

**Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday, 18 April 2019 commencing at 1.00pm**

**Present:**

Mayor Boulton; Councillors Clark, Ferguson, Forbes, Macdonald, MacLeod, McRobie, Miller, Smith and Stevens

**In attendance:**

Mr Mike Theelen (Chief Executive), Mr Stewart Burns (General Manager, Finance, Regulatory and Legal), Mr Peter Hansby (General Manager, Property and Infrastructure), Dr Thunes Cloete (General Manager, Community Services), Mr Tony Avery (General Manager, Planning and Development), Mr Blair Devlin (Consultant Planner), Mr Ian Bayliss (Planning Policy Manager), Ms Katie Russell (Policy Planner), Ms Polly Lambert (Acting Strategy and Asset Planning Manager), Mr Daniel Cruickshank (Property Advisor, APL Property Ltd), Mr Richard Pope (Property Director), Mr Paul Carter (Property Strategy Advisor) and Ms Jane Robertson (Senior Governance Advisor); 3 members of the media and approximately 55 members of the public

**Apologies/Leave of Absence Requests**

An apology was received from Councillor Hill along with a request for leave of absence until 29 April 2019.

The following requests for Leave of Absence were made:

- Councillor McRobie: 19-28 April 2019
- Councillor MacLeod: 21-29 April 2019
- The Mayor: 29-30 April
- Councillor MacDonald: 1-21 June 2019

**On the motion of the Mayor and Councillor Stevens it was resolved that the Council accept the apology and grant the requests for leave of absence.**

**Declarations of Conflicts of Interest**

Councillor McRobie advised that he had been a member of the hearing panel for the Coastguard Wanaka Lakes application and questioned if this was a conflict. The Mayor stated that it was not. Councillor McRobie noted that he was also a Councillor liaison with the Queenstown Lakes Community Housing Trust but the Mayor did not consider that this was a conflict.

**Matters Lying on the Table**

The item 'Expression of Interest for a Special Housing Area: Laurel Hills Ltd' was lying on the table from the ordinary Council meeting held on 7 March 2019

**On the motion of the Mayor and Councillor McRobie the Council resolved that the item 'Expression of Interest for a Special Housing Area: Laurel Hills Ltd' be uplifted from the table for consideration at the meeting.**

1. Yeverley McCarthy

Mrs McCarthy spoke in support of the Wanaka Community House request for a lump sum grant of \$100,000 in the 2019/20 Annual Plan to assist in completing the project. She detailed what role the facility would play once completed, noting that it would be fully tenanted upon opening. Currently the project was \$900,000 short and the group trying to make up the shortfall by fundraising locally, approaching local community funders and offering naming rights; this shortfall was the reason for the approach to QLDC for funding.

2. Bryan Lloyd

Mr Lloyd noted that the need for a Wanaka Community House project had been identified in a Council commissioned report in December 2004. A letter in August 2015 from then Mayor, Vanessa van Uden, advised that the Council was supportive of the project and would entertain a future approach if there was a funding shortfall. This was the current situation. He noted that changes to elected members and Council staff could result in the loss of such commitments and the Wanaka Community House was a much needed facility that deserved the support of Council.

3. Marion Poore, Medical Officer of Health

Dr Poore advised that the Council was responsible for planning for growth but mistakes about infrastructure and development could be at great cost to communities. The district was experiencing great growth and was feeling effects common to boom towns which could result in an increase in mental health cases. She considered that assessment of effects should also consider the effects of development on community wellbeing, observing that the traffic and congestion effects assessed did not acknowledge the impact SH6 had in severing connections between communities. Further, such considerations were needed across the whole district and not just where SHAs were proposed. Good health and mental wellbeing required strong connections between communities and neighbourhoods.

4. Nik Kiddle, Villa Del Lago,

Mr Kiddle referred to a study the Council had commissioned from Martin Jenkins about the possible introduction of a visitor levy which had recommended that an in-depth assessment on how a levy would influence the behaviour of visitors was needed before any levy could be introduced. He asked whether any such study been undertaken.

He noted that Council had stated it needed funding for five years for tourist related infrastructure but planned to collect \$40M per annum from the levy in perpetuity. He asked what the Council would spend this money on beyond five years and suggested that a sunset clause was needed.

**QUEENSTOWN LAKES DISTRICT COUNCIL****18 APRIL 2019****Page 3**5. Jonathan Walmisley, Coastguard Wanaka Lakes

Mr Walmisley stated that he was happy to follow up on any questions from Councillors that might arise from the Coastguard Wanaka Lakes item later on the agenda.

