

**Property Subcommittee  
14 April 2016**

Minutes of a meeting of the Property Subcommittee held on Thursday 14 April 2016 in Council Chambers, 10 Gorge Road, Queenstown commencing at 10.05am

**Present**

Mayor van Uden, Councillors Aoake and Stammers-Smith

**In Attendance**

Councillor MacLeod (via videoconference), Mr Blake Hoger (APL Property Ltd), Ms Vanessa Rees-Francis (Property Information Administrator) and Ms Shelley Dawson (Senior Governance Advisor)

**Apologies**

An apology for lateness was received from Councillor Aoake.

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

**Declaration of Conflicts of Interest**

There were no conflicts noted.

**Resolution to Exclude the Public**

**On the motion of Mayor van Uden and Councillor Stammers-Smith the Property Subcommittee resolved to exclude the public 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>

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 10.06am.*

### **Confirmation of Minutes**

Councillor MacLeod suggested rewording paragraph 3 on page 5 under *Item 1: Licence Variation Request – Around the Basin* to reflect his view that there could be reactions at narrow pinch points on tracks not just the Outlet Track. It was reworded as follows “*Councillor MacLeod noted that there could be adverse reactions at narrow pinch points from people walking on tracks, such as near lakefront on the Outlet Track, upon meeting a group of 12 cyclists*”.

**On the motion of Councillors Stammers-Smith and Mayor van Uden it was resolved that the minutes of the Property Subcommittee meeting held on 24 March 2016 as amended be confirmed as a true and correct record.**

### **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. Proposed New lease – Young – Zoological Gardens, Frankton**

Consideration was given to an application for a new lease for the Young family to operate the Zoological Gardens in Frankton, and if appropriate, to approve notification of the intention to grant such a lease. The current lease was lease over a

recreation reserve known as Section 167 Block 1 Shotover Survey District, from 1 April 1983 for 33 years for “the purpose of a parkland for zoological purposes with associated buildings”.

Mr Hoger explained that the supporting documents were letters of thanks from the SPCA for donations, volunteering and work and dedication over the years. The applicants had also provided their sign in register from 2014-15. The Mayor scanned the register and noted that visitors came from many domestic and international locations which showed that it was accessible and visitors knew about it.

Councillor MacLeod suggested an additional condition around the applicants helping Council with control of invasive weeds in the Kawarau River.

*Councillor Aoake joined the meeting at 10.16am.*

The Mayor suggested alternative wording so that the additional condition read “The lessee to assist Council in its efforts with regard to the control of invasive weeds in the Kawarau River by whatever means are deemed appropriate and necessary within the context of a management plan for the Kawarau River. There was discussion around the length of the proposed lease as the term was shorter than what the applicant applied for. It was suggested that the term become 10 years with 2 further renewals of 10 years each. The Committee had no issues in principal with the applicant continuing with the existing operation and it was noted that they also maintained the reserve.

It was noted that the lease would be notified so there was the ability to amend terms and conditions as a result of submissions. APL were requested to communicate to the applicants that the Committee had agreed to publically notify the lease and to highlight the termination, public liability insurance and invasive weed conditions to them. The Committee wished to hear the applicant’s views.

**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 notification of a new lease to D, R and P Young over Section 167, Block 1 Shotover Survey District, subject to the following terms and conditions:**

<b>Commencement</b>	<b>1 June 2016</b>
<b>Term</b>	<b>10 years</b>
<b>Rent</b>	<b>Pursuant to Community Pricing Policy (\$1)</b>
<b>Reviews</b>	<b>Three-yearly</b>
<b>Renewals</b>	<b>2 of a further 10 years</b>

<b>Termination</b>	<b>Council ability to give 12 month notice to terminate the lease</b>
<b>Use</b>	<b>Gardens and Animal enclosures and associated buildings and activities.</b>
<b>Other</b>	<p><b>That access be maintained for the public through the lease area (except the buildings)</b></p> <p><b>Consideration of Health Safety</b></p> <p><b>The lessee to maintain a minimum of \$2,000,000 public liability insurance.</b></p> <p><b>At termination, all buildings to be removed and the land reinstated</b></p> <p><b>The lessee to assist Council in its efforts with regard to the control of invasive weeds in the Kawarau River by whatever means are deemed appropriate and necessary within the context of a management plan for the Kawarau River</b></p>

- 3. Appoint Councillors Gazzard, Aoake and MacLeod (any two of which can form a hearing panel) to hear any submissions and make a recommendation to Council.**
- 4. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council**

## **2. Temporary Road Closure - Arrowtown Trolley Race 2016**

Consideration was given to an application for temporary road closures associated with the annual Arrowtown Preschool Fundraising Trolley Race scheduled for Saturday 5 November 2016. The road closures requested were identical to those approved in 2015 with a contingency day included for Sunday 6 November 2016 if adverse weather conditions do not allow the event to proceed on the Saturday.

