferguson advised that he no longer needed to depart early from the meeting.*

The Chair of the Queenstown Mayoral Housing Taskforce, Councillor MacDonald, thanked the members of the Trust, the Planning and Development team and Ms Scott, the Trust's Executive Officer, all of whom had worked hard to get the new agreement right. He believed that the new agreement served to protect Council, the Trust and the community investment for the future. He hoped that over time more affordable products would be added.

The Mayor thanked the members of the Taskforce and the Planning and Development team for their input into the project. He also acknowledged the role of SBS Bank in the initiative, in particular its willingness to fund applicants.

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

1. **Note the contents of this report;**
2. **Approve the Council entering into a new Relationship Framework Agreement and Secure Programme Protocol with the Queenstown Lakes Community Housing Trust and;**
3. **Authorise the General Manager Planning & Development to make minor amendments to the Relationship Framework Agreement for clarity and that do not affect the Council's position in any material way.**

7. **2019-2020 Annual Plan Consultation Document**

A covering report from Meaghan Miller (General Manager, Corporate Services) presented the 2019-20 Annual Plan supporting document and the

2019-20 Annual Plan consultation document for adoption for public consultation.

The report was presented by Ms Miller and Mr Burns.

Ms Miller advised that the plan came from year 2 of the 2018-28 Ten Year Plan. The Council was not required by the Local Government Act to consult because the proposed Annual Plan did not include any significant or material differences from the Ten Year Plan, but it was considered the consultation document was an important tool for engaging with the community. She expressed thanks to the team of staff from finance and communications involved in producing the plan acknowledging in particular the work of the Council's Graphic Designer.

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

- 1. Note the contents of this report;**
- 2. Adopts the 2019-2020 Annual Plan supporting document; and**
- 3. Adopts the 2019-2020 Annual Plan Consultation Document**

#### **8. Vision Beyond 2050**

A covering report from Michelle Morss (Strategy and Development Manager) and Naell Crosby-Roe (Communications and Engagement Manager) presented the final working document produced for Vision Beyond 2050 and sought Council's commitment to supporting the its principles and further development.

The Mayor stated that the final draft was a much better outcome than had been expecting. He was particularly impressed by how the feedback had been distilled effectively into only eleven pages. He asked how the vision would be embedded in Council culture. In reply it was noted that plans included setting up a guardianship group that would sit external to Council with a set of KPIs to measure and test vision and giving Council feedback on where recalibration might be needed. The document would also serve as a foundation document for the Spatial Plan.

The Mayor expressed thanks to Tony Balfour as well as Ms Morss and Mr Crosby-Roe for facilitating the Vision Beyond 2050 foundation group.

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

- 1. Note the contents of this report;**
- 2. Commits to the content of Vision Beyond 2050; and**

3. **Commits to the further development of governance and reporting structures to support Vision Beyond 2050.**

9. **Risk Management Policy**

A report from Anita Vanstone (Performance and Risk Manager) presented an update on the Council's risk management process and recommended that the revised Queenstown Lakes District Council Risk Management Policy be adopted.

The report was presented by Ms Vanstone, Mr Nicoll and Ms Miller.

Councillor McRobie advised that the new policy had already been considered by Audit, Finance and Risk Committee which in the future would dedicate a full hour after every meeting to talk about risk and risk-related issues.

The Council acknowledged the outstanding work completed by Ms Vanstone and Mr Nicoll on the new risk management policy.

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

1. **Note the contents of this report; and**
2. **Adopt the updated Queenstown Lakes District Council Risk Management Policy dated 7 March 2019.**

10. **Submission to the Productivity Commission – Local Government Funding and Financing**

A covering report from Michelle Morss (Strategy and Development Manager) presented the Council's submission to the Productivity Commission's inquiry into local government funding and financing, asking that the submission be endorsed (retrospectively) and that the Chief Executive be delegated authority to represent the Council when meeting with the Productivity Commission in support of the submission.