6. Peter Sutherland, Moorings Motels, Wanaka

Mr Sutherland expressed opposition to the proposed visitor levy. He did not consider it was fair to single out a sub-sector of the community for a tax when accommodation providers already paid inflated rates due to high differentials. He added that S.83 of the Local Government Act required the Council to "provide persons interested in a proposal with an opportunity to present their views" but he had failed to obtain a clear record of the Council's decisions on the visitor tax and this had been the subject of a complaint to the ombudsman.

7. Julie Scott, Executive Officer, Queenstown Lakes Community Housing Trust

Ms Scott thanked the Council for considering the Jopp Street proposal and she was satisfied with the proposed recommendations. She was hopeful that this proposal would be ultimately successful.

In relation to the various SHA applications due for consideration on the agenda, Ms Scott advised that it was Trust policy not to express a public view on any proposal. Notwithstanding this, the Trust welcomed the community housing contributions from these developments as they would help to service the 600 households currently on the waiting list.

8. Ian Scott

Mr Scott stated that until recently there had been little public understanding of the financial implications of the SHAs not happening, specifically the government funding that would be lost if they did not occur. He did not believe that the benefits had been publicised well enough, which had not helped the local community which was concerned about the situation and the worsening traffic conditions.

He still had concerns about the Laurel Hills proposal, including lot sizes, the steep gradient of some lots and distance/separation standards. He believed that the profile poles recently installed had been taken down without delay because the developers were aware of the negative visual impact.

9. Clark Pirie, Lake Hayes Estate and Shotover Country Community Association

Mr Pirie was concerned that the Planner's report contained no genuine recommendation about what the Council should do. The SHA legislation was failing to deliver affordable housing and it was simply a quick pathway to provide increased housing in the community. The community recognised the impact on the HIF funding if the SHAs did not proceed, but had not been properly informed about this. Notwithstanding this, improvements to wastewater would not address traffic problems. He did not believe that it was reasonable to expect the community to experience more pain before these issues were addressed and the community was still opposed to significant development on Ladies Mile.

10. Robert Greg

Mr Greg suggested that instead of the proposed visitor levy that the Council leverage infrastructure off its own balance sheet. This approach had been successfully introduced overseas and he asked if the Council had considered it.

**Confirmation of agenda**

**On the motion of the Mayor and Councillor McRobie the Council resolved that the agenda be confirmed without addition or alteration.**

**Confirmation of minutes**

Councillor Smith sought the addition of the following sentence to the minutes of item 1 ('Draft Statement of Intent, Queenstown Airport Corporation 2010/20'):

*"Councillor Smith stated that the Statement of Intent needed to add specific and measureable targets and to identify opportunities and decision-making thresholds where the shareholders would be engaged."*

**On the motion of the Mayor and Councillor MacDonald the Council resolved that the minutes of the meeting held on 7 March 2019 as amended be confirmed as a true and correct record.**

1. **Ladies Mile Special Housing Areas Cumulative Effects**

A report from Werner Murray (Principal Planner) assessed the cumulative effects of the three Ladies Mile Special Housing Area proposals before the Council at the meeting. The report was for the Council's information only.

The Planning and Development General Manager spoke to a PowerPoint presentation which provided an overview on the Ladies Mile proposed SHAs. The PowerPoint discussed the future of Ladies Mile and the earlier Council decisions impacting Ladies Mile's future development as an SHA site. It also assessed the key themes of concern and those in support of the three individual SHA applications in front of the Council at this meeting and discussed further traffic on Ladies Mile and the importance of a modal shift. The presentation detailed several different decision pathways available for Ladies Mile.

Mr Avery noted that this was the final Council meeting at which any SHA proposal would be considered because the HASHAA was due to expire on 16 September 2019 and new applications were not to be submitted after 30 April 2019. He acknowledged that the HIF funding would no longer be available if the SHAs which were the subject of agenda reports were not approved, however the HIF funding was a loan and the loss therefore was only the cost of the money.

