

**Property Subcommittee
7 September 2016**

Minutes of a meeting of the Property Subcommittee held on Wednesday 7 September 2016 in Council Chambers, 10 Gorge Road, Queenstown commencing at 11.10am

Present

Mayor van Uden and Councillor Aoake

In Attendance

Mr David Wallace (Manager Resource Management Engineering), Mr Blake Hoger (APL Property), and Ms Shelley Dawson (Senior Governance Advisor)

Apologies

Apologies were received from Councillors MacLeod and Stammers-Smith

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

Declaration of Conflicts of Interest

Councillor Aoake noted that he had a conflict with *Item 1: Licence to Occupy Road Reserve Extension – Skyline Investments Limited, 9 Marine Parade, Queenstown.*

Resolution to Exclude the Public

On the motion of Mayor van Uden and Councillor Aoake 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 11.11am.

Confirmation of Minutes

The minutes of the Property Subcommittee meeting held on 21 July 2016 and 23 August 2016 were unable to be confirmed as there were insufficient members available who were present at that meeting.

On the motion of Mayor van Uden and Councillor Aoake it was resolved that the minutes of the Property Subcommittee meeting held on 11 August 2016 be confirmed as a true and correct record

Matters Lying on the Table

There were no matters lying on the table.

Confirmation of Agenda

It was noted that as Councillor Aoake needed to sit back from the table for Item 1 the meeting would lose quorum. Officers explained that the current licence under consideration in the item was due to expire before the next scheduled Property Subcommittee meeting. It was agreed that at the end of the meeting that it be adjourned and reconvened to consider *Item 1: Licence to Occupy Road Reserve Extension – Skyline Investments Limited, 9 Marine Parade, Queenstown.*

2. Licence to Occupy Road Reserve – S & R Ward connection to Closeburn Water Supply

Consideration was given to an application for a Licence to Occupy Road Reserve to enable the owners of 667 Glenorchy - Queenstown Road to connect to the Closeburn Water Supply, via underground piping, located on the other side of Glenorchy - Queenstown Road.

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

- 1. Note the contents of this report and in particular;**
- 2. Approve the licence to occupy Glenorchy - Queenstown Road reserve subject to the following conditions;**
 - a. Approval of a Traffic Management Plan by Council Engineers before work commences.**
 - b. Approval of a Corridor Access Request by Council Engineers before work commences.**
 - c. Any works within the road reserve to be undertaken to the specification and approval of Council's Engineers.**
 - d. All works undertaken within the road reserve are to be undertaken by contractors approved by Council's Engineers.**
 - e. All services including phone, internet, power and gas within the road reserve and any water, sewer and storm water services must be identified and catered for.**
 - f. The applicant shall contact relevant Utility companies regarding possible telecommunication and power services located within the road reserve.**
 - g. Any damage as a result of the connection to be resolved to the satisfaction of Council Engineers at the cost of the applicant.**
 - h. The applicant consents to the Licence being encumbered against the title of 667 Glenorchy – Queenstown Rd, OT11B/924 to ensure the recommended terms and conditions continue in perpetuity for all future owners of the property.**

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

3. Licence to Occupy Road Reserve – Moreton Investments Limited – Oxford Street, Kingston

Consideration was given to an application for a Licence to Occupy Road Reserve for the installation of a water reticulation system for a proposed residential subdivision located at Oxford St, Kingston. The proposed system would be, in part, within existing Oxford Street road reserve and in part within a road to be vested within the subdivision.

Councillor Aoake commented that he had discussed the application with the community association and the developer. The developer had talked with all affected neighbours and it appeared that there was no conflict with the application.

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

- 1. Note the contents of this report and in particular;**
- 2. Approve the licence to occupy Oxford Street road reserve subject to the following conditions;**
 - a. Approval of a Traffic Management Plan by Council Engineers before work commences.**
 - b. Approval of a Corridor Access Request by Council Engineers before work commences.**
 - c. Any works within the road reserve to be undertaken to the specification and approval of Council's Engineers.**
 - d. All services including phone, internet, power and gas within the road reserve and any water, sewer and storm water services must be identified and catered for.**
 - e. The applicant shall contact relevant Utility companies regarding possible telecommunication and power services located within the road reserve.**
 - f. Any damage as a result of the connection to be resolved to the satisfaction of Council Engineers at the cost of the applicant.**
 - g. The applicant consents to the Licence being encumbered against the title of 50 Oxford Street, Kingston SL183/57 or other such**

appropriate title, either by encumbrance instrument or a similar covenant to ensure the recommended terms and conditions continue in perpetuity for all future owners of the property.

- h. Should the newly formed road be vested to Council as road reserve, the Licence to Occupy will extend to provide for this occupation without further approval.**
- 3. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

4. Temporary Road Closure - Tri NZ 2016-17 Sovereign Tri Series: Wanaka

Consideration was given to an application for a temporary road closure for the 2016-17 Tri NZ Sovereign Tri Series Wanaka event to be held Saturday 14 January 2017. The application was for a temporary road closure of the east bound lane of Ardmore Street between McDougall Street and Dungarvon Street being the length of Pembroke Park on Saturday 14 January 2017 from 0700 to 1230 (approximately). This closure would be strictly for the duration of the cycle leg only and would be removed as soon as the last cyclist was in the transition area.

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 temporary road closure application for the 2016-17 Tri NZ Sovereign Tri Series Wanaka event subject to the following conditions:**
 - a. Approval of the final Traffic Management Plan by QLDC Planning and Development prior to the event taking place.**
 - b. Radio advertising two days prior and on the morning of the event.**
 - c. The event organisers arranging suitable disposal methods for recycling and rubbish/refuse.**
 - d. The event organisers ensure access is available for emergency services and maintenance contractors if required;**
 - e. 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 at least five working days prior to the closure occurring, a copy of this notice is to be supplied to APL Property Limited.

3. Authorise the following schedule of road closures:

Roads to be Closed: East bound lane of Ardmore Street between McDougall Street and Dungarvon Street
Period of Closure: Saturday 14 January 2017 from 0700 to 1230

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

5. Temporary Road Closure Application – Queenstown Car Club - Coronet Peak Hill Climb 2016

Consideration was given to a temporary road closure application for the Queenstown Car Club's 2016 Coronet Peak Hill Climb to be held Saturday 26 November 2016. The road closure application for the 2016 event was identical to that submitted and approved for the 2015 event with the proposed closure of Coronet Peak Road from Skippers Road intersection to Coronet Peak Skifield Carpark from 0800 to 1800. The road closure occurred in 2015 without incidence and no concerns or issues have arisen from notification relating to the proposed closure in 2016.

It was suggested that recommendation 2. be amended to read "*Approve the temporary road closure application for the Queenstown Car Club Coronet Peak Hill Climb to be held Saturday 26 November 2016, subject to the following conditions.*".

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

- 1. Note the contents of this report and in particular;**
- 2. Approve the temporary road closure application for the Queenstown Car Club Coronet Peak Hill Climb to be held Saturday 26 November 2016, subject to the following conditions:**
 - a. Approval of the final Traffic Management Plan by QLDC Planning and Development 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 event organisers ensure access is available for emergency services and maintenance contractors if required;
- e. Signs notifying of road closure date / times to be installed at the start of Coronet Peak Road (off Malaghans Road) and at the intersection with Skippers Road at least ten days prior to the event.
- f. The applicant notifying all affected parties, including commercial operators and recreational users of Coronet Peak Road, of the extent of the temporary road closure; this notification is to be undertaken at least ten working days prior to the closure occurring with a copy to be supplied to APL Property Limited.
- g. The applicant is to contact QLDC Operations and Maintenance a minimum of two weeks prior to the event to allow a drive over with a Council roading staff member or appropriate contractor to record the road prior to, and again following, the event in order to assess the prior condition of the road and record any subsequent damage as a result of the event.
- h. The applicant must hold adequate public liability and property damage insurance. This is required to indemnify the applicant and the Council against any damage to property or persons as a result of the event during the road closure period. Costs relating to any and all damage that may occur to Council's property as a result of the event during the road closure period shall be fully recoverable by Council from the applicant.

3. Authorise the following schedule of road closures:

Roads to be Closed: Coronet Peak Road from Skippers Road intersection to Coronet Peak Skifield Carpark

Period of Closure: Saturday 26 November 2016 from 0800 to 1800

4. **Authorise this report and resolution to be made available 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 move out of public excluded.

The meeting moved out of public excluded and adjourned at 11.20am.

The meeting reconvened on Tuesday 13 September 2016 at 1.04pm.

Present

Mayor van Uden and Councillor Stammers-Smith

In Attendance

Mr David Wallace (Manager Resource Management Engineering), Mr Blake Hoger (APL Property), and Ms Shelley Dawson (Senior Governance Advisor)

Apologies

Apologies were received from Councillors Aoake and MacLeod

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

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>
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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 1.05pm.

Confirmation of Minutes

On the motion of Councillor Stammers-Smith and Mayor van Uden it was resolved that the minutes of the Property Subcommittee meeting held on 21 July 2016 be confirmed as a true and correct record

On the motion of Councillor Stammers-Smith and Mayor van Uden it was resolved that the minutes of the Property Subcommittee meeting held on 23 August 2016 be confirmed as a true and correct record

Confirmation of Agenda

It was unanimously agreed to consider the late item *Variation to Licence to Occupy Road Reserve – Cook Brothers Construction, 81-85 Beach Street, Queenstown* after Item 1. It was noted that the applicants required a decision to enable them to finish construction as soon as possible.

1. Licence to Occupy Road Reserve Extension – Skyline Investments Limited, 9 Marine Parade, Queenstown

Consideration was given to an application for an existing licence to occupy road reserve held by Skyline Investments Limited for the use of the footpath and carriageway of Marine Parade and Church Street to enable them to complete the streetscape upgrade to both Marine Parade and Church Street. The extension application was for the period ending 6 October 2016.

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. Approve the extension of the Licence to Occupy Road Reserve held by Skyline Investments Limited for a further period ending 6 October 2016.**
- 3. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

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

Consideration was given to an application for a variation to an existing licence to occupy application from Cook Brothers Construction for the use of the Beach Street footpath and carparks in front of the building at 81-85 Beach Street, being Lots 1 & 2 DP 8870, associated with construction works. The variation sought occupation of an additional 2 carparks, use of the footpath for scaffolding, a laydown / access area for materials and a suspended site office, and for an extension of the licence period for a further 27 days to 11 November 2016.

There was discussion on the monitoring of conditions and why it took from April until now to discover that the applicants weren't meeting their licence conditions. The Committee was advised that a policy for monitoring of LTO's was being finalised with the compliance team checking that conditions were being met. It was explained that a complaint had identified that the applicants weren't meeting their LTO and a variation was now being applied for. It was noted that it was a balance between the long term impact on the wider community versus the impact on the person next door for a few weeks.

The Mayor suggested as an act of good faith that the applicants approach the complainant and offer help such as promotion or extra signage. It was explained that the complaint was confidential therefore officers were asked to approach the complainant with the suggestion to see if they would discuss it with the applicants. It was noted that the applicants hadn't followed process and were using more than they had originally asked for and they needed to acknowledge that they were having an impact on the complainants business.

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 to vary the licence to occupy road reserve currently held by 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 for 2 additional car parks (6 in total), scaffolding, a laydown / access area for materials and a suspended site office subject to the following:
 - a. All conditions of the original licence to remain in force.
 - b. Pedestrian diversion requirements to be implemented to the satisfaction of Council's Roading Engineers
 - c. Phone boxes and bins on the footpath to be protected to the satisfaction of Council's Roading Engineers.
 - d. The licence period be extended for a further 27 days to 11 November 2016.
3. 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 Mayor van Uden and Councillor Stammers-Smith it was resolved that the Property Subcommittee move out of public excluded.

The meeting moved out of public excluded and adjourned at 1.12pm.

Confirmed as a true and correct record:

Chair

Date