

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 27 November 2014 commencing at 1.00 pm.

Present:

Mayor Vanessa van Uden; Councillors Aoake, Ferguson, Forbes, Gazzard, Gilmour, Lawton, Perkins and Stammers-Smith

In attendance:

Mr Adam Feeley (Chief Executive Officer), Mr Stewart Burns (Chief Financial Officer), Mr Marc Bretherton (General Manager, Planning and Development), Ms Meaghan Miller (Director, Chief Executive's Office), Mr Scott Carran (General Manager, Legal and Regulatory), Mr Lee Webster (Manager, Regulatory), Mr Ulrich Glasner (Chief Engineer), Mr Mike Weaver (Manager, Parks and Operations), Ms Kristy Rusher (Senior Solicitor), Ms Michele Poole (Communications Manager), Mr Paul Speedy (Manager, Strategic Projects and Support), Mrs Joanne Conroy (Property Manager, APL Property Ltd), Mr Dan Cruickshank (Senior Property Manager, APL Property Ltd), Ms Averil Kingsbury (Property Manager, APL Property Ltd), Mrs Alyson Hutton (Consultant Planner), Mr Tony Pickard (Senior Planner, Policy), Mrs Vanessa Rees-Francis (Technical Officer) and Ms Jane Robertson (Governance Advisor); 2 members of the media and 6 members of the public

Apologies

Apologies were received from Councillor Cocks and Councillor MacLeod. An apology for lateness was received from Councillor Lawton.

On the motion of Councillors Perkins and Aoake the Council resolved that the apologies be accepted.

Public Forum

1. James Hadley

Mr Hadley addressed the Council about item 11 on the agenda ('Extension of area served by the Lake Hayes Water Supply') as he wished the Council to consider adding two further dwellings (the Ayrburn farm properties) to the scheme as part of this decision. He had approached the Council in February 2014 seeking to connect the Ayrburn farm manager's house and the cottage to the Lake Hayes Water Supply Scheme. At that time, he had been advised that this would not be possible until the Shotover Country reservoir was operational. However, in light of the recommendation to extend the boundary for two other properties in the direct vicinity without this facility being in place, he believed it was pragmatic at this time to add the Ayrburn properties to the scheme as well.

2. Basil Walker

Mr Walker advised that he had been corresponding with the Chief Executive of the Dunedin City Council about the Cricket World Cup. He suggested that to assist Football South which was currently struggling for funding, Queenstown place extensive promotional material at the Forsyth Barr Stadium about

alternative accommodation and air services available in Queenstown. He believed that this could be a valuable addition to Queenstown's events calendar next year and asked the Council to add discussion on this subject to today's agenda.

The Mayor advised that it was not possible to amend the agenda to include discussion on this item, but she would ask the Chief Executive to follow up this suggestion with his counterpart at the Dunedin City Council.

Mr Walker stated that he had attended all six days of the recent Plan Change 50 hearing. He made the following comments in relation to the hearing:

- He sought confirmation from Council via a media release that acceptance of Plan Change 50 would result in the Queenstown Convention Centre being processed as a non-notified consent, meaning that no further public comment on it would be possible.
- At the commencement of the Plan Change hearing he had asked for it to be abandoned because the Lakeview Holiday Park lease was not provided in the hearing evidence. He considered that this information was inextricably linked with the Plan Change and went on to detail why in his view, these links existed.
- He urged postponing the settlement of the lease because of 'mistakes in the lease'. He detailed where he considered there were mistakes. He expressed concern about the ramifications of awarding a 25 year lease for the Lakeview Holiday Park.
- He questioned why the removal of the existing buildings from the Lakeview site had not been mentioned at the hearing and he expressed concern about the potential loss of this valuable asset.

3. Graham Dalziel

Mr Dalziel advised that he had been a submitter to the Dog Control Bylaw and he was pleased that many of the issues raised in submissions had been addressed in the final proposed bylaw. He was particularly happy that reserves had been opened up for dogs off a leash, as areas where dogs could be exercised were needed, although he suggested that it would be helpful to have maps to clarify precisely the location of these areas.

He stressed the importance of consultation with organisations with a direct interest when changes were proposed and expressed concern that no attempt had been made to consult with groups such as the Wakatipu Dog Agility Club. However, overall he was happy with the new bylaw and commended the Councillors and staff for their efforts.

4. Evan Jenkins

Mr Jenkins raised a number of different concerns:

- He expressed concern about the high levels of noise in the Queenstown CBD. He noted that surveys had identified peace and tranquillity as a quality that many people enjoyed in Queenstown, but this was disturbed by the large number of cafés and pubs with loud speakers playing music outside.

