

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 15 December 2016 commencing at 1.00pm

Present:

Mayor Boulton; Councillors Clark, Ferguson, Hill, Lawton, MacDonald, MacLeod, McRobie, Miller and Stevens

In attendance:

Mr Mike Theelen (Chief Executive), Ms Meaghan Miller (General Manager, Corporate Services), Mr Lee Webster (Manager, Regulatory), Ms Shelley Dawson (Senior Governance Advisor), Ms Maddy Jones (Parks and Reserves Officer), Mrs Joanne Conroy (Property Advisor, APL Property Ltd), Mr Aaron Burt (Parks and Reserves Planner), Ms Alice Balme (Solicitor), Mrs Meghan Pagey (HR Manager), Mr Craig Barr (Acting Planning Policy Manager) and Ms Jane Robertson (Senior Governance Advisor); two members of the media and five members of the public

Apologies/Requests for Leave of Absence

An apology was received from Councillor Alexa Forbes.

On the motion of the Mayor and Councillor Stevens the Council resolved that the apology be accepted.

The following requests for Leave of Absence were made:

- Mayor Boulton: 16-20 January 2017
- Councillor McRobie: 23 December 2016 – 4 January 2017; 20-31 January 2017
- Councillor MacDonald: 16-25 January 2017
- Councillor MacLeod: 24-28 January 2017
- Councillor Ferguson: 26/27/30 January 2017; 6-13 February 2017
- Councillor Miller: 28 January – 22 February 2017
- Councillor Lawton: 30 January 2017 – 10 February 2017
- Councillor Hill: 8-19 February 2017

On the motion of the Mayor and Councillor MacDonald the Council resolved that requests for Leave of Absence be approved.

Declarations of Conflicts of Interest

The Mayor declared a conflict in respect of Wakatipu Rowing Club (item 6) as he was a patron of the club. He stated that he would sit back from the table for this item and ask the Deputy Mayor, Councillor MacLeod, to chair the meeting for this item.

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Councillor Lawton declared a conflict of interest in relation to item 3 ('Private Plan Change 51 – Ratification of Commissioner recommendation') as she was chair of the Aspiring Tracks Network. She undertook to sit back from the table for this item.

Councillor Hill declared a conflict of interest in respect of item 7 ('Economic Development') as he was a director of the Queenstown Resort College. He advised that he would sit back from the table for this item.

Matters Lying on the Table

There were no matters lying on the table.

Public Forum

1. Charlie Phillips and Aaron Halstead, Study Queenstown

Messieurs Phillips and Halstead spoke in support of the proposed funding allocation to Study Queenstown, highlighting the achievements to date in making Queenstown a serious study destination. They detailed the wider community benefits of education diversifying the Queenstown economy and encouraged the Council to support the report recommendation to allocate \$50,000 to Study Queenstown.

2. Julie Scott, Executive Officer, Queenstown Lakes Community Housing Trust

Ms Scott asked the Council to expedite the development of a vehicle access from Centennial Avenue to Jack Reid Park, Arrowtown. She noted that at present vehicles were using the private right of way created for the Trust's housing development in Inverness Avenue which was not an acceptable long-term situation. She added that in the absence of a proper access way, vehicles were ripping up the grass and making the area look untidy.

Councillor Stevens confirmed that funding provision had been made to develop an access way.

3. Ann Lockhart and Richard Thomas, Queenstown Chamber of Commerce

Ms Lockhart expressed support for the recommended allocation of funds to the Queenstown Chamber of Commerce to support economic development activities. She noted that the Chamber was already the unofficial front of economic development in the Queenstown area and this funding would put it on a more official footing. She noted that a key project was the preparation of an Economic Development Plan which would set out the projects to be completed and the outputs expected.

It was noted that the Wanaka Chamber of Commerce had developed a business plan in order to secure funding and questions were raised about the consistency of approach. Whilst this was acknowledged, the Queenstown Chamber viewed this allocation as an interim step to 'get the ball rolling'.

