

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Armstrong Room, Lake Wanaka Centre, Ardmore Street, Wanaka on Thursday 30 April 2015 commencing at 1.00 pm.

Present:

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

In attendance:

Mr Adam Feeley (Chief Executive), Mr Marc Bretherton (General Manager, Planning and Development), Mr Peter Hansby (General Manager, Infrastructure), Ms Kristy Rusher (Senior Solicitor), Mr Denis Mander (Principal Planner, Infrastructure), Mr Matthew Paetz (District Plan Manager), Mr Blair Devlin (Manager, Resource Consenting), Mrs Vanessa Rees-Francis (Technical Officer), Mr David Wallace (Senior Planner, Parks and Operations), Mr Dan Cruickshank (Senior Property Manager, APL Property Ltd), Mr Andrew Edgar (Senior Engineer), Mr Craig Barr (Senior Planner – Policy), Mr Marty Black (Harbourmaster) Ms Jendi Paterson (Recreation Programmes Team Leader) and Ms Jane Robertson (Governance Advisor); two members of the media and approximately 25 members of the public

Apologies

An apology was received from Councillor Ferguson.

On the motion of Councillors MacLeod and Forbes the Council resolved that the apology be accepted.

Leave of Absence Requests

Councillor Cocks sought a leave of absence 12-22 May 2015.

Councillor Lawton sought a leave of absence 16 June – 16 July 2015.

On the motion of Councillors Forbes and Gilmour the Council resolved that the requests for leave of absence be granted.

Conflicts of Interest

Councillor Cocks advised of a conflict of interest in relation to item 12 (“Making Plan Changes 29 and 39 Operative”) as he had been one of the Commissioners for Plan Change 39. He stated that he would leave the meeting room during discussion of this item.

Matters Lying on the Table

On the motion of Councillors Lawton and Gilmour it was resolved that the items “District Plan Review:

Landscape and Rural Chapters” (lying on the table from the ordinary Council meeting of 18 December 2014) and ‘Request for permit for farm gates’ (lying on the table from the ordinary Council meeting of 24 March 2015) be uplifted from the table for consideration at this meeting.

Confirmation of agenda

The agenda was confirmed without addition or alteration.

1. Chris Riley

Mr Riley believed that Wanaka needed a further wharf area because the current facilities were always busy and were particularly difficult to access at the peak of the season. He noted that a small pontoon was available for purchase and he urged the Council to take up this option to provide an additional jetty area.

2. Bruce Hebbard, Albert Town Community Association

Mr Hebbard tabled a statement which advised of increasing concerns about the speed of vehicles using Gunn Road, citing various examples of dangerous traffic incidents resulting from excessive speed. He suggested that the Council develop some type of traffic calming measures to require motorists to reduce their speed. He also encouraged the Council to investigate motorists’ behaviour on Alison Avenue and urged the Council to carry out any remedial work recommended in the geotechnical report on the Lagoon Avenue slip.

3. Kerry Dunlop

Mr Dunlop asked the Council QLDC to ask the NZTA to review the siting of the new bridge over the Kawarau River. He considered that there had been dramatic changes in traffic volumes since the original design of the proposed new bridge which now made the construction of it adjacent to the present bridge uneconomic and foolish. He encouraged it to be reviewed and linked with the new Eastern Arterial Route.

4. Kirsty Sharpe

Mrs Sharpe also asked the Council to seek a review of the site of the proposed new Kawarau Falls Bridge. She stated that this was necessary to address the constant high traffic volumes and increasing congestion through Frankton.

5. Kevin Conaghan

Mr Connor echoed the requests for the site of the new Kawarau Falls Bridge to be reviewed.

6. Bill Sharpe

Mr Sharpe did not believe that the new bridge should be sited adjacent to the current bridge because of land subsidence. If constructed in this area, he was fearful that the approaches to the new bridge would eventually subside into the river. He urged the Council put what pressure it could on NZTA to review the current plans.

On the motion of Councillors Gilmour and MacLeod the Council resolved that Standing Orders be suspended to allow the public forum to extend for longer than 30 minutes.

7. Graeme Todd

Mr Todd appeared for Roger Taylor and Karen Luttrell who objected to the proposed gates on Lovers Leap Road. He noted that the roadway provided legal access to their home and they had concerns about stock wandering on the roadway and the sheer inconvenience of having to open and shut gates. They were also concerned that if granted, the applicants would not comply with the condition of closing the gates only when they were needed to control or move stock.

8. Julie Scott

Ms Scott appeared for the Queenstown Lakes Community Housing Trust. She encouraged that Council to include a further amendment to the Housing Accord Lead Policy requiring developers to include 5% community housing or 10% affordable housing in any new development. She noted that such a policy had already been adopted in Auckland.

9. Cameron Craigie

Mr Craigie tabled a statement which commented on details in the officer report on the application for a permit for farm gates. He explained why he needed use of all three gates on Lovers Leap Road to control and move stock and asked for the Council to approve all three although this was contrary to the recommendation in the officer report. He noted that a similar regime had been in place when the farm had been managed by Mr Thomson.

10. Geoffrey Thomson

Mr Thomson advised that he supported the previous speaker. He stated it was important for the Council to recognise that the gates on Lovers Leap Road were open almost all of the time and although it was a public road, actual public use was very minor. He agreed that permission for all three gates was necessary as it was about one mile between the first and last gate.

