

**Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday, 12 September 2019 commencing at 1.00pm**

**Present:**

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

**In attendance:**

Mr Mike Theelen (Chief Executive), Mr Tony Avery (General Manager, Planning and Development), Mr Peter Hansby (General Manager, Property and Infrastructure), Mr Tony Pickard (Transport Strategy Manager), Mr Ian Bayliss (Planning Policy Manager), Ms Michelle Morss (Strategy and Development Manager), Ms Katie Russell (Policy Planner), Mr Aaron Burt (Senior Planner, Parks and Reserves), Mr Dan Cruickshank (Property Advisor, APL Property Ltd) and Ms Jane Robertson (Senior Governance Advisor)

**Apologies/Leave of Absence Requests**

There were no apologies or requests for leave of absence.

**Declarations of Conflicts of Interest**

No declarations of interest were made.

**Matters Lying on the Table**

There were no matters lying on the table.

**Public Forum**

1. Will Hodgson, Chair, Tucker Beach Residents' Society

Mr Hodgson expressed concern about Tucker Beach Reserve becoming part of the Queenstown Trails network. A new highly visible suspension bridge was proposed. This was inappropriate as both the Shotover River Gorge and Tucker Beach Reserve were Outstanding Natural Features in the Operative and Proposed District Plans and the area had a high natural amenity and recreational values. The society supported expansion of the trails network but this proposal and the bridge in particular would have unacceptable adverse effects. It would be visible from a number of properties and there were safety issues with using Tucker Beach Road as part of the trail. The society understood that the Trails Trust viewed the bridge as the only way of creating a link because negotiations for an alternative route had fallen down. They did not consider this was a valid reason for pursuing the bridge option. They strongly opposed the proposal but were open to further discussions about alternative options.

2. Pierre Marston (Extinction Rebellion – Queenstown Branch)

Mr Marston noted that the current fire in the Brazilian rain forest was destroying an important ecosystem. He believed that the Council was committing an equivalent action by not acting proactively against limiting air travel in the district. He cited various examples of climate change: 2018 had been the second warmest on record; there was a high risk of rural fire in the region; the closure of the road to Fox Glacier; NIWA's warning about the threat of coastal flooding; record hot temperatures in Japan. He considered that these scenarios should remind the Council about the urgency of the situation.

3. Tony Williams (Chief Executive, Queenstown Trails Trust)

Mr Williams stated that the Trust fully supported the business case as presented in the agenda, especially those tracks that would link the new residential centres. Until these networks were in place, the community at large was unlikely to embrace active transport. The Trust expected to have to liaise with residents' groups such as those in Tucker Beach, and he was grateful for the opportunity to feed into solutions.

4. Darryl Rogers

Mr Rogers spoke about the Council's Climate Action Plan. He believed that the 'devil was in the detail' and asked how the 17 sustainability goals would be prioritised. Most concerning in his view was the adoption of end goals that did not reflect worldwide goals. Acknowledging climate change goals in all future Council actions would halve the actions possible. He urged the Council to concentrate its efforts where it could have the most effect, like water quality.

1. **Wakatipu Active Travel Network Single Stage Business Case**

A report from Tony Pickard (Transport Strategy Manager) introduced the Wakatipu Active Travel Network Stage Business Case which represented the completion of the strategic planning stage of this project. The report sought approval to progress to detailed design and construction.

Mr Pickard and Mr Hansby presented items 1 and 2.

Mr Pickard acknowledged the Council's partners in the initiative. In response to the concerns raised in the Public Forum, he advised that a key outcome of the detailed design stage was to deal with consenting issues. There would be a clear process for concerned residents to become involved in plans.

Councillor Forbes thanked Mr Pickard for his efforts over a number of years to advance this project; she considered that it was a major step forward in getting people away from using their cars. Councillor MacLeod asked whether this initiative would be extended to the Upper Clutha and other smaller communities. In response, it was noted that the business case provided a sound basis for an on-going relationship with central government and as more certainty was gained about future projects, funding provision could be made in the 10-Year Plan.

The Mayor was enthusiastic about the report and agreed that the active transport network was a district-wide issue. Thanks were also extended to the Queenstown Trails Trust for its ongoing contribution to the project.

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

- 1. Note the contents of this report;**
- 2. Approve the content of the Wakatipu Active Travel Network Single Stage Business Case subject to finance.**
- 3. Direct officers to implement the network in a staged approach by progressing the project to detailed design and construction phases for 2018 – 2021 and 2021 – 2024.**
- 4. Direct officers to review the Wakatipu Active Travel Network for the 2024 – 2030 Long Term Plans.**

**2. Proposed bus layover for new Queenstown to Lake Hayes Estate direct bus service**

A report from Tony Pickard (Transport Strategy Manager) assessed the proposal to establish a bus layover space in either Gorge Road or Robins Road for the new Lake Hayes Estate to Queenstown bus service. A layover area was needed because drivers were required to have 10 minutes' rest for every two hours of driving. The report considered that the better option was to establish the space outside the Council office in Gorge Road and recommended that the Council approve this as a new layover area.

