

**Property Subcommittee
26 March 2015**

Minutes of a meeting of the Property Subcommittee held on Thursday, 26 March 2015 in Council Chambers, 10 Gorge Road, Queenstown commencing at 10.02am

Present

Councillors Aoake, MacLeod and Stammers-Smith

In Attendance

Mr Peter Laurenson, Mr Robbie Dick, Ms Vanessa Rees-Francis and Ms Shelley Dawson

On the motion of Councillors Aoake and Stammers-Smith it was resolved that Councillor MacLeod chair the meeting.

Apologies

An apology was received from Mayor van Uden.

On the motion of Councillors Stammers-Smith and Aoake it was resolved that the apology be received.

Declaration of Conflicts of Interest

There were no conflicts noted

Resolution to Exclude the Public

On the motion of Councillors Aoake and Stammers-Smith it was resolved that the public be excluded from all items of the Property Subcommittee 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:

<i>General subject to be considered.</i>	<i>Reason for passing this resolution.</i>	<i>Grounds under Section 7 for the passing of this resolution.</i>
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All Items	<p><i>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></p> <p><i>i) enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i></p>	Section 7 (2)(i)
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This resolution was 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 moved into public excluded at 10.05am.

Matters Lying on the Table

There were no matters lying on the table

Confirmation of Agenda

The agenda was confirmed without addition or alteration.

Confirmation of Minutes

On the motion of Councillors Aoake and Stammers-Smith it was resolved that the minutes of the Property Subcommittee meeting held on 12 March 2015 be confirmed as a true and correct record.

The draft minutes of the meeting held on 20 March 2015 were not able to be confirmed as there were insufficient members present to do so.

1. Temporary Road Closure Application – Arrowtown Autumn Festival 2015 (PSC 15/03B/01)

Consideration was given to an application for the road closures associated with the Arrowtown Autumn Festival 2015 parade and the Pint and Pie Festival and the Great Arrowtown Street Race. These events were part of the Arrowtown annual Autumn Festival and were scheduled to take place on Saturday 11 and Sunday 12 April 2015.

Councillor MacLeod noted that it was Ms Rees-Francis' last report to the Committee due to a role change. He thanked Ms Rees-Francis for her work and dedication during her time reporting to the Property Subcommittee.

On the motion of Councillors Stammers-Smith and MacLeod it was resolved that the Property Subcommittee:

- a. **Approve the road closure application for the Arrowtown Autumn Festival 2015 Event subject to the following conditions:**
 - i. **A Traffic Management Plan must be approved by Queenstown Lakes District Council's Infrastructure and Assets Department prior to the event taking place.**
 - ii. **The event is to be advertised on the radio two days prior and on the morning of the event.**
 - iii. **The event organisers are to arrange suitable disposal methods for recycling and rubbish/refuse.**
 - iv. **The applicant notifying all affected parties via an affected party notice, of the extent of the temporary road closure; this notification to be undertaken five working days prior to the closure occurring.**
- b. **Authorise the following schedule of road closures:**

Arrowtown Autumn Festival Parade

Roads to be Closed: Buckingham Street from Butlers Green to Bedford Street, Berkshire Street from Ramshaw Lane to Wiltshire Street, All of Ramshaw Lane, All of Roman Lane, All of Camp Lane, All of Arrow Lane, All of Villiers Street, All of Surrey Street, Bedford Street from Merioneth Street to Cardigan Street, Wiltshire Street from Hertford Street to Ramshaw Lane, Merioneth Street from Hertford Street to Bedford Street

Period of Closure: Saturday, 11 April 2015 from 0730 to 1900

'Pint and Pie' Event and the Great Arrowtown Street Race

Road to be Closed: Buckingham Street from
Wiltshire Street to
Merioneth Street

Period of Closure: 1030 to 1900 Sunday, 12
April 2015

Road to be Closed: Buckingham Street from
Wiltshire Street to
Berkshire Street

Period of Closure: 1200 to 1400 Sunday, 12
April 2015

- c. **Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

2. Licence to Occupy Road Reserve, ZQT Limited, 5 Athol Street, Lot 1 DP 20244, Queenstown (PSC 15/03B/02)

Consideration was given to an application for a licence to occupy from ZQT Limited for the use of the footpath and four car parks in front of 5 Athol Street for a nine month period. The application was associated with a redevelopment of the existing office and retail building into visitor accommodation. The officer report recommended a licence to occupy from 26 March 2015 to 18 June 2015.

There was discussion about the cost of occupying car parks and whether Council should increase the charges. The disruption to pedestrians and the community and how to encourage applicants to be more efficient with their time was also discussed. The Committee was advised that the recommendation was for a licence to occupy until 18 June 2015 after which time the applicant would have to reapply for any further occupation.

