QUEENSTOWN LAKES DISTRICT COUNCIL

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 18 March 2021 commencing at 1.00pm

Present:

Mayor Boult; Councillors Clark, Copland, Gladding, Ferguson, Lewers, MacLeod, Shaw and Smith

In attendance:

Mr Mike Theelen (Chief Executive Officer), Mr Stewart Burns (General Manager, Finance, Legal and Regulatory), Mr Peter Hansby (General Manager, Property and Infrastructure), Ms Meaghan Miller (General Manager, Corporate Services), Mr Tony Avery (General Manager, Planning and Development), Mr Ian Bayliss (Manager, Policy Planning), Ms Katie Russell (Policy Planner), Ms Michelle Morss (Strategy and Development Manager, Corporate Services), Mr Ulrich Glasner (Chief Engineer), Ms Caroline Dumas (Spatial Plan Manager), Ms Kahli Scott (Film Office Co-ordinator), Mr Peter Harris (Economic Development Manager), Mr Geoff Mayman (Commercial and Procurement Manager), Mr Anthony Hall (Manager, Regulatory), Mr Colin Keel (Chief Executive, QAC), Mr Andrew Williamson (GM Finance and Commercial, QAC), Mr Gareth Noble (Programme Director), Mr Paul Speedy (Strategic Projects Manager) and Ms Jane Robertson (Senior Governance Advisor); two members of the media and approximately 15 members of the public

Apologies/Leave of Absence Applications

An apology was received from Councillor Miller.

The following requests for Leave of Absence was made:

- Councillor Gladding: 30-31 March
- Councillor Ferguson: 1-27 April
- Councillor Shaw: 19-30 April
- Councillor Lewers: 25 March – 1 April; 27-30 April

On the motion of the Mayor and Councillor Smith the Queenstown Lakes District Council resolved that the apology be accepted and the requests for leave of absence be granted.

Declarations of Conflicts of Interest

Councillor MacLeod and Councillor Smith declared a conflict of interest in item 5 ('Decisions on Submissions to Proposed District Plan Stage 3 and 3b') as they had both acted as Commissioners for various hearings conducted as part of these stages.

The Mayor declared a conflict of interest in item 11 ('Options for the Delivery of the Lakeview Infrastructure Programme') because a company in which he had an interest had a relationship with one of the parties involved in an advisory role in the project.

Public Forum

1. Pierre Marasti (Extinction Rebellion): *Climate change et al*
   Mr Marasti presented data from 2020 showing the cost of climate change in that period. He referred to the cost (both financial and in human life) of weather disasters in 2020 and the increasing speed of the ice melt, adding that the United Nations did not now consider that international climate change measures were enough to reverse the trend. 2021 had not started any better with unusually heavy snow storms in Europe, storms in Fiji and a state of emergency in Hawaii due to flooding. More locally, there had been wildfires in Australia followed by floods, record temperatures in Timaru and Ashburton and cherry crops ruined in Central Otago. Rising temperatures in Otago also threatened the future of the fruit-growing and skiing industries in the region.

Confirmation of Agenda

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

Confirmation of Minutes

28 January 2021

On the motion of the Mayor and Councillor Gladding the Queenstown Lakes District Council resolved that the minutes of the ordinary meeting of the Queenstown Lakes District Council held on 28 January 2021 be confirmed as a true and correct record.

25 February 2021

On the motion of the Mayor and Councillor MacLeod the Queenstown Lakes District Council resolved that the minutes of the extraordinary meeting of the Queenstown Lakes District Council held on 25 February 2021 be confirmed as a true and correct record.

1. **Ten Year Plan Consultation Document**

A covering report from Meaghan Miller (General Manager, Corporate Services) introduced the 2021-2031 Ten Year Plan Consultation Document and supporting documents in order to begin public consultation.

Ms Miller and Mr Burns presented the report.