- Excessive numbers of sandwich board signs cluttered footpaths and he often had to dodge chairs at outdoor tables which were sitting outside their permitted areas. He believed that this clutter was making Queenstown look third world.
- In Mr Jenkins' view, it appeared that alcohol could be consumed anytime and anywhere in town and he did not consider that the situation was well monitored by police. He was particularly concerned about people drinking alcohol on the beach late at night and believed that the potential for trouble was sufficient evidence of a problem, questioning why actual proof was needed.
- He was concerned about the increasing commercialisation of St Omer Park.
- He did not consider that buskers were well monitored and he was concerned that there would be an influx of them in Queenstown over the summer. He believed that they should perform with no amplification, adding that their presence also contributed to the general clutter on footpaths. There appeared to be no one checking up on buskers and he believed that parking meter wardens could have a role in this.

Leave of Absence Requests

Councillor Gilmour sought a leave of absence from 28 November to 16 December 2014.

**On the motion of Councillors Ferguson and Forbes
the Council resolved that the request for leave of
absence be granted.**

Conflicts of Interest

No conflicts of interest were notified.

Matters Lying on the Table

The item *Proposed Amendment to Property Subcommittee Terms of Reference* remained lying on the table from the ordinary Council meeting held on 25 September 2014.

Confirmation of agenda

The agenda was confirmed without addition or alteration.

1 Report on Dog Control Policy and Practices

A report from Lee Webster (Manager, Regulatory) presented information about the administration of dog control policy and practices in the district during the 2013/2014 financial year as required by Section 10 of the Dog Control Act 1996. The following matters were required to be addressed in the report:

- The number of registered dogs, probationary owners and disqualified owners in the district;
- The number of dogs classified menacing or dangerous as a result of their actions, and the number of dogs classified as menacing by type or breed;
- Infringement notices issued, the type and number of complaints received and prosecutions taken.

Mr Webster joined the table for this and the following two items. He confirmed that all issues examined in the report were trending upwards but of these, roaming dogs was the biggest issue. He added that records indicated that roaming dogs were more likely to be involved in an attack, either on a person or another animal.

On the motion of Councillors Perkins and Aoake it was resolved that the Council:

- a. Approve the form and content of the report;**
- b. Approve the publication of the Dog Control Policy and Practices report and its presentation to the Secretary for Local Government pursuant to section 10A(3) of the Dog Control Act 1996.**

2 Dog Control Bylaw and Dog Control Policy 2014

A report from Lee Webster (Manager, Regulatory) presented a new QLDC Dog Control Bylaw 2014 and a new QLDC Dog Control Policy 2014 for adoption following completion of the Special Consultative Procedure. The report detailed the changes made as a result of public consultation and recommended that the new bylaw and policy be approved.

Councillor Ferguson asked whether sports fields were now areas where dogs could be allowed off a leash. Mr Webster noted that where a sports field was a Council reserve, dogs were permitted to be off a leash.

Councillor Gilmour noted that there were some typographical errors in the documents and she suggested that the resolution include the words 'as amended' so that minor corrections could be made after the Council had approved them. The Council supported this suggestion.

On the motion of Councillors Gilmour and Aoake it was resolved that the Council:

- a. Approve the proposed Queenstown Lakes District Council Dog Control Bylaw 2014 as amended; and**
- b. Approve the proposed Queenstown Lakes District Dog Control Policy as amended.**

3 Litter Infringement Review

A report from Lee Webster (Manager, Regulatory) proposed a new litter infringement fee structure which would provide a graduated infringement fee scale to reflect the severity of the offence and an increased penalty for repeat offenders. This would enable a maximum fee infringement fee of \$400 to be introduced, rather than the current flat infringement fee of \$100.

Mr Webster noted that the Litter Act 1979 Act required the Council to give at least 14 days public notice of its intention to create offences and set infringement fees. This requirement was reflected in part (b) of the recommendation.

Members asked that the *Mirror* or *Southland Times* be added to the publications in which publicity was undertaken. They also asked that the term 'tossers' be deleted from publicity.

On the motion of Councillors Gazzard and Aoake it was resolved that the Council:

- a. Approve the proposed litter infringement fee structure.**
- b. Authorise the notification of Council's intention to pass a resolution adopting the litter infringement regime no less than 14 days prior to the Council meeting of 18 December 2014.**
- c. Note that officers will present a report to Council at its 18 December 2014 meeting seeking the adoption of the infringement fee regime pursuant to sections 13 and 14 of the Litter Act 1979.**

4 Probity Report – Queenstown Lakes District Council Systems and Procedures

A report from Kristy Rusher (Senior Solicitor) detailed the systems and procedures used by Queenstown Lakes District Council to ensure probity of employees. The report defined probity as 'the quality of having strong moral principles, honesty, decency and honour.' Appended to the report were the:

- a. Conflicts of Interest Policy;
- b. Privacy Policy; and
- c. Protected Disclosures Policy.

