

**Property Subcommittee
13 August 2015**

Minutes of a meeting of the Property Subcommittee held on Thursday 13 August 2015 in the Council Chambers, Civic Centre, 10 Gorge Road, Queenstown commencing at 10.00am

Present

Mayor van Uden, Councillors Aoake and MacLeod

In Attendance

Ms Jo Conroy (APL Property Ltd), Mr Richard Flitton (Principal Engineer Resource Management), Mr David Wallace (Senior Parks & Reserves Planner) and Ms Shelley Dawson (Senior Governance Advisor)

Apologies

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

**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 declarations.

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>

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 10.01am.

Confirmation of Minutes

On the motion of Mayor van Uden and Councillor Aoake it was resolved that the minutes of the Property Subcommittee meeting held on 11 June 2015 be confirmed as a true and correct record.

Confirmation of the minutes of the Property Subcommittee meeting held on 23 July 2015 was left until Councillor MacLeod had joined the meeting.

Matters Lying on the Table

There were no matters lying on the table.

Confirmation of Agenda

The agenda was confirmed without addition or alteration.

1. Temporary Road Closure Application – Motatapu 2016 (PSC 15/08A/01)

Consideration was given to a temporary road closure application for the annual Motatapu sporting event scheduled to take place in March 2016. The proposed closures were similar to previous years but for longer duration to coincide with increased competitor numbers and adjustments to event start times. They also included closure of Nairn Street the night before the event and the Macetown Track on event day.

The Committee thanked the organisers for their early application.

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

1. Note the contents of this report and in particular;
2. Approve the temporary road closure application for Motatapu 2016, subject to the following conditions:
 - a. Approval of the final Traffic Management Plan by QLDC Engineering.
 - b. Radio advertising two days prior and on the morning of the event.
 - c. The event organisers arranging suitable disposal methods for recycling and rubbish/refuse.
 - d. The applicant notifying all affected parties via the submitted affected party notice, of the extent of the temporary road closure; this notification is to be undertaken five working days prior to the closure occurring.
 - e. A copy of this notice is to be supplied to QLDC Infrastructure and Assets Department.
3. Authorise the following schedule of road closures:

Queenstown

Road to be Closed:	Nairn Street
Period of Closure:	Friday 4 March 2016 from 1600 to 2100
Road to be Closed:	Nairn Street, Ford Street from Nairn Street to Criterion Street, Tobins Track from east of Ford Street to the Tobins Track/Glencoe Road intersection
Period of Closure:	Saturday 5 March 2016 from 0600 to 1900
Road to be Closed:	Macetown Track
Period of Closure:	Saturday 5 March 2016 from 0700 to 2000

Road to be Closed: Glencoe Road (a one kilometre length from the top of Tobin's Track)

Period of Closure: Saturday 5 March 2016 from 0800 to 1900

Wanaka

Road to be Closed: Motatapu Road (from Wanaka – Mount Aspiring Road intersection)

Period of Closure: Saturday 5 March 2016 from 0400 to 1300

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

2. Temporary Road Closure Application – 2015 Tour of Southland Cycle Race (PSC 15/08A/02)

Consideration was given to a temporary road closure application for the 2015 Tour of Southland Cycle Race (Stage 4 Finish) to be held Thursday 5 November 2015. An application for temporary road closure of Coronet Peak Road from Malaghans Road to the Coronet Peak Skifield Carpark from 1400 to 1500 was received from the event organisers to enable the safe finish of this cycle race stage. The time of the closure was dependent on stage progression being the best estimate based on previous years.

It was noted that recommendation 2 should read "*Approve the temporary road closure application for the 2015 Tour of Southland Cycle Race (Stage 4 Finish) subject to the following conditions*". Ms Conroy explained to the Committee that due to law changes there was a short process for up to 31 temporary road closure applications a year. Any applications received after that would have to go through a longer process. This was why event organisers were being encouraged to put their applications in as early as possible. The Mayor questioned why the applicants needed to provide two copies of the notice and suggested that APL receive the notice and forward it to the Infrastructure department. Recommendation 2 f. was amended to remove QLDC Infrastructure and Assets Department.

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

1. Note the contents of this report and in particular;

2. **Approve the temporary road closure application for the 2015 Tour of Southland Cycle Race (Stage 4 Finish) subject to the following conditions:**
 - a. **Approval of the final Traffic Management Plan by QLDC Engineering.**
 - b. **Radio advertising two days prior and on the morning of the event.**
 - c. **The event organisers arranging suitable disposal methods for recycling and rubbish/refuse.**
 - d. **Signs notifying of road closure date / times to be installed at the start of Coronet Peak Road (off Malaghans Road) and at the intersection with Skippers Road at least a week prior to the event.**
 - e. **The applicant notifying all affected parties via the submitted affected party notice, of the extent of the temporary road closure; this notification is to be undertaken five working days prior to the closure occurring.**
 - f. **A copy of this notice is to be supplied to APL Property Limited.**
3. **Authorise the following schedule of road closures:**

Roads to be Closed:	Coronet Peak Road from Malaghans Road to Coronet Peak Skifield Carpark
Period of Closure:	Thursday 5 November 2015 from 1400 to 1500
4. **Authorise this report and resolution to be made available as part of the next Mayor's report to Council.**

3. Temporary Road Closure – New Years Eve Celebrations Wanaka and Queenstown 2015 (PSC 15/08A/03)

Consideration was given to an application for temporary road closures for the annual New Year's Eve Celebrations to be held at Wanaka and Queenstown for 2015 scheduled Thursday 31 December 2015. This set of road closures has been occurring on an annual basis for a number of years and was largely similar to last

year however, for the celebrations in 2015, there were additional road closures proposed in both Queenstown and Wanaka.

