

QLDC Council
8 October 2020

Report for Agenda Item | Rīpoata moto e Rāraki take : 7

Department: Chief Executive's Office

Title | Taitara: Chief Executive's Report

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

The purpose of this report is to report on items of general interest and to summarise items considered at recent standing committee.

RECOMMENDATION | NGĀ TŪTOHUNGA

That Council:

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

Jopp Street Affordable Housing

2. **Amend** the minutes of the ordinary Council meeting held on 18 April 2019 to read: "Agree to change the purpose of the land to that of Affordable Housing from public utility (subject to the approval of the Minister of Local Government)";

COVID-19 Recovery (Fast-track Consenting) Act 2020

3. **Delegate** the power to nominate a person to any Expert Consenting Panel under the provisions of the COVID-19 Recovery (Fast-track Consenting) Act 2020 to the Chief Executive in conjunction with the General Manager Planning and Development;

Use of the Wānaka Asset Sale Reserve for the Luggate Hall Replacement project

4. **Agree** that that \$1,000,000 from the Wānaka Asset Sale Reserve be allocated to the Luggate Hall replacement project;

Pisa Alpine Charitable Trust – New Snow Farm School Hut - Lessor's Consent

5. **Agree** to exercise the Minister's consent (under delegation from the Minister of Conservation) to approve the new structure on behalf of Council as lessor.

Wanaka Tennis Club: Lessor's Approval and Affected Person's Approval to Install New Flood Lights

6. **Agree** to exercise the Minister's consent (under delegation from the Minister of Conservation) to approve the new flood lights on behalf of Council as lessor; and

Queenstown Lakes District Council Libraries Strategy 2020-2030 (updated August 2020)

7. **Adopt** the Queenstown Lakes District Council Libraries Strategy 2020-2030.

Prepared by:



Name: Mike Theelen
Title Chief Executive
24/09/2020

CONTEXT | HOROPAKI

Jopp Street Affordable Housing

- 1 The Council owns a 3.6 ha block of land in Arrowtown on Jopp Street that is held as endowment land for the purposes of public utility. Endowment property must be retained by the Council for the purpose for which the property was vested (Section 140 of the Local Government Act 2002). However the Minister of Local Government may approve a change of use. Section 141 provides that Council may sell endowment land provided that the proceeds of sale are applied in a way consistent with the endowment purpose. The site is no longer required for utility services and has been discussed as a potential location for affordable housing for many years.
- 2 In early 2019 the Queenstown Lakes Community Housing Trust proposed that the land be passed to them to create 65 perpetually affordable homes for the Arrowtown community.
- 3 On 18 April 2019 the Council resolved to pass the land to the Trust to create retained affordable housing. At the same time, the Council also resolved to request a change in use for the endowment land for the Minister of Local Government's approval. The change in use was requested to be 'housing'.
- 4 On 24 February 2020 the Minister granted permission to change the use of the endowment land to that of 'Affordable Housing', rather than 'housing'. This slight change does not materially impact Council or the Trust's intention for the use of the land, but does mean that there is an inconsistency with the Council's resolution. Accordingly, the Council is asked to make this minor alteration to the previous resolution:

That the Council amend the resolution of 18 April 2019 to read "Agree to change the purpose of the land to that of Affordable Housing from public utility (subject to the approval of the Minister of Local Government);"

COVID-19 Recovery (Fast-track Consenting) Act 2020

- 5 Central Government has introduced a short-term consenting process to fast track projects that can boost employment and economic recovery. The Act came into effect on 9 July 2020 and is in place for two years from that date. The Resource Management Act 1991 (RMA) remains the primary legislation to manage the built and natural environment. The fast-track consenting Act does not amend the RMA itself. It only provides an alternative consenting pathway.
- 6 The Act establishes three pathways for a project to access the fast-track consenting process:
 - Projects listed in the Act at time of enactment
 - The Queenstown Arterials Project (QLDC) and Te Pa Tahuna Residential Development (Ngai Tahu Property Ltd and Ministry for Housing and Urban Development) are the only listed projects in the Queenstown Lakes District
 - Projects confirmed through Orders in Council
 - Applies to all other public and private projects

- Applications are made to the Minister for the Environment, and if the Minister is satisfied the project meets the purpose of the Act and eligibility criteria, the project will gain access to the fast-track process via an Order in Council
 - Permitted works on existing infrastructure for small scale repair, maintenance and minor upgrade works
 - This pathway pertains in the first instance to Waka Kotahi NZ Transport Agency and KiwiRail Holdings Ltd, though Kainga Ora, Ministry for Housing and Urban Development, and local government can also access this pathway
- 7 An Expert Consenting Panel will hear and determine the outcome of projects accepted for the fast-track consenting process. This panel for each project is to be made up of:
- A panel convenor (chairperson) who is a current or retired Environment Court Judge or senior lawyer with resource management experience
 - 1 person nominated by the relevant iwi authorities
 - 1 person nominated by the relevant local authority – in this case, QLDC
- 8 For each accepted fast-track project Council will need to nominate a person to sit on the Expert Consenting Panel. The Act requires that the panel must collectively have the skills and experience relative to resource management, technical expertise relevant to the project and expertise in tikanga Māori and matauranga Māori. Given this and the importance also to have knowledge of the district, Council will consider its established pool of accredited RMA Hearing Commissioners, however, may also need to consider other accredited RMA Commissioners in order to provide the relevant experience and technical skills that these projects may warrant. While only two projects from the district are listed under 6 above, it is unknown how many projects may be accepted through Orders in Council between now and July 2022, and how many projects may end up running through the process concurrently. This means that Council may have to nominate more than one person to the Expert Consenting Panel.
- 9 It is also possible that Council may need to nominate a joint representative with the Otago Regional Council where proposals also require consent from the Regional Council. If this is the case, officers will engage with ORC representatives to agree an appropriate joint representative where possible.
- 10 Once a project is accepted to the fast-track consenting process, statutory timeframes under the Act come into play and need to be met. The nomination by Council of a person to the Expert Consenting Panel in a timely manner will be critical. To facilitate this it is recommended that the Chief Executive in conjunction with the General Manager Planning and Development be delegated to nominate a person to the Expert Consenting Panel.