The report also presented a new Sensitive Expenditure Policy, stating that it already applied to Council staff and contractors and recommending that it also be adopted as applying to elected members.

Ms Rusher joined the table.

The Mayor asked that paragraph 2.3 be amended to read:

'Entertainment and hospitality can cover a range of items from tea, coffee and biscuits to meals and alcohol.'

Ms Rusher was asked to add a recommended action alongside the following conflict of interest activity:

'The private interests of an employee could be seen to influence or compromise the performance of his/her duties'.

Councillors asked that the fact that a protected disclosure had occurred be reported to Council, but noted that this should not reveal the identity of the personnel involved or the issue raised.

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

- a. Note the content of this report as describing broadly Council's systems and procedures to ensure that probity is achieved;**
- b. Note that the Chief Executive has adopted a sensitive expenditure policy (as amended) to apply to employees and contractors;**
- c. Note that (following the evaluation of the Dunedin City Council vehicle fraud) clause 2.4.1 of the sensitive expenditure policy prohibits the disposal of property to employees where the property value exceeds \$500, unless Council provides prior approval;**
- d. Note that the Chief Executive has adopted amendments to the:**
 - i. Conflicts of Interest Policy;**
 - ii. Privacy Policy;**
 - iii. Protected Disclosures**
- e. Note that the Chief Executive has assigned a panel of officers to review and propose amendments to the Council's procurement policies and procedures for the Audit and Risk Committee's consideration, with a report to Council to follow;**
- f. Adopt the proposed sensitive expenditure policy as amended (to the extent it applies to elected members).**

5 Table and Chair Licence Request – Public Kitchen And Bar

A report from Averil Kingsbury (Property Manager, APL Property) detailed an application from Public Kitchen and Bar to place one long communal table, three square tables, four bench seats and nine chairs on recreation reserve adjacent to the Steamer Wharf in central Queenstown. The report noted that the Reserves Act 1977 required public notification of the intention to grant a Table and Chairs Permit on recreational reserve land and this process was to formalise tables and chairs already in place on the proposed site. Additionally, until such time a permit had been granted, temporary approval had been given to continue to occupy the land.

The report recommended that public notification proceed and that the Council appoint three members to hear submissions (if required) and make a recommendation to the full Council.

It was noted that charges for tables and chairs on public land were being reviewed and a report on this subject would be presented to the next Council meeting.

In response to a comment made in the public forum, staff agreed that sometimes chairs encroached on space outside the allocated permit area but this was something that staff monitored and was a consideration when processing a renewal application.

On the motion of Councillors Gazzard and Stammers-Smith it was resolved that the Queenstown Lakes District Council:

- a. Agree to notification of the intention to grant a licence over Section 2 Block XVII, Town of Queenstown, to Public Kitchen and Bar as per the plans submitted and subject to the Table and Chairs policy terms and conditions; and**
- b. Appoint Councillors Gazzard, Gilmour and Stammers-Smith to a hearings panel, of which two are needed to hear any submissions (if required), and make a recommendation to full Council.**

6 New Grazing Lease – Judge and Jury Drive

A report from Dan Cruickshank (Senior Property Manager, APL Property) detailed an application from Mike Smith at Judge and Jury Drive for a grazing lease over an area of recreation reserve. The report advised that the land was recreation reserve and it was therefore a requirement under the Reserves Act 1977 for the Council to advertise the intention of granting a lease and, if there were submissions, to hold a hearing. Accordingly, the report recommended that the Council agree to notify publicly the intention of granting a lease and that three members be appointed to hear submissions (if required) and make a recommendation to the full Council.

On the motion of Councillors Perkins and Forbes it was resolved that the Queenstown Lakes District Council:

- a. Agree to notification of the intention to grant a grazing lease over Lot 400 Deposited Plan 445230 to M Smith for a period of 5 years with one renewal of 5 years mutually agreed, rent of \$950+GST per annum and rent review provision at renewal; and**
- b. Appoint Councillors Aoake, Ferguson and Lawton to a hearings panel, of which two are needed to hear any submissions (if required), and make a recommendation to full Council.**

7. Proposed Glenorchy Local Purpose Reserve land exchange

A report from Joanne Conroy (Property Manager, APL Property Ltd) considered a land exchange for 75 square metres of local purpose reserve in Glenorchy. The land exchange was required in order for new owners of the former Glenorchy Camping Ground, Pounamu Holdings, to create a new access point to their land from Oban Street. The report added that under statute, the intention to exchange the land with Pounamu needed to be publicly notified calling for submissions. If any submissions were received a hearing would be required and for this purpose, the report also asked the Council to appoint a hearings panel of three Councillors to hear submissions and make a recommendation to full Council.