The Mayor commented that longer closures on lower Beach Street could affect those business owners and suggested that they be notified of the closures before Christmas. As in the previous item recommendation 2 e. was amended so that a copy of the notice is to be supplied to APL Property Limited.

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

- 1. Note the contents of this report and in particular;**
- 2. Approve the road closure application for the annual New Year's Eve Celebrations in Wanaka and Queenstown subject to the following conditions:**
 - a. Approval of the final Traffic Management Plan by QLDC Engineering.**
 - b. Radio advertising two days prior and on the morning of the event.**
 - c. The event organisers arranging suitable disposal methods for recycling and rubbish/refuse.**
 - d. The applicant notifying all affected parties via the submitted affected party notice, of the extent of the temporary road closure; this notification is to be undertaken five working days prior to the closure occurring.**
 - e. A copy of this notice is to be supplied to APL Property Limited.**
- 3. Authorise the following schedule of road closures:**

Queenstown

Roads to be Closed: Lower Beach Street from Rees Street to Shotover Street

Period of Closure: 0800 to 1300 Thursday 31 December 2015

Roads to be Closed: Rees Street from Shotover Street to Marine Parade, Marine Parade from Rees Street to Church Street, Beach Street from Camp

**Street to Shotover Street
including Cow Lane**

**Period of Closure: 1700 Thursday 31 December
2015 to 0300 Friday 1
January 2016**

Wanaka – Main Closure

Roads to be Closed: Ardmore Street Layby

**Period of Closure: 1430 Thursday 31 December
2015 to 0300 Friday 1
January 2016**

**Roads to be Closed: Ardmore Street from
Dungarvon Street to
Lakeside Road, Helwick
Street from Ardmore Street
to Dunmore Street.**

**Period of Closure: 1700 Thursday 31 December
2015 to 0300 Friday 1
January 2016**

Fireworks Display

**Roads to be Closed: Ardmore Street from 200
metres south west of
Dungarvon Street
intersection parallel to
Pembroke Park.**

**Period of Closure: Midnight Thursday 31
December 2015 to 0015
Friday 1 January 2016 (for
the duration of the fireworks
display).**

- 4. Authorise this report and resolution to be made
available as part of the next Mayor's report to
Council.**

**4. Temporary Road Closure Application – Sovereign Tri Series 2016 –
Wanaka (PSC 15/08A/04)**

Consideration was given to an application for a temporary road closure for the 2016 Sovereign Tri Series Wanaka Event to be held Saturday 9 January 2016. As part of the series an event is proposed in Wanaka in early January with the temporary road closure being for the cycle leg of the event.

The Mayor commented that the business owners affected by the closures should also be notified before Christmas. As in the previous item recommendation 2 e. was amended so that a copy of the notice is to be supplied to APL Property Limited.

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

- 1. Note the contents of this report and in particular;**
- 2. Approve the temporary road closure application for the 2016 Sovereign Tri Series Wanaka Event subject to the following conditions:**
 - a. Approval of the final Traffic Management Plan by QLDC Engineering.**
 - b. Radio advertising two days prior and on the morning of the event.**
 - c. The event organisers arranging suitable disposal methods for recycling and rubbish/refuse.**
 - d. The applicant notifying all affected parties via the submitted affected party notice, of the extent of the temporary road closure; this notification is to be undertaken five working days prior to the closure occurring.**
 - e. A copy of this notice is to be supplied to APL Property Limited.**
- 3. Authorise the following schedule of road closures:**

Roads to be Closed:	East bound lane of Ardmore Street between McDougall Street and Dungarvon Street
Period of Closure:	Saturday 9 January 2016 from 0700 to 1130
- 4. Authorise this report and resolution to be made available as part of the next Mayor's report to Council.**

Councillor MacLeod joined the meeting at 10.08am.

5. Notification of the intention to grant a license to Kowarau Jet to allow vehicle access on the Frankton foreshore (PSC 15/08A/05)

Consideration was given to a report that sought approval for notification of the intention to grant a license to Kowarau Jet to allow vehicle access to their jetty on the Frankton foreshore. Kowarau Jet sought to formalise their use of the formed trail to pick up and drop off passengers by bus, and to access with other vehicles occasionally for maintenance. The access would come off Allan Crescent and through recreation reserve known as sections 37 and 44, Block XXXI, Town of Frankton.

