



Order Paper for an ordinary meeting of the

**QUEENSTOWN LAKES DISTRICT COUNCIL**

to be held on

Thursday, 3 May 2018

commencing at 1.00pm

In the Council Chambers, 10 Gorge Road,

Queenstown

## **9.12 ITEMS OF BUSINESS NOT ON THE AGENDA WHICH CANNOT BE DELAYED**

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with the item and the Chairperson provides the following information during the public part of the meeting:

- (a) the reason the item is not on the agenda; and
- (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

*s. 46A (7), LGOIMA*

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.

**Please note** that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.

## **9.13 DISCUSSION OF MINOR MATTERS NOT ON THE AGENDA**

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

## **REFERENCE:**

Queenstown Lakes District Council Standing Orders adopted on 15 December 2016.

Agenda for an ordinary meeting of the Queenstown Lakes District Council to be held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday, 3 May 2018 commencing at 1.00pm

<b>Item</b>	<b>Page No.</b>	<b>Report Title</b>
		<b>Apologies/Leave of Absence Requests</b> Councillor Forbes (on approved leave of absence).
		<b>Declarations of Conflict of Interest</b>
		<b>Matters Lying on the Table</b>
		<b>Public Forum</b>
		<b>Special Announcements</b>
		<b>Confirmation of Agenda</b>
	6	<b>Confirmation of Minutes</b> 23 March 2018 (Public part of ordinary meeting)
1.	38	<b>Wanaka Swim School Expressions of Interest</b>
1a.		<b>Wanaka Pool Project Status Update April 2018</b> <i>(Circulated separately)</i>
2.	68	<b>Adoption of new QLDC Disability Policy</b>
3.	83	<b>Proposed Waste fees and charges 2018/19</b>
4.	89	<b>Speed Limits Bylaw 2009 (Incorporating 2010, 2012 and 2015 Amendments) Review</b>
5.	149	<b>Traffic and Parking Bylaw 2012 review</b>
6.	173	<b>Trade Waste Bylaw 2014 Review</b>
7.	193	<b>QLDC Land Development and Subdivision Code of Practice - Amendments</b>
8.	198	<b>Public Transport Infrastructure</b>
9.	202	<b>New licence for Vertigo Bikes Limited on Ben Lomond Bike Park</b>
10.	214	<b>New licence to Queenstown Winter Festival over the reserves known as Marine Parade and Earnslaw Park</b>
11.	224	<b>Making Plan Change 52, Mount Cardrona Station, Operative</b>
12.	227	<b>Proposed District Plan Decisions on Stage 1 Chapters</b>

Item	Page No.	Report Title
13.	236	<b>Special Housing Area Expression of Interest: Bullendale</b>
14	259	<b>Chief Executive's Report</b>
	268	<p><b><u>PUBLIC EXCLUDED</u></b></p> <p><b>Confirmation of Minutes</b> 23 March 2018 (Public excluded part of ordinary meeting)</p>
13.	-	<p><b><u>PUBLIC EXCLUDED</u></b></p> <p><b>Special Housing Area Expression of Interest: Bullendale: Attachment A: Draft Deed of Agreement</b></p> <p><i>(Circulated separately)</i></p>
15.	272	<p><b><u>PUBLIC EXCLUDED</u></b></p> <p><b>Appointment of a Commissioner to the Hearings Panels for Stage 2 of the Proposed District Plan</b></p>

# Public minutes

Confirmation of minutes:

23 March 2018

**Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Armstrong Room, Lake Wanaka Centre, Wanaka on Friday 23 March 2018 commencing at 1.00pm**

**Present:**

Mayor Boulton; Councillors Clark, Ferguson, Forbes, Hill, MacDonald, McRobie, MacLeod, Smith and Stevens

**In attendance:**

Mr Mike Theelen (Chief Executive), Mr Tony Avery (General Manager, Planning and Development), Mr Stewart Burns (General Manager, Finance and Regulatory), Dr Thunes Cloete (General Manager, Community Services), Mr Mark Edghill (Chief Financial Officer, Queenstown Airport Corporation), Ms Jen Andrews (Manager Communications and Community, Queenstown Airport Corporation), Mr Ulrich Glasner (Chief Engineer), Dr Deborah Lind (Manager, Strategy and Performance), Mr Blair Devlin (Planning Practice Manager), Ms Mindy McCubbin (Senior Planner - Policy), Mr Stephen Quin (Parks Planning Manager), Mr Lee Webster (Manager, Regulatory), Mr David Collins (Legal Counsel, Meredith Connell Ltd), Mr Dan Cruickshank (Property Advisor, APL Property Ltd), Mr Tom Lucas (Rationale Ltd), Mr Warren Ladbroke (Harrison Grierson Ltd) and Ms Jane Robertson (Senior Governance Advisor); four members of the media and approximately 60 members of the public

**Apologies/Leave of Absence Requests**

An apology was received from Councillor Miller (on approved leave of absence).

Councillor McRobie requested leave of absence on 28-29 March. He added that he would be observing Otago Anniversary Day on Monday, 26 March.

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

**Declarations of Conflicts of Interest**

No declarations were made.

**Matters Lying on the Table**

There were no matters lying on the table.

**Public Forum**

1. Kathy Dedo, Link Upper Clutha

Ms Dedo spoke about the functions of Link Upper Clutha and circulated to the Council packs of two tea bags which were a Link Upper Clutha initiative to encourage the community to get involved in 'Neighbours Day Aotearoa' which was happening over the upcoming weekend. She also signalled that because

**QUEENSTOWN LAKES DISTRICT COUNCIL****23 MARCH 2018****Page 2**

Link Upper Clutha had only 10 months remaining of funding from the Department of Internal Affairs, they would be approaching Council for funding through the Ten Year Plan.

2. Simon Telfer, Active Transport Wanaka

Mr Telfer was critical that funding of only \$1.5M beginning in 2022 was allocated to Wanaka in the Ten Year Plan for extending the tracks network in Wanaka. By contrast, the Plan allocated \$23.5M to track development in Queenstown and this would start in the current year. The proposal to upgrade the Park Street to Hotops Rise section had \$7.4M allocated to it which was five times the budget for Wanaka for the next ten years. He stated that Council needed to address this inequity.

3. Don Robertson, Lake Hawea Community Association

Mr Robertson spoke against permanent chlorination of the Hawea water supply and asked the Council to delay a final decision on permanent chlorination for 12 to 18 months until there could be a meaningful evidence based process to identify a best practice solution. He referred to the Harrison Grierson 'lessons learnt forensic assessment' of the delivery of the Lake Hawea Water Supply Capex Project and noted that the community was losing confidence in the Council in light of these conclusions.

4. Richard Elvey, Youth worker at Kahu Youth

Mr Elvey spoke of the success of the youth club but noted that they only had a further 18 months to run in their current rental premises. He advised that it had taken 4.5 years to find the current building and 18 months was a short time to find an alternative. The problem was compounded by large increases to land values and rents and the importance of having a central location. They had identified Council land on Lismore Park beside the water tower that they wished to lease from the Council for a new building and sought further discussion of this proposal.

5. Members of the Upper Clutha Youth Council

Moana Watson, Kate Godsell and Meg Thomas spoke of their support for Kahu Youth. They described it as a fun place to go and chill and a 'second home'. They stressed the importance of it being located within walking distance of Mt Aspiring College and town and the importance of not delaying any action. They were supportive of the proposed Lismore Park location.

6. Roger North, Kai Whaka Pai café

Mr North complained about the fees he was being charged for every music performance that took place on the square at the corner of Ardmore and Helwick Streets. He stated that at \$172 for every performance plus insurance it was too high and forced him not to play music or only when it represented a good commercial opportunity. He sought a sensible resolution, adding that no fee had been payable previously when only busking was going on.

He was opposed to a single learn to swim provider at the new Wanaka Pool. He sought an assurance that the full Council would determine the final outcome on this matter.

**QUEENSTOWN LAKES DISTRICT COUNCIL****23 MARCH 2018****Page 3**7. Tim Erlington

Mr Erlington tabled a petition signed by people opposed to a Special Housing Area development in Cemetery Road in Lake Hawea or the development of an urban master plan for the site. The petition asked the Minister for Housing and Development, the Mayor and Councillors to reject any proposal on the community's behalf. He delivered the first three pages which contained 72 signatures, noting that this represented only a week of collecting signatures.

8. John Glover, Glenorchy Community Association ['GCA']

Mr Glover stated that he was confused about what decision the Council was being asked to make in relation to chlorination of the district's water schemes. He detailed various inconsistencies in the report which had led to his confusion, especially whether chlorination was an interim or permanent measure. The Glenorchy Water Safety Plan did not require permanent chlorination but only for such a measure to be investigated. By chlorinating the water, the Council was prejudicing the process to determine the best option for Glenorchy's water/wastewater scheme and there was no requirement explicit in law to require chlorination. Mr Glover suggested an amendment to the recommendation to reflect this.

9. Sue Bradley

Ms Bradley tabled a letter signed by more than 360 residents of Arthur's Point opposing and seeking a postponement of the decision to permanently chlorinate the area's water. This postponement would allow time to look for alternatives to chlorination. She noted that this action was supported by the Arthur's Point Community Association and there were people in the Arthur's Point community committed to setting up a consultative group to consider options other than chlorination.

**On the motion of Councillors McRobie and MacLeod  
the Council resolved that Standing orders be  
suspended to extend the Public Forum.**

10. Paul Fraser

Mr Fraser presented his mihi. He asserted that Council had not consulted with local iwi on permanent chlorination. He stressed the close relationship of Māori with water and the Council's duty to consult with them when making any important decision. He asked the Council not to make a final decision on permanent chlorination of all water supplies until local iwi had been consulted.

11. Jennifer Gilmore

Ms Gilmore noted that New Zealand had been the first country in the world to grant a river the legal status of a person which signalled its regard for water. Tourism was built on New Zealand's clean green image but waterways were starting to show the effects of dairying and there were now all kinds of bacteria in the water. She asked the Council not to approve permanent chlorination of all the district's water schemes without alternative plans being in place. She felt it was the Council's role to provide other options and she expressed concern that the current approach felt more like a dictatorship than a democracy.



**QUEENSTOWN LAKES DISTRICT COUNCIL****23 MARCH 2018****Page 4****12. Chris Streat**

Mr Streat advised that he was the technical representative on water for Arthur's Point and he was very keen to work with the Council as a technical expert. He questioned why Council was only considering chlorination as an option, whilst plans to investigate chlorination on an ongoing basis were at odds with the recommendation to permanently chlorinate. He had communicated with the author of the Havelock North study and stated that there were big differences between the state of Havelock North's water system and that in Arthur's Point which had never presented problems. He asked the Council to reject the report recommendations.

**13. David Reid**

Mr Reid stated that he was a director of Bright Sky SHA. Most of the public feedback had been very supportive and the objective was to design something of high quality that was affordable and to maximise the site and visual aspects. The buildings would be up to three storeys high but their heights would be disguised by a 5m rise in the land. Time and considerable effort had been put into preparing the master plan to prevent against haphazard subdivision.

Mr Reid acknowledged that there was a problem with speculation on affordable housing developments. He underlined however, his desire to provide a legacy for the town. He spoke about the efficiencies that could be achieved with building more than 280 houses.

**14. Paul Miller**

Mr Miller stated that he supported the Bright Sky SHA development. He worked as a real estate agent and considered that the best way of addressing housing price increases was to satisfy the demand for housing. He agreed that speculation was an issue and the only guarantee against this practice was to put some sort of covenant over the property in place. He noted that cycle and walkways were including in the plans.

**15. Peter Herbert**

Mr Herbert advised that he lived in Aspiring Retirement Village which was the closest residential area to the Bright Sky SHA development. His residence was only about 300m from the proposed site but some properties would be within 80m of the densest zone. He agreed that the community needed affordable housing but not right at others' front door. He asked the Council to keep him informed about the SHA.

**16. Turid Heiler and six others representing pool users**

Ms Heiler and several companions stated that multiple swim school providers was their preferred option for the new Wanaka community pool. The Council's request for expressions of interest suggested that a single provider was sought, but they hoped that there was still the opportunity to consult on this. They did not know how one provider could provide lessons for all the children who wanted them and they were concerned that children's skills would decline if they could not access lessons because there was only one provider.

**QUEENSTOWN LAKES DISTRICT COUNCIL****23 MARCH 2018****Page 5**17. Sue Richard

Ms Richard suggested that a regional sports and recreational strategy was needed. She expressed concern that the Council's 10-Year Plan contained funding to develop a gym and studio at the new Wanaka Recreation Centre, as Wanaka was already well catered for in terms of gyms. Only 10% of the population got involved in commercial fitness offers and a further gym would spread this already limited market across too many providers. She considered the town was already saturated with gyms and the Council should reconsider its plans to establish a new one. She asked for more consultation on this proposal.

18. Mary-Louise Roulston

Ms Roulston stated that the proposed redevelopment of the Lake Wanaka lakefront was unnecessary because it was already one of the most scenic areas in the world and did not need further embellishment. She also opposed removing vehicles from the lakefront as this would disadvantage elderly people accessing it and people with children or carrying equipment. She asked when the Council would resolve Wanaka's parking issues by constructing a parking building. She considered that the Council should spend money on important infrastructure for Wanaka rather than trying to beautify things that were already beautiful.

19. James Gardner-Hopkins and Shaun Kelly

Mr Gardner-Hopkins addressed the Council about Kawarau Jet's ongoing discussions with Council about an uplift of the speed limit for vessels on the Kawarau River above the Arrow confluence. They sought a long-term dispensation from the provisions of the Navigation Safety Bylaw which continued to preserve the rule that prohibited powered vessels beyond the Arrow confluence. K-Jet had sought consent to operate on this stretch of the river before the current version of the bylaw had been notified and at a time when the Council's position on long term dispensations was unknown. The application had been on hold since 2015 in light of the prohibition that had come in with the 2014 Navigation Safety Bylaw. Mr Gardner-Hopkins asked for the provision that K-Jet thought it could rely on to be returned. Mr Kelly provided an assurance that K-Jet would operate safely on this stretch of the river.

20. Jude Battson

Ms Battson expressed support for the Council introducing separate glass recycling in Queenstown. She urged the Council to include provision for construction waste and compost toilets in its waste plans. She warned against the Council appointing a single swim school provider at the new Wanaka Community Pool. She noted that the Council had been through a similar process in 2002 and it had not worked then. She believed that the Council should learn from this earlier mistake. She was also concerned about the SHA proposal that had been presented to the Hawea community.

21. Susan Moore, Public Health South

Ms Moore noted that there were 11 registered water supplies in the district and only one was fully compliant with the NZ drinking water standard. It was a legal requirement for all to be compliant. She detailed the principles for protecting

**QUEENSTOWN LAKES DISTRICT COUNCIL****23 MARCH 2018****Page 6**

water schemes from contamination, noting that suppliers were responsible for the safety of their water and must apply a safety risk management approach. She considered the Council was taking good steps towards achieving compliance and the report demonstrated this. The district had a lot of untreated water schemes and contamination was highly likely without disinfection.

**22. Kurt Kurtis**

Mr Kurtis stated that he swam regularly in the lake and had recently been noticing a major decline in water quality. He attributed this not only to the effects of dairying but also to a high number of motor boats, especially those with two stroke engines, leaking petrol into the water. Although he wore goggles his eyes were irritated. He had come to New Zealand to get away from poisonous substances and he did not believe that the community had time to make more mistakes.

The Mayor advised that maintaining water quality was Otago Regional Council's responsibility and he encouraged Mr Kurtis to make ORC aware of his concerns.

**23. Danelle Jones, Acting Chair Sustainable Glenorchy**

Ms Jones noted that temporary chlorination of the Glenorchy water supply had been implemented just before Christmas 2017. On 27 February Council had met with Glenorchy residents and agreed a safe water supply for the town. The Council was tasked with determining whether to retain the status quo or approve permanent chlorination but the Glenorchy community wanted a third option, namely, that chlorination be temporary only until the Water Safety Plan came into force which should have happened by 2014. Council needed to focus on the maintenance and replacement of leaking tanks, leaking boreheads and backflow prevention in new residences.

**On the motion of Councillors McRobie and Stevens  
the Council resolved that Standing Orders be  
reinstated.**

**Confirmation of agenda**

The agenda was confirmed without addition or alteration.

**Confirmation of minutes**

8 February 2018

**On the motion of Councillors MacDonald 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.**

9 March 2018

Councillor Smith requested that the following amendment be made to the draft minutes:

**Item 1: 2018-2028 10 Year Plan Consultation Document**

*'Councillor Smith thanked the Council for including the Wanaka Active Travel Plan but ~~questioned the business case approach to it~~ noted that it was not a full business case, as it was referred to in the 10-Year Plan.'*

**On the motion of Councillors MacDonald and MacLeod the Council resolved that the minutes of the ordinary meeting of the Queenstown Lakes District Council held on 9 March 2018 as amended be confirmed as a true and correct record.**

**1. Queenstown Airport Corporation: Six Month Report**

A covering report from Stewart Burns (General Manager, Regulatory and Finance) presented the financial and management report for the Queenstown Airport Corporation (QAC) for the half year to 31 December 2017.

This report and that following were presented by Mr Burns, Mr Edghill and Ms Andrews.

Mr Edghill noted that growth and profits were both higher than projected, meaning that the eventual dividend that would be payable to the Council would also be higher than budgeted. He added that the company was aware of the impact of continued growth and was working with community to ensure that it was sustainable.

The Council asked for its thanks to be conveyed to the Board of Directors for a good six month's performance.

**On the motion of the Mayor and Councillor MacDonald it was resolved that the Council Note the contents of this report and receive the half yearly report of the Queenstown Airport Corporation.**

*The Chief Executive left the meeting at 2.34pm.*

**2. Draft Statement of Intent, Queenstown Airport Corporation 2018/19**

A covering report from Stewart Burns (General Manager, Regulatory and Finance) presented for the Council's consideration the draft Statement of Intent ('SOI') for Queenstown Airport Corporation (QAC) for the 2018/19 year in accordance with sections 64 and 65 of the Local Government Act 2002. The report detailed the process for adopting the SOI and the Council's role in this and presented QAC's proposal to revise the dividend policy which was sought in order to bring it in line with best practice.

Mr Edghill advised that the SOI was broadly consistent with previous years, except for the recent inclusion of Wanaka Airport.

Councillor Forbes questioned the SOI's continued focus on the growth of passenger numbers, observing that numbers were already very close to what the community and infrastructure could service. She considered that the SOI should also model the outcome of containing the present flows. It was suggested that such a request could be considered further at a workshop.

*The Chief Executive re-entered the meeting at 2.38pm.*

**On the motion of Councillors Forbes and Clark it was resolved that the Council receive the Draft Statement of Intent for 2018/19 for the Queenstown Airport Corporation and make any comments on the draft Statement of Intent be made to the QAC board by 30 April 2018.**

### 3. Navigation Safety Bylaw

A report from Lee Webster (Manager, Regulatory) presented the proposed Navigation Safety Bylaw 2018 for adoption following completion of the special consultative procedure. The report also sought the revocation of the Navigation Safety Bylaw 2014 and the Waterways and Ramp Fees Bylaw 2014, and the adoption of proposed maritime fees and charges.

In addition, the report signalled that the bylaw may need further amendments and sought approval to evaluate certain matters raised during consultation. Accordingly, approval was sought to prepare a proposal to undertake further consultation on four specific topics, namely:

- Regulation of powered vessels/vessel speeds on part of the Clutha River;
- A new rule clarifying safety obligations on river boards (and similar craft);
- A new rule requiring paddle boarders (and similar craft) to wear a leg leash; and
- Incorporating surfboards into the "vessel" definition.

Finally, the report sought authority to engage with central government to develop infringement regulations to enable the proposed bylaw to be enforced after adoption.

The report was presented by Mr Webster and Mr Collins.

Councillor MacLeod questioned the need for further consultation on vessel speeds on the Clutha River, as the consultation already undertaken had been very conclusive, with 96% of submitters opposing a speed uplifting on the Clutha River from the Outlet to the Albert Town bridge. He expressed concern that nothing appeared to have happened since the hearing last November. He asked why other options were being considered in light of this earlier consultation and sought clarity of the process anticipated from this point.

**QUEENSTOWN LAKES DISTRICT COUNCIL****23 MARCH 2018****Page 9**

Mr Webster advised that most of the bylaw that had gone through public consultation was being adopted at the meeting. He noted however, that there had been many submissions against the Council's preferred position about vessel speed on the Upper Clutha. An alteration to this position represented a major change from the original, meaning that separate consultation was required. Further, notwithstanding the earlier consultation, it was important for any consultation process to be democratic and for the Council to fairly and transparently consider all the options. The planned timeline was to prepare options for the Council's consideration at the 14 June meeting, with a Statement of Proposal on the preferred option to be presented to Council on 28 June.

Councillor Smith questioned the proposed change of the speed uplifting on the Rees River from (the original) 1 May to 30 October to 30 October to 1 May suggesting that this was also a substantive change. Mr Collins advised that this was not an actual change but was only tidying up a drafting error in the original bylaw as notified.

Questions were also raised about why river boarding was being treated differently. Mr Webster advised that river boarding had not been included in the original bylaw as notified and in fairness to the public, it was important for all to have the opportunity to make a submission.

Comment was also made in response to the concerns raised during the Public Forum about K-Jet's request for a long-term speed uplifting on the Kawarau River above the Arrow confluence. Mr Webster confirmed that the previous version of the bylaw as publicly notified contained an exemption rule for 14 days and this had carried through to the new bylaw. The hearings panel had considered the submissions of K-Jet and determined that it was not willing to lift this longstanding exemption or to liberalise the exemption clause to permit a lifelong exemption. Mr Webster stated that it would not be appropriate to adopt this change at this stage in the process because it had not been notified and would therefore be a major change.

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

- 1. Note the contents of this report;**
- 2. Note the deliberations from the Navigation Safety Bylaw Hearings Panel to make the proposed Navigation Safety Bylaw 2018;**
- 3. Adopt the Proposed Navigation Safety Bylaw 2018 pursuant to section 33M of the Maritime Transport Act 1994 ("MTA"), to take effect on 6 April 2018, with the exception of clause 46 (permission to use or occupy structures or the foreshore), which will take effect from 1 July 2019.**

4. Adopt the proposed maritime fees and charges pursuant to section 33R of the Maritime Transport Act 1994, to take effect on 6 April 2018.
  5. Revoke the following bylaws:
    - a. The Navigation Safety Bylaw 2014, to take effect on 6 April 2018; and
    - b. The Waterways and Ramp Fees Bylaw 2014, to take effect on 6 April 2018, with the exception of clauses 15 – 17 and applicable fees for maritime structure permits in Schedule 1, which will be revoked on 1 July 2019.
  6. Direct Council staff to engage with central government to develop infringement regulations to effectively enforce the proposed Navigation Safety Bylaw 2018.
  7. Direct Council staff to review, consult upon and recommend to Council possible amendments to the proposed Navigation Safety Bylaw 2018 under s156 of the Local Government Act 2002, specifically relating to:
    - a. Options for regulating powered vessels / vessel speeds on the Clutha River (clause 37, Schedule 2 (Table 1) – Clutha River, Maps 8 - 9):
    - b. A new rule requiring river boarding (river boards, river bugs, body boards, and river sledges/hydro speeds) operators to comply with applicable health and safety regulations (Health and Safety in Employment (Adventure Activities) Regulations 2011) (clause 27);
    - c. A new rule requiring stand up paddle boarders, wind surfers, sail boarders and users of similar vessels to wear a leg leash (clause 25); and
    - d. Amending the definition of “vessel” to include surfboards (clause 6).
  8. Direct Council Officers to report back to Council no later than 28 June 2018.
4. **Special Housing Area Expression of Interest: Bright Sky Land Limited, Wanaka**

A report from Blair Devlin (Manager, Planning Practice) evaluated the Bright Sky Land Limited Expression of Interest [‘EOI’] as a Special Housing Area for the Council to consider recommending to the Minister for Housing and Urban Development. The report concluded that the EOI was consistent with the purpose of the Housing Accord and Special Housing Areas Act, the

Queenstown Lakes District Housing Accord and the Lead Policy. Accordingly, it was recommended that the Council approve in principle recommending the Bright Sky SHA to the Minister, subject to the negotiation of a Stakeholder Deed and qualifying development criteria.

The report was presented by Mr Avery and Mr Devlin.

New plans were circulated.

Mr Devlin provided an update to the public feedback circulated earlier in the week. He noted that Aukaha had raised no concerns about the proposal and no response had been received to date from Te Ao Marama. He added that a peer review of the transport assessment had raised some detailed issues that could be worked through if the Council resolved to approve the proposal in principle, but the matters raised were not significant. The plans circulated showed the proposed development in a broader context and how it would adjoin existing development. Further, the redesign of parks and reserves was already provided for.

Staff were asked to remove the reference to the Queenstown Trails Trust, as the organisations in Wanaka responsible for tracks and trails were the Upper Clutha Tracks Trust and Active Transport Wanaka.

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

- 1. Note the contents of this report;**
- 2. Note feedback received from the public will be provided to Councillors separately, and that responses from Aukaha, Te Ao Marama and Stantec (transportation peer review) will be reported to Councillors at the meeting;**
- 3. Note the plans provided as part of the EOI have been amended to include the land linking the site to Frederick Street;**
- 4. Note the plans provided as part of the EOI have been amended to include the land linking the site to Frederick Street;**
- 5. Approve in principle the Bright Sky Land Limited Special Housing Area, subject to further consideration of the below requirements:**
  - a. Instruct the General Manager of Planning and Development to proceed with negotiation of the Stakeholder Deed that fulfils the infrastructure, parks and reserves (including trails, footpaths and connections) and affordable housing requirements of the Special Housing Area Lead Policy titled:**



**Housing Accords and Special Housing Areas Act 2013 Implementation Guidelines; and**

- b. Negotiate qualifying development criteria for the proposed Special Housing Area.**
  - c. Amend the proposed development to provide for a connection through to Enterprise Drive.**
  - d. As a consequence of the amendment above, to ensure that the reserves provision is consistent with the Parks and Open Spaces Strategy 2017.**
  - e. Instruct Council officers to report back to the Council on the measures discussed in Point 4 above.**
  - f. As a consequence of the amendment above, to ensure that the reserves provision is consistent with the Parks and Open Spaces Strategy 2017.**
- 6. Instruct Council officers to report back to the Council on the measures discussed in Point 4 above.**

**5. Mayoral Housing Affordability Taskforce Progress Report**

A report from Mindy McCubbin (Senior Policy Planner) presented an update on progress made in implementing the six recommendations of the Mayoral Housing Affordability Taskforce Report.

The report was presented by Mr Avery and Ms McCubbin.

The Mayor commended staff on a good report, noting that the Council had received feedback from central government that it was the most advanced council of any in New Zealand in the work it was doing on affordable housing.

Councillor MacDonald stated that he was very pleased that progress had been made on all the recommendations and that the Queenstown Lakes Community Housing Trust had adopted the same goal of delivering 1,000 affordable homes by 2028. He noted however that the funding source for the Shared Home Equity Product had ceased because of uncertainty about the Overseas Investment Office and staff were now looking for another source of funding.

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

- 1. Note the contents of this report; and**
- 2. Note the progress implementing the recommendations of the Mayoral Housing Affordability Taskforce Report.**

*The meeting adjourned at 3.17pm and reconvened at 3.22pm.*

6. **Proposal to amend the fees and charges schedule used for resource consents, building consents, resource management engineering and other matters**

A report from Blair Devlin (Manager, Planning Practice) presented proposed changes to the fees and charges schedules for resource consents, building consents, resource management engineering and other matters and sought approval to consult on them through a Special Consultative Procedure.

The report was presented by Mr Avery.

Councillor Hill advised that he wished to make a change to the staff recommendation and that instead of submissions being heard alongside the hearing of submissions on the Long Term Plan, that the Planning and Strategy Committee be delegated authority to hear submissions and make a recommendation to Council. This was supported by the Council.

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

1. **Note the contents of this report;**
  2. **Note the contents of this report and in particular the Statement of Proposal and proposed changes to the fees and charges schedule used for resource consents, building consents, resource management engineering and other matters;**
  3. **Adopt the Statement of Proposal including proposed amendments to the fee schedules used for resource consents, building consents, resource management engineering and other matters as part of a special consultative procedure; and**
  4. **Delegate authority to the Planning and Strategy Committee to hear submissions and make a recommendation to Council.**
7. **Adoption of draft Waste Management and Minimisation Plan (2018) Statement of Proposal**

A covering report from Deborah Lind (Manager, Strategy and Performance) present the draft Waste Management and Minimisation Plan (WMMP) and the associated Statement of Proposal for adoption by the Council and sought approval to begin the Special Consultative Procedure in accordance with Section 83 of the Local Government Act 2002

The report was presented by Mr Glasner and Dr Lind. Dr Lind advised of an addition to the recommendation, requiring the Council to resolve to adopt the

draft Waste Management and Minimisation Plan for the purposes of public consultation. She explained that this was to make its adoption explicit. The Council supported this addition.

