

**Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 3 May 2018 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), Dr Thunes Cloete (General Manager, Community Services), Mr Tony Avery (General Manager, Planning and Development), Mr Peter Hansby (General Manager, Infrastructure and Property), Mr Simon Battrick (Manager, Sport and Recreation), Mr Ulrich Glasner (Chief Engineer), Mr Myles Lind (Asset Planning Manager), Ms Michelle Morss (Corporate Manager), Ms Marie Day (Community and Events Facilitator), Ms Laura Gledhill (Contract Manager), Mr Tony Pickard (Transport Strategy Manager), Mr Blair Devlin (Manager, Planning Practice), Mr Ian Bayliss (Planning Policy Manager), Ms Anita Vanstone (Senior Planner), Mr David Wallace (Manager, Resource Management Engineering), Mrs Joanne Conroy (Property Advisor, APL Property Ltd) and Ms Jane Robertson (Senior Governance Advisor); two members of the media and approximately 8 members of the public

**Apologies/Leave of Absence Requests**

The following requests for Leave of Absence were made:

- Councillor Ferguson: 11-21 May 2018
- Councillor MacLeod: 20-27 May 2018
- Councillor Miller: 30 May - 4 June 2018
- Councillor MacDonald: 24-30 May 2018; 7-8 June 2018; 28-29 June 2018
- Councillor Hill: 1-12 June 2018
- Councillor Clark: 6-27 June 2018

**On the motion of the Mayor and Councillor MacDonald the Council resolved to grant the requests for Leave of Absence.**

**Declarations of Conflicts of Interest**

The following declarations were made:

- Councillor McRobie advised that he had been a commissioner for Plan Change 52 and would therefore take no part in this item.
- Council Smith advised that he would sit back from the table for item 12 'Proposed District Plan Decisions on Stage 1 Chapters' because he had made a number of submissions to parts of the Proposed District Plan.

**Matters Lying on the Table**

There were no matters lying on the table.

**QUEENSTOWN LAKES DISTRICT COUNCIL****3 MAY 2018****Page 2****Note**

The meeting was connected with the Wanaka Council office at 47 Ardmore Street via Skype from the beginning of the meeting until after consideration of item 1a.

**Public Forum**1. Cherilyn Walthew

Ms Walthew reminded the Council that the original Wanaka Pool had been built and funded by the community and had been community run, until ceded to the Council in 2008. She was critical of the Council's EOI process to appoint a sole provider for the Wanaka swim school and opposed to the Council confirming this at the meeting today. A petition had been started on Tuesday opposing the appointment of a sole provider and 1,400 people had already signed it. Given the community history of the pool she considered that the Council had a moral obligation to consult about the Wanaka swim school and she asked the Council to retain the status quo until the review of sport and rec had been undertaken, which the council had indicated would be in this financial year.

She questioned the arguments for going to single model but also noted that it had challenges including requiring more staff and the associated issues around that. She dismissed the argument that it was inappropriate for the ratepayer to subsidise a service when clearly the community wanted to pay for it. She praised the flexibility, experience and personalised service of the Wanaka Swim Academy and asked the Council to listen to the community and not to proceed in the recommended direction.

2. Rania Louhnan

Ms Louhnan supported the sentiments of the previous speaker, adding that she did not need to make any more comment about how strongly the community felt about this issue. She asked the Council to retain the status quo.

3. Rachel Brown

Ms Brown expressed disappointment at the decision-making process which had resulted in a sole provider being the preferred option. As Chair of the community board she had been involved in discussion about the new pool and swim school since 2013 and had been assured by the then Chief Executive that the board would be empowered to make this decision. She had continued to be assured of this until this year but stressed that it was very much a local decision and should sit with the community board. She noted that the community had made it very clear what it wanted and it was an example of something special that the local community had. She questioned the imperative for change adding that accommodating two schools should be easier with more room and a bigger pool.

4. Shane Fairmaid, Developer, Bullendale SHA

Mr Fairmaid updated the Council on progress with the Bullendale development. He circulated photographs showing interiors and exteriors of stage one, noting that there were already four families living in the development and the development progressing well. Stage 3 was currently on the market and an application for resource consent would be lodged this week. Sales were going well and he believed there was a market for these houses in Queenstown.

He was also looking forward to continuing the relationship with housing trust which would get nine new homes as part of this development.

