

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 17 August 2017 commencing at 1.00pm

Present:

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

In attendance:

Mr Mike Theelen (Chief Executive), Mr Peter Hansby (General Manager, Property and Infrastructure), Mr Stewart Burns (General Manager, Finance and Regulatory), Ms Meaghan Miller (General Manager, Corporate Services), Mr Blair Devlin (Planning Practice Manager), Ms Anita Vanstone (Senior Planner - Policy), Mr Dave Compton-Moen (DCM Urban Design Ltd), Mrs Briana Pringle (Parks and Reserves Officer - Forestry), Mr Aaron Burt (Senior Planner, Parks and Reserves), Mr Paul Speedy (Manager, Strategic Projects), Mr Lee Webster (Manager, Regulatory), Ms Helen Evans (Team Leader, Environmental Health), Mr Thomas Grandiek (Monitoring and Enforcement Officer), Ms Carrie Edgerton (Regulatory Support Coordinator), Ms Nichola McKernan (Regulatory Support), Mr Dan Cruickshank (Property Advisor, APL Property Ltd), Mr Blake Hoger (Property Advisor, APL Property Ltd) and Ms Jane Robertson (Senior Governance Advisor); 2 members of the media and approximately 45 members of the public

Apologies/Requests for Leave of Absence

There were no apologies.

The following requests for Leave of Absence were made:

- Councillor MacDonald: 29-30 August 2017
- Councillor Stevens: 22-27 September 2017
- Councillor MacLeod: 20 October - 3 November 2017
- Councillor Hill: 13-19 November 2017

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

Declaration by New Wanaka Ward Councillor

Councillor Quentin Smith read the declaration as a Councillor as required by Schedule 7, Clause 14 of the Local Government Act 2002, witnessed by Mayor Jim Boulton.

The Mayor welcomed Councillor Smith to the Council table and extended best wishes to him for the remainder of the current Council triennium.

Declarations of Conflicts of Interest

No declarations were made.

Matters Lying on the Table

There were no matters lying on the table.

Public Forum

1. Martin Hawes and Julie Scott (Queenstown Lakes Community Housing Trust)

Ms Scott expressed concern about stating explicitly in the lead policy that 'at least 5% of the residential component of any area (depending on the nature of the development) is to be provided for community housing.' She was concerned that it would open a can of worms and asked for it to be deleted completely.

Mr Hawes stated that he understood the 5% figure was arbitrary.

Members questioned whether 5% was high enough and whether it should be reviewed and raised. It was noted that the Housing Trust intended to get robust and independent figures to enable it to approach this question more rationally.

2. Kristan Stalker (Glenpanel SHA)

Mr Stalker confirmed that he still wished to progress the Glenpanel SHA. He noted that the proposal had received 233 submissions, of which 80% were positive. If permission was granted to proceed, they would be happy to work with the Mayoral Housing Affordability Taskforce.

3. Hine Marchand (Salvation Army)

Mrs Marchand set out the scenario of a working couple in Queenstown who earned modest salaries, but their income was still too much to qualify for help from the Housing Trust. They wanted to buy a house but to receive the Kiwi Saver contribution, they had to buy a house costing between \$450,000 and \$500,000. They were unlikely to find a house in Queenstown in this price range as most houses were now costing \$700,000-\$800,000, for which a 20% deposit of \$120,000 was required. This was beyond them, as they paid \$600/week to rent a 3 bedroom house. Unless the situation changed, Mrs Marchand observed that they would never be in a position to buy a house in Queenstown.

4. Keri Lemaire-Sicre (Ladies Mile Pet Lodge)

Mrs Lemaire-Sicre stated that high quality service was very important to the pet lodge because clients relied on the lodge to ensure that their pets were kept healthy and happy while they were away. The presence of the Ladies Mile SHA would determine the future quality of service and care, including possibly the ability to continue. Furthermore, to be involved in all the developments along Ladies Mile would be a very arduous process, especially for a small business. Mrs Lemaire-Sicre noted that she and her husband were stakeholders in Queenstown, they wanted to have a future in the district and sought consideration through the SHA process.

5. Mark Tilden

Mr Tilden stated that he was a property owner in Ladies Mile and was committed to sourcing solutions for providing affordable product. He noted that a survey undertaken in June had identified 60% support for development on Ladies Mile.

6. Sharyn Stalker (Sales Manager, Shotover Country)

Mrs Stalker advised that there were 1360 purchasers still waiting to buy a section in Shotover Country, but there were only 120 sections left. She supported the Ladies Mile SHA because a plentiful supply of properties was the only way to resolve the affordability problem. In addition, new sections needed to be offered soon to satisfy the demand.