Councillor Forbes asked why construction and demolition waste was not included in the plan. Dr Lind advised that this had been reviewed, but it was considered that Council had less ability to control this waste stream and it was more important to focus on those activities which would yield the most benefit. However, this would not prevent addressing this type of waste from being considered again in the future.

Councillor McRobie expressed concern that there was not a concept in the plan that would fit the model fulfilled by Wanaka Wastebusters. Dr Lind agreed that it was not implicit in the draft plan but it did discuss working with other entities and stakeholders. Councillor McRobie considered it should be made more explicit because Wanaka Wastebusters was a very valuable resource in the Upper Clutha.

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

- 1. Note the contents of this report;**
  - 2. Adopt the draft Waste Management and Minimisation Plan for the purposes of public consultation;**
  - 3. Adopt the Statement of Proposal for the purposes of public consultation pursuant to Section 83 of the Local Government Act 2002; and**
  - 4. Agree that a hearing of submissions will take place as part of the hearings arranged for the 2018-2018 Draft Ten Year Plan.**
- 8. Disinfection of network drinking water supplies to protect public health**

A report from Peter Hansby (General Manager, Property and Infrastructure) presented an update on the Water Safety Plan review process by which all network drinking water supplies under the ownership of Queenstown Lakes District Council were to be upgraded to address public health risks. The report noted that these plans had been approved by Public Health South and included continuous disinfection (using chlorination) of all Council owned network water supplies. Public Health South's approval demonstrated the Council's compliance with legislated public health requirements but the report observed that the current method of disinfection (chlorination) did not preclude alternative methods being used in the future if they were proven to be at least as effective and cost effective as using chlorination.

The report was presented by Mr Glasner. The Mayor expressed thanks to Mr Glasner for his contribution to community meetings and his willingness to engage actively with the community on this issue.

The Mayor stated that much of the concern appeared to arise from use of the word 'permanent' in relation to disinfection by chlorination. He did not agree that the Council should go in this direction without actively pursuing alternatives, as there may be options available that have not yet been identified. Furthermore, some communities may be prepared to pay more for another form of purification.

Councillor MacLeod suggested that in order to make the Council's commitment to seeking an alternative clear that it add paragraph 4 to recommendation: *'This requirement does not preclude alternate methods of disinfection in the future should they be proven at least as effective and cost effective as using chlorination.'* Council supported this suggestion.

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

- 1. Note the contents of this report and in particular the legislated requirement under the Health (Drinking Water) Amendment Act 2007 that Queenstown Lakes District Council protect the health and safety of people and communities by promoting adequate supplies of safe and wholesome drinking water from all drinking-water supplies;**
  - 2. Note the requirement for continuous disinfection, by treatment with chlorination, of all network water supplies for which it has ownership;**
  - 3. Note that this requirement does not preclude alternate methods of disinfection in the future should they be proven at least as effective and cost effective as using chlorination;**
  - 4. Direct the Chief Executive that any future Queenstown Lakes District Council owned network water supply must not be accepted or vested to the Council without it being able to demonstrate it does meet the requirements of the Health (Drinking Water) Amendment Act 2007; and**
  - 5. Note the proposed 2018 Long Term Plan assumption that all Queenstown Lakes District Council water supplies will be progressively upgraded to fully comply with the Drinking Water Standards by the year 2028.**
- 9. 2017/18 Capital Works Programme – Second Re-forecast**

A report from Peter Hansby (General Manager, Property and Infrastructure) presented proposed amendments to the 2017/18 capital works programme

for all Queenstown Lakes District Council capital projects for the second quarter of 2017/18.

The report was presented by Mr Burns, Mr Glasner and Dr Cloete.

Mr Burns advised that this was largely a procedural item but it was necessary to ensure that budgets reflected the current direction of capital projects. Members observed that in some cases 20% of a project's budget was deferred, which was not ideal but typical of programmes that relied on consents and detailed design. Mr Glasner's procurement strategy is currently underway to discuss how projects can be delivered - a more packaged programme.

**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.**

#### **10. New Licence for Paddle Wanaka**

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed approving a new licence to Paddle Wanaka Limited. The licence was to utilise reserve land adjacent to State Highway 6 and the Clutha River as a pick up / drop off point for guided and instructional kayak or stand-up paddle boarding trips. The application for licence had been subject to public consultation but no submissions had been received and the report therefore recommended that a licence be granted, subject to conditions.

This report and items 11-13 were presented by Mr Cruickshank, Mr Quin and Dr Cloete.

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

- 1. Note the contents of this report;**
- 2. Grant a new licence to Paddle Wanaka Ltd over recreation reserve at Albert Town, with legal description Lot 2, DP 375247, subject to the following terms and conditions:**

**Commencement TBC**

**Term 5 years**

**Rent The greater of \$500.00 plus GST or 7.5% of gross revenue**

**Reviews At renewal**

<b>Renewals</b>	<b>1 of a further 5 years by agreement of both parties</b>
<b>Assignment/Sublease</b>	<b>With Council's approval</b>
<b>Use</b>	<b>Hire, lessons, guided and unguided tours with stand-up paddle boards and kayaks</b>
<b>Insurance</b>	<b>Requirement 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. Health and Safety plan to be provided to Council and be approved by the Harbourmasters office prior to commencing the activity</b>
<b>Other</b>	<p><b>Licensee must ensure they hold a valid resource consent for the purpose of kayak and stand-up paddle board hire, lessons, guided and self-guided tours.</b></p> <p><b>The licensee to obtain a Commercial Activity Permit in accordance with the Waterways and Ramp Fees Bylaws (if required) or successors to this policy</b></p> <p><b>Licensee to ensure that all customers/staff abide by the toileting policy provided to Council and that all rubbish is removed from the reserve.</b></p>

**3. Delegate final licence terms and conditions and signing authority to the Community Services General Manager.**

**11. Approval of Sub-lease to CCR Ltd for Arrowtown Menzshed**

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) sought from the Council as landowner Lessor's Approval, Affected Person's Approval and the delegated approval of the Minister of Conservation to a

proposed sub-lease by CCR Ltd to Arrowtown Menzshed at the Arrowtown Holiday Park. The Arrowtown Menzshed group was a new organisation and CCR wished to provide a site for a workshop within the lease area.

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

- 1. Note the contents of this report;**
- 2. Approve a sublease by CCR Ltd to the Arrowtown Menzshed over the recreation reserve at Lot 25 DP 12525 (Arrowtown Holiday Park), subject to the following conditions:**

<b>Commencement</b>	<b>Upon signing of the sub-lease</b>
<b>Term</b>	<b>To mirror the lease term between QLDC and CCR</b>
<b>Rent</b>	<b>\$1 (if charged)</b>
<b>Renewals</b>	<b>None</b>
<b>Early Termination</b>	<b>To mirror the lease term between QLDC and CCR</b>
<b>Use</b>	<b>Meetings and workshop activities including the sale of goods created on site</b>
<b>Insurance</b>	<b>To be covered under the CCR insurance</b>
<b>Compliance</b>	<b>Resource and building consents to be obtained if required</b>
- 3. Approve Affected Party Approval for the resource consent for the construction of the shed (if required);**
- 4. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a sub-lease by CCR Ltd to Arrowtown Menzshed over recreation reserve known as Lot 25 DP 12525; and**
- 5. Delegate signing authority to the Community Services General Manager.**

**12. Easement – Ramshaw Lane Car Park Lights**

A report from Blake Hoger (Property Advisor, APL Property Ltd) assessed the Council granting an easement to Aurora Energy Limited for the relocation of lighting within the Ramshaw Lane car park, being Recreation Reserve, in addition to the associated cabling. The report concluded that public notification of the proposed easement was not necessary because it did not affect the ability of people to use and enjoy the reserve nor did it create any long term permanent effect on it. The report therefore recommended that the Council grant the easement.

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

- 1. Note the contents of this report;**
- 2. Grant an easement over Recreation Reserve; Section 3 TN of BLK XXV Arrowtown & Part Section 2 TN of BLK XXV Arrowtown subject to Section 48 of the Reserves Act 1977, in favour of Aurora Energy Limited;**
- 3. Agree that notification of the intention to grant the easement is not required as the statutory test in section 48(3) of Reserves Act 1977 is met for the reasons set out in this report;**
- 4. Delegate authority to approve final terms and conditions, including location, and execution authority to the Community Services General Manager; and**
- 5. Agree to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of an easement to Aurora Energy Limited over Section 3 TN of BLK XXV Arrowtown & Part Section 2 TN of BLK XXV Arrowtown.**

**13. Alec Robins Road Legalisation & Sale**

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) presented a road stopping, realignment and sale request for Alec Robins Road and sought the Council's approval to commence the road legalisation and sale procedures.

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

- 1. Note the contents of this report;**
- 2. Approve initiation of the procedures of section 114 of the Public Works Act 1981 to declare as**



road that portions of land shown on the attached Paterson Pitts plan Q6310-11 shown as areas C & D and held in Computer Freehold Register 738021;

3. Approve initiation of the procedures of section 116 of the Public Works Act 1981 to stop that portion of road shown on the attached Paterson Pitts plan Q6310-11 shown as areas A & B;
4. Approve the road shown as area A, when stopped, being disposed of in accordance with sections 117 & 120(3) of the Public Works Act 1981 and amalgamated with the adjoining land held in Computer Freehold Register OT2C/107;
5. Approve the road shown as area B, when stopped, being either disposed of in accordance with sections 117 & 120(3) of the Public Works Act 1981, or section 345 the Local Government Act 1974 and amalgamated with the adjoining land held in Computer Freehold Register OT14B/175;
6. Approve the disposal of the stopped road referred to as Area A for \$75,000 (including GST if any) less stopping costs incurred by Council;
7. Approve the purchase of land to be taken as road referred to as Area D for \$3,000 (including GST if any);
8. Approve the disposal of the stopped road referred to as Area B for \$9,000 (including GST if any) less stopping costs incurred by Council;
9. Approve the purchase of land to be taken as road referred to as Area C for \$500 (including GST if any);
10. Agree that Council's approval to undertake this process and any sale and purchase agreements relating to it shall be limited to a period of 2 years from the date of this resolution. If settlement is delayed beyond the 26 October 2018, Council to reserve the right to re-value the land and nominate a new 'market' purchase price;
11. Approve Council's costs in undertaking the process, be billed and paid monthly by the applicant and on the basis that the applicant

**agrees to pay any costs incurred by the Council which are over and above the value of the land; and**

- 12. Delegate final terms and conditions along with approvals for any placing or removal of easements, minor alignment and area changes, pro-rata changes in sale price based on area, along with any necessary umbrella agreements and signing authority to the Chief Executive of Council.**

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

A report from the Chief Executive presented the following information:

- Changes to the delegations register to include the recently reinstated position 'General Manager Community Services' and a name change from 'Chief Financial Officer' to 'General Manager Regulatory and Finance';
- List of delegations exercised by the Chief Executive under delegated authority during February 2018 (licence to occupy and temporary road closures);
- A request for Council approval for the Chief Executive to join the Infrastructure NZ delegation to the USA (April 2018);
- A summary of items considered at recent Standing Committee and Wanaka Community Board meetings. This included a recommendation for Council ratification from the Wanaka Community Board in respect of vesting reserves for Alpine Estate in Cardrona Valley Road.

Councillor Smith observed that there was an on-going issue with some of the reserves proposed for vesting being of low quality. He noted that staff needed to continue to be vigilant about the standard of reserves proposed.

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

- 1. Note the contents of this report;**
- 2. Amend from 23 March 2018, the existing Resource Management Act 1991 delegations to Council officers to include the additions listed in Attachment B;**
- 3. Note the delegations exercised for licences to occupy, temporary road closures, and table and chairs licences by the Chief Executive during February 2018;**
- 4. Approve the attendance by the Chief Executive to on the Infrastructure NZ: Planning, Funding, and Enabling Growth Delegation to the USA: April 2018;**

5. Note the items considered during the past meeting round by the Audit, Finance and Risk Committee, Planning and Strategy Committee, Appeals Subcommittee, Infrastructure Committee, and Wanaka Community Board;
6. Recommendation from Wanaka Community Board
  - 6.1: Approve the vesting of the identified proposed reserve:
    - a. Lot 101 (3,000m<sup>2</sup>), Alpine Estate, Cardrona Valley 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 and have a visual permeability of no less than 50%;
      - viii. A three year maintenance period by the current landowner commencing from vesting of the reserve;

- ix. Vesting of reserve to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.

6.2: 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 [refer 6.1(a) (iii)].

6.3: 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:

And

That the following persons remain because of their knowledge and expertise of matters in the following agenda items:

Item 17: Mr Tom Lucas (Rationale Ltd) and Mr Warren Ladbrook (Harrison Grierson)

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 8 February 2018**

8. Request for Council Guarantee of the Shared Home Equity Product Model

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**23 MARCH 2018**

**Page 24**

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
8. Request for Council Guarantee of the Shared Home Equity Product Model	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 any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);	Section 7(2)(b)(ii)  Section 7(2)(i)

**Agenda items**

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.
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)

**QUEENSTOWN LAKES DISTRICT COUNCIL****23 MARCH 2018****Page 25**

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

**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 4.07pm.*

*The meeting came out of public excluded and concluded at 4.32pm.*

**CONFIRMED AS A TRUE AND CORRECT RECORD**

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**M A Y O R**

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**D A T E**

Programme	Project Code	Project Description	Budget 2017-18	New Budget	Budget Transfer	Budget B/Fwd	Budget Deferred	Budget Forecast	2017-18 versus Forecast	Budget Comments
Property	000338	Wanaka Lakefront Reclamation	680,297	-	-	-	380,000	300,297	- 380,000	Following further investigation the scope of the project is being refined in consultation with the WCB. Budget \$300K 17/18 to undertake review of BBC and update design and resource consenting. Defer project budget \$380K for physical works planned 18/19.
<b>Property Total</b>			<b>680,297</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>380,000</b>	<b>300,297</b>	<b>- 380,000</b>	
Solid Waste	000454	Recycle centre plant upgrade	21,360	11,000	-	-	-	32,360	11,000	Additional project budget required to complete the BBC.
	NEW1	Gas Capture Facility	-	-	-	100,000	-	100,000	100,000	Purchase and install of horizontal collector system prior to capping Cells 4 & 5. Budget to be brought forward from 18/19, Construction of a gas capture and disposal facility at Victoria Flats Landfill.
<b>Solid Waste Total</b>			<b>21,360</b>	<b>11,000</b>	<b>-</b>	<b>100,000</b>	<b>-</b>	<b>132,360</b>	<b>111,000</b>	
Storm Water	000046	Stormwater - Renewals - Wakatipu	55,000	-	13,000	-	-	68,000	13,000	Additional budget required to complete stormwater improvements at Howards Drive.
	000226	Stormwater - AM Improvements	79,005	-	40,000	-	-	119,005	40,000	Additional project budget required to update Queenstown hydraulic model and assess initial water quality requirements for Town Centre Masterplan projects. Includes also scoping of Three Waters asset Register transfer to TechOne.
	000318	Frankton Flats Stormwater - Construction	2,310,541	-	200,000	-	-	2,110,541	- 200,000	Revised project budget based on forecast final cost.
	000368	Beach Street Stormwater Reticulation	20,000	-	19,000	-	-	1,000	- 19,000	Budget to be reallocated to new project Stormwater LTP Enabling works.
	000581	Lake Hayes / Ladies Mile Upgrades	545,000	-	176,000	-	-	721,000	176,000	Additional budget requested. The tender process has been completed with only one tender received which is above the estimated AP project budget. This work is essential as current stormwater provisions are not adequate.
	000620	Wakatipu Stormwater Capital Works	10,000	-	10,000	-	-	-	- 10,000	Budget to be reallocated to Project 46, Stormwater Renewals Wakatipu.
	000728	N East Frankton Stormwater Connection	500,000	50,000	-	-	-	550,000	50,000	Additional project budget requested as further optioneering required to inform concept design.
	NEW2	LTP Enabling works - Stormwater	-	50,000	-	-	-	50,000	50,000	New project budget requested to support enabling works required to deliver Stormwater LTP projects districtwide includes for planning, consenting and compliance works.
<b>Storm Water Total</b>			<b>3,519,546</b>	<b>100,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,619,546</b>	<b>100,000</b>	
Transport	000053	WAKATIPU - Sealed road resurfacing	936,036	-	426,743	-	-	1,362,779	426,743	QLDC has been challenging its rehab programme. Field validation of potential sites from modelling showed weaknesses and a need to review modelling triggers and interventions which is underway. Identified sites such as the Cardrona Valley road, while achieving good NPVs were challenged by NZTA to try alternative heavy maintenance treatments.
	000054	WANAKA - Sealed road resurfacing	603,964	-	306,743	-	-	910,707	306,743	These budgets are being reallocated to tackle some long over due second coat seals in the reseal programme.
	000061	WANAKA - Sealed road pavement rehab	426,743	-	426,743	-	-	-	- 426,743	
	000063	WAKATIPU - Sealed road pavement rehab	306,743	-	306,243	-	-	500	- 306,243	
	000068	GLENORCHY SPR - Structures component	16,000	-	-	70,000	-	86,000	70,000	Budget to be brought forward from Year 1 of LTP to progress with the design of a single lane bridge renewal at Precipice Creek. Budget of \$715k included in 2018/19 to complete works.
	000245	Frankton Flats Strategy Implementation	380,534	-	200,000	-	-	180,534	- 200,000	Project budget to be reallocated. New project Frankton Flats Masterplan required to undertake initial establishment works/report.
	NEW3	Frankton Flats Masterplan - Establishment Report	-	30,500	169,500	-	-	200,000	200,000	
	000275	Wanaka Transport Strategy Implementation	312,252	-	50,000	-	-	362,252	50,000	Budgets to be reallocated to Project 275. These works covered under AP budget for Wanaka Masterplan and Network Operating Framework.
	000543	SH6/SH84/Riverbank Road BBC	25,000	-	25,000	-	-	-	- 25,000	
	000559	Riverbank Road intersection BBC	25,000	-	25,000	-	-	-	- 25,000	
	000352	CROWN RANGE SPR - Sealed road resurfacing	332,000	-	-	-	250,000	82,000	- 250,000	Budget \$250K to be deferred to 18/19. Insufficient budget this year to complete the 2 sites identified requiring rehab works. Balance of budget 17/18 to address a skid resistance issue.
	000519	Hawthorne Drive (EAR) - Other Services	235,133	-	50,000	-	-	285,133	50,000	Revised project budget based on forecast final cost.
	000526	Town Centre Master Plan & Spatial Framework	303,264	-	68,000	-	-	371,264	68,000	Town Centre Masterplan Pre-Implementation Budgets.



Programme	Project Code	Project Description	Budget 2017-18	New Budget	Budget Transfer	Budget B/Fwd	Budget Deferred	Budget Forecast	2017-18 versus Forecast		Budget Comments
	000527	New Public Transport Hub in CBD	242,905		- 61,750			181,155	-	61,750	Revised project budgets based on forecast final costs. Budgets reallocated across projects 526, 527, 528 and 529
	000528	New Parking Facilities in CBD	241,256		- 56,250			185,006	-	56,250	
	000529	Town Centre Arterials	315,411		50,000			365,411		50,000	
	000577	Bike Parking Facilities in CBD	200,000		- 100,000			100,000	-	100,000	\$25K required for design and install of storage facilities at Church St. Reallocate Budget \$100k to new project Parking Strategy.
	000591	LED street light replacements Wanaka	1,075,000				- 500,000	575,000	-	500,000	Project budget to be deferred. Tender to retrofit luminaires out to market March 18. LEDs to be purchased in April with install planned for months May through to December 18.
	000600	LED street light replacements Wakatipu	1,026,520				- 500,000	526,520	-	500,000	
	000605	Gorge Road - New footpath	30,000		- 30,000			-	-	30,000	Project to be added to Minor Improvements Programme 17/18.
	000738	Sugar Lane Roading Upgrades	40,000		10,000			50,000		10,000	Additional budget required to complete design of upgrades.
	NEW4	Spence Road Park n Ride	-	100,000				100,000		100,000	New project budget required to progress with investigation and initial design works for a new Park n Ride facility at Spence Road.
	NEW5	Parking Strategy	-		100,000			100,000		100,000	New project budget requested to develop districtwide strategy for management of parking cost, supply and time restrictions to encourage mode shift and manage travel demand.
<b>Transport Total</b>			<b>7,073,761</b>	<b>130,500</b>	<b>-</b>	<b>70,000</b>	<b>- 1,250,000</b>	<b>6,024,261</b>	<b>-</b>	<b>1,049,500</b>	
<b>Wastewater</b>	000024	Wastewater - Renewals - Queenstown	750,000		50,000			800,000		50,000	Additional budget required to install an upgraded generator cooling system at Marine Parade PS. If there is any event that interrupts the water supply this pumping station will fail and overflow to lake within minutes. This upgrade will mitigate this risk.
	000025	Wastewater - Renewals - Wanaka	300,000		185,000			485,000		185,000	Additional budget required to complete urgent works including install of odour control system at WWPS Albert Town - Hawea Rd.
	000037	Glenorchy New Wastewater Scheme	131,386		70,000			201,386		70,000	Additional project budget \$70K required to undertake further investigation into water monitoring of septic tanks.
	000039	Aubrey Rd Stg1 Wastewater Rising Main	137,160				- 137,160	-	-	137,160	Project budget to be deferred to 18/19 to progress with the design phase of new Rata St Wastewater Pump Station and Aubrey Road rising main. Construction planned for 20/21.
	000164	Cardrona New Wastewater Scheme	495,746		- 200,000			295,746	-	200,000	Propose transfer of \$200K budget to new project 3 - Wastewater LTP Enabling works. Residual budget sufficient to complete works following WWTP performance assessment and upgrade recommendations.
	000171	Wanaka Airport	53,439		- 23,439			30,000	-	23,439	Project budget no longer required. Reallocate budget to Wastewater LTP enabling works.
	000229	Wastewater - AM Improvements	196,170		12,100			208,270		12,100	Additional project budget required to cover increased costs for Asset management services not covered by the contract. Includes also scoping of Three Waters asset Register transfer to TechOne.
	000344	CBD to Frankton Reticulation	69,583		- 65,000			4,583	-	65,000	Project budget included in LTP Years 4, 5 & 6 to provide solution to mitigate risk of failure and capacity constraints for trunk sewer system between Queenstown CBD and Frankton Beach. Reallocate budget \$65K to Marine Parade Pump Station Project 561.
	000346	Kelvin Heights Wastewater Upgrades	497,537				- 350,000	147,537	-	350,000	Budget \$350K to be deferred for construction work 18/19. Balance of budget 17/18 to complete concept/detailed design of rising main reconfiguration at Willow Place.
	000366	Recreation Ground Pump Station - Stage 1	174,199		- 124,199			50,000	-	124,199	Project budget 17/18 \$50k for concept design work, GIS validation and survey. Detailed design budget 18/19 and physical works budget 19/20 included in LTP.
	000439	Riverbank Rd WWPS Overhead Power Line	29,123		- 21,945			7,178	-	21,945	Capital budget no longer required as Contractor has identified an operational solution to this issue.
	000464	Project Shotover Stg2 - Disposal Field	3,931,877				- 1,331,877	2,600,000	-	1,331,877	Tender to be awarded in March. Budget required this financial year is \$2.6M. Balance of budget \$1.3M to be deferred to 18/19. LTP project budget for Project Shotover - Disposal Field to be reduced through internal submissions process to reflect.

Programme	Project Code	Project Description	Budget 2017-18	New Budget	Budget Transfer	Budget B/Fwd	Budget Deferred	Budget Forecast	2017-18 versus Forecast	Budget Comments
	000525	Shotover Delta Sewer Main replacement	535,000		- 180,000			355,000	- 180,000	Project is complete. Balance of budget to be reallocated.
	000561	Marine Parade Pumping Station Risk	1,118,186		65,000			1,183,186	65,000	Reallocate budget \$65K from Project 344 - CBD to Frankton Reticulation to complete additional works required as a result of new manhole connections (old manhole is unsuitable for new connection).
	000588	Trade Waste - Customer Management System	55,000				- 35,000	20,000	- 35,000	Additional effort has been sought to improve education and engagement with trade waste customers. In addition, a staff change over has resulted in a delays in completing the bylaw review which will now be completed in the next financial year.
	000740	Network Consents Project	100,000		100,000			200,000	100,000	A second prosecution for an overflow is being served. Legal decision to advance the network consent project to start this year as funding can be transferred from other underspends. This additional budget is required to engage the environmental and ecological planners. Project scopes and proposals have already been sought to enable immediate commencement.
	NEW6	Wastewater - Renewals - Luggate	-		50,000			50,000	50,000	Council has recently acquired the Luggate Waste Water Treatment Plant. New budget required to undertake works following risk assessment and plant defects list.
	NEW7	LTP Enabling works - Waste Water	-	117,517	82,483			200,000	200,000	New project budget required to support enabling works requested to deliver Waste Water LTP projects districtwide includes for planning, consenting and compliance works.
<b>Wastewater Total</b>			<b>8,574,406</b>	<b>117,517</b>	<b>-</b>	<b>-</b>	<b>- 1,854,037</b>	<b>6,837,886</b>	<b>- 1,736,520</b>	
<b>Water Supply</b>	000006	Water Supply - Renewals - Queenstown	680,612		80,000			760,612	80,000	Budget required to complete urgent works including associated works with new bridge (Hanley Downs).
	000228	Water Supply - AM Improvements	218,435		53,500			271,935	53,500	Additional project budget required to cover increased costs for Asset management services not covered by the contract. Includes also scoping of Three Waters asset Register transfer to TechOne.
	000279	Shotover Country WS - Bore	310,153				- 260,000	50,153	- 260,000	Concept design and detailed design budget \$50K 17/18. Defer project budget \$260K to 18/19 for physical works.
	000280	Shotover Country WS - Treatment	757,934				- 650,000	107,934	- 650,000	Concept design and detailed design budget \$107K 17/18. Defer project budget \$650K to 18/19 for physical works.
	000311	Fernhill Reservoir Land Access	69,500		- 69,500			-	- 69,500	Budget to be reallocated. Initial study has identified that this project is much larger than originally scoped. Project to be put back through point of entry BBC process.
	000348	Installation of UV treatment at Two Mile	411,762		- 360,000			51,762	- 360,000	Reallocate budget to new project Water Supply LTP enabling works and project Water Supply Renewals Queenstown.
	000369	Hawea Water Supply Upgrades - Caples Ave	250,713				- 220,000	30,713	- 220,000	Budget deferred to complete physical works planned 18/19. Remaining budget \$30K for detailed design 17/18.
	000518	Beacon Point Reservoir	220,000				- 170,000	50,000	- 170,000	Budget deferred to complete physical works planned 18/19. Balance of budget \$50K 17/18 to progress with concept design works to establish new reservoir footprint.
	000545	Glendhu Bay Water Resource Consent	15,000		- 11,000			4,000	- 11,000	Project complete. Budget to be reallocated to new project Water Safety Action Plans.
	NEW8	LTP Enabling works - Water Supply	-	4,000	296,000			300,000	300,000	New project budget requested to support enabling works required to deliver Water Supply LTP projects districtwide includes for planning, consenting and compliance works.
	NEW9	Water Safety Actions Plans - Wakatipu		10,000				10,000	10,000	New project budget required to progress with Water Safety Plans.
	NEW10	Water Safety Actions Plans - Wanaka		9,000	11,000			20,000	20,000	New project budget required to progress with Water Safety Plans.
<b>Water Supply Total</b>			<b>2,934,108</b>	<b>23,000</b>	<b>-</b>	<b>-</b>	<b>- 1,300,000</b>	<b>1,657,108</b>	<b>- 1,277,000</b>	
<b>Other</b>	NEW11	LTP Strategic Procurement Plan	-	150,000				150,000	150,000	New budget required to develop a strategic procurement plan and associated tender and contact documents for LTP programme delivery focusing on first 3 years of the plan.
<b>Other Total</b>			<b>-</b>	<b>150,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>150,000</b>	<b>150,000</b>	