11. Dean Fitzpatrick

Mr Fitzpatrick advised that he was the applicant for the licence to run guided walks on Pigeon Island. He described aspects of his operation and responded to questions from Councillors. He stressed that the proposal was low impact high end tourism and he only wanted low numbers in each group.

12. Alan Baxter

Mr Baxter stated that he operated a fishing and cruise company on Lake Wanaka. He noted that there were more commercial operators on the lake than previously and numbers continued to grow each year. Facilities were under pressure and a new jetty/wharf area using the pontoon that was available seemed to provide an ideal solution. He encouraged the Council to support the project.

On the motion of Councillors Gilmour and MacLeod the Council resolved that Standing Orders be reinstated.

1. Request for Permit for Farm Gates under Section 344 of the Local Government Act 1974 – Cameron Craigie and Anita Holthaus, Lovers Leap Road, adjacent to Part Lot 5 DP 395145, Glenorchy

A report from Vanessa Rees-Francis (Technical Officer) assessed an application from Cameron Craigie and Anita Holthaus for a permit under Section 344 of the Local Government Act 1974 for three farm gates on Lovers Leap Road, Glenorchy. The report concluded that it was appropriate to grant a permit for gates 1 and 3 but not for gate 2. A number of conditions were recommended for the operation of gates 1 and 3 which limited their use and addressed many of the concerns raised by the submitters in opposition to the proposal.

The report had been presented to the Council meeting held on 24 March 2015 at which it had been resolved that it lie on the table.

In reply to a question, Mrs Rees-Francis explained that the permit for gate 2 was not recommended for approval because it did not meet the legal criteria for granting permits.

Further consideration was given to the recommended conditions. Councillors noted that the intention of the condition requiring the gates to be open 'in the period 5pm to 8am' was to prevent their closure at night. It was suggested that instead of the recommended wording, the condition specify 'during the hours of darkness'.

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

- a. Grant a permit under Section 344 (1) (b) of the Local Government Act 1974 across Lovers Leap Road for two unlocked swing farm gates (Gate One and Gate Three) as shown in the attached plan (Attachment A) subject to the following conditions:**
 - i. Each gate must display a board with the words "Public Road" legibly painted thereon in letters of not less than 75 millimetres in height and this shall be fixed upon each side of the gate.**
 - ii. Plans of the gates must be submitted and approved to the satisfaction of the Council's Infrastructure Division.**

iii. Gates are to be used to prevent stock from creating a traffic hazard when they are being moved and otherwise, the gates are to remain open.

iv. Gates are to be open during the hours of darkness, seven days a week.

b. Decline a permit under Section 344 of the Local Government Act 1974 Section 344 (1) (b) across Lovers Leap Road for one unlocked swing farm gates (Gate Two) as shown in the attached plan (Attachment A).

It was agreed to vary the order of items on the agenda and take items 3, 5 and 8 next in the meeting to accommodate the people remaining in the public gallery who wished to hear the outcome of these items.

3. Commercial Jetty for Roys Bay, Lake Wanaka – Consideration of initial funding to purchase pontoon

A report from Dan Cruickshank (Senior Property Manager, APL Property Ltd) assessed the proposal that the Council purchase a second-hand pontoon jetty structure and site it in Lake Wanaka for use as a new commercial jetty adjacent to the Wanaka Marina and the Council-owned Jetty 147. The report recommended that the Council reallocate funds from the current year's waterways repair and maintenance budget to purchase and store the pontoon structure. It also recommended that consideration of providing funding for the pontoon's construction and operation in 2015/16 occur as part of the Annual Plan and 10 Year Plan processes.

Messrs Cruickshank, Wallace and Black joined the table. Mr Black confirmed that Wanaka's waterway facilities were always under considerable pressure during the height of summer and the Council needed to take some action to address this problem. Members agreed, but questioned whether the timeframe proposed by the recommendation would allow the pontoon to be operational by summer 2015/16. Mr Cruickshank put forward a suggested alternative recommendation (3) to deliver the project sooner than originally proposed.

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

- 1. Note the contents of this report;**
- 2. Authorise the Chief Executive to reallocate waterways repair and maintenance budgeted funds of up to \$6,000 including GST and to purchase and store of the pontoon structure from Central Machine Hire;**

3. **Authorise the Chief Executive to make application for all required consents to establish the pontoon in the location of the Wanaka Marina foreshore in the 2015/16 financial year, conditional upon the 2015/25 Long Term Plan being approved; and**
4. **Recommend Council officers make provision for project and construction costs associated with a commercial jetty in Roys Bay, Lake Wanaka in Annual and 10 Year Financial Planning.**

5. Land Transfer to facilitate replacement Kawarau Falls Bridge

A report from David Wallace (Senior Parks and Reserves Planner) sought the Council's authorisation for the transfer of land to be vested in the Crown for the proposed new Kawarau Falls Bridge to be developed by the New Zealand Transport Agency (NZTA). The report also sought a delegation of powers to the Chief Executive to take all steps to effect the transfer of land described, and to grant access to the land prior to vesting to allow construction works to start.

Mr Hansby, Mr Wallace and Mr Mander joined the table.