There was considerable further discussion about future development on Ladies Mile. Matters raised were:

- The future development of community facilities in the area if the HIF funding was no longer available;
- The role of partners NZTA and ORC and the advantages of being able to advance projects more quickly with the assistance of the HIF than without;
- The capacity of the Shotover Bridge and the threshold needed before NZTA would consider a replacement;
- The number of dwellings that could be built as of right from existing developments and the further traffic congestion that would create;
- The various options offered by the Proposed District Plan and the Council's ability to control future subdivision in Ladies Mile; it was noted that alternatives for the future development of Ladies Mile would be the subject of a report at the next meeting;
- The future of the whole Frankton Flats area and the Council's role in managing it.
- The pressure on development in the Frankton Flats and Ladies Mile areas and the need to address the housing crisis in the district.

The Mayor expressed a preference for pathway four as detailed in Mr Avery's presentation, as without predetermining the proposals due for consideration at the meeting, he considered that it would be unwise to approve development in this area until some major infrastructural issues were addressed. The Council's proposed property purchase in Ladies Mile could also impact future development in the area.

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

- 1. Note the contents of this report;**
  - 2. Note that there are a number of options that the Council will need to consider in respect of the present and future development opportunities for Ladies Mile as outlined in this report; and**
  - 3. Note there will be a further report to the Council meeting to be held on 30 May on those options following the Council's decisions on SHAs at the 18 April Council meeting.**
- 2. Expression of Interest for a Special Housing Area: Laurel Hills Ltd (adjacent to Shotover Country)**

A report from Blair Devlin (Consultant Planner) presented further information on the proposal and the draft Stakeholder Deed for the Laurel Hills Ltd Expression Interest. The report recommended that the Council agree with the contents of the draft Deed and recommend the SHA to the Minister.

The report was presented by Mr Devlin, Mr Avery and Mr Murray.

Mr Devlin corrected some errors in his report recommendation in relation to the dwelling height limit. He also noted that three matters in the Draft

Stakeholder Deed remained to be agreed with the applicant, the third being the formation of a road through Laurel Hills to the boundary on the eastern side.

There was further discussion about the proposed establishment of a bus priority route, shading effects of the development and height restrictions and the remaining areas of disagreement, in particular that over the provision of land to the Queenstown Lakes Community Housing Trust.

The report recommendation was not moved or seconded and therefore lapsed.

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

- 1. Decline to recommend the Laurels Hill SHA EOI to the Minister; and**
  - 2. Ask the Chief Executive to report back to the next Council meeting on future options for Ladies Mile.**
- 3. Consideration of the Flint's Park and Glenpanel expressions of interest for Special Housing Areas located on the Ladies Mile**

A report from Blair Devlin (Consultant Planner) assessed the Flint's Park and Glenpanel Expressions of Interest on Ladies Mile as Special Housing Areas. The report recommended that the Council agree with the contents of the draft Deed and recommend the SHA to the Minister.

The report was presented by the same personnel as the previous item.

Mr Devlin confirmed that the number of dwellings to be delivered was different from the figures contained in the report, with the minimum number of section/dwellings to be built being 256 and 423 for Flint's Park and Glenpanel respectively.

There was further discussion about bus routes and the possible traffic impacts. Councillor Smith indicated his support for the proposal. Councillor MacDonald noted that the Flint's Park developers had responded positively for a request for increased density although he acknowledged that the density of Glenpanel was not yet sufficiently high

Councillor Ferguson stated that he was struggling to agree that the proposals were in the right location and he could not support the report recommendation. Councillor Stevens also stated that he could not support the recommendation as the report still had too many unanswered questions. He accepted that the land would be developed at some point in the future but considered that it needed to be achieved via a proper planning process.

It was moved: Councillor MacDonald/Councillor Smith:

**That the Council:**

- 1. Note the contents of this report;**
- 2. Note that public feedback received on both EOIs has been provided to Councillors separately prior to the meeting;**
- 3. Note that QLDC, NZTA and ORC agreed a detailed business case for 1100 houses on the Ladies Mile (including the Glenpanel and Flint's Park land) as part of its Housing Infrastructure Fund application, with the detailed business case including a programme of transport related works that aims to address transport issues on the Ladies Mile.**
- 4. Note that the Flint's Park residential component is dependent on access across the Glenpanel land, and could not be recommended to the Associate Minister without also recommending the Glenpanel EOI.**
- 5. Note that the Glenpanel housing density is less than desired to achieve Council objectives around public transport and the draft Deed requires an increase in density.**
- 5. Note that the draft Deeds [in Attachments D and E] have not been fully agreed to by the applicants.**
- 6. Confirm that Council agrees with the contents of the draft Glenpanel Limited Partnership SHA Deeds (Attachment D) and the draft Maryhill Limited SHA Deed (Attachment E) and delegate to the General Manager, Planning and Development the authority to execute the Deed on behalf of Council, subject to any minor changes consistent with the Council's Lead Policy and infrastructural requirements identified by Council's Chief Engineer.**
- 8. Recommend to the Associate Minister for Housing and Urban Development that the land to which the Flint's Park residential and Flint's Park Mixed Use Precinct proposal relates be established as a Special Housing Area, subject to the following:**

