

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown and via Zoom on Thursday 16 December 2021 commencing at 1.00pm

Present:

Mayor Boulton; Councillors Clark, Copland, Gladding, Ferguson, Lewers, MacLeod, Miller, Shaw, Smith and Whitehead

In attendance:

Mr Mike Theelen (Chief Executive Officer), Mr Stewart Burns (General Manager, Finance, Legal and Regulatory), Mr Peter Hansby (General Manager, Property and Infrastructure), Mr Tony Avery (General Manager, Planning and Development), Dr Thunes Cloete (General Manager, Community Services), Mrs Jeannie Galavazi (Senior Parks Planner), Mr Aaron Burt (Senior Parks and Reserves Planner), Ms Gabrielle Tabron (Owner Interface Manager), Ms Christine Skipworth (Parks and Reserves Planner), Mr Geoff Mayman (Procurement Manager), Ms Alyson Hutton (Planning Policy Manager), Ms Tara Hurley (Policy Planner), Ms Amy Bowbyes (Senior Policy Planner), Mr Ulrich Glasner (Chief Engineer), Mr Brandon Ducharme (Senior Development Infrastructure Engineer), Mr Simon Mason (Infrastructure Operations Manager), Mr Andrew Edgar (Senior Traffic Engineer), Mr Paddy Cribb (Finance Manager), Mr Dan Cruickshank (Property Advisor, APL Property Ltd – via Zoom), Mr Brendan Peet (General Counsel), Ms Zoe Burton (Legal Counsel), Mr Quintin Howard (Property Director), Ms Charlotte Johnson (Property Transition Manager) and Ms Jane Robertson (Senior Governance Advisor)

Apologies/Leave of Absence Applications

There were no apologies.

The following requests for leave of absence were made:

- Councillor Ferguson: 17-27 December 2021
- Councillor Lewers: 17 December 2021 to 16 January 2022
- Councillor Clark: 17 December 2021 to 13 January 2022
- Councillor Shaw: 17 December 2021 to 28 January 2022
- Councillor Whitehead: 17 December 2021 to 16 January 2022
- Councillor Copland: 23 December 2021 to 17 January 2022 and 9-13 February 2022
- Councillor Gladding: 23 December 2021 to 16 January 2022
- Councillor Smith: 23 December 2021 to 18 January 2022

On the motion of the Mayor and Councillor Gladding the Queenstown Lakes District resolved that the requests for leave of absence be approved.

Declarations of Conflict of Interest

No declarations were made at this point in the meeting.

Subsequently in the meeting the Mayor declared a conflict of interest in respect of the public excluded item 15. The report dealt with a number of contracts, one of which was with Downers. The Mayor noted that he was a member of the Board of Directors of Downers and he would leave the meeting for this item. He asked the Deputy Mayor to chair the meeting for this item.

Special Announcements

The Mayor referred to the recent passing of former Councillor Ross McRobie whom he had known since their youth together in Invercargill. He paid tribute to Mr McRobie's personal qualities and his major contributions to the community both as a Community Board member and Councillor and in other philanthropic roles. The Mayor expressed again his sympathies for Mr McRobie's widow and wider family.

Public Forum

All the public forum speakers appeared via Zoom.

1. Brian Fitzpatrick

Mr Fitzpatrick spoke about the Hotops Rise bike path and associated tree removal. He asserted that the proposed removal of four beech trees was not legal and should not proceed because it was not necessary for the proper management or maintenance of the reserve. Accordingly, it was contrary to the Queenstown Gardens Reserve Management Plan and also the Reserves Act.

Mr Fitzpatrick asked where the arboricultural impact assessment was, particularly as this was the arborist's first recommendation.

2. Jay Cassells (speaking personally and on behalf of Friends of the Gardens)

Mr Cassells read from a letter prepared by Graeme Todd for the Friends of the Gardens and other stakeholders opposing the proposed removal of trees from Hotops Rise to enable construction of a cycleway. The letter asserted that the Council was ignoring both the Reserves Act and the Queenstown Gardens Reserve Management Plan. The trees to be removed included a number of native species and the work was not part of an overall succession plan for vegetation in Queenstown Gardens. In addition, there was already a satisfactory existing track network in the Gardens.

Mr Cassells observed that if Mr Todd's advice was correct, there was no justification for the Council proceeding with the project as proposed.