Councillor Gilmour stated that she supported the views expressed in the Public Forum, as she agreed that the traffic had increased significantly since plans for the new Kawarau Falls Bridge had been originally developed and that congestion at all times of day was worsening. She considered that there was value in looking at the proposal again.

Mr Mander stated that the modelling undertaken in 2007 did take growth in Frankton into account, but agreed that the planned relocation of Wakatipu High School to Frankton would not have been known at that time. Another element not factored into the original modelling was the Shotover Country housing development.

Following considerable discussion, it was agreed that a request for NZTA to review the assumptions which sat behind the present plans for the replacement Kawarau Falls Bridge could be incorporated with the report recommendations, but should be the first part of the resolution.

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

1. **Request NZTA to review the modelling undertaken to determine the current location of the project to replace the Kawarau Falls Bridge and advise the Council of the outcome of this review;**

2. Authorise the transfer of the land described as Parts of Legal Road (parcels 3181413, 3194932, 3181405, 3181396) and Part of Section 29, Block XVIII Town of Frankton, being part of Kawarau Falls Recreation Reserve situated in Block XVIII Town of Frankton to the Crown, to be vested in the Crown as road, for purposes associated with the proposed new Kawarau Falls Bridge without seeking compensation for the transfer;
 3. Delegate to the Chief Executive powers to take all steps necessary to give effect to the transfer of land described as Parts of Legal Road (parcels 3181413, 3194932, 3181405, 3181396) and Part of Section 29, Block XVIII Town of Frankton, being part of Kawarau Falls Recreation Reserve situated in Block XVIII Town of Frankton, to be vested in the Crown for the proposed new Kawarau Falls Bridge, including but not limited to the signing of any necessary consents on behalf of the Council, and to negotiating, finalising, and signing, an appropriate Memorandum of Agreement with the Crown on behalf of the Council to give effect to the transfer, if the Chief Executive considers it necessary; and
 4. Delegate to the Chief Executive powers to grant access to the land described as Parts of Legal Road (parcels 3181413, 3194932, 3181405, 3181396) and Part of Section 29, Block XVIII Town of Frankton, being part of Kawarau Falls Recreation Reserve situated in Block XVIII Town of Frankton prior to vesting in the Crown as road, to allow construction works to commence, including but not limited to the negotiating, finalising, and signing of an appropriate Land Entry Agreement with the Crown on behalf of the Council if the Chief Executive considers it necessary.
8. **Licence Request by Mountain Beech NZ Ltd for Guided Walks at Pigeon Island, Lake Wakatipu**

A report from Dan Cruickshank (Senior Property Manager, APL Property Ltd) assessed an application from Mountain Beech NZ Ltd for a licence to operate a boutique guiding business on Pigeon Island for walking tours. The trips would contain fewer than six persons and would occur no more than twice per month, up to 24 trips in total per year. The report recommended that the licence be granted subject to a number of conditions.

Mr Cruickshank joined the table.

Members questioned the proposed size of each group and how frequently trips would occur. Mr Cruickshank confirmed that these aspects of his recommendation were in line with the application, adding that the focus of the proposed trips was on the natural biodiversity and reforestation. It was agreed that group numbers should be altered to improve both grammar and specificity to read 'no more than five persons and one guide' and an additional condition was added allowing no more than two trips to be undertaken each day.

Mr Cruickshank noted a correction in that assignment of the lease was only allowed with the Council's permission.

These proposed changes to the recommendation were supported.

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

- 1. Note the contents of this report;**
- 2. Grant a licence under section 56(1)(b) of the Reserves Act 1977 to Mountain Beech NZ Ltd to operate commercial guided walks at Pigeon Island Scenic Reserve, Section 2, Block X Glenorchy Survey District, being part of the land comprised and described in computer freehold register OT53/137 subject to the following terms and conditions:**

Term:	Five years
Renewal:	One renewal of five years, with the prior agreement of both parties
Rent:	\$500 + GST per annum base rent, or 7.5% of gross revenue, whichever is the greater
Reviews:	Reviewed annually in accordance with CPI General, subject to ratchet clause
Use:	Commercially guided walking tours
Insurance:	\$2million public liability insurance cover, including provision for Rural Fire cover of no less than \$500,000
Assignments:	Licence assignable only with the permission of the Council

Special conditions:

- a) **Licensee to ensure all rubbish associated with their operation is removed from the island immediately.**

- b) Group numbers to be limited to less than 6 persons, maximum of 24 trips per year.
 - c) No smoking, fires, barbeques etc permitted on the island.
 - d) Licensee to ensure that no pests are introduced to the Island, ensuring that vessels and baggage are checked prior setting off for the island.
 - e) Health and Safety plan to be provided along with any necessary waterways approvals relating to the vessel.
 - f) Permission for planting on the island only with the separate approval of the Department of Conservation.
3. Delegate approval of final terms and conditions of the licence and execution authority to the General Manager, Infrastructure.
4. Agree to exercise the Minister's prior consent under section 56(1) of the Reserves Act 1977 (under delegation from the Minister of Conservation) to the granting of a licence to Mountain Beech NZ Ltd over Section 2, Block X Glenorchy Survey District being part of the land comprised and described in computer freehold register OT53/137.

The meeting adjourned at 2.51pm and reconvened at 3.16pm.