Programme	Project Code	Project Description	Budget 2017-18	New Budget	Budget Transfer	Budget B/Fwd	Budget Deferred	Budget Forecast	2017-18 versus Forecast	Budget Comments
<b>INFRASTRUCTURE TOTAL</b>			<b>22,803,478</b>	<b>532,017</b>	<b>-</b>	<b>170,000</b>	<b>- 4,784,037</b>	<b>18,721,458</b>	<b>- 4,082,020</b>	
<b>Parks and Reserves</b>	<b>000213</b>	Arrowtown Ramshaw Lane Public Toilet	589,894	175,000				764,894	175,000	Additional project budget required following scope increase from community consultation.
	<b>000214</b>	Frankton Beach Toilet Replacement	284,863	110,000				394,863	110,000	Additional project budget required to complete physical works due to increased upgrades to services.
	<b>000215</b>	Aspiring Road - replace permaloo with Exeloo	247,792	42,880	152,120			442,792	195,000	Additional project budget required following scope increase from community consultation. Increased electrical connection requirement.
	<b>000382</b>	Playground Renewal Queenstown Bathhouse	670,000		59,853			729,853	59,853	Additional budget requested. Tender prices based on construction drawings above estimated AP project budget at concept design phase.
	<b>000420</b>	Playground Renewals - Wakatipu	21,000		18,697			2,303	18,697	Budget not required. Playground renewals budget included in 18/19 LTP.
	<b>000421</b>	Playground Renewals - Wanaka	52,000		52,000			-	52,000	Budget not required. Playground renewals budget included in 18/19 LTP.
	<b>000426</b>	New vehicle access- GY Airstrip Reserve	-	150,000		50,000		200,000	200,000	New budget required for access road, fencing and associated minor improvement works to enable the operation of the Airstrip in accordance with the Reserve Management Plan. Includes \$50K budget to form carpark.
	<b>000468</b>	AMP Improvements - Parks	65,335		65,006			329	65,006	Project budget no longer required as data collection has been undertaken under OPEX budget.
	<b>000536</b>	Queenstown Rec Ground Field Improvements	52,355		52,355			-	52,355	Project budget no longer required as works undertaken under OPEX budget.
	<b>000541</b>	Tennis Glenorchy Glenorchy Domain	60,000		60,000			-	60,000	Project budget no longer required as minor repairs undertaken in 17/18 under OPEX budget. Capex budget for Tennis Court renewals included in LTP.
	<b>000548</b>	Playground renewals design/investigation	49,216		31,156			18,060	31,156	Budget not required. Playground renewals budget included in 18/19 LTP.
	<b>000587</b>	Toilet renewals design/investigation	52,305		42,759			9,546	42,759	Budget not required. Toilet Facilities report undertaken under OPEX budget.
	<b>000608</b>	Makarora Toilet	250,000		110,000			360,000	110,000	Additional project budget required following scope increase from community consultation. Increased waste disposal requirement.
	<b>NEW12</b>	Freedom Camping Stage 1	-	30,000				30,000	30,000	New budget requested to implement works associated with access restrictions to Lakes Hayes and the Shotover Delta reserves; signage, fencing, gates etc.
<b>Parks and Reserves Total</b>			<b>2,394,759</b>	<b>507,880</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>2,952,639</b>	<b>557,880</b>	
<b>Corporate</b>	<b>000145</b>	Performance Planning and Risk Tech One Modules	162,500	50,000				212,500	50,000	New project budget required to implement Performance Planning and Risk Tech One Modules this financial year.
<b>Corporate Total</b>			<b>162,500</b>	<b>50,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>212,500</b>	<b>50,000</b>	
<b>Non-Infrastructure Total</b>			<b>2,557,259</b>	<b>557,880</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>3,165,139</b>	<b>607,880</b>	
<b>Grand Total</b>			<b>25,360,737</b>	<b>1,089,897</b>	<b>-</b>	<b>220,000</b>	<b>- 4,784,037</b>	<b>21,886,597</b>	<b>- 3,474,140</b>	

Resource Management Act 1991		
Section	Description	Delegated to
88	Making an application for resource consent	General Manager Property & Infrastructure GM Community Services General Manager Planning & Development General Manager Corporate Services
168A	Authority to lodge notice of requirement on behalf of Council	Chief Executive Officer General Manager Planning & Development GM Community Services General Manager Property & Infrastructure
176A	Power to lodge an outline plan  Power to request changes & to waive requirement for an outline plan	General Manager Property & Infrastructure GM Community Services Parks and Reserves Planning Manager Manager Planning Practice Manager Resource Consents Team Leader, Resource Consents Senior Planner ( <i>to request changes or waive requirement only</i> ) Hearings Commissioner(s)
330	Power to take preventative or remedial action in emergency circumstances	General Manager, Property & Infrastructure GM Community Services GM Regulatory & Finance
331	Power to seek reimbursement of Council's costs for emergency works	General Manager, Property & Infrastructure GM Regulatory & Finance

## Attachment C: List of RMA Commissioners with proposed additions

<b>Appointed 30 January 2014</b>		
<i>Paul Rodgers#</i> Legal	<i>Gillian Macleod</i> Urban design	<i>Denis Nugent</i> Planning
<i>Andrew Henderson</i> Planning	<i>David Mead</i> Planning & urban design	<i>Bob Nixon</i> Planning
<i>Bryce Julyan</i> Planning	<i>Mark St Clair#</i> Planning	<i>David Collins</i> Planning
<i>David Wren</i> Planning	<i>John Lumsden</i> Engineering	<i>Darryl Millar</i> Planning
<i>Sarah Dawson</i> Planning	<i>Jane Sinclair</i> Planning	<i>Graham Taylor</i> Planning
<i>David Clarke</i> Planning	<i>Jane Taylor</i> Legal	<i>David McMahon#</i> Planner
<i>David Whitney</i> Planning	<i>Ian Munro#</i> Urban design	
<b>Appointed 30 June 2016</b>		
<i>Scott Stevens*</i> Making Good Decisions	<i>Calum McLeod*</i> Making Good Decisions	<i>Jan Caunter</i> Legal
<b>Appointed 24 November 2016</b>		
<i>Wendy Baker</i> Planning	<i>Rachel Dimery</i> Planning	<i>Lee Beattie</i> Urban Design
<i>Mike Freeman</i> Environmental Science		
<b>Appointed 28 September 2017</b>		
<i>Penny Clark*</i> Making Good Decisions	<i>Tony Hill*</i> Making Good Decisions	<i>Ross McRobie*</i> Making Good Decisions
<i>Gina Sweetman</i> Planning		
<b>Appointed ## 2018</b>		
<i>Lisa Mein</i> Planning & urban design	<i>Quentin Smith*</i> Making Good Decisions	

\* Councillors appointed as Commissioners

# Also appointed and involved with Proposed District Plan hearings

**QLDC Council  
3 May 2018**

**Report for Agenda Item: 1**

**Department: Community Services**

**Learn to Swim Provision at Wanaka Pool**

**Purpose**

The purpose of this report is to outline options for the provision of learn to swim lessons at the new Wanaka Pool at Three Parks, and recommend a preferred option.

**Recommendation**

That Council:

1. **Note** the contents of this report; and
2. **Adopt** the recommendation of the independent evaluation panel that QLDC Wanaka Swim School operate as sole provider of learn to swim services from Term 3, 2018 at the new Wanaka Pool.

Prepared by:



Simon Battrick  
Manager, Sport & Recreation

23/04/2018

Reviewed and Authorized by:



Thunes Cloete  
GM, Community Services

24/04/2018

**Background**

- 1 Council Swim Services can reasonably be considered to be core local government purpose under s.10 of the Local Government Act (LGA) as “local public services” and under s.11A LGA “other recreational facilities and community amenities”.
- 2 The main reason councils operate learn to swim pools is to enable the community to have access to cost-effective recreational opportunities to be able to learn to swim and assist the development of water safety skills. This non-financial attribute is important to Queenstown Lakes District Council (QLDC).
- 3 In considering how to offer such a service the LGA requires councils to consider the most cost-effective option(s) (s.10(1)(b) LGA). Swim schools are however, at best a marginal “business” in that the direct and indirect costs of the service

(particularly the depreciation and maintenance costs) are only partially captured by the class charges. The balance of funding is met from general rates. Accordingly the most cost-effective option for a learn to swim school is essentially one in which the revenue generated from lessons minimises the deficit from operational and capital costs and places the lowest rating burden on the general rate-paying public.

- 4 Swimming New Zealand has advised that single site provision of swim schools is best practice in New Zealand and they are only aware of 2 councils out of 67 that operate dual provision of learn to swim lessons out of a single facility (Central Otago and Gisborne). Gisborne Council do not run any swim school as Comets Swim Club operates learn to swim along with a private provider, Water Wetas.
- 5 In 2015 a similar process was undertaken in Queenstown and the Council “confirmed the position stated in the EOI (Expression of Interest) that QLDC moves to a sole provider model for delivery of learn to swim at Alpine Aqualand and adopted the evaluation panel’s recommendation that Alpine Aqualand operate as the sole provider of learn to swim services from the end of term 2 2015”. This has been a successful model and growth in the number of swim lessons provided since 2015 has increased by around 13%.

### **Current Status**

- 6 QLDC currently operates 2 swim schools, Alpine Aqualand (sole provider), Queenstown and Wanaka Swim School (WSS) at Plantation Road, Wanaka. QLDC has delivered learn to swim services at the existing pool on Plantation Road under the Wanaka Swim School (WSS) since 2008. WSS has more than doubled its enrolments since its first year of operation, reaching a peak of 435 swim students in Term 4 of 2016.
- 7 In Wanaka there is a second provider of learn to swim lessons, being Wanaka Swim Academy (WSA) operated by Stacey Wells. WSA currently has roughly equal pool space and the same fluctuation of seasonal enrolments as WSS, however, it does not currently operate during Term Three.
- 8 WSA has operated for a number of years at the Wanaka Pool. In 2008 WSA was unable to operate learn to swim lessons as Lakes Leisure were contracted to operate the pool and as part of this agreement took over the sole provision of learn to swim lessons. WSA then continued providing lessons at Oakridge Pool. In 2014 Lakes Leisure Ltd (Council Controlled Organisation) was disestablished and learn to swim provision taken over by Council operations. It was at this time that WSA was allowed back in to continue provision of learn to swim lessons.
- 9 In 2015/16 informal discussions began with WSA regarding the desire by QLDC sport & recreation management to operate a single learn to swim model.
- 10 During 2017 discussions were held with the Community Services Committee and Wanaka Community Board about different operating arrangements for Wanaka pool. Discussions were also held to ensure that the views of the Wanaka Swim School were well understood ahead of putting out an EOI for a single provider swim services model.

11 Council officers also engaged with WSA's Stacey Wells to investigate options around joint swim schools or integration, contracts for service, employment opportunities and to discuss the proposed models of delivery. This discussion resulted in WSA indicating that they preferred a dual model of provision, and indicated that they may seek to participate in the EOI process.

### **EOI process and evaluation**

12 On 19 March 2018 Council officers issued an open EOI (Attachment A) with respondents asked to describe their operation against the following criteria:

- a. Relevant experience
- b. Relevant qualifications and skills including key personnel
- c. Details of the companies health and safety policies and procedures
- d. Scope of services
- e. Price rates to be charged to the public
- f. Details illustrating the quantum and structure of the proposed financial contribution to QLDC - commercial
- g. Current levels of public liability and insurances
- h. Details of an litigation or legal disputes brought against the company/organisation in the last 5 years
- i. Details of any possible or implied conflict of interest

13 The EOI was on the Government electronic tender (GETS) from 19 March and closed at 5pm on 9 April (22 days). It was also sent directly to 5 key industry providers of learn to swim provision in New Zealand and also locally to WSA, Wanaka Swim Club and Queenstown Swim Clubs. It was also publicised on the QLDC website and Sport & Recreation Facebook pages and a media release was sent out to the local media.

14 A total of 5 EOI responses were received on 9 April. Two other respondents also submitted. One respondent submitted a letter indicating they were not submitting an EOI on the basis of sole provision. The other respondent provided an operational model but did not submit a formal submission. On 20 April an evaluation panel met to review and evaluation the EOIs. Members of the panel were asked to complete conflict of interest forms and any conflicts were identified and mitigated. Members of the panel were:

- John Brimble – Chief Executive - Sport Otago
- Chris Morgan – National Learn To Swim Manager - Swimming NZ
- Thunes Cloete – QLDC General Manager Community Services



Each panellist was asked to complete an evaluation matrix based on a 60% non-financial and 40% financial weighting system. Panellists were asked to use a scoring methodology consisting of 0 –nothing provided or no evidence, 5 –adequate, 10 – exceeds. Criteria and weighting is listed below in Table 1.

**Table 1: Evaluation Criteria and Weighting**

<b>Evaluation Criteria</b>	<b>Weighting</b>
<b>Relevant Experience</b>	
<b>Total</b>	<b>20%</b>
<b>Price Rates for Public</b>	
<b>Total</b>	<b>20%</b>
<b>Quantum of Financial Contribution to QLDC</b>	
<b>Total</b>	<b>20%</b>
<b>Scope of Service</b>	
<b>Total</b>	<b>15%</b>
<b>H&amp;S</b>	
<b>Total</b>	<b>5%</b>
<b>Accidents</b>	
<b>Total</b>	<b>5%</b>
<b>Litigation</b>	
<b>Total</b>	<b>5%</b>
<b>PI and PL Insurance</b>	
<b>Total</b>	<b>3%</b>
<b>Conflict of Interest</b>	
<b>Total</b>	<b>3%</b>
<b>Local to the District</b>	
<b>Total</b>	<b>5%</b>
<b>TOTAL ATTRIBUTES</b>	<b>100%</b>
<b>RANKING</b>	

An additional criterion was added to the scoring matrix of “Local to the District”. This was in response to the Community & Services Committee/Wanaka Community Board recommended to recognise the geographical differences and nuances of the District and how it operates.

Following the individual scoring, the entire panel discussed each submitter and agreed a combined score for each respondent with the exception of QLDC’s submission. It should be noted that QLDC’s Thunes Cloete did not score QLDC’s EOI submission and was not involved in any way with the preparation of the EOI on behalf of QLDC.

At 12.51pm on 20 April, Thunes Cloete (QLDC) stepped out of the room and the remaining 2 panel members reviewed and evaluated the QLDC EOI submission.

The methodology to score the QLDC EOI submission was that each member’s individual scores would remain and an average of the 2 scores were applied as the third scoring member, and a total combined score was agreed to be able to evaluate between all respondents.

Following the evaluations the following weighted scores were agreed by the panel:

- Respondent 1 – 43.5%
- Respondent 2 – 40%
- Respondent 3 – 29.8%
- Respondent 4 – 49.8%
- Respondent 5 – 32.2%

## Options

The following options has been developed with the question asked if the EOI process was reasonable and procedures followed, then Council should:

15 Option 1 : Appoint QLDC as the preferred Swim School sole provider for the new Wanaka Pool

### *Advantages:*

- QLDC has a higher level of control to set service levels and fees for the community.
- Provides greater flexibility to provide for all customer demands, i.e. more efficient pool lane space.
- All financial revenue increases go back to Council and offsets the costs of providing community services, i.e. Wanaka Pool.
- Minimises service disruption as already knows the community.
- Provides added value to staff by providing possible fulltime employment by combining swim tutoring with other roles across the organisation, i.e. customer service/lifeguards.
- Provides the opportunity to move staff between multiple facilities.

### *Disadvantages:*

- Community wanting a different provider will have to go elsewhere.
- Possible drop in quality of swim lessons provided due to no competition.

16 Option 2: Consideration of Option 2 is based on rejecting the QLDC Single Swim School Provider, and as a consequence rejecting the single swim services model. Option 2 leaves Council with the option of continuing with the current model of two provider (QLDC and Wanaka Swim Associate) model.

### *Advantages:*

- No disruption to current service levels as already knows the community.
- Gives the community a choice of provider in the Wanaka area.

### *Disadvantages:*

- Growth limitations on enrolment due to space limitations and competing usage.
- Ongoing issues with service/quality of lesson offerings.
- Continued resource demands on QLDC staff to manage booking processes.
- Commercial operator continues to receive partial public subsidy for private benefit.

- Operating model inconsistent with remaining QLDC pools
- Market not tested as to alternative commercial providers

17 The independent evaluation panel recommends **Option 1** that QLDC be appointed as sole provider of learn to swim services at the new Wanaka pool.

### **Significance and Engagement**

18 This matter is primarily one of operational service delivery and does not cross any threshold for formal consultation. Due to the level of community interest this report has been developed for Council consideration.

19 Accordingly, it is in a position to reach a decision on this matter without further consultation.

### **Risk**

20 This matter relates to the operational risk OR027 delivering levels of services as documented in the QLDC risk register. The risk is classed as low/moderate. The status quo and recommended option is considered to minimise any service disruption to existing or future swim school participants.

### **Financial Implications**

QLDC officers have budgeted for an increase in expenses and revenue in Council's Ten Year Plan for 2018/19. The budget will be adjusted accordingly dependent on the outcome of Council's decision.

The evaluation panel considered that of the five respondents to the EOI that the best financial outcome for Council was annual revenue of \$85,000 from Wanaka Swim School which would increase over three years as enrolments and growth occurs.

### **Council Policies, Strategies and Bylaws**

21 This report considered the Community Facility Pricing Policy 2011 and the principles contained in this document, i.e. using community facilities that are affordable (especially for youth) and not a barrier to entry and, when using public facilities for private commercial gain, the community should ensure a fair return for the use of community facilities.

### **Local Government Act 2002 Purpose Provisions**

22 The report considers that:

- The option presented to Council supports the role of Council in providing recreational facilities and community amenities in a manner that is cost effective for households and businesses.
- The option presented is consistent with the Council's plans and policies.

### **Legal Considerations and Statutory Responsibilities**

- There are no legal implications raised within the contents of this report apart from any potential contract management implications.

### **Attachments**

A QLDC Request for Expressions of Interest – Provision of Learn to Swim Services at Wanaka Pool 19 March 2018



## **Request for Expressions of Interest**

Provision of Learn to Swim Services

at Wanaka Pool

19<sup>th</sup> March 2018

## Key Information

Professional Service Requested	Learn to Swim Delivery
EOI Issuer	Queenstown Lakes District Council
EOI Number	S&R101
Date of Issue	19 <sup>th</sup> March 2018
Date EOIs Due	9 <sup>th</sup> April 2018
Mode of Delivery of EOIs	<p>By email directed to Kate Webb, business support administrator:</p> <p><a href="mailto:kate.webb@qldc.govt.nz">kate.webb@qldc.govt.nz</a></p> <p>Subject Line: QLDC EOI Sole Provider– Provision of Learn to Swim Services – [insert name of your organisation]</p>
QLDC Contact	<p><b>Simon Battrick</b></p> <p>simon.battrick@qldc.govt.nz</p>

## Contents

Section A: General .....	4
Section B: EOI Conditions .....	6
Section C: Schedule to EOI Conditions .....	10
Section D: EOI Analysis .....	12
Section E: Scope of Services .....	15
Appendix 1: EOI Acknowledgment Form.....	20
Appendix 2: EOI Form .....	21
Appendix 3: Conflict of Interest Declaration .....	22

## Section A: General

### 1 Expression of Interest - Background

Queenstown Lakes District Council (QLDC) is the local authority for the Queenstown Lakes district. The district is one of the fastest growing in New Zealand. In order to inform a decision regarding the future delivery of learn to swim services at the new Wanaka Pool (WP), QLDC seeks to obtain EOI's from organisations who are interested in securing a contract for the sole provision of delivery of learn to swim services at WP for a 3-year period.

- 1.1 QLDC has delivered in house learn to swim services at the existing Wanaka Pool (WP) under the Wanaka Swim School (WSS) brand since 2008. Lessons are currently delivered in allocated lanes of the lap pool.
- 1.2 WSS has more than doubled its enrolments since its first year of operation. Seasonal fluctuations in enrolments are commonplace. WSS reached a peak of 435 in Term 4 of 2016. Terms 1 and 4 are typically busier with WSS reaching an average of 280 in Term 3 of 2017. Year on year enrolments have trended upwards, averaging 10% growth.
- 1.3 The school's aquatic education programme is also delivered by WSS.
- 1.4 A second independent operator, Wanaka Swim Academy (WSA) currently has roughly equal pool space and enrolments fluctuate in the same vicinity of WSS enrolments, however it does not currently operate during Term 3. It is now felt that the needs of the community and QLDC's ability to recover facility operating costs would be better met through a single provider of learn to swim services at WP.
- 1.5 Outside the scope of learn to swim, the Wanaka Swim Club delivers competitive swim squad instruction in the WP and Aspiring Swimmers offers squad training to adults on weekdays. It is anticipated this will remain unchanged.



## 2 EOI programme

- 2.1 The following is an indicative EOI programme. QLDC reserves the right to modify the steps and/or dates at any time at its discretion. If that occurs QLDC will notify participants of changes.

Date of Issue	19 <sup>th</sup> March 2018
Date EOIs Due	9 <sup>th</sup> April 2018
Evaluation Period Commences	10 <sup>th</sup> April 2018
Notification of Decision	3 <sup>rd</sup> May 2018

## 3 EOI selection process

- 3.1 QLDC will evaluate EOIs using the weighted attributes method. The evaluation process and attributes are set out below in Section D: EOI Analysis.

## 4 Form of EOIs

- 4.1 Subject to Section C: Schedule of EOI Conditions, QLDC does not require EOIs to be submitted in any form or following any particular structure, but participants should include all information that might reasonably be relevant or necessary for QLDC to best evaluate the EOI in accordance with the information sought in Section D: EOI Analysis. Participants are encouraged to provide suggestions as to how they might work collaboratively with QLDC to minimise costs and/or increase efficiency, and add value in addition to the services to be provided.

## 5 Participant acknowledgement

- 5.1 Any person that intends to participate in this EOI process and wishes to receive additional information or updates that QLDC may issue must acknowledge receipt of this information by signing and returning the form set out at Appendix 1 (EOI Acknowledgement Form).

## Section B: EOI Conditions

### 1 Interpretation

#### 1.1 In this Section B:

- (a) **QLDC** means Queenstown Lakes District Council.
- (b) **Contact Person** means the EOI Information Contact Person stated in Section C: Schedule to EOI Conditions.
- (c) **EOI Documents** means this EOI and any and all documents and written information issued in relation to this EOI.
- (d) **Schedule to EOI Conditions** means the schedule of information set out in Section C.
- (e) **EOI Conditions** means these conditions as set out in Section B.
- (f) **Services** means the services identified in Section E: Scope of Services.
- (g) The term “including” does not imply any limitation.
- (h) Any rights reserved to QLDC may be exercised at the sole discretion of QLDC.

### 2 Issue of EOI Documents

- 2.1 The issue of the EOI Documents is not an offer to enter into a contract.
- 2.2 The EOI Documents have been provided to assist participants in preparing their submission.
- 2.3 QLDC makes no representation or warranty as to the completeness or accuracy of the EOI Documents. Participants rely on any information provided in relation to this EOI at their own risk and are responsible for the interpretation of that information. EOI documents remain the property of QLDC.
- 2.4 Only the Contact Person may be contacted with any questions relating to this EOI. All questions must be received by the last date for questions set out in the Schedule to EOI Conditions.
- 2.5 Participants must acknowledge receipt of the EOI Documents by completing Appendix 1 (EOI Acknowledgment Form) and returning it to the Contact Person.

### 3 Participants

- 3.1 Each participant is deemed to have examined the EOI Documents and to have satisfied itself as far as is practical for an experienced supplier as to the correctness and sufficiency of:
  - (a) its submission to cover the Services; and

- (b) the prices, rates or sums stated in its EOI.
- 3.2 The prices, rates or sums submitted in each participant's EOI will, except where otherwise provided, allow for all of the participant's obligations. The participant will undertake any investigations, measurements and analysis it considers necessary before submitting an EOI.
- 3.3 The Contact Person is the only person authorised to receive queries, requests for information or other communications by participants or related parties regarding this EOI (other than submissions, which should be submitted as per the Mode of Delivery requirements in Schedule C). QLDC will not be bound by any statement, written or verbal, made by any person including the Contact Person unless that statement is subsequently incorporated into a formal written contract for the provision of the Services between QLDC and the participant.

#### **4 Ambiguities in the EOI Documents**

- 4.1 Participants may request an explanatory notice where the EOI Documents are ambiguous or unclear. All requests for explanatory notices must be received by the last date for questions set out in the Schedule to EOI Conditions.
- 4.2 If an explanatory notice is issued, it shall be sent to all participants that have acknowledged receipt of the EOI Documents and shall upon issue become part of the EOI Documents. Requests for information or clarifications that relate solely to the prospective participant will be provided to the participant requesting the information for clarification only.
- 4.3 In the absence of an explanatory notice, EOIs may be submitted subject to any reasonable interpretation of any ambiguity or uncertainty in the EOI Documents, provided that the interpretation is expressly stated in the EOI.

#### **5 Submission of EOIs**

- 5.1 QLDC must receive each participant's EOI by the date and time EOIs are due. QLDC reserves the right to extend the period allowed for the submission of EOIs.
- 5.2 Each EOI must be:
  - (a) Wholly contained in one document in Portable Document Format (PDF) or (MSWord)
  - (b) Sent by email as set out in the Schedule to EOI Conditions. QLDC reserves the right to accept late submissions. If QLDC chooses not to accept a late EOI the participant will be notified by return email.
  - (c) In the form and including the information required by the EOI Documents.
  - (d) Signed by or on behalf of the participant.
- 5.3 QLDC will acknowledge receipt of EOIs by return email.
- 5.4 Joint EOIs may be submitted.

- 5.5 The cost of preparing and submitting an EOI, and the cost to the participant of any subsequent negotiations, meetings or discussions, will be borne by the participant.
- 5.6 The participant will include prices and/or rates and/or sums for all the Services the participant proposes to provide in a format considered appropriate by the participant.
- 5.7 Services against which no price, rate or sum is specifically submitted by the participant and are required to be provided as part of the Services will be deemed covered by other prices, rates or sums submitted by the participant. If there is any ambiguity or uncertainty over what the submitted prices, rates or sums cover, QLDC will be entitled to interpret them.
- 5.8 The participant agrees that all information that it submits:
- (a) Is complete and accurate in all material respects; and
  - (b) Does not breach any third party's rights, including intellectual property rights, and the use of the information in relation to this EOI will not breach such rights.
  - (c) Has not withheld any information potentially relevant including any actual or potential controversies, disputes or claims involving the participants

## **6 Acceptance of EOIs**

- 6.1 QLDC reserves the right, at its sole discretion and without incurring any liability to any participant, to:
- (a) accept none or any of the EOIs;
  - (b) waive any irregularities or informalities in the EOI process;
  - (c) amend the EOI process or any associated documents;
  - (d) suspend, withdraw or cancel, in whole or in part, the EOI process at any time;
  - (e) enter into negotiations with one or more of the participants; and/or
  - (f) request additional EOIs.

## **7 Due diligence**

- 7.1 As part of the EOI process, QLDC and/or its advisors may carry out due diligence investigations of any participants that submit EOIs.
- 7.2 Each participant agrees to co-operate fully with any due diligence (including providing any information that may be requested).

## **8 No obligations**

- 8.1 No legal or other obligations will arise in relation to the conduct or outcome of this EOI process. For the avoidance of doubt, no process contract will apply to this EOI.

- 8.2 No legal or other obligations will arise in relation to provision of the Services unless and until a formal written contract for the provision of those Services is signed by QLDC and the relevant participant.
- 8.3 QLDC and its agents or advisors will not be liable in contract, tort or in any other way for any direct or indirect damage, loss or cost incurred by any participant or other person in respect of the EOI process, its conduct or outcome.

## **9 Method of evaluation**

- 9.1 The intended method of EOI evaluation is set out in Section C: Schedule to EOI Conditions. QLDC reserves the right to depart from or vary this methodology. The information that submissions should cover is set out in Section D: EOI Analysis.

## **10 Ethics**

- 10.1 Participants must complete and submit the Conflict of Interest Declaration set out in Appendix 2 to the EOI Documents.
- 10.2 QLDC reserves the right to exclude any participant from this EOI process if QLDC becomes aware that the participant has:
- (a) any undeclared conflict of interest;
  - (b) made any attempt to influence the outcome of the EOI process by canvassing, lobbying or otherwise seeking the support of any officers, consultants, advisors or elected representatives of QLDC (whether before or after the issue of this EOI);
  - (c) engaged in any practice that gives or is intended to give one or more participants an improper advantage over any other participant; and/or
  - (d) engaged in any practice that is illegal or which QLDC considers to be unfair or unethical (including collusion and secret commission arrangements).
- 10.3 QLDC reserves the right to exclude any participant from this EOI process if QLDC becomes aware that the participant has breached any of the obligations set out in clause 10.

## **11 Confidentiality**

- 11.1 The EOI Documents are not confidential.
- 11.2 Participants must not make any public statement regarding this EOI process without the express prior written consent of QLDC.
- 11.3 QLDC is subject to the Local Government Official Information and Meetings Act 1987. Participants acknowledge that information they provide may be required to be disclosed under that Act.