3. Cath Gilmour

Ms Gilmour referred to the recently completed pathway between the gardens playground and the upper gardens, noting that this was traditionally the route used by people cycling into town. She noted that it was about twice the width of the previous path but it had not been planned with the purpose of accommodating active travel. This was a missed opportunity and would avoid the need to create a new, steep pathway in Hotops Rise and remove a number of trees in order to do so.

She asserted that the seats were on the wrong side of the path because those seated could only see half the playground. Further, they were potentially dangerous because the pathway would still be used by cyclists and could conflict with children and pedestrians from the playground.

4. Julie Scott (Queenstown Lakes Community Housing Trust)

Ms Scott spoke in support of the Council adopting the Queenstown Lakes Homes Strategy and Action Plan (item 11). The previous HOPE strategy had been successful and inclusive zoning was a very important part of the new strategy. There were currently 774 parties on the Trust's waiting list for a home so demand was high and growing, meaning there was a demonstrable need for this strategy.

5. Pierre Marasti (Extinction Rebellion)

Mr Marasti asserted that COP26 had been a failure and world leaders were waiting for someone else to resolve the climate crisis for them. A failure now would be felt by future generations and in the meantime unprecedented storms were affecting people all over the world. Extreme weather events were putting councils' infrastructure under pressure and destroying it. He questioned the long-term effect of stormwater from Northlake going into the Clutha and causing erosion. He suggested a new year's resolution was to ask oneself what one could do privately to reduce the district's emissions.

Confirmation of Agenda

On the motion of the Mayor and Councillor Clark the Queenstown Lakes District Council resolved that the agenda be confirmed without addition or alteration."

Confirmation of minutes of meeting

On the motion of Councillor Clark and Councillor Miller the Queenstown Lakes District Council resolved that the minutes of the public part of the ordinary meeting of the Queenstown Lakes District Council held on 28 October 2021 be confirmed as a true and correct record.

1 Adoption of QLDC Freedom Camping Bylaw 2021

A report from Jeannie Galavazi (Senior Parks Planner) presented the QLDC Freedom Camping Bylaw 2021 for adoption following public consultation and two public hearings.

Dr Cloete and Mrs Galavazi presented the report.

Mrs Galavazi referred to the recent Minister of Tourism announcement which had given a high level indication of possible changes in the future to the New Zealand Self-Containment Standards. She noted that a part of the resolution had been drafted to address this possible eventuality.

Dr Cloete acknowledged Mrs Galavazi's work in delivering the final version of the bylaw and the vital input of the hearings panel. The Mayor endorsed this view.

Councillor MacLeod as chair of the hearings panel commented on the consultation and hearings process. He noted that many submitters had wanted to prohibit freedom camping, but views became more nuanced as the hearing progressed. The Freedom Camping Act did not allow councils to prohibit freedom camping so the panel had tried to look at areas that could permit more camping. He also paid tribute to Mrs Galavazi for her energy and patience during the consultation and hearings processes and this was echoed by the other members of the hearings panel.

There was agreement that the panel's report showed robust debate around the consideration of sites.

On the motion of Councillor MacLeod and Councillor Gladding it was resolved that the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Note the Hearing Panel recommendation to amend the Queenstown Lakes District Council Freedom Camping Bylaw 2021 as recorded in the deliberations reports in Attachment "E" of this report;**
- 3. Determine that the Queenstown Lakes District Council Freedom Camping Control 2021 is:**
 - a. Necessary to protect the areas for which freedom camping is prohibited or restricted, to protect the health and safety of people who may visit the areas, or to protect access to the areas.**
 - b. The most appropriate and proportionate way of addressing the perceived problem in relation to the areas.**

- c. **Not inconsistent with the New Zealand Bill of Rights Act 1990.**
4. **Approve the revocation of the Queenstown Lakes District Council Freedom Camping Bylaw 2019 effective from 16 December 2021;**
5. **Adopt the Queenstown Lakes District Council Freedom Camping Bylaw 2021 [in Attachment “D” of the report] with the Bylaw coming into effect on 16 December 2021;**
6. **Agree that if there are changes to the New Zealand Self-Containment Standards or relevant freedom camping legislation a review of these changes will be undertaken to determine if amendments to the Queenstown Lakes Freedom Camping Bylaw 2021 are required;**
7. **Note that all submissions and feedback received through consultation will be incorporated into the review of the Responsible Camping Strategy that is underway; and**
8. **Amend the minutes from the 29 July 2021 Full Council meeting for agenda item 7 ‘Draft QLDC Freedom Camping Bylaw 2021’ which omitted reference to a verbal correction made during the meeting to the resolution to “Determine under section 555(1) of the LGA 11 of the Freedom Camping Act 2011 that the problem presented by freedom camping in the district is most appropriate and proportionately addressed by way of bylaw under the Freedom Camping Act 2011.**

2 **Partial Review of the Queenstown Bay Foreshore Reserves Management Plan 2016**

A report from Aaron Burt (Senior Parks and Reserves Planner) recommended a change to the Reserve Management Plan to contain a new policy to include a limited commercial access licence area in St Omer Park. This had been the recommendation of the hearings panel (Councillors Copland (Chair), Shaw and Lewers) following a public consultation process.

Dr Cloete and Mr Burt presented this report and the report following.

Mr Burt noted the potential omission from some versions of the agenda of a part of the hearings panel’s recommendation:

“Any licence for access over the Reserve may contain conditions that the Administering Body considers necessary to assure the public’s rights and enjoyment of the reserve, and free public access to/over the area shall not be restricted.”

Members of the hearing panel commented on the hearing and their efforts to address the considerable opposition to the proposal from submitters. Where the panel had landed was a reflection of this opposition and the aim had been to maintain public access to and enjoyment of the reserve.

Councillor Shaw asked staff to label the image contained in the recommendation correctly and copy it into the final version of the Reserve Management Plan for clarity.

On the motion of Councillor Copland and Councillor Lewers it was resolved that the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Approve the recommendation of the Hearing Panel (comprising Councillors Copland, Shaw and Lewers), following the process under Section 41(9) of the Reserves Act 1977, to adopt the following new policy and associated image, as a revision to the RMP 2016:**
 - i. Consider a single licence for one formed access across St Omer Park for commercial purposes, in the location identified in the image below, comprising a boardwalk and railing, or comparatively lesser and lower impact formation/construction. The access shall be for the sole purpose to assist pedestrian movement across the Reserve associated with a commercial activity, and no other associated commercial purposes are to be accommodated upon the Reserve.*
 - ii. The outcome of any consideration shall be at Council's discretion, and informed by the following factors:*
 - iii. The grant of a Resource Consent (or Consent Order if necessary) for the commercial activity and all necessary associated elements, which are otherwise required to give effect to the consent and associated activities. For clarity, any resource consent should not be for isolated elements, but the comprehensive activity as a whole in the locality, so that implications upon the public's use and the enjoyment of the reserve are understood.*
 - iv. The demonstration of positive elements, which in the view of the Administering Body sufficiently outweigh potential adverse effects to the public's use and enjoyment of the Recreation Reserve, and instead materially benefit users of the reserve. This may not be taken to constitute an approval or endorsement for*

any associated process under the Resource Management Act 1991.

- v. *Any licence for access over the Reserve may contain conditions that the Administering Body considers necessary to assure the public's rights and enjoyment of the reserve, and free public access to/over the area shall not be restricted.*



3. **Agree to exercise the Minister of Conservation's consent, under delegation from the Minister.**

3 **Easement for an Underground Stormwater Connection in the Foxs Terrace Reserve**

A report from Aaron Burt (Senior Parks and Reserves Planner) assessed an application from the owners of 21 Foxs Terrace for an underground services easement through the adjacent Foxs Terrace Reserve in Arrowtown. The report recommended approving the application.

Councillor Shaw complained that there were no street names or legend identified on the maps in the report and asked for better labelling of maps in the future.

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

- 1. Note the contents of this report;**
- 2. Approve an easement for underground infrastructure and a right to drain stormwater over Lot 16 DP 18937, being recreation reserve for the benefit of the residential**

property of Lot 7 DP 18937 (21 Fox's Terrace), with the extent of that easement identified in ATTACHMENT A;

- 3. Require that easement fees are charged; and**
- 4. Require that no works may be undertaken within the reserve, unless;**
 - i. QLDC Parks & Reserves first confirm and approve the methodology and time/duration of works.**
 - ii. A certificate of public liability cover by those undertaking the works is supplied.**
 - iii. A bond of \$5,000 is provided, to address any damage to the reserve. The site is to be rehabilitated and reinstated to its original condition.**
- 5. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of identified easements over Council Reserve Land.**
- 6. Delegate signing authority to the General Manager Community & Services.**

4 Hotops Rise Cycle Path Route

A report from Gabrielle Tabron (Owner Interface Manager) presented options for the Hotops Rise Cycle Path and proposed the preferred route for the cycle path for Council approval.

Mr Hansby, Dr Cloete, Ms Tabron and Ms Skipworth presented the report.

Ms Skipworth advised that the new pathway between the playground and the upper gardens was not fully complete as there were other elements such as signage to add. Accordingly, the final impression and available space were not yet fully clear.

Councillor Whitehead observed that the situation with regard to Hotops Rise had evolved over some considerable time and some of those originally in support had since changed their position because they were not aware of the compromises that would be necessary. She believed that many now preferred the route through the gardens because no trees would be impacted.

There was extensive discussion about the active travel programme. It was noted that there were still questions about the route through town including how cyclists would negotiate the Shotover roundabout, the connection at Church Street, the shared space at Beach Street and Camp Street and the route through to Man Street.

Councillor Smith commented on accessibility. The present route up Hotops Rise was not accessible, whereas the old route to the gardens had been challenging but accessible and he anticipated that the new pathway would be much better. However, in his view, a gradient of 1 in 8 was too steep for wheelchair users.

There was discussion on leaving the item lying on the table and doing nothing at this time. Mr Hansby advised that delaying this decision would make it difficult for contractors to deliver the overall project and he was uncertain what effect there might be on the CIP funding portion.

There was also discussion about alternative route 2 which went through Queenstown Gardens. Ms Skipworth advised that whilst some initial work had been undertaken, detailed design had not progressed. She added that there were some protected trees in the rotunda area and it was likely that the current entrance way would have to be changed.

Councillor Gladding expressed support for option 2 in preference to option one which she considered had the major disadvantages of removing trees and a very steep gradient. It was acknowledged that plans for option 2 had not been fully investigated but she expressed support for further work on the design and construction of option 2.

The Chief Executive proposed an alternative recommendation that would direct staff to look at the feasibility of option 2. There was also discussion about alternative courses of action should this motion fail.

It was moved (Councillor Gladding/Councillor Whitehead)

That the Queenstown Lakes District Council:

- 1. Note the contents of this report; and**
- 2. Agree not to proceed with the preferred route for Hotops Rise and instruct staff to undertake a detailed feasibility analysis of option 2 and report back to Council.**

The motion was put and carried on a show of hands 7:4.

5 2021 Ten Year Plan Capital Expenditure Changes

A report from Pete Hansby (GM Property and Infrastructure) proposed changes to the capital expenditure budgets that were unable to wait until presentation of the draft 2022/23 budgets in 2022.

Mr Hansby and Mr Burns presented the report.

Councillor Lewers asked various questions about the additional \$700,000 sought for the Hanleys Farm wastewater pump station to provide for greater capacity and to address odour issues in Frankton. He remained concerned about retained wastewater

in the pipe and suggested that a dosing station somewhere along the pipe be investigated. He expressed concern about doubling the price and was hopeful that it would resolve the Frankton odour.

On the motion of Councillor Gladding and Councillor Shaw it was resolved that the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Approve all proposed changes in accordance with Attachment A of the '2021 Ten Year Plan Capital Expenditure Changes' report; and**
- 3. Note that approval of recommendation (2) will result in a net increase of \$627k from the current adjusted 2021 Ten Year Plan.**

6 New Procurement Policy

A report from Geoff Mayman (Procurement Manager) presented a new Procurement Policy to replace the current one which had expired and new Procurement Guidelines that were specifically referenced in the new policy. The report observed that the Financial Thresholds were not included in the new policy but would be addressed in early 2022.

Mr Hansby, Mr Burns and Mr Mayman presented the report.

Members acknowledged the amount of work that had gone into developing the new policy and commended its references to sustainability.

Councillor Shaw considered that the application of the Council's IT systems and their interface with procurement was a risk and there needed to be an integrated system for both. Mr Mayman noted that staff were already planning to examine the finance system for some simple fix initiatives. He added that there would be iterations of the guidelines that would be workshopped with Councillors and these guidelines would cover contract and cost management.

The Chief Executive also noted that staff were progressively rolling out a programme of upgrades on the IT systems to ensure they were fit for purpose. The work was guided by the ICT Steering Group which set priorities and work was underway to implement a programme connecting procurement with the IT system. He added that the organisation already had an enterprise solution in TechOne and Councillor Shaw indicated she would like further discussions on this.

On the motion of Councillor Gladding and Councillor Ferguson it was resolved that the Queenstown Lakes District Council:

- 1. Note the contents of this report;**

2. **Adopt the Procurement Policy in all respects, except for section 9 - Financial Thresholds for Procurement Planning & Procurement Methods;**
3. **Approve the review date for the Procurement Policy as June 2023;**
4. **Note that the Procurement Guidelines (Adopted 2016, Revised 2021) including section 6 – Financial Thresholds, remain operable; and**
5. **Note the intention to present a report to the April 2022 Council meeting for the adoption of the new Procurement Guidelines.**

7 Adopt Acquisition and Vesting of Private 3 Waters Scheme Policy

A report from Brandon Ducharme (Senior Development Infrastructure Engineer) set out a new policy dealing with the Acquisition and Vesting of Private 3-Waters Schemes.

The report was presented by Mr Hansby, Mr Glasner, Mr Ducharme and Mr Mason all of whom also presented items 8 and 9.

Councillor Gladding asked whether there would be time for anyone to vest their scheme before the water service entity took control. It was noted that staff had engaged with Taumata Arowai on the proposed policy and they were supportive of the approach.

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

1. **Note the contents of this report;**
2. **Agree the amendments to the draft version of the proposed Vesting and Acquisition of 3-Waters Private Schemes Policy and update to adopt as final;**
3. **Adopt final version of the proposed Vesting and Acquisition of 3-Waters Private Schemes Policy;**
4. **Note that it is proposed to fund the increased budget from additional borrowing which will be re-paid over time by a combination of both development contributions and targeted rates for the acquired schemes.**

8 **Adopt Pressure Sewer Policy**

A report from Brandon Ducharme (Senior Development Infrastructure Engineer) set out a new policy to manage pressure sewer systems.

Councillor Gladding asked about the Pressure Sewer Policy's link with the Three Waters Bylaw and the ability to enforce the proposed policy. Mr Ducharme advised that the policy had been drafted to have close alignment with the bylaw in many of its principles, in particular to allow for easy enforcement.

On the motion of Councillor Shaw and Councillor Gladding it was resolved that the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Agree the amendments to the draft version of the proposed Pressure Sewer Policy and update to adopt as final; and**
- 3. Adopt the final version of the proposed Pressure Sewer Policy.**

The meeting adjourned at 2.40pm and reconvened at 2.47pm.

Councillor Miller was not present when the meeting resumed.

9 **Delegate Council's Authority to the Traffic and Parking Subcommittee to make decisions on Public Transport Infrastructure (Bus Shelters)**

A report from Brandon Ducharme (Senior Development Infrastructure Engineer) proposed that the Council delegate to the Traffic and Parking Subcommittee the power to hear and determine objections to new 'public transport infrastructure', also known as *bus shelters*.

Councillor Gladding expressed concern that the make-up of the Traffic and Parking Subcommittee (two elected members and two General Managers) meant that a quorum could be reached with only one elected member present. Part of the obligation to be accountable came from being elected and she was concerned about the potential for a subcommittee without a majority of elected members making decisions. She questioned whether it would be better for the proposed delegation to sit with the Infrastructure Committee.

Mr Ducharme suggested that it was better to sit with the Traffic and Parking Subcommittee which would need to determine any change to parking. Any change would result in the decision being made by two committees.

Councillor Smith (Chair of the Infrastructure Committee and Traffic and Parking Subcommittee) observed that the General Managers on the Traffic and Parking

Subcommittee had demonstrated as much interest in public outcomes as the elected members, but notwithstanding that, any alterations to its structure sat with the Mayor.

On the motion of Councillor MacLeod and Councillor Smith it was resolved that the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Delegate to the Traffic and Parking Subcommittee its power to hear and make decisions on objections to the location of new public transport infrastructure under section 339 of the Local Government Act 1974; and**
- 3. Authorise Council officers to make the necessary amendments to the QLDC Delegations Register.**

10 Removing parking minimums as required by the National Policy Statement on Urban Development 2020

A report from Tara Hurley (Policy Planner) presented proposed changes to the Operative District Plan and Proposed District Plan in order for the Council to comply with the National Policy Statement on Urban Development to remove all non-accessible minimum carparking requirements from its District Plans.

Mr Avery, Ms Hutton, Ms Hurley and Mr Edgar presented the report.

Ms Hurley tabled a list of corrections to the proposed changes to the Operative and Proposed District Plans. Ms Hurley confirmed that what was proposed were mandated changes.

It was noted that there was an error in the title of this report in some versions of the agenda and it should exclude the word 'non-accessible'.

Councillor Smith sought further information about the Comprehensive Parking Management Plan referred to in paragraph 16 of the officer report. He asked to view the questions and sought confirmation that the rest of the district would be addressed adequately.

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

- 1. Note the amendments required to implement Policy 11 of the National Policy Statement of Urban Development pursuant to Section 55(2A)(a) of the Resource Management Act 1991 (RMA) whereby Council is directed to amend the District Plan to remove non-accessible minimum parking requirements without using the process**

in Schedule 1 of the RMA as soon as practicable and not later than 20 February 2022;

2. Note that the removal of the provisions in respect of minimum parking requirements from the Operative District Plan and the Proposed District Plan will take effect on 17 December 2021, with public notice of the amendments to be available on the website immediately, and published in the papers on 23 December 2021, as per s55(2A)(b) of the RMA; and
3. Authorise the Manager Planning Policy to make edits and changes to the required amendments provisions consistent with the National Policy Statement Urban Development 2020 to improve clarity and correct any errors.

11 Adoption of the Queenstown Lakes Homes Strategy and Action Plan

A report from Amy Bowbyes (Senior Policy Planner) presented the final Queenstown Lakes Homes Strategy and Action Plan (separate documents) for adoption.

Mr Avery and Ms Bowbyes presented the report. The Council acknowledged the valuable earlier work on this topic completed by Katie Russell.

Some disappointment was expressed that despite the high response rate for the consultation, no changes were made as a result. In addition, some of the proposed actions were vague and did not apportion responsibility for actioning. There was support for practical responses like inclusionary zoning and there needed to be more actions of this sort.

Councillor Macleod acknowledged the role of the Mayor in addressing the district's housing issues as well as the work of former Councillor, John MacDonald.

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

1. Note the contents of this report and in particular the summary of survey responses, submissions received and recommendations;
2. Adopt the Queenstown Lakes Homes Strategy and Action Plan; and
3. Authorise the General Manager Planning and Development to approve final design and minor editorial changes prior to publication.

12 **121 Plantation Road, Wānaka: Proposed Disposal of Reserve**

A report from Brendan Peet (General Counsel) proposed that the Council approve beginning the statutory process to revoke the reserve status and then dispose of the land known as the 'old pool site' in Wānaka, with the hope that this would provide the opportunity to transfer the site to the Ministry of Education for an expansion of Mt Aspiring College.

The Council noted that the item had been discussed at the 4 November 2021 Wānaka Community Board meeting and the Board endorsed the proposed way forward.

The Council discussed the recommendation that members of the Wānaka Community Board be appointed to a hearing panel to hear any submissions and whether the membership of the hearing panel needed to be decided as part of this agenda item. Councillors MacLeod and Shaw volunteered for the hearing panel along with any other members of the Board who wished to participate also.

Members emphasised the need for staff to act with urgency on this matter.

On the motion of Councillor Smith and Councillor MacLeod it was resolved that the Queenstown Lakes District Council:

- 1. Note the contents of this report;**
- 2. Resolve pursuant to section 24(1) of the Reserves Act 1977 that the recreation reserve classification over the land at 121 Plantation Road Wānaka, vested in the Queenstown Lakes District Council, Record of Title OT14B/354 (the Site) is revoked on the basis the Site is no longer needed for reserve purposes because:**
 - a. the swimming pool on the Site has since been decommissioned and replaced with a superior facility at the Wānaka Recreational Centre; and**
 - b. there is already high quality recreational space to meet the needs of the community in the area.**
- 3. Approve public notification of the proposal to revoke the reserve classification over the Site in accordance with sections 24 and 119 of the Reserves Act 1977;**
- 4. Appoint members of the Wānaka Community Board (any two of which can form a hearing panel) to hear any submissions and make a recommendation to Council in accordance with section 120 of the Reserves Act 1977; and**
- 5. Delegate to the Chief Executive the authority to take such action and sign such documents as may be reasonably**

necessary to implement the above resolutions and matters ancillary to them.

13 Chief Executive's Report

A report from the Chief Executive:

- a. Proposed a way forward for the Wānaka Community Hub's interest free loan; and
- b. Set out the business of previous standing committee and Wānaka Community Board meetings, noting that two Board recommendations were the subject of two separate reports on the agenda (121 Plantation Road Disposal of Reserve [item 12] and Wānaka Airport Management Services Agreement [item 16]).

The Chief Executive advised that the mediation between the stakeholders on the interest free loan had not progressed as quickly or as smoothly as hoped and the loan needed to be extended for another six months. Further, some of the parties were not available in early 2022 so it was proposed to change the date for reporting back from March 2022 to April 2022. The Chief Executive confirmed that the cost of extending the loan was minimal.

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

- 1. Note the contents of this report;**
- 2. Note the Wānaka Community Board recommendation in respect of the Wānaka Pool land transfer;**
- 3. Note that the Wānaka Community Board has made a recommendation in respect of the Wānaka Airport Management Services Agreement;**
- 4. Agree to extend the interest free loan of \$500,000 to the Wānaka Community House Charitable Trust ('WCHCT') for a further 6 months subject to further mediated dialogue to be undertaken between representatives of the Wānaka Community Board, WCHCT trustees and key tenants of the WCHCT with the purpose of ensuring improved relationships between all parties; and**
- 5. Agree that a final report, subject to the mediated outcome, will be presented to Council in April 2022.**

RESOLUTION TO EXCLUDE THE PUBLIC

On the motion of the Mayor and Councillor Shaw it was resolved that the public be excluded from the following parts of the meeting:

The general subject of each matter to be considered whilst the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Confirmation of minutes (Ordinary Council meeting held on 28 October 2021)

- Item 9: Reappointments, New Appointments and Joint List Appointments for Queenstown Lakes District Licensing Committee (DLC)**
- Item 10: Acquisition of land for road from R & R Lee Properties Ltd**
- Item 11: Car Parking, Queenstown**
- Item 12: Increase the Chief Executive’s Delegated Authority for Delivery of the Arterials Stage 1 Project**
- Item 13: Legal Update**
- Item 14: Chief Executive Salary Review 2021**

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
9. Reappointments, New Appointments and Joint List Appointments for Queenstown Lakes District Licensing Committee (DLC)	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)
10. Acquisition of land for road from R & R Lee Properties Ltd	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) to enable Council to carry out, without prejudice or disadvantage, commercial activities; i) enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(h) Section 7(2)(i)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
11. Car Parking, 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>h) to enable Council to carry out, without prejudice or disadvantage, commercial activities;</p> <p>i) enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>j) prevent the disclosure or use of official information for improper gain or improper advantage.</p>	<p>Section 7(2)(h)</p> <p>Section 7(2)(i)</p> <p>Section 7(2)(j)</p>
12. Increase the Chief Executive's Delegated Authority for Delivery of the Arterials Stage 1 Project	<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>h) to enable Council to carry out, without prejudice or disadvantage, commercial activities;</p> <p>i) enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	<p>Section 7(2)(h)</p> <p>Section 7(2)(i)</p>

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
13. Legal Update	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: g) maintain legal professional privilege i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(g) Section 7(2)(i)
14. Chief Executive Salary Review 2021	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)

Agenda items

- Item 13a: Chief Executive’s Report: QLDC Lease Rental Relief Policy Covid-19**
- Item 14: Wānaka Reserve Land Acquisition**
- Item 15: Three Waters Operational Contracts**
- Item 16: Draft Wānaka Airport Management Services Agreement**

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
13a. Chief Executive's Report: QLDC Lease Rent Relief Policy – COVID-19	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: b)(ii) protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	Section 7(2)(b)(ii)
14. Wānaka Reserve Land Acquisition	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) to enable Council to carry out, without prejudice or disadvantage, commercial activities; i) enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(h) Section 7(2)(i)
15. Three Waters Operational Contracts	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: b)(ii) protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. i) enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(b)(ii) Section 7(2)(i)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
16. Draft Wānaka Airport Management Services Agreement	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) enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)

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

The meeting went into public excluded at 3.17am.

The meeting came out of public excluded and concluded at 3.41pm.

MAYOR

DATE