

**Property Subcommittee
28 May 2015**

Minutes of a meeting of the Property Subcommittee held on Thursday, 28 May 2015 in the Council Chambers, Civic Centre, 10 Gorge Road, Queenstown commencing at 11.04am.

Present

Mayor van Uden; Councillors Aoake and Stammers-Smith

In Attendance

Councillor Cocks, Ms Vanessa Rees-Francis (Property Information Officer), Mr Dan Cruickshank (APL Property Ltd), Ms Averil Kingsbury (APL Property Ltd), Mr David Wallace (Senior Parks and Reserves Planner) and Ms Shelley Dawson (Senior Governance Advisor)

Apologies

There was an apology from Councillor MacLeod and from Councillor Aoake for lateness.

On the motion of Mayor van Uden and Councillor Stammers-Smith it was resolved that the apologies be accepted.

Declaration of Conflicts of Interest

Mr Cruickshank noted that he used to be employed by the applicants in item 6 and that he had shares in the applicant company for item 9. Ms Kingsbury would speak to these items.

Mr Wallace noted that he was a member of the Queenstown Golf Club.

Resolution to Exclude the Public

On the motion of Mayor van Uden and Councillor 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 11.07am.

Confirmation of Minutes

It was noted that during the meeting of 14 May 2015 Councillor MacLeod was in attendance and Councillor Stammers-Smith was present.

On the motion of Councillor Stammers-Smith and Mayor van Uden it was resolved that the minutes of the Property Subcommittee meeting held on 14 May 2015 as amended be confirmed as a true and correct record.

Confirmation of Agenda

The agenda was confirmed without addition or alteration.

Matters Lying on the Table

There were no matters lying on the table.

Councillor Aoake joined the meeting at 11.08am.

1. Road Naming Application – Shotover Park (PSC 15/05B/01)

Consideration was given to an application from Shotover Park Limited to name two new roads located off Glenda Drive, Frankton. The road names offered do not comply with Council's Road Naming Policy.

There was discussion that the convention was that the names had historical significance to the community and there was no justification with this application for going outside the policy. It was suggested that both road names be declined and recommendation 2. be amended to read "*Decline the application for both road names*". Recommendation 3 was to be removed and recommendation 4. to become 3. A further recommendation 4. was added to allow the report and resolution to be made public as part of the next Mayors report to Council. Infrastructure staff are to discuss and communicate with Placemakers around the changes to the addressing layout on Glenda Drive with the addition of the Eastern Access Road.

On the motion of Mayor van Uden and Councillor Aoake it was resolved that the Property Subcommittee:

- 1. Note the contents of this report and in particular;**
- 2. Decline the application for both road names.**
- 3. Decline the request from the applicant to hold the alternative option for Road Four (being Porter Drive or Cook Way) as a pre-approved name for a future road in the area.**
- 4. 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 – Existing Cardrona LPG Tank (PSC 15/05B/02)

Consideration was given to an application for a licence to occupy in respect of a hazard zone around an existing LPG tank on a section of Cardrona Road. The application was to rectify a technical non-compliance that prevented the tank from meeting safety requirements.

It was suggested that a recommendation 4. be added authorising the report and resolution to be made public as part of the next Mayor's report to Council.

On the motion of Councillor Stammers-Smith and Mayor van Uden it was resolved that the Property Subcommittee:

- 1. Note the contents of this report and in particular;**
- 2. Authorise the attached licence to occupy to be issued, with the added conditions that the planting and realignment of the footpath are consistent with the Cardrona Village Character Guideline and have been approved by the Chief Engineer before work commences.**
- 3. Authorise the Chief Executive to sign the attached letter to Contact Energy Ltd.**

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

Councillor Stammers-Smith noted that he acted in a legal capacity for the Spijkerbosch's and would sit back from the table and not vote on this item.

3. Lessor's Approval for Two New Ablution Blocks – Arrowtown Camping Ground (PSC 15/05B/03)

Consideration was given to a report that sought approval for notification of the intention to allow two new Portacom ablution blocks at the Arrowtown camping ground. The land is classified as recreation reserve and is legally known as Section 38 Blk VII Shotover SD. The Arrowtown – Lake Hayes Reserve Management Plan requires that all proposals for new buildings be notified pursuant to the Reserves Act 1977.

Mayor van Uden and Councillors Aoake and Cocks indicated they could sit on the hearing panel.