## Section C: Schedule to EOI Conditions

Clause 2.4 EOI Information Contact Person	<b>Simon Battrick</b> <a href="mailto:simon.battrick@qldc.govt.nz">simon.battrick@qldc.govt.nz</a>
Clauses 2.4 and 4.1 Last date for questions and requests for explanatory notices	26 <sup>th</sup> March 2018 All communications, including questions, requests for clarification or request for additional information shall be made by email addressed to EOI Information Contact Person. Communications must be clearly labelled with the assigned EOI name and number and marked for the attention of the EOI Information Contact Person. Communications not so addressed may not be actioned.
Clause 5.1 Date and time EOIs due	9 <sup>th</sup> April 2018 at 5pm
Clause 5.2 Mode of delivery	By email addressed to Kate Webb: <a href="mailto:kate.webb@qldc.govt.nz">Kate.webb@qldc.govt.nz</a> Subject Line: QLDC EOI Sole Provider – Provision of Learn to Swim Services – [insert name of your organisation] Note: EOIs must be emailed. Posted or faxed EOIs will not be accepted.
Clause 5.2 Format of EOI	One document in Portable Document Format (PDF) (or MSWord) containing: <ul style="list-style-type: none"> <li>• Name of participant’s contact person;</li> <li>• Telephone number and email address for contact person;</li> <li>• Participant’s postal and physical address;</li> <li>• Signature on behalf of participant;</li> <li>• Participant’s EOI which includes the information set out in Section D: EOI Analysis and the extent to which it can fulfil the requirements of Section E: Scope of Services;</li> <li>• Conflict of Interest declaration as required by clause 10.1 of Section B: EOI Conditions (Appendix 2).</li> </ul>
Clause 9.1 EOI Evaluation Method	Subject to Section B: EOI Conditions: (a) EOIs will generally be evaluated using the Weighted Attributes Method.

	<p>(b) Weightings will be applied as follows:</p> <ul style="list-style-type: none"><li>• Non-Financial Attributes 60%</li><li>• Financial Attributes 40%</li> <li>• <b>TOTAL 100%</b></li></ul>
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## Section D: EOI Analysis

EOIs should not exceed 10 A4 pages excluding:

- (a) Title page;
- (b) Any staff CVs (limit of 3 pages per CV);
- (c) Health and Safety Plan/s;
- (d) Insurance Certificates;
- (e) Conflict of Interest declaration.

### Non-Financial Attributes

EOIs will be evaluated by reference to the following attributes:

Please provide a minimum of two referees that can be contacted to discuss both reputation and competence.

#### 1 Relevant Experience

- (a) What is your previous experience, if any, relevant to the Scope of Services? Please provide the details of any examples of contractual or required performance criteria and your performance against those criteria.
- (b) How have you demonstrated commitment to service delivery, quality and innovation as evidenced by services provided to current customers, or the services proposed?
- (c) What is your experience and performance in providing learn to swim services to the public in a Council-owned facility?
- (d) What is your experience and performance in providing learn to swim services, particularly on a large scale (500+ enrolments) and/or in the capacity of sole provider within an aquatic facility.
- (e) How have you demonstrated capability and competence in the identified service areas sought?

#### 2 Relevant Qualifications and Skills

- (a) What is the capability, competence and expertise of your proposed personnel?



- (b) Who are the Key Personnel who would carry out the Services? If possible the Participant should provide information on the relevant qualifications and skills for the Key Personnel and include a CV for each Key Person proposed. (Where such persons are not currently employed by the Participant, they should state the prerequisite skills and qualifications that any person to be employed by them will have.) By submitting the name(s) and other required information the participant is giving a commitment that they will not alter during the period of the engagement for reasons other than change of employer or discontinuation of the business, unless agreed in writing by QLDC.
- (c) Detail your existing business systems and functions including administration systems for reporting, cost control and invoicing.
- (d) Detail your client relationship management philosophy/style and how your systems align to ensure exceptional customer service, initiative and problem solving.
- (e) Outline your health and safety practices and policies, and how these have been operationalised in previous roles. The Participant should include a copy of any Health and Safety Policy Procedures and/or Plans applicable to the performance of the Services. Please provide details of any incidents referred to Workplace New Zealand in which you have been involved, regardless of the nature of the activities.
- (f) Confirm your understanding and commitment to the Health and Safety in Employment Act 1992, Health and Safety in Employment Regulations 1995, Codes of Practice and Australia/New Zealand Standards relevant to your industry. The participant should provide information related to health and safety training, audits, external advice and proactive health and safety initiatives.
- (g) Confirm your understanding of the proposed Health and Safety Reform legislation. The participant should provide confirmation concerning health and safety training or information received on the proposed legislation.
- (h) Do you have a health and safety staff member, health and safety committee and/or health and safety representative? If yes, please provide details.
- (i) Have you had a warning, improvement notice, prohibition notice, charge or conviction for a breach of the Health and Safety in Employment Act 1992 or Health and Safety Employment Regulations 1995? If yes to any of these, please provide details.
- (j) Do you hold appropriate insurance? The Participant shall effect and maintain insurance in respect of its potential liability for loss/damage in performing the Services. Copies of relevant insurances should be provided. As a minimum:
  - (i) Professional Indemnity Insurance of at least \$500,000.
  - (ii) Public Liability Insurance of at least \$2,000,000.

### **3 Commercial**

How would you demonstrate willingness and ability to form a value-added relationship with QLDC, and any third parties, and to develop and manage business and cultural relationships at all levels? Please provide examples.

#### **Financial Attributes**

EOIs will be evaluated by reference to the following attributes:

##### **1 Price**

- (a) Participants shall provide prices or rates that they would charge the public for the provision of services (please refer to price caps noted in section E).

##### **2 QLDC Costs (for information purposes only)**

- a) The annual operating cost of providing the learn to swim pool and two lanes of the lap pool over 47 weeks of the year at WP is currently estimated at \$ 60,324.
- b) Participants shall provide a model illustrating the structure and quantum of their proposed financial contribution to QLDC for the exclusive right to deliver learn to swim at WP.

## Section E: Scope of Services

The expected level of provision is consistent or higher than what is currently provided at the existing Wanaka Pool.

### 1. Summary Scope of Services:

Lesson Type	Age Range	Minimum No. Levels	Minimum Duration	Maximum Students	Maximum Price \$
Caregiver & Child	6 - 36 mths	3	25 minutes	8	11.50
Pre - School	3 - 4 years	4	30 minutes	4/5	11.50
School Age	5 - 16 years	4	30 minutes	5/6	11.50
School Age (Lap Pool)	5 – 16 years	7	30 - 45 minutes	6/10	11.50
Private Lessons	Open	NA	30 minutes	2	40.00
School Programmes	School age	Year levels	60 minutes	1:10 ratio	TBA

### Lesson Levels and Criteria

#### Parent and Child classes

Level	Criteria
<b>Rubber Duckies</b> <b>6-12 months</b> <b>Time: 25 min</b> <b>Max: 8</b>	<ul style="list-style-type: none"> <li>• Introduction to water for babies and caregivers</li> <li>• Basic water safety at home and in the pool</li> </ul>
<b>Frogs</b> <b>12-24 months</b> <b>Time: 25 min</b> <b>Max: 8</b>	<ul style="list-style-type: none"> <li>• Submersion of child</li> <li>• Increased independent movement</li> <li>• Floating and rotation skills</li> </ul>
<b>Sprats</b> <b>2-3 years</b> <b>Time: 25 min</b> <b>Max: 8</b>	<ul style="list-style-type: none"> <li>• Developed independent movement in the water</li> <li>• Increased water confidence and less dependent on caregiver</li> <li>• Encourage basic swimming stroke</li> </ul>

**Pre School Lesson 3-5 years old**

Level	Criteria
<b>Happy Hippo</b> <b>Time: 30 min</b> <b>Max: 4</b>	<ul style="list-style-type: none"> <li>• Safe entry and exit</li> <li>• Repeated submersions with bubbles</li> <li>• Assisted rotation on front to back</li> <li>• Assisted relaxed floatation on back</li> <li>• Unassisted floatation on front and regain to standing position</li> <li>• Walk and show a range of arm movements</li> <li>• With a noodle remaining in a vertical position throughout rotate through 360 with feet of the floor.</li> </ul>
<b>Busy Beaver</b> <b>Time: 30 min</b> <b>Max: 4</b>	<ul style="list-style-type: none"> <li>• Safe entry and exit</li> <li>• Unassisted back float without support</li> <li>• Push and glide front/back ( streamline)</li> <li>• Unassisted rotation/both directions/turn over</li> <li>• Push glide freestyle kick/ back kick 5m</li> <li>• Assisted breaststroke/simultaneous kicking action</li> <li>• Stand with arms stretched out in front demonstrate a sculling action.</li> <li>• Pick an object off the pool bottom.</li> </ul>
<b>Crazy Crocs</b> <b>Time: 30 min</b> <b>Max: 4</b>	<ul style="list-style-type: none"> <li>• Safe entry and Exit</li> <li>• Repeated rotate kicking between from and back 8m</li> <li>• Basic Backstroke 8m</li> <li>• Basic Freestyle – 8m – idea of breathing to the side.</li> <li>• Basic Breaststroke kick – 5 kicks</li> <li>• Introduce basic Breaststroke arms</li> <li>• Basic dolphin kick/undulating action 5m</li> <li>• Mushroom float – 10sec</li> <li>• Unassisted remaining in a vertical position throughout rotate 360 with feet off the floor / sculling action</li> </ul>
<b>Super Squid</b> <b>Time: 30 min</b> <b>Max: 5</b>	<ul style="list-style-type: none"> <li>• Safe Entry and Exit</li> <li>• Freestyle/ breathing 1-2-3 to the side 15m</li> <li>• Backstroke 15m</li> <li>• Basic breaststroke / pop up to breath 10m</li> <li>• Dolphin kick 10m</li> <li>• Tread water for 10 seconds</li> <li>• Forward roll – away from the wall.</li> </ul>

**School Aged classes 5 years plus****Learners Pool**

<b>Level</b>	<b>Criteria</b>
<b>Star Fish</b> <b>Time: 30 min</b> <b>Max: 5</b>	<ul style="list-style-type: none"> <li>• Safe entry and exit</li> <li>• Repeated submersions with bubbles</li> <li>• Assisted rotation on front to back</li> <li>• Assisted relaxed floatation on back</li> <li>• Unassisted floatation on front and regain to standing position</li> <li>• Walk and show a range of arm movements</li> <li>• With a noodle remaining in a vertical position throughout rotate through 360 with feet of the floor.</li> </ul>
<b>Turtle</b> <b>Time: 30 min</b> <b>Max: 5</b>	<ul style="list-style-type: none"> <li>• Safe entry and exit</li> <li>• Unassisted back float without support</li> <li>• Push and glide front/back ( streamline)</li> <li>• Unassisted rotation/both directions/turn over</li> <li>• Push glide freestyle kick/ back kick 5m</li> <li>• Assisted breaststroke/simultaneous kicking action</li> <li>• Stand with arms stretched out in front demonstrate a sculling action.</li> <li>• Pick an object off the pool bottom.</li> </ul>
<b>Penguin</b> <b>Time: 30 min</b> <b>Max: 6</b>	<ul style="list-style-type: none"> <li>• Safe entry and Exit</li> <li>• Repeated rotate kicking between front and back 8m</li> <li>• Basic Backstroke 8m</li> <li>• Basic Freestyle – 8m – idea of breathing to the side.</li> <li>• Basic Breaststroke kick – 5 kicks</li> <li>• Introduce basic Breaststroke arms</li> <li>• Basic dolphin kick/undulating action 5m</li> <li>• Mushroom float – 10sec</li> <li>• Unassisted remaining in a vertical position throughout rotate 360 with feet off the floor / sculling action</li> </ul>
<b>Water Rats</b> <b>Time: 30 min</b> <b>Max: 6</b>	<ul style="list-style-type: none"> <li>• Safe Entry and Exit</li> <li>• Freestyle/ breathing 1-2-3 to the side 15m</li> <li>• Backstroke 15m</li> <li>• Basic breaststroke / pop up to breath 10m</li> <li>• Dolphin kick 10m</li> <li>• Tread water for 10 seconds</li> <li>• Forward roll – away from the wall.</li> </ul>

**School Aged Classes 5 years plus****Lap Pool**

<b>Level</b>	<b>Criteria</b>
<b>Octopus</b>	<ul style="list-style-type: none"> <li>• Answer 2 water safety questions</li> <li>• Freestyle / breathing 1-2-3 – 20m</li> </ul>

<p><b>Time: 30 min</b> <b>Max: 6</b></p>	<ul style="list-style-type: none"> <li>• Backstroke / shoulder roll continuous – 20m</li> <li>• Breaststroke – continuous – 15m</li> <li>• Dolphin Kick – 15m</li> <li>• Perform a push and glide on front into a forward somersault</li> <li>• Perform a kneeling dive</li> <li>• Mushroom float – 5 sec then stretch into a streamline float</li> <li>• Tread water in deep water – 15secs</li> <li>• Introduce Butterfly arms on poolside only.</li> </ul>
<p><b>Otter</b> <b>Time: 30 min</b> <b>Max: 7</b></p>	<ul style="list-style-type: none"> <li>• Freestyle / breathing 1-2-3- 25m</li> <li>• Backstroke / rotation – 25m</li> <li>• Breaststroke / pop up breathing – 25m</li> <li>• Dolphin kick – 25m</li> <li>• Scull head first – 10m</li> <li>• Tread water for 30 secs in deep water</li> <li>• 3 different jump entering feet first</li> <li>• Perform a standing dive</li> <li>• Forward roll by wall and place feet on the wall</li> <li>• Have an idea of Butterfly arms – 5m</li> </ul>
<p><b>Dolphin</b> <b>Time: 30 min</b> <b>Max: 7</b></p>	<ul style="list-style-type: none"> <li>• Continuously swim bilateral Freestyle – 50m</li> <li>• Continuously swim Backstroke with rotation -50m</li> <li>• Breaststroke / pull-breath-kick-glide – 50m</li> <li>• Basic Butterfly 12m</li> <li>• Survival backstroke – 25m</li> <li>• Straddle jump entry into water</li> <li>• Forward roll by wall – push and glide on back</li> <li>• Back somersault starting in a horizontal position</li> </ul>
<p><b>Sea Lions</b> <b>Time: 30 min</b> <b>Max: 8</b></p>	<ul style="list-style-type: none"> <li>• Introduction into starts / turns and finishes</li> <li>• Freestyle / bilateral breathing with tumble turns 100m</li> <li>• Backstroke with correct turns – 100m</li> <li>• Breaststroke with correct touch turns – 100m</li> <li>• Butterfly finish with correct touch – 25m</li> <li>• Sidestroke 25m</li> <li>• Tread water showing 2 different methods of kick – 60secs</li> <li>• Perform a feet first/ head first surface dive retrieve an object from pool bottom</li> </ul>
<p><b>Eels</b> <b>Time: 45 min</b> <b>Max: 9</b></p>	<ul style="list-style-type: none"> <li>• Freestyle / bilateral breathing with tumble turns 200m</li> <li>• Backstroke with correct turns – 200m</li> <li>• Breaststroke with correct touch turns – 50m</li> <li>• Butterfly correct touch turn 50m</li> <li>• Tread water – 2mins</li> <li>• Perform feet first surface dive to retrieve a brick from the bottom of pool surface and carry for a distance of 10m on back.</li> </ul>
<p><b>Sting Rays</b> <b>Time: 45 min</b> <b>Max: 9</b></p>	<ul style="list-style-type: none"> <li>• Freestyle / bilateral breathing with tumble turns 400m</li> <li>• Individual Medley (IM) Fly/Back/Breast/Free – correct turns – 200m</li> <li>• Combine a simultaneous arm action with an alternating leg action 25m</li> <li>• Combine an alternating arm action with a simultaneous leg kick – 25m</li> </ul>

	<ul style="list-style-type: none"> <li>• Scull head first for 10m – stop – and return sculling feet first</li> <li>• Perform the H.E.L.P position wearing a life jacket – 5 mins</li> <li>• Perform a HUDDLE wearing a life jacket / group 3 or more 2mins</li> </ul>
<p><b>Sharks</b>  <b>Time: 1 hour</b>  <b>Max: 10</b></p>	<ul style="list-style-type: none"> <li>• Proficient in all four strokes with correct starts/ turns and finishes</li> <li>• Practical use of wearing a lifejacket and in water removal</li> <li>• Reach and Throw rescues</li> <li>• Clothed swim</li> </ul>

### School Programmes

Delivery of Water Safety New Zealand school programmes or provision of a mutually acceptable alternative that will ensure the continued delivery of these community programmes is an expected level of service from the successful participant. The current school programme, run in association with Central Swim Safe, is delivered to over 1369 students during the school terms.

### Outside the Scope of Services

Squad swimming/elite athletes training including Tri squad swimming will continue to be delivered by the Wanaka Swim Club, QLDC and other private providers respectively.

### 2. Reporting

- The provider shall prepare reports when required in a form approved by QLDC, which must report to QLDC all relevant matters during the respective time frame.

### 3. Disputes

- Providers will be expected to promptly resolve any disputes arising in respect of any matters arising from delivery of the service.

### 4. Other Requirements

- Providers will be expected to work with QLDC, its agents, suppliers, stakeholders in a co-operative and collaborative manner at all times.

## Appendix 1: EOI Acknowledgment Form

[This form is to be placed on your letterhead, signed by an authorised officer and returned by email. A digital signature is acceptable. The email should be sent to the EOI Information Contact Person with the following subject line: “QLDC EOI Sole Provider – Learn to Swim Delivery – [insert name of your organisation] ]

<b>Full Legal Name:</b>			
<b>Trading Name:</b>			
<b>Legal Status e.g. Limited Liability Company:</b>			
<b>GST Number:</b>			
<b>Business Industry Code (BIC):</b>			
<b>Primary Contact Person:</b>			
<b>Phone:</b>		<b>Mobile:</b>	
<b>Fax:</b>		<b>Email:</b>	
<b>Postal:</b>			

The above entity acknowledges receipt of the EOI and wishes any further EOI Documents or information released by QLDC to be sent to the above Primary Contact Person by email:

Dated:

Signed by:



## Appendix 2: EOI Form

*Note: This form must accompany each EOI submitted*

<b>REOI for</b>	Sole Provider – Provision of Learn to Swim Services at Wanaka Pool
<b>Identifying number</b>	
<b>Administrator</b>	

### Participant's acknowledgment

1. The named below acknowledges and agrees that:
  - (a) It has examined the EOI Documents (as defined in Section C) and is submitting its EOI in accordance with those documents.
  - (b) It has received and examined the following notices issued in relation to the EOI:  
(please circle)  
1          2          3          4          5          6          7          8          9          10
  - (c) That all information provided is complete and accurate and it has not withheld any information potentially relevant to the Council Organisation's consideration of its proposal.
  - (d) The Queenstown Lakes District Council is not bound to accept any particular EOI received and may or may not proceed to another competitive process.
  - (e) The terms and conditions set out in Section C apply to this EOI.
2. We attach the information to be submitted with this EOI.

<b>Name of company/organisation:</b>	
<b>Signed by authorised signatory of the company/organisation:</b>	
<b>Name and title of authorised signatory:</b>	
<b>Date:</b>	

## Appendix 3: Conflict of Interest Declaration

**Expression of Interest:** QLDC EOI Sole Provider Provision of Learn to Swim Services

**Please fill out the below questionnaire**

### Definition of Conflict of Interest:

A conflict of interest is a situation in which a participant could gain (or be seen to gain) an unfair advantage through an association with an individual or organisation. Associations include financial, personal, professional, family-related or community-related relationships.

- An **actual** conflict of interest is where there already is a conflict.
- A **potential** conflict of interest is where the conflict is about to happen or could happen.
- A **perceived** conflict of interest is where other people might reasonably think there is a conflict.

### Questionnaire:

	QUESTION	RESPONSE
1	Does any person in your organisation have a close friend or relative who is (or could be) involved in any evaluation or decision-making relating to this procurement process?	[yes] / [no] / [potentially]
2	Has any person in your organisation recently offered any special discounts, gifts, trips, hospitality, rewards or favours to any person involved in any evaluation or decision-making relating to this procurement process? <i>(eg free travel, free samples for personal use)</i>	[yes] / [no] / [potentially]
3	Does any person involved in any evaluation or decision-making relating to this procurement process have a financial interest in your organisation? <i>(eg the person is an employee of, or a shareholder in, your organisation)</i>	[yes] / [no] / [potentially]
4	Are you aware of anything that might give the appearance that any person involved in the evaluation stage or decision-making stage of this procurement process is biased towards or against your organisation? <i>(eg the person has used your organisation's corporate box)</i>	[yes] / [no] / [potentially]
5	Is there anything else that we should know?	[yes] / [no] / [potentially]

If you answered "yes" or "potentially" to any of the questions above, please set out the details of the situation below.

**Declaration:** I declare that the information provided in this document is true, complete and accurate to the best of my knowledge and on behalf of the participant identified below, agree to notify QLDC as soon as possible of any conflicts of interest that arise (or could arise) in the future.

Date	
Name of Organisation	
Signature of authorised signatory	
Name and title of authorised signatory	

**QLDC Council  
3 May 2018**

**Report for Agenda Item: 2**

**Department: Corporate Services**

**Adoption of new QLDC Disability Policy**

**Purpose**

The purpose of this report is to present the new QLDC Disability Policy and request Council adoption of this policy.

**Recommendation**

That the Council:

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

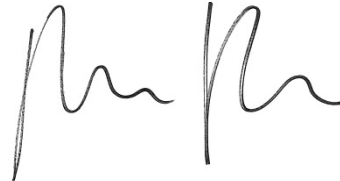
Prepared by:



Marie Day  
Community and Events Facilitator

18/04/2018

Reviewed and Authorised by:



Meaghan Miller  
General Manager, Corporate  
Services

18/04/2018

**Background**

- 1 While QLDC has adopted 'best practice', QLDC does not currently have a disability policy that can be used to guide decision-making for internal and external programmes.
- 2 The key principles for the development of a disability policy were approved by the Community and Services Committee on 2 November 2017. These include three sets of principles acknowledged by the New Zealand Disability Strategy 2016-2026:
  - Te Tiriti o Waitangi (The Treaty of Waitangi)
  - United Nations Conventions on the Rights of Persons with Disabilities
  - Ensuring disabled people are involved in decision-making that impacts them.

- 3 The other guiding principles QLDC will adhere to are:
- Recognise the diverse needs of disabled people and acknowledge that disabled people are experts in their own experience.
  - Recognise the need to provide all people with equity of opportunity and access.
  - Ensure that quality standards and safety are maintained and barriers to access are removed.
  - Maintain an ongoing partnership with disabled people built on mutual trust and respect.
- 4 The Community and Services Committee approved the Draft Disability Policy for public consultation on 7 December 2017.

## **Comment**

### **Disability Policy**

- 5 The disability policy presented with this report sets goals and measurable actions for creating an inclusive and enabling society, by removing barriers to participation for disabled people living in and visiting our community.

- 6 The policy goals in the disability policy are:

Policy Goal 1: QLDC will enable the participation of disabled people in QLDC's service design, planning and decision making process.

Policy Goal 2: QLDC will demonstrate an understanding of the lived experience of disabled people.

Policy Goal 3: QLDC communicates inclusively for disabled people.

Policy Goal 4: QLDC delivers or funds events that are inclusive of disabled people.

Policy Goal 5: QLDC public infrastructure is increasingly accessible to disabled people.

Policy Goal 6: QLDC facilities are accessible to disabled people and QLDC leases are actively encouraged to adhere to similar standards.

Policy Goal 7: QLDC will promote the development of a resilient community that includes disabled people, with a particular focus on emergency events.

Policy Goal 8: QLDC will demonstrate leadership as a good employer and contract manager that aims to build a diverse workforce, whilst providing a safe and accessible working environment.

### **Consultation and engagement**

- 7 Given the nature of this policy, it was deemed critical that a stakeholder group supported the development of the first draft of the Disability Policy.

The Executive Leadership Team then reviewed the Draft Disability Policy and provided comment.

- 8 The group's comments were taken into account in the Draft Disability Policy provided to the Community and Services Committee on 7 December 2017.
- 9 The Draft Disability Policy was available for public comment via the QLDC website from 12 December 2017 to 16 February 2018. Those commenting were also offered the opportunity to give feedback in person rather than via the online form if preferred. Drop-in sessions were hosted at the Queenstown and Wanaka libraries during January 2018.
- 10 The consultation process received 20 comments on the policy from community organisations, advocacy groups, District Health Boards, local authorities and individual members of the community. Key points raised via these comments were:
  - All generally supportive of the policy.
  - A few suggested wording changes, in particular to strengthen the intent of some actions.
  - The document needs to be less wordy and use more images ("easy read").
  - Wanted more clarity around the timeline for the actions.
  - Emphasised the need for ongoing engagement with disabled people in relation to implementation of the policy goals.
- 11 Consideration of the comments prompted some changes to the Draft Disability Policy. The updated policy and feedback were presented to the Community and Services Committee in March 2018, and socialised with the wider organisation.

### **Next steps**

- 12 If the Council adopts this Disability Policy, an Easy Read version of the policy will be produced alongside the standard version of the policy. Both documents will be published on the QLDC website by 31 May 2018. Easy Read is a recognised way of presenting information that is easier for people with a learning disability to understand.
- 13 The Disability Policy will be adopted by QLDC staff and implemented in all work programmes.

### **Options**

- 14 It is recommended that the Council adopts the Disability Policy or directs staff to make changes to the policy.

### ***Significance and Engagement***

- 15 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because of its positive impact upon affected parts of the community.

### ***Risk***

- 16 This matter relates to the strategic risk SR1 as documented in the Council's risk register. The risk is classed as low. This matter relates to this risk because it mitigates the risk of failing to meet the current and future needs of the affected members of the community.

### **Financial Implications**

- 17 The policy does not explicitly require any immediate expenditure directly, although its evolution and application will need to be factored in future work programmes. Such implications will be assessed by subject matter experts during the Annual Plan process.

### **Local Government Act 2002 Purpose Provisions**

- 18 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by catering for the needs of disabled people within the community;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

### **Consultation: Community Views and Preferences**

- 19 The persons who are directly affected by or interested in this matter are disabled people within the community, their support networks and advocates. It will also affect all other residents, ratepayers and businesses within the District.
- 20 The Council have engaged and consulted with disabled people in the community in the creation and finalisation of the disability policy.

### **Attachments**

- A QLDC Disability Policy (final v1.0 18/03/2018)

## Policy Statement

1. Queenstown Lakes District Council (QLDC):
  - will support and advocate for the development of a more inclusive and diverse community;
  - will respond to the needs of disabled people living in and visiting our district, with a focus on removing barriers to their full participation in our community;
  - and acknowledges and respects the diversity within the disability community and recognises the value it adds to our community.

## Policy Scope

2. This Disability Policy sets goals and measurable actions for creating an inclusive and enabling society, by removing barriers to participation for disabled people living in and visiting our community.
3. Disabled people make up 26 % of the population of Otago and Southland, which is higher than the national average.<sup>1</sup> With increasing ageing populations in New Zealand and worldwide there will also be more disabled people travelling and making a contribution to our local tourism industry. This policy provides an overview of current disability issues within New Zealand and our response to those issues.
4. This policy acknowledges the New Zealand Disability Strategy 2016-2026 as a guiding document for improving the lives of disabled people.

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<sup>1</sup> Statistics New Zealand Disability Survey; 2013.



5. The vision of the New Zealand Disability Strategy 2016-2026 is:

*“New Zealand is a non-disabling society – a place where disabled people have an equal opportunity to achieve their goals and aspirations, and all of New Zealand works together to make this happen.”*

6. This policy acknowledges the contribution disabled people can and do make to the cultural, social and economic life of our community. “Future economic growth of the country has the potential to be constrained by skill and labour shortages. The low employment rates of disabled people represent a significant loss of potential contribution to New Zealand’s economy.”<sup>2</sup> This policy aims to support the development of genuinely inclusive environments in which people can participate and contribute, on an equal basis, free of barriers.
7. This policy has adopted the social model of disability which acknowledges that all people are unique individuals, and that disability arises from the interaction between people living with impairments and the physical, attitudinal, communication and social barriers they face in their environment. People can experience disability in different ways depending upon age, gender, ethnicity, impairment and many other factors. The social model of disability aims to remove the barriers that prevent disabled people from participating and contributing to community life.
8. Barriers are obstacles that make it difficult – or sometimes impossible – for disabled people to fully participate in life. Barriers usually develop because the needs of disabled people are not considered. “It is something that happens when the world we live in has been designed by people who assume that everyone is the same.”<sup>3</sup>

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<sup>2</sup> New Zealand Disability Strategy 2016-2026, Office for Disability Issues, p. 15.