The report was presented by Ms Morss and Ms Miller.

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

1. **Note the contents of this report;**
2. **Endorse the submission to the Productivity Commission, in relation to its inquiry into local government funding and financing;**

3. **Approve representation by the Chief Executive when meeting with the Productivity Commission in support of the submission.**

#### 11. **Speed Management and Speed Limits Bylaw 2009 Review**

A report from Polly Lambert (Acting Strategy and Asset Planning Manager) presented the findings of the Speed Management and Speed Limits Bylaw 2009 Review and sought adoption of the Speed Limits Bylaw 2019 and New Permanent Speed Limits Statement of Proposal for public consultation by way of a special consultative procedure. It was noted that the form of the bylaw was also proposed to change with actual speed limits covered in a schedule to the bylaw. This approach would allow the Council to be more responsive and flexible in the future when changes to speed limits were sought, requiring only a Council resolution rather than a full bylaw review.

The report was presented by Ms Lambert, Ms Paterson and Mr Hansby.

Councillor Smith stated that he had concerns about the proposed staged approach which he considered would result in multiple changes and uncertainties in the community and which would necessitate more signs. He was of the view that all proposed changes should be consulted on at the one time.

Councillors MacDonald and Hill were opposed to the approach taken and the application of the rule. They believed that the process was forcing councils into accepting low speed limits in an attempt to push improvements to roadways and it was a situation where the government was failing to take responsibility.

The Chief Executive advised that the report provided the opportunity to consult with the community on the proposed speed changes and if the general view was that the community did not wish to reduce speed limits, funding would have to be allocated to improve local roadways.

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

1. **Note the contents of this report;**
2. **Note the recommendations outlined in the Findings Report of the Speed Management and Speed Limits Bylaw 2009 Review;**
3. **Adopt the Statement of Proposal (in Attachment B of the agenda report and including the proposed Speed Limits Bylaw 2019 at Attachment C and the recommended permanent speed limit network maps at Attachment D) and make it publicly available for persons to present their views in accordance with section 83 of the Local Government Act 2002.**

4. **Appoint the Deputy Mayor Councillor MacLeod and Councillors Stevens and Ferguson as a panel to attend hearings, to deliberate and make recommendations to the Council on public feedback to the Statement of Proposal.**
5. **Delegate authority to the Deputy Mayor to make replacement appointments to the panel if a member of the panel is unavailable.**
6. **Delegate through the General Manager, Property and Infrastructure to a manager responsible for bylaws to make any amendments to the Statement of Proposal of the agenda report to correct errors, omissions or reflect decisions made by the Council.**
7. **Note that staff will continue to work with Council on Stage Two, the remainder of the local road network and the New Zealand Transport Agency to achieve a timely full speed management review (including the permanent speed limits) of district's state highways.**

*The motion was carried with Councillors Hill, MacDonald and Smith recording their votes against the motion.*

## **12. Underground Service Easement – Queenstown Country Club Ltd**

A report from Daniel Cruickshank (Property Advisor, APL Property Ltd) assessed an application for an underground service easement in favour of Queenstown Lakes District Council over Recreation Reserve Lot 206 DP 471696. The easement was needed as part of the Queenstown Country Club Northern Block subdivision to allow a sewage pipe to be installed to drain sewage from the area across the reserve to a pump station. The report recommended that the easement be approved. Further, it recommended that no public notification was necessary because the easement would not affect the ability of people to use and enjoy the reserve nor would the easement have any long term effect on the reserve.

The report was presented by Mr Cruickshank and Dr Cloete.

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

1. **Note the contents of this report;**
2. **Approve an underground service easement, for right to drain sewage over Recreation Reserve Lot 206 DP 471696 subject to section 48(1)(a) and (e) of the Reserves Act, to Queenstown Lakes District Council;**

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 the report;
4. Delegate authority to approve final terms and conditions of the easement, including location, and execution authority to the General Manager – Community Services; and
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 206 DP 471696.