On the motion of Councillors Aoake and Stammers-Smith it was resolved that the Property Subcommittee:

- a. **Approve the licence to occupy application from ZQT Limited for the use of the footpath, for hoardings and for the use of four car parks in front of the site at 5 Athol Street, Lot 1 DP 20244, Queenstown between 26 March 2015 and 18 June 2015 subject to following conditions:**
- i. **Approval of the Traffic Management Plan by QLDC Planning and Development before any work commences.**

ii. The applicant is to pay for the use of the two car parking spaces at the cost of \$15 per park per day for the duration of the occupation on an on-going monthly basis.

iii. Stormwater assets are to be protected and accessible, and the pavers and surrounding infrastructure are to be correctly protected and reinstated to the satisfaction of the Contract Manager and Roading Corridor Engineer.

iv. If the applicant requires an extension of the footpath occupation and for the use of car parks, they are to formally apply to the Council no later than the 18th of May 2015. NB: Car parks will need to be publicly available during Winterfest 2015 (19th to 28th June 2015)

b. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.

3. Application for an Exemption Under Section 6 of The Fencing of Swimming Pools Act 1987 – Crill, 66 Domain Rd, Wakatipu Basin (PSC 15/03B/03)

Consideration was given to a request for an exemption under Section 6 of the Fencing of Swimming Pools Act (FSPA) 1987, made by James Crill for the property at 66 Domain Rd, Wakatipu Basin. The exemption was for a man-made pond deeper than 400mm which was located on the same site as a recently erected dwelling. Under the current Fencing of Swimming Pools Act 1987 the pond fell within the definition of a swimming pool and would therefore require a barrier complying with the Schedule of the Act.

It was explained that at a recent review of the FSPA presented to cabinet, a strong intention was shown that garden ponds and stormwater ponds would be exempted from the amended act. The onus was being shifted to property owners to make sure they were safe. It was noted that natural rivers or watercourse on properties did not need to be fenced, only manmade structures used in association with a dwelling.

The Committee was advised that the legislation was expected to be amended at the end of 2015. It was noted that this exemption had a time frame on it and that the applicants were aware of all the issues discussed in the report.

On the motion of Councillors Stammers-Smith and Aoake it was resolved that the Property Subcommittee:

1. **Grant the application for an exemption under Section 6 of the Fencing of Swimming Pools Act (FSPA) 1987, made by James Crill for the property at 66 Domain Rd, Wakatipu Basin subject to the following conditions:**
 - a. **The owner is required to ensure at all times that the pond is not intended for swimming, wading, padding or bathing.**
 - b. **The exemption is valid for a period of 1 year from the date of granting the exemption, after which time the owner of the property is required to either:**
 - i. **Apply for a further exemption to consider an extension of time, or**
 - ii. **Comply fully with any revised legislation relating to the Fencing of Swimming Pools Act and the Building Act as required.**
 - c. **Any breach of these exemption conditions may result in the exemption being withdrawn at any time.**
2. **Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

4. Application for an Exemption Under Section 6 of The Fencing of Swimming Pools Act 1987 – McKay, 558 Mount Barker Rd, Wanaka (PSC 15/03B/04)

Consideration was given to an application for a variation to the conditions for a previously granted exemption under Section 6 of the Fencing of Swimming Pools Act (FSPA) 1987, applied for by Rob McKay for the property at 558 Mt Barker Rd, Wanaka. The previous exemption was not transferable on the sale of the property and the new owners were applying to renew the exemption.

The Manager Building Services explained that at the time the application first came forward, the exemption was only granted to the owner at the time and was not transferable. Subsequent decisions had been made that exemptions are now linked to the property not the owners. It was noted that there was no increase in risk from the time the exemption was granted and officers were trying to be fair and consistent to the applicant.

It was explained that when the amended FSPA came into force, that exemptions would likely not occur. The intention would be that a pool application would be assessed against a set of standards as part of the Building Code and granting building consent would deem an application as complying with the FSPA. If this change came about then the QLDC Building team would have to reconsider all previously granted pool exemptions.

On the motion of Councillors Stammers-Smith and Aoake it was resolved that the Property Subcommittee:

- 1. Grant the application for a variation to the conditions for a previously granted exemption under Section 6 of the Fencing of Swimming Pools Act (FSPA) 1987, applied for by Rob McKay for the property at 558 Mt Barker Rd, Wanaka subject to the following conditions:
 - a. The pool cover being maintained and kept locked in place when the pool is not in use.**
 - b. Any breach of these exemption conditions may result in the exemption being withdrawn at any time.****
- 2. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

On the motion of Councillors MacLeod and Stammers-Smith it was resolved that the Property Subcommittee move out of public excluded.

The meeting concluded at 10.27am.

Confirmed as a true and correct record:

Chairperson

Date