<sup>3</sup> New Zealand Disability Strategy 2016-2026, Office for Disability Issues.

9. Barriers may be visible or invisible. There are many different types of barriers, for example:
- **Attitudinal barriers** may result in disabled people being treated differently than non-disabled people.
  - **Informational and communication barriers** arise when a disabled person cannot easily receive and/or understand information that is available to others.
  - **Systemic barriers** in policies, practices and procedures result in disabled people being treated differently than others or sometimes excluded altogether.
  - **Physical and architectural barriers** occur in the environment and prevent access for disabled people.
10. QLDC is committed to delivering high quality services that satisfy the needs and expectations of all of our community. As a local authority responsible for building and managing key public assets (e.g. roads, parks, community facilities) and delivering essential services (e.g. building and resource consents, community event facilitation, emergency management) QLDC can play an important role in reducing barriers.

## Strategic Context

11. The Council's vision for the district is outlined within the QLDC Ten Year Plan 2018-28 as "Vibrant Community, Enduring Landscapes, Bold Leadership".
12. This policy contributes significantly to the achievement of the Ten Year Plan vision, most specifically in the achievement of the following community outcomes:
- Inclusive for Everyone
  - Effective and Efficient Community Facilities
  - Effective and Efficient Infrastructure
  - Good standard of Living and Wellbeing
  - Appropriate Public Access
  - Resilient and prepared for civil defence and emergency events.

13. Further detail about the QLDC strategic framework can be found within the Ten Year Plan 2018-28.

## Guiding principles

14. This policy acknowledges the New Zealand Disability Strategy 2016-2026 as a guiding document for improving the lives of disabled people.
15. This policy is aligned with the New Zealand Disability Strategy 2016-2026 in its acknowledgement of three sets of principles which “will help make sure the disabled community is visible, acknowledged and respected on an equal basis with others, and that disabled people can live a life with dignity and feel valued”.<sup>4</sup>

The three sets of principles are<sup>5</sup>:

a. **Te Tiriti o Waitangi (The Treaty of Waitangi)**

**Partnership:** Māori and the Crown have a relationship of good faith, mutual respect and understanding, and shared decision-making.

**Participation:** the Crown and Māori will work together to ensure Māori (including whānau, hapū, iwi and communities) participate at all levels of decision-making. This includes the right to seek opportunities for self-determination and self-management.

**Protection:** the Crown actively contributes to improving the wellbeing of Māori, including support for independent living and the protection of Māori property and identity, in accordance with Māori values. Māori have the same rights and privileges as other citizens.

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<sup>4</sup> New Zealand Disability Strategy 2016-2026, Office for Disability Issues, p.6

<sup>5</sup> New Zealand Disability Strategy 2016-2026, Office for Disability Issues, p.16-19

## b. United Nations Convention on the Rights of Persons with Disabilities

- i. Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
- ii. Non-discrimination
- iii. Full and effective participation and inclusion in society
- iv. Respect for difference and acceptance of disabled people as part of human diversity and humanity
- v. Equality of opportunity
- vi. Accessibility
- vii. Equality between men and women
- viii. Respect for the evolving capacities of disabled children and respect for the right o disabled children to preserve their identities.

- c. Ensure disabled people are involved in decision-making that impacts them and acknowledge that disabled people are experts in their own lives.

## 16. QLDC will also adhere to the following guiding principles:

- Recognise the diverse needs of disabled people and acknowledge that disabled people are experts in their own experience.
- Recognise the need to provide all people with equity of opportunity and access.
- Ensure that quality standards and safety are maintained and barriers to access are removed.
- Maintain an ongoing partnership with disabled people built on mutual trust and respect.

## Key Terms

17. There are many words and terms that are used to identify disability and at present there is no consensus on this within the disability community. This policy will use specific terms proposed within the New Zealand Disability Strategy 2016-2026 when referencing disability. This is based on advice from the New Zealand

Disability Strategy Revision Reference Group and in recognition of the history of the term in the 2001 Strategy.

18. Recommended terms include:
- a. **Disability:** The loss or limitation of opportunities to take part in society on an equal level with others due to social and environmental barriers. Disabled people include: "...those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others..."<sup>6</sup>
  - b. **Disabled people:** A group or community of people with disabilities.
  - c. **Impairment:** An injury, illness, or congenital condition that causes or is likely to cause a loss or difference of physiological or psychological function. Impairments can be both physically apparent and 'hidden'.
    - i. **Physical:** Reduced physical capacity, which for example affects mobility, strength, or balance.
    - ii. **Sensory:** Impairment of the senses (mostly commonly sight and hearing).
    - iii. **Mental Illness:** A mental health condition arising from continuous or intermittent disorders related to thinking, feeling, volition or behaviour.
    - iv. **Intellectual:** Permanently impaired learning ability (usually from birth) which prevents or inhibits people from developing the range of physical and social skills usually found in a person of that age.
    - v. **Neurodevelopmental:** Neuropsychiatric problems or impaired motor function, learning, language or non-verbal communication, e.g. Autism spectrum disorders; dyslexia; dyspraxia.
    - vi. **Age-related:** Physical, sensory, intellectual, disability or mental illness related to the onset of old age. This includes chronic conditions which can affect younger people, for example stroke, but which are more often found amongst older people.

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<sup>6</sup> United Nations Convention on the Rights of Persons with Disabilities, Article 1.

- d. **Access/Accessibility/Barrier-free:** These terms all refer to the removal of barriers, whether they are attitudinal or environmental, which increases the opportunity for disabled people to participate in the community.
- e. **Non-disabling:** Removing the barriers in society that disable people with impairments. This is more meaningful than ‘enabling’, which only helps disabled people get around barriers rather than remove them completely.”<sup>7</sup>

## QLDC’s Role

19. The Council has the following strategic roles:
- **Advocate** – QLDC is responsible for advocating for access and equity issues as they relate to disabled people. QLDC recognises that self-advocacy is the strongest and most effective form of advocacy and will support advocacy groups accordingly.
  - **Partner** – QLDC will support and consolidate the efforts of the wide range of groups and individuals actively involved in advocating on disability issues.
  - **Planner** – QLDC has a key role in defining future development of the district in relation to buildings (including commercial, community and housing), road network, cycleways, parks, gardens, reserves and footpaths. It plays a key role in promoting sustainable development that sustains a diverse community and is barrier free.
  - **Regulator** – QLDC has a regulatory function to ensure that quality standards and safety are maintained and barriers to access are removed.
  - **Provider**- QLDC is a key provider of facilities and services including libraries, sport and recreation facilities, community halls, advisory and infrastructure services.
  - **Leader** – QLDC displays leadership in relation to issues affecting disabled people and will lead by example.
  - **Employer** – QLDC is a major employer in the District and will ensure provision of a fair and equitable workplace. QLDC will maximise the benefits that a diverse workforce can bring.

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<sup>7</sup> New Zealand Disability Strategy 2016-2026, Office for Disability Issues, p.11

## Policy Goals and Actions

20. This policy provides goals and actions for Queenstown Lakes District Council (QLDC) to achieve a non-disabling community:

### Policy Goal 1

QLDC will enable the participation of disabled people in QLDC's service design, planning and decision making process.

#### Actions:

- a. Consult, include and inform in accordance with the QLDC Significance and Engagement Policy.

### Policy Goal 2

QLDC will demonstrate an understanding of the lived experience of disabled people.

#### Actions:

- a. Build staff disability awareness into the QLDC competency framework.

### Policy Goal 3

QLDC communicates inclusively for disabled people.

#### Actions:

- a. Ensure the QLDC website continues to meet government web standards for accessibility.
- b. Develop QLDC Brand Guidelines that include guidance about reflecting community diversity in the branding/images used by QLDC.
- c. Ensure public documents and policy take into account the Disability Policy.
- d. Remove barriers wherever possible, to democratic processes i.e. consultation and voting.

#### **Policy Goal 4**

QLDC delivers or funds events that are inclusive of disabled people.

##### **Actions:**

- a. Any events funded by QLDC must confirm that they will make all efforts to ensure the event is accessible to disabled people as either a participant, spectator or employee. QLDC will consider this information during the assessment of funding applications.
- b. Any events delivered by QLDC as the event organiser must be accessible to disabled people as either a participant, spectator or employee.

#### **Policy Goal 5**

QLDC public infrastructure is increasingly accessible to disabled people.

##### **Actions:**

Work towards:

- a. Produce an online and hardcopy disability access map showing all accessible carparks, public toilets and public facilities in the District.
- b. Consider the ease of an accessible journey when commuting, in relation to the provision of appropriate accessible public toilets, public transport, parking and drop off points.
- c. Develop a quick-reference fact sheet that outlines disability requirements within QLDC infrastructure, building and development standards. Review these standards for any gaps.
- d. Review monitoring of building and resource consent standards in relation to accessibility to ensure standards are being met.
- e. Consider a process for providing temporary disability parking permits for those who experience temporary impairments.

#### **Policy Goal 6**

QLDC facilities are accessible to disabled people and QLDC leases are actively encouraged to adhere to similar standards.

##### **Actions:**

- a. Consider the accessibility of current QLDC community facilities and significant parks and reserves.



- b. Ensure that new facilities and services developed by QLDC are accessible to disabled people.
- c. Ensure all active and passive recreation programmes delivered by QLDC are accessible to disabled people.
- d. Work towards ensuring that all QLDC facilities have clear accessibility signs.

### **Policy Goal 7**

QLDC will promote the development of a resilient community that includes disabled people, with a particular focus on emergency events.

#### **Actions:**

- a. Ensure that the CDEM Welfare Group is taking the needs of disabled people into account in planning emergency response provisions.
- b. Support the development of community leaders within the disabled community to enable their contribution to building community resilience.
- c. Solicit input from the disability community in the development of emergency response provisions.

### **Policy Goal 8**

QLDC will demonstrate leadership as a good employer and contract manager that aims to build a diverse workforce, whilst providing a safe and accessible working environment.

#### **Actions:**

- a. Develop a QLDC HR Diversity and Inclusion Policy.
- b. Develop procurement guidelines to ensure best practice when engaging contractors and suppliers, in relation to Disability Policy.

All new policies and strategies will be reviewed by the Corporate Services Team to ensure due consideration has been given to the Guiding Principles of the Disability Policy.

## **Consultation and Stakeholder Management**

QLDC will consult and inform in accordance with the QLDC Significance and Engagement Policy.

## **Monitoring Performance**

A biennial paper will be produced and reported through the Community and Services Committee, providing a progress update on the action items identified in this policy.

## **Policy review**

This policy will be subject to biennial review and ratification by the Community and Services Committee.

## **Related Legislations and Documents**

This policy relates to the following legislation:

- Human Rights Act 1993

This policy relates to the following live documents:

- Annual Plan 2017/18

And the following draft documents currently under development

- Ten Year Plan 2018-28 – DRAFT
- HR Disability and Inclusion Policy (QLDC Internal Policy) – DRAFT
- QLDC Disability and Inclusion Strategy – TBD 2018/19

**QLDC Council  
3 May 2018**

**Report for Agenda Item: 3**

**Department: Property & Infrastructure**

**Proposed waste fees and charges 2018/19**

**Purpose**

The purpose of this report is to agree the waste fees and charges for the 2018/19 year.

**Recommendation**

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

Prepared by:



Name: Laura Gledhill  
Title: Contract Manager

27/03/2018

Reviewed and Authorised by:



Name: Peter Hansby  
Title: GM Property and  
Infrastructure

16/04/2018

**Background**

- 1 Council's waste fees and charges were last reviewed for the 2017/18 year, with the previous review occurring in 2013/14.
- 2 As part of last year's review, modelling was undertaken to ensure appropriate cost recovery would be achieved for waste, in line with expected costs outlined in the ten year plan.

**Comment**

- 3 One of the key drivers for the need to increase fees and charges is the changes to the Emissions Trading Scheme. The Government target is to reduce emissions by 2030. Up until 31/12/2016 participants in the emissions scheme were required to surrender one unit for every 2 tonnes of emissions (a 50% obligation) however this

is being phased out as required by the Climate Change Response Amendment Act 2016. It is happening in three steps for the reporting periods as follows:

- 1/1/2017 to 31/12/2017 - 66.67% Obligation (1 unit for each 1.5 tonnes of emissions)
- 1/1/2018 to 31/12/2018 - 83.33% Obligation (1 unit for each 1.2 tonnes of emissions)
- From 1/1/2019 onwards - 100% Obligation (1 unit for each 1 tonnes of emissions)

The cost of carbon credits for the 2017 year was \$20.95 per unit.

- 4 There have also been changes with respect to different commodity types. For example in 2017 Ministry for the Environment (MfE) announced a proposed National Environmental Standard (NES) for the management of tyre stockpiles greater than 200m<sup>3</sup>, and prevention of new stockpiles of tyres being established without consent. Since 1999, when our landfill operation commenced at Victoria Flats, Scope Resources have been accepting and storing tyres onsite for our district. The volume of tyres is now estimated to be around 800 tonnes. Recently a viable option for the disposal of the existing stockpile has been identified. This required additional expenditure to be approved for the disposal of tyres. This cost is currently not recovered through our user fees and charges.
- 5 Our Transfer Station operator AllWaste have raised Health & Safety concerns regarding the handling of scrap metals. Currently these items are charged at general waste rates, and our operators are manually separating these items to prevent them from being landfilled. This has increased the number of near miss and sharps injuries. AllWaste have requested that Council consider a no charge policy for disposal of scrap metals at our facilities to encourage facility users to separate out these items themselves at source. Currently Otago Metals and Sims Pacific who collect the metals from our Transfer Stations do not charge any fee (this is recovered via the value of the metals).
- 6 Attachment A outlines the proposed changes to the waste fees and charges. These have been reviewed by Morrison Low to ensure that they are not inconsistent with other councils, and also to ensure that the charges for divertible materials encourage recycling.
- 7 The review undertaken by Morrison Low (summary table attached in Attachment B) indicated that most rates were comparable with other councils, excluding:
  - a. the \$235 per tonne for general refuse which is higher than the average \$170 per tonne. However it should be noted that this rate is in line with CODC (we share the same landfill with the same gate fee).
  - b. the 60L approved rubbish bag is high, with the charge for a 30L bag being generally comparable to what other councils charge for a 60L bag. It should be noted that Finance have modelled the proposed price for the bags to enable recovery of ETS costs. These would not be fully recovered if the price remained the same as at present.

## Options

- 8 Option 1 Reject the proposal to increase the waste fees and charges and retain existing

*Advantages:*

- 9 No increase in current user charges for the community

*Disadvantages:*

- 10 Costs of collection and disposal not fully recovered

- 11 Additional funding required to cover funding shortfall

- 12 Option 2 Accept the proposed increase in waste fees and charges for the 2018/19 year

*Advantages:*

- 13 Costs of collection and disposal recovered

- 14 The community can dispose of scrap metal at our Transfer Stations free of charge, enabling scrap metal to be diverted at source reducing sharps injuries

- 15 Commodity types such as used tyres that are expensive to dispose of have a suitable cost recovery fee in place

*Disadvantages:*

- 16 Increase in user charges for the community

- 17 This report recommends **Option 2** for addressing the matter because user charges will offset costs of collection and disposal.

### ***Significance and Engagement***

- 18 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because while the change will mean an increase in user charges, the outcome will be positive in that the user charges will offset costs of collection and disposal.

### ***Risk***

- 19 This matter relates to the strategic risk SR1 Current and future development needs of the community (including environmental protection), as documented in the Council's risk register. The risk is classed as high. This matter relates to this risk because meeting the needs of the community in relation to waste collection and disposal, as well as legislative requirements requires the setting of appropriate user charges.

- 20 The recommended option considered above mitigates the risk by:

Treating the risk - putting measures in place which directly impact the risk.

### **Financial Implications**

21 By accepting scrap metal free of charge at the Transfer Station, this would reduce revenue by approximately \$110K pa. However this is partially offset by not paying the associated approximate \$60K pa in landfill disposal fees and ETS obligations by diverting this material.

### **Council Policies, Strategies and Bylaws**

22 The following Council policies, strategies and bylaws were considered:

- Waste Management and Minimisation Plan
- Ten Year Plan 2018-28

23 The recommended option is consistent with the principles set out in the named policy/policies.

24 This matter is included in operational costings in the 10-Year Plan/Annual Plan

### **Local Government Act 2002 Purpose Provisions**

25 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by ensuring user charges are fairly set and reflect the costs of waste collection and disposal;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

### **Consultation: Community Views and Preferences**

26 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes district community, and/or visitors and/or Council contractors.

27 The Council will inform its contractors via the Notice to Contractor process. Contractors will then notify their respective customers. The Council will also update its website with the new user charges.

### **Attachments**

- A Proposed waste fees and charges for 2018/19
- B Comparison of fees and charges

**A Proposed waste fees and charges for 2018/19**

	Current	Proposed 1 July 2018	Difference
<b>Cost to dispose of rubbish at the Transfer Station</b>			
Single refuse bags	\$4.00	\$4.50	\$0.50
Cars / small loads (lighter than 100kg)	\$17.20	\$18.50	\$1.30
Van / Ute / Trailer / Large Vehicle (lighter than 200kg)	\$37.00	\$40.00	\$3.00
Per Tonne	\$216.00	\$235.00	\$19.00
Per Tonne of green waste	\$65.00	\$70.00	\$5.00
Per Tonne Recycling Centre Recoveries	\$40.00	\$40.00	\$0.00
Hazardous Waste - up to 20kg or 20 litres, flat fee	\$10.00	\$10.00	\$0.00
Hazardous Waste - greater than 20kg or 20 litres, per kg up to a max 100kg or 100 litres	\$10.00	\$10.00	\$0.00
Tyres per tonne		\$438.00	\$438.00
Tyres - per std car tyre		\$5.00	\$5.00
Tyres - per std truck tyre		\$20.00	\$20.00
Cleanfill per tonne		\$70.00	\$70.00
Scrap metal per tonne	\$216.00	no charge	-\$216.00
<b>Council-approved blue rubbish bags</b>			
30 litre	\$2.40	\$2.70	\$0.30
60 litre	\$3.70	\$4.10	\$0.40
<b>Council-approved residential wheelie bins</b>			
120 litre wheelie bin per annum	\$245.90	\$267.50	\$21.60
240 litre wheelie bin per annum	\$427.80	\$463.80	\$36.00
<b>Set by AllWaste - estimated increase based on Council rebate required</b>			
These charges are inclusive of GST			

	Current	Proposed 1 July 2018	Difference
<b>Cost to dispose of permitted waste at the Landfill</b>			
At the gate charge per tonne	\$71.00	This rate is not set until Certificate of Cost Auditor presented to QLDC, usually in June	
Waste disposal levy	\$10.00	\$10.00	\$0.00
<b>Set by MfE</b>			
Employers levy	\$38.00	\$41.80	\$3.80
ETS obligation levy	\$16.81	\$21.57	\$4.76
Landfill gas levy	\$1.50	\$6.17	\$4.67
<b>All other landfill charges are set by Scope Resources after the Certificate of Cost Auditor is released</b>			
These charges are exclusive of GST			

## B Comparison of fees and charges

### Comparison of fees and charges, based on 2017 advertised council rates

Cost to dispose of rubbish at the Transfer Station	QLDC Current	QLDC Proposed 1/07/2018	CODC	Dunedin	Waimak	Clutha	Invercargil	Southland	Waitakere	Hastings	Rotorua	Gore
Single refuse bags	\$4.00	\$4.50	\$ 3.00	\$ 3.50	-	\$ 4.00	-	-	\$ 6.00	-	-	\$ 3.00
Cars / small loads (lighter than 100kg)	\$17.20	\$18.50	-	\$ 16.00	\$ 26.00	-	-	\$ 16.00	\$ 23.50	-	\$ 17.00	\$ 11.50
Van / Ute / Trailer / Large Vehicle (lighter than 200kg)	\$37.00	\$40.00	-	\$ 36.00	\$ 41.00	-	-	\$ 32.00	-	-	\$ 39.00	\$ 54.50
Per Tonne	\$216.00	\$235.00	\$ 262.00	\$ 174.33	\$ 257.40	\$ 125.00	\$ 172.00	\$ 144.00	\$ 170.00	\$ 174.80	\$ 153.00	\$ 176.50
Per Tonne of green waste	\$65.00	\$70.00	\$ 100.00	\$ 91.00	\$ 132.00	\$ 62.50	\$ 73.00	-	\$ 110.00	\$ 93.15	\$ 46.00	-
Per Tonne Recycling Centre Recoveries	\$40.00	\$40.00	No equivalent easily identifiable									
Hazardous Waste	\$10.00	\$10.00			-	-	86/tonne	-	-	-	-	-
Tyres per tonne		\$437.77	No advertised per tonne rate for tyres									
Tyres - per std car tyre		\$5.00	-	\$ 5.00	\$ 5.00	-	\$ 6.00	\$ 6.00		-	-	\$ 6.50
Cleanfill per tonne		\$70.00	-	\$ 37.00	\$ 87.00	-	\$ 86.00		\$ 150.00	-	-	\$ 11.50
Scrap metal		no charge	-	-	-	-	-	-	-	-	-	\$ 21.00
<b>Council-approved blue rubbish bags</b>	<b>QLDC Current</b>	<b>QLDC Proposed 1/07/2018</b>	<b>Hastings</b>	<b>Wairoa</b>	<b>TCDC</b>	<b>Waimak</b>	<b>Hurunui</b>	<b>Waikato</b>	<b>Tasman</b>	<b>Buller</b>	<b>Far North</b>	<b>Kaipara</b>
30 litre	\$2.40	\$2.70	-	-	-	-	-	-	-	-	-	-
60 litre	\$3.70	\$4.10	\$ 2.40	\$ 3.20	\$ 2.40	\$ 3.00	\$ 2.50	\$ 2.80	\$ 2.30	\$ 4.60	\$ 3.00	\$ 3.00
<b>Council-approved residential wheelie bins</b>	<b>QLDC Current</b>	<b>QLDC Proposed 1/07/2018</b>										
120 litre wheelie bin per annum	\$245.90	\$267.50	Not compared - Council data not generally available									
240 litre wheelie bin per annum	\$427.80	\$463.80										
These charges are inclusive of GST												



**QLDC Council  
3 May 2018****Report for Agenda Item: 4****Department: Property & Infrastructure****Speed Limits Bylaw 2009 (Incorporating 2010, 2012 and 2015 Amendments)  
Review****Purpose**

The purpose of this report is to confirm Council's intention to review the Speed Limits Bylaw 2009 (and its subsequent amendments) and the proposed methodology for the review.

**Recommendation**

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?

Prepared by:



Myles Lind  
Asset Planning Manager

16/04/2018

Reviewed and Authorised by:



Peter Hansby  
General Manager, Property  
and Infrastructure

16/04/2018

## Background

- 1 The Queenstown Lakes District Council Speed Limits Bylaw 2009 (the Bylaw) sets speed limits on roads under Council's control.
- 2 The bylaw was passed on 28 April 2009, and subsequently amended by Council resolution on 25 May 2010, 18 December 2012 and 30 April 2015.
- 3 The bylaw was made under the Local Government Act 2002 (LGA) and Land Transport Rule 54001: Setting of Speed Limits 2003 (the Rule).
- 4 The Rule sets out procedures to be followed in establishing speed limits.

## Comment

### Changes in legislation

- 5 On 21 July 2015 The Land Transport (Speed Limits Validation and Other Matters) Act 2015 (Validation Act) was passed under urgency by Parliament and came into force on 22 July 2015.
- 6 The Validation Act responded to concerns that some speed limit bylaws made up to that date may have:
  - a. referenced incorrect or revoked empowering provisions
  - b. been made or amended using a non-compliant process
  - c. been revoked due to non-compliance with review requirements in the LGA.
- 7 The Validation Act validated specified bylaws made prior to 22 July 2015 and deemed those in force on 21 July 2015 to have been validly made under new provisions in the Land Transport Act 1998 (LTA).
- 8 The Validation Act also amended the LTA to place a specific power in Section 22AB for road controlling authorities (RCAs), such as Queenstown Lakes District Council, to make speed limit bylaws.
- 9 This new provision, and not the LGA, should be used by RCAs to create speed limits on roads that they control.
- 10 The LGA and LTA have differing, but not conflicting, requirements for the making of Bylaws.
- 11 The LTA enables councils to make a Bylaw as of right, whereas Section 155 of the LGA requires councils to first determine whether a Bylaw is the most appropriate way of addressing issues identified.
- 12 Although the review requirements of the LGA no longer apply to councils in making speed limit bylaws, councils must still consult as required under Section 156 of the LGA.

- 13 This requires the Council to determine the appropriate level of consultation based on its significance and engagement policy and if significant, a special consultative procedure under Section 86 of the LGA must be used.
- 14 The Ministry of Transport recommends regardless of significance, that changes should only occur to the Bylaw following community engagement.

### **Changes to speed management guidance**

- 15 In 2016, the New Zealand Transport Agency (NZTA) introduced a new New Zealand Speed Management Guide (the Guide) to assist RCAs in determining road risk and working with communities to address that risk and meet their needs.
- 16 The Guide fulfilled part of the 2012-2015 Safer Journeys Action Plan and the overall direction for speed management continues through the 2016-2020 Safer Journeys Action Plan.
- 17 The Guide was developed in consultation with the transport sector and Automobile Association and is underpinned by the following principles:
- a. Evidence-based
  - b. A nationally consistent approach
  - c. Prioritise high benefit areas that improve both safety and economic productivity, and areas that will contribute to the credibility of speed management
  - d. Achieve good value for money
  - e. Build better understanding between road controlling authorities and the public for speed management.
- 18 To formalise the Guide's new approach to speed management, the Rule was also updated in 2017 and in particular:
- a. requires NZTA to provide guidance on and information about speed management to RCAs
  - b. requires RCAs to set speed limits that are, in the RCA's view, safe and appropriate
  - c. encourages a consistent approach to speed management throughout New Zealand
  - d. replaces the methodology of the 2003 Rule with assessment criteria and outcome statements based on the approach in the Guide.
- 19 While the 2003 Rule has been replaced, a speed limit set, or an urban traffic area designated, prior to the commencement of the 2017 Rule continues to apply.
- 20 Given the changes to the regulatory framework and the growth of the district, it is considered appropriate to review the Bylaw at this time.

## Methodology for the review

- 21 Consistent with the principles of the Guide, the approach to the Bylaw review is that the following proposed questions define the scope:
- a. Is the network area appropriately defined?
  - b. Have the 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?
- 22 Roads controlled by the NZTA are out of scope for the review.
- 23 An offer was made to NZTA to undertake a coordinated review of speeds on highways and roads in the district; however, this offer has not been accepted at this time.
- 24 The review will be evidence based and will hold fairness and transparency as overarching and guiding principles.
- 25 Staff have begun the discovery phase of the review through interviews with internal and external stakeholders, preliminary data organisation and background research.
- 26 Consistent with the Guide, staff propose the following methodological steps to the review for Council approval.
- a. Define the network area and calculate base information – develop a draft Speed Management Map
    - i. Define areas and overlay the One Network Road Classification (ONRC)
    - ii. Overlay land use
    - iii. Map speed limits
    - iv. Map operating/travel speeds
  - b. Identify safe and appropriate speed classifications – permanent, variable and interim.
  - c. Determine high benefit opportunities
  - d. Sense checking the Speed Management Map
    - i. technical
    - ii. planned and future land use
    - iii. types of intervention proposed
  - e. Focus group discussions.

## Options

### 27 Option 1 Do not review the Bylaw

*Advantages:*

28 Resource assigned to the Bylaw review can be reallocated to other projects.

*Disadvantages:*

29 Council's speed management will not reflect current national practice.

30 Council will miss the opportunity to consider recent and pending changes to the district's road network and ensure speed limits are appropriate.

31 Council will miss the opportunity to take a holistic approach to speed management across its road network, including the identification and prioritisation of high benefit opportunities.

32 Council will miss the opportunity to gain community engagement in and support for speed management initiatives.

33 Council will miss the opportunity to consider the resource required to deliver efficient and effective speed management in the district.

### 34 Option 2 Review the 2009 Speed Limits Bylaw

*Advantages:*

35 Council's speed management will reflect current national practice.

36 Council can consider recent and pending changes to the district's road network and ensure speed limits are appropriate.

37 Council can take a holistic approach to speed management across the district, including the identification and prioritisation of high benefit opportunities.

38 Council can gain community engagement in and support for speed management initiatives.

39 Council can consider the resource required to deliver efficient and effective speed management in the district.

*Disadvantages:*

40 Speed limits can be contentious issues and there may be challenges in managing timeframes and expectations with stakeholders and the public.