4. Basil Walker

Mr Walker noted that the proportion of the Otago population living in Central Otago was going to increase and challenge the size of Dunedin. Accordingly, he encouraged the Council to take steps to becoming a unitary authority and

replacing the Otago Regional Council. He asserted that Otago ratepayers deserved better than what was currently provided by the Otago Regional Council and change was necessary.

5. Jason Watkins, Business Development Manager, The Cube, Wanaka

Mr Watkins expressed surprise that no consultation around the proposed economic development funding had been undertaken with The Cube which was already acting as an economic development unit in the Upper Clutha area. He believed that there was potential duplication and conflict and he questioned what the Council role would be and how it would relate to other entities. He also questioned what form the contestable fund would take and stressed the importance of a district-wide approach.

6. Oliver Young, Bike Wanaka

Mr Young noted that Bike Wanaka opposed Plan Change 51 because approval of the Plan Change would result in the loss of tracks and trails in the Peninsula Bay area. He added that the area was currently zoned as an open space zone and it would be contrary to these objectives to build further residences. He observed that the resource consent for Peninsula Bay had included providing the area as a recreation area and gifting to Council but this had not happened.

Confirmation of agenda

On the motion of the Mayor and Councillor Lawton the Council resolved that the agenda be confirmed with agenda item 7 ('Economic Development') becoming item 1.

Confirmation of minutes

Ordinary meeting, 24 November 2016

On the motion of the Mayor and Councillor Clark the Council resolved the minutes of the public part of the meeting of the Queenstown Lakes District Council held on 24 November 2016 be confirmed as a true and correct record.

7. Economic Development

Councillor Hill withdrew from the table for this item as he had a conflict of interest.

A report from Meaghan Miller (General Manager, Corporate Services) discussed the QLDC Economic Development Strategy 2015 and proposed that the Council:

- Establish a contestable economic development fund to be contested annually;
- Establish an in-house FTE economic development resource;
- Grant \$50,000 to Study Queenstown to support tertiary education promotional activities; and

- Grant \$50,000 to the Queenstown Chamber of Commerce for the balance of 2016/17 and \$100,000 in 2017/18 to support business development in the Wakatipu Basin subject to a Memorandum of Understanding.

The report was presented by Ms Miller. She detailed the background to the direction recommended in the report noting that it provided an interim framework around various economic development initiatives and served to give some certainty to the business community.

There was further discussion about the decision to establish the function within the Council structure. The Chief Executive stated that whilst it was important to recognise the strength and support provided by the Chambers of Commerce and to leverage off their skills, there was a strong sense that the Council should provide leadership. The need to develop a district wide approach was acknowledged.

It was noted that the proposed new internal FTE economic development resource still needed to be confirmed through the 2017/18 Annual Plan.

A request was made for the Memorandum of Understanding to be presented for Council approval but following further discussion it was agreed that it would be appropriate for the Mayor and Chief Executive to provide final approval on the Council's behalf.

On the motion of Councillors Stevens and MacLeod it was resolved that Council:

- 1. Agree to grant the Queenstown Chamber of Commerce funds of \$50,000 for the balance of the 2016/17 financial year, and \$100,000 for the 2017/18 financial year subject to a Memorandum of Understanding (MOU) to support business development in the Wakatipu Basin (in keeping with \$100,000 per annum funding granted with the Wanaka Chamber of Commerce).**
- 2. Agree to grant Study Queenstown the sum of \$50,000 for the 2016/17 year to support its Tertiary Education promotion activities.**
- 3. Note that initially (1) and (2) will be funded from monies included in the 2016/17 Annual Plan for Economic Development.**
- 4. Delegate the final terms of the MOU and agreement with the Queenstown Chamber of Commerce to the Mayor and Chief Executive.**
- 5. Agree to the creation of a new Council resource (FTE) dedicated to delivering the objectives of the Economic Development Strategy 2015.**

6. Note that initially this role and resources will be funded from monies included in the 2016/17 Annual Plan for Economic Development.