Councillor Stammers-Smith commented that as for a previous decision for a temporary road closure for an annual event made by the Committee at the 24 March 2016 meeting, the applicants should prepare a traffic management plan to cover a longer period. Only significant changes to the route or significant issues would then need to be addressed.

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

- 1. Note the contents of this report and in particular;**
- 2. Approve the road closure application for the 2016 Arrowtown Preschool Fundraising Trolley Race subject to the following conditions:**
  - a. Approval of the final Traffic Management Plan by QLDC Road Corridor Engineer prior to the event taking place.**
  - b. Radio advertising two days prior to and on the morning of the event.**
  - c. The event organisers arranging suitable disposal methods for recycling and rubbish/refuse.**
  - d. The applicant notifying all affected parties via a submitted affected party notice, of the extent of the temporary road closure. This notification is to be undertaken five working days prior to the closure occurring.**
- 3. Authorise the following schedule of road closures:**

**Roads to be Closed:**

- Manse Road - part closure from 180 metres before the Surrey Street intersection,**
- Durham Street – part closure 260 metres from the Manse Road intersection,**
- Caernarvon Street - part closure 68 metres past the Surrey Street intersection,**
- Surrey Street from the Manse Road/Caernarvon**

**Street intersection to Villiers Street,**

**All of Villiers Street, and Buckingham Street (West) from Berkshire Street to Butlers Green**

**Period of Closure: Saturday 5 November 2016 from 0900 to 1600**

***(Contingency Day Sunday 6 November 2016 from 0900 to 1600)***

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

**3. Licence to Occupy Road Reserve – Cook Brothers Construction, 81-85 Beach Street, Queenstown**

Consideration was given to a licence to occupy application from Cook Brothers Construction for the use of the Beach Street footpath in front of the building at 81-85 Beach Street, being Lots 1 & 2 DP 8870, the footpath on Shotover Street directly behind the building and 4 car parks on Beach Street, all associated with demolition and construction works.

There was discussion around the occupation of the carparks and whether this was needed for the entire period of construction. The Mayor suggested that there needed to be a review of the policy around the occupation of carparks including the charging regime as the number of applications would increase. A suggestion was raised where a fee was charged and was incrementally increased as time went on. The GM Property & Infrastructure was asked to follow up with this. Officers were asked to question the applicants whether they needed to occupy the parks for the entire 5 months of construction.

**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. Approve the licence to occupy application from Cook Brothers Construction for the use of the Beach Street footpath in front of the building at 81-85 Beach Street, being Lots 1 & 2 DP 8870, the footpath on Shotover Street directly behind the building and 4 car parks on Beach Street, all associated with demolition and construction**

**works to commence asap subject to the following conditions:**

- a. Approval of a Traffic Management Plan by QLDC Planning and Development before the placement and removal of containers and scaffolding and their eventual removal.**
- b. Approval of carriageway diversion requirements by QLDC Planning and Development before any work commences.**
- c. The applicant to be liable for any damages and/or reinstatement of Council's or any other person's property that may arise from the proposed activity (i.e. reinstatement of footpaths, road markings etc).**
- d. All activities are to be undertaken in accordance with the Department of Labour's Occupational Safety and Health (OSH) Service's standards for the work environment with controls put in place to ensure nothing can be dropped from the elevated access bridge onto the footpath below.**
- e. A comprehensive safety plan must be prepared and implemented, at the applicant's cost, to ensure a safe environment is maintained around the subject site.**
- f. All Stormwater and Water supply and street lighting assets are to be protected and accessible, and the pavers and surrounding infrastructure are to be correctly protected and reinstated to the satisfaction of QLDC Planning and Development.**
- g. Licence area to be evidenced by before and after photographs, video or similar.**
- h. The area occupied must be kept tidy at all times with the visual effect of the container to be taken into consideration and maintained in a tidy condition.**
- i. The parking bays must be publicly available during the week of the Queenstown Winter Festival (Friday, 24 June 2016 to Sunday, 3 July 2016 inclusive).**
- j. Consultation and notification is undertaken with adjacent properties and affected businesses throughout the occupation period.**