Ms Miller acknowledged the hard work of the team of staff involved in preparing the Ten year Plan and consultation document. She advised of two minor changes to the documents, being a correction of 'comprises' to 'compromises' in the consultation document and a heading change in Volume 2 from 'Quantified Limits on Borrowing' to 'Quantified Limits on Rates'. Further the audit opinion on the consultation document had been received and circulated earlier in the day.

There was further discussion about the Lakeview project; Councillor Gladding sought clarification on when consultation had been undertaken on the funding and use of the land. Various comments of support for the Ten Year Plan and the consultation document were made.

Councillor Shaw acknowledged the huge amount of work involved in preparing the plan and consultation documentation but she did not consider that the community's wish for the Council to take stock of the situation had been adequately captured in it. Because the plan was essentially consulting on 'business as usual' and there was little ability to change its underlying assumptions, she did not support the recommendation.

Councillor Smith stated that he was unable to endorse this plan because the Upper Clutha area needed a greater share of the proposed expenditure. This lack of balance across the district meant that he would not support the recommendation.

Councillor Gladding also spoke against the recommendation. She agreed that it was simply enabling business as usual with no adjusted view to enable a Zero Carbon Emissions programme. She also had concerns that some of the proposed expenditure was pre-determined. For these reasons, she did not support the recommendation.

On the motion of Councillor Lewers and the Mayor it was resolved that the Queenstown Lakes District Council:

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

2. **Adopt the Ten Year Plan (Long Term Plan) supporting documents (Volumes 1 and 2);**

3. **Adopt the Draft Ten Year Plan (Long Term Plan) Consultation Document for consultation;**

4. **Approve the Council entering into consultation on the proposed amendments to the Policy on Development Contributions in accordance with Part 6, section 106 (6) of the Local Government Act 2002; and**

5. **Adopt the Draft Significance and Engagement Policy 2021 to undertake consultation through the Draft Ten Year Plan Special Consultation Process.**

The motion was put and carried on a show of hands 6:3, with Councillors Gladding, Shaw and Smith recording their votes against the motion.

2. **Queenstown Airport Statement of Intent**

A covering report from Meaghan Miller (General Manager, Corporate Services) introduced the Queenstown Airport Corporation draft Statement of Intent (SOI) for the year ending 30 June 2022.

Ms Miller presented the report.

The Chief Executive explained how the Council would be involved in developing comment to the QAC Board on the draft SOI.

Councillor Gladding asked the Mayor to take the parts of the motion separately. He confirmed that he would put parts 1-3 together and then (4) as a separate motion.

On the motion of the Mayor and Councillor Copland it was resolved that the Queenstown Lakes District Council:

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

2. **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.**

3. **Receive the Draft Queenstown Airport Statement of Intent Year ending 30 June 2022 prior to being asked to agree the final SOI on 30 June 2021.**

The motion was carried unanimously.

On the motion of the Mayor and Councillor Copland it was resolved that the Queenstown Lakes District Council:

4. **Authorise the Chief Executive to provide Council comment to the QAC Board and Executive on or before 1 May 2021 in accordance with the Act.**

Councillor Gladding recorded her vote against the motion.

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3. **Queenstown Airport Six Month Report**

A covering report from Stewart Burns (GM Finance, Legal & Regulatory) presented the financial and management report for Queenstown Airport Corporation ('QAC') for the half year to 31 December 2020.

Mr Keel and Mr Williamson presented the report and commented further on the effects of COVID-19 on the airport's business over the last six months.

> **On the motion of Councillor Lewers and Councillor Gladding it was resolved that the Queenstown Lakes District Council note the contents of the report and receive the half yearly report of the Queenstown Airport Corporation.**

4. **Update to the Hāwea Special Housing Area Deed between Council and Universal Developments**

A report from Katie Russell (Policy Planner) assessed a further request to amend clause 43 of the Hawea Special Housing Area Deed, on this occasion to change the percentage of land that could be sold as bare land from 30% to 40% (noting that the original request had been a change to 50%), and to exempt first home buyers from the constraint on the sale of bare land. The intent of this change was to allow more flexibility in how some of the development could be sold. The report recommended that the Council approve the updated request and to allow the changes to be added to the Deed of Agreement.