41 This report recommends **Option 2** for addressing the matter because Council will apply current national practice, including community engagement with issues and options, to its speed management practices.

### ***Significance and Engagement***

- 42 This matter is of high significance, as determined by reference to the Council's Significance and Engagement Policy as the matter is of considerable interest to the communities of the district.
- 43 In addition, road safety has been elevated within the draft 2018 Government Policy Statement (GPS) for land transport to include the specific objective that land transport "is a safe system, free of death and serious injury"
- 44 This increased focus on increasing road safety is supported by the recent announcement by the Associate Health Minister of "Vision Zero", which seeks to set a target of zero road deaths on New Zealand Roads.

### ***Risk***

- 45 This matter relates to the strategic risk SR3 - Management Practice - working within legislation, as documented in the Council's risk register. The risk is classed as moderate. This matter relates to this risk because the primary legislation which Council operates within, requires reviews of Bylaws to be completed within set, fixed timeframes, and comply with community engagement and set consultative procedures, including confirmation that any Bylaw does not breach the New Zealand Bill of Rights Act 1990.
- 46 The recommended option considered above mitigates the risk by: Treating the risk - putting measures in place which directly impact the risk.
- 47 The recommended option will be implemented in such a way that all the requirements of the LGA, LTA and the Bill of Rights Act are identified, tracked and fulfilled to the satisfaction of Council's in-house legal counsel.

### **Financial Implications**

- 48 The cost of the review will be met from existing operational budgets.

### **Council Policies, Strategies and Bylaws**

- 49 The following Council policies, strategies and bylaws were considered:
- Draft 10-Year Plan 2018-2028 strategic framework contributing to efficient and effective infrastructure and a responsive organisation
  - Speed Limits Bylaw 2009 as existing regulation
  - Queenstown Integrated Transport Strategy supporting improved network performance and customer experience for all modes and improved liveability and visitor experience
  - Wanaka Transport Strategy 2008 supporting an appropriate transport network and parking provision.
- 50 The recommended option is consistent with the principles set out in the named policy/policies.
- 51 There are three phases to this Bylaw review:

- a. Evaluation of the existing Bylaw and next steps
- b. Further recommendations (investigate alternative approaches or significant changes)
- c. Statutory consultation.

### **Local Government Act 2002 Purpose Provisions**

52 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by developing an enabling and responsive regulatory framework for the management of traffic and parking issues in the district;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan; and
- Is consistent with the Council's plans and policies.

### **Consultation: Community Views and Preferences**

53 The persons who are affected by or interested in this matter are residents/ratepayers; business associations; emergency services; schools; large tourism transport operators; passenger service vehicles; heavy motor vehicle users; NZTA.

54 The Council has made initial contact with New Zealand Police and NZTA about the intention to review the Bylaw. Other stakeholders will be invited for discussions on issues and opinions as part of the information gathering stage to inform the development of the Speed Management Map.

55 With Council approval in September, a formal Special Consultative Process, open to all members of the community will be undertaken in accordance with Section 156 of the LGA.

### **Legal Considerations and Statutory Responsibilities**

56 Staff will work with Council lawyers on the appropriate structure for the Bylaw.

### **Attachments**

A Speed Limits Bylaw 2009



# **Queenstown Lakes District Council Speed Limits Bylaw 2009**

**Incorporating:  
Amendment No. 1 of 2010  
Amendment No. 3 of 2012  
Amendment No. 4 of 2015**



**Queenstown Lakes District Council  
Speed Limits Bylaw 2009**

**1.0 Introduction**

1.1 The purpose of this Bylaw is to set speed limits on roads within the jurisdiction of the Queenstown Lakes District Council ("the Council") and to designate urban traffic areas within the Queenstown Lakes District.

1.2 This Bylaw is made under the Local Government Act 1974, the Local Government Act 2002 and Land Transport Rule 54001: Setting of Speed Limits 2003 ("the Rule").

**2.0 Title**

2.1 The title of this Bylaw is the Queenstown Lakes District Council Speed Limits Bylaw 2009.

**3.0 Application**

3.1 This Bylaw applies only to roads under the jurisdiction of the Council.

3.2 It does not apply to state highways or motorways passing through the Queenstown Lakes District under the control of the New Zealand Transport Agency.

**4.0 Interpretation:**

4.1 Except as expressly provided or the context requires otherwise the expressions used in this Bylaw shall have the same meaning as in the Rule including:

- holiday speed limit
- minimum speed limit
- permanent speed limit
- road
- rural area
- rural speed limit
- speed limit
- urban speed limit
- urban traffic area
- variable speed limit

4.2 In relation to the following expressions used in this Bylaw:

- Rule means Land Transport Rule 54001: Setting of Speed Limits 2003
- Vehicle means the same as in section 2(1) of the Land Transport Act 1998.

## 5.0 Date the speed limits come into force

5.1 The speed limits described in the Schedules come into force on the dates specified in the Schedules.

## 6.0 Setting of speed limits

6.1 The roads or areas described in the Schedules specified in clause 7 or as shown on a map referenced in the Schedules are declared to have the speed limits specified in the Schedules and associated maps, which are part of this Bylaw.

6.2 Without limiting the generality of 6.1 the following applies:

- (a) All areas shown in Schedule 5 or as shown on speed limit maps declared to be urban traffic areas are subject to a speed limit of 50 km/h except for those roads that are:
  - (i) described as having a different speed limit in a Schedule to the Bylaw; or
  - (ii) shown on a map as having a different speed limit and referenced in a Schedule to the Bylaw.
- (b) All the roads or areas outside an urban traffic area shown in Schedule 5 have a speed limit of 100 km/h, except for roads that are:
  - (i) described as having a different speed limit in a Schedule to the Bylaw; or
  - (ii) shown on a map as having a different speed limit and referenced in a Schedule to the Bylaw.
- (c) The roads or areas described in Schedule 11 or shown on a map and referenced in the Schedule are declared to have variable speed limits as set out in the Schedule.
- (d) The roads or areas described in Schedule 12 or shown on a map referenced in the Schedule are declared designated locations in accordance with section 4 of the Rule and the speed limits for the roads in the designated locations are as specified in the Schedule.

## 7.0 Schedules

Schedule 1:	Roads with a speed limit of 10 km/h
Schedule 2:	Roads with a speed limit of 20 km/h
Schedule 3:	Roads with a speed limit of 30 km/h
Schedule 4:	Roads with a speed limit of 40 km/h
Schedule 5:	Roads with a speed limit of 50 km/h
Schedule 6:	Roads with a speed limit of 60 km/h
Schedule 7:	Roads with a speed limit of 70 km/h
Schedule 8:	Roads with a speed limit of 80 km/h
Schedule 9:	Roads with a speed limit of 90 km/h
Schedule 10:	Roads with a rural speed limit of 100 km/h
Schedule 11:	Roads with a variable speed limit
Schedule 12:	Designated Areas that have special speed limits

## 8.0 Power to make amendments

8.1 The Council may, subject to compliance with the Local Government Act and the Rule:

- (a) establish or alter the boundaries of an urban traffic area;
- (b) alter, add to or delete from the list of roads within an urban traffic area which have a speed limit other than 50 km/h and specify the speed limit for such roads;
- (c) establish or alter the boundaries of a rural area;
- (d) alter, add to or delete from the list of roads within the rural area which have a speed limit other than 100 km/h and specify the speed limit for such roads;
- (e) review or set any permanent speed limit, holiday speed limit, minimum speed limit, variable speed limit or any other speed limit which it may review or set under the Rule, including a permanent speed limit in a designated location;

## 9.0 Signage

9.1 Where a speed limit is set or varied the Council must install a speed limit sign as required by the Rule.

## 10.0 Offences

10.1 Every person commits an offence against the Bylaw who operates a vehicle in contravention of any speed limit set under the Bylaw or by the Rule.

10.2 Offences and penalties relating to the infringement of speed limits set by the Bylaw are as provided for in the Land Transport Act 1998 and the Transport Act 1962.

**11.0 Enforcement**

11.1 The New Zealand Police are responsible for the enforcement of the speed limits set out in this Bylaw.

**12.0 Bylaw to be repealed**

12.1 All Bylaws concerning the setting of speed limits made by the Council (or its predecessors), in particular the Queenstown Lakes District Council Speed Limits Bylaw 2006, are hereby repealed.

**13.0 Date Bylaw made**

13.1 This Bylaw was made under the provisions of the Local Government Act 2002 and the Land Transport Rule 54001: Setting of Speed Limits 2003 by the Queenstown Lakes District Council at a meeting of the Council on 28 April 2009 by resolution of the Council.

**14.0 Dates Bylaw amended**

14.1 Amendment No 1 of 2010 to the Queenstown Lakes District Council Speed Limits Bylaw 2009 was made under the provisions of the Local Government Act 2002 and the Land Transport Rule 54001: Setting of Speed Limits 2003 by the Queenstown Lakes District Council at a meeting of the Council on 25 May 2010 by resolution of the Council.

14.2 Amendment No 3 of 2012 to the Queenstown Lakes District Council Speed Limits Bylaw 2009 was made under the provisions of the Local Government Act 2002 and the Land Transport Rule 54001: Setting of Speed Limits 2003 by the Queenstown Lakes District Council at a meeting of the Council on 18 December 2012 by resolution of the Council.

14.2 Amendment No 4 of 2015 to the Queenstown Lakes District Council Speed Limits Bylaw 2009 was made under the provisions of the Local Government Act 2002 and the Land Transport Rule 54001: Setting of Speed Limits 2003 by the Queenstown Lakes District Council at a meeting of the Council on 30 April 2015 by resolution of the Council.

The common seal of the Queenstown Lakes District Council is attached in the presence of:

Janessa van Uden Mayor

[Signature] Chief Executive Officer



### Schedule 1: Roads with a speed limit of 10 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 10 km/h.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S1/1	Makarora	None at present	10 km/h	N/A	N/A	N/A
S1/2	Hawea	None at present	10 km/h	N/A	N/A	N/A
S1/3	Hawea Flat	None at present	10 km/h	N/A	N/A	N/A
S1/4	Wanaka North & Albert Town	None at present	10 km/h	N/A	N/A	N/A
S1/5	Wanaka South	None at present	10 km/h	N/A	N/A	N/A
S1/6	Luggate	None at present	10 km/h	N/A	N/A	N/A
S1/7	Cardrona	None at present	10 km/h	N/A	N/A	N/A
S1/8	Glenorchy	None at present	10 km/h	N/A	N/A	N/A
S1/9	Wakatipu Basin	All roads marked on the map entitled 'Speed Limit Maps Wakatipu Basin' referenced as Sheet 9 Version 4 and identified in the legend as having a speed limit of 10 km/h.	10 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S1/10	Arrowtown	None at present	10 km/h	N/A	N/A	N/A
S1/11	Arthurs Point	None at present	10 km/h	N/A	N/A	N/A

S1/12	Frankton, Quail Rise & Lake Hayes Estate	None at present	10 km/h	N/A	N/A	N/A
S1/13	Queenstown & Kelvin Heights	All roads marked on the map entitled 'Speed Limit Maps Queenstown & Kelvin Heights' referenced as Sheet 13 Version 3 and identified in the legend as having a speed limit of 10 km/h.	10 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 1 of 2010 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S1/14	Fernhill & Wilson's Bay	None at present	10 km/h	N/A	N/A	N/A
S1/15	Kingston	None at present	10 km/h	N/A	N/A	N/A
S1/16	Upper Clutha	None at present	10 km/h	N/A	N/A	N/A

## Schedule 2: Roads with a speed limit of 20 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 20 km/h.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S2/1	Makarora	None at present	20 km/h	N/A	N/A	N/A
S2/2	Hawea	None at present	20 km/h	N/A	N/A	N/A
S2/3	Hawea Flat	None at present	20 km/h	N/A	N/A	N/A
S2/4	Wanaka North & Albert Town	None at present	20 km/h	N/A	N/A	N/A
S2/5	Wanaka South	None at present	20 km/h	N/A	N/A	N/A
S2/6	Luggate	None at present	20 km/h	N/A	N/A	N/A
S2/7	Cardrona	None at present	20 km/h	N/A	N/A	N/A
S2/8	Glenorchy	None at present	20 km/h	N/A	N/A	N/A
S2/9	Wakatipu Basin	None at present	20 km/h	N/A	N/A	N/A
S2/10	Arrowtown	None at present	20 km/h	N/A	N/A	N/A
S2/11	Arthurs Point	None at present	20 km/h	N/A	N/A	N/A
S2/12	Frankton, Quail Rise & Lake Hayes Estate	None at present	20 km/h	N/A	N/A	N/A
S2/13	Queenstown & Kelvin Heights	None at present	20 km/h	N/A	N/A	N/A
S2/14	Fernhill & Wilsons Bay	None at present	20 km/h	N/A	N/A	N/A
S2/15	Kingston	None at present	20 km/h	N/A	N/A	N/A
S2/16	Upper Clutha	None at present	20 km/h	N/A	N/A	N/A



### Schedule 3: Roads with a speed limit of 30 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 30 km/h.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S3/1	Makarora	None at present	30 km/h	N/A	N/A	N/A
S3/2	Hawea	None at present	30 km/h	N/A	N/A	N/A
S3/3	Hawea Flat	None at present	30 km/h	N/A	N/A	N/A
S3/4	Wanaka North & Albert Town	None at present	30 km/h	N/A	N/A	N/A
S3/5	Wanaka South	None at present	30 km/h	N/A	N/A	N/A
S3/6	Luggate	None at present	30 km/h	N/A	N/A	N/A
S3/7	Cardrona	None at present	30 km/h	N/A	N/A	N/A
S3/8	Glenorchy	None at present	30 km/h	N/A	N/A	N/A
S3/9	Wakatipu Basin	None at present	30 km/h	N/A	N/A	N/A
S3/10	Arrowtown	None at present	30 km/h	N/A	N/A	N/A
S3/11	Arthurs Point	None at present	30 km/h	N/A	N/A	N/A
S3/12	Frankton, Quail Rise & Lake Hayes Estate	None at present	30 km/h	N/A	N/A	N/A
S3/13	Queenstown & Kelvin Heights	None at present	30 km/h	N/A	N/A	N/A
S3/14	Fernhill & Wilsons Bay	None at present	30 km/h	N/A	N/A	N/A
S3/15	Kingston	None at present	30 km/h	N/A	N/A	N/A
S3/16	Upper Clutha	None at present	30 km/h	N/A	N/A	N/A

#### Schedule 4: Roads with a speed limit of 40 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 40 km/h.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S4/1	Makarora	None at present	40 km/h	N/A	N/A	N/A
S4/2	Hawea	None at present	40 km/h	N/A	N/A	N/A
S4/3	Hawea Flat	None at present	40 km/h	N/A	N/A	N/A
S4/4	Wanaka North & Albert Town	None at present	40 km/h	N/A	N/A	N/A
S4/5	Wanaka South	None at present	40 km/h	N/A	N/A	N/A
S4/6	Luggate	None at present	40 km/h	N/A	N/A	N/A
S4/7	Cardrona	None at present	40 km/h	N/A	N/A	N/A
S4/8	Glenorchy	None at present	40 km/h	N/A	N/A	N/A
S4/9	Wakatipu Basin	None at present	40 km/h	N/A	N/A	N/A
S4/10	Arrowtown	None at present	40 km/h	N/A	N/A	N/A
S4/11	Arthurs Point	None at present	40 km/h	N/A	N/A	N/A
S4/12	Frankton, Quail Rise & Lake Hayes Estate	None at present	40 km/h	N/A	N/A	N/A
S4/13	Queenstown & Kelvin Heights	None at present	40 km/h	N/A	N/A	N/A
S4/14	Fernhill & Wilsons Bay	None at present	40 km/h	N/A	N/A	N/A
S4/15	Kingston	None at present	40 km/h	N/A	N/A	N/A
S4/16	Upper Clutha	None at present	40 km/h	N/A	N/A	N/A

### Schedule 5: Roads with a speed limit of 50 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to be urban traffic areas, or otherwise indicated, that have a speed limit of 50 km/h, except for those roads that are:

- a) Described as having a different speed limit in the appropriate Schedule of this Bylaw; or
- b) Shown on a map as having a different speed limit, as referenced in the appropriate Schedule of this Bylaw; or
- c) State highways or motorways under the control of the New Zealand Transport Agency.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S5/1	Makarora	None at present	50 km/h	N/A	N/A	N/A
S5/2	Hawea	All roads, except as qualified above, within the area marked on the map entitled 'Speed Limit Maps Hawea' referenced as Sheet 2 Version 2 and identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S5/3	Hawea Flat	All roads, except as qualified above, marked on the map, or within the area marked on the map, entitled 'Speed Limit Maps Hawea Flat' referenced as Sheet 3 Version 2 and identified in the legend as having a speed limit of 50 km/h or identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S5/4	Wanaka North & Albert Town	All roads, except as qualified above, within the area marked on the map entitled 'Speed Limit Maps Wanaka North & Albert Town' referenced as Sheet 4 Version 3 and identified in the legend as having a speed limit of 50 km/h or identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S5/5	Wanaka South	All roads, except as qualified above, within the area marked on the map, entitled 'Speed Limit Maps Wanaka South' referenced as Sheet 5 Version 4 and identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S5/6	Luggate	All roads, except as qualified above, within the area marked on the map entitled 'Speed Limit Maps Luggate' referenced as Sheet 6 Version 1 and identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S5/7	Cardrona	All roads, except as qualified above, within the area marked on the map entitled 'Speed Limit Maps Cardrona' referenced as Sheet 7 Version 3 and identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	20/05/2015	Amendment No. 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No. 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S5/8	Glenorchy	All roads, except as qualified above, within the area marked on the map, entitled 'Speed Limit Maps Glenorchy' referenced as Sheet 8 Version 1 and identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S5/9	Wakatipu Basin	All roads, except as qualified above, marked on the map, or within the area marked on the map, entitled 'Speed Limit Maps Wakatipu Basin' referenced as Sheet 9 Version 4 and identified in the legend as having a speed limit of 50 km/h or identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S5/10	Arrowtown	All roads, except as qualified above, within the area marked on the map, entitled 'Speed Limit Maps Arrowtown' referenced as Sheet 10 Version 3 and identified in the legend as an urban traffic area having a speed limit of 50km/h.	50 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S5/11	Arthurs Point	All roads, except as qualified above, marked on the map, or within the area marked on the map, entitled 'Speed Limit Maps Arthurs Point' referenced as Sheet 11 Version 2 and identified in the legend as having a speed limit of 50 km/h or identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S5/12	Frankton, Quail Rise & Lake Hayes Estate	All roads, except as qualified above, marked on the map, or within the area marked on the map, entitled 'Speed Limit Maps Frankton, Quail Rise & Lake Hayes Estate' referenced as Sheet 12 Version 4 and identified in the legend as having a speed limit of 50 km/h or identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S5/13	Queenstown & Kelvin Heights	All roads, except as qualified above, marked on the map, or within the area marked on the map, entitled 'Speed Limit Maps Queenstown & Kelvin Heights' referenced as Sheet 13 Version 3 and identified in the legend as having a speed limit of 50 km/h or identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 1 of 2010 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S5/14	Fernhill & Wilsons Bay	All roads, except as qualified above, within the area marked on the map, entitled 'Speed Limit Maps Fernhill & Wilsons Bay' referenced as Sheet 14 Version 1 and identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S5/15	Kingston	All roads, except as qualified above, within the area marked on the map, entitled 'Speed Limit Maps Kingston' referenced as Sheet 15 Version 1 and identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S5/16	Upper Clutha	All roads, except as qualified above, marked on the map, or within the area marked on the map, entitled 'Speed Limit Maps Upper Clutha' referenced as Sheet 16 Version 1 and identified in the legend as having a speed limit of 50 km/h or identified in the legend as an urban traffic area having a speed limit of 50 km/h.	50 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	N/A

### Schedule 6: Roads with a speed limit of 60 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 60 km/h.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S6/1	Makarora	None at present	60 km/h	N/A	N/A	N/A
S6/2	Hawea	None at present	60 km/h	N/A	N/A	N/A
S6/3	Hawea Flat	None at present	60 km/h	N/A	N/A	N/A
S6/4	Wanaka North & Albert Town	None at present	60 km/h	N/A	N/A	N/A
S6/5	Wanaka South	None at present	60 km/h	N/A	N/A	N/A
S6/6	Luggate	None at present	60 km/h	N/A	N/A	N/A
S6/7	Cardrona	None at present	60 km/h	N/A	N/A	N/A
S6/8	Glenorchy	None at present	60 km/h	N/A	N/A	N/A
S6/9	Wakatipu Basin	None at present	60 km/h	N/A	N/A	N/A
S6/10	Arrowtown	None at present	60 km/h	N/A	N/A	N/A
S6/11	Arthurs Point	None at present	60 km/h	N/A	N/A	N/A
S6/12	Frankton, Quail Rise & Lake Hayes Estate	None at present	60 km/h	N/A	N/A	N/A
S6/13	Queenstown & Kelvin Heights	None at present	60 km/h	N/A	N/A	N/A
S6/14	Fernhill & Wilsons Bay	None at present	60 km/h	N/A	N/A	N/A
S6/15	Kingston	None at present	60 km/h	N/A	N/A	N/A
S6/16	Upper Clutha	None at present	60 km/h	N/A	N/A	N/A



### Schedule 7: Roads with a speed limit of 70 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 70 km/h.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S7/1	Makarora	None at present	70 km/h	N/A	N/A	N/A
S7/2	Hawea	All roads marked on the map entitled 'Speed Limit Maps Hawea' referenced as Sheet 2 Version 2 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S7/3	Hawea Flat	All roads marked on the map entitled 'Speed Limit Maps Hawea Flat' referenced as Sheet 3 Version 2 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S7/4	Wanaka North & Albert Town	All roads marked on the map entitled 'Speed Limit Maps Wanaka North & Albert Town' referenced as Sheet 4 Version 3 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S7/5	Wanaka South	All roads marked on the map entitled 'Speed Limit Maps Wanaka South' referenced as Sheet 5 Version 4 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S7/6	Luggate	All roads marked on the map entitled 'Speed Limit Maps Luggate' referenced as Sheet 6 Version 1 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S7/7	Cardrona	All roads marked on the map entitled 'Speed Limit Maps Cardrona' referenced as Sheet 7 Version 3 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	20/05/2015	Amendment No. 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S7/8	Glenorchy	None at present	70 km/h	N/A	N/A	N/A
S7/9	Wakatipu Basin	All roads marked on the map entitled 'Speed Limit Maps Wakatipu Basin' referenced as Sheet 9 Version 4 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S7/10	Arrowtown	None at present	70 km/h	N/A	N/A	N/A

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S7/11	Arthurs Point	All roads marked on the map entitled 'Speed Limit Maps Arthurs Point' referenced as Sheet 11 Version 2 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S7/12	Frankton, Quail Rise & Lake Hayes Estate	All roads marked on the map entitled 'Speed Limit Maps Frankton, Quail Rise & Lake Hayes Estate' referenced as Sheet 12 Version 4 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S7/13	Queenstown & Kelvin Heights	All roads marked on the map entitled 'Speed Limit Maps Queenstown & Kelvin Heights' referenced as Sheet 13 Version 3 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 1 of 2010 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S7/14	Fernhill & Wilsons Bay	None at present	70 km/h	N/A	N/A	N/A
S7/15	Kingston	None at present	70 km/h	N/A	N/A	N/A

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S7/16	Upper Clutha	All roads marked on the map entitled 'Speed Limit Maps Upper Clutha' referenced as Sheet 16 Version 1 and identified in the legend as having a speed limit of 70 km/h.	70 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	N/A

### Schedule 8: Roads with a speed limit of 80 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 80 km/h.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S8/1	Makarora	All roads marked on the map entitled 'Speed Limit Maps Makarora' referenced as Sheet 1 Version 1 and identified in the legend as having a speed limit of 80 km/h	80 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S8/2	Hawea	None at present	80 km/h	N/A	N/A	N/A
S8/3	Hawea Flat	None at present	80 km/h	N/A	N/A	N/A
S8/4	Wanaka North & Albert Town	All roads marked on the map entitled 'Speed Limit Maps Wanaka North & Albert Town' referenced as Sheet 4 Version 3 and identified in the legend as having a speed limit of 80 km/h	80 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S8/5	Wanaka South	All roads marked on the map entitled 'Speed Limit Maps Wanaka South' referenced as Sheet 5 Version 4 and identified in the legend as having a speed limit of 80 km/h	80 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S8/6	Luggate	None at present	80 km/h	N/A	N/A	N/A
S8/7	Cardrona	None at present	80 km/h	N/A	N/A	N/A

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S8/8	Glenorchy	All roads marked on the map entitled 'Speed Limit Maps Glenorchy' referenced as Sheet 8 Version 1 and identified in the legend as having a speed limit of 80 km/h	80 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S8/9	Wakatipu Basin	All roads marked on the map entitled 'Speed Limit Maps Wakatipu Basin' referenced as Sheet 9 Version 4 and identified in the legend as having a speed limit of 80 km/h	80 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S8/10	Arrowtown	All roads marked on the map entitled 'Speed Limit Maps Arrowtown' referenced as Sheet 10 Version 3 and identified in the legend as having a speed limit of 80 km/h	80 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S8/11	Arthurs Point	All roads marked on the map entitled 'Speed Limit Maps Arthurs Point' referenced as Sheet 11 Version 2 and identified in the legend as having a speed limit of 80 km/h	80 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S8/12	Frankton, Quail Rise & Lake Hayes Estate	All roads marked on the map entitled 'Speed Limit Maps Frankton, Quail Rise & Lake Hayes Estate' referenced as Sheet 12 Version 4 and identified in the legend as having a speed limit of 80 km/h	80 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S8/13	Queenstown & Kelvin Heights	All roads marked on the map entitled 'Speed Limit Maps Queenstown & Kelvin Heights' referenced as Sheet 13 Version 3 and identified in the legend as having a speed limit of 80 km/h	80 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 1 of 2010 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S8/14	Fernhill & Wilsons Bay	All roads marked on the map entitled 'Speed Limit Maps Fernhill & Wilsons Bay' referenced as Sheet 14 Version 1 and identified in the legend as having a speed limit of 80 km/h	80 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S8/15	Kingston	None at present	80 km/h	N/A	N/A	N/A
S8/16	Upper Clutha	All roads marked on the map entitled 'Speed Limit Maps Upper Clutha' referenced as Sheet 16 Version 1 and identified in the legend as having a speed limit of 80 km/h.	80 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	N/A

### Schedule 9: Roads with a speed limit of 90 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 90 km/h.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S9/1	Makarora	None at present	90 km/h	N/A	N/A	N/A
S9/2	Hawea	None at present	90 km/h	N/A	N/A	N/A
S9/3	Hawea Flat	None at present	90 km/h	N/A	N/A	N/A
S9/4	Wanaka North & Albert Town	None at present	90 km/h	N/A	N/A	N/A
S9/5	Wanaka South	None at present	90 km/h	N/A	N/A	N/A
S9/6	Luggate	None at present	90 km/h	N/A	N/A	N/A
S9/7	Cardrona	None at present	90 km/h	N/A	N/A	N/A
S9/8	Glenorchy	None at present	90 km/h	N/A	N/A	N/A
S9/9	Wakatipu Basin	None at present	90 km/h	N/A	N/A	N/A
S9/10	Arrowtown	None at present	90 km/h	N/A	N/A	N/A
S9/11	Arthurs Point	None at present	90 km/h	N/A	N/A	N/A
S9/12	Frankton, Quail Rise & Lake Hayes Estate	None at present	90 km/h	N/A	N/A	N/A
S9/13	Queenstown & Kelvin Heights	None at present	90 km/h	N/A	N/A	N/A
S9/14	Fernhill & Wilsons Bay	None at present	90 km/h	N/A	N/A	N/A
S9/15	Kingston	None at present	90 km/h	N/A	N/A	N/A
S9/16	Upper Clutha	None at present	90 km/h	N/A	N/A	N/A



### Schedule 10: Roads with a rural speed limit of 100 km/h

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to be rural areas that have a speed limit of 100 km/h except for roads or areas that are:

- (a) Described as having a different speed limit in the appropriate Schedule of this Bylaw; or
- (b) Shown on a map as having a different speed limit as referenced in the appropriate Schedule of this Bylaw.