Recommendations from Wanaka Community Board

Use of the Wānaka Asset Sale Reserve for the Luggate Hall Replacement project

- 11 On 17 September 2020, the Wānaka Community Board formally agreed with a recommendation to full Council to allocate \$1,000,000 from the Wānaka Asset Sale Reserve to the Luggate Hall Replacement project.

- 12 Council are out to market now with a Registration of Interest, the first stage in the procurement process for a main construction contractor. Construction is expected to begin in early 2021, with an expected construction programme of nine months.
- 13 The Wānaka Asset Sale Reserve, which includes funds from the sale of Scurr Heights, is to be used for projects that benefit the Wānaka Ward. The new Luggate Memorial Centre will be a QLDC-operated asset that will be a focal point for the local community as well as residents of the wider district and visitors. Council is being asked to approve the allocation of \$1,000,000 from the Wānaka Asset Sale Reserve, following the Wānaka Community Board's agreement to the recommendation.
- 14 The Asset Sale Reserve currently has \$9,050,000 funds available and this \$1,000,000 contribution toward the Luggate Memorial Centre total budget of \$4,845,000 for the District's first Passive House certified standard mass-timber community building is considered appropriate. The Council has also received confirmation of funding contributions from the Central Lakes Trust (\$750,000) and the Community Trust of Otago (\$400,000) to this project.

Pisa Alpine Charitable Trust – New Snow Farm School Hut Lessor's Consent and Affected Person's Approval

- 15 The Pisa Alpine Charitable Trust ('PACT') operates the Snow Farm on the Pisa Range. The land is owned by Council and leased to the Trust for a term of 33 years beginning on 6 November 2021. There are two existing huts on site but the Trust wishes to add a further hut to cater for growth. Lessor's consent is required for any building work. At the Wanaka Community Board meeting held on 17 September 2020 the Board gave Affected Person's Approval and recommended that the Council exercise the Minister's consent (under delegation from the Minister of Conservation) to approve the new structure on behalf of Council as Lessor.

Pisa Alpine Charitable Trust – New Snow Farm School Hut Lessor's Consent and Affected Person's Approval

- 16 The Wānaka Tennis Club has a lease with the Council to occupy land between Upton and Warren Streets, Wānaka. The club is seeking resource consent to install eight new flood lights to illuminate two of the tennis courts. The lease agreement states that the lessee shall not make any alterations or additions to the premises without both the Minister's and the Lessor's prior written approval. At the Wanaka Community Board meeting held on 17 September 2020, the Board gave Affected Person's Approval to enable the resource consent application to progress. The Board also recommended that the Council exercise the Minister's consent (under delegation from the Minister of Conservation) to approve the new structure on behalf of Council as Lessor.

Recommendation from Community and Services Committee

Queenstown Lakes District Council Libraries Strategy 2020-2030

- 17 The Queenstown Lakes District Council Libraries Strategy 2020-2030 was originally completed in March 2020, which coincided with the beginning of New Zealand's response to the COVID-19 pandemic. In August 2020 the strategy was revisited to reflect the

changed circumstances and was updated with new information where relevant, changed timelines, re-focused emphasis and detail about the role that libraries can play in the Council's recovery plan.

18 The Community and Services Committee recommended at its meeting held on 24 September 2020 that the full Council adopt the strategy.

Committee Meetings of Previous Round

District Licensing Committee Hearing – Mr John Mann (2 September 2020)

Information:

- 1 Red Circle Limited
- 2 Grant Hepburn Lawrie
- 3 Lauren Smith

Planning and Strategy Committee – Councillor Clark (10 September 2020)

Information:

- 1 296 Glenorchy – Queenstown Road Sunshine Bay – Further information
- 2 Proposed rezoning of part of 296 Glenorchy – Queenstown Road, Sunshine Bay to Medium Density Residential
- 3 Evaluation of possible zones and overlays for Mt Iron, Wānaka
- 4 Update on the National Policy Statement on Urban Development 2020
- 5 Request to mediate in relation to the appeal by D & M Columb against the decline of resource consent RM160923
- 6 Update on resource consent appeals before the Courts

Items 5 and 6 were considered with the public excluded.

Wānaka Community Board – Mr Barry Bruce (17 September 2020)

Ratification:

- 1 Use of the Wānaka Asset Sale Reserve for the Luggate Hall Replacement project; agreement of the new facility name (Refer above for further detail)
- 2 Pisa Alpine Charitable Trust – New Snow Farm School Hut - Lessor's Consent and Affected Person's Approval
- 3 Wānaka Tennis Club: Lessor's Approval and Affected Person's Approval to Install New Flood Lights

Information:

- 4 Willowridge Developments' application to name one new vested road – 'Sir Cliff Skeggs Drive'
- 5 Chair's Report

Community & Services Committee – Councillor Ferguson (24 September 2020)

Ratification:

- 1 Queenstown Lakes District Council Libraries Strategy 2020-2030 updated August 2020