7. Peter Soundy

Mr Soundy advised that he had been a submitter at the recent Coronet Forest hearing. He was a neighbour of the forest and accepted it would be harvested, but he did not believe it was appropriate to do so until some major issues were addressed. He raised the concerns:

- Evaluation of felling costs was inadequate.
- No funding yet existed in the 10-Year Plan for replanting; he questioned the legality of the Council approving a plan if there was no funding to realise it.
- It was erroneous to assert that 85% of submitters were in support of early harvest, because a submission in opposition from 114 Millbrook residents had been counted as one. Counting the Millbrook submissions individually would change the statistic to 85% in opposition.
- The replanting programme proposed was different from that presented at the hearing and it did not comply with the Emissions Trading Scheme.
- Evidence had been presented at the hearing that the proposal did not comply with the District Plan and this had not been adequately rebuffed.
- One million people looked at the forest every year and it was important for its reestablishment to be well managed.

Confirmation of agenda

The agenda was confirmed with addition or alteration.

Confirmation of minutes

23 June 2017

On the motion of the Mayor and Councillor McRobie the Council resolved that the public part of the ordinary meeting of the Queenstown Lakes District Council held on 23 June 2017 be confirmed as a true and correct record.

1. **Feedback received on proposed amendments to the Council's Lead Policy for Special Housing Areas to include the Ladies Mile**

A report from Blair Devlin (Manager, Planning Practice) assessed the feedback received on the proposal to add the Ladies Mile area (including an Indicative Master Plan) into Council's Lead Policy for Special Housing Areas. The report recommended that the Council agree to include the Ladies Mile area in Category 2 of the Lead Policy and suggested changes to the Lead Policy to control and manage aspects of development.

The report was presented by Mr Devlin, Ms Vanstone and Mr Compton-Moen.

The Chief Executive reminded the Council that the decision sought by the report was only to bring the Ladies Mile area into the Lead Policy and was not to approve a Ladies Mile SHA itself.

Councillor Miller stated that she did not consider there was enough detail presented in the report to allow the Council make a decision today about adding the Ladies Mile area into the Lead Policy. She did not consider that the SHA programme was a solution to affordable housing because people had speculated and sold properties at the current market rate which had effectively boosted the average price. She was very strongly in favour of the suggestion that the 5% contribution be reviewed, describing it as a 'laughable' amount for a developer. She believed that if the community was going to lose Ladies Mile as an entrance to Queenstown it was important for the developer to give something back to the community.

The Mayor advised that he had some questions about the proposal that required investigation before he could form a view on the report. The issues where he sought more detail were:

1. What level of contribution could come to the Queenstown Lakes Community Housing Trust from landowners?
2. What protection can be employed to prevent speculation in sections and how would they work?
3. What other large tracts of land may be available to provide affordable housing at reasonable cost in the district?

The Mayor advised that the reason for his first question was to establish an appropriate level of contribution at which a developer would be providing some real value for the community. His second question was in recognition of the fact that there was no point in creating an affordable section if someone could simply buy it and sell it for a profit. His final question was because he did not have clarity on what land was available at the moment.

The Mayor stated that although he was happy to put the report recommendation to the vote, his preference was for the matter to lie on the table until the next meeting at which responses to his questions could be presented.

Councillor MacDonald noted that the benefit of the SHA model was the opportunity for the Council to influence the Master Plan.

Councillor Stevens was opposed to the item lying on the table because he did not consider that more time would be of benefit. He did not believe that another similar block of land would be identified before the next meeting and he supported the SHA proposal because it at least gave Council the opportunity to lead rather than leaving Ladies Mile available for developers to do what they wished.

On the motion of Councillor McRobie and the Mayor the Council resolved that the item lie on the table pending the preparation of further information.

Councillors Clark and Stevens recorded their votes against the motion.

2. Mayoral Housing Affordability Taskforce Update

A report from Tony Avery (General Manager, Planning and Development) detailed the activities of the Mayoral Housing Affordability Taskforce since its establishment in April 2017.

The report was presented by Councillor MacDonald. He acknowledged that affordable housing was the biggest single problem for the community. He observed that getting a supply of land was vital for having worker accommodation in town.

It was noted that firm recommendations were due to come from the Taskforce at the end of September.

On the motion of the Mayor and Councillor Macleod it was resolved that Council note the update from the Mayoral Housing Affordability Taskforce.

3. Making Private Plan Change 44: Hanley Downs – Operative

A report from Blair Devlin (Manager, Planning Practice) advised that there were no outstanding appeals on Plan Change 44 and it could now be made operative by Council resolution. Appended to the report were a schedule of amendments to the Operative District Plan and the Environment Court Consent Order setting out resolution of the appeals.