7. Agree that Council will consult with our communities through the 2017/18 Annual Plan to establish a contestable Economic Development Funding Round.

Councillor Hill returned to the table at this point.

1. QLDC Committee Terms of Reference, Appointments and Meeting Schedule

A report from Meaghan Miller (General Manager, Corporate Services) presented for adoption:

- Terms of reference for a new committee structure and the Wanaka Community Board;
- Membership of the new committee structure;
- A revised Governance Agreement between the Council and the Wanaka Community Board to be renamed the 'Governance Protocol Statement';
- Subordinate Council structures for 2013-16 to be established, namely Chief Executive Performance Review Committee, Dog Control Subcommittee, QLDC/CODC Coronet Forest Joint Committee, Otago Civil Defence Emergency Management Group Joint Committee, Regional Land Transport Committee, Event Funding Panel, Elected Member Conduct Committee and Appeals Subcommittee and membership of each;
- A schedule of Council, Wanaka Community Board and committee meetings for 2017;
- Delegations to the Chief Executive and Resource Management delegations to officers.

The report was presented by Ms Miller and Ms Balme.

Amended Terms of Reference for the Wanaka Community Board were circulated. Councillor Lawton noted that all references to 'trails' throughout all Terms of Reference needed to be amended to 'tracks and trails.'

The Mayor noted the addition of Councillor Lawton to the membership of the Community and Services Committee.

Councillor Lawton expressed concern about a potential disconnect between the transport network which would sit with the Infrastructure Committee and tracks and trails which came under the Community and Services Committee, stressing that the transport network did not only cover roadways. The Chief Executive stated that anything of significance that was applicable to more than one committee would instead go to full Council whilst agendas for every committee would be made available to all Councillors and all would have the

opportunity to attend all meetings. Staff in such areas would also seek to maintain an overall strategic view.

On the motion of Councillors MacDonald and McRobie it was resolved that the Council:

- 1. Note the contents of this report;**
- 2. Adopt the new committee structure, namely the introduction of the following committees: Community and Services Committee; Infrastructure Committee; Strategy and Planning Committee; and Audit, Risk and Finance Committee;**
- 3. Adopt:**
 - a. the new Terms of Reference for the committees;**
 - b. the Wanaka Community Board revised Terms of Reference and Governance Protocol Statement;**
 - c. the continued Terms of Reference for all subordinate committees; and**
 - d. the new Terms of Reference for the Appeals Subcommittee;**
- 4. Note that the new structure will be subject to review after 12 months;**
- 5. Confirm the membership of committees, subcommittees and other official appointments;**
- 6. Confirm the Chief Executive and Resource Management Act 1991 delegations; and**
- 7. Adopt the Meeting Schedule for 2017.**

2. Standing Orders

A report from Shelley Dawson (Senior Governance Advisor) presented new Standing Orders for adoption. The report pointed to various amendments made to the standard which were specific to the Queenstown Lakes District Council, recommending that these be incorporated into the new Standing Orders.

The report was presented by Ms Dawson. She referred to the principal changes in the revised Standing Orders. It was noted that whilst they served to bring clarity and structure, adoption of the new Standing Orders would have little practical impact upon the Council's current use of Standing Orders.

On the motion of Councillors McRobie and MacDonald it was resolved that the Council:

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

2. Adopt the new Queenstown Lakes District Council Standing Orders.

3. Private Plan Change 51: Ratification of Commissioner Recommendation

A report from Craig Barr (Acting Planning Policy Manager) presented the Commissioners' recommendation on Plan Change 51 – Peninsula Bay North for ratification as a Council decision for public notification.

The report was presented by Mr Barr. He stressed that the Council could only resolve either to accept or reject the Commissioners' recommendation. He confirmed that the land in the plan change area was intended to be vested in the Council.