- a. execution of the draft Deed in Attachment D and the performance of any conditions in it;
  - b. a 4 storey and 12m height limit for qualifying developments; and
  - c. Minimum number of sections / dwellings to be built 217.
9. Recommend to the Associate Minister for Housing and Urban Development that the land to which the Glenpanel proposal relates be established as a Special Housing Area, subject to the following:
- a. execution of the draft Deed in Attachment E and the performance of any conditions in it;
  - b. a 4 storey and 12m height limit for qualifying developments; and
  - c. Minimum number of sections / dwellings to be built 176.
10. Agree subject to the proposal being approved as a SHA by the Associate Minister and resource consent being granted for the Glenpanel and Flint's Park residential and Flint's Park mixed use precinct, that the Council water supply and wastewater scheme boundaries be extended to allow servicing of the proposed developments.

The motion was put and lost on a show of hands.

It was moved: The Mayor/Councillor McRobie:

**That the Council:**

1. Note the contents of this report;
2. Note that public feedback received on both EOIs has been provided to Councillors separately prior to the meeting;
3. Decline to recommend to the Associate Minister for Housing and Urban Development that the land to which the Flint's Park residential and Flint's Park Mixed Use Precinct Proposal relates and the land to which the Glenpanel proposal relates be established as a Special Housing Area.

*The motion was put and carried 6:4 on a show of hands with Councillors Clark, Forbes, MacDonald and Smith recording their votes against the motion.*



*The meeting adjourned at 3.13 pm and reconvened at 3.22pm.*

4. **Expression of Interest for a special Housing Area: Coneburn Valley – Close to Hanley Downs and Jacks Point**

A report from Werner Murray (Principal Planner, Planning and Development) assessed the Coneburn Valley Expression of Interest for consideration as a Special Housing Area. The report recommended that the Council support the proposal and recommend it to the Minister for development as a Special Housing Area, subject to several recommended conditions.

The report was presented by Mr Murray and Mr Avery.

Mr Murray advised that since preparation of the report comment had been received from Aukaha and the Otago Regional Council ('ORC'). The comment from Aukaha was that they were opposed to this development and the encroachment of urban development on rural environment with the loss of valuable soils, preferring instead the RMA process. The ORC supported the proposed roundabout and agreed with the provision of a bus priority lane through the roundabout as well as pedestrian and cycle ways through the roundabout.

The Mayor asked if the development was sufficiently intensive. Officers indicated that it would be difficult to vary the Deed of Agreement at this point to increase density but undertook to convey this request to the developers and work with them to see what could be done.

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

1. **Note the contents of this report;**
2. **Note that public feedback received has been provided to Councillors separately prior to the meeting;**
3. **Amend the Housing Accords and Special Housing Areas Act 2013 Implementation Guidelines (lead Policy) to add that part of Lot 1 and 2 DP 475609 shown in the Highlander Trust Limited Expression of interest into Category 2 of the Lead Policy**
4. **Approve in principle the Coneburn Valley EOI for a Special Housing Area**
5. **Confirm that Council agrees with the contents of the draft Highlander Trusts Limited SHA Deed 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.**

6. **Recommend to the Associate Minister of Housing and Urban Development that the land to which the Coneburn Valley EOI relates be established as an SHA, subject to the following:**
    - a. **execution of the SHA Deed and the performance of any conditions in it; and**
    - b. **minimum number of sections/dwellings to be built being 450.**
  7. **Agree, subject to the proposal being approved being approved as an SHA by the Minister and resource consent being granted for Coneburn Valley proposal and any upgrade requirements being met by the developer, that Queenstown Lakes District Council (QLDC) water supply and wastewater scheme boundaries be extended to allow servicing of the proposed development**
5. **Queenstown Lakes Community Housing Trust request for Jopp Street Land**

A report from Katie Russell (Policy Planner) assessed a request from the Queenstown Lakes Community Housing Trust to transfer Council land at Jopp Street, Arrowtown to the Trust to enable the development of affordable houses for the community. This would require the purpose of the land to be changed from public utility to housing. The report recommended that the Council agree that the land at Jopp Street was surplus to requirements for public utility and agree to transfer the land to the Trust.