The report was presented by Mr Devlin. He confirmed that this was a procedural item, as only the Council could make a plan change operative.

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

- 1. Note the contents of this report;**
- 2. Authorise officers to amend the Operative District Plan to incorporate the changes made through Plan Change 44, as set out in the Environment Court Consent Order.**
- 3. Approve public notification of the date on which Plan Change 44 shall become operative.**

4. **Adoption of Coronet Forest Management Plan 2017**

A report from Briana Pringle (Parks and Reserves Officer - Forestry) presented the Coronet Forest Management Plan 2017 following completion of the public consultation process on the proposal to harvest the forest early. The report detailed the key issues raised through the consultation and explained how these had been addressed in the updated plan which supported an early harvest of the forest.

The report was presented by Mrs Pringle and Mr Hansby.

Mrs Pringle advised of the following changes to the draft Coronet Forest Management Plan 2017:

1. Page 6: paragraph 2 deleted: *'The plan is to establish.... Vegetation cover across the site.'*
2. Page 27: paragraph 6 add '*canopy cover*': *'To achieve a coverage of at least 30% of the canopy cover of the site,...'*
3. Page 30: Revegetation cross section – deleted from the report.

Councillor Stevens commented briefly on the hearing, stating that it had provided a robust debate. In response to the concerns that there was no budget for revegetation in the 10-Year Plan, it was noted that a draft line of \$12 million had been included. Members agreed that this provision was important to ensure that the project was completed satisfactorily and the Emissions Trading Scheme requirements were met. It was also noted that one of the key drivers for harvesting the forest was to support the work of those trying to control wildings in the district.

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

1. **Note the contents of this report;**
2. **Adopt the Coronet Forest Management Plan 2017;**
3. **Direct Council staff to undertake an Outline Plan to harvest Coronet Forest in accordance with Designation 375 of the QLDC Partially Operative District Plan; and**
4. **Direct Council staff to seek agreement from Central Otago District Council to harvest Coronet Forest and delegate the terms of this agreement to the Chief Executive Officer.**

5. **Lakeview commercial land development objectives and ownership**

A report from Paul Speedy (Manager, Strategic Projects) discussed various development objectives for commercial land within the Lakeview site.

The report considered it an optimal time to take the commercial land to market and sought consultation with the community on tenure before the Council could consider declaring the property surplus and disposing of it.

The report was presented by Mr Speedy and Ms Miller.

There was considerable discussion about the development objectives. Councillor Forbes stated that she did not support objective 2(a): *'Maximise financial return in a manner that minimises risk to ratepayers'*, as she did not consider that financial gain should be a major imperative.

The Mayor suggested that it was important to strike a balance between commercial and non-commercial objectives but he did not believe that any decision would be based on purely on financial outcomes. It was also important to have objectives that would speak to the development community that would allow the Council to consider all options.

Concern was expressed about the use of the term 'housing choices' [recommendation (2(b)(iv))]. The Chief Executive suggested this be amended to housing 'outcomes' and that the 'and' instead be 'and/or'. The Council agreed that these amendments should be adopted.

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

- 1. Note the contents of this report;**
- 2. Approve the proposed development objectives for the commercial land on the Lakeview site to:**
 - a. Maximise financial return in a manner that minimises risk to ratepayers;**
 - b. Establish a thriving residential focused, mixed use precinct, which is stitched into the Queenstown town centre context and:**
 - i. Exhibits best practice urban design principles, is walkable, activated, liveable and authentic;**
 - ii. Exhibits a consistent design language and high quality built form outcomes that complement the natural environment, fit into the Queenstown context and are of human scale;**
 - iii. Provides a diverse retail mix which complements and provides for the natural expansion of the existing town centre core and will appeal to locals and visitors;**
 - iv. Provides for the intensification sought via Plan Change 50 and delivers for a variety of housing outcomes and/or a diverse residential community;**

v. Considers opportunities for visitor accommodation and / or visitor facilities where these are economically viable.

c. Ensure Lakeview's development potential is unlocked in a timely and efficient manner.

3. Agree to a 'transaction approach' to engage with the market and select a development partner (or partners) to be contracted via project development agreement(s) or similar, which will reference the Council's objectives for the commercial land;

4. Agree to undertake consultation with the community on the nature of tenure for the commercial land;

5. Direct officers to report back to the Council on transaction options for disposal of the commercial land at Lakeview, including the land previously identified as the preferred location for the proposed Queenstown Convention Centre, together with community feedback.