On the motion of Mayor van Uden and Councillor Aoake it was resolved that the Property Subcommittee:

1. **Note the contents of this report;**
2. **Approve the notification of two proposed new ablution blocks at the Arrowtown Camping Ground Section 38 Blk VII Shotover SD; and**
3. **Appoint Mayor van Uden and Councillors Aoake and Cocks, two of whom can form a hearing panel to consider any submissions received and make a recommendation to Queenstown Lakes District Council.**
4. **Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

Councillor Stammers-Smith returned to the table.

4. Proposed New Lease for the Queenstown Golf Club (PSC 15/05B/04)

Consideration was given to a report that sought a decision on notification of Council's intention to grant a new lease to the Queenstown Golf Club. The new lease would replace the existing lease with similar terms and conditions apart from the ability for the club to hold events in their clubrooms and aligning the rent to the Community Facility Funding Policy.

It was questioned whether the club's bar takings would be considered in the new lease and it was suggested that the Wanaka Golf Club lease could be a comparison. APL will investigate and make the applicants aware of any cost implications. It was noted that notification could still take place and the costs and fees could be dealt with when the item went to Council for approval. Mayor van Uden and Councillors Aoake and Stammers-Smith indicated they could sit on the hearing panel. It was suggested that a further recommendation be added authorising the report and resolution to be made public as part of the next Mayor's report to Council.

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

- 1. Approve the notification of the Council's intention to grant a new lease pursuant to section 54(1)(c) of the Reserves Act 1977, to the Queenstown Golf Club Incorporated for the land it currently occupies being Part Section 29 Block I Coneburn SD and being part of the land described in Computer Freehold Register 657995, subject to the following terms:**
 - i. Rent to be set pursuant to the Community Facility Pricing Policy**
 - ii. Permitted use under the new lease to permit the land to be used as a golf course, with the clubrooms able to be leased for events so long as those events facilitate, and do not impinge on the core golf activity undertaken at the reserve;**
 - iii. The new lease is to provide that any income generated by those events is reallocated into the reserve and associated facilities in the form of improvements and ongoing maintenance to enhance the public's enjoyment of the reserve and facility.**
 - iv. All other terms and conditions in the new lease must reflect the existing lease (and variations) and/or the requirements of the Reserves Act 1977, as determined by the General Manager, Infrastructure.**
- 2. Nominate a panel consisting of Mayor van Uden and Councillors Aoake and Stammers-Smith to hear any submissions received in regards to the new lease and make a recommendation to Council.**
- 3. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

5. Lessor's Approval for the Queenstown Golf Club (PSC 15/05B/05)

Consideration was given to a report that sought Lessor's Approval for the Queenstown Golf Course to construct a new cart and equipment shed. The shed would be constructed on land currently occupied being part section 29 Block I Coneburn SD.

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

- 1. Note the contents of this report;**
- 2. Agree to grant Lessor's approval to the Queenstown Golf Club to build a new cart and equipment shed on the land they currently occupy being part Section 29 Block I Coneburn SD subject to the following terms:**
 - i. Resource and building consent to be obtained (if required)**
 - ii. Construction to be completed within one year of lessor approval**
 - iii. Building materials to be on site only once construction has commenced**
 - iv. Ownership of improvements to transfer to Council on lease expiry**
- 3. Authorise this report and resolution to be made available as part of the next Mayor's report to Council.**

Mr Cruickshank sat back from the table for the following item and Ms Kingsbury spoke for APL Property Ltd.

Public Excluded

6. Licence Expiry – Queenstown Bungy – Skippers Bridge (PSC 15/05B/06)

Consideration was given to a report discussing whether to grant a new licence to Queenstown Bungy Limited for the Skippers Bridge or whether to tender a licence for the commercial bungy operation. The current licence expires with no right of renewal and at the last rent review the Committee discussed putting the licence out to tender.

There was discussion around the potential increase in traffic and therefore maintenance costs. The Committee was advised that the costs and timings of the tender process versus advertising the new lease were similar. The Committee agreed to test the market. Councillors Aoake, Cocks and Stammers-Smith indicated they could sit on the hearing panel.