Mr Avery and Ms Russell presented the report.

Councillor Shaw expressed support for discouraging property speculation but noted that the core ethos of the SHA legislation had been to increase the amount of housing stock and supporting this change would have the opposite effect. Accordingly she rejected the recommendation and stated that she wished to move instead 'not to accept the proposed variations of clause 43 of the Deed'. This was Option 2 in the officer report.

It was moved (Councillor Shaw/Councillor Gladding):

> "That the Council does not accept the proposed variations to Clause 43 of the Hāwea Special Housing Area Deed."

There was further discussion about the ramifications of such a motion. Members recognised that if the motion failed, under Standing Order 22.5 Council was prevented from moving a direct negative and the status quo would prevail. In light of this, the Mayor asked Councillor Shaw to withdraw her motion and this was agreed.

There was discussion about the need for affordable housing in the district and the fact that no other SHA Deeds that had been agreed in the district contained such affordability measures.

Councillor Smith considered that the aim of the Universal Developments SHA proposal was for sections to be sold and houses built and this was the original intent of clause 43. Accordingly, he did not support the officer recommendation to permit the change.

On the motion of Councillor Clark and Councillor Lewers it was resolved that the Queenstown Lakes District Council:

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

2. **Accept the two proposed variations to clause 43 of the Hāwea Special Housing Area Deed.**

3. **Direct the General Manager Planning and Development to confirm these changes.**

Councillors Gladding, Shaw and Smith recorded their votes against the motion.

Councillor MacLeod and Councillor Smith withdrew from the table.

5. **Decisions on Submissions to PDP Stages 3 and 3b**

A covering report from Ian Bayliss (Planning Policy Manager) presented the reports and recommendations of independent commissioners on provisions and matters raised in submissions for the variations and chapters of the Proposed District Plan constituting Stages 3 and 3b of the district plan review and sought ratification of them as a Council decision. The recommendation sought Council approval to notify decisions on chapters 18A General Industrial, 19A Three Parks Commercial, 19B Three Parks Business, 20 Settlement Zone, 39 Wāhi Tūpuna, 46 Rural Visitor Zone, Business Mixed Use and Residential Design Guidelines, Arthurs Point North and 101 Ballantyne Road re-zonings, Open Space and Recreation, Glare, Fire Fighting, Wānaka Medium Density Residential, and Frankton Road Height Control in accordance with Clause 10 and 11 of the First Schedule of the Resource Management Act 1991.

Mr Avery and Mr Bayliss presented the report.

Members acknowledged the major contributions of Mr Bayliss and Mr Barr to ensuring the completion of this work.

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

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

2. **Adopt the Independent Commissioners reports and recommendations as the Council's decision and direct staff to notify the decision in accordance with Clause 10**

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and 11 of the First Schedule of the Resource Management Act 1991 and;

3. **Direct staff to alter the Proposed District Plan provisions to reflect the Independent Commissioners' recommended chapters, to correct minor errors and to make changes of minor effect in accordance with Clause 16(2) of the First Schedule of the Resource Management Act 1991 as recommended in the reports and recommendations;**

4. **Note that adopting the reports and recommendations on submissions as the Council's decision means the Council also adopts the independent hearing panel's reasons for those decisions on groups of submissions and individual submissions as set out in the recommendation reports;**

5. **Note that adopting the reports and recommendations as the Council's decision does not mean Council has formed a view on possible future variations, possible withdrawal of areas of land from the current review and other possible future decisions mentioned in the reports and recommendations.**

Councillor MacLeod and Councillor Smith returned to the table.

6. **Proposal to amend the fees and charges schedule used for resource consents, building consents, resource management engineering and other matters**

A report from Rachel Beer (Planning Support Manager) presented proposed changes to the fees and charges for resource consents, building consents, resource management engineering and other matters for consultation through the special consultative procedure.

Mr Avery presented the report. He noted that fees and charges had not increased for three years. He advised of a minor change to the Statement of Proposal in that public notification would now occur on 24 March 2021.