On the motion of Councillors Lawton and Forbes it was resolved that the Council:

- a. Authorise pursuant to section 15 of the Reserves Act 1977, the exchange of 75 square metres of Lot 1 DP 434815 (local purpose beautification reserve) for 75 square metres of Lot 14 DP 434815;**
- b. Authorise the Chief Executive to undertake all steps necessary to effect the exchange of 75 square metres of Lot 1 DP 434815 (local purpose beautification reserve) for 75 square metres of Lot 14 DP 434815, including but not limited to, public notification;**
- c. Authorise the Chief Executive to enter into an agreement to record the exchange of 75 square metres of Lot 1 DP 434815 (local purpose beautification reserve) for 75 square metres of Lot 14 DP 434815 on the following terms:**

- i. Council's final approval
 - ii. The exchange be at least equivalent in terms of a combination of factors such as size, locality, financial value and amenity value
 - iii. The proponent of the exchange to pay all costs associated with the exchange
 - iv. Conditional upon the proponent of the exchange achieving Overseas Investment Office approval and consent for any boundary adjustments required
 - v. And all other terms and conditions acceptable to the Chief Executive;
- d. Direct the Chief Executive, provided that the exchange of 75 square metres of Lot 1 DP 434815 (local purpose beautification reserve) for 75 square metres of Lot 14 DP 434815 is agreed, to apply for a resource consent to complete the exchange.
- e. Appoint Councillors Cocks, Forbes and Perkins as a hearings panel, of which two are required to hear submissions, should this be required as a result of the public notification of the exchange of 75 square metres of Lot 1 DP 434815 (local purpose beautification reserve) for 75 square metres of Lot 14 DP 434815.

8 Proposal to vest reserve land – Shotover Country Stage 1D

A report from Mike Weaver (Manager, Parks and Operations) detailed a proposal to vest reserves at the Shotover Country subdivision. The parcels of land were Lot 620 (393 m²) to be vested as Local Purpose Reserve to provide for pedestrian/cycle access; and Lot 621 (5914m²) to be vested as Recreation Reserve, to form part of the wider green space network around the existing Wakatipu Cycleway. The report recommended that the Council approve the vesting and accept the offer of reserve improvements, subject to a number of recommended conditions.

Councillor Gilmour expressed concern that these proposed reserves would be under power lines and asked if there would also be other reserve areas away from electrical lines. In reply, it was noted that 1F was another potential green space and all would be linked by cycle ways. Councillor Forbes noted that much of the area was wetland and asked if the sports field would be suitable as a result. It was noted that drainage may be added if the presence of ground water necessitated it.

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

- a. Approve the vesting of proposed Lots 620 as Local Purpose Reserve (pedestrian/cycle access) and 621 as Recreation Reserve in lieu of the reserve land and cash contributions payable for the proposed subdivision of Shotover Country – Stage 1D subject to the following works being undertaken at the applicant's expense:
 - i. Consent being granted for the subdivision of Shotover Country, Activity Areas 1D.
 - ii. Presentation of the reserve in accordance with Council's standards for reserves.
 - iii. A potable water supply point provided at the boundary of the reserve lot.
 - iv. The registrations 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.
 - v. A five year maintenance period commencing from practical completion of the reserve improvements.
- b. Accept the offer for reserve improvements for Lots 620 and 621 of the proposed subdivision of Shotover Country – Stage 1D to be agreed with the Manager, Parks and Operations, subject to:
 - i. Consent being granted for the subdivision of Shotover Country, Activity Areas 1D.
 - ii. The applicant demonstrating best value has been achieved through three prices being obtained for the improvements works associated with the reserves.
 - iii. The works to be completed to the satisfaction of the Manager, Parks and Operations.
 - iv. A credit being approved from the reserve contributions payable for the cost of the reserve improvements as approved by the Manager, Parks and Operations.

9. Approval of draft Trade Waste Bylaw for public consultation

A covering report from Ulrich Glasner (Chief Engineer) introduced a Trade Waste Bylaw and recommended its adoption alongside the Summary of Statement of Proposal and Statement of Proposal for the purposes of public consultation in accordance with the requirements of the Local Government Act 2002.

Mr Glasner joined the table for this and the following two items.