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S10/1	Makarora	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Makarora' referenced as Sheet 1 Version 1 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S10/2	Hawea	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Hawea' referenced as Sheet 2 Version 2 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S10/3	Hawea Flat	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Hawea Flat' referenced as Sheet 3 Version 2 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S10/4	Wanaka North & Albert Town	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Wanaka North & Albert Town' referenced as Sheet 4 Version 3 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S10/5	Wanaka South	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Wanaka South' referenced as Sheet 5 Version 4 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S10/6	Luggate	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Luggate' referenced as Sheet 6 Version 1 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S10/7	Cardrona	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Cardrona' referenced as Sheet 7 Version 3 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	20/05/2015	Amendment No. 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No. 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S10/8	Glenorchy	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Glenorchy' referenced as Sheet 8 Version 1 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S10/9	Wakatipu Basin	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Wakatipu Basin' referenced as Sheet 9 Version 4 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S10/10	Arrowtown	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Arrowtown' referenced as Sheet 10 Version 3 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S10/11	Arthurs Point	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Arthurs Point' referenced as Sheet 11 Version 2 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S10/12	Frankton, Quail Rise & Lake Hayes Estate	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Frankton, Quail Rise & Lake Hayes Estate' referenced as Sheet 12 Version 4 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S10/13	Queenstown & Kelvin Heights	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Queenstown & Kelvin Heights' referenced as Sheet 13 Version 3 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Amendment No 1 of 2010 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule
S10/14	Fernhill & Wilsons Bay	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Fernhill & Wilsons Bay' referenced as Sheet 14 Version 1 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule
S10/15	Kingston	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Kingston' referenced as Sheet 15 Version 1 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	01/06/2009	Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2006 and clause 2.3 of the Rule

Reference Number	Location	Description/Map Reference	Speed Limit	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S10/16	Upper Clutha	All roads, except as qualified above, marked on the map entitled 'Speed Limit Maps Upper Clutha' referenced as Sheet 16 Version 1 outside an urban traffic area listed in Schedule 5 have a speed limit of 100 km/h	100 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	N/A

### Schedule 11: Roads with a variable speed limit

The roads or areas described in this Schedule are declared to have a variable speed limit in accordance with the speed limit variation as specified in this Schedule.

Reference Number	Location	Road Description	Speed Limit Variation Description	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S11/1	Glendhu Bay	Wanaka-Mount Aspiring Road - From Motatapu Road To 900m south-east of Motatapu Road.	Annually from 20th December to 10th February speed limit is 50 km/h. At all other times of the year speed limit is 100 km/h.	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S11/2	Wakatipu	Coronet Peak Road - From Skippers Road To Coronet Peak Terminal Area.	Annually from 1st June to 31st October speed limit is 50 km/h. At all other times of the year speed limit is 70 km/h.	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S11/3	Arrowtown	Centennial Avenue - from 150m south of Cotter Avenue To 50m north of Adamson Drive. Adamson Drive – from Centennial Avenue to 40m west of Hood Crescent. Hood Crescent – from Adamson Drive to Cotter Avenue. Cotter Avenue – from Hood Crescent to Centennial Avenue. All of: Eva Dawson Place; Butel Avenue; Chalmers Place; Douglas Avenue; Kircher Place; Advance Terrace; Helms Court.	The speed limit is 40 km/h when the variable speed limit signs are operating and the numerals "40" are displayed or at the times displayed on static signs on school days. The times during which the variable speed limit signs are permitted to operate are limited to: a) 8.25am to 9.00am; b) 2.55pm to 3.15pm; and c) 10 minutes at any other times during a school day when at least 50 children cross the road or enter or leave a vehicle. The speed limit is 50 km/h at all other times when the variable speed limit signs are not operating.	12/10/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	Speed Limits Bylaw 2009

Reference Number	Location	Road Description	Speed Limit Variation Description	Date Speed Limit comes into force	Legal Instrument	Previous Legal Instrument
S11/4	Wanaka	Plantation Road - from 30m north of Kings Drive to 55m east of Totara Terrace	The speed limit is 40 km/h when the variable speed limit signs are operating and the numerals "40" are displayed. The times during which the variable speed limit signs are permitted to operate are limited to: a) 8.00am to 8.35am; b) 3.10pm to 3.30pm; and c) 10 minutes at any other times during a school day when at least 50 children cross the road or enter or leave a vehicle. The speed limit is 50 km/h at all other times when the variable speed limit signs are not operating.	12/10/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	N/A
S11/5	Kinloch	Kinloch Road – from Gorge Creek Bridge to 540m south of Gorge Creek Bridge.	Annually from 20th December to 10th February speed limit is 30 km/h. At all other times of the year speed limit is 100 km/h.	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	N/A

### Schedule 12: Designated Areas

The roads described in this Schedule are declared to be designated locations in accordance with Section 4 of the Rule. The speed limits for the roads described in this Schedule are declared to be as described below.

Reference Number	Location	Designated Area	Speed Limit	Date Effective	Legal Instrument	Previous Legal Instrument
S12/1	Arrowtown	Arrowtown Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/2	Cardrona	Cardrona Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/3	Frankton	Frankton Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/4	Glenorchy	Glenorchy Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/5	Hawea	Hawea Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/6	Kingston	Kingston Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/7	Makarora	Makarora Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/8	Queenstown	Queenstown Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/9	Frankton	Shotover Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/10	Skippers	Skippers Point Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/11	Wanaka	Wanaka Cemetery	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006



Reference Number	Location	Designated Area	Speed Limit	Date Effective	Legal Instrument	Previous Legal Instrument
S12/12	Arrowtown	Arrowtown Camping Ground	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/13	Arthurs Point	Shotover Holiday Park	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/14	Frankton	Frankton Motor Camp	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/15	Glendhu Bay	Glendhu Bay Motor Camp	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/16	Glenorchy	Glenorchy Holiday Park	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/17	Hawea	Lake Hawea Holiday Park	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/18	Luggate	Luggate Cricket Ground	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/19	Queenstown	Lake View Holiday Park	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/20	Queenstown	Creeksyde Holiday Park	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/21	Wanaka	Aspiring Campervan Park	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/22	Wanaka	Lake Outlet Holiday Park	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/23	Wanaka	Wanaka Holiday Park	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/24	Wanaka	Wanaka Lakeview Holiday Park	20 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006

Reference Number	Location	Designated Area	Speed Limit	Date Effective	Legal Instrument	Previous Legal Instrument
S12/25	Lake Hayes	Lake Hayes Access Road	30 km/h	01/06/2009	Speed Limits Bylaw 2009	Speed Limits Bylaw 2006
S12/26	Frankton	Camp Lane	30 km/h	01/07/2010	Amendment No 1 of 2010 to Speed Limits Bylaw 2009	N/A
S12/27	Frankton	Joe O'Connell Drive	30 km/h	01/07/2010	Amendment No 1 of 2010 to Speed Limits Bylaw 2009	N/A
S12/28	Hawea	Esplanade Reserve	20 km/h	01/03/2013	Amendment No 3 of 2012 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	N/A
S12/29	Frankton	Frankton Marina Local Purpose Reserve	20 km/h	20/05/2015	Amendment No 4 of 2015 to Speed Limits Bylaw 2009 and clause 2.3 of the Rule	N/A

# **Queenstown Lakes District Council Speed Limits Bylaw 2009**



**Incorporating:  
Amendment No. 1 of 2010  
Amendment No. 3 of 2012  
Amendment No. 4 of 2015**

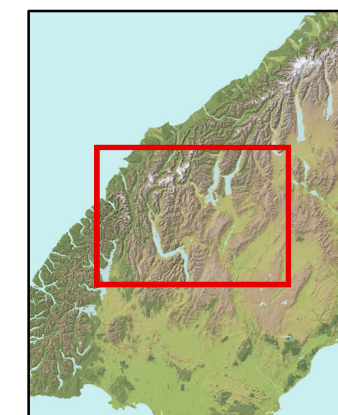
**SPEED LIMIT MAPS**

**SPEED LIMIT MAPS**

**District View**

**Legend**

-  Map Sheets
-  Urban Traffic Areas

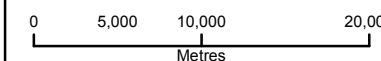


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5. The Queenstown Lakes District Council Speed Limits Bylaw 2009 and including these maps do not apply to state highways and private roads.

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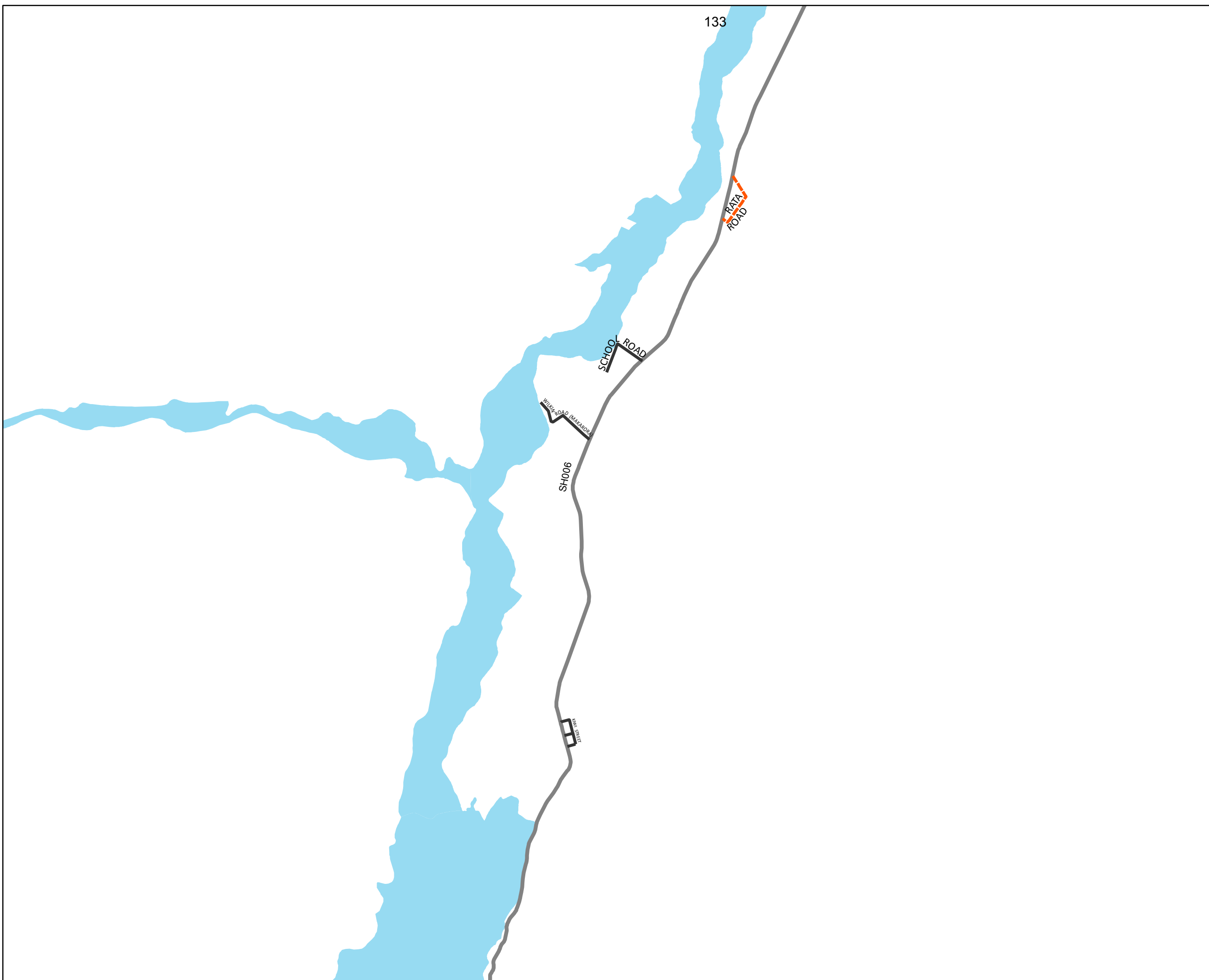


**SPEED LIMIT MAPS**

**Makarora**

**Legend**

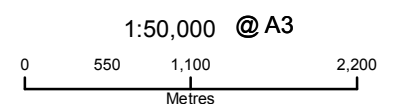
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-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas



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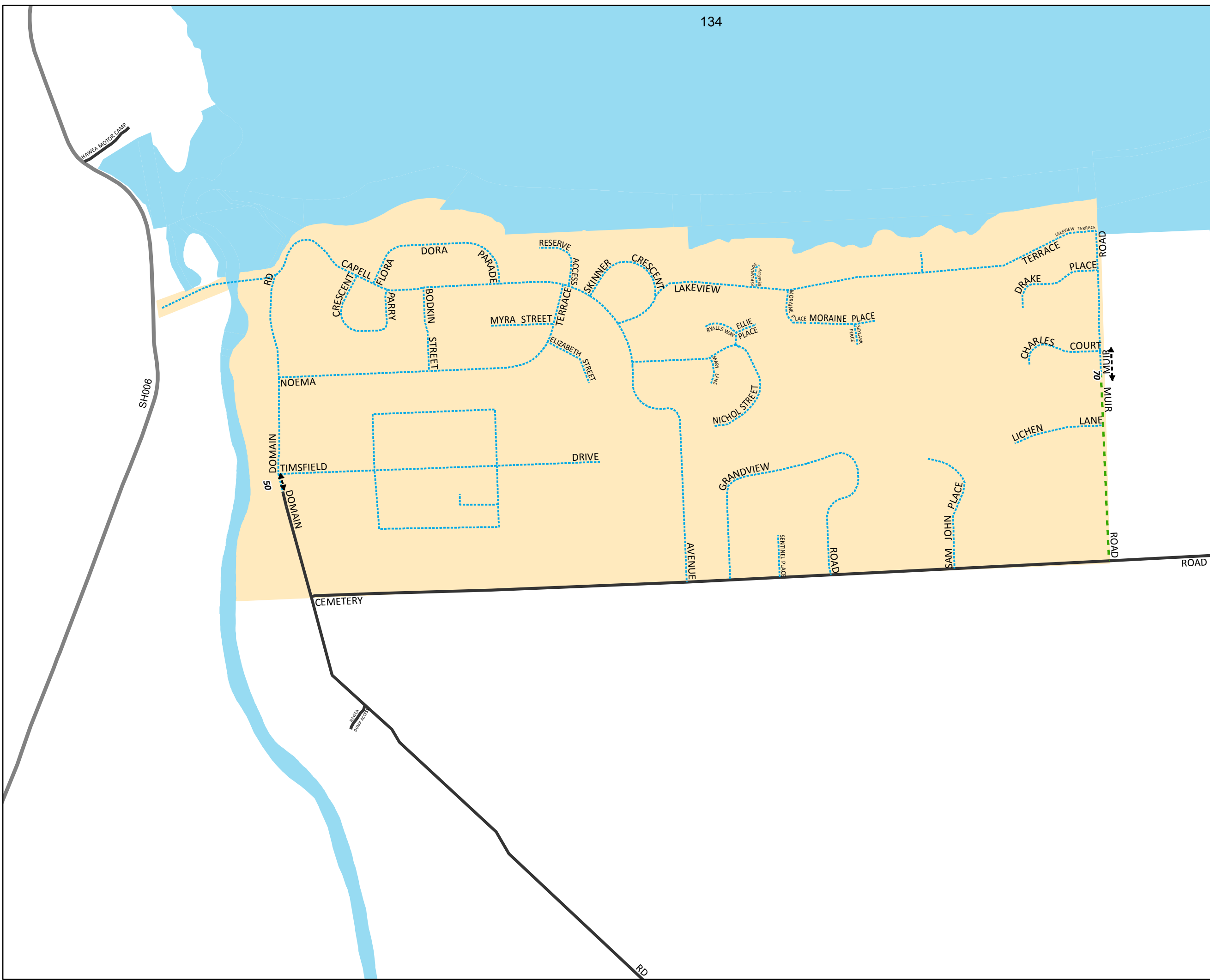
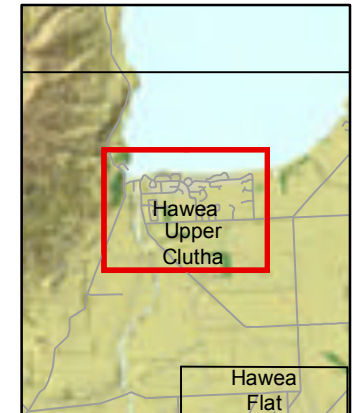


SPEED LIMIT MAPS

Hawea

Legend

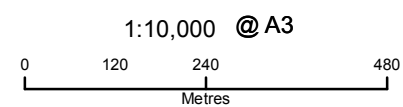
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-  Unmaintained Roads
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-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas



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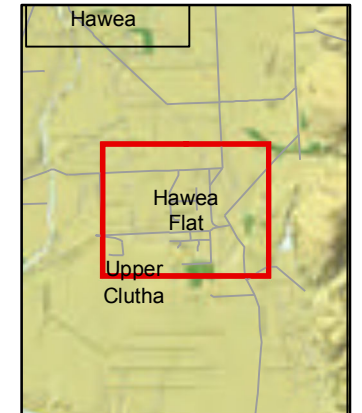


**SPEED LIMIT MAPS**

**Hawea Flat**

**Legend**

-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas

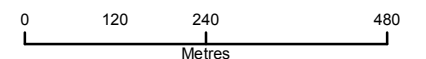


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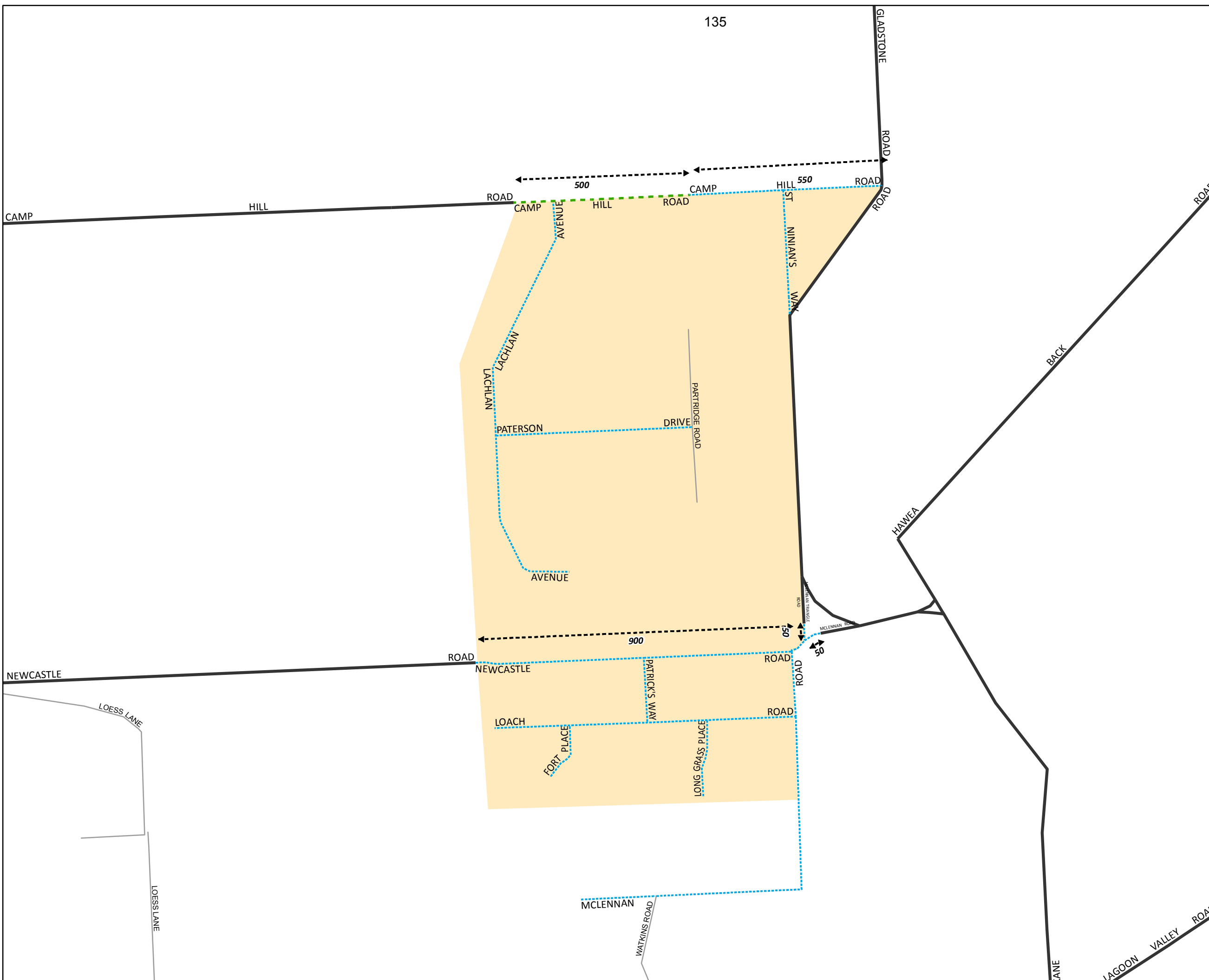
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Date Printed: April 2015












Sheet 3 Version 1

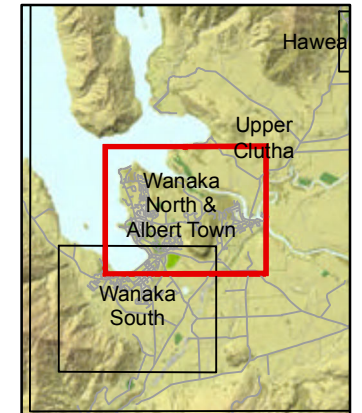


**SPEED LIMIT MAPS**

**Wanaka North & Albert Town**

**Legend**

-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas

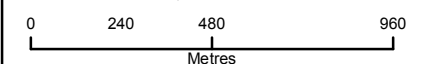


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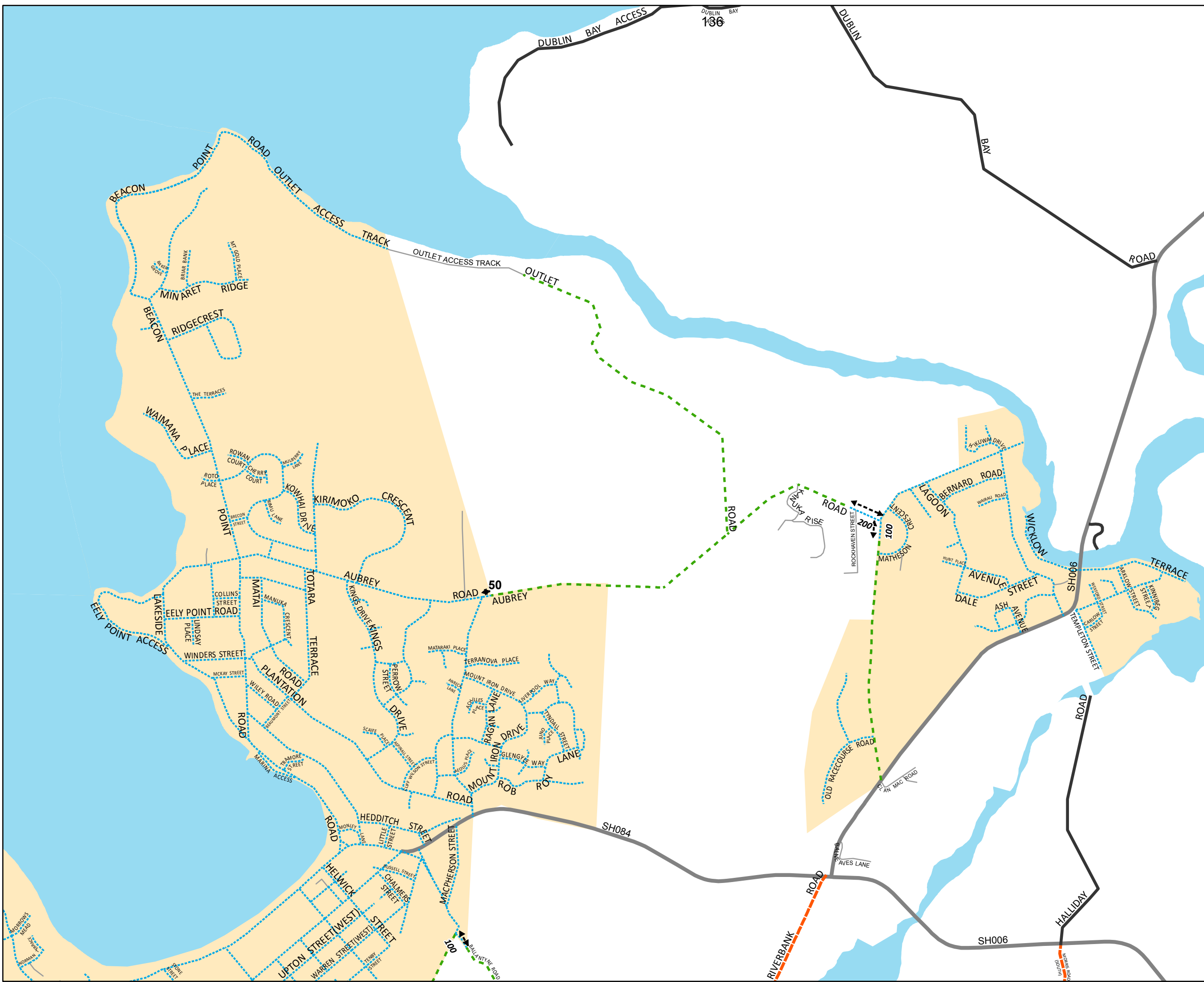
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Date Printed: April 2015












Sheet 4 Version 3

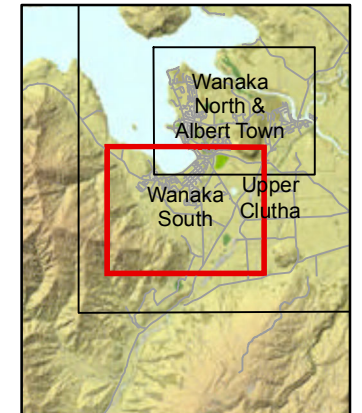




**SPEED LIMIT MAPS**  
**Wanaka South**

**Legend**

-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas

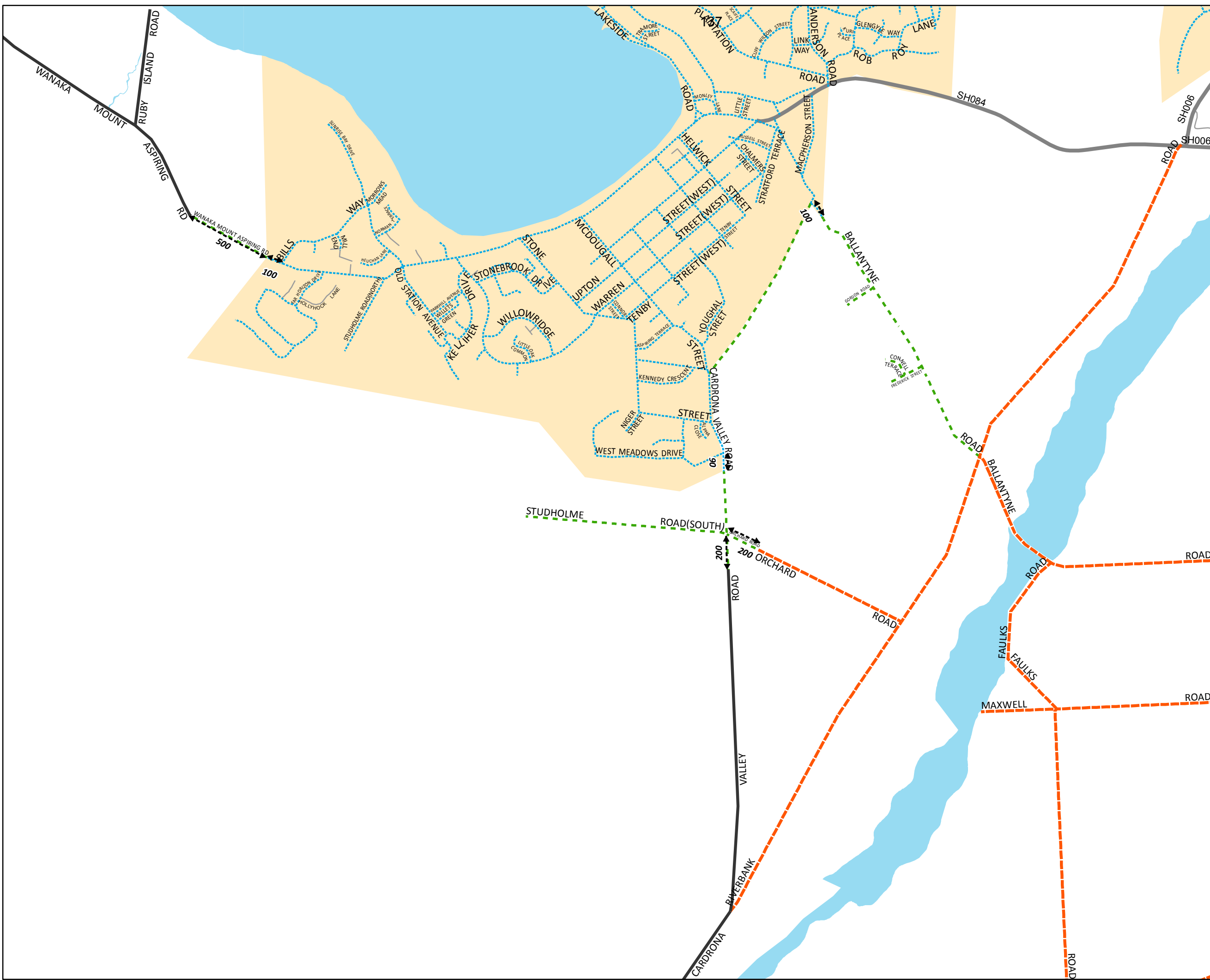
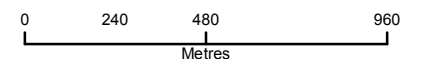