5. Anna Jameson

Ms Jameson noted that she was a member of the Wakatipu Access Group and had lobbied for nearly 10 years for a disability strategy. The adoption of such a policy at the meeting today was an exciting moment. She stated that it was not just a box-ticking exercise but about disabled persons' rights to citizenship and to participate and contribute to this community. The QLDC was following the lead from other councils which had already adopted disability policies and it was important for Queenstown to measure up to other centres.

Ms Jameson stressed the importance of all people with disabilities being able to enjoy all the rights and freedoms of others. She cited an example of Council failing to appreciate the challenges and dignity of disabled people in its actions to install a non-wheelchair accessible doorbell to assist them with the swing doors at the Queenstown Events Centre. She noted that the disabled community did not want to struggle with normal things and she had high hopes that the disability policy would be a living document and would promote greater inclusion.

6. Rae Baker, Director, Queenstown Winter Festival

Ms Baker spoke to agenda item 10 which was concerned with the Queenstown Winter Festival's application for a three year licence to use two Council reserves for the festival. She noted that they now wanted to move the main stage further away from the playground as it would be being upgraded during the winter festival. She tabled a to-scale plan of the Marine Parade reserve showing the position of the stage. She noted that despite the application for a week each to pack in and out it was not expected that they would need all this time and in 2018 only planned to use for the period 17-26 June. However, it was a 3 year plan and important to provide future flexibility. The Winter Festival had received affected persons approvals from adjacent businesses.

### Confirmation of agenda

**On the motion of the Mayor and Councillor Forbes it was resolved that the Council confirm the agenda without addition or alteration.**

### Confirmation of minutes

23 March 2018

**On the motion of Councillors Stevens and Clark the Council resolved that the minutes of the public part of the ordinary meeting of the Queenstown Lakes District Council held on 8 February 2018 be confirmed as a true and correct record.**

## 1. Wanaka Swim School Expressions of Interest

A report from Simon Battrick (Manager, Sport and Recreation) set out options for learn to swim lessons at the new Wanaka Pool at Three Parks. The report detailed the independent assessment panel's consideration of the Expressions of Interest received on providing learn to swim services. Following assessment, the panel had concluded that QLDC Wanaka Swim School was the best option to operate as sole provider of learn to swim services at the new Wanaka Pool from Term 3, 2018. Accordingly, the report recommended that the Council adopt the panel's recommendation and appoint QLDC Wanaka Swim School.

Items 1 and 2 were presented by Dr Cloete and Mr Battrick.

The background to the Council seeking Expressions of Interest ['EOI'] for the provision of Learn to Swim Services at Wanaka Pool and the reasons for preferring a sole provider model were detailed. In reply to the questions raised in the Public Forum about the motivation to change from the present model, Mr Battrick advised that it was not considered that a dual programme would be sustainable in the future. Staff also considered that the time was ripe for change now while the pool was opening which should give the swim school the best chance for success.

Councillor Smith questioned the scope of the EOI. He believed that it effectively removed the Wanaka Swim Academy, Wanaka coaches and Wanaka Swim Club from submitting their interest. Mr Battrick noted that the Council's focus was on teaching basic learn to swim and survival skills.

Councillor Smith advised that he had been a customer of both swim school providers and he questioned the need for the Council to go against the clearly expressed wishes of the community and appoint a sole provider. He observed that the agenda report neither discussed the case for change nor the benefits of a sole provider. He believed that a lack of competition could lead to a reduced level of service and visitations to the new pool could drop as a result. He also considered that it would be unfortunate for this issue to taint a major celebration in Wanaka. Overall, he considered that the Council was at risk of alienating the Wanaka community if it chose to go to a single provider.

Councillor Ferguson noted that the decision to change to a sole provider in Queenstown had been because of the dysfunction between the parties, but such a situation did not exist in Wanaka. He was also concerned by the presence of staff in the EOI evaluation process. Because a large part of the Wanaka community had expressed their opposition to a sole swim school provider, he stated that he was unable to support the staff recommendation.

In reply to a question, Mr Battrick confirmed that other aquatic services would be made available to the community at the new Wanaka Pool. He noted that appointing two providers would limit the time available to other sectors of the community, although there was a clear frame work for allocating space and

he was hopeful that with both a main pool and learn to swim pool, there was the potential for more activities than at present.

Councillor MacLeod spoke against the recommendation to appoint a sole provider. He did not consider it positive to remove choice for the community, adding that there was no conflict between the current swim school providers and the community was vehemently opposed to appointing a sole provider. He supported option 2 to reject the QLDC Single Swim School provider. Councillor McRobie also noted that he did not support the report recommendation.