The meeting returned to the original order of the agenda items.

2. Speed Limit Bylaw 2009: Amendment No 4 of 2015

A report from Andrew Edgar (Senior Engineer) presented amendments to the Speed Limit Bylaw 2009 which had been subject to the Special Consultative Procedure and sought its adoption as the 4th amendment to this bylaw.

Mr Edgar and Mr Hansby joined the table.

Councillor Cocks asked why the recommendation contained changes from what the Hearings Panel had recommended. He referred in particular to the proposed speed limit of 70 km/h on Arrowtown-Lake Hayes Road from Speargrass Flat Road to 160m south of Malaghans Road. In response, it was noted that the reason for this change was to minimise the number of speed changes in a short distance which was an issue frequently raised by drivers.

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

- 1. Note the contents of this report and in particular:**

- a. The Hearings Panel is recommending that the speed limit changes in the Statement of Proposal are adopted as proposed except in two cases:
 - i. The speed limit change proposed for Aubrey Road at the Gunn Road roundabout is extended 100m northwest along Aubrey Road.
 - ii. The speed limit change on Tucker Beach Road is altered to:
 1. a 70 km/h speed limit from State Highway 6 to 200m east of Hansen Road (north), including Shotover Delta Road and Jims Way; and
 2. a 50 km/h speed limit from 200m east of Hansen Road (north) to the end of Tucker Beach Road and including Hansen Road (north).
 - b. That the speed limit is changed to 70 km/h on Arrowtown-Lake Hayes Road between Speargrass Flat Road and 160m south of Malaghans Road to avoid a 70 km/h to 80 km/h change in speed limits and reduce the number of speed limit changes.
 - c. That the speed limit on Speargrass Flat Road remains at 80 km/h to maintain consistency with other rural roads in this area.
2. Adopt the following recommended speed limit changes to be incorporated in the Speed Limit Bylaw 2009 as Amendment No 4 of 2015:
- a. A 70 km/h speed limit on Tucker Beach Road, from State Highway 6 to 200m east of Hansen Road (north) including the full length of Shotover Delta Road and Jims Way.
 - b. A 50 km/h speed limit on Tucker Beach Road from 200m east of Hansen Road (north) in a westerly direction to the end of the Tucker Beach Road including the full length of Hansen Road (north).
 - c. A 50 km/h speed limit on Aubrey Road starting 200m north west from the Gunn Road roundabout to 100m south of the roundabout.

- d. A speed limit of 70 km/h on Arrowtown-Lake Hayes Road from Speargrass Flat Road to 160m south of Malaghans Road including Butel Road.**
- e. A speed limit of 80 km/h on Centennial Avenue between McDonnell Road and the Arrowtown urban traffic area.**
- f. A speed limit of 80 km/h on McDonnell Road between State Highway 6 and Centennial Avenue.**
- g. A speed limit of 50 km/h on the full length of Whitechapel Road.**
- h. A designated area speed limit of 20 km/h for the Frankton Marina Local Purpose Reserve.**
- i. A school zone speed limit of 40 km/h that applies to: Centennial Avenue from 150m south of Cotter Avenue to 50m north of Adamson Drive; Adamson Drive from Centennial Avenue to 40m west of Hood Crescent; Hood Crescent from Adamson Drive to Cotter Avenue; Cotter Avenue from Hood Crescent to Centennial Avenue; and the full length of Eva Dawson Place, Butel Avenue, Chalmers Place, Douglas Avenue, Kircher Place, Advance Terrace, and Helms Court. The times applicable are: 8:25am to 9:00am; 2:55pm to 3:15pm; and 10 minutes at any other times during a school day when at least 50 children cross the road or enter or leave a vehicle.**
- j. A school zone speed limit of 40 km/h that applies to Plantation Road from 30m north of Kings Drive to 55m east of Totara Terrace. The times applicable are: 8:00am to 8:35am; 3:10pm to 3:30pm; and 10 minutes at any other times during a school day when at least 50 children cross the road or enter or leave a vehicle.**
- k. A variable speed limit of 30 km/h that applies to Kinloch Road from Gorge Creek Bridge to 540m south of Gorge Creek Bridge annually from 20th December to 10th February.**

- i. An urban traffic area speed limit of 50 km/h over all roads within the Shotover Country development area.**

- m. A speed limit of 50 km/h on Cardrona Valley Road from 50m south of West Meadows Drive to 90m south of West Meadows Drive.**

- n. The following no through roads to match the speed limit of the adjoining road where the length of the road is too short for a speed limit of 100 km/h:**
 - i. 70 km/h on Pringles Creek Rd**
 - ii. 70 km/h on Curtis Road**
 - iii. 80 km/h on Threepwood Drive**
 - iv. 80 km/h on Jane Williams Place**
 - v. 70 km/h on Watties Track**
 - vi. 50 km/h on Moonlight Track**
 - vii. 70 km/h on Oxenbridge Tunnel Road**

4. Learn to Swim School at Alpine Aqualand

A report from Jendi Paterson (Recreation Programme Team Leader) examined the options for delivering learn to swim lessons at Alpine Aqualand. The report concluded that a sole provider was the best option and recommended based on the assessment of proposals received in an Expression of Interest ('EOI') process that the Council opt for a Sole-Provider In-house Council Swim School.