### 13. Chief Executive’s Report

A report from the Chief Executive presented a summary of the items from recent standing committee meetings and a meeting of the Wānaka Community Board.

Councillor Smith noted an amendment made at the Wānaka Community Board meeting to the reserve vesting recommendation, requiring the reserves to be developed in accordance with an approved Outline Development Plan and detailed design plans for the reserves to be approved by both the Parks and Reserves Planning Manager *and* the Wānaka Community Board Chair. The recommendation was altered accordingly.

**On the motion of Councillors McRobie and Forbes as resolved that the Council:**

1. Note the contents of this report;

#### **Recommendations from Wānaka Community Board**

2. Adopt the Reserve Management Plan for Lismore Park, Allenby Park, Kelly’s Flat, Faulks Terrace Recreation Reserve, Domini Park and Kennedy Crescent Recreation Reserve.

3. Approve the vesting the vesting of the one Recreation Reserve and seven Local Purpose reserves:

**Northlake Investments Ltd, Northlake Road, Wānaka – RM181451**

One Recreation Reserve (11,200m<sup>2</sup>): Road 1 Northlake Drive.

Three Local Purpose (Connection) reserves, referenced as A (231m<sup>2</sup>), B (420m<sup>2</sup>) & C (420m<sup>2</sup>).

**Exclusive Developments Ltd, Hikuwai development, Aubrey Road & Outlet Road, Wānaka – RM170797**

**Lot 500 (185m<sup>2</sup>): Local Purpose (Connection) Reserve.**

**Lot 501 (185m<sup>2</sup>): Local Purpose (Connection & Stormwater) Reserve.**

**Lot 502 (635m<sup>2</sup>): Local Purpose (Connection & Stormwater) Reserve.**

**Lot 503 (260m<sup>2</sup>): Local Purpose (Connection) Reserve.**

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

- i. Consent being granted (as necessary and subject to any subsequent variations) for any subdivision required to formally create the reserves, and to also level out topography (if advised necessary by the Parks & Reserves Planning Manager);**
- ii. Such a consent for any Recreation Reserves shall ensure that in any staged development, the creation of a Recreation Reserve is bound to the first stage to seek title, or subject to alternate timing requirements deemed necessary by the Parks & Reserves Planning Manager;**
- iii. Presentation of the reserve in accordance with Council's standards for reserves;**
- iv. 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 and Reserves Planning Manager.**
- v. The formation of sealed pathways on the reserves 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);**
- vi. A potable water supply point to be provided at the boundary of the reserve lots;**
- vii. 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;**
- viii. The registration of a Consent Notice on any land within the development adjoining the reserves, to ensure any fences on land adjoining, or boundaries along any reserve, shall no greater**

than 1.2m in height, and be 50% visually permeable;

- ix. A three year maintenance period by the current landowner commencing from vesting of the reserves;
- x. A maintenance agreement being prepared and signed by the Parks and Reserves Planning Manager specifying how the reserves will be maintained during the maintenance period; and
- xi. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.

4. Agree that any reserve improvement contributions are offset against those payable in accordance with the Development Contributions Policy current at the time of contributions payment, subject to:

- a. The reserve being developed in accordance with an approved Outline Development Plan and detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager and Wānaka Community Board Chair.
- 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.

5. Grant a new lease to the Hāwea Playgroup Incorporated over Part Section 11 Block V Lower Hāwea Survey District subject to the following conditions:

Commencement	TBC
Term	3 Years
Renewal	Two further terms of 3 years by agreement of both parties
Rent	Pursuant to Community Facility Funding Policy (\$1 per annum at commencement)
Reviews	5 yearly or when the Funding Policy is reviewed