Councillor Stevens questioned what he considered was a complete change of direction, adding that staff had simply followed what the Council had requested.

The Chief Executive read aloud an alternative recommendation from the General Manager Community Services which would result in a new EOI process being undertaken. Councillor MacLeod asked in light of this if the Wanaka Community Board could be delegated the authority to make a decision on the Wanaka Swim School provider. The Mayor declined this request but agreed it was appropriate to take advice from the Board.

**It was moved (The Mayor/Councillor Smith):**

**That the Council reject the report recommendation.**

**The motion was carried with Councillors Hill, Miller and Stevens recording their vote against the motion.**

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

- 1. Decline the recommendation of the independent evaluation panel to appoint QLDC Swim School as a single provider of learn to swim services at the Wanaka Pool and that staff be instructed to prepare a new EOI that provides for the dual provision of a comprehensive learn to swim service;**
- 2. Recognise as a consequence of declining a single provider model, the draft 2018-28 Ten Year Plan will have to be adjusted and manage operational implications;**
- 3. Agree to continue with QLDC Swim School and Wanaka Swim Academy model of service provision in the short term while the EOI process is being completed; and**

4. **Agree that the recommendation of the EOI process will be reported back to Council for approval.**

**Councillor Hill abstained from voting.**

The Mayor thanked staff for their work and asked them not to view it as negative that the Council had rejected their recommendation.

1a. **Wanaka Pool Project Status Update April 2018**

A report from Simon Battrick (Manager, Sport and Recreation) provided an update on the construction and opening of the new Wanaka Pool at Three Parks as well as plans for the closure of the old Wanaka Pool. The report also detailed the reasons for a number of additional financial costs incurred during construction of the new pool, noting that the project team now considered that it would be prudent to forecast a capital overspend of \$150,000. Accordingly the report sought approval for this overspend to be funded through additional loan funding, with the additional interest to be funded through the Wanaka Pool targeted rate.

Staff noted that prices were higher ultimately than expected and the fact that the project had now continued for four years had contributed to the high consultant fee. It was also noted that as part of the value management exercise the contingency had been reduced to 6% which, in retrospect, was too little.

The Mayor congratulated staff for a well delivered project.

**On the motion of Councillors Stevens and MacLeod it was resolved that the Council:**

1. **Note the contents of this report;**
2. **Agree that the old Wanaka Pool in Plantation Road close at 5pm on Saturday 9<sup>th</sup> June 2018;**
3. **Agree that the opening of the new Wanaka Pool at the Wanaka Recreation Centre occur with an official blessing and then an free family fun day on Sunday 10<sup>th</sup> June 2018; and**
4. **Agree that the financial overspend for the new Wanaka Pool be funded through additional loan funding with the additional interest funded through the Wanaka Pool targeted rate.**

*The Skype connection with the Wanaka office was terminated at this point in the meeting.*

## 2. Adoption of new QLDC Disability Policy

A covering report from Marie Day (Community Development and Events Facilitator) presented the new QLDC Disability Policy for adoption as a Council policy following completion of a public consultation process, which was also detailed in the report.

The report was presented by Ms Day and Ms Morss.

Councillor Miller questioned action (c) under Policy Goal 6 and whether it would effectively prohibit any activity that could not be made accessible to disabled people:

*c. Ensure all active and passive recreation programmes delivered by QLDC are accessible to disabled people'.*

To address this concern, it was agreed to add at the beginning of the statement: 'Wherever practicable', noting however that Council would always make every effort to accommodate the needs of disabled people.

Councillor Smith thanked staff for a great piece of work, adding that he had already seen its effects through events being organised and through adaptations to policies.

**On the motion of Councillors Smith and McRobie it was resolved that Council:**

- 1. Note the contents of this report; and**
- 2. Adopt the Disability Policy [as amended] as a Council policy.**

## 3. Proposed Waste Fees and Charges 2018/19

A report from Laura Gledhill (Contract Manager) presented a review of the current waste fees and charges and proposed an increase for the 2018/19 year, beginning on 1 July 2018.

The report was presented by Ms Gledhill and Mr Hansby.

Further explanation was provided about the recycling solution arrived at for tyre disposal. Mr Hansby stressed that there was always a cost for tyre disposal and it was one of the reasons why fees and charges needed to be increased.