Ms Paterson and Mr Bretherton joined the table.

The Mayor stated that before the Council could select a service provider it needed firstly to determine if it wanted to operate under a sole provider model. She did not believe that the report demonstrated that the current arrangement had problems that could not be resolved.

Councillor Gilmour echoed this view, asserting that the Council could not make a decision about the EOI as it had made no formal decision that the Council should switch to a sole provider. She also expressed concern about the Council competing directly with the Wakatipu Swim School and the implications for the Wakatipu Swim School as a business if it could not use Alpine Aqualand.

Speaking in support of the report, Councillor Cocks suggested that there were other pools in the area from which the Wakatipu Swim School could operate. He considered that the report and the staff comment demonstrated that there were difficulties in having two providers, adding that advice from other councils was strongly supportive of a sole provider. Councillor Gazzard also held these views, pointing out that the EOI indicated that an in-house service

was a cheaper option and had the added benefit of providing staff with variety and flexibility in their roles.

The Mayor stated that because there was no consensus on a sole provider service delivery model, she intended to take parts (a), (b) and (c) of the recommendation separately.

Councillor Gazzard moved/Councillor Stammers-Smith seconded:

- a. That the Council note the contents of this report and in particular that:
 - i. The provision of learn to swim facilities can be considered a core Council service but, as with all Council services, must be provided in a cost-effective manner;
 - ii. Demand for learn to swim school facilities at Alpine Aqualand continues to grow rapidly;
 - iii. There are financial and operational difficulties with operating more than one swim school within the Alpine Aqualand facility;
 - iv. An Expression of Interest was publicly issued on the premise of having a sole provider for a learn to swim school at Alpine Aqualand;
 - v. A panel has evaluated the internal Council-provided service as both the best and most cost-effective option.

Motion carried with the Mayor and Councillor Gilmour voting against the motion.

Councillor Stammers-Smith moved/Councillor Aoake seconded:

- b. That the Council confirm the position stated in the Council Expression of Interest that QLDC moves to a sole provider model for the delivery of learn to swim at Alpine Aqualand.

Motion carried with the Mayor and Councillor Gilmour voting against the motion.

Councillor Gazzard moved/Councillor Forbes seconded:

- c. That the Council adopt the recommendation of the Evaluation Panel that the Alpine Aqualand Swim School operate as the sole provider of learn to swim at Alpine Aqualand from the end of term two 2015.

Motion carried with the Mayor and Councillor Gilmour voting against the motion.

6. Revocation of Reserve Status – Glenda Drive

A report from Joanne Conroy (Property Manager, APL Property Ltd) detailed the proposal to revoke the reserve status of a local purpose reserve in Glenda Drive to facilitate a land exchange between the Council and Shotover Park Limited.

The report was presented by Mr Dan Cruickshank. He joined the table for this item and the one following. Plans were distributed which highlighted the current ownership arrangement and the land ownership upon completion.

It was noted that the matter had been previously considered at the Council meeting held on 26 February 2015 and as a result, the intention to revoke the reserve status had been publicly notified in accordance with s.119 of the Reserves Act. No submissions had been received and it was therefore recommended that the Council approve the revocation of the reserve status.

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

1. **Note the contents of this report;**
2. **Approve the revocation of the local purpose beautification reserve status over Lots 607 and 608 DP 27577 on the basis that the Council considers that the reserve status should be revoked for the following reasons:**
 - a. **Due to the industrial development/zoning of the surrounding area the land subject of this report is no longer considered useful as a reserve.**
3. **Instructs the Chief Executive to send the Council's resolution and a copy of this report to the Minister of Conservation and to request that the Minister revoke the local purpose beautification reserve status over Lots 607 and 608 DP 27577 under section 24(1) of the Reserves Act 1977, by notice in the Gazette.**

7. Commercial Activity Permit for Brent Shears, Lake Wanaka

A report from Dan Cruickshank (Senior Property Manager, APL Property Ltd) detailed an application from Brent Shears to use the Council's Jetty 147 on Lake Wanaka from which to operate a charter boat service. The matter had been previously considered at the Council meeting held on 18 December 2014 at which it had been resolved that the proposal be publicly notified in

accordance with the requirements of the Waterways and Ramp Fees Bylaw 2014. This had subsequently occurred and a hearing held to hear the submission received. The Hearings Panel had recommended that a permit be granted subject to various conditions.

Mr Cruickshank advised that the report recommendation was incomplete and should incorporate all the conditions contained in paragraph 14 of his report.

In relation to the recommended condition allowing the Council or the Harbourmaster to suspend the permit 'at peak periods' with one week's notice, Councillor Gilmour suggested that it would be valuable to specify the exact period intended by the term 'peak periods'. Councillor Lawton agreed, noting that activities may have to be suspended at times other than 'peak periods'. Following discussion, it was agreed that deletion of the words 'peak periods' would allow the Council to suspend use of the jetty at any time, upon provision of one week's notice.