On the motion of Councillor Aoake and Mayor van Uden it was resolved that the Property Subcommittee:

1. **Approve the tendering of a licence for the Skippers Bridge for the purposes of a commercial bungy operation subject to the following conditions:**
 - i. **Term of 10 years with renewal for a further 10 years by agreement of both parties;**
 - ii. **Licence fee to be the greater of a tendered amount per annum or 7.5% of turnover;**
 - iii. **Other terms and conditions to be confirmed at a later date**
 - iv. **The successful Licensee providing a structural report confirming that their gantry is safe, that there are no adverse effects on the Bridge because of the gantry or its use;**
 - v. **The licensee adhering to all conditions relating to use of the bridge imposed by Council from time to time.**
2. **Appoint Councillors Aoake, Cocks and Stammers-Smith, two of whom can form a hearing panel to consider any proposals received and make a recommendation to Queenstown Lakes District Council.**
3. **Authorise this report and resolution to be made available to the public once the tender process is completed or a licence is approved.**

Mr Cruickshank returned to the table.

7. Lease and Licence renewals (PSC 15/05B/07)

Consideration was given to a report that discussed renewal of a number of leases and licences during 2015. The applicants were Bike Wanaka, NZ Police, Glenorchy Golf Club, Lakeside Rugby Club, Wanaka Arts Centre, Ledge Properties and Queenstown Bowling Club.

It was noted that the NZ Police lease was for a repeater station at the Skyline and it was suggested that this rental fee remain at \$500 plus GST per annum. There was a question on the location of the lease area in Hawea for Bike Wanaka and Mr Cruickshank is to pass this information on to Councillor Cocks. It was suggested that a further recommendation be added authorising the report and resolution to be made public as part of the next Mayor's report to Council.

On the motion of Mayor van Uden and Councillor Aoake it was resolved that the Property Subcommittee:

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

- 2. Approve renewal of the following leases and licences that have renewal provisions in 2015 namely:**

Name	Property	Date	New Term	Location
Bike Wanaka	Lot 1 DP 20555	1/02/2015	5 years	Hawea (ex ponds)
NZ Police	Section 1 SO 22971 Blk XX and Section 1 SO 24832	1/03/2015	5 years	Skyline
Glenorchy Golf Club	Section 1 Blk XX Town of Glenorchy	1/05/2015	5 years	Golf Club
Lak side Rugby Club	Section 1 Blk XX Town of Glenorchy	1/05/2015	5 years	Golf Club
Wanaka Arts Centre	Lot 2 DP 25900 (Building)	1/07/2015	1 year	Wanaka
Ledge Properties	Section 2 SO 433650	1/12/2015	5 years	Behind old Hirequip
Queenstown Bowling Club	Part Sections 4-5, 7 Blk LI Town of Queenstown	1/4/2016	33 years	Queenstown Gardens

- 3. Approve the following additional renewal conditions:**

a. Any lease or licence that is subject to new or altered policies prior to their renewal date must adhere to those policies where Council has discretion.

b. For any lease or licence where there have been public complaints or where the Lessee is not performing according to the conditions of their lease or licence between now and their renewal date, the matter will be referred back to Property Sub-Committee to be reconsidered.

c. The New Zealand Police sublease approval will be retained at \$500 plus GST per annum.

d. At renewal, Ledge Properties rent to be reviewed to the assessed market rent.

- 4. Authorise this report and resolution to be made available to the public once the tender process is completed or a licence is approved.**

- 8. Temporary Road Closure Application – American Express Queenstown Winter Festival 2015 (PSC 15/05B/08)**

Consideration was given to an application for a set of temporary road closures for the annual Winter Festival occurring between Friday 19 and Sunday 28 June 2015. The temporary road closures were for the opening party and fireworks, festival street parade, downtown day, dodgeball championship and community carnival events.

It was suggested that a further recommendation be added authorising the report and resolution to be made public as part of the next Mayor's report to Council.

On the motion of Mayor van Uden and Councillor Stammers-Smith it was resolved that the Property Subcommittee:

- 1. Approve the road closure application for Winterfest 2015 subject to the following conditions:**
 - i. Approval of the final Traffic Management Plan by QLDC Engineering.**
 - ii. Radio advertising two days prior and on the morning of the event.**
 - iii. The event organisers arranging suitable disposal methods for recycling and rubbish/refuse.**
 - iv. The applicant providing a copy of New Zealand Transport Agency's approval for the closure of Shotover Street.**
 - v. The applicant notifying all affected parties via the submitted affected party notice, of the extent of the temporary road closure; this notification is to be undertaken within five working days of the Winter Fest Opening Party.**
 - vi. A copy of this notice is to be supplied to QLDC Infrastructure and Assets Department.**

2. Authorise the following schedule of road closures:

Friday 19th June 2015	Opening Party & Fireworks
Road to be Closed:	Beach Street from Rees Street to Shotover Street.
Period of Closure:	1000 to 2200
Roads to be Closed:	Rees Street and Marine Parade from Shotover Street to the Memorial Gates, Beach Street from Camp

Street to Shotover Street and all of Cow Lane.