On the motion of Councillor MacLeod and Councillor Clark it was resolved that the Queenstown Lakes District Council:

1. **Note the contents of this report and in particular the Statement of Proposal and proposed changes to the fees and charges schedule used for resource consents, building consents, resource management engineering and other matters; and**

2. **Adopt the Statement of Proposal including proposed amendments to the fee schedules used for resource**

consents, building consents, resource management engineering and other matters contained in Attachment A as part of a special consultative procedure; and

3. **Authorise the public notification of the Statement of Proposal as part of a special consultative procedure; and**
4. **Appoint a hearings panel consisting of Councillors Clark, Lewers and MacLeod to consider submissions prior to the Council consideration of submissions on the Long Term Plan.**

7. **Queenstown Spatial Plan**

A covering report from Caroline Dumas (Spatial Plan Manager) introduced the supporting documentation and the Consultation Summary Document for the draft Queenstown Lakes Spatial Plan for adoption to allow public consultation to commence. The report also noted that a hearing panel of two was required, adding that Mr David Mead had been identified the hearing panel Chair and the report sought confirmation of this appointment.

The Council acknowledged the key role staff member Anita Vanstone had played in the early development of the Spatial Plan.

On the motion of the Mayor and Councillor Ferguson it was resolved that the Queenstown Lakes District Council:

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

2. **Adopt a special consultative procedure in accordance with section 83(1) of the Local Government Act 2002 in relation to the draft Queenstown Lakes Spatial Plan;**

3. **Adopt the supporting documentation, and the Consultation Summary document for the draft Queenstown Lakes Spatial Plan, to be publicly notified on 19 March 2021 for a period of submissions until 19 April 2021, followed by a hearing of submissions received;**

4. **Appoint a hearings panel of Councillor Lewers and Councillor Smith to hear submissions and make recommendations to the Council and Partnership on adoption of the Queenstown Lakes Spatial Plan, in accordance with Schedule 7 of the Local Government Act 2002; and**

5. **Appoint the Chairperson as David Mead, to hear and consider the submissions on the proposal and make recommendations to Council and the Partnership on**

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adoption of the Queenstown Lakes Spatial Plan; in accordance with Schedule 7 of the Local Government Act 2002.

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8. Submission on the Water Services Bill

A covering report from Alice Conway (Policy and Performance Advisor) presented a submission on the Council's behalf to the Water Services Bill and sought retrospective approval of it, noting that the submission had been lodged with the Health Committee on 2 March 2021.

Ms Morss and Mr Glasner presented the report.

On the motion of Councillor MacLeod and Councillor Clark it was resolved that the Queenstown Lakes District Council:

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

2. **Approve retrospectively the contents of the submission.**

9. Council Interim Support for the Film/Television Production Industry

A report from Kahli Scott (Film Office Co-ordinator) proposed an interim arrangement for the Council to support the film and television industry by waiving or reducing some of its fees and charges for a term of 12 months and sought the Council's approval of the proposal.

Ms Miller, Mr Harris and Ms Scott presented the report. In response to questions, Ms Miller confirmed that what was proposed represented a very modest encouragement and did not impact upon the processing of applications which was already efficiently delivered. She stressed that the proposal had been developed in response to a particular approach from the film industry.

On the motion of Councillor Clark and Councillor MacLeod it was resolved that the Queenstown Lakes District Council:

1. **Note the contents of this report and in particular the current economic climate and the express need to focus on diversification in the Queenstown Lakes District;**

2. **Approve the proposal to waive or reduce fees and charges for film and television productions on a discretionary basis (to be approved by the Economic Development Manager) for a term of 12 months, noting that the cost will continue to be on-charged where applicable in line with community charging;**

3. **Agree to delegate to the Chief Executive to review the arrangement at the conclusion of the 12 month term with the option to extend for another 12 month period.**