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

- 1. Note the contents of this report;**
- 2. Adopt the proposed increases to the waste fees and charges for the 2018/19 year; and**

**3. Adopt the commencement date of 1 July 2018 for roll out of the new charges**

**4. Speed Limits Bylaw 2009 (Incorporating 2010, 2012 and 2015 Amendments) Review**

A report from Myles Lind (Asset Planning Manager) detailed the methodology to be used to review the Speed Limits Bylaw, including the proposed scope of the review. The report asked Council to confirm the intention to review the Speed Limits Bylaw 2009, with formal consultation likely to begin after Council approval in September 2018.

This report and items 5 and 6 were presented by Mr Lind and Mr Hansby.

It was noted that since preparation of the report, NZTA had advised of their wish to participate, meaning that state highways would also now be part of the review.

Mr Lind noted that the aims were speed management rather 'limiting' speed and to lift community understanding of road safety. He added that 70km/h limits were no long permissible without special dispensation from NZTA, with 100km/h, 80km/h and 60km/h now being standard.

**On the motion of Councillors MacLeod and Clark it was resolved that Council:**

- 1. Note the contents of this report;**
- 2. Confirm its intention to review the Speed Limits Bylaw 2009: and**
- 3. Note that the proposed scope is to understand the following:**
  - a. Is the network area appropriately defined?**
  - b. Have safe and appropriate speeds been determined?**
  - c. Are there high benefit opportunities to improve both safety and economic productivity?**
  - d. Does Council have the capacity to deliver on priority areas for speed management?**
  - e. How will Council monitor and evaluate the outcomes of its speed management activities?**

**5. Traffic and Parking Bylaw 2012 review**

A report from Myles Lind (Asset Planning Manager) detailed the methodology to review the Traffic and Parking Bylaw 2012 including the proposed scope of the review. The report asked Council to confirm the intention to review the



Traffic and Parking Bylaw 2012, with formal consultation likely to occur in July 2018.

**On the motion of Councillors MacDonald and McRobie it was resolved that the Council:**

- 1. Note the contents of this report;**
- 2. Confirm its intention to review the Traffic and Parking Bylaw 2012; and**
- 3. Note the scope of the bylaw review will include confirming:**
  - a. that the policy intent of the bylaw was met and remains appropriate for managing traffic and parking matters;**
  - b. if there are regulatory or non-regulatory alternatives to a Traffic and Parking bylaw;**
  - c. if there are new or future foreseeable traffic or parking matters that need to be considered; and**
  - d. that the Council has the capacity capability to continue enforcing compliance under different growth scenarios.**

#### **6. Trade Waste Bylaw 2014 Review**

A report from Myles Lind (Asset Planning Manager) detailed the methodology to review the Trade Waste Bylaw 2014 including the proposed scope of the review. The report asked Council to confirm the intention to review the Trade Bylaw 2014, with formal consultation likely to occur after July 2018.

It was noted that the review was being undertaken to comply with the requirement to review bylaws every five years. The objective was to bring policy and management practice together but the focus was largely on education.

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

- 1. Note the contents of this report;**
- 2. Confirm its intention to review the Trade Waste Bylaw 2014;**
- 3. Note the scope of the review will include confirming:**
  - a. that the policy intent of the Bylaw was met and remains appropriate for managing trade waste matters;**

- b. if there are regulatory or non-regulatory alternatives to a Trade Waste Bylaw;
- c. if there are new or future foreseeable Trade Waste issues that need to be considered; and
- d. that the Council has the capacity capability to continue educating and enforcing compliance under different growth scenarios.

**7. QLDC Land Development and Subdivision Code of Practice - Amendments**

A covering report from Ulrich Glasner (Chief Engineer) presented the revised QLDC Land Development and Subdivision Code of Practice (incorporating NZS 4404:2010) with QLDC amendments for Council adoption.

The report was presented by Mr Wallace, Mr Glasner and Mr Hansby.

Councillor Miller questioned Council's consistency of practice in only requiring one on-road carpark in low density residential zones. Mr Wallace advised that the national standard for on-street carparking in residential areas was 2.8 parks per dwelling. The District Plan required two spaces on site meaning that only one was needed on-road. Councillor Forbes asked why the Council was not moving away from the focus on vehicles. Mr Wallace advised that despite the Council's policies to encourage other forms of transport, reliance on the car was well established and if there was no on-road parking provided, people would park on the grass verges.