On the motion of Councillors Aoake and Lawton it was resolved that the Council:

- 1. Note the contents of this report;**
- 2. Approve a commercial activity permit to Brent Shears of Just Cruise Wanaka over Council owned Jetty 147, subject to the following conditions:**
 - Approval to use Jetty 147 but with Council to retain the ability to relocate the permit to another future commercial jetty in Roys Bay;**
 - Duration of berthing to be no longer than 20minutes at a time, and number of berths to be in conjunction with resource consent RM140617;**
 - Proportional maintenance of the structure to be paid by the permit holder, set in advance by Council on an annual basis;**
 - Council, or the Harbourmaster to retain the ability to suspend the permit with one week's notice to permit holder;**
 - Must have approval of Maritime Transport Operator Plan by Harbourmaster;**
 - Must comply with any and all necessary conditions imposed by Maritime New Zealand;**
 - Fees payable in conjunction with those set in the annual plan. Initially no charge to permit holder until Council has completed the Waterways and Ramp Fees Bylaw 2014 implementation.**

3. Delegate approval of final terms and conditions of the permit, and execution authority to the General Manager, Infrastructure.

The Chief Executive left the meeting at 4.13pm.

9. QLDC Lead Policy – Housing Accord: Amendment

A report from Matthew Paetz (District Plan Manager) advised of a proposed amendment to the QLDC Lead Policy – Housing Accord which would require negotiations to occur with Special Housing Area proponents on securing commitment that a certain number of allotments should be retained for community housing purposes or equivalent contributions. The amended policy was attached to the report.

Mr Bretherton advised of the following change which had been suggested to 5.5 (c):

‘Public feedback has been sought on any proposed Special Housing Areas.’

Councillor Gilmour sought further amendments to aspects of the draft policy, particularly in the sections ‘Principles’ and ‘Affordability’. The Mayor expressed caution about adopting the affordable housing policies promoted during the public forum, as she wished the Council to retain flexibility. Staff were also unsupportive of impromptu policy-making.

The meeting adjourned at 4.39pm and reconvened at 4.52pm.

The following amendment to 2.2 (4) of the draft policy was proposed:

The Council will ~~promote~~ expect innovative approaches to ensure the delivery of houses for Community Housing purposes, both freehold and rental.

It was noted that the EOIs submitted thus far had not taken account of the amended policy. It was suggested that in light of this, they should be invited to resubmit their proposals so that they could have regard to the proposed changes. It was agreed that this should be reflected in the resolution.

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

- 1. Approve the amendments to the QLDC Lead Policy – Housing Accord and Special Housing Areas as amended; and**
- 2. Alert the proponents of the preferred Special Housing Areas of the amended lead policy and the necessity to meet the requirements.**

10. District Plan Review: Landscape and Rural Chapters

A report from Craig Barr (Senior Planner, Policy) presented the following proposed District Plan provisions for the Council's acceptance:

- Landscape Chapter (Chapter 5);
- Rural Zone (Chapter 13);
- Gibbston Character Zone (Chapter 14)
- Rural Residential and Rural Lifestyle Zones (Chapter 15)
- The District Plan Maps; and
- The accompanying Section 32 Evaluation reports

The Council had resolved to leave the item lying on the table at the meeting held on 18 December 2014, requesting staff to undertake more consultation before re-submitting the proposed drafts. This had since taken place.

Councillor Gilmour extended congratulations to staff for the work undertaken since the earlier consideration of the proposed chapters, adding that except for some minor editorial changes she was satisfied with the re-drafts.

Councillor Cocks stated that Objective 7 in the Rural Zone Chapter concerning the separation of noise sensitive activities from existing airports should also refer to Wanaka Airport.

The Chief Executive re-entered the meeting at 5pm.

Councillor Cocks observed that the dates shown in the Rural Zone Chapter (clause 13.4.2.73) for the prohibition of motorised craft on the Hunter River were not correct, and should reflect the fact that the speed limit was uplifted between 1 November and 12 December and again between 19 March and 30 April.

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

- 1. Note the contents of this report and in particular:
 - i. The Resource Management issues associated with the current provisions.**
 - ii. The RMA Section 32 Evaluations.**
 - iii. The proposed provisions.****
- 2. Accept the revised landscape and rural provisions.**
- 3. Note that these provisions will be brought back for the Council's final approval along with other provisions forming Stage 1 of the District Plan Review, prior to statutory consultation and public notification.**

4. Authorise officers to make further minor changes to the Section 32 Evaluation reports and provisions without further recourse to the Council, where this is necessary to:
 - i. Ensure consistent numbering and formatting of the proposed District Plan text; and
 - ii. To fix identified minor errors and / or omissions.
 - iii. Ensure continuity with other proposed provisions.

11. District Plan Review: Resort Zone provisions – Millbrook and Waterfall Park

A covering report from Matthew Paetz (District Plan Manager) introduced the District Plan provisions for Millbrook and Waterfall Park (Chapter 12) as part of the District Plan Review. Appended as attachments to the report were the complete chapters and the s.32 evaluation reports for Millbrook and Waterfall Park.

On the motion of Councillors Cocks and Aoake it was resolved that the Council:

1. Note the contents of this report and in particular:
 - i. The Resource Management issues associated with the current provisions.
 - ii. The RMA Section 32 Evaluations.
 - iii. The proposed provisions.
2. Accept the provisions.
3. Note that these provisions will be brought back for Council's final approval along with other provisions forming stage 1 of the District Plan Review, prior to statutory consultation and public notification.
4. Authorise officers to make further minor changes to the Section 32 Evaluation reports and provisions without further recourse to the Council, where this is necessary to:
 - i. Ensure consistent numbering and formatting of the proposed District Plan text; and
 - ii. To fix identified minor errors and/or omissions.
 - iii. Ensure continuity with other proposed provisions.