Councillor Gilmour asked why all commercial premises, regardless of their nature, would have to apply for a consent under the proposed bylaw. Mr Glasner advised that this was to enable the Council to compile complete data of all commercial premises, but those with no trade waste would not incur any fee from this process.

Mr Glasner advised that the bylaw would not cover building waste, but refuse which escaped from a building site could be addressed by litter provisions, resource consent conditions or building act requirements.

Councillor Lawton asked that the 'benefits' identified in the Statement of Proposal and Summary Statement of Proposal include reference to reduced environmental pollution.

The Chief Executive left the meeting at 2.15pm.

Three occurrences of 'tinkered' in the draft bylaw were changed to 'tankered'.

The Chief Executive returned to the meeting at 2.19pm.

In reply to a question, Mr Glasner estimated that the annual cost of compliance for an average business would be approximately \$300. It was noted that whilst this was a new cost for businesses, it needed to be balanced against the cost to the community of foreign matter entering the waste water system.

The Mayor queried why the report suggested that two new staff positions would be created to perform the duties required by the proposed bylaw, but she asked that the proposed job titles not be specified in the publicly released material.

On the motion of Councillors Stammers-Smith and Forbes it was resolved that the Council:

- a. Approve as amended the form of the following for public consultation:**
 - i. Summary of Statement of Proposal;**
 - ii. Statement of Proposal for the Trade Waste Bylaw; and**
 - iii. Proposed Trade Waste Bylaw**
- b. Appoint Councillors Forbes, MacLeod and the Mayor to a committee for the hearing of submissions in the Queenstown Lakes District Trade Waste Bylaw 2014.**

10 Proposed District-wide Water Metering Trial

A report from Ulrich Glasner (Chief Engineer) presented details of a proposed one year district-wide water metering trial and sought Council approval to undertake the trial, the purpose of which was to determine if water metering was a preferred option for better management of water demand.

Mr Glasner presented to the Council a water meter box, water meter and manifold pipe and spoke about where installation difficulties could occur. He estimated that each installation cost approximately \$500 and one of the objects of the trial was to clarify the true cost of installation. It was generally accepted that the Council funded the installation.

Members expressed the view that water use behaviour would only change if the consumer was able to save money as a result. Mr Glasner agreed, but observed that the purpose of the trial was to gather base line information. There was further discussion about the place of this trial in the context of overall water demand management strategies and the importance of emphasising the benefits. Mr Glasner advised that a communications plan had been prepared with these factors in mind and the Council invited Michele Poole (Communications Manager) to the table to detail the plan. She described the campaign planned and the different strategies to be employed.

Councillor Stammers-Smith expressed his opposition to the proposal in its entirety, stating that in his view it would be better to address the high levels of water leakage instead.

On the motion of Councillors Forbes and Lawton it was resolved that the Council:

- a. Approve a district-wide water metering to commence 1 April 2015;**
- b. Approve a reallocation of \$275,000 from the water supply renewals budget to fund the project;**
- c. Authorise the Mayor to issue a media release outlining the scope of the proposed project.**

Councillor Stammers-Smith recorded his vote against the motion.

11 Extension of area served by Lake Hayes Water Supply

A report from Ulrich Glasner (Chief Engineer) assessed the effect of allowing a number of properties adjacent to the Lake Hayes Water Supply Zone to be included within the boundary and permitted to connect to the scheme. The report concluded that there was capacity within the scheme to accommodate these additional properties, as there were a large number of sections within the Lake Hayes Water scheme yet to be built on and the addition of these other properties would not have a significant effect on supply. Accordingly, it

was recommended that the scheme boundaries be extended to include these additional properties.

Consideration was then given to the request made in the Public Forum also to add the Ayrburn farm properties to the scheme. Mr Glasner advised that he supported their inclusion as there was sufficient capacity in the water scheme.

Some concern was expressed that approval of this request was contrary to the policy which discouraged extending urban infrastructure into rural areas. There was also concern about ad hoc decision making and the need for such requests to demonstrate special circumstances. Overall there was agreement that approval should be given but Councillor Gilmour asked that a condition be added that the water must not to be used for irrigation. This suggestion was supported and was added to the resolution.

The Council asked for the policy to be amended to provide decision-making principles for special circumstances.