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

- 1. Note the contents of this report;**
- 2. Adopt the QLDC Land Development and Subdivision Code of Practice;**
- 3. Authorise officers to make further minor changes to the QLDC Land Development and Subdivision Code of Practice without further recourse to the Council, where this is necessary to:**
  - a. Fix identified minor errors and /or omissions;**
  - b. Re-format to ensure maximum usability (hard copy and on-line); and**
  - c. Ensure continuity with other proposed provisions.**

**8. Public Transport Infrastructure**

A report from Tony Pickard (Transport Strategy Manager) advised that s 339 of the Local Government Act 1974 required the Council to hear any objections to transport shelters. The report also noted that there were

various occasions anticipated when new facilities would be required and recommended for ease and efficiency that the Council delegate the hearing of objections to a panel of three members.

The report was presented by Mr Pickard and Mr Hansby. Mr Pickard confirmed that there would be a regular need to convene hearings over the coming year because of existing stock, new stops and stops with shelters. He noted however, that every effort would be made to combine several objections into a single meeting.

In light of the expected demand, Councillor Stevens suggested that the full Council be appointed to the panel, from which three could be selected for each hearing. The Chief Executive expressed concern at this approach as he considered it was important to have a consistent chair.

Councillor McRobie advised that in he was happy to act as chair. Councillors Clark, Forbes, MacDonald and Stevens also agreed to join the panel.

**On the motion of Councillors Stevens and McRobie it was resolved that the Council:**

- 1. Note the contents of this report; and**
- 2. Delegate its power to a panel of Councillor McRobie (Chair), Councillor Clark, Councillor Forbes, Councillor MacDonald and Councillor Stevens to hear and make decisions on objections to the location of new public transport infrastructure, without further recourse to Council.**

#### **9. New licence for Vertigo Bikes Limited on Ben Lomond Bike Park**

A report from Joanne Conroy (Property Advisor, APL Property Ltd) assessed an application from Vertigo Bikes for a new licence to continue operating guided bike tours in the Ben Lomond bike park. The report recommended that a new licence be approved subject to various conditions.

Item 9 was presented by Mrs Conroy and Mr Burt. The Chief Executive noted that there was a minor error in the report in that option 4 should correctly read option 3.

**On the motion of Councillors McRobie and MacLeod it was resolved that the Council:**

- 1. Note the contents of this report;**
- 2. Approve a new licence to Vertigo Bikes Limited to offer guided bike tours in the Queenstown Bike Park on Ben Lomond (Sections 106 and 110 Block XX Shotover Survey District, sections 4**

and 10 Block 1 Mid Wakatipu Survey District) subject to the following terms:

<b>Commencement</b>	<b>1 December 2017</b>
<b>Term</b>	<b>5 Years</b>
<b>Rent</b>	<b>The greater of \$500 plus GST per annum or 7.5% of turnover, plus 3% of turnover towards track maintenance.</b>
<b>Renewals</b>	<b>One of five years</b>
<b>Rent Reviews</b>	<b>On renewal</b>
<b>Insurance</b>	<b>Required to have public liability insurance of \$2 million</b>
<b>Safety/Suspension</b>	<b>Council to retain ability to suspend the licence for safety purposes or to avoid large public events. Outdoors Mark safety audit certificate to be provided to Council annually.</b>
<b>Termination</b>	<b>Council to retain the ability to cancel the licence at their discretion with a minimum of 12 months' notice.</b>

3. **Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a new licence to Vertigo Bikes Limited over the reserves detailed above; and**
4. **Delegate signing authority to the Community Services General Manager.**

10. **New licence to Queenstown Winter Festival over the reserves known as Marine Parade and Earnslaw Park**

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application from the Queenstown Winter Festival for licences over recreation reserves in the Queenstown CBD: Earnslaw Park and Marine Parade. The report noted that the application had been subject to public notification and no submissions were received. Accordingly, the report recommended that a new licence be granted subject to conditions for a period of three years.

The report was presented by Mrs Conroy and Dr Thunes. Mrs Conroy confirmed that the seven days pack in and out in addition to the time of the

event itself was to provide flexibility for possible changes needed for future festivals.

The festival organisers were asked to be made aware of the need to minimise pack-in and pack-out noise at night.