10. **Chief Executive's Report**

A report from the Chief Executive presented information about:

a) Appointment of Councillor MacLeod to the Board of the Film Otago Southland Trust;

b) Appointment of existing member Stuart McLaughlin as Deputy Chair of the Audit, Finance and Risk Committee, with immediate effect;

c) Addition of further clauses to the resolution made on 23 July 2020 about a reserve exchange to resolve a development encroachment by Queenstown Commercial Ltd;

d) Approval to restart the Queenstown Gardens project because of its interface with the Recreation Ground pipe work and the opportunity for the gardens pathway to be upgraded as the same time; Council approval was sought to reallocate $400,000 of the Coronet Forest Revegetation budget to allow this work to take place;

e) Proposed extension of the COVID-19 Rent Relief Policy until 31 December 2021 and a 50% reduction in table and chairs licences.

Audit, Finance and Risk Committee membership

The Mayor noted that the membership of all committees would be reviewed following the election of a new Councillor to replace Councillor MacDonald. Mr McLauchlan would act as the Audit, Finance and Risk Committee chair until this time.

Extension of COVID-19 Rent Relief and Tables and Chairs Licence Fees Discount

It was noted that Councillor Copland, acting in his role as a member of the Audit, Finance and Risk Committee, would now join the team delegated to administer the COVID-19 Rent Relief Policy. It was agreed to add this point to the resolution.

On the motion of Councillor Clark and Councillor Shaw it was resolved that the Queenstown Lakes District Council:

1. Note the contents of this report;

Appointment to Film Otago Southland Trust

2. Agree to appoint Councillor MacLeod to the Film Otago Southland Trust;

Appointment of Deputy Chair of Audit, Finance & Risk Committee

3. Appoint Stuart McLauchlan as Deputy Chair for the Audit, Finance & Risk Committee with immediate effect.

Update of resolution from meeting held 23 July 2020

4. Amend the resolution of 23 July 2020 by adding:

a. Agree that the transfer may now be completed in accordance with Resource Consent RM200276; and

b. Approve section 114 of the Public Works Act 1981 being used to make 45m^2 of recreation reserve on Lot 321 DP 37403 (Area A) legal road in the event that the road vesting cannot be effected using the Resource

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Management Act 1991 or gazettal process under the Reserves Act 1977;

Te Kararo/Queenstown Gardens Development Plan

5. Approve the recommencement of the Te Kararo/ Queenstown Gardens Stage One project due to its interface with the Recreation Ground pipe work and the opportunity for the Gardens Path to be upgraded at the same time;
6. Approve the reallocation of $400,000 of the Coronet Forest Revegetation budget to the Queenstown Gardens Development Plan Stage 1 project;

COVID-19 Rent Relief Policy Update

7. Approve the extension of the COVID-19 rent relief policy through until 31 December 2021;
8. Approve a one-off 50% decrease in Table and Chairs licence fees that come due in the 2021 calendar year; and
9. Appoint Councillor Copland onto the group delegated to act in liaison with the Chief Executive to consider applications for COVID-19 Rent Relief.

Resolution to Exclude the Public

On the motion of the Mayor and Councillor Lewers the Queenstown Lakes District Council resolved 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:

Agenda items

Item 10a:	***Chief Executive's Report – Budget adjustments for Beacon Point New Reservoir and Queenstown Recreation Ground Pump Station***
Item 11:	***Options for the Delivery of the Lakeview Infrastructure Programme***
Item 12:	***Procurement Plan Waterways Regulatory Services Contract***
Item 13:	***Procurement Plan Regulatory Services Contract***

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
10a. CE Report: Budget adjustments for Beacon Point New Reservoir and Queenstown Recreation Ground Pump Station	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)
11. Options for the Delivery of the Lakeview Infrastructure Programme	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)

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General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
12. Procurement Plan Waterways Regulatory Services 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: 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)
13. Procurement Plan Regulatory Services 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: 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)

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.

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The meeting went into public excluded at 2.51pm at which point it adjourned briefly.

The Council reconvened in public excluded at 2.57pm.

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The meeting came out of public excluded and concluded at 3.24pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

MAYOR

26.1.22.

DATE