On the motion of Councillors Perkins and Lawton it was resolved that the Council:

- a. Agree that the Lake Hayes Scheme boundaries be extended to include the following lots:**
 - **Lots adjacent to Slope Hill Road – Lot 2 DP 475576, Lot 2 DP 359586, Lot 1 DP 26605 and Part Lot 2 DP 26174**
 - **Lots adjacent to Hogan's Gully Road – Proposed Lots 1, 2 and 4 relating to a subdivision of Lot 3 DP 305713**
 - **Lots adjacent to Arrowtown-Lake Hayes Road – Part Lot 3 DP5737and Lot 1 DP18109**
- b. Agree that the connections to the scheme are subject to the following conditions:**
 - i. Payment of applicable connection fees and development contributions.**
 - ii. These areas are to form an extension to the Lake Hayes Water scheme for supply and rating purposes from 1 July 2015.**
 - iii. Engineering Design and easements are be approved by the Queenstown Lakes District Council**
 - iv. All physical connection costs will be to the applicant and will include extensions of the existing mains and 20mm laterals and Acuflos with restrictors and meters at the boundary.**
 - v. Work undertaken on the main must be undertaken by a Council approved contractor.**
 - vi. The water supply is restricted to 2,500 litres per property per day and is not to be used for irrigation purposes.**

12 Request to make Plan Change 19 operative

A covering report from Alyson Hutton (Consultant Planner) summarised details of Plan Change 19, advising that there were now no outstanding submissions or appeals, meaning that the plan change could now be made operative. The report therefore recommended that the Council approve and make fully operative Plan Change 19: Frankton Flats (B) Special Zone.

On the motion of Councillors Gilmour and Gazzard it was resolved that the Council:

- a. Authorise, pursuant to Clause 17 of the First Schedule of the Resource Management Act 1991, the amendments proposed by Plan Change 19 – Frankton Flats (B) as outlined in the report and attachments;**
- b. Direct that Plan Change 19 – Frankton Flats (B) be notified as being operative.**

13 Plan Change 48 – Signs – Ratification of Commissioner Decision

A covering report from Tony Pickard (Senior Planner: Policy) introduced the Commissioner recommendation on the submissions made to Plan Change 48 – Signs and sought ratification of the recommendation as the Council's decision for public notification.

An error in the report was corrected, as the commissioner's report and recommendations were dated 11 November 2014.

Councillor Perkins observed that the Arrowtown historic precinct was not recognised in the Plan Change. In response, it was noted that although the Arrowtown Town Centre was covered by the Plan Change, the historic area was not specifically identified.

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

- a. Agree to adopt the Commissioner recommendation as a Council decision; and**
- b. Direct staff to notify the decision in accordance with the 1st schedule of the Resource Management Act 1991.**

14 Land to be acquired for road and road to be stopped – Stalker Road, Queenstown

A report from Vanessa Rees-Francis (Technical Officer) detailed an application from Shotover Country Ltd for a land exchange which would involve the acquisition of land for road and the stopping of road. The purpose of the land exchange was to construct a new roundabout at the intersection

between Stalker Road and State Highway 6, which was a condition of Plan Change 41 once 450 dwellings had been consented within Shotover Country. The report recommended that the Council approve the road legalisation proposal.

On the motion of Councillors Gilmour and Forbes it was resolved that the Council:

- a. **Approve the submitted road re-legalisation proposal at Stalker Road, Lower Shotover Road from Shotover Country Limited, and authorise that:**
 - i. **The land exchange and road stopping is to be undertaken under Sections 114, 116, 117, 119 and 120 of the Public Works Act 1981 as per the Clark Fortune McDonald and Associates' Plan 11117 Drawing 51C 15.10.14 (the plan).**
 - ii. **The part of road shown as Section 4 on the plan shall be stopped and be incorporated into Lot 4 DP 325561.**
 - iii. **Section 1 and 2 on the plan shall be vested as road for nil consideration or cost.**
 - iv. **The applicant, at their cost, shall meet the legalisation costs and shall undertake the legalisation survey.**

The meeting adjourned at 2.58pm and reconvened at 3.12pm.

15 Significance and Engagement Policy

A report from Meaghan Miller (Director, CEO's Office) presented the Significance and Engagement Policy for adoption, following community consultation. Appended to the report were submissions received and the final form of the policy.

A schedule of changes to the draft policy was circulated.

It was suggested that a definition of 'hui' be included in the policy.

Consideration was given to the changes recommended to the Schedule of Assets (Appendix 3). Following discussion, it was agreed to delete all reserves and cover them instead in a blanket comment about the Reserves Act.

On the motion of Councillors Gazzard and Aoake it was resolved that the Council agree to adopt the draft Significance and Engagement Policy, subject to amendments as agreed.

16 Transfer of Rural Fire Assets to Otago Rural Fire Authority ('ORFA')

A report from Stewart Burns (Chief Financial Officer) discussed the transfer of the Council's assets to the recently established Otago Rural Fire Authority, recommending that the Council approve their transfer.

Mr Burns joined the table. He stated that he was a director of the Otago Rural Fire Authority and therefore did have an interest in the agenda item, but this had not impacted on the nature or content of the report and he would not benefit personally from the outcome.