On the motion of Councillors McRobie and MacDonald it was resolved that the Council:

- 1. Note the contents of this report;**
- 2. Adopt the Commissioners' recommendation as a Council decision to decline Private Plan Change 51 for the reasons set out in the Commissioners' report;**
- 3. Direct staff to notify the decision in accordance with the First Schedule of the Resource Management Act 1991; and**
- 4. Note the status of the land subject to Private Plan Change 51 was not part of Stage 1 of the District Plan Review and that Council resolved to exclude the land from the next stage of the District Plan review at its meeting on 29 September 2016.**

4. Cemeteries Bylaw 2016

A report from Maddy Jones (Parks and Reserves Officer) presented a draft Queenstown Lakes District Cemeteries Bylaw 2016 to replace the Queenstown Lakes District Cemeteries Bylaw 2010 which was due to expire on 20 March 2017, seeking its adoption for the purpose of undertaking public consultation using the special consultative procedure.

The report was presented by Ms Jones and Mr Webster.

Councillor Lawton asked if the new bylaw made provision for a natural burial area. Ms Jones stated that there was not a large demand to provide that service and no provision was currently made. If however such a need was identified, it was an operational matter that could be addressed in the handbook.

On the motion of Councillors Hill and Clark it was resolved that the Council:

- 1. Note the contents of this report;**
 - 2. Approve the proposed Queenstown Lakes District Cemeteries Bylaw 2016 for public consultation using the special consultative procedure; and**
 - 3. Appoint Councillors Clark, Ferguson and McRobie to participate in a hearing panel to consider and hear submissions on the proposed Queenstown Lakes District Cemeteries Bylaw 2016.**
- 5. New Right of Way Easement to replace an existing easement on a Malaghans Road Esplanade Reserve**

A report from Joanne Conroy (Property Advisor, APL Property Ltd) sought Council agreement to grant a new right of way easement through esplanade reserve (known as Lot 4 DP 460171) to enable continued access to a dwelling following a boundary adjustment. The report concluded that granting the easement did not require public notification pursuant to the Reserves Act 1977 because the easement would not permanently affect the reserve or affect the ability of people to use and enjoy the reserve any more than the existing situation. The report also recommended that the Council waive the easement fee because the easement was already in place and the need to seek a new one was simply due to a technicality.

Mrs Conroy presented this and the report following. Mrs Conroy further explained that the need to apply for a new easement was due to a peculiarity of the law, with the right of way not transferring automatically under the boundary adjustment, although it would have done so under a subdivision.

On the motion of Councillors MacLeod and Hill it was resolved that the Council:

- 1. Note the contents of this report;**
- 2. Approve a new right of way easement over Lot 4 DP 460171 in favour of proposed Lot 1 DP 502810;**
- 3. Agree that notification of the intention to grant the easement is not required as the statutory test in section 48(3) of Reserves Act 1977 is met for the reasons set out in this report;**
- 4. Delegate authority to approve final terms and conditions, and execution authority to the General Manager – Property and Infrastructure;**

5. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of an easement over Lot 4 DP 46071 in favour of proposed Lot 1 DP 502810; and
6. Approve waiving the easement fee in this instance.

The Mayor left the chair for the following item and the Deputy Mayor took the chair.

6. **New lease and Affected Person Approval for Wakatipu Rowing Club's existing building and proposed extension**

A report from Joanne Conroy (Property Advisor, APL Property Ltd) sought Council approval of a new lease in favour of the Wakatipu Rowing Club to cover the existing building on the shore of Lake Hayes and a proposed building extension. The report noted that the current facility and the proposed extension were contemplated by the Arrowtown-Lake Hayes Reserve Management Plan there was therefore no need to publicly notify the intention to grant a new lease or approve the extension. Accordingly, the report recommended that a new lease be granted subject to conditions, that Affected Person's Approval be granted for the extension and that the Council exercise the Minister of Conservation's consent under delegated authority.