**On the motion of Councillors MacDonald and Clark it was resolved that the Council:**

- 1. Note the contents of this report;**
- 2. Approve a new licence for the Queenstown Winter Festival over Marine Parade Reserve (Sec 6 Blk LI Queenstown Town) and Earnslaw Park (Sec 6/18 27 Blk XV Queenstown), subject to the following conditions:**

<b>Commencement</b>	<b>June 2018</b>
<b>Term</b>	<b>3 years</b>
<b>Rent</b>	<b>\$1 per annum pursuant to Community Facility Funding Policy</b>
<b>Reviews</b>	<b>At renewal or when Community Facility Funding Policy is reviewed</b>
<b>Renewals</b>	<b>1 of 3 years (by agreement of both parties)</b>
<b>Use</b>	<b>Festival to celebrate the winter season.</b>
<b>Insurance</b>	<b>\$2 million public liability insurance cover</b>
<b>Duration</b>	<b>To hold the Winter Festival, up to 7 days each year in the month of June, plus pack in pack out days of approximately 7 days either side, to be agreed with Council. Booking date to be confirmed with Council annually to avoid booking clashes.</b>
<b>Safety/Suspension</b>	<b>Council to retain ability to suspend the licence for safety purposes or to avoid other operations that might take priority over this event. Full Health and Safety plan to be provided to Council and a Traffic Management Plan to</b>

	be approved prior to the event.
<b>Termination</b>	With 12 months' notice at the Council's sole discretion.
<b>Special Conditions</b>	<p>Licensee must ensure they hold a valid resource consent for the activity.</p> <p>An event plan is to be provided and approved by QLDC's Parks Officers annually. This will take into consideration the changes in format and location of various festival activities.</p> <p>Licensee is to ensure that the event plan specifies how additional rubbish/recycling is to be managed and to what extent the applicant is responsible for Councils existing rubbish and recycling bins. The plan will also need to detail any additional toilets to be placed on the reserve and subsequently be approved by the Parks and Reserves Team.</p>

3. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a licence to Queenstown Winter Festival over Marine Parade Reserve (Sec 6 Blk LI Queenstown Town) and Earnslaw Park (Sec 6/18 27 Blk XV Queenstown).
4. Delegate signing authority to the General Manager, Community Services.

*Councillor McRobie sat back from the table for item 11.*

#### **11. Making Plan Change 52, Mount Cardrona Station, Operative**

A report from Blair Devlin (Manager, Planning Practice) noted that the Council had resolved on 8 February 2018 to adopt the recommended 'decisions on submissions'. Public notice had been given on the decision and no appeals had been received. Accordingly, the report asked the Council to resolve to make the plan change operative.

The report was presented by Mr Avery.

**On the motion of Councillors MacLeod and Hill it was resolved that the Council:**

- 1. Note the contents of this report;**
- 2. Authorise officers to amend the Operative District Plan to incorporate the changes made through PC52, as set out in the Commissioners decision adopted by the Council at its meeting on 8 February 2018.**
- 3. Approve public notification of the date on which PC52 shall become operative.**

*Councillor McRobie returned to the table.*

*Councillor Smith withdrew from the table for item 12.*

## **12. Proposed District Plan Decisions on Stage 1 Chapters**

A covering report from Ian Bayliss (Planning Policy Manager) introduced the reports and recommendations of independent commissioners on provisions and matters raised in submissions for the 33 chapters of the Proposed District Plan that made up Stage 1 of the district plan review and sought ratification as a Council decision. The report also sought a resolution from Council to notify its decision on chapters 1-17, 21-23, 26-28, 30, 32-36, 41, 42 and 44 in accordance with Clause 10 and 11 of the First Schedule of the Resource Management Act 1991.

The report was presented by Mr Bayliss and Mr Avery.

Mr Bayliss circulated a minute from the Chair of the independent commissioners, Mr Denis Nugent. The minute advised that Figures 1 and 2 had been omitted from Chapter 12 (to be adopted at the meeting). The minute recommended that both figures form part of Chapter 12. Mr Bayliss circulated a proposed addition to the report recommendation which addressed the contents of Mr Nugent's minute.

Councillor Stevens stated that it was good to have got to this stage, but he was opposed to the position the commissioners taken around urban development, which was different from what the Council had proposed. He was particularly concerned about the removal of objectives specific to Arrowtown. Mr Bayliss explained the options available to the Council if did not agree with some of the panel's recommendations, noting that amendments could be made either via a Plan Change or variation to the Proposed District Plan or by joining another appeal that raised similar concerns. Staff would therefore be vigilant to understand the nature of appeals received and develop a Council strategy for action.