Mr Burns noted that the transfer of assets had never been subject to the agreement in the setting up of the new Fire Authority. Representatives of the member Councils had met to determine a fair and equitable way of dealing with those assets and had agreed a standardised approach which involved different methods of transfer. These were described in full in the report and were reflected in the recommendation.

On the motion of Councillors Gazzard and Gilmour it was resolved that the Council:

- a. Transfer all non-property rural fire assets to the Otago Rural Fire Authority (ORFA) at their net book value as recorded at 30 June 2014;**
- b. Recognise the transfer by way of internal loan and that this loan be treated as a community loan with no interest or principal payment to be made prior to the period starting 1 July 2018, the first year of the 2018 – 28 Long Term Plan and that the decision on the conversion of the loans to a grant or the payment of interest and principal will need to be made as part of the overall funding formula discussion;**
- c. Lease all required property rural fire assets to ORFA at a rate that recognises the utility of properties involved and the commitment by ORFA to pay all ownership and occupancy costs including but not limited to all repairs, maintenance, power, communications and rates as applicable. All current lease obligations will be transferred to ORFA;**
- d. Authorise the Chief Executive to enter into all necessary agreements to allow this matter to proceed and to vary any terms to ensure consistency with all member entities; and**

- e. **Note that further decisions will be required in relation to the funding formula for ORFA in terms of operational costs, plant replacement and improvements costs, and unrecovered incident or event costs.**

17 Mayor's report

A report from the Mayor:

- a) Set out functions and meetings attended during the period 30 October 2014 – 26 November 2014;
- b) Advised that the proposed collaboration with Central Otago District Council and NZTA for a joint physical roading works contract would not proceed;
- c) Sought a resolution from the Council to delegate the Minister's consent in respect to the lease to the Pisa Alpine Charitable Trust;
- d) Reviewed the committee structure in place since the start of the triennium, recommending that all Councillors become members of the Dog Control Committee, but otherwise suggesting that the status quo be maintained;
- e) Summarised the items from and appended the minutes of the following meetings:
 - i) Property Subcommittee minutes of 23 October 2014;
 - ii) Resource Consent Commissioner Appointment Committee minutes of 23 October 2014;
 - iii) Property Subcommittee draft minutes of 13 November 2014;
 - iv) Wanaka Community Board draft minutes of 18 November 2014;
- f) Detailed the actions taken from previous Council meetings;
- g) Sought the Council's approval of the following items:
 - i) Approval of Minister's delegation for lease to Pisa Alpine Charitable Trust;
 - ii) Amendment to membership of Dog Control Committee;
 - iii) New Ground Lease – Riverbank Road, Wanaka Firewood Ltd (Recommendation from WCB meeting of 18 November 2014);
 - iv) New Ground Lease and new building – Upper Clutha A and P Society (Recommendation from WCB meeting of 18 November 2014); and
 - v) The Council to appoint hearings panels for items (iii) and (iv) to hear submissions (if required).

The frequency of rent reviews on the ground lease of land on Riverbank Road to Wanaka Firewood was changed from '1 and ½ yearly' to 'every 18 months'.

Councillor Gilmour stated that she accepted that the Mayor's recommendation on the committee structure had the support of other Councillors, but she remained of the view that the new approach was not as transparent as under a system of standing committees. The Mayor advised that going forward she wanted Portfolio Leaders to take a higher profile than they had hitherto, and she was proposing that a Portfolio Leaders' report be included in the Mayor's Report in the future.

The Mayor asked the Governance Advisor to follow up on questions raised at the previous meeting about the position of the Kawarau Falls Station stone wall and the Shotover Country contribution to the primary school hall project.

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

a. Note the report;

b. Pisa Alpine Charitable Trust

Agree to the exercise of the Minister's prior consent (under delegation from the Minister of Conservation) to the granting of a lease to the Pisa Alpine Charitable Trust over Lot 5 Deposited Plan 460313;

c. Review of Committee Structure

Amend the resolution of 14 November 2013 and appoint all elected members to the Dog Control Committee, with any three members to form a hearings panel;

d. Wanaka Community Board recommendations

New Ground Lease – Riverbank Road, Wanaka Firewood Ltd

That the intention to grant a new licence to Wanaka Firewood Limited over approximately 5000 square metres of section 37 Block III Lower Wanaka SD, to operate a firewood yard be notified subject to the following conditions:

Commencement: Tbc, once resource consent is obtained (but no later than 30 June 2015):

Rent	\$5,200 per annum plus GST:
Term	5 years, with a right of renewal of another 5 years on the agreement of both parties;
Rent reviews	Every 18 months;
Use	Loading and unloading firewood, sale of firewood;
Limitations	Firewood not to be processed on site;
Insurance	Lessee to provide public liability insurance and approved health and safety plan prior to occupying the site.