Mr Pickard noted that such a matter was covered by the QLDC Traffic and Parking Bylaw 2019 and should therefore normally be considered by the Traffic and Parking Subcommittee. However, it had not been possible to schedule a meeting of the Traffic and Parking Subcommittee in the limited time until the triennial election.

**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;**
- 2. Approve changes to the new and existing restrictions applying to the on-road parking restrictions 'Option 1 – Additional parking and traffic restrictions applying to Queenstown Lakes District from 1 March 2019 as of 22 May 2019':**

<b>Road/Location</b>	<b>Specific Description</b>
<b>Gorge Road, Queenstown</b>	<b>Bus park for permit holders only to replace 39m of parking shoulder</b>

3. **Queenstown Lakes Community Housing Trust and Council Relationship Framework rental programme protocol**

A report from Katie Russell (Policy Planner) presented information about three rental housing programmes offered by the Queenstown Lakes Community Housing Trust and proposed a rental protocol to guide present and future rental programmes offered by the Trust. The report recommended that these details be added to the Relationship Framework Agreement between the Trust and Council.

Mr Avery and Ms Russell presented items 3 and 4.

Ms Russell advised of a small change recommended to clause 5(b) of the Draft Rental Programmes Protocol, namely, the insertion of an additional word 'may':

*The rent will be set at a fair market rate and an income based subsidy may be applied, discounting the rent to allow households to achieve savings and/or debt reduction goals.*

**On the motion of Councillor MacDonald and Councillor McRobie it was resolved that the Queenstown Lakes District Council:**

1. **Note the contents of this report;**
2. **Adopt the rental programme protocol for inclusion in the Relationship Framework Agreement between Council and the Queenstown Lakes Community Housing Trust;**
3. **Authorise the General Manager Planning and Development to make minor, non-material changes to the protocol.**

4. **Mayoral Housing Taskforce update**

A report from Katie Russell (Policy Planner) presented an update on implementation of the six recommendations of the Mayoral Housing Taskforce. It was noted that this would be final update on this matter for this term of Council and the report acknowledged the contributions during the term of the taskforce members to this work.

Councillor MacDonald extended his own thanks to all those who had participated in the programme, especially the members of the Planning and Development team. Councillor Smith congratulated Councillor MacDonald for his role in this initiative over the Council term, observing that much had been achieved in two years particularly in the area of affordable housing. The significance of the Council's Jopp Street decision was also noted.

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

1. **Note the progress made in implementing the recommendations of the Mayoral Housing Taskforce;**
2. **Request that officers draft a Homes Strategy and Action Plan as part of this ongoing implementation process; and**
3. **Write to Mayoral Housing Taskforce members to thank them for their input and provide them with a final update on progress in implementing their recommendations.**

5. **Kingston Golf Club Lease**

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed granting a lease and a licence to the Kingston Golf Club to occupy road reserve. The report noted that although the club had been formed in 1967 or 1968 and had sought a lease at the time, it had never been completed. The intention to grant a lease had been publicly notified with no submissions received.

Mr Cruickshank and Mr Burt presented items 5 and 6. Mr Cruickshank noted the term of lease offered was of a limited duration because part of the course was located on private land that could be subject to development in the future.

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

1. **Note the contents of this report;**
2. **Approve a new lease over Section 1 Block XVI Kingston, subject to the following conditions:**

<b>Commencement</b>	<b>TBC</b>
<b>Term</b>	<b>3 years</b>
<b>Renewal</b>	<b>Two further terms of 3 years by agreement of both parties</b>
<b>Rent</b>	<b>Pursuant to Community Facility Funding Policy (\$1 per annum at commencement)</b>
<b>Reviews</b>	<b>N/A</b>
<b>Permitted use</b>	<b>Operation and maintenance of a Golf Course and associated activities</b>

<b>Insurance</b>	<b>Lessee to hold Public Liability Insurance of at least \$2,000,000</b>
<b>OPEX</b>	<b>Lessee to pay rates (if applicable), utilities and maintenance</b>
<b>Safety/Suspension</b>	<b>Council to retain ability to suspend the licence for safety or other purposes</b>
<b>Termination</b>	<b>Council can give 1-year cancellation notice if the land is required for core infrastructure purposes (but not in the first term)</b>

- 3. Delegate final lease terms and conditions and signing authority to the General Manager Community Services.**
- 4. Grant a licence to occupy unformed legal road reserve to the Kingston Golf Club subject to the following conditions;**
  - a. The licence shall remain at Council's pleasure and may be terminated with 3 months' notice.**
  - b. All services including 3-waters, phone, power and gas within the road reserve is to be identified and catered for and no compromise shall be made to Council Infrastructure or access to same.**
  - c. The reserve is to be maintained by the Licensee so that it remains in good appearance and no safety hazard is created.**
  - d. Public access to the road reserve shall not be impeded.**

**6. Underground Service Easement Underground Service Easement over Recreation Reserve Adjacent to 719 Frankton Road, Queenstown**

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application for an underground services easement over Recreation Reserve to allow the owners of 715-719 Frankton Road to connect services and discharge stormwater to an existing overland flow path. The report noted that the applicants had previously applied to an easement to connect to stormwater services in relation to Lot 11. This latest application sought to include the adjacent Lot 10. The report recommended that the easement be granted, noting that the public rights to the reserve were not likely to be damaged, nor was the reserve going to be materially altered or permanently damaged by granting the easement.