6. Cemetery Road (Queenstown) proposed road stopping and land exchange

A report from Paul Speedy (Manager, Strategic Projects) detailed a proposal to realign Cemetery Road (Queenstown) by means of stopping a section, exchanging part with a neighbouring landowner and dedicating this land a road in order to form a straight road. The report set out the required process under the Local Government Act 1974 and sought Council approval to implement this process.

The report was presented by Mr Speedy. In reply to a question he advised that area 'C' was likely to form part of the campground lease area and would serve to provide access.

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

1. Note the contents of this report;

2. Agree to stopping the section of Cemetery Road, Queenstown shown as areas 'B' and 'C' in the Cemetery Road (Queenstown) road stopping and land exchange plan [Attachment A to these minutes] under sections 319 and 342 Local Government Act 1974;

- 3. Delegate officers to undertake the road stopping process, including public notification of the proposal, as set out under Schedule 10 Local Government Act 1974;**
- 4. Authorise the disposal of Council land shown as area 'B' in the Cemetery Road (Queenstown) road stopping and land exchange plan [Attachment A to these minutes] under section 117(3) Public Works Act 1981; and**
- 5. Delegate the Chief Executive to finalise terms and execute the sale and purchase agreement between the Council and Brecon Street Partnership Limited.**

7. Proposed Fees and Charges Review for Environmental Health Services

A report from Helen Evans (Team Leader, Environmental Health) presented fees and charges for Environmental Health Services for Council adoption following completion of their review using the special consultative procedure.

The report was presented by Ms Evans and Mr Webster.

There was further discussion about the potential barriers that the Food Act was creating, especially for small businesses. Members were fully supportive of the proposal to communicate this to the Ministry of Primary Industries and agreed that the Mayor's office should write to the Ministry.

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

- 1. Note the contents of this report;**
- 2. Accept the recommendation from the Hearings Panel that Council adopts the fees and charges as proposed in the review;**
- 3. Adopt the proposed fees and charges for food businesses and Environmental Health Services; and**
- 4. Agree that Council writes to the Ministry for Primary Industries to express concerns about the costs for small businesses to comply with the Food Act 2014.**

8. Brothel Control Bylaw 2011 Review

A report from Thomas Grandiek (Monitoring and Enforcement Officer) presented the proposed Queenstown Lakes District Council Brothel Control Bylaw 2017 for adoption in order to undertake public consultation using the

special consultative procedure. The report noted that it was proposed to continue without change the provisions of the Brothel Control Bylaw 2011.

The report was presented by Mr Webster and Mr Grandiek.

It was agreed that Councillors Stevens, Clark and MacLeod would form the hearings panel.

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

- 1. Note the contents of this report and the recommendation from the Community and Services Committee to approve the continuation of the current Queenstown Lakes District Council Brothel Control Bylaw 2011 for public consultation;**
- 2. Approve the proposed Brothel Control Bylaw 2017, Statement of Proposal, and Summary of Statement of Proposal documents for public consultation using the special consultative procedure; and**
- 3. Appoint Councillors Clark, MacLeod and Stevens from the Community and Services Committee to participate in a hearing panel to consider and hear submissions on the proposed Brothel Control Bylaw 2017 and make a recommendation to Council.**

9. Joint Otago Class 4 and TAB Gambling Venue Policy Review 2017

A report from Carrie Edgerton (Regulatory Support) presented a review of the Queenstown Lakes District Council's Class 4 and TAB gambling venue policy which had been subject to public consultation using the special consultative procedure. The only change from the previous policy was an additional clause prohibiting the introduction of new gambling venues in residential areas.

In addition, the report sought Council approval to change the present delegations giving the Community and Services Committee delegated authority to hear and determine applications for gambling venue relocations. The report also asked the Council to appoint three members of the Community and Services Committee to convene a hearing for a relocation application.

The report was presented by Ms Edgerton and Mr Webster.

Mr Webster advised of an amendment to part 3 of the recommendation as the change to the delegations register was not to the Community and Services Committee to appoint members for hearings as stated in the report, but to have the power to hear and determine Gambling Venue applications.

Consideration was given to membership of the hearings panel in light of the likely timeframe for a hearing. Following discussion it was agreed that Councillors Ferguson, Smith and Miller would form the hearings panel.