That the Council nominate a hearings panel consisting of Councillors Cocks, Lawton and MacLeod, of which two are needed to hear any submissions.

New Ground Lease and new building – Upper Clutha A and P Society

That the intention to grant a new lease to the Upper Clutha A and P Society over approximately 930 square metres of part section 12 block XV Town of Wanaka to construct a building extension be notified subject to the following conditions:

Commencement: 1 April 2015;

Rent: Pursuant to the Community Pricing Policy

Term: 33 years;

Rent Reviews 2 yearly

Use: Other terms and conditions to reflect current lease;

**Limitations: Current lease to be surrendered;
Resource consent being granted.**

That the Council nominate a hearings panel consisting of Councillors Cocks, Lawton and MacLeod, of which two are needed to hear any submissions.

18 Chief Executive's Monthly Report

A report from the Chief Executive provided an update on progress with the projects contained in the Chief Executive's performance framework. The following comments were noted:

- 1.10: It was now expected that work on the Glenda Drive roading projects would commence in May 2015.
- An undertaking was given to circulate the Public Art Policy (2.5) to Councillors and to schedule it for discussion at a future workshop.
- A request to postpone the review of vegetation management contracts (2.4) for three months was made, as both the volume of data from existing contracts and its accuracy were making the project more complex and time-consuming.
- Suggestions rather than submissions would be sought after the work to establish the current state of the Queenstown Bay section of the Sunshine Bay to Kelvin Heights FMP had been completed (2.7).
- Work on the Local Alcohol Policy (3.5) would commence in January/February.

- Adoption of Economic Development Strategy (5.1): A second round of consultation would be undertaken and it would be extended through until February 2015 to avoid the holiday period.
- Review of Film Office Functions (5.2) would be included in the December workshop, if time permitted.
- Narrows Ferry Service (5.6): A question was raised about the potential of extending the service. The Chief Executive undertook to investigate.

On the motion of Councillors Forbes and Lawton it was resolved that the Council note the report.

Confirmation of Minutes

30 October 2014

The following amendment to the draft minutes was made:

- Item 5 (QLDC Lead Policy – Housing Accord and Special Housing Areas): Delete paragraph 5, 'Councillor Gilmour..... resource consent process.'

On the motion of Councillors Gilmour and Aoake it was resolved that Council confirm as a true and correct record the public part of the minutes as amended of the ordinary meeting of the Queenstown Lakes District Council held on 30 October 2014.

Recommendation to Exclude the Public

On the motion of Councillors Perkins and Stammers-Smith the Council resolved that the public be excluded from the following parts of the proceedings of the meeting:

The general subject of the matters to be discussed while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(a) of the Local Government Information and Meetings Act 1987 for the passing of this resolution is as follows:

Confirmation of minutes – 30 October 2014:

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

QUEENSTOWN LAKES DISTRICT COUNCIL**27 NOVEMBER 2014****Page 21**

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
10. Project Shotover	<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 protect information where the making available of the information:</p> <p>7(b)(i) would disclose a trade secret; or</p> <p>7(b)(ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;</p>	Section 7(b)(i) and (ii)
11. Draft Three Waters Contract	<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>(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	Section 7(2)(i)

Agenda items

- Item 19: Frankton Marina**
Item 20: Expiry of Cabin Licences at Lakeview, Queenstown
Item 21: Queenstown Airport Directors
Item 22: Chief Executive's Performance Review for year ending 30 June 2014

QUEENSTOWN LAKES DISTRICT COUNCIL

27 NOVEMBER 2014

Page 22

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
19. Frankton Marina	<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>i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	Section 7(2)(i)
20. Expiry of Cabin Licences at Lakeview, Queenstown	<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>i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	Section 7(2)(i)
21. Queenstown Airport Directors	<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 that of deceased natural persons;</p> <p>h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities;</p>	<p>Section 7(2)(a)</p> <p>Section 7(2)(h)</p>

QUEENSTOWN LAKES DISTRICT COUNCIL**27 NOVEMBER 2014****Page 23**

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
22. Chief Executive's Performance Review for year ending 30 June 2014	<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 that of deceased natural persons;</p>	Section 7(2)(a)

This resolution is made in reliance on Section 48 [1] [a] of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982 as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as shown above with respect to each item.

The meeting went into public excluded at 3.58pm.

The meeting came out of public excluded and concluded at 5.30pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

M A Y O R

18 December 2014

D A T E