

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 19 October 2023 commencing at 1.00pm

Present:

Mayor Glyn Lewers; Councillors Bartlett, Bruce, Cocks, Guy, Tucker, White, Whitehead and Wong

In attendance:

Mr Mike Theelen (Chief Executive Officer), Mr Stewart Burns (General Manager, Assurance, Finance and Risk), Mr Tony Avery (General Manager, Property and Infrastructure), Ms Michelle Morss (General Manager, Strategy and Planning), Mr David Wallace (General Manager, Planning and Development), Ms Meaghan Miller (General Manager, Corporate Services), Ms Laura Gledhill (Solid Waste Contracts Manager), Ms Kath Buttar (Waste Minimisation Project Officer), Ms Fiona Blight (Manager, Resource Consents), Mr Naell Crosby-Roe (Governance and Stakeholder Services Manager), Ms Erin Auchterlonie (Policy Advisor), Mr Ryan Clements (Chief Information Officer), Mr Marcus Warren (Senior Project Manager), Mrs Jeannie Galavazi (Senior Parks and Reserves Planner) and Ms Jane Robertson (Senior Governance Advisor); no members of the media and no members of the public

Apologies/Leave of Absence Applications

There were apologies from Councillors Ferguson, Gladding and Smith.

The following requests for leave of absence were made:

- Councillor Ferguson: 16-24 October 2023
- Councillor Bruce: 20 October – 3 November 2023
- Councillor Wong: 5-10 November 2023
- Mayor Glyn Lewers: 6-12 November 2023
- Councillor Bartlett: 14-17 November 2023
- Councillor Whitehead: 28 November – 5 December 2023

On the motion of the Mayor and Councillor Tucker the Queenstown Lakes District Council resolved that the apologies be accepted and the requests for Leave of Absence be approved.

Motion carried.

Declarations of Conflict of Interest

No declarations of conflict.

Matters Lying on the Table

There were no matters lying on the table.

Special Announcements

The Mayor referred to the recent death of Sir Tim Wallis.

Public Forum

1. Pierre Marasti, Extinction Rebellion

Mr Marasti noted that September 2023 had been the fourth month in a row to be the hottest on record. The effects of climate change (fires, floods, strong winds and drought) were now eroding society, affecting food production and economies. The QLDC had declared a climate emergency four years ago but was not acting with enough emergency. He stressed the need for action as “no one else was going to solve the climate crisis for you.”

Confirmation of Agenda

On the motion of the Mayor and Councillor Bartlett the Queenstown Lakes District Council resolved that the agenda be confirmed without addition or alteration.

Motion carried.

Confirmation of minutes

31 August 2023 (Ordinary meeting)

The following amendments were made to the draft minutes:

- Item 3: Replace ‘Citizens’ Advice Bureau’ with Civic Administration building.

On the motion of the Mayor and Councillor Bartlett the Queenstown Lakes District Council resolved that the minutes of the public part of the ordinary meeting of the Queenstown Lakes District Council held on 31 August 2023 as amended be confirmed as a true and correct record.

Motion carried.

1. **2022/23 Annual Report Adoption**

A report from Charlotte Wallis (Business Planning Project Manager) presented the Annual Report for the year ended 30 June 2023 pursuant to sections 98 and 99 of the Local Government Act 2002 for adoption. The report noted that a clean auditor’s report had also been received (pp. 176 and following).

Mr Burns and Ms Miller presented the report. Mr Burns noted that the Audit, Finance & Risk Committee had not recommended the Annual Report to Council and this part of the recommendation should be deleted. He added that much of the Annual Report's content was driven by legislation and the notes contained in the audit opinion were to the sector generally and not particular to QLDC.

On behalf of the Council, the Mayor expressed thanks to the various teams for their work on preparing the 2022/23 Annual Report.

On the motion of Councillor Wong and Councillor Tucker it was resolved that the Queenstown Lakes District Council:

- 1. Note the contents of this report; and**
- 2. Adopt the Annual Report for the year ended 30 June 2023 pursuant to sections 98 and 99 of the Local Government Act 2002.**

Motion carried unanimously.

2. Request to update Officer Delegations under the Resource Management Act 1991

A report from Fiona Blight (Manager, Resource Consents) presented updated delegations for the Resource Management Act 1991 related to designation provisions. The report also put forward some minor administrative updates for delegations to reflect changed job titles.

Ms Blight and Mr Wallace presented the report. Ms Blight confirmed that the reasons for the update.

On the motion of Councillor Whitehead and Councillor Bruce it was resolved that the Queenstown Lakes District Council:

- 1. Note the contents of this report.**
- 2. Approve the updated Delegations Register which reflects changes to Council office Delegations under the Resource Management Act 1991.**

Motion carried unanimously.

3. Otago Region Waste Assessment

A report from Sophie Mander (Senior Waste Minimisation Planner) presented the Otago Region Waste Assessment 2023, noting that this set out what should be addressed in a Waste Management and Minimisation Plan. The report recommended that pursuant to the Waste Minimisation Act 2008 the Council resolve to proceed with the development of a draft QLDC Waste Management and Minimisation Plan and appoint the Chair and Deputy of the Infrastructure Committee (Councillor Bartlett and Councillor Gladding) to a working group to develop the new draft Waste Minimisation and Management Plan.

Mr Avery, Ms Gledhill and Ms Buttar presented the report.

Ms Buttar noted that a recommendation from a recent Infrastructure Committee workshop was that the proposed working group also include a representative from Wānaka. This elected member could replace either the Deputy or Chair of the Infrastructure Committee or be in addition to them.