On the motion of Councillors MacLeod and Hill it was resolved that the Council:

1. Note the contents of this report;
2. Approve a lease to the Wakatipu Rowing Club over part of Section 65, Block IX Shotover SD subject to the following terms:

Commencement	1 November 2016
Term	33 years
Rent	Pursuant to the Community Facility Pricing Policy Commencement rent \$1 per annum (if demanded)
Early Termination	5 years' notice for core infrastructure projects (but not in the first 5 years)
Assignment and Sublease	With Lessor's prior written approval
Reviews	5 Yearly or when the Pricing Policy is reviewed
Use	Clubrooms, gym, meeting space and storage

	facilities associated with rowing
Other	At expiry, improvements to be removed or revert to Council ownership (Lessee choice, compensation payable if lease terminated early); Public liability Insurance required; Health and Safety plan to be provided for approval

3. Approve an Affected Person's Approval as part of the Resource Consent application for the Rowing Club's proposed building extension.
4. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the Shotover survey district.
5. Delegate signing authority to the General Manager, Property and Infrastructure.

The Mayor returned to the chair.

8. **QLDC Organisational Health Safety and Wellbeing Performance**

A report from Glyn Roberts (Health and Safety Officer) presented information detailing how the Council was fulfilling its statutory health and safety responsibilities.

The report was presented by Meghan Pagey. A question was raised about an increase in contractor incidents and an apparent inconsistency in the numbers between the graph showing contractor incidents/accident and 'Unsafe Events Across All Groups'. Mrs Pagey undertook to investigate further and advise the Council separately.

On the motion of Councillors Hill and Clark it was resolved that Council note the report.

9. **Chief Executive's Monthly Report**

A report from the Chief Executive:

- Advised that doubt had been raised about the feasibility and cost effectiveness of piping wastewater from Cardrona back to Project Pure and that an alternative option would now be developed;
- Presented recommendations for ratification from the Wanaka Community Board;

- Detailed plans to meet the anticipated summer influx of visitors and holidaymakers to the district.

There was further discussion about additional resources for all towns in the district to ensure their cleanliness over the height of the summer visitor season. A request was made to also have regard to the needs of rural areas.

In reply to a question, the Chief Executive undertook to circulate information about liquor ban provisions.

On the motion of the Mayor and Councillor MacLeod it was resolved that Council:

- 1. Note the contents of this report;**
- 2. Adopt the recommendations of the Wanaka Community Board:**
 - a. That the process for preparing a Reserve Management Plan to cover Lismore Park, Allenby Park, Kelly's Flat, Faulks Terrace, Kennedy Crescent and Domini Park Recreation Reserves is undertaken;**
 - b. That the lease to Wanaka Firewood Limited over approximately 5,000 square metres of section 37 Block III Lower Wanaka SD to operate a firewood yard be extended on the same terms until June 2017.**

Resolution to Exclude the Public

On the motion of Councillors McRobie and Stevens the Council resolved that the public be excluded from the following parts of the proceedings of the 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:

Confirmation of minutes

- Item 14 Appointment of Commissioners to hear and determine resource consent applications**
- Item 15: Review and update of Commissioners appointments for Resource Management Act hearings**
- Item 16: Appointment of Commissioners for the Hearings Panel on Stage 1 Hearings to be held in 2017 of the District Plan Review under the Resource Management Act 1991**
- Item 17: Film Otago Southland Trust**

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
14. Appointment of Commissioners to hear and determine resource consent applications	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: a) Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)
15. Review and update of Commissioners appointments for Resource Management Act hearings	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: a) Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)
16. Appointment of Commissioners for the Hearings Panel on Stage 1 Hearings to be held in 2017 of the District Plan Review under the Resource Management Act 1991	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: a) Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)
17. Film Otago Southland Trust	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: a) Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)

This resolution is 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 went into public excluded at 2.36pm.

The meeting came out of public excluded and concluded at 2.38pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

M A Y O R

26 January 2017

D A T E