**On the motion of Councillor Miller and Councillor Hill it was resolved that the Queenstown Lakes District Council:**

- 1. Note the contents of this report;**
- 2. Approve an underground easement over Recreation Reserve, Section 50 Blk XXI Shotover SD subject to section 48 (1)(d) of the Reserves Act 1977, in favour of the properties on titles OT1C/801 and OT2D/451 being Lots 10 & 11 DP 10787.**
- 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;**
- 4. Delegate authority to approve final terms and conditions, including location, and execution authority to the General Manager Community Services; 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 PJ Palmer Family Trust over Section 50 Blk XXI Shotover SD.**

**7. Submission to the Productivity Commission – Local Government Funding and Financing**

A report from Michelle Morss (Strategy and Development Manager) presented and sought retrospective approval of QLDC's submission to the Productivity Commission's inquiry into local government funding and financing as the submission deadline had been 29 August 2019.

Ms Morss presented the report. She noted that generally QLDC was in support of the positions taken by LGNZ and SOLGM but had some additional salient points because of being a high growth Council, notably, the introduction of a visitor levy.

**On the motion of Councillor MacLeod and Councillor MacDonald it was resolved that the Queenstown Lakes District Council**

- 1. Notes the contents of this report; and**
- 2. Gives retrospective approval to the submission.**

**8. Chief Executive's report**

A report from the Chief Executive presented information from recent committee and Wānaka Community Board meetings (including the Board's recommendation to

Council about the vesting of reserves and offset of Reserve Improvement Contributions) and sought approval for a budget adjustment to progress the new watermain at Capell Avenue in Hāwea.

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

- 1. Note the contents of this report; and**
- 2. Approve a variance of budget of \$148,766 to be funded from Project 000862, Quail Rise HIF WW Servicing to complete the project 'Construction of New Watermain – Capell Avenue, Hāwea', with Downer appointed as the services provider for the construction works for the total cost of \$588,180.**
- 3. Proposal to Vest Land Accessed off Mount Iron Drive in Wanaka, as two Local Purpose (Connection) Reserves and to Offset Reserve Improvement Contributions as per the Development Contributions Policy**
  - A. That the vesting of the two Local Purpose (Connection) reserves be approved:**  
**Alice & Imelda Ltd, Mount Iron Drive, Wanaka – RM181491**
    - a) Lot 200 (330m<sup>2</sup>)**
    - b) Lot 201 (215m<sup>2</sup>)**  
**subject to the following works being undertaken at the applicant's expense:**
      - i. Consent being granted (as necessary and subject to any subsequent variations) for any subdivision required to formally create the reserves, and to also level out topography (if advised necessary by the Parks & Reserves Planning Manager);**
      - ii. Such a consent for any reserves shall ensure that in any staged development, the creation of a reserve is bound to the first stage to seek title, or subject to alternate timing requirements deemed necessary by the Parks & Reserves Planning Manager;**
      - iii. Presentation of the reserve in accordance with Council's standards for reserves;**
      - iv. The submission of a Landscape Plan to Council by the developer for certification as appropriate, including subsequent implementation of landscape and planting for the reserves. The certification of**

such a plan shall be by the Parks and Reserves Planning Manager.

- v. The formation of sealed pathways on the reserves to a minimum 2 metre wide width, and to also meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
  - vi. A potable water supply point to be provided at the boundary of the reserve lots;
  - vii. 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;
  - viii. The registration of a Consent Notice on any land within the development adjoining the reserves, to ensure any fences on land adjoining, or boundaries along any reserve, shall be no greater than 1.2m in height, and be 50% visually permeable;
  - ix. A three year maintenance period by the current landowner commencing from vesting of the reserves;
  - x. A maintenance agreement being prepared and signed by the Parks and Reserves Planning Manager specifying how the reserves will be maintained during the maintenance period; and
  - xi. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
- B. That any 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.

**Resolution to Exclude the Public**

On the motion of the Mayor and Councillor McRobie it was resolved that the Queenstown Lakes District Council exclude the public from the following parts 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(1)(a) of the Local Government Information and Meetings Act 1987 for the passing of this resolution is as follows:

**Agenda items**

General subject to be considered	Reason for passing this resolution	Grounds under Section 7
<p><b>Item 9:</b> Appointment of RMA Commissioner</p>	<p>That the public conduct of the whole or the relevant part of the processing 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 that of deceased natural persons.</p>	<p>Section 7(2)(a)</p>
<p><b>Item 10:</b> Chief Executive's Salary Review</p>	<p>(i) (a) protect to protect the privacy of natural persons, including that of deceased natural persons.</p>	<p>Section 7(2)(a)</p>

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.

*The meeting went into public excluded at 1.46 pm.*

*The meeting came out of public excluded and concluded at 2.10pm.*

**CONFIRMED AS A TRUE AND CORRECT RECORD**

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**MAYOR**

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**DATE**