Period of Closure: 1500 to 2200

Saturday 20 June 2015 Festival Street Parade

Roads to be Closed: Camp Street from Shotover Street to Earl Street, all of Beach Street, all of Athol Street, all of Cow Lane, all of Rees Street, all of Marine Parade, all of Church Street, all of Earl Street, all of Searle Lane and Ballarat Street from Stanley Street to Camp Street.

Period of Closure: 0900 to 1400

Roads to be Closed: Shotover Street from Stanley Street to Beach Street, Camp Street (extended closure from Man Street to Earl Street), all of Duke Street, all of Lower Brecon Street and Beach Street from Shotover Street to Lake Street.

Period of Closure: 1100 to 1400

Wednesday 24 June 2015 Downtown Day

Road to be Closed: Beach Street from Rees Street to Shotover Street.

Period of Closure: 1100 to 1600

Friday 26 June 2015 (Contingency Day): Dodgeball Championship Saturday 27 June 2015)

Road to be Closed: Beach Street from Rees Street to Shotover Street.

Period of Closure: 1100 to 1700

Sunday 28 June 2015 Community Carnival

Roads to be Closed: All of Beach Street, all of Rees Street, all of Cow Lane and Marine Parade from Rees Street to the Memorial Gates.

Period of Closure: 1100 to 2300

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

Councillor Aoake and Mr Cruickshank sat back from the table for the following item.

9. Licence to Occupy Road Reserve, Skyline Investment Limited, Thomas Hotel, 48-50 Beach Street, Queenstown (PSC 15/05B/09)

Consideration was given to an application to grant a licence to occupy for the placement of permanent structural elements associated with the earthquake strengthening of the Tomas Hotel building. The licence also covered associated temporary construction activity at 48-50 Beach Street, Sections 4 & 5, Block 15, Queenstown.

It was clarified that the permanent occupation was of road reserve for 2.5m². It was suggested that a further recommendation be added authorising the report and resolution to be made public as part of the next Mayor's report to Council.

On the motion of Mayor van Uden and Councillor Stammers-Smith it was resolved that the Property Subcommittee:

- 1. Note the contents of this report and in particular;**
- 2. Approve a licence to occupy road reserve application at 48-50 Beach Street, Sections 4&5, Block 15, Queenstown for the placement of permanent structural elements associated with the earthquake strengthening of the Thomas Hotel building and associated temporary construction activity subject to conditions:**
 - a. The gantry width must meet the 1200mm separation of clear unimpeded pedestrian pathway.**
 - b. An approved traffic management plan must be in place when erecting and dismantling scaffolding to ensure safe pedestrian passage through the area**

- c. **The Disabled car park adjacent to the building in Beach Street must remain clear at all times**
 - d. **The 5 minute Loading Zone Area outside the building cannot be occupied for longer than 5 minutes.**
 - e. **The road reserve is free from all obstruction (except the approved permanent structural elements) by 17 June 2015.**
3. **Authorise this report and resolution to be made available as part of the next Mayor's report to Council.**

Councillor Aoake and Mr Cruickshank returned to the table.

10. Licence to Occupy Road Reserve, Hawea Downs Trust, 172 Lot 1 DP 23928, Hawea (PSC 15/05B/10)

Consideration was given to an application for a licence to occupy road reserve to construct a driveway along Kennels Lane paper road from the end of the formed section of Kennels Lane road reserve to the property boundary of 172 Camp Hill Road, Lot 1 DP 23928, Hawea.

It was noted that the applicant would have to cover all costs and maintenance. There was discussion around removal of the trees and Mr Cruickshank is to check in regards to the fencing and trees along the occupation area. It was suggested that a further recommendation be added authorising the report and resolution to be made public as part of the next Mayor's report to Council.

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

1. **Note the contents of this report;**
2. **Approve a licence to occupy application to construct a driveway along Kennels Lane paper road from the end of the formed section of Kennels Lane road reserve to the property boundary of 172 Camp Hill Road, Lot 1 DP 23928, Hawea, subject to the following conditions:**
 - a. **The driveway remains at Council's pleasure.**
 - b. **The driveway is contained entirely within the paper road**
 - c. **No works undertaken as part of the licence to occupy affect or prevent public access to or through the road reserve.**

- d. **No responsibility on the Council for maintenance or repair of any part of the driveway.**
 - e. **No compromise shall be made to Council Infrastructure or access to same.**
3. **Authorise this report and resolution to be made available as part of the next Mayor's report to Council.**

The Committee unanimously agreed to consider Item 12 next as Councillor Cocks had to attend another meeting and wished to take part in discussion of this item.

