

**Property Subcommittee
26 June 2014**

Minutes of a meeting of the Property Subcommittee held on Thursday, 26 June 2014 in the QLDC Gorge Road Meeting Room, 10 Gorge Road, Queenstown commencing at 10.05am

Present

Mayor van Uden, Councillors Aoake and MacLeod.

In Attendance

Ms Vanessa Rees-Francis, Mr Mike Weaver, Ms Jan Maxwell and Ms Shelley Dawson

Apologies

An apology was received from Councillor Stammers-Smith and from Councillor MacLeod for lateness.

**On the motion of Mayor van Uden and
Councillor Aoake it was resolved that the
apologies be received.**

Declaration of Conflicts of Interest

There were no conflicts noted.

Resolution to Exclude the Public

**On the motion of Mayor van Uden and
Councillor Aoake it was resolved that the
public be excluded from all items of the
Property Subcommittee 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:

<i>General subject to be considered.</i>	<i>Reason for passing this resolution.</i>	<i>Grounds under Section 7 for the passing of this resolution.</i>
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All Items	<p><i>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></p> <p><i>i) enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i></p>	Section 7 (2)(i)
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This resolution was 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 moved into public excluded at 10.06am.

Confirmation of Minutes

On the motion of Councillor Aoake and Mayor van Uden it was resolved that the minutes of the Property Subcommittee meeting held on 26 June 2014 be confirmed as a true and correct record.

Matters Lying on the Table

- New Licence - Hole in One (Golf) Challenge
- Licence to Occupy Road Reserve, Lower Shotover Trust, Unformed legal road off Fitzpatrick Road, Wakatipu

Confirmation of Agenda

The agenda was confirmed without addition or alteration.

1. Licence to Occupy Road Reserve – Remarkables Park Limited (PSC 14/06B/01)

Consideration was given to an application to grant a Licence to Occupy Road Reserve for a proposed new jetty and for earthworks located within legal road adjacent to Lot 2 DP 25643, Frankton and to the Kawarau River. A portion of the jetty is located within the adjoining Kawarau River bed which has an underlying legal status of road reserve. The proposed jetty would be open to the public and provide a facility for water-based transport between

Remarkables Park and Queenstown. The jetty would be constructed and maintained by RPL.

There was discussion that it was appropriate to let the application go through the process then return to the Property Subcommittee before the licence to occupy was issued.

Councillor MacLeod joined meeting at 10.08am.

It was agreed that a recommendation d. be added to allow the report and resolution to be made public as part of the Mayor's report to Council.

On the motion of Mayor van Uden and Councillor Aoake it was resolved that the Property Subcommittee

- a. Agree in principle subject to further work, that a licence to occupy be granted for a jetty erected by Remarkables Park Limited and for earthworks located on the legal road reserve between Lot 2 DP 25643 and the Kawarau River, Frankton:**
- b. Request that the applicant is to obtain:**
 - i Council Planning approval for the proposed jetty and for the proposed earthworks and**
 - ii Approval from the Harbourmaster in compliance with the Council's current Waterways Bylaws**
- c. Request that the finalised Licence to Occupy application is to be brought back to Council's Property Subcommittee for approval before a licence is issued.**
- d. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

2. Licence to Occupy – Fernhill Loop Track to the Queenstown Mountain Bike Club (PSC 14/06B/02)

Consideration was given to a report that recommend to Council the approval of a new Licence to Occupy for the Fernhill loop track to the Queenstown Mountain Bike Club (QMTBC). The track was managed by Department of Conservation (DOC) until December 2011 when it was reclassified as an urban recreational track and transferred control of the land to Council. Council officers determine the track would be expensive to upgrade and maintain and the track was subsequently closed to the public in early 2012. The QMTBC wish to maintain and further develop the Fernhill Loop, including altering the track location to make it more accessible and sustainable for mountain bikers and walkers.

It was noted that the public notification process would identify that it was the QTMBC not DOC or Council reopening the track. There was discussion on the requirement for the bridges to be checked annually by an engineer. The Committee asked that this be included as a condition to the licence when the report went to full Council. It was also noted that signage at either end of the track needed to be clear that it was dual use for both walkers and mountain bikers. It was suggested that this also be included as a condition to the licence.