Councillor Bartlett stated that he was happy with a membership of three members and it was agreed that the Wānaka representative would be Councillor Tucker.

The Chief Executive noted that the regional approach had been at the behest of the Mayoral Forum, particularly as much of the infrastructure was shared. The joint approach had resulted in completion of the waste assessment before the deadline of March 2024 and the region would look for future collaboration opportunities.

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

- 1. Note the contents of the report;**
- 2. Note the 2023 Otago Region Waste Assessment including the Medical Officer of Health Statement is now complete, as per section 51 of the Waste Minimisation Act 2008;**
- 3. Agree to proceed with the development of a draft QLDC Waste Management and Minimisation Plan that meets the requirements of the Waste Minimisation Act 2008; and**
- 4. Appoint the Chair and Deputy Chair of the Infrastructure Committee and Councillor Tucker to participate in a working group to develop the new draft Waste Minimisation and Management Plan.**

Motion carried unanimously.

4. Submissions for Retrospective Approval

A report from Erin Auchterlonie (Policy Advisor) introduced two appended submissions for retrospective approval. The submissions were as follows:

- a. A submission to the Ministry of Business, Innovation and Employment on its Building Consent System Review; and
- b. A submission to the Ministry of Transport on its Draft Government Policy Statement on Land Transport 2024.

Ms Auchterlonie presented the report.

On the motion of Councillor White and Councillor Whitehead it was resolved that the Queenstown Lakes District Council:

1. **Note the contents of this report;**
2. **Approves retrospectively the contents of the submission to the Ministry of Business, Innovation and Employment on its Building Consent System Review; and**
3. **Approves retrospectively the submission to the Ministry of Transport on its Draft Government Policy Statement on Land Transport 2024.**

Motion carried unanimously.

5. **Chief Executive's Report**

A report from the Chief Executive presented a summary of items discussed at recent Standing Committee meetings and the Wānaka -Upper Clutha Community Board meeting held on 7 September 2023. The report also recommended

- Appointment of proxy for Annual General meeting of the Queenstown Airport Corporation ('QAC) Board of Directors
- Proposed changes to the Wānaka Airport Liaison Committee Terms of Reference
- Reserve licence between Waka Kotahi (WK) and QLDC over Frankton Golf Course and Queenstown Events Centre (noting that the GM has exercised the delegation).

A question was raised that the name of the company ('Queenstown Airport Corporation') was not included on the Instrument Appointing a Proxy. In response, it was noted that the text of the notice had been as detailed in the company's constitution.

On the motion of the Councillor Bruce and Councillor Tucker it was resolved that the Queenstown Lakes District Council:

1. **Note the contents of this report;**
2. **Direct the Chief Executive to complete the instrument appointing the Mayor as a proxy to exercise the Council's voting rights, noting the Mayor may only vote as directed by the Council, at the 2023 QAC Annual General Meeting to be held on Thursday, 7 December 2023;**
3. **Approve the amendments to the Wānaka Airport Liaison Committee Terms of Reference as recommended by the Committee Chair and adopted by the Committee at its meeting on 4 September 2023; and**
4. **Note the exercise of delegated powers to execute the 'Licence of Occupy Lane between Waka Kotahi and the Queenstown Lakes District Council'.**

Motion carried unanimously.

RESOLUTION TO EXCLUDE THE PUBLIC

On the motion of the Mayor and Councillor Bruce it was resolved that the public be excluded from the following parts of the meeting:

The general subject of each matter to be considered whilst the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Confirmation of minutes

Ordinary meeting held on 31 August 2023

- Item 6A: Chief Executives Report: Appointment of Chair Climate Reference Group
- Item 7: Chief Executive’s Performance Appraisal (Distributed separately from main agenda)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
6A. Chief Executives Report: Appointment of Chair Climate Reference Group	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 deceased natural persons	Section 7(2)(a)
7. Chief Executive’s Performance Appraisal (Distributed separately from main agenda)	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 deceased natural persons	Section 7(2)(a)

Agenda Items

- Item 5A: Chief Executive’s Report – Adjustment to contract cost for TechnologyOne
- Item 6: Recommendation to Appoint and Reappoint Queenstown Airport Corporation Board Directors
- Item 7: Lower Shotover Road Acquisition & Legalisation

- Item 8: NZUP easements to Waka Kotahi New Zealand Transport Agency over the Frankton Domain and Queenstown Events Centre
- Item 9: Appointment of Commissioners to the Independent Hearings Panel for Resource Consent Application “Cold Gold Clutha Ltd (RM220834)
- Item 10: Confirmation of Council Chief Executive’s KPIs

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
5A. Chief Executive’s Report – Adjustment to contract cost for TechnologyOne	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)
6. Recommendation to Appoint and Reappoint Queenstown Airport Corporation Board Directors	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: a) protect the privacy of natural persons, including deceased natural persons	Section 7(2)(a)
7. Lower Shotover Road Acquisition & Legalisation	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 out, 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)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
8. NZUP easements to Waka Kotahi New Zealand Transport Agency over the Frankton Domain and Queenstown Events Centre	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 out, 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)
9. Appointment of Commissioners to the Independent Hearings Panel for Resource Consent Application “Cold Gold Clutha Ltd (RM220834)	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 deceased natural persons	Section 7(2)a)
10. Confirmation of Council Chief Executive’s KPIs	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 deceased natural persons	Section 7(2)(a)

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 1.34pm.

The meeting came out of public excluded and concluded at 2.38pm.

MAYOR

DATE