Councillor Cocks left the meeting at 5.04pm.

12. Plan Changes 29 and 39

A covering report from Blair Devlin (Resource Consent Manager) introduced Plan Changes 29 (Arrowtown Urban Growth Boundary) and Plan Change 39 (Arrowtown South Special Zone) for the Council to resolve to make operative. Appended as separate attachments to the report were the final decisions on both plan changes, the new provisions for inclusion in the District Plan and various other supporting documents related to the plan changes.

It was noted that the comment in the report concerning Special Housing Areas was no longer relevant (paragraph 7). The text from paragraph 26 was also amended to read:

'Similarly, making the Plan Change provisions operative will provide some certainty through the District Plan around the future growth of Arrowtown.'

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

- 1. Note the contents of this report;**
- 2. Authorise pursuant to Clause 17 of the First Schedule of the RMA, the amendments to the District Plan proposed by Plan Change 29 and Plan Change 39; and**
- 3. Direct that Plan Change 29 and Plan Change 39 be notified as being operative.**

Councillor Cocks returned to the meeting at 5.07pm.

13. Mayor's Report

A report from the Mayor:

- a. Set out the functions and meetings attended during the period 24 March – 29 April 2015;
- b. Sought interest from Councillors in attending the 2015 Local Government New Zealand Conference;
- c. Sought the appointment of a Trustee from the Queenstown Lakes Community Housing Trust as the Council's representative on the Trust;
- d. Presented recommendations from the Wanaka Community Board in relation to a lease/licence to occupy for the Wanaka Yacht Club and a commercial licence to occupy to Cycle Tours New Zealand;
- e. Presented activity reports from Portfolio Leaders;
- f. Appended minutes of recent meetings:
 - i. Property Subcommittee meeting of 12 March 2015
 - ii. Property Subcommittee meeting of 20 March 2015
 - iii. Property Subcommittee meeting of 26 March 2015
 - iv. Property Subcommittee meeting of 9 April 2015
 - v. Wanaka Community Board meeting of 15 April 2015

Ms Rachel Brown, Chair of the Wanaka Community Board joined the meeting and commented further on the business conducted at the recent Board

meeting. She noted in particular the decisions made concerning the Upper Clutha A&P Society's application to extend its lease area on the Wanaka Showgrounds, a proposal from Mt Burke Station for stopping and vesting roads within the Station area and Mead Road.

There was further discussion about the Board's recommendation to grant a commercial licence to occupy to Cycle Tours New Zealand. Councillor Lawton asked for an additional condition to ensure consistency across the district, requiring all conditions of the licence for Bike Tours New Zealand to reflect those contained in the Queenstown Trails generic licence. This was supported. In addition, although the exclusion of the Outlet and Deans Bank Tracks from the licence was noted in the special conditions, for the purposes of clarity members asked that these also be removed from the schedule.

The Mayor advised that Councillor Gilmour had expressed an interest in attending the 2015 Local Government New Zealand conference but asked if there were any Councillors interested who had not previously attended. Following discussion, it was agreed that Councillors Aoake and Forbes would attend. The Mayor reminded them of the need to report back to the Council on the conference. She also asked Councillors Lawton and MacLeod to furnish their reports from the 2014 conference.

The Mayor recommended that Joanne Conroy be the Council's representative on the Queenstown Lakes Community Housing Trust.

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

- a. Note the report;**
- b. Approve Councillor Aoake and Councillor Forbes attending the 2015 Local Government New Zealand annual conference;**
- c. Appoint Joanne Conroy, a Trustee from the Queenstown Lakes Community Housing Trust, as the Council's representative on the Trust;**
- d. Grant a new lease to the Wanaka Yacht Club over 1272 m2 of Section 14 Block XV Town of Wanaka, with an increased footprint to allow for the proposed building extension subject to the following conditions:**
 - Term 33 years**
 - Rent pursuant to the Community Pricing Policy and reviewed every two years**
 - Other terms and conditions to reflect the current lease**
 - Current lease to be surrendered**
 - Resource and building consent being granted**

- Subject to final plans being generally in accordance with plans dated 17 November 2014
 - Construction to be completed within three years of the lease approval
 - Building materials to be on site only once construction has commenced
 - Ownership of improvements to transfer to Council on lease expiry
- e. Approve the renewal of a Licence to Occupy to the Wanaka Yacht Club over approximately 2588 m² of Section 6 Block XV Town of Wanaka, subject to the following conditions:
- Term of three years with two renewals by mutual agreement
 - Rent pursuant to the Community Pricing Policy and reviewed every two years
 - Terms of the existing licence to be used
- f. Grant a commercial licence to occupy to Cycle Tours New Zealand for commercially guided tours on the properties listed below and subject to the following special conditions:
- Term: Two years
- Renewal: 2x two year renewals, with the prior agreement of both parties
- Use: Commercially guided biking and walking tours
- Assignments: With the approval of Council
- Special conditions:
- Maximum group size of 12 persons including 2 guides. Groups up to 6 require 1 guide. Group sizes 7 to 12 require 2 guides.
 - Council to review the licence at each renewal taking into account any relevant track strategies endorsed by Council.
 - All conditions of the licence to reflect those contained in the Queenstown Trails generic licence.
 - Council to retain the absolute right to restrict tracks as conditions and track use dictate. Initially the Outlet and Deans Bank tracks are to be excluded from the approved licence, until such point as Council decides that they are suitable for guiding. Should further tracks be

removed from the licence, the Council will provide no less than one week's notice to the licensee.