There was discussion on the benefits of some sort of audible warning for bikes on dual use tracks. It was commented that the Queenstown Trails Trust had purchased bells and were selling them as a fundraiser as well as promoting their use for safety. It was commented that bells and other audible warnings were useful for commuter or high dual use tracks rather than on downhill or technical tracks such as the Fernhill Loop.

It was agreed that a recommendation 2. be added to allow the report and resolution to be made public as part of the Mayor's report to Council. It was commented that there may be plants of interest at the top of the track and the Manager Parks Operations was asked to check this.

On the motion of Councillors MacLeod and Aoake it was resolved that the Property Subcommittee

1. Recommend to Council:

- a. To notify Council's intention to grant a licence to Queenstown Mountain Bike Club over section 4, section 10 section 14 and section 19 Block I Mid Wakatipu Survey District and Section 1-2 Block VIII Mid Wakatipu Survey District, trail known as the Fernhill Loop, with final terms and conditions to be agreed under delegation by the General Manager, Operations.**
- b. To appoint two commissioners to hear the submissions (if any) and make a final recommendation to Council.**

2. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.

3. Proposal from the Queenstown Trails Trust to upgrade and improve the existing Kelvin Peninsula Loop Track (PSC 14/06B/03)

Consideration was given to a report that sought approval of the Queenstown Trails Trust's proposal to upgrade and improve the existing 3.2km Kelvin Peninsula Loop Track. The existing Kelvin Peninsula loop links to the Kelvin Peninsula track at Kelvin Grove from the Yacht Club past the western side of

the Golf Course to Grove Lane and back to the Queenstown Trail. The loop is an existing 'narrow unformed track' and a trail upgrade fully funded by the Queenstown Trails Trust is proposed.

It was agreed that a recommendation b. be added to allow the report and resolution to be made public as part of the Mayor's report to Council.

On the motion of Mayor van Uden and Councillor MacLeod it was resolved that the Property Subcommittee

- a. Agree in principle that the Queenstown Trails Trust can proceed with the proposal to upgrade and improve the existing Kelvin Peninsula Loop Track subject to the confirmation of track specification and associated maintenance requirements to the satisfaction of the Manager, Parks & Operations.**
- b. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

4. Renew the Licence to Occupy to Creative Queenstown (PSC 14/06B/04)

Consideration was given to a report that recommended to Council approval of a new licence to Creative Queenstown to occupy Earnslaw Park for the purpose of holding a market. The applicant has held a licence to occupy permitting the operation of an Arts and Crafts Market on Earnslaw Park on Saturdays and 9 weekdays throughout the year. The applicant sought a renewal of the licence.

It was noted that when the licence was last renewed it went through a public notification process for the additional weekday markets. Mayor van Uden noted that this process may have determined why Wednesday and Friday were chosen and she asked for clarification of this with APL Property.

Mayor van Uden noted that previous licences did not use the Community Pricing Policy as effectively the market was a commercial activity. She added that stallholders were in competition with businesses in the CBD selling similar items that had to pay rates or leases. Ms Maxwell commented that she acted as a liaison between Council and the Market. She noted that stallholders could now only sell handmade products and commercially made products or food and beverages were not able to be sold. Ms Maxwell commented that while the licence fee would reduce, the insurance required would mean the applicants costs would increase.

Ms Maxwell commented that she would follow up with APL on the reason why Wednesdays and Fridays were chosen and this information would be included in the report to Council. The term of the licence was questioned as it was not

consistent with the licence in the previous item. Ms Maxwell was asked to investigate with APL and include the information in the report to Council. There was discussion that it was timely to discuss standardising licences and agreements with APL. It was agreed that a recommendation b. be added to allow the report and resolution to be made public as part of the Mayor's report to Council.

On the motion of Councillors Aoake and MacLeod it was resolved that the Property Subcommittee

- a. Recommend to Council to approve a licence to occupy to Creative Queenstown for land at Earnslaw Park legally described as sections 6 - 18, 27, Block XV Queenstown in favour of Creative Queenstown on terms and conditions to be agreed under delegation by the General Manager, Operations.**
- b. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.**

On the motion of Mayor van Uden and Councillor Aoake it was resolved that the Property Subcommittee move out of public excluded.

The meeting concluded at 10.30am.

Confirmed as a true and correct record:

Chairperson

Date