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

- 1. Note the contents of this report;**
- 2. Note that on 2 May 2018 the Hearing Panel issued a minute advising Council and submitters of an error in their recommendation on Chapter 12 Queenstown Town Centre and providing an updated Figure 1 and Figure 2 (tabled separately) defining pedestrian links and height precincts respectively which amends the recommendations of the Panel to be considered by the Council.**
- 3. Adopts the Independent Commissioners' reports and recommendations as the Council's decision and direct staff to notify the decision in accordance with Clause 10 and 11 of the First Schedule of the Resource Management Act 1991;**
- 4. Directs staff to alter the Proposed District Plan provisions to reflect the Independent Commissioners' recommended chapters and to correct minor errors and make changes of minor effect in accordance with Clause 16(2) of the First Schedule of the Resource Management Act 1991 as recommended in the reports and recommendations;**
- 5. Notes that in the case of designations, the Council has conferred on Commissioners Nugent, McMahon, Rogers and Taylor the power to act on Council's behalf, making recommendations to requiring authorities under section 171 of the Act, and in the case of designations where the Council is the requiring authority, to make decisions pursuant to section 168A of the Resource Management Act; and**
- 6. Notes that adopting the reports and recommendations as the Council's decision does not mean Council has formed a view on possible future variations and investigations mentioned in the reports and recommendations.**

The Mayor observed that this resolution represented the conclusion of a massive job and that it was very pleasing to get to this point. He also acknowledged the work of this council, the previous council and all staff who to reach this point.



**13. Special Housing Area ['SHA'] Expression of Interest: Bullendale**

A report from Anita Vanstone (Senior Planner) recalled that the Council had supported in principle the Expression of Interest for the proposed Bullendale SHA at the Council meeting held on 14 December 2017. At that meeting the Council had sought further information about various matters and this report responded to that request, presenting:

- Negotiation of the Draft Deed of Agreement;
- Agency responses from Aukaha and Department of Conservation;
- Negotiation of Qualifying Development Criteria;
- Further assessment of traffic effects;
- Water and wastewater scheme boundary adjustments;

It was noted that the draft Deed of Agreement was presented in the public excluded part of the agenda.

The report was presented by Ms Vanstone and Mr Avery. Ms Vanstone noted that she wished to make some comment to clarify aspects of the Deed of Agreement in the public excluded part of the meeting.

Ms Vanstone's efforts to address the Hawea community in a public meeting held recently to discuss the proposed SHA in the Hawea area were acknowledged.

**On the motion of Councillors Hill and McRobie it was resolved that the Council:**

- 1. Note the contents of this report and in particular the assessment of the measures implemented to address the resolutions of the meeting of the 14 December 2017;**
- 2. Confirm that the Council agrees in principle with the contents of the (draft) Bullendale Special Housing Area Deed (Infrastructure and Affordability) and delegate to the General Manager, Planning and Development the authority to execute the Deed on behalf of the Council, subject to any minor changes consistent with Council's Lead Policy and infrastructural requirements identified by Council's Chief Engineer.**
- 3. Recommend to the Minister that the land to which the Bullendale proposal relates be established as a Special Housing Area, subject to the following:**
  - a. execution of the draft Deed and the performance of any conditions in it;**
  - b. a 4 storey and 11m height limit for qualifying developments; and**

c. minimum number of dwellings to be built 3.

4. Agree, subject to the proposal being approved as a Special Housing Area by the Minister and resource consent being granted for the Bullendale proposal and any upgrade requirements being met by the developer, the Queenstown Lakes District Council (QLDC) water supply and wastewater scheme boundaries be extended to allow servicing of the proposed development.

#### 14. Chief Executive's Report

A report from the Chief Executive presented the following information:

- Appointment of Jayne MacDonald as a Trustee on the Queenstown Lakes Community Housing Trust, noting that the MoU required such an appointment to have Council endorsement;
- Attendance at the Local Government New Zealand annual conference.
- List of delegations exercised by the Chief Executive under delegated authority during March 2018 (licences to occupy road reserve and table and chair licence);
- A summary of items considered at recent committee and Wanaka Community Board meetings. This included two recommendations for Council ratification from the Wanaka Community Board.