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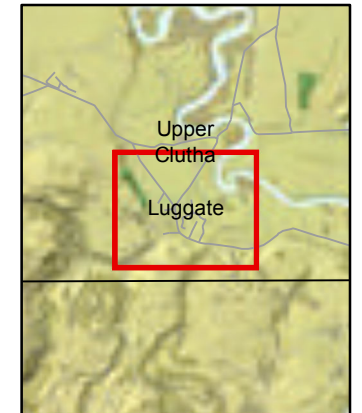


**SPEED LIMIT MAPS**

**Luggate**

**Legend**

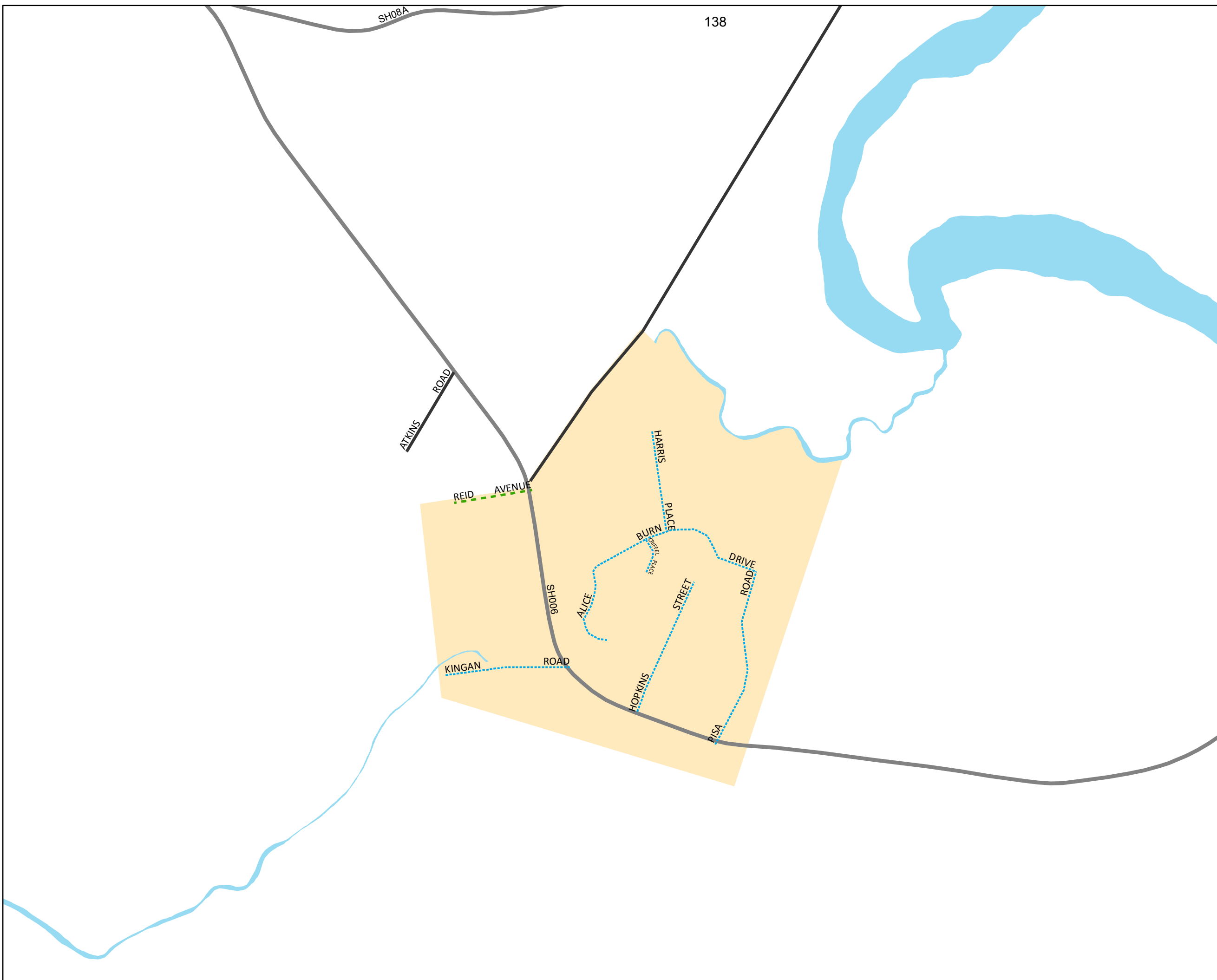
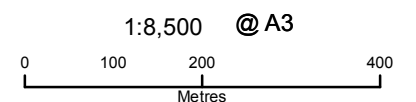
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-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas














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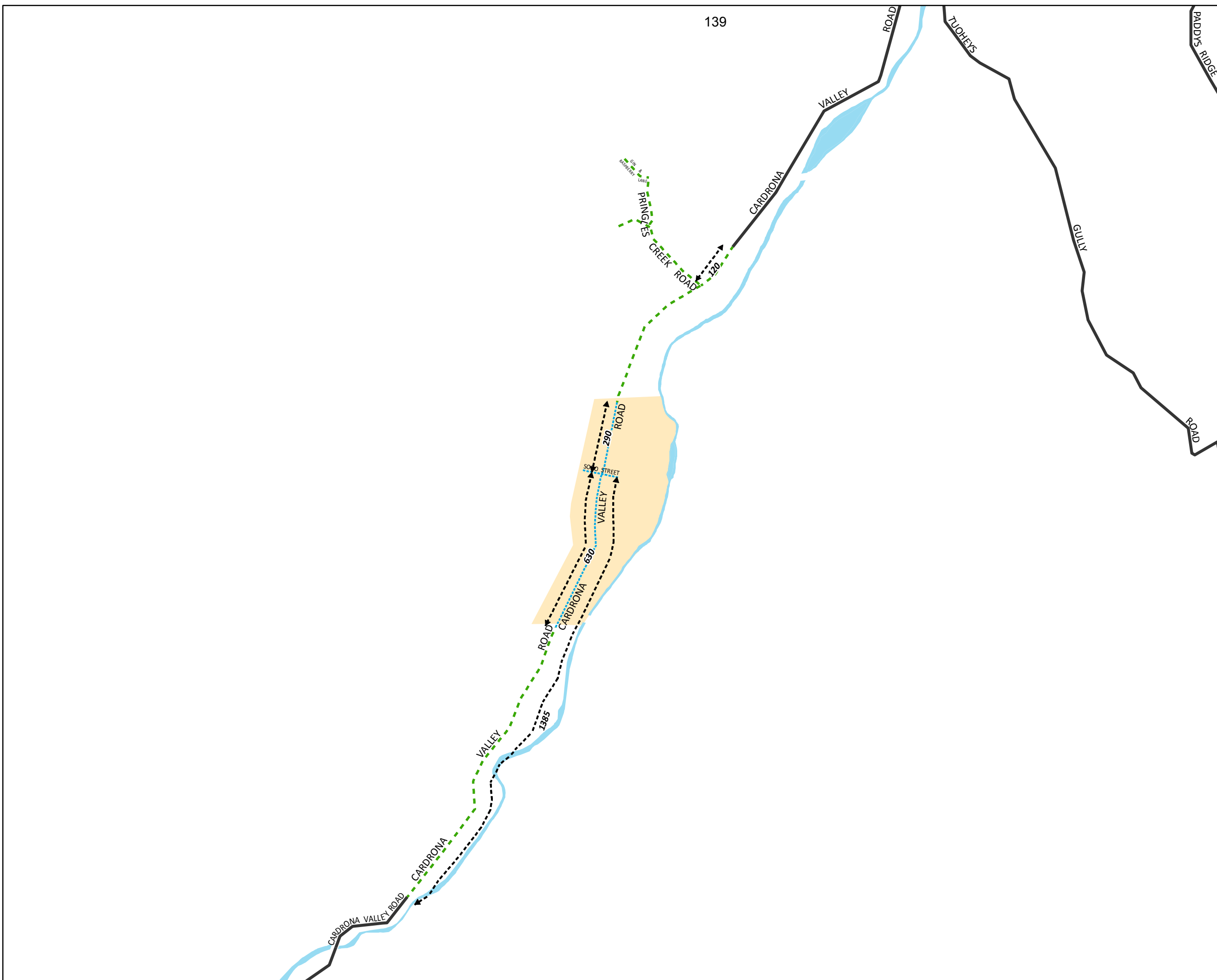
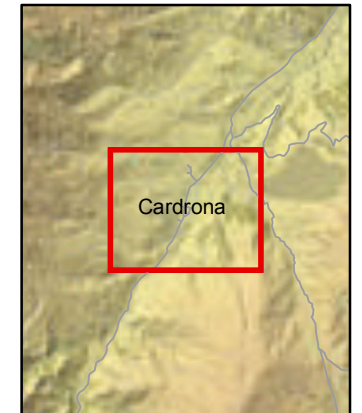
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**Legend**

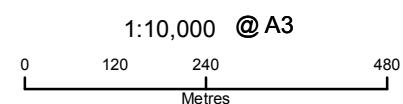
-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas



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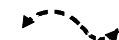










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**SPEED LIMIT MAPS**

**Glenorchy**

**Legend**

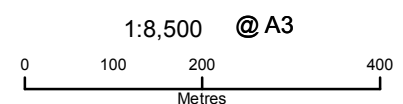
-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
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-  80 km/h speed limit
-  100 km/h speed limit
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-  Urban Traffic Areas



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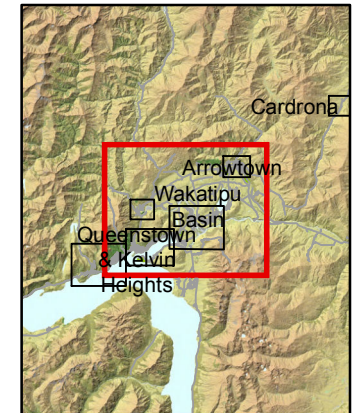


SPEED LIMIT MAPS

Wakatipu Basin

Legend

-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas

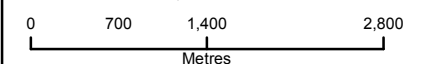


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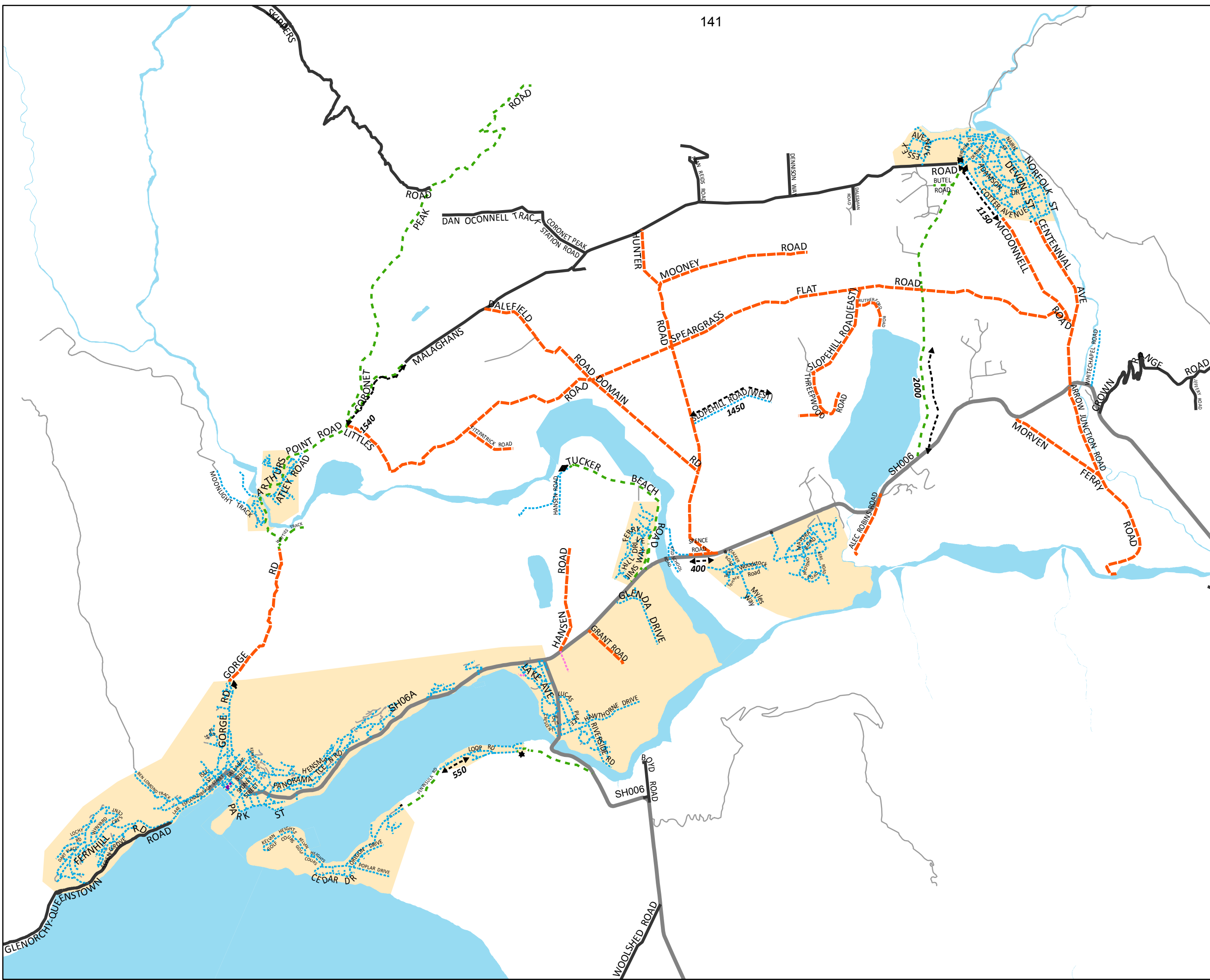
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Sheet 9 Version 4

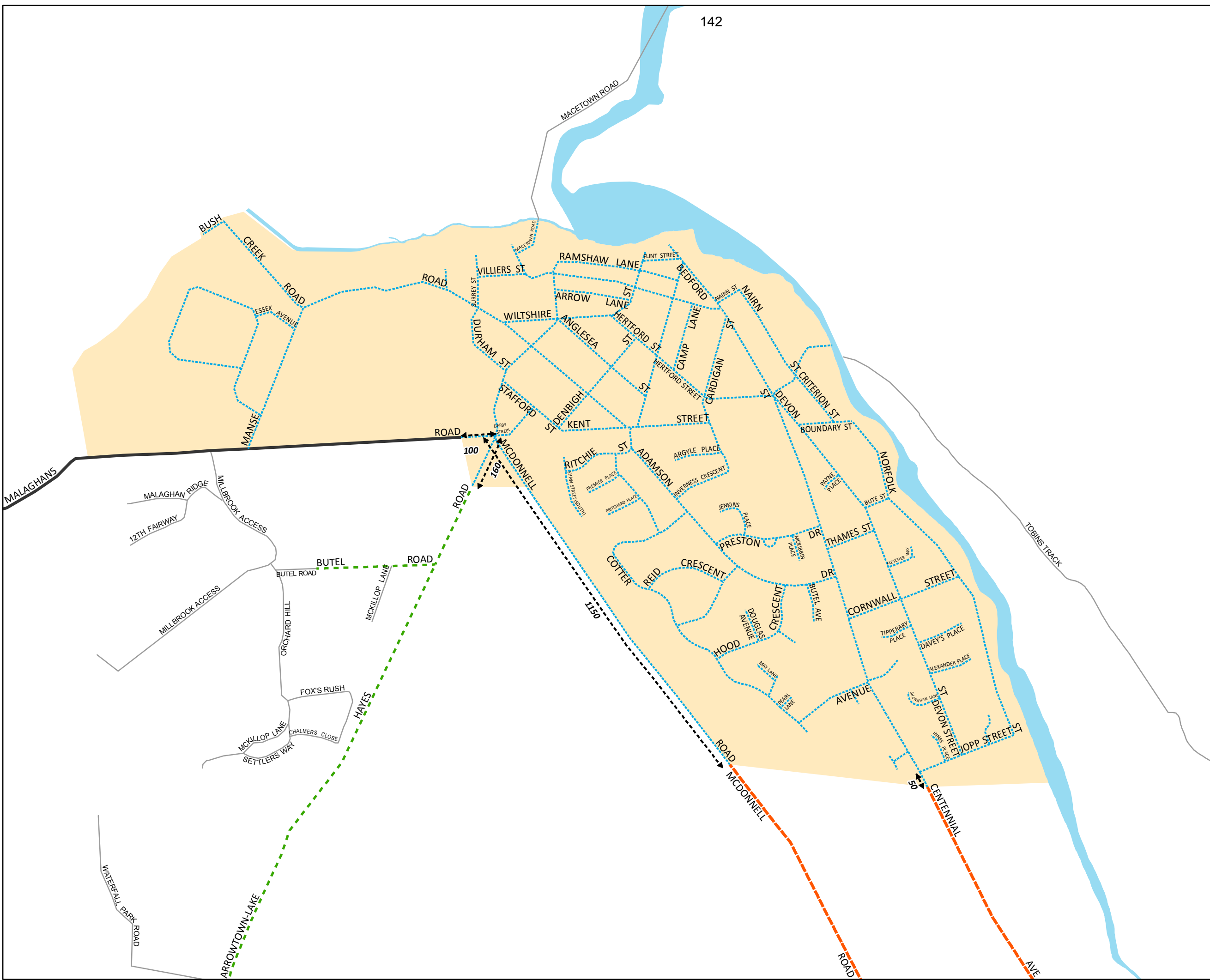
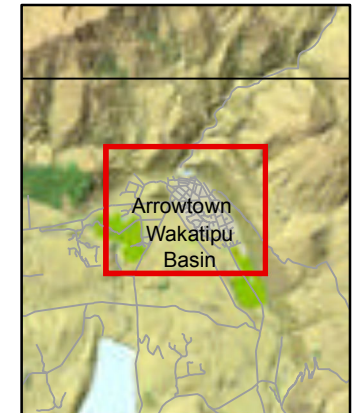


**SPEED LIMIT MAPS**

**Arrowtown**

**Legend**

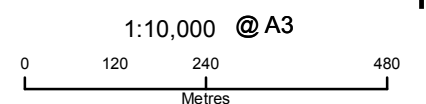
-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas



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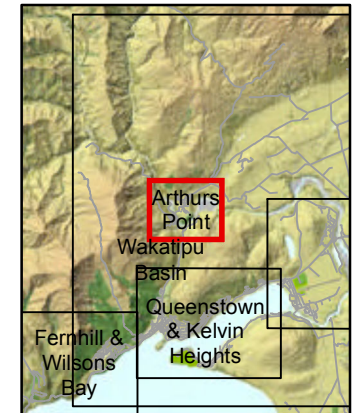


**SPEED LIMIT MAPS**

**Arthurs Point**

**Legend**

-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas

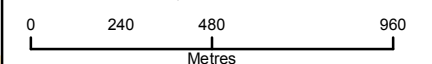


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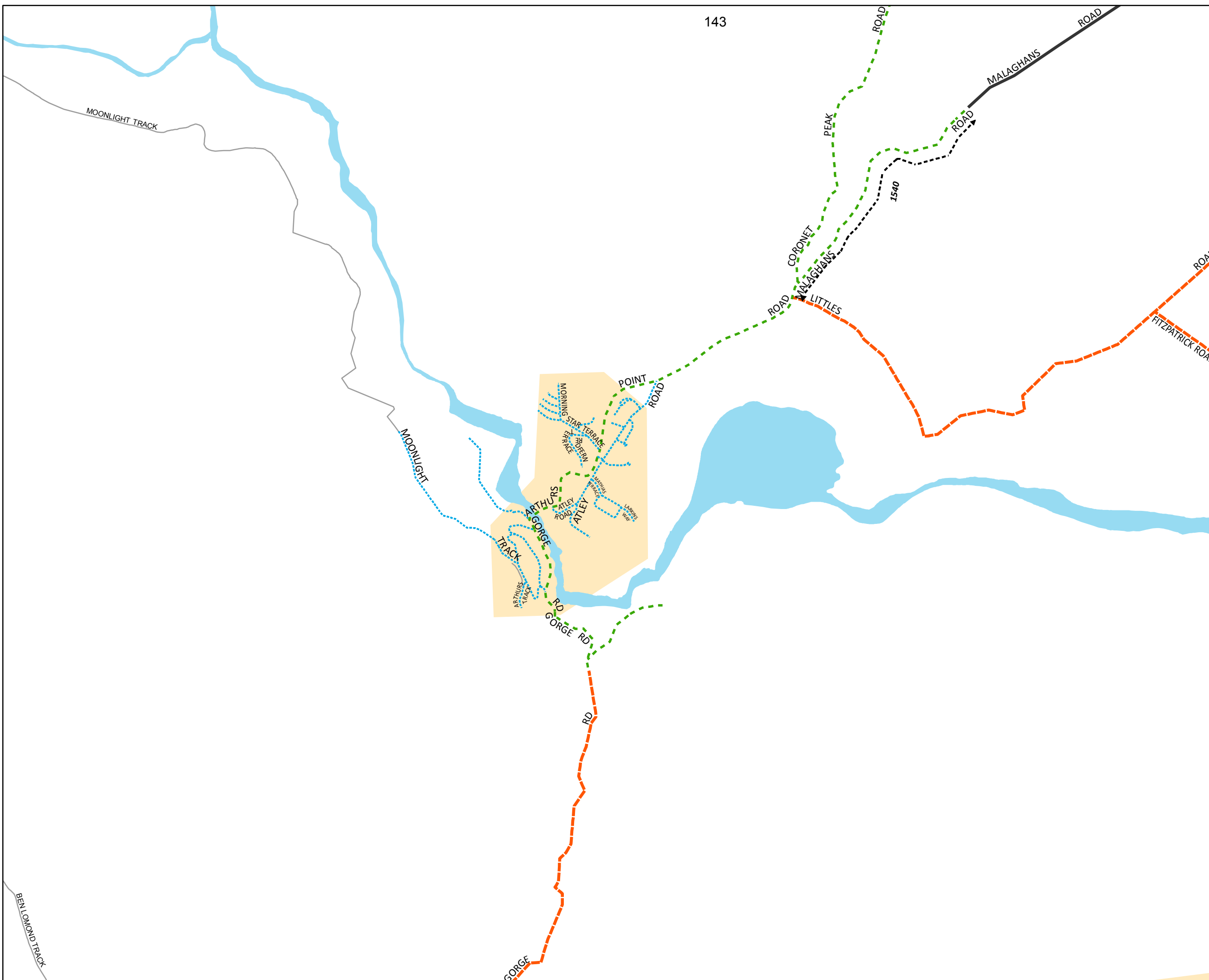
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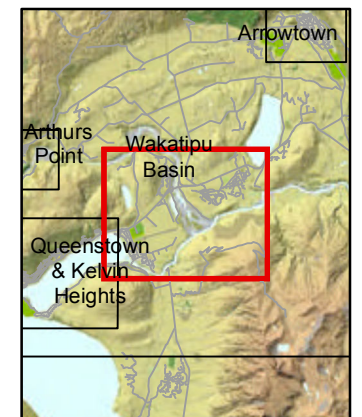
Sheet 11 Version 2



**SPEED LIMIT MAPS**  
**Frankton, Quail Raise & Lake Hayes Estate**

**Legend**

-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas

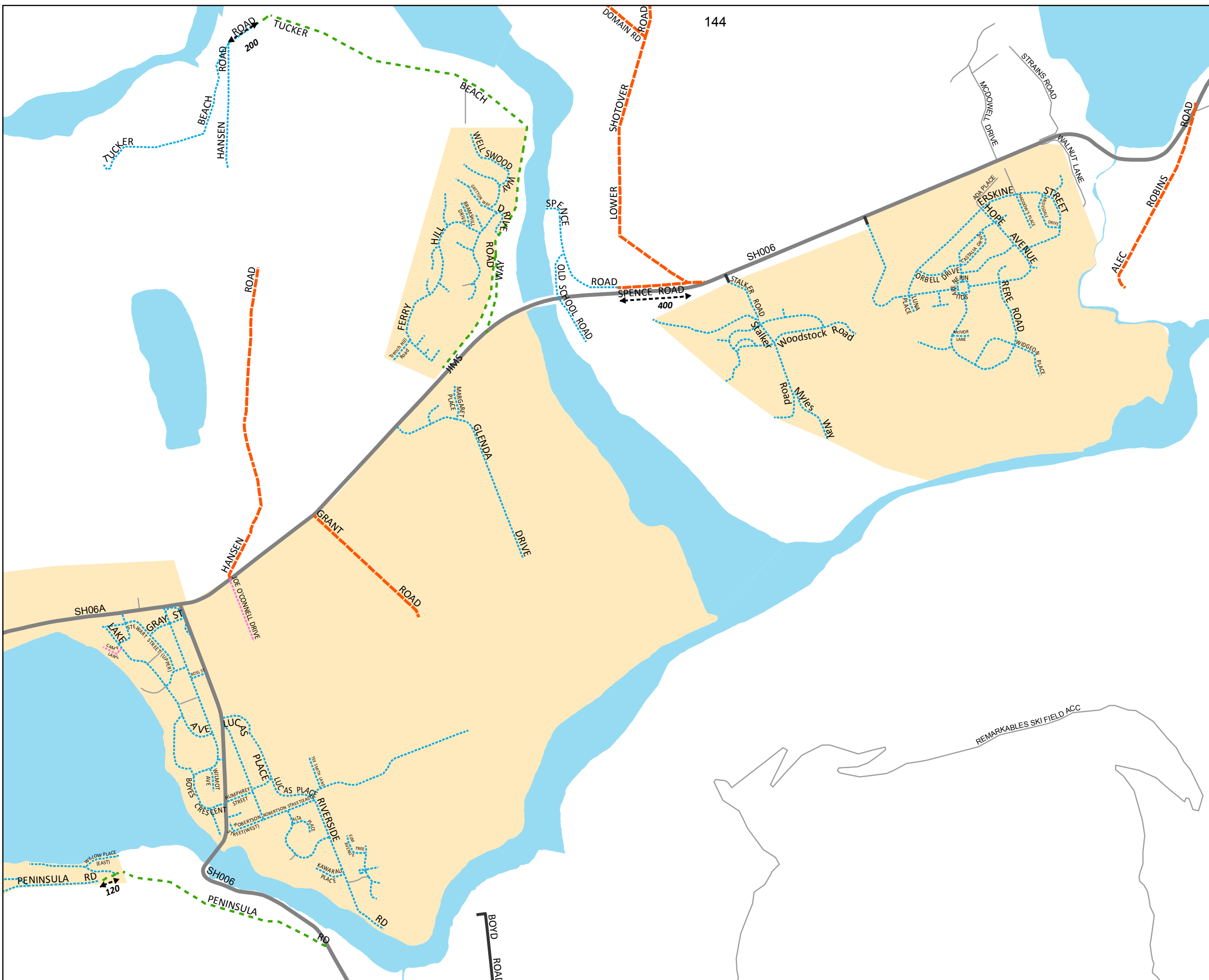
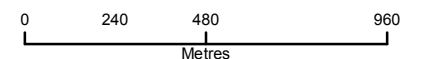


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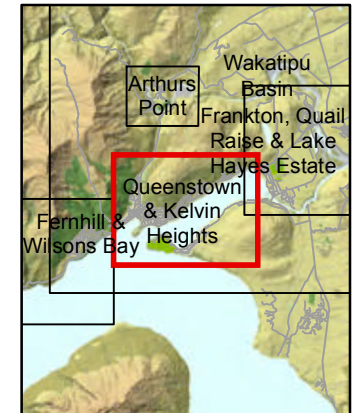


SPEED LIMIT MAPS

Queenstown & Kelvin Heights

Legend

-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas

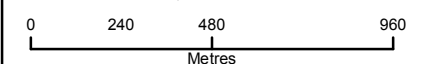


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