Queenstown/Wakatipu Trails – Queenstown Lakes District Council recreation reserve land				
Trail Name & Map Ref.	Proposed Activity	Landowner/s	Legal Description	Title Reference
Jacks Point Track	Biking, walking	QLDC Recreation Reserve	Lot 70 DP 9249	95114
Lake Hayes Walkway	Biking, walking	QLDC Bendemeer Bay Recreation Reserve	Section 65 Blk IX Shotover SD	OT17C/1329
		QLDC Recreation Reserve	Lot 3 DP 15096	129117
		QLDC Recreation Reserve	Lot 4 & Pt Lot 5 DP 15096	464206
Wanaka/Hawea Trails – Queenstown Lakes District Council recreation reserve land				
Eely Point	Biking, walking	QLDC Eely Point Recreation Reserve	Sec 29 Blk XIV Lower Wanaka SD, Sec 1543R Blk XIV Lower Wanaka SD	OT7B/497
Beacon Point	Biking, walking	QLDC Beacon Point Recreation Reserve	Sec 71 Blk XIV Lower Wanaka SD	1701
		QLDC Recreation Reserve	Lot 9 DP 18825	OT10A/14
		QLDC Recreation Reserve	Pt Lot 3 DP 19057	OT13A/1038
		QLDC Recreation Reserve	Pt Lot 2 DP 17422	5997
Waterfall Creek Track	Biking, walking	QLDC Roys Bay Recreation Reserve	Sec 46 Blk III Lower Wanaka SD	2290
Damper Bay Track	Biking, walking	QLDC Damper Bay Recreation Reserve	Secs 12, 18 Blk XIII Lower Wanaka SD, Pt Sec 4 Blk XV Lower Wanaka SD, Sec 14 SO 397287	474509
Upper Clutha River Track (true right bank)	Biking, walking	QLDC Recreation Reserve	Sec 1 SO 431144	568321
		QLDC Freehold	Sec 2 SO 24616	OT18C/526
Hawea River Track	Biking, walking	QLDC Freehold	Lot 1 DP 20555 and Lot 1 DP 24534	OT16C/1158

14. Chief Executive's Monthly Report

A report from the Chief Executive provided updates on progress towards achieving the 2014/15 work programme.

The Mayor suggested that the allocation of funds to effect the Gun Club's transfer to Victoria Flats be paid directly to the club. She considered that this was the simplest approach and was her preference in light of the length of time it had taken to resolve the issues. She was also mindful of not expending further staff resources on the project and the importance of providing an easy and effective process for the Gun Club. She suggested that the Council remit the full amount needed to achieve the transfer. As no budget was allocated, the Mayor asked that this be addressed via an internal submission for a budget transfer in 2015/16.

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

- a. Note the report, including the revised notification date for the District Plan;**
- b. Approve expenditure of \$260,000 (excluding GST) of unused funds from the 2014/15 Project Shotover budget to be paid in a lump sum to the Wakatipu Gun Club to resolve remaining issues associated with the transfer of the Wakatipu Gun Club to Victoria Flats as part of Project Shotover;**
- c. Direct that the Wakatipu Gun Club submit all invoices related to this project at its conclusion and repay any unused surplus;**
- d. Direct staff to make an internal submission to the 2015/25 10 Year Plan increasing the Project Shotover budget for 2015/16 by \$330,000;**
- e. Direct the Chief Executive to commence acquisition of the disputed section of Mead Road under the Public Works Act, without prejudice to the Council's position on road ownership.**

Confirmation of minutes

The Mayor advised that a letter had been prepared responding to the concerns raised by the representatives from Happiness House who had spoken in the Public Forum at the 24 March 2015 meeting. She undertook to circulate the letter to all Councillors.

On the motion of Councillors Stammers-Smith and Gazzard it was resolved that the Council confirm the minutes of the public part of the ordinary meeting of the Queenstown Lakes District Council held on 24 March 2015 as a true and correct record.

Councillor Cocks abstained from voting because he had not attended the meeting.

Resolution to Exclude the Public

On the motion of Councillors Gilmour and Gazzard 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 – 24 March 2015:

Item 18: Public Works Act Agreement for the Land Acquisition of the Luggate Reservoir with Associated Rights and Easements

General subject to be considered.	Reason for passing this resolution	Grounds under Section 7 for the passing of this resolution.
18. Public Works Act Agreement for the Land Acquisition of the Luggate Reservoir with Associated Rights and Easements	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)

Agenda Items:

Item 15: Plan Change 48 Signs – Appeal Matters

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.
15. Plan Change 48 Signs – Appeal Matters	<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 on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	Section 7(2)(i)

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 5.27pm.

The meeting moved out of public excluded and concluded at 5.57pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

M A Y O R

3 June 2015

D A T E