The Council also recorded that as the last meeting of the Wanaka Community Board held on 12 April Councillor Smith had been elected the new Chair of the Wanaka Community Board and Ruth Harrison as Deputy Chair. The Council also acknowledged the hard work of former Chair, Rachel Brown. since her election in 2013.

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

1. Note the contents of this report;
2. Endorse the appointment of Jayne MacDonald as a Trustee on the Queenstown Lakes Community Housing Trust.
3. Approve the Chief Executive and Councillor MacLeod attending the Local Government New Zealand annual conference and Councillor MacLeod acting as the Council's presiding delegate at the Annual General Meeting.
4. Note the delegations exercised for licences to occupy and table and chairs licences by the Chief Executive during March 2018.

5. Note the items considered during the past meeting round by Appeals Subcommittee, Wanaka Community Board and Community and Services Committee.

**Recommendations from Wanaka Community Board**

**Proposed New Licence to Upper Clutha Plunket**

6. Grant a licence to Upper Clutha Plunket (New Zealand Plunket Society Inc.) over two car parks in the Brownston Street car park, Section 10 Block XI Town of Wanaka, subject to the following terms and conditions:  
Commencement 1 May 2018

Term	3 years
Renewal	Two terms of 3 years by agreement of QLDC
Rent	Pursuant to Community Facility Pricing Policy (currently \$1 per annum, if demanded)
Reviews	On Renewal
Use	Parking by Plunket nurse and clients between 8am and 5pm Monday to Friday.
Termination	Licence may be cancelled by either party giving the other 6 months written notice. Council may cancel the licence if it considers the use to be insufficient.

Delegate signing authority for the licence document to the Community Services General Manager.

**Proposal to Vest Land in Wanaka as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy**

7. Approve the vesting of the two proposed Local Purpose Reserves (access):
- a. Lot 404 (543m<sup>2</sup>), Universal Developments, Aubrey Road

- b. Lot 405 (130m<sup>2</sup>), Universal Developments, Aubrey Road

Subject to the following works being undertaken at the applicant's expense:

- i. Consent being granted (as necessary) for any subdivision required to formally create the reserve and to level out undulations (as agreed necessary by the Parks Planning Manager);
  - ii. Presentation of the reserve in accordance with Council's standards for reserves;
  - iii. The submission to Council by the developer, certification as appropriate by Council, and subsequent implementation of a landscape and planting plan for the reserve.
  - iv. The formation of any sealed pathways to a minimum 2 metre wide width;
  - v. A potable water supply point to be provided at the boundary of the reserve lot;
  - vi. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve 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;
  - vii. The registration of a Consent Notice on any land adjoining the reserve to ensure any fences on land adjoining the reserve are no more than 1.2 metres in height;
  - viii. A five year maintenance period by the current landowner commencing from vesting of the reserve
  - ix. A maintenance agreement being prepared specifying how the reserves will be maintained during the maintenance period; and
  - x. Vesting of reserve to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
8. Agree that reserve land contributions are offset in accordance with the Development Contributions Policy current at the time of contributions payment, subject to recommendation three above.

9. Agree that 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 MacDonald 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 of ordinary meeting held on 23 March 2018

15. Appointment of Resource Management Act Hearings Commissioners
16. Appointment of Commissioners to the Hearings Panels for Stage 2 of the Proposed District Plan
17. Housing Infrastructure Fund - Detailed Business Case

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

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**3 MAY 2018**

**Page 22**

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
15. Appointment of Resource Management Act Hearings Commissioners	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: a) protect the privacy of natural persons including deceased natural persons;	Section 7(2)(a)
16. Appointment of Commissioners to the Hearings Panels for Stage 2 of the Proposed District Plan	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: a) protect the privacy of natural persons including deceased natural persons;	Section 7(2)(a)
17. Housing Infrastructure Fund - Detailed Business Case	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: j) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(j)

## QUEENSTOWN LAKES DISTRICT COUNCIL

3 MAY 2018

Page 23

Agenda items

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
13. Special Housing Area Expression of Interest: Bullendale <u>Attachment A: Draft Deed</u>	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: h) enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities; i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(h)  Section 7(2)(i)
15. Appointment of a Commissioner to the Hearings Panels for Stage 2 of the Proposed District Plan	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: a) protect the privacy of natural persons, including that of deceased natural persons.	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 2.50pm.*

*The meeting came out of public excluded and concluded at 3.00pm.*

**CONFIRMED AS A TRUE AND CORRECT RECORD**

---

**M A Y O R**

---

**D A T E**