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

- 1. Note the contents of this report;**
- 2. Adopt the proposed Class 4 TAB & Gambling Venue Policy 2017 as recommended by the hearing panel;**
- 3. Amend the delegation register to delegate the Community and Services Committee the power to hear and determine Gambling Venue applications; and**
- 4. Appoint Councillors Ferguson, Miller and Smith from the Community and Services Committee to convene a hearing for a relocation application.**

10. Dog Control Policy and Practices Report 2016 - 2017

A report from Nichola McKernan (Regulatory Support) introduced the Dog Control Policy and Practices Report (which was appended) in accordance with Section 10A of the Dog Control Act 1996. The report highlighted the major statistics related to dog control from the past year and recommended that the report be adopted in line with statutory requirements.

The report was presented by Mr Webster and Ms McKernan. Ms McKernan advised of a small correction to her report:

6. (g) The number of roaming dogs remains the largest issue however there was an increase from 491 to 548.

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

- 1. Note the contents of this report;**
- 1. Adopt the Dog Control Policy and Practices report 2016/2017, in accordance with the Dog Control Act 1996, Section 10A;**
- 2. Approve the publication of the Dog Control Policy and Practices report 2016/2017; and**
- 3. Direct Council staff to forward a copy of the Dog Control Policy and Practices report 2016/2017 to the Secretary for Local Government.**

11. Lease variation for Pisa Alpine Charitable Trust

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) detailed the public consultation process undertaken to review the term of the lease held by the Pisa Alpine Charitable Trust ['PACT'] to allow a total lease term of 99 years. The report noted that a hearing had been held, the outcome of which was to recommend that Council approve this variation to the lease. An additional recommendation from the hearings panel was for the Council to remove the requirement for the Trust to pay rates.

This report and that following were presented by Mr Cruickshank and Mr Burt. Mr Cruickshank noted that the Wanaka Community Board had visited the site and had previously discussed extension of the lease.

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

- 1. Note the contents of this report;**
- 2. Approve a variation to Council's resolution of 19 December 2013 to allow two rights of renewal of the PACT lease over Lot 5 DP 460313 of 33 years each (resulting in a total lease term of 99 years) and to remove the requirement for PACT to pay rates;**
- 3. Approve a variation of the terms of the agreement to lease signed by the Council and PACT on 6 November 2012 to provide for the amended terms noted in recommendation 2 above;**
- 4. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to allow two rights of renewal of the PACT lease over Lot 5 DP 460313 of 33 years each (resulting in a total lease term of 99 years);**
- 5. Delegate signing authority to the General Manager, Property and Infrastructure.**

12. New ground lease for Queenstown Squash Club

A report from Joanne Conroy (Property Advisor, APL Property Ltd) assessed the renewal of a ground lease in favour of the Queenstown Squash Club in Memorial Street for its clubrooms, as the lease was set to expire on 31 March 2018. The report recommended that the Council approve a lease of three years with a renewal provision for a further three years, as this would enable the club to prepare for relocation during this period, should that prove necessary.

It was noted that the recommended early termination condition contained a timeframe that would work with the Queenstown Town Centre Master Plan programme.

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

1. Note the contents of this report;

2. Approve a new lease to Queenstown Squash Club over Lot 2 DP 18993 subject to the following terms and conditions:

Commencement	1 April 2018
Term	3 years
Renewals	1 of 3 years (by agreement of both parties)
Rent	\$1 per annum pursuant to Community Pricing Policy
Reviews	At renewal or when the Community Pricing Policy is reviewed
Early termination	18 months' notice for core infrastructure requirements
Assignment and Sublease	With Lessor's prior written approval
Use	Clubrooms, change rooms, courts, meeting space and storage facilities associated with squash
Other	At expiry, improvements to be removed. Public liability Insurance required. Health and Safety plan to be provided for approval.

3. Delegate signing authority to the General Manager, Property and Infrastructure.

13. Easement to Aurora Energy Limited – 704 Malaghan's Road, Wakatipu Basin

A report from Blake Hoger (Property Advisor, APL Property Ltd), sought retrospective approval of an electrical easement over Local Purpose (Esplanade) Reserve (legal description Lot 4 DP 460171) to Aurora Energy

Ltd, to run underground power lines from Malaghans Road to a private property. The report noted that due to timing constraints the Chief Executive had approved the easement on 23 June 2017 and the Council was asked to ratify the Chief Executive's decision and formally approve the easement retrospectively.

This report and item 15 were presented by Mr Hoger.

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

- 1. Note the contents of this report;**
- 2. Approve an electrical easement over Local Purpose (Esplanade) Reserve, Lot 4 DP 460171 subject to section 48(1)(d) of the Reserves Act 1977, to Aurora Energy Ltd subject to the following conditions:**
 - a. Aurora Energy Ltd to notify and liaise with QLDC Infrastructure Department in advance of any onsite works so that they can oversee and provide input relating to existing in-ground infrastructure;**
 - b. A bond of \$2,000.00 be payable to QLDC prior to any works commencing;**
 - c. The work site to be evidenced by before and after photographs, video or similar to be provided by Aurora Energy Ltd;**
 - d. A comprehensive safety plan must be prepared and implemented, at Aurora Energy Ltd's cost, to ensure a safe environment is maintained around the subject site;**
 - e. Certificate of adequate public liability cover to be received;**
 - f. Reinstatement of the area to be completed immediately following installation and to the satisfaction of QLDC's Infrastructure Department. Reinstatement to include any fencing or other structures.**
 - g. Within 3 months of completion of the work, Aurora Energy Ltd to provide QLDC with a surveyed easement and signed Deed of Easement.**
- 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 of the electrical easement, including location, and execution authority to the General Manager – Property & Infrastructure; and;
5. Agree to the exercise of the Minister’s consent (under delegation from the Minister of Conservation) to the granting of an easement to Aurora Energy Ltd over Lot 4 DP 460171.

14. **Glendhu Adventures – Licence to Occupy Recreation Reserve**

A report from Chris Green (Property Advisor, APL Property Ltd) assessed an application from Glendhu Adventure Ltd for a new licence to operate from Rotary Park Reserve, Glendhu Bay a commercial kayak and stand up paddle board rental, lessons and guided tours operation on Lake Wanaka. The report noted that the Wanaka Community Board had approved public notification of the proposed new lease on 30 March 2017 and no submissions had been received. The report recommended approval of a new lease, subject to conditions.

The report was presented by Mr Cruickshank and Mr Burt. Mr Cruickshank confirmed that previously Glendhu Adventures Ltd had held temporary permits in order to trial the operation and now sought to make it a permanent arrangement.

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

1. Note the contents of this report;
2. Approve a new licence over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka, classified as Recreation Reserve to Glendhu Adventure Ltd for conducting commercial kayak and stand up paddle board rental, lessons and guided tours on Lake Wanaka adjacent to the licence area, subject to the following terms and conditions:

Commencement	1 November 2017
Term	5 years
Renewal	One further term of 5 years by agreement of both parties
Rent	Base rent of \$500, or 7.5% of gross turnover, whichever is the greater
Reviews	2.5 yearly
Operating Hours	8.30 am – 7.00 pm
Maximum Craft	No more than 8 stand up paddle boards and no more

	than 5 sit on top kayaks for hire at any one time
Insurance	Requirement to have public liability insurance of \$2 million
Safety/Suspension	Council to retain ability to suspend the licence for safety purposes or to avoid large public events
Other	Licensee must ensure they hold a valid resource consent for the purpose of commercial kayak and stand up paddle board rental, lessons and guided tours

- 3. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a licence to Glendhu Adventure Limited over Section 14 SO 347712, Wanaka-Mount Aspiring Road, Wanaka.**
- 4. Delegate signing authority to the General Manager, Property and Infrastructure**

15. Right of Way Easement – 47 Howards Drive, Lake Hayes Estate

A report from Blake Hoyer (Property Advisor, APL Property Ltd) assessed an application for a Right of Way Easement at 47 Howards Drive, Lake Hayes Estate in order to reposition an existing retaining wall to widen the gap between the dwelling and the wall and improve manoeuvrability in and out of the driveway. The report recommended that the Council grant the Right of Way Easement, subject to several recommended conditions.

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

- 1. Note the contents of this report;**
- 2. Grant a Right of Way Easement over Council administered Recreation Reserve (Lot 3 DP 447156) in favour of the proprietors of 47 Howards Drive, Lake Hayes Estate (Lot 1 DP 447156) subject to the following conditions:**
 - a. A Council inspector is to be present when the excavation works are undertaken to ensure Council infrastructure is not damaged or disturbed, and**
 - b. In the event of damage being caused, Council infrastructure it is to be repaired by Council's maintenance contractor, at the applicant's cost,**

and to the satisfaction of Council engineers,
and

- c. **Before any works are undertaken, a valuation is prepared, at the expense of the applicant, to determine the market value of the land. Such valuation to be accepted by both parties.**

3. **Delegate authority to approve final terms and conditions, and execution authority to the General Manager – Property and Infrastructure; and**

4. **Agree to the exercise of the Minister’s consent (under delegation from the Minister of Conservation) to the granting of an easement over Lot 3 DP 447156 in favour of proposed Lot 1 DP 447156.**

16. **Setting of Rates for 2017/18**

A report from Stewart Burns (General Manager, Finance and Regulatory) presented financial details to set the rates for the Queenstown Lakes District Council for the 2017/18 financial year as per section 23 of the Local Government (Rating) Act 2002.

The report was presented by Mr Burns.

Mr Burns advised that the rates increase was slightly lower than signalled at the time of adopting the Annual Plan as there were more properties in the district than originally anticipated, so the cost per property was consequently less than first thought.

Councillor MacLeod commended the work of the finance team in preparing this information.

On the motion of the Mayor and Councillor MacDonald it was resolved that the Council sets the rates for the Queenstown Lakes District Council for the 2017/18 financial year as per section 23 of the Local Government (Rating) Act 2002. [Attachment B to these minutes].

17. **Budget Carry Forwards for 2017/18**

A report from Gaynor Webb (Financial Advisory Manager) presented budgetary adjustments in order to provide for capital and operational expenditure carry-forwards from 2016/17 to 2017/18.

The report was presented by Mr Burns and Ms Webb.

Ms Webb advised of an amendment to the recommendation, correcting the amount of negative operational expenditure carry forward of **\$729,559**.

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

- 1. Authorises adjustments to the budgets for the 2017/18 financial year in order to provide for capital expenditure carry forwards of \$10,121,905 [included in Attachment C to these minutes];**
- 2. Authorises adjustments to the budgets for the 2017/18 financial year in order to provide for operational expenditure carry forwards of \$798,200 [included in Attachment D to these minutes]; and**
- 3. Authorises adjustments from 2017/18 into 2016/17 in order to provide for negative carry forwards of operational expenditure of \$729,559 [as per Attachment C.]**

18. Chief Executive's Report

A report from the Chief Executive:

- Sought a Council decision pursuant to the Local Electoral Act 2001 on (a) Council's choice of electoral system; and (b) the establishment of Māori Wards;
- Presented adjustments to committee membership to accommodate the recent election of Councillor Quentin Smith;
- Proposed a three-year funding contribution to the Otago Museum at an agreed ratio of 0.72% of the museum's annual budget, beginning from 1 July 2018.
- Sought a Council decision on the order in which the names will appear on the voting documents for the Wanaka Community Board By-election in accordance with section 31 of the Local Electoral Regulations 2001.
- Noted a minor drafting error in the minutes of the 23 June 2017;
- Detailed the business conducted by the Wanaka Community Board (3 August 2017) and Community and Services Committee (10 August 2017), presenting reserve vesting recommendations from both.

The Chief Executive advised of two corrections to the appointment of elected members to committees as detailed in his report:

- Councillor McRobie to be removed from the Community and Services Committee and added as Deputy Chair of the Infrastructure Committee.
- Councillor MacLeod to be removed from the Infrastructure Committee and added as Deputy Chair of the Planning and Strategy Committee.

The Electoral Officer was asked to circulate the Wanaka Community Board by-election timetable to elected members.

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

- 1. Note the contents of this report;**
- 2. Directs the Chief Executive to give public notice of the right for electors to demand a poll on the electoral system used for QLDC elections; and**
- 3. Directs the Chief Executive to take no further action on the matter of Māori wards at this time.**
- 4. Appoint Councillor Smith as a member of the:**
 - a) Planning and Strategy Committee**
 - b) Community and Services Committee**
 - c) Dog Control Committee**
 - d) Elected Member Conduct Committee**
 - e) Event Funding Panel**
- 5. Remove Councillor McRobie from Community and Services Committee and appoint him as Deputy Chair of Infrastructure Committee.**
- 6. Remove Councillor MacLeod from the Infrastructure Committee and appoint him as Deputy Chair of Planning and Strategy Committee;**
- 7. Appoint Councillor McRobie as the Council's representative to Lake Wanaka Tourism:**
- 8. Approve a three year funding contribution to the Otago Museum to commence from 1 July 2018.**
- 9. Agree that the funding contribution be at an agreed ratio of 0.72% of the Museum's annual budget (circa \$30,000 pa).**
- 10. Adopt the proposed Otago Museum Heads of Agreement 2017-27.**
- 11. Resolve pursuant to section 31 of the Local Electoral Regulations 2001 that the voting papers for the 2017 Wanaka Community Board By-election be printed in random order;**
- 12. Wanaka Community Board: Proposal to Vest Lands as Reserve and to Offset Reserve Land**

and Reserve Improvements Contributions as per the Development Contributions Policy

1. Approve the vesting of the two identified proposed reserves:
 - a. Lots 200 and 201, Kirimoko Limited Partnership, 'Kirimoko Heights' development, Kirimoko Crescent.
Subject to the following works being undertaken at the applicant's expense:
 - i. Presentation of the reserve in accordance with Council's standards for reserves;
 - ii. A potable water supply point to be provided at the boundary of the reserve lot;
 - iii. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserves to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land;
 - iv. A three year maintenance period by the current landowner commencing from vesting of the reserve;
 - v. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
2. Offset reserve land contributions in accordance with the Development Contributions Policy current at the time of contributions payment and the Parks and Open Space Strategy 2017, subject to recommendation (iii) above.
3. Offset reserve improvement contributions are offset against those payable in accordance with the Development Contributions Policy current at the time of contributions payment, subject to:
 - a. Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager.
 - b. Final approval of reserve improvement costs to be delegated to the Parks and Reserves Planning Manager and is subject to the applicant demonstrating the actual costs of the improvements.
 - c. If the cost of work to construct the approved plans exceeds the contributions available to be credited, the additional cost shall be at the applicant's expense.

13. Community and Services Committee: Shotover Country No.2 Ltd/Shotover Country Ltd, Proposal to Vest Various Lands as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy

1. Approve the vesting of the five identified proposed reserves:
 - a. Lot 1002 SH160139 Recreation Reserve, Shotover Country.
 - b. Lot 1003 SH160139 Local Purpose Reserve (water supply, pedestrian and cycle access), Shotover Country.
 - c. Lot 1004 SH160139 Recreation Reserve, Shotover Country.
 - d. Lot 803 RM161023 Recreation Reserve, Shotover Country.
 - e. Lot 804 RM161023 Local Purpose Reserve, Shotover Country.
subject to the following works being undertaken at the applicant's expense:
 - i. Presentation of the reserve in accordance with Council's standards for reserves;
 - ii. A potable water supply point to be provided at the boundary of the reserve lot;
 - iii. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserves to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land;
 - iv. A five year maintenance period by the current landowner commencing from vesting of the reserve in accordance with the relevant consent;
 - v. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
2. Approve an offset of credit from reserve improvement contributions, provided the amount becomes available through the future development of consented stages of Shotover Country - Shotover Country No.2 Ltd/Shotover Country Ltd: \$209,455.90 (excl GST) subject to the following works being spent in accordance with the associated costs, and in the following order of development/offsets:

- a. Sports field in future reserve adjacent to Lower Shotover - \$72,768.95 (additional to the \$138,231.05 agreed by Council on 24 February 2016 for this purpose)
- b. Bike pump track in Richmond Park - \$35,000
- c. Cycleway through future reserve adjacent to Lower Shotover to trail - \$35,000
- d. Play space in Merton Park - \$66,455.90

and subject to:

- i. Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager.
- ii. Final approval of reserve improvement costs to be delegated to the Parks and Reserves Planning Manager and is subject to the applicant demonstrating the actual costs of the improvements.
- iii. If the cost of work to construct the approved plans exceeds the contributions available to be credited, the additional cost shall be at the applicant's expense.

Resolution to Exclude the Public

On the motion of the Mayor and Councillor MacLeod 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 of ordinary meeting held on 23 June 2017

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.

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<p>10. 14 Nairn Street, - Lease Variation, Purchase and Disposal</p>	<p>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: h) enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities; i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	<p>Section 7(2)(h) Section 7(2)(i)</p>
<p>11. 43 Bedford Street, Lessee Request to Freehold</p>	<p>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: h) enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities; i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	<p>Section 7(2)(h) Section 7(2)(i)</p>
<p>12. Resolution of appeals to private Plan Change 44: Hanley Downs</p>	<p>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: g) maintain legal professional privilege; i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	<p>Section 7(2)(g) Section 7(2)(i)</p>

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13. Events Funding Round 2017/18	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: b)ii) protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	Section 7(2)(b)(ii)
14. New Management and Maintenance Services for High Profile Turf Contract	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) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(i)
15. Settlement Approval	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) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(i)

<p>16. Governance Update – Queenstown Airport Corporation (QAC)</p>	<p>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 h) enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities;</p>	<p>Section 7(2)(a) Section 7(2)(h)</p>
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Agenda Items

19. Funding of Legal Settlements

20. Chief Executive Salary Review and Tenure

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
<p>19. Funding of Legal Settlements 2016/17</p>	<p>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; and i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	<p>Section 7(2)(a) Section 7(2)(i)</p>
<p>20. Chief Executive salary review and tenure</p>	<p>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;</p>	<p>Section 7(2)(a)</p>

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 3.04pm at which point it adjourned.

The meeting reconvened at 3.06pm. Councillor Stevens was not present when the meeting reconvened.

The meeting came out of public excluded and concluded at 3.40pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

M A Y O R

28 September 2017

D A T E