<b>Use</b>	<b>Activities associated with a community playgroup and play centre</b>
<b>Operational costs</b>	<b>All rates and charges associated with the land to be paid for by lessee</b>
<b>Assignment/Sublease</b>	<b>With Council approval</b>
<b>Liability Insurance</b>	<b>\$2 million</b>
<b>Expiry Conditions</b>	<b>Lessee can elect to remove improvements and make good or improvements to revert to Council ownership with no compensation payable</b>
<b>Break Clause</b>	<b>Council can give 1-year cancellation notice if the land is required for the 'provision of core infrastructure services'</b>
<b>Maintenance</b>	<b>All maintenance of the building and property including gardening to be paid for by lessee</b>

6. Agree to delegate signing authority to the General Manager of Property and Infrastructure.

**Recommendations from Community and Services Committee**

7. Approve the vesting of the Recreation Reserve:  
**Shotover Country Ltd – RM181520**

**Lot 900 (1,645m<sup>2</sup>): Recreation Reserve, Shotover Country.**

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

- a. **Consent being granted (and subject to any variations) for subdivision required to formally create the reserve and to level out topography (if advised necessary by the Parks & Reserves Planning Manager);**
- b. **Such a consent for the Recreation Reserve shall ensure that in any staged development, the**

- creation of a Recreation Reserve is bound to the first stage to seek title, or subject to alternate timing requirements deemed necessary by the Parks & Reserves Planning Manager;
- c. Presentation of the reserve in accordance with Council's standards for reserves;
  - d. The formation of any sealed pathways to a minimum 2 metre wide width and to a minimum Grade 2 standard, of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
  - e. Areas of reserve shall exclude areas of road;
  - f. The submission of a Landscape Plan to Council by the developer for certification as appropriate, including subsequent implementation of landscape and planting for the reserve. The certification of such a plan shall be by the Parks & Reserves Planning Manager;
  - g. All areas of Lot 900 RM181520 shall be mowable, and not have a gradient steeper than 1:5;
  - h. A potable water supply point to be provided at the boundary of the reserve lot;
  - i. 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 the reserve vested in or administered by the Council, and any adjoining land;
  - j. The registration of a Consent Notice on any land (being Lots created by RM181520) adjoining the Lot 900 RM181520 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;
  - k. A three year maintenance period by the current landowner commencing from vesting of the reserves;
  - l. A maintenance agreement being prepared and signed by the Parks and Reserves Planning Manager, specifying how the reserve will be maintained during the maintenance period; and
  - m. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy
8. Agree that any reserve improvement contributions are offset against those payable in

accordance with the Development Contributions Policy current at the time of contributions payment, 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 any 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.

#### Recommendation to Exclude the Public

It is recommended that the public be excluded from the following parts of the meeting:

#### Confirmation of Minutes

Item 11: Landfill Gas Capture and Destruction

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(1)(a) of the Local Government Information and Meetings Act 1987 for the passing of this resolution is as follows:

General subject to be considered	Reason for passing this resolution	Grounds under Section 7
<p><b>Item 11:</b> Landfill Gas Capture and Destruction</p>	<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> <p>(i) enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>Section 7(2)(i)</p>

**QUEENSTOWN LAKES DISTRICT COUNCIL**

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**Agenda items**

<b>General subject to be considered</b>	<b>Reason for passing this resolution</b>	<b>Grounds under Section 7</b>
<p><b>Item 13:</b> Review of property at 6 Centennial Avenue, Arrowtown</p>	<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> <p>(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</p> <p>(i) enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>(j) prevent the disclosure or use of official information for improper gain or improper advantage.</p>	<p>Section 7(2)(h)</p> <p>Section 7(2)(i)</p> <p>Section 7(2)(j)</p>
<p><b>Item 14:</b> Property Acquisition</p>	<p>(c) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment.</p> <p>(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</p> <p>(i) enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>Section 7(2)(c)</p> <p>Section 7(2)(h)</p> <p>Section 7(2)(i)</p>

This recommendation 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 3.27pm.*

*The meeting came out of public excluded and concluded at 3.35pm.*

**CONFIRMED AS A TRUE AND CORRECT RECORD**

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**M A Y O R**

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**D A T E**