12. Licence to Occupy Road Reserve – Sir Clifford Skegg, 26 Lismore Street, Lot 2 DP 17157, Wanaka (PSC 15/05B/12)

Consideration was given to an application to grant a licence to occupy road reserve for a concrete driveway slab over retained fill to provide access to a proposed dwelling within Lismore Street road reserve adjacent to 26 Lismore Street, Lot 2 DP 17157, Wanaka.

Councillor Cocks noted that the road could become a significant arterial road in the future. It was suggested that a further recommendation be added authorising the report and resolution to be made public as part of the next Mayor's report to Council.

On the motion of Mayor van Uden and Councillor Stammers-Smith it was resolved that the Property Subcommittee:

1. **Note the contents of this report;**
2. **Approve a licence to occupy application for a concrete driveway slab over retained fill to provide access to proposed dwelling within Lismore Street road reserve adjacent to 26 Lismore Street, Lot 2 DP 17157, Wanaka subject to the following conditions:**
 - a. **The retained driveway access is to remain at the Council's pleasure, reinstated if necessary at the applicants cost.**
 - b. **The structure is to have a maintenance agreement encumbered against the Title.**
 - c. **All services including phone, power and gas within the road reserve and any water, sewer and storm water identified and catered for.**

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

11. Licence to Occupy Road Reserve, Tardis Limited, 18 Ballarat 19416, Queenstown (PSC 15/05B/11)

Consideration was given to an application to grant a licence to occupy road reserve for a kitchen extraction flue to extend up the side of a building over Cow Lane road reserve to the rear of 18 Ballarat Street, Lot 2 DP 19416, Queenstown.

On the motion of Councillor Stammers-Smith and Mayor van Uden it was resolved that the Property Subcommittee:

1. **Note the contents of this report;**
2. **Approve a licence to occupy application for a kitchen extraction flue to extend up the side of a building over Cow Lane road reserve to the rear of 18 Ballarat Street, Lot 2 DP 19416, Queenstown subject to the following conditions:**
 - a. **The structure remains at Council's pleasure.**
 - b. **Two bollards be installed either side of the refuse bin storage area to alert drivers of the obstruction and a pipe guard be installed at a determined height to provide protection of the flue.**
 - c. **No road closure shall be permitted for installation of the structure.**
 - d. **Access to and use of the refuse bin shown must not be affected during installation.**
3. **Authorise this report and resolution to be made part of the Mayor's report to Council.**

13. Licence to Occupy Road Reserve – M & J Holdsworth, 655 Peninsula Road, Kelvin Heights, Lot 20 DP 9655, Queenstown (PSC 15/05B/13)

Consideration was given to an application to grant a licence to occupy road reserve for a new boulder retaining wall to the entry of a driveway within Peninsula Road road reserve adjacent to 655 Peninsula Road, Lot 20 DP 9655, Queenstown.

It was noted that there were potential safety improvements with the boulder wall in regards to a power pole nearby and the drop off adjacent to the property. It was also noted that many people would not have applied in this situation. It was suggested that a further recommendation be added authorising the report and resolution to be made public as part of the next Mayor's report to Council.

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

- 1. Note the contents of this report;**
- 2. Approve a licence to occupy application for a new boulder retaining wall to entry of driveway within Peninsula Road road reserve adjacent to 655 Peninsula Road, Lot 20 DP 9655, Queenstown, subject to the following conditions:**
 - a. The boulder wall remains at Council's pleasure.**
 - b. The boulder wall is not to be higher than the kerb.**
 - c. All services including phone, power and gas within the road reserve and any water, sewer and storm water services must be identified and catered for.**
 - d. No compromise shall be made to Council Infrastructure or access to same.**
 - e. No works to adversely affect adjacent property.**
- 3. Authorise this report and resolution to be made part of the Mayor's report to Council.**

On the motion of Mayor van Uden and Councillor Aoake it was resolved that the Property Subcommittee move out of public excluded.

The meeting concluded at 11.40am.

Confirmed as a true and correct record:

Chair

Date