

Minutes of an extraordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Monday 12 October 2015 commencing at 12.00pm

Present:

Mayor Vanessa van Uden; Councillors Cocks, Ferguson, Forbes, Gazzard, Gilmour, Lawton, Stammers-Smith and Stevens

In attendance:

Mr Tony Avery (Acting General Manager, Planning and Development), Mr Matthew Paetz (District Plan Manager), Mr Lee Webster (Regulatory Manager) and Ms Jane Robertson (Governance Advisor)

Apologies

Apologies were received from Councillor Aoake and Councillor MacLeod and for lateness from Councillor Gazzard and Councillor Forbes

On the motion of Councillors Gilmour and Lawton it was resolved that the apologies be accepted.

Conflict of interest

No declarations were made.

Matters Lying on the Table

There were no matters lying on the table.

Confirmation of agenda

The agenda was confirmed without addition or alteration.

1. Corporate Submission on Proposed Queenstown Lakes District Plan

A covering report from Matthew Paetz (District Plan Manager) presented the Council's submission to the Proposed District Plan for the Council's adoption and recommended that the Council resolve to withdraw several visitor accommodation provisions from the Proposed District Plan.

Mr Paetz joined the table. The Mayor invited him to explain further the reasons for withdrawing the selected visitor accommodation provisions from the Proposed District Plan.

Mr Paetz described the challenges being experienced in various areas of the district in the residential zones and their potential impacts on long-term housing and rental opportunities. He stated that more information and research was needed to enable better levels of confidence in its policies and it was therefore recommended that the presented visitor accommodation

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provisions be withdrawn from the Proposed Plan to give staff the time to undertake further research, consider the options and ensure that the outcomes met the needs of the different communities. He stated that it was intended that new recommendations would be incorporated as part of Stage 2 of the District Plan Review.

Support was expressed for the recommendation to withdraw several visitor accommodation provisions from the Proposed Plan. In reply to a question about what would happen to submissions already received on those parts of the Plan, Mr Paetz advised that further legal advice was being sought but he believed that these submissions would be redundant because the provisions had been withdrawn. He noted that in addition to fulfilling the statutory requirements, it was intended to write to submitters in this position.

There was further discussion about the proposal not to undertake noise control on bars until 11pm. Mr Webster joined the table and provided further comment, especially in relation to the approach of the District Licensing Committee.

Councillor Forbes questioned whether further definition was needed to clarify what was meant by 'acceptable level of privacy'. In response, Mr Paetz observed that there were occasions when flexible language was needed and he recommended that this wording be retained and instead that the issue be examined further as part of the residential design guide.

It was agreed that 'habitable window' (points 13 and 25) be replaced by 'windows in habitable spaces'.

There was discussion about rule 21.5.47 and the need for a definition of public transport to limit transportation 'joy rides' and other unintended uses.

Councillor Gilmour advised that she had a number of amendments that she wished the Council to consider:

- Clarification was needed in submission point 2 in relation to exempting drones as aircraft. Members noted that the additional random paragraph was included due to a printing and pagination error and no amendment to the actual text was necessary.
- Energy activities definitions (point 1) needed to reinstate ground/water heat energy source. Mr Paetz noted that this was already covered by the definitions supplied so no further amendment was necessary

The following amendments sought by Councillor Gilmour were accepted:

- Removal of 's' from 'maximums' (point 16)
- Replace 'consider' with 'encourage' (point 32)
- Add night sky protection to rural zone activity list (21 4.14)
- 30.1.1: heat exchange (land and water) to be encouraged

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- 30.5.1: rule/s needed for ground and water source energy
- 35.4.2 was simplified to read: *'Reinstatement works required to the exterior of the building and the timeframe to execute such works'*
- 21.5.47: Agreed to remove public transport as a non-complying activity and make it restricted-discretionary

The Council also agreed to amending the recommendation as follows:

- Remove 7.5.12 from (b) (Note: included in (c))
- Add to (c), 'remove all visitor accommodation references in paragraphs 2 and 5 of 9.1 high density zone purpose
- Addition of 'as amended' to (a).

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

a) Approve Council's Corporate Submission as amended on the Proposed Queenstown Lakes District Plan;

b) Authorises, pursuant to Clause 8D of the First Schedule to the RMA, the withdrawal of the following provisions of the Proposed District Plan relating to visitor accommodation;

- **Fourth paragraph of Section 7.1 Zone Purpose Low Density Residential Zone**
- **Policy 7.2.1.3**
- **Objective 7.2.8 and policies 7.2.8.1 and 7.2.8.2**
- **Rules 7.4.18, 7.4.21, 7.4.22**
- **Sixth paragraph of Section 8.1 Zone Purpose Medium Density Residential Zone**
- **Objective 8.2.9 and Policies 8.2.9.1, 8.2.9.2, 8.2.9.3**
- **Rules 8.4.17, 8.4.22, 8.4.23, 8.4.28**
- **Rules 9.4.8, 9.4.9, 9.4.10, 9.4.11, 9.4.12, 9.4.13, 9.6.2.2**
- **Policy 10.2.5.1**
- **Rules 10.4.7, 10.4.8, 10.4.9, 10.4.10, 10.4.20**
- **Policy 11.2.2.3, Rules 11.4.5, 11.4.6 and 11.4.7**

c) Authorises, pursuant to Clause 8D of the First Schedule to the RMA, the withdrawal (in part) of the following provisions of the Proposed District Plan to remove reference to visitor accommodation;

- **Rule 7.5.12**
 - **Policy 8.2.1.1**
 - **Rule 8.5.11**
 - **Objective 9.2.1 and 9.2.2**
 - **Policy 9.2.1.1**
 - **Rule 9.4.6 and 9.5.10**
 - **Policy 10.2.5.2**
 - **Fifth paragraph of Section 11.1 Zone Purpose Large Lot Residential Zone**
 - **Rule 11.2.2.4**
 - **Remove all VA references in paragraphs 2 and 5 of 9.1 high density zone purpose**
- d) **Authorises any minor consequential amendments to the Proposed District Plan resulting from the withdrawal of visitor accommodation pursuant to Clause 8D of the First Schedule to the RMA;**
- e) **Agrees the following reasons for the withdrawal:**
- **Provides greater public certainty as to Council's position.**
 - **Removes the potential perceptions of inconsistency and uncertainty in Council's approach.**
 - **Allows for a more in-depth and robust study and analysis of issues and policy options, and for potential non-statutory consultation with key stakeholders.**
- f) **Directs that the withdrawal and amendments described in (b) and (c) and the reasons described in (e) be publicly notified.**

Thanks were extended to Mr Paetz and his team for their work to date on the District Plan Review and the Mayor asked that this vote of thanks be passed onto team members.

The meeting concluded at 1.43 pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

M A Y O R

26 November 2015

D A T E