**k. The applicant pay for the use of the car parking spaces at a cost of \$15.00 per park per day for the duration of the occupation.**

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

**4. Licence to Occupy Road Reserve – Water Supply to Lot 2 DP 23278 and Lot 3 DP 22742**

Consideration was given to an application for a Licence to Occupy (LTO) Road Reserve in favour of the owners of Lot 2 DP 23278 and Lot 3 DP 22742 to enable them to convey water to their properties. By establishing an LTO, Council will be able to extinguish the easements which currently allow the conveying of water. The easements must be extinguished to allow the formalisation of Hawthorne Drive over which they currently run.

It was noted that it was no longer the Eastern Access Road and should be called by its name Hawthorne Drive. Recommendations 2a. and 2b. were amended as such.

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

- 1. Note the contents of this report and in particular;**
- 2. Approve the licence to occupy application in favour of the owners of Lot 2 DP 23278 and Lot 3 DP 22742 to enable them to convey water only to their properties subject to the following conditions;**
  - a. The licence shall expire once the owners of Lot 2 DP 23278 and Lot 3 DP 22742 establish a water supply connection with the new infrastructure to be installed in Hawthorne Drive and no later than 3 months after the supply being made available.**
  - b. The owners of Lot 2 DP 23278 and Lot 3 DP 22742 acknowledge that Council will be undertaking works to develop Hawthorne Drive and that any licence, held by them, will not restrict Council from undertaking those works so long as the water supply to their properties is not disrupted.**
  - c. The owners of Lot 2 DP 23278 and Lot 3 DP 22742 consent to extinguish the existing easement which enables them to convey water over Council land.**



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

## **5. Road Naming Application - Albatross QT Limited**

Consideration was given to an application from Albatross QT Limited to name three new roads located off Frankton Road. The site is located at land legally known as Lot 1 DP 485139 and Lot 100 DP 490067, Queenstown. Options put forward for by the applicant for the road names are outside the provisions of the Council's Road Naming Policy.

It was agreed to approve the new road names Potters Hill Drive and Pencarrow Lane however it was noted that following the standard of previous decisions, Taylors Road was not approved. The applicant is to be asked for alternative names for that road (Road Two). Recommendation 2. was amended to give approval to Potters Hill Drive and Pencarrow Lane.

**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. **Approve the application for the new road names Potters Hill Drive and Pencarrow Lane.**
3. **Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

## **6. Licence to Place Tables & Chairs in a Public Space – Joe's Garage, Queenstown**

Consideration was given to an application for a licence for Joe's Garage, Queenstown, to place tables and chairs on Searle Lane, Queenstown. The area requested is 16m<sup>2</sup> and is situated in the Seale Lane Road Reserve. The applicant sought to place out 2 long tables with bench seating either side.

It was questioned whether the applicants would have the same timing restrictions as other businesses on Searle Lane. It was noted that on page 70 paragraph 9 it should read "*the applicant be specifically restricted from placing any furniture in the licence area between 12am and 12pm*". This made it consistent with the other Searle Lane Table and Chair Licence holders. Mr Hoger was asked to advise the applicants that Council had asked for the review of the Table and Chair Policy to get underway and that the current charges would be subject to change in that review.

**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. Agree to grant a Licence to Joe's Garage, Queenstown to enable them to place tables and chairs on Searle Lane Road Reserve in accordance with the Tables and Chairs in Public Space Policy of 2006.**
- 3. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

Mr Hoger commented that Mipad Holdings had sent further information from Colliers in regards to the fees charged for their occupation of reserve land for their development. The applicants sought consideration of \$200 per square meter and to not have to pay for their occupation of the carparks. After discussion it was agreed to propose \$300 per square meter however the charge for occupying the carparks would not change.

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

*The meeting moved out of public excluded and concluded at 10.48am.*

**Confirmed as a true and correct record:**

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**Chair**

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**Date**