Ms Conroy provided a background of the use of the jetties noting that Kowarau Jet suggested the fence and bollard at the jetties for public safety. The Mayor questioned why the key had been changed and was advised that the reserves team couldn't get into the area so the key had been changed. Mr Wallace requested that recommendation 1 d. be amended to ensure the trail was formed to Council standards. Councillor MacLeod questioned if control of lagarosiphon in the area had been discussed with Kowarau Jet as jetboating was a high risk activity. It was suggested that a recommendation j. be added with the condition that Kowarau Jet is to monitor and remove lagarosiphon in the area of the jetty. It was suggested that Councillors Gazzard, Aoake and Stammers-Smith be appointed to the hearing panel and recommendation 2 be amended as such.

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

- 1. Approve notification of the intention to grant a licence under Section 54(2) of the Reserves Act 1977 to Kowarau Jet to allow them vehicle access across sections 37 and 44 Block XXXI subject to the following terms and conditions:**
 - a. Agreement to be for five years with the ability to renew for a further five years at Council's absolute discretion;**
 - b. When vehicles are on site, traffic cones are to be located on the trail to warn other users;**
 - c. When buses are reversing onto the trail, a person will be situated on the trail, back from the vehicle turning zone, to warn other users as they come down the trail from the bridge;**
 - d. Kowarau Jet to form the trail to Council standards to the same width as the trail outside the fence through to the furthest extent required for reversing;**
 - e. Kowarau Jet to pay all costs for advertising and drafting the licence;**
 - f. Kowarau Jet to pay an annual fee of \$1000.00 plus GST, such fee to be reviewed upon renewal;**

- g. Council able to suspend access when necessary for events or for safety reasons;
 - h. Council able to terminate the agreement at any time by giving three months notice in writing.
 - i. Kowarau Jet to provide a trail management plan to be approved by the Parks Planning and Projects Manager.
 - j. Kowarau Jet is to monitor and remove lagarosiphon in the area of the jetty.
2. Appoint Councillors Gazzard, Aoake and Stammers-Smith, any two of which can form a hearing panel, to hear any submissions.
 3. Authorise this report and resolution to be made available to the public as part of the next Mayor's report to Council.

6. Wanaka New Life Church Board – Waiver of Fire Wall Requirement (PSC 15/08A/06)

Consideration was given to an application for a waiver in accordance with Section 67 of the Building Act 2004 in respect of the requirement for exterior walls to be fire rated to achieve the fire resistance rating required by clause C3.7 of the Building Regulations 1992 for the owners of Lot 16 on DP 300804.

The Mayor questioned why this application came to the Property Subcommittee and not just actioned.

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

1. Note the contents of this report and in particular;
2. Approve the waiver in accordance with Section 67 of the Building Act 2004 in respect of the requirement for walls on the north and west side of the building to be fire rated to achieve the fire resistance rating required by clause C3.7 of the Building Regulations 1992 subject to the following conditions;
 - a. That the Council enter into an Encumbrance instrument with the applicant which;
 - i. requires the applicant to comply with Clause C3.7 of the Building Regulations 1992 should there be a change of use or other circumstance on the adjoining land, being Lot 18 on DP 302791, which increases the

risk of the spread of fire from the applicant's land to buildings, structures or chattels on the adjoining land.

ii. absolves Council of any liability due to an increased risk of fire spreading to the applicant's lot due to reduced fire resistance as proposed by the applicant.

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

7. Lessors Approval for the Queenstown Bowling Club Improvements (PSC 15/08A/07)

Consideration was given to a report that sought Lessors Approval for the Queenstown Bowling Club to construct two shade structures. The Club has a lease for the area which is registered on the certificate of title and the current term expires 31 December 2069 with the renewal provision being exercised in June 2015. Whilst the proposed construction would not alter the total lease area, section 8 of their lease states that any improvements on the land require prior consent of the lessor.

Councillor MacLeod commented that if the construction was to be at the applicants own cost then it should be stated in the recommendation. Recommendation 2. was amended to read "*..construct two shade structures at their cost, on the land...*"

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

- 1. Note the contents of this report and in particular;**
- 2. Agree to grant Lessor's Approval to the Queenstown Bowling Club to construct two shade structures at their cost, on the land they currently occupy being Part Sections 4-5, 7 Blk LI Town of Queenstown subject to the following terms;**
 - a. Resource and building consent to be obtained (if required)**
 - b. Construction to be completed within one year of lessor approval**
 - c. Building materials to be on site only once construction has commenced**
 - d. Ownership of improvements to transfer to Council on lease expiry**

3. **Agree to grant Affected Party Approval for the proposed shade structures.**
4. **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 Councillors MacLeod and Aoake it was resolved that the Property Subcommittee move out of public excluded.

The meeting moved out of public excluded at 10.17am.

It was noted that the minutes of the meeting held on 23 July 2015 had not been confirmed.

On the motion of Councillors Aoake and Macleod it was resolved that the Property Subcommittee move back into public excluded.

The meeting moved into public excluded at 10.18am.

Confirmation of Minutes

On the motion of Councillors MacLeod and Aoake it was resolved that the minutes of the Property Subcommittee meeting held on 23 July 2015 be confirmed as a true and correct record.

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

The meeting moved out of public excluded at 10.19am.

Confirmed as a true and correct record:

Chair

Date