The report was presented by Ms Russell and Mr Avery.

Questions were raised about the recommendation that the transfer be achieved for 'nil consideration'. Members agreed that \$1 was the standard charge for most transactions of this nature and agreed to change part 4(b) of the recommendation accordingly. It was also noted that part (1) of the recommendation in which the Council was declaring the land as being surplus, should be also be made subject to the Minister of Local Government approving the land's change in purpose.

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

1. **Agree that the QLDC land at Jopp Street, Arrowtown (Lot 2 DP 300390) is surplus to requirements for public utility, subject to the Minister of Local Government approving the change in purpose of the land;**

2. **Agree to change the purpose of the land to that of housing from public utility (subject to the approval of the Minister of Local Government);**
3. **Request the Minister of Local Government to change the purpose of the endowment of the land to that of housing from public utility; and**
4. **Agree to the transfer of the land to the Queenstown Lakes Community Housing Trust:**
  - a. **subject to Trust confirming its housing yields from its proposal; and**
  - b. **the provision of affordable housing for consideration of \$1.00;**
5. **Decline the Trust's request to sell ten land and house packages to assist in recouping development costs.**

#### **6. Making Private Plan Change 53 Northlake Special Zone Operative**

A report from Craig Barr (Principal Planner, Resource Management Policy) advised that all submissions to Plan Change 53 (Northlake Special Zone) had now been resolved and a Council resolution was necessary to make the Plan Change operative.

The report was presented by Mr Bayliss and Mr Avery.

Councillor MacLeod observed that although the resolution was purely to complete a statutory process, he was disappointed with the outcome of the Plan Change and accordingly, would be voting against the motion. Councillor Smith advised that he agreed with Councillor MacLeod's stance and indicated that he too would vote against the motion.

**On the motion of Councillor McRobie and MacDonald and the Mayor 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 Plan Change 53, as set out in the Council decision on 27 December 2018.**
3. **Approve public notification of the date on which Plan Change 53 shall become Operative.**
4. **Authorise officers to make any changes of minor effect or to correct minor errors**

*Councillors MacLeod, Miller and Smith recorded their votes against the motion.*

## 7. **Traffic and Parking Bylaw – Proposed Permit Changes**

A report from Polly Lambert (Acting Strategy and Asset Manager) presented the proposed changes to parking permits and sought Council approval of the new system to enable it to be implemented from 1 October 2019 (with a transition period from 1 July 2019).

The report was presented by Ms Lambert and Mr Hansby.

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

- 1. Note the contents of this report;**
- 2. Approve the proposed permit charges associated with the new permitting framework introduced pursuant to the Traffic and Parking Bylaw 2018, as follows:**
  - a. Small Passenger Service Vehicles – \$500 per annum**
  - b. Annual community use – \$25 per annum**
  - c. Temporary – \$20 per day or \$100 per week (a week being up to and including 7 days)**
  - d. 75 plus – \$5 for three years**
- 3. Note that permits will not be extended to emergency services or utility providers responding to urgent callouts as these are exempted from parking regulation under clauses 25.3(b) and 25.3(c) of the Traffic and Parking Bylaw 2018.**

## 8. **2018/19 Capital Works Programme – Second Re-forecast**

A covering report from Peter Hansby presented amendments to the Council's capital works programme for 2018/19 for the Council's approval.

The report was presented by Mr Cribb and Mr Hansby.

*Councillor MacDonald left the meeting at 3.45 pm.*

A decision from NZTA on Ballantyne Road funding was still awaited.

There was further discussion about third party funding for the new Luggate Hall. Mr Hansby noted that three major trusts in the district had indicated their interest in supporting the project and plans were in place to make application for grants totalling \$1.4M spread across the three Trusts. The additional funds needed to reach the \$1.8M target would be sought through

the Annual Plan and reallocation of budget but may not be that great as the budget would have included some contingency.

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

1. **Note the contents of this report; and**
  2. **Approve the budget changes proposed and detailed in Attachment A.**
9. **New Lease to the Coastguard Wanaka Lakes over Eely Point Recreation Reserve**

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) detailed the processes to which an application from the Coastguard Wanaka Lakes for a lease of reserve land in the Eely Point Recreation Reserve on which they wished to site a Marine Rescue Centre had been subject. The report recommended that the Council approve the recommendation from the hearing panel that a new lease be approved, subject to several recommended conditions.

The report was presented by Mr Cruickshank and Mr Burt.

Councillor Smith acknowledged the support of staff during this process which had included the preparation of a Reserve Development Plan for Eely Point Reserve specifically to accommodate this proposal. He considered that the proposed location was a compromise between the Wanaka Coastguard's operational requirements and the interests of the wider community in Wanaka.

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

1. **Note the contents of this report; and**
2. **Approve a new lease under sections 54(1)(b)&(c) of the Reserves Act 1977 to the Coastguard Wanaka Lakes Incorporated, located on land with legal descriptions Sections 29 & 1543R Block XIV Lower Wanaka Survey District, subject to the following conditions:**

<b>Commencement</b>	<b>TBC</b>
<b>Term</b>	<b>33 Years</b>
<b>Rent</b>	<b>Pursuant to Community Facility Funding Policy (\$1 per annum at commencement)</b>
<b>Reviews</b>	<b>5 yearly or when the Funding Policy is reviewed</b>

<b>Use</b>	<b>Marine Rescue Centre and associated activities including boat storage and provision of space for the Harbourmasters operations</b>
<b>Operational costs</b>	<b>All rates and charges associated with the land to be paid for by lessee</b>
<b>Assignment/Sublease</b>	<b>With Council approval</b>
<b>Liability Insurance</b>	<b>\$2 million</b>
<b>Expiry Conditions</b>	<b>Lessee can elect to remove improvements and make good or improvements to revert to Council ownership with no compensation payable</b>
<b>Break Clause</b>	<b>Council can give 5-years cancellation notice if the land is required for the 'provision of core infrastructure services'</b>
<b>Maintenance</b>	<b>All maintenance of the building and lease area including gardening to be paid for by lessee</b>

#### **Building Design Clause**

**Prior to seeking any Resource Consent for the building, the Lessee shall first provide plans to demonstrate all elevations, access, landscaping, layout, and exterior lighting, to the Lessor for consideration and endorsement as appropriate.**

**This consideration shall include the Lessor seeking support from the General Manager Community Services and Chair of the Wanaka Community Board together (or a Board member delegated by the chair for that purpose), and the Lessee shall require advice from the Wanaka Urban Design Panel to inform this consideration.**

**The purpose of this consideration will be to ensure that any suggested building and**

associated elements, will be of appropriate scale, design and colours, with associated landscaping, to ensure that the structure does not materially detract from the character of reserve, nor adversely dominate the area, and is instead perceived as an attractive and recessive structure that harmonises with its context, principally when viewed from Lakeside Road.

Efforts to reduce the overall mass of any structure are encouraged, and landscaping is necessary. The endorsed plans shall be those for which any resource consent is sought and may only be amended with the written consent of Council Parks & Reserves, and the Chair of the Wanaka Community Board.

3. Approve under Section 48(2) of the Reserves Act 1977 a Right of Way easement and associated underground infrastructure easements over Council Recreation Reserve at Eely Point Recreation Reserve, Wanaka, with legal description Sections 29 & 1543R Block XIV Lower Wanaka Survey District, to Coastguard Wanaka Lakes Incorporated subject to the following conditions:
  - a. QLDC or its successor in title may relocate the easements, as required;
  - b. That the easements will be non-exclusive as required by Council and surrendered and expiry or cancellation of the lease;
  - c. Council to retain discretion over the exact placement of the Right of Way and underground easements within the Recreation Reserve.
4. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a new lease to Coastguard Wanaka Lakes Incorporated over Sections 29 & 1543R Block XIV Lower Wanaka Survey District
5. Delegate final lease terms and conditions and signing authority to the General Manager Community Services.

10. **Submission to New Reserve Licence and Affected Person's Approval to Her Majesty the Queen on behalf of Mt Aspiring College**

A report from Dan Cruickshank (Property Advisor, APL Ltd) advised of an approach from Mt Aspiring College to use the land on which the Wanaka Community Swimming Pool is located for relocatable buildings that would serve as changing rooms and classrooms whilst the main College area was being redeveloped. The proposal had been publicly notified with no submissions being received and the report recommended that the Council approve a licence to Her Majesty the Queen (the legal entity) for the use of Mt Aspiring College, subject to several recommended conditions.

The report was presented by Mr Cruickshank and Mr Battrick.

Mr Battrick circulated an updated site plan. In reply to a question, he advised that although the structure was above earthquake code and good for a further two years, he understood that the Ministry of Education did not intend to use the pool, but may use the changing rooms. Councillor Smith observed that the Council still needed to decide on a long term plan for this site.

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

1. **Note the contents of this report;**
2. **Approve a new licence under section 54(1)(d) of the Reserves Act to Her Majesty the Queen, for Mt Aspiring College use the Wanaka Community Swimming Pool located in Plantation Road, Wanaka with legal description Lot 1 DP 22331, subject to the following conditions:**

<b>Commencement</b>	<b>1 April 2019</b>
<b>Term</b>	<b>3 years</b>
<b>Renewal</b>	<b>Two further terms of 3 years by agreement of both parties</b>
<b>Rent</b>	<b>Pursuant to Community Facility Funding Policy</b>
<b>Reviews</b>	<b>At renewal</b>
<b>Permitted use</b>	<b>Educational purposes including 'portacoms' for changing rooms and classrooms and parking</b>
<b>Insurance</b>	<b>Lessee to hold Public Liability Insurance of at</b>



least \$2,000,000

<b>OPEX</b>	<b>Lessee to pay rates (if applicable), utilities and maintenance</b>
<b>Safety/Suspension</b>	<b>Council to retain ability to suspend the licence for safety or other purposes</b>
<b>Termination</b>	<b>Council can give a 1-year cancellation notice</b>
<b>Demolition</b>	<b>If requested by MOE, Council will consider and provide specific approval where approved. Any costs associated with demolition will be MOE's.</b>

3. **Approve Affected Person's Consent for the resource consent application to facilitate placement of the buildings on the site.**
4. **Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a new licence to Her Majesty the Queen over the Wanaka Community Swimming Pool site located in Plantation Road, Wanaka with legal description Lot 1 DP 22331.**
5. **Delegate final licence terms and conditions and signing authority for the licence and the Affected Person's Approval to the General Manager Community Services.**

#### 11. **Shotover Jet Licence and Concession Agreement Renewal**

A report from Anthony Hall (Manager, Regulatory) advised of an application from Shotover Jet to renew the existing licence/concession for the next five year period. Shotover Jet had met the conditions for renewal and this was confirmed in an attached report from the Harbourmaster and accordingly, it was recommended that the Council grant the application for renewal.

The report was presented by Mr Burns who advised that the report was a procedural item.

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

- 1. Note the contents of this report;**
- 2. Grant the Shotover Jet Licence and Concession application for renewal for the maximum period being 1 April 2019 to 31 March 2024 (i.e. a further five years).**

## **12. Chief Executive's Report**

A report from the Chief Executive:

- a. Presented information about the 2019 triennial election, seeking Council approval for voting papers to be printed in random order pursuant to Section 31 of the Local Electoral Regulations 2001 and approval to run the election in the Wanaka on behalf of Central Otago Health Inc;
- b. Sought approval for the Chief Executive and Councillor MacLeod to attend the Local Government New Zealand annual conference and for Councillor MacLeod to be empowered to exercise the Council's vote at the Annual General Meeting; and
- c. Presented a summary of the items from recent standing committee and Wānaka Community Board meetings, with two recommendations from the Wānaka Community Board presented for final approval.

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

- 1. Note the contents of this report;**
- 2. Direct the Electoral Officer to arrange candidate names in random order on the voting papers to be used in the 2019 Council triennial election;**
- 3. Agree to conduct the election held in the Wānaka Ward on behalf of Central Otago Health Incorporated;**
- 4. Agree that the Deputy Mayor (Councillor MacLeod) and the Chief Executive attend the Local Government New Zealand annual conference and delegate Councillor MacLeod the power to exercise the Council's vote at the Annual General Meeting;**

### **Recommendations from Wānaka Community Board**

#### **Wānaka Lakefront Development Plan Design of Stage 2, South Beach**

- 5. Agree to defer the Wanaka Lakefront Development Plan until the lakefront parking issues are resolved to the satisfaction of the Wānaka Community Board;**

6. Agree to defer the contract for the construction of the four metre wide pathway with 'The Roding Company' until such time as the previous point has been agreed, including associated cost;
7. Agree to amend the timeline for implementing the Wānaka Lakefront Development Plan accordingly;
8. Agree to proceed with detail design of Stage 3, Lakeside.

**Easement over the Dampier Bay Recreation Reserve for Combings Farm, Wānaka – Mt Aspiring Road**

9. Approve subject to section 48(1) of the Reserves Act 1977, two underground easements for the right to convey water and electricity over Section 12 BLK XIII Lower Wānaka SD and Section 18 BLK XIII Lower Wānaka SD (Recreation Reserve) in favour of Après Demain Limited of Lot 1, 3 & 4 LT517513 subject to the following conditions:
  - a. Any necessary resource consent, including for earthworks, and any relevant variations, are obtained for the proposal;
  - b. Approval from LINZ for any authorisations necessary to convey and draw water over the bed of Lake Wānaka, including pumps;
  - c. Notify and liaise with QLDC Infrastructure Department in advance of any onsite works, so that they can oversee and provide input relating to any existing in-ground infrastructure;
  - d. All activities are to be undertaken in accordance with Worksafe New Zealand's standards for the work environment;
  - e. A \$2,000 bond payable to the Queenstown Lakes District Council prior to any excavation and the instillation of pipes commencing;
  - f. A comprehensive safety plan must be prepared and implemented, at the applicant's cost, to ensure a safe environment is maintained around the sites and make specific reference to signage along the Millennium Track;

- g. Certificate of adequate public liability cover by those undertaking the works to be received by APL Property prior to commencement of works;**
- h. All electrical cables shall be either buried, or on rocky slopes located within galvanised pipe affixed to rock such that it cannot move. The pipe shall go down to meet the exposed cable when it is within 400mm of the surface at the rock. The cable shall be neutral screen i.e. incorporating an outer layer of protection beyond the main cables carrying the current in case of cable strike. Prior to any onsite works, the methodology shall first be confirmed as appropriate by an APL authorised electrical contractor, and within one week of the works on each easement completing, the applicant shall contact APL to arrange for the work to reviewed by an APL authorised electrical contractor. All directions of that electrical contractor shall be followed by the applicant, and all costs for the methodology review and works review shall be borne by the applicant;**
- i. The work site to be evidenced by before and after photographs, video or similar to be provided by the applicant to APL;**
- j. QLDC Parks and Reserves to be consulted prior to pipe installation or native vegetation disturbance;**
- k. Reinstatement of the area to be completed immediately following installation and to the satisfaction of QLDC's Parks & Reserves Department;**
- l. Reinstatement of the Millennium Track immediately following installation and to the satisfaction of the Upper Clutha Tracks Trust;**
- m. Council to retain the ability to vary permitted water take through Recreation Reserve;**
- n. Easement approval to be valid for a period of up to 5 years from the date of full Council approval;**

- o. Notifying the Guardians of Lake Wānaka;
10. Agree that notification to grant the easements is not required, as a statutory test in Section 48(3) of the Reserves Act 1977 is met for the reasons set out in this report; and
  11. Delegate authority to approve final terms and conditions, and execution authority to the General Manager Community Services; and
  12. Exercise the Minister's prior consent (under delegation from the Minister of Conservation) to the granting of the easements to the applicant over Section 12 BLK XIII Lower Wānaka SD and Section 18 BLK XIII Lower Wānaka SD – Recreation Reserve.

#### Resolution to Exclude the Public

On the motion of the Mayor and Councillor MacLeod the Council resolved that the public be excluded from the following parts of the meeting:

#### Confirmation of Minutes

General subject to be considered	Reason for passing this resolution	Grounds under Section 7
<p>Item 13: Review of property at 6 Centennial Avenue, Arrowtown</p>	<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) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</p> <p>(i) enable any local authority holding the information to carry out, 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>

Item 14: Property Acquisition	(c) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment.	Section 7(2)(c)
	(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	Section 7(2)(h)
	(i) enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)

**Agenda Items:**

General subject to be considered	Reason for passing this resolution	Grounds under Section 7
Item 2b:	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 any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
Item 3d and 3e	(i) enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
Item 4i	(i) enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)

<b>Item 13: Property Acquisition</b>	<b>(c) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment.</b>	<b>Section 7(2)(c)</b>
	<b>(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.</b>	<b>Section 7(2)(h)</b>
	<b>(i) enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</b>	<b>Section 7(2)(i)</b>

**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 4.06pm.*

*The meeting came out of public excluded and concluded at 4.13pm.*

**CONFIRMED AS A TRUE AND CORRECT RECORD**

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**M A Y O R**

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**D A T E**