

Minutes of an ordinary meeting of the Queenstown Lakes District Council held via Zoom on Thursday 23 April 2020 commencing at 1.00pm

Present:

Mayor Boulton; Councillors Clark, Copland, Gladding, Lewers, MacDonald, MacLeod, Miller, Shaw and Smith

In attendance:

Mr Mike Theelen (Chief Executive Officer), Mr Stewart Burns (General Manager, Finance, Legal and Regulatory), Ms Meaghan Miller (General Manager, Corporate Services), Mr Peter Hansby (General Manager, Property and Infrastructure), Dr Thunes Cloete (General Manager, Community Services), Ms Adrienne Cooper-Young (Acting Chair, QAC), Mr Colin Keel (Chief Executive, QAC), Mr Andrew Williamson (Chief Financial Officer, QAC), Ms Polly Lambert (Acting Strategy and Asset Planning Manager), Ms Jendi Paterson (Consultant, ZQN7 Ltd), Ms Michelle Morss (Deputy Recovery Manager; Strategy and Development Manager), Mr Steve Batston (Recovery Manager; Strategy and Asset Planning Manager – Property and Infrastructure), Mr Naell Crosby-Roe (Manager, Governance, Engagement and Communications), Mrs Jeannie Galavazi (Senior Parks and Reserves Planner), Mr Daniel Cruickshank (Property Advisor, APL Property Ltd), Mr Brandon Ducharme (Senior Infrastructure Development Engineer), Mrs Stacey Harris (Governance Advisor) and Ms Jane Robertson (Senior Governance Advisor)

Apologies/Leave of Absence Applications

Councillor Miller advised that she would have to leave the meeting at 3.30pm for a personal reason.

The Mayor and Councillor Smith advised of their wish to cancel requests for leave previously submitted and approved.

Declarations of Conflicts of Interest

The Mayor advised that he had a conflict of interest in relation to item 8 on the agenda 'Cardrona Valley Waste Water Scheme Update and Funding Confirmation'. He noted that the item would be considered in the public excluded part of the meeting and he would detail the reason for his conflict at that time. He noted that the Deputy Mayor would chair the meeting for this item.

Special Announcements

The Mayor presented a speech in which he expressed grave concern about the impact of the COVID-19 pandemic upon the district's economy. He foresaw a massively shrinking economy and high unemployment, with the district becoming one of New Zealand's poorest, having recently been one of the most successful. He detailed how the Council would contribute to the recovery through the creation of economic and community recovery taskforces and advised that these would be rolled out over the next few weeks. He hoped

that the recovery would be supported by domestic tourism and that Trans-Tasman travel would be enabled. He also referred to plans for 'shovel ready projects' which were major infrastructural developments in the district, with the objective of providing both jobs and a boost to the local economy.

The Mayor paid tribute to the hard work of the response and recovery teams, most of whom were Council staff members doing this in addition to their regular jobs. He highlighted in particular the efforts of the welfare team, which had responded to more than 8,000 individual requests for support.

Public Forum

The Mayor introduced the Public Forum. He noted that due to the nation-wide COVID-19 social distancing restrictions in place at the time of the meeting, it was not possible to hold a live Public Forum. As an alternative, members of the public had been able to submit their Public Forum presentations in writing, but by the deadline for contributions the previous day at 1.00pm the Council had received 88 individual comments. The Mayor thanked all who had taken the time to submit their comments, but noted that because of the volume it was not possible to allocate three minutes per comment. Instead, another approach had been agreed, namely, that all Councillors would receive the comments in full, but a summary grouped by subject and detailing the author's name, general subject matter and key points would be read at the meeting. Mrs Harris would read the summary aloud and the comments would be presented in the order in which they had been received, except for those made on different subjects. Following the meeting, the full comments would be released to the media.

The following persons (organisations) presented comments on item 1 ('Queenstown Airport Corporation Statement of Intent'):

- Jonathan Holmes
- Anna Mickell (Queenstown Chamber of Commerce)
- David Mayhew (Kelvin Peninsula Community Association)
- Roy Smith
- Robbie Caldwell
- Miranda Spary
- Sarah Bogle
- Thomas Bongers
- Di Fitzgerald
- Jeni Hughes
- Lois Martin
- Sally Miller
- Nicky Tompkins
- Zara Kingsbury
- Lynda Baker
- Simon Small
- Julie Brock
- Matthew Parker
- Kim Pettigrew
- Madelyn Zoi

- Joan Potts
- Michael Spencer
- Danielle Murdoch
- Josie Cederman
- Jane Shearer
- Luise Lockwood
- Kristen O’Sullivan Peren
- Tim Jackson
- Arie Kleinjan
- Liz Mathieson
- Geoff Hunt
- Wayne Cafe
- Jef Desbecker
- Bryan Wrighton
- Sarah Russell
- Robin and Marilyn Armstrong
- Robina Bodle
- Nick Clark
- Laura Wrigton
- Jewell Cassells
- Philippa Archibald
- Bill and Kirsty Sharpe
- Ian Moore
- Trish and Paul Fraser
- Bryan Hughes
- John Hilhorst
- Sally Stockdale
- Paul Vaitkus
- Michael Hanna
- Jay Cassells
- John Guthrie
- Sally Currie
- Rosemary Barnett
- Dave Bergman
- Don and Heather Wallace
- Fraser Skinner
- Bill Taylor
- Victoria Hanrahan
- Kathy Leake
- Brian and Marion Marquand
- Andrea Brookes
- Kristine Johnstone
- Grant Hardy
- Annette Frewen
- Erin Taylor
- Andrew Donaldson

- Noel van Wichen
- Hannah Clowes
- Kat West
- Allison Swintz
- Marnie Reid
- Blaise and Sarah Barham
- Greg Cowles (Wānaka Stakeholders Group)
- Wayne Allen
- Colin Forster
- Peter Jackson (Frankton Community Association)
- Mary-Louise Kingsbury
- Manu Sinclair
- Anna van Wichen
- Ewen and Heather Rendel
- John Borrell
- Cath Gilmour (We Love Wakatipu)
- Jane McCurdy
- Wendy Sherlock

The following persons presented comments on item 2 ('Recommended Permanent Speed Limit Changes'), specifically, they were opposed to extending the Wānaka Urban Traffic Boundary, with the effect of broadening the 40 km/h speed limit:

- Lyal Cocks
- Vicki Menzies

Chris Scoles made comment about the COVID-19 response.

Darryl Rogers made comment about the Climate Action Plan.

Confirmation of Agenda

The Mayor advised of his intended practice for managing voting during on-line meetings. He noted that for motions that were largely procedural in nature he was happy to take vocal indications of assent or opposition. However, for more substantive matters, the Governance Advisor would ask each individual member to verbalise their support or opposition to a motion and the vote would be recorded as if a division.

On the motion of the Mayor and Councillor MacLeod the Queenstown Lakes District Council resolved that the agenda be confirmed without addition or alteration.

Confirmation of Minutes

12 March 2020 (Ordinary meeting)

Councillor Gladding asked for the following amendment to be made to the draft minutes of 12 March 2020:

7. **Submission on report – ‘Transforming the resource management system’**

It was suggested that the need to embed the effects of on climate change in the decision-making process be raised as an issue in the next round of consultation.

On the motion of the Mayor and Councillor MacLeod the Queenstown Lakes District Council resolved that the public part of the minutes of the ordinary meeting of the Queenstown Lakes District Council held on 12 March 2020 as amended be confirmed as a true and correct record.

16 April 2020 (Extraordinary meeting)

On the motion of the Mayor and Councillor Smith the Queenstown Lakes District Council resolved that the public part of the minutes of the extraordinary meeting of the Queenstown Lakes District Council held on 16 April 2020 be confirmed as a true and correct record.

1. **Queenstown Airport Corporation (‘QAC’) Statement of Intent**

A report from Meaghan Miller (General Manager, Corporate Services) presented the QAC’s Statement of Intent for the Council’s agreement in accordance with section 65 of the Local Government Act 2002. The report noted that although the current Draft Statement of Intent 2020/21 had introduced changes to reflect the Statement of Expectations approved by Council on the 25 February 2020, this had occurred before the COVID-19 pandemic. In light of this global emergency, the report observed that the Statement of Intent was now of limited relevance, and the business was in the process of re-evaluating its financial forecasts. Accordingly, the report recommended that the current draft be adopted as a ‘point in time’ exercise to enable QAC to meet its statutory obligations. This would serve to provide time and capacity for QAC to develop a modified Statement of Intent for 2020/21, to be presented for formal consideration by Council towards the end of the second quarter (at the Council meeting scheduled for 29 October 2020).

Ms Miller presented the report; she stated that it should be taken as read.

The Mayor briefly detailed the reasons for the report’s recommended direction and advised that he would ask the Council to set aside Standing Orders to enable Ms Young-Cooper, Mr Keel and Mr Williamson to address the Council.

The Mayor advised Councillor Gladding that some Councillors were concerned about whether she had a predetermined position on the Statement of Intent through her comments in the media. He asked if she considered this was a pre-declared view that placed her in a position where she could not take part in the debate.

Councillor Gladding stated that she was well-informed on the topic, had read QAC’s financial statements and Statement of Intent and her position remained open. She

did not agree that she had a pre-determined position. She stated that her view at the meeting would come down to what QAC was prepared to remove from the document and she did not consider that she needed to withdraw from the meeting.

On the motion of the Mayor and Councillor Smith the Council resolved that Standing Orders be suspended in order to allow the representatives from the Queenstown Airport Corporation to address the Council.

Ms Young-Cooper commented in detail about the impact of the COVID-19 pandemic on the activities and plans of the Queenstown Airport. She acknowledged the views expressed in the Public Forum and confirmed that the situation would be uncertain for QAC in both the short and medium terms. Company revenues had been severely affected, but it would take some time to fully assess the impact, with detailed business planning to begin in late June/July. She confirmed that plans would present a significantly changed business. Plans would also have regard to the outcomes of the Spatial Plan and Martin Jenkins inquiry, but expansion of the airport's noise boundaries was off the agenda as were any new capital projects until a new Statement of Intent was developed. Some minor projects were planned but these were upgrades to the security screening area needed for legal reasons and some seismic strengthening and sustainability initiatives, which were being undertaken because they would receive government funding.

Mr Keel advised that company's focus was now to look after its employees. He understood that many other CCTOs in New Zealand were now considering the appropriateness of completing their Statements of Intent by 30 June. Accordingly, he supported the direction proposed in the report, as QAC needed additional time to understand the post COVID-19 world.

Councillor Gladding stated that many of her concerns would be addressed if a statement to the effect that QAC did not intend to borrow for capital projects until it developed a new Statement of Intent was added to the Statement of Intent on the table.

There was discussion about how such a change could be accommodated procedurally. Ms Balme (Legal Counsel) was directed to consider the options and report later in the meeting.

Councillor Gladding sought clarity about spending on Lot 6. Ms Young-Cooper advised that QAC had already acquired the land, with the statutory process to follow. She undertook to provide a briefing note for the Council about the legal process.

On the motion of the Mayor and Councillor Lewers the Council resolved that Standing Orders be reinstated.

Councillor Shaw advised that she did not support the report's recommendation and instead wished to move in a different direction. She asserted that the Statement of Intent on the table had been self-declared as being 'invalid'. Accordingly, for the

Council to approve or adopt it would be a dereliction of duty and in her view, an untenable risk. Her preference was only to 'receive' the existing document and direct QAC to prepare a condensed Statement of Intent by 31 July that would have some regard to the economic effects of COVID-19. She supported QAC preparing a modified Statement of Intent by October and considered that this should be enabled, but it did not need to be coupled with adopting an invalid document, which she identified as a major risk.

It was moved (Councillor Shaw/Councillor Gladding):

That the Queenstown Lakes District Council:

- 1. Resolve to extend the timeframes in Schedule 8 clause (2) and (3) as follows:**
 - a. Clause (2) Consideration of shareholder comments – the board must consider comments on the draft statement of intent that are made by shareholders on or before 1 June 2020.**
 - b. Clause (3) Final Statement of Intent – the board must deliver the completed statement of intent to the shareholders before 31 July 2020.**
- 2. Request that QAC update its SOI to meet the minimum requirements of Part 2 of Schedule 8 of the Local Government Act 2002 taking into account the impacts of COVID – 19.**
- 3. Confirm an expectation as shareholder that QAC will provide a modified Statement of Intent to Council using the process set out in clause 5 of Schedule 8 of the Act, allowing sufficient time for Council consider and comment on the modified Statement of Intent before presenting it to Council at its 29 October 2020 meeting for agreement.**

Councillor Smith advised that he opposed the motion because he did not understand where the perceived risk lay. Councillor Lewers stated that he opposed the motion because he did not support decision-making 'on the fly'.

Councillor Miller asked the Chief Executive to explain the difference between 'receiving' and 'agreeing' the Statement of Intent. The Chief Executive advised that 'agree' was the process of effectively approving the document. By contrast, to 'receive' was an acknowledgement of receipt from the Board and served to bring it into the Council system. The report recommendation was to agree the Statement of Intent and was the formal agreement that the Council needed to provide to give life to the document.

Councillor Gladding stated that QAC was by definition the Council's responsibility and she was concerned about QAC's proposed spending and debt servicing arrangements and the attendant risk for the Council. She noted that QAC had borrowings of \$70M and these would double if the capital programme went ahead. Further, QAC's lines of credit would expire half way through 2021. She noted that without further information about how QAC would extend its credit limits she could not support the Statement of Intent.

The motion was put and lost (2:8:1):

For: Councillor Gladding, Councillor Shaw

Against: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor MacDonald, Councillor MacLeod and Councillor Smith

Abstain: Councillor Miller

It was moved (Mayor Boulton/Councillor Lewers):

That the Queenstown Lakes District Council:

- 1. Note the QAC is a Council Controlled Trading Organisation (CCTO) as per Section 6 of the Local Government Act 2002 (the Act) and must therefore comply with Section 64 of the Act that requires all CCTOs to have a Statement of Intent that meets with the requirements of Schedule 8; this is a statutory requirement;**
- 2. Note that QAC has delivered a Statement of Intent to Council which reflected its position prior to the onset of COVID-19, and includes explicit statements that record the limited relevance of the Statement of Intent with regard the circumstances that continue to unfold for the company as it seeks to respond and plan for a COVID-19 and post COVID-19 existence;**
- 3. Agree with the company's position that its primary focus at present is to be directed towards maintaining the operability of the business and the welfare of its staff and business customers;**
- 4. Note that QAC will need to understand the significant impact of COVID-19 and that the Statement of Intent will need to be modified when the immediate market challenges are stabilised, the impact is better understood and the company is in a better position to develop a relevant three-year Statement of Intent;**
- 5. Note that the Council has no further comments to make on the Draft Statement of Intent provided by QAC, on**

the understanding that the Statement of Intent will need to be substantially modified later to reflect the impact of COVID-19;

6. Agree under s 65(2) of the Act, the Statement of Intent delivered to it by QAC on 20 March 2020 which will enable QAC to commence reforecasting immediately;
7. Confirm an expectation as shareholder that QAC will provide a modified Statement of Intent to Council using the process set out in clause 5 of Schedule 8 of the Act, allowing sufficient time for Council consider and comment on the modified Statement of Intent before presenting it to Council at its 29 October 2020 for agreement;
8. Agree that the QLDC QAC Steering Committee continues to liaise as required to consider key issues prior to a modified draft being workshopped by full Council;
9. Affirm the Council's confidence in the capability and capacity of the Board and management of QAC to protect the asset and maintain a successful and future focused airport CCTO on behalf of the district.

Ms Balme suggested that Councillor Gladding's concerns about the capital programme could be addressed by adding further text to part (6) of the resolution:

6. *Agree, under s 65(2) of the Act, the Statement of Intent delivered to it by QAC on 20 March 2020 which will enable QAC to commence reforecasting immediately with the addition of the following wording at the end of the introductory bold text in the SOI and subject to approval of this additional wording by the board following the meeting:*

"QAC has committed that it will not undertake any spending on capital projects identified in this SOI document until a new SOI has been agreed by Council which takes into account the impacts of COVID -19 and QAC's revised business strategy. The only exclusion to this will be emergency capital expenditure if the need arises before an SOI is prepared."

It was moved (Councillor MacDonald/Councillor MacLeod):

That part (6) of the motion be amended to read:

6. Agree, under s 65(2) of the Act, the Statement of Intent delivered to it by QAC on 20 March 2020 which will enable QAC to commence reforecasting immediately with the addition of the following wording at the end of the introductory bold text in the Statement of Intent and

subject to approval of this additional wording by the board following the meeting:

“QAC has committed that it will not undertake any spending on capital projects identified in this Statement of Intent document until a new Statement of Intent has been agreed by Council which takes into account the impacts of COVID-19 and QAC’s revised business strategy; the only exclusion to this will be emergency capital expenditure if the need arises before a Statement of Intent is prepared.”

It was moved as an amendment (Councillor Gladding/Councillor Shaw):

That part (6) of the motion be amended to read:

6. Agree, under s 65(2) of the Act, the Statement of Intent delivered to it by QAC on 20 March 2020 which will enable QAC to commence reforecasting immediately with the addition of the following wording at the end of the introductory bold text in the Statement of Intent and subject to approval of this additional wording by the board following the meeting:

“QAC has committed that it will not commit to undertake any spending on capital projects identified in this Statement of Intent document until a new Statement of Intent has been agreed by Council which takes into account the impacts of COVID-19 and QAC’s revised business strategy; the only exclusion to this will be emergency capital expenditure if the need arises before a Statement of Intent is prepared.”

The amendment was put and lost (2:8:1):

For: Councillor Gladding, Councillor Shaw

Against: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor MacDonald, Councillor MacLeod and Councillor Miller

Abstain: Councillor Smith

The Mayor returned to the original motion to amend part 6 of the resolution. The motion to amend part (6) of the resolution was put and carried unanimously.

Discussion returned to the substantive motion.

It was moved (Mayor Boulton/Councillor Lewers):

That the Queenstown Lakes District Council:

1. Note the QAC is a Council Controlled Trading Organisation (CCTO) as per Section 6 of the Local Government Act 2002 (the Act) and must therefore

comply with Section 64 of the Act that requires all CCOs to have a Statement of Intent that meets with the requirements of Schedule 8; this is a statutory requirement;

2. Note that QAC has delivered a Statement of Intent to Council which reflected its position prior to the onset of COVID-19, and includes explicit statements that record the limited relevance of the Statement of Intent with regard the circumstances that continue to unfold for the company as it seeks to respond and plan for a COVID-19 and post COVID-19 existence;
3. Agree with the company's position that its primary focus at present is to be directed towards maintaining the operability of the business and the welfare of its staff and business customers;
4. Note that QAC will need to understand the significant impact of COVID-19 and that the Statement of Intent will need to be modified when the immediate market challenges are stabilised, the impact is better understood and the company is in a better position to develop a relevant three-year Statement of Intent;
5. Note that the Council has no further comments to make on the Draft Statement of Intent provided by QAC, on the understanding that the Statement of Intent will need to be substantially modified later to reflect the impact of COVID-19;
6. Agree, under s 65(2) of the Act, the Statement of Intent delivered to it by QAC on 20 March 2020 which will enable QAC to commence reforecasting immediately with the addition of the following wording at the end of the introductory bold text in the Statement of Intent and subject to approval of this additional wording by the board following the meeting:
"QAC has committed that it will not undertake any spending on capital projects identified in this Statement of Intent document until a new Statement of Intent has been agreed by Council which takes into account the impacts of COVID-19 and QAC's revised business strategy; the only exclusion to this will be emergency capital expenditure if the need arises before a Statement of Intent is prepared."
7. Confirm an expectation as shareholder that QAC will provide a modified Statement of Intent to Council using

the process set out in clause 5 of Schedule 8 of the Act, allowing sufficient time for Council consider and comment on the modified Statement of Intent before presenting it to Council at its 29 October 2020 for agreement;

8. Agree that the QLDC QAC Steering Committee continues to liaise as required to consider key issues prior to a modified draft being workshopped by full Council;
9. Affirm the Council's confidence in the capability and capacity of the Board and management of QAC to protect the asset and maintain a successful and future focused airport CCTO on behalf of the district.

The amendment was put and carried (10:1):

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Gladding, Councillor Lewers, Councillor MacDonald, Councillor MacLeod, Councillor Miller and Councillor Smith

Against: Councillor Shaw

2. Recommended Permanent Speed Limit Changes

A report from Polly Lambert (Acting Strategy and Asset Planning Manager) presented the outcome of public engagement on permanent speed limit reductions for the following areas of the district:

- Arrowtown town centre
- The unsealed section of Beacon Point Road
- A section of Mount Aspiring Road (near Roy's Peak carpark)
- A section of Cemetery Road (Domain Road to Muir Road)
- Ballantyne Road (Riverbank Road to SH 6 and Golf Course Road to Riverbank Road)
- Extending the Wānaka Urban Traffic Area to accommodate the Northlake and Three Parks residential and mixed-use development areas, with the 40km/h speed limit to apply across the whole area

The report assessed the public feedback and concluded it was reasonable to reduce the speed limits in all the areas identified. The report recommended that the Council approve these new speed limits.

Ms Lambert, Ms Paterson and Mr Hansby presented the report. Ms Lambert noted that the illustration on page 71 of the agenda incorrectly showed Clan Mac Road as being 80km/h, when it should be 40km/h. She also reminded the Council that all the recommendations presented had originally come from the 2019 Speed Limit Bylaw review.

Councillor Smith asked whether a speed limit of 40km/h would be better on Ballantyne Road. In response, it was noted that as it was within the urban boundary

(where a 40km/h speed limit was applicable), the Council had the option to change the speed to 40km/h at any time.

Councillor Smith noted that the area around Gordon Road, Frederick Street, Connell Terrace and Enterprise Drive (Wānaka) had traditionally been an industrial area, but land use had changed with the opening of schools and a supermarket and it now had a much greater number of pedestrians. He asked whether it would be possible to amend the recommendation to add these streets to those to which the 40 km/h speed limit would apply.

The Chief Executive sought clarification from officers whether this proposed change was permissible under the scope of the report. Ms Lambert and Ms Paterson confirmed that such a change was possible if the Council approved the proposed extension of the Wānaka Urban Traffic Area at the meeting.

It was moved (Councillor Smith/Councillor MacLeod):

That the 40km/h speed limit also apply to Gordon Road, Frederick Street, Connell Terrace and Enterprise Drive (Wanaka), subject to the Council approving the change to the area covered under the *Wānaka Urban Traffic Area Boundaries*.

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Gladding, Councillor Lewers, Councillor MacDonald, Councillor MacLeod, Councillor Miller, Councillor Shaw, Councillor Smith

Against: Nil

Abstain: Nil

It was moved (Councillor Copland/Councillor Ferguson):

That the Queenstown Lakes District Council:

1. Note the contents of this report; and
2. Confirm the following changes to permanent speed limits:

Area	Current permanent speed limit km/h	Recommended permanent speed limit km/h
Ballantyne Road (Riverbank to State Highway 6)	80	60
Ballantyne Road (Golf Course Road to Riverbank Road)	70	50

Area	Current permanent speed limit km/h	Recommended permanent speed limit km/h
Beacon Point Road (unsealed section)	50	20
Cemetery Road (Domain Road to Muir Road)	100	80
Mt Aspiring Road (area by Roy's Peak carpark)	100	50
Wānaka Urban Traffic Area Boundaries	40	40

3. Note the changes to permanent speed limits as resolved will be implemented over time but prior to 30 November 2020.

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Gladding, Councillor Lewers, Councillor MacDonald, Councillor MacLeod, Councillor Miller, Councillor Shaw, Councillor Smith

Against: Nil

Abstain: Nil

3. **2019/20 Capital Works Programme – Second Re-forecast**

A report from Jeremy Payze (Senior Management Accountant) presented proposed amendments (budget adjustments) to the 2019/20 capital works programme for all Queenstown Lakes District Council capital projects for the Council's approval.

Mr Burns and Mr Payze presented the report. Mr Burns advised a minor change to the recommendation, which should more correctly refer to both Attachments A and B.

It was moved (Councillor Macdonald/Councillor Miller)

That the Queenstown Lakes District Council:

1. Note the contents of this report; and
2. Approve the budget changes proposed in Attachments A and B.

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Gladding, Councillor Lewers, Councillor MacDonald, Councillor MacLeod, Councillor Miller, Councillor Shaw, Councillor Smith

Against: Nil

Abstain: Nil

4. Underground Services Easement sought by Ngāi Tahu Property on behalf of Queenstown Lakes District Council over Warren Park

A report from Jeannie Galavazi (Senior Parks Planner) assessed an underground services easement for wastewater and stormwater over Warren Park. The easement was sought by Ngāi Tahu Property on behalf of Queenstown Lakes District Council, and was associated with the residential development of the adjoining land by Ngāi Tahu Property, being the former Wakatipu High school site and the wider Gorge Road Catchment. The report concluded that it was appropriate to grant the easement (subject to conditions) and that it was not necessary to public notify the intention to grant an easement because it would not affect public right to access the reserve and the reserve would not be materially altered or permanently damaged.

Mrs Galavazi and Dr Cloete presented the report.

Councillor Gladding expressed concern about the significant number of trees that would be removed from Warren Park to enable the easement. She considered that because of the number of tree removals proposed, the Council was at risk of legal challenge if it approved the recommendation that the statutory public notification test was met because the reserve was not permanently damaged or materially altered. She advised that she did not support the report's recommendation.

Mrs Galavazi advised that the proposed tree removals were mitigated because the trees were silver birches, and although both large and mature, not all were in good health. Further, there was a package of reserve improvements ring-fenced to Warren Park in addition to the landscaping improvements to screen the underground services that the developer would deliver. She noted that without this undertaking she would not have recommended approving the easement.

It was moved (Councillor MacLeod/ Councillor MacDonald):

The Queenstown Lakes District Council resolve that it:

- 1. Note the contents of this report;**
- 2. Approve an underground services easement over Council Reserve Land legally described as Part Lot 48 DP 8591 for the purposes of the installation of underground wastewater and stormwater infrastructure;**
- 3. Agree that public notification of the intention to grant the underground services (wastewater and stormwater)**

easement is not required, as the statutory test in Section 48(3) of the Reserves Act 1977 is met;

4. Direct that the approval of the proposed easements over Council Reserve Land is subject to the following terms and conditions:
 - a. Commencement: Upon vesting of the services from Ngāi Tahu Property to QLDC, and subject to conditions of resource consent RM190805, including any variations to that consent;
 - b. Extent of Easement: To be confirmed prior to commencement, and subject to conditions of resource consent RM190805, including any variations to that consents;
 - c. Any worksite in any easement area to be evidenced by before and after photographs, video or similar to be provided to QLDC by Ngāi Tahu Property;
 - d. Comprehensive safety plans must be prepared and implemented, at Ngāi Tahu Property's responsibility and cost, to ensure a safe environment is maintained around the subject easement sites for any physical works associated with the easement areas;
 - e. Certificate of adequate public liability cover to be received;
 - f. Reinstatement and landscaping of any disturbed areas to be completed within two months following any associated excavation/construction, or to the satisfaction and timeframes communicated by the QLDC's Community Services Department, reinstatement to include any landscaping, fencing or other structures;
 - g. Mitigation for replacement trees to be approved by the General Manager Community Services and recorded within a written agreement between QLDC and Ngāi Tahu Property prior to construction works commencing;
 - h. Within 3 months of completion of the work in any easement areas for which easements are sought, Ngāi Tahu Property to provide QLDC with a surveyed easement and signed Deed of Easement, unless otherwise authorised in writing by the General Manager Community Services;
5. Delegate authority to approve compliance with the terms and conditions set out at resolution 4, including

commencement, location, extent, fees and execution authority to the General Manager Community Services, provided all relevant requirements of the Easement Policy 2008 are addressed; and

- 6. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of the identified easements over Council Reserve Land.**

The motion was put and carried (10:1):

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor MacDonald, Councillor MacLeod, Councillor Miller, Councillor Shaw, Councillor Smith

Against: Councillor Gladding

Abstain: Nil

Councillor Miller left the meeting at 3.25pm.

5. COVID-19 Recovery Approach

A report from Michelle Morss (Strategy and Development Manager; Deputy Recovery Manager) presented an overview of the recovery approach being undertaken in response to COVID-19.

Ms Miller introduced Ms Morss and Mr Batstone, highlighting their roles within the recently established recovery function. It was noted that one purpose of the report had been to demonstrate publicly how much work was happening in the recovery space.

Members praised the efforts of all involved in the Emergency Operations Centre. Councillor Gladding raised a number of questions about management of the response and what it sought to achieve. In response, it was noted that some of the matters she had raised were already underway but it was also an emergent situation and the structure of the steering group and taskforces continued to develop.

**It was moved (Councillor Shaw/Councillor Smith):
That the Queenstown Lakes District Council note the contents of this report.**

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Gladding, Councillor Lewers, Councillor MacDonald, Councillor MacLeod, Councillor Shaw, Councillor Smith

Against: Nil

Abstain: Nil

6. Chief Executive's Report

A report from the Chief Executive presented:

- a) Change to membership of QAC QLDC Steering Group (Adrienne Young-Cooper to step in for Prue Flacks) for the Council to note;
- b) Change to terms of reference for Traffic and Parking Subcommittee (for the avoidance of doubt in regard to Wānaka Community Board delegations).

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

- 1. Note the contents of this report;**
- 2. Note the updated representation of QAC Directors on the QAC QLDC Steering Group;**
- 3. Adopt the amended Terms of Reference for the Traffic and Parking Subcommittee.**

The motion was put and carried unanimously:

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Gladding, Councillor Lewers, Councillor MacDonald, Councillor MacLeod, Councillor Shaw, Councillor Smith

Against: Nil

Abstain: Nil

Resolution to Exclude the Public

It was moved (The Mayor/Councillor MacDonald)

That the Queenstown Lakes District Council resolve that the public be excluded from the following parts of the meeting:

The general subject of each matter to be considered whilst the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Confirmation of minutes (Ordinary meeting of Council, 12 March 2020)

- | | |
|----------------|--|
| Item 12 | <i>Recreation Ground Pump Station construction – approval to assign delegation to Chief Executive</i> |
| Item 13 | <i>Additional Capital Expenditure on the Lakeview Infrastructure Project</i> |
| Item 14 | <i>Alternative Car Parking, Queenstown</i> |
| Item 15 | <i>Appointment of QAC Deputy Chairperson</i> |

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
12. Recreation Ground Pump Station construction – approval to assign delegation to Chief Executive	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)
13. Additional Capital Expenditure on the Lakeview Infrastructure Project	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)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
14. Alternative Car Parking, Queenstown - Request for Proposals	<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:</p> <p>h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities;</p> <p>i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>j) prevent the disclosure or use of official information for improper gain or improper advantage</p>	<p>Section 7(2)(h)</p> <p>Section 7(2)(i)</p> <p>Section 7(2)(j)</p>
15.Appointment of QAC Deputy Chairperson	<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:</p> <p>a) protect the privacy of natural persons (including deceased natural persons);</p>	<p>Section 7(2)(a)</p>

Confirmation of minutes (Extraordinary meeting of Council, 16 April 2020)

Item 1 Rent Relief

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

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
1. Rent Relief	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	Section 7(2)(h)

Agenda Items

Item 7 *Acquisition of land from Cardrona Ltd*

Item 8 *Cardrona Valley Waste Water Scheme Update and Funding Confirmation*

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
7. Acquisition of land from Cardrona Ltd	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);	Section 7(2)(h) Section 7(2)(i)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
8. Cardrona Valley Waste Water Scheme Update and Funding Confirmation	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)

This recommendation 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.

For: Mayor Boulton; Councillor Clark, Councillor Copland, Councillor Ferguson, Councillor Lewers, Councillor MacDonald, Councillor MacLeod, Councillor Shaw, Councillor Smith

Against: Councillor Gladding

Abstain: Nil

The motion to exclude the public was put and carried.

The meeting went into public excluded at 3.43pm at which point it adjourned briefly.

It resumed in public excluded at 3.48pm.

The meeting came out of public excluded and concluded at 4.15pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

MAYOR

DATE