

**Property Subcommittee
9 June 2016**

Minutes of a meeting of the Property Subcommittee held on Thursday 9 June 2016 in Council Chambers, 10 Gorge Road, Queenstown commencing at 10.10am

Present

Mayor van Uden and Councillor Stammers-Smith

In Attendance

Councillor MacLeod (via Skype) Mr David Wallace (Manager Resource Management Engineering), Mr Blake Hoger (APL Property Ltd), Mr Aaron Burt (Planner Parks & Reserves) and Ms Shelley Dawson (Senior Governance Advisor)

Apologies

An apology 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)
-----------	---	------------------

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 10.11am.

Confirmation of Minutes

On the motion of Mayor van Uden and Councillor Stammers-Smith it was resolved that the minutes of the Property Subcommittee meeting held on 13 May 2016 be confirmed as a true and correct record.

It was noted that on pages 2 and 8 of the minutes, Item 5 had been minuted twice. The minute on page 8-9 was a replication and should be deleted.

On the motion of Councillor Stammers-Smith and Mayor van Uden it was resolved that the minutes of the Property Subcommittee meeting as amended held on 26 May 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

The agenda was confirmed without addition or alteration.

1. Licence to Occupy Road Reserve – 1 Salmond Place, Queenstown

Consideration was given to a licence to occupy road reserve application to establish four carparks at 1 Salmond Place, Lot 21 DP 18611, Queenstown in conjunction with the expansion of an existing multi-unit complex.

The Mayor gave an example from Wellington where an apartment could only be leased as long as the leasee had no car. It was noted that as the apartment couldn't provide the parking spaces as outlined in their District Plan, they must have a resource consent condition that they could only rent the units to people who did not have cars.

It was noted that Council were being asked to give public land in order for the applicant to fulfil their resource consent. Comments were that it was public subsidising a private benefit and that it would set a precedent. Mr Wallace commented that the applicant was likely to come back asking if they could pay for the land. The Mayor commented that there was a danger of making a bad decision without having an overview and understanding of the wider implications. The Committee would like to see some criteria to evaluate applications similar to this, covering issues such as the amount of road reserve, future plans for the road and so on.

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

2. Licence to Occupy Road Reserve – Boydcorp Limited, 27 Shotover Street, Queenstown

Consideration was given to a licence to occupy application to Boydcorp Limited for the use of the footpath at 27 Shotover Street, Lot 1 DP 20790, Queenstown in addition to 3 car parks adjacent to the site associated with the construction of a new commercial building.

There was discussion as to why the carparks were being occupied for pedestrian use when the gantry being placed over the footpath would allow pedestrian use below. It was noted that the footpath would be used for building access. It was suggested that this application was providing an easy cheap solution for the applicants to solve their issues of construction access in the CBD. It highlighted the need for a policy on licence to occupy applications for construction in the CBD.

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 Licence to Occupy Road Reserve application at 27 Shotover Street for the use of the footpath for hoardings and for the use of three car parks to commence ASAP and end 31 March 2017 subject to the following conditions:**
 - a. Approval of the Traffic Management Plan including carriageway diversion requirements by Council Engineers before any work commences.**
 - b. Storm water assets are to be protected and accessible, and the pavers and surrounding infrastructure are to be correctly protected to the satisfaction of Council Engineers.**
 - c. No heavy commercial vehicles to traverse paved footpath. Pavers to be lifted, stored and repaved to the satisfaction of Council Engineers.**
 - d. Council staff and those in their employ to be free to access any asset for inspection or maintenance at all times.**
 - e. All activities are to be undertaken in accordance with Worksafe New Zealand's standards for the work environment.**
 - f. A comprehensive safety plan is to be prepared and implemented, at the applicant's cost, to ensure a safe environment is maintained around the subject site.**
 - g. There are to be no trip hazards for pedestrians entering and exiting the pedestrian safety zone.**
 - h. 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 marks etc.). This will need to be evidenced by before and after photographs / video or similar.**
 - i. A Tree Protection Methodology to be approved by Council before any work commences.**

- j. **Street furniture to be appropriately stored and protected during licence 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 on an on-going monthly basis.**
 - l. **The car parks to be publicly available during Winterfest (24 June to 3 July 2016, July School Holidays (9 July to 24 July 2016) and Christmas & New Year (24 December 2016 to 6 January 2017).**
 - m. **Consultation and notification is undertaken with adjacent properties and affected businesses throughout the occupation period.**
3. **Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

3. Right of Way Easement – Skyline Enterprises Ltd – Lot 2 DP 345184

Consideration was given to a Right of Way Easement application by Skyline Enterprises Limited (“SEL”) to establish a new vehicular ROW with associated pedestrian and cycleway access adjacent to the lower gondola terminal building at 53 Brecon Street, Queenstown and to consider notifying Council's intentions to grant the Easement if applicable.

It was agreed that the application needed to be publically notified. It was suggested that Councillors Stammers-Smith, MacLeod, Ferguson and Forbes be appointed to the hearing panel.

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 notification of the intention to grant a Right of Way Easement over Council Reserve Land (Lot 2 Deposited Plan 345184) in favour of SEL (Section 1 SO 22971 & Lease 'Area A' (carpark)).**
- 3. **Appoint Councillors Stammers-Smith, MacLeod, Ferguson and Forbes (any two of which can form a hearing panel) to hear any submissions and make a recommendation 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 concluded at 10.20am.

Confirmed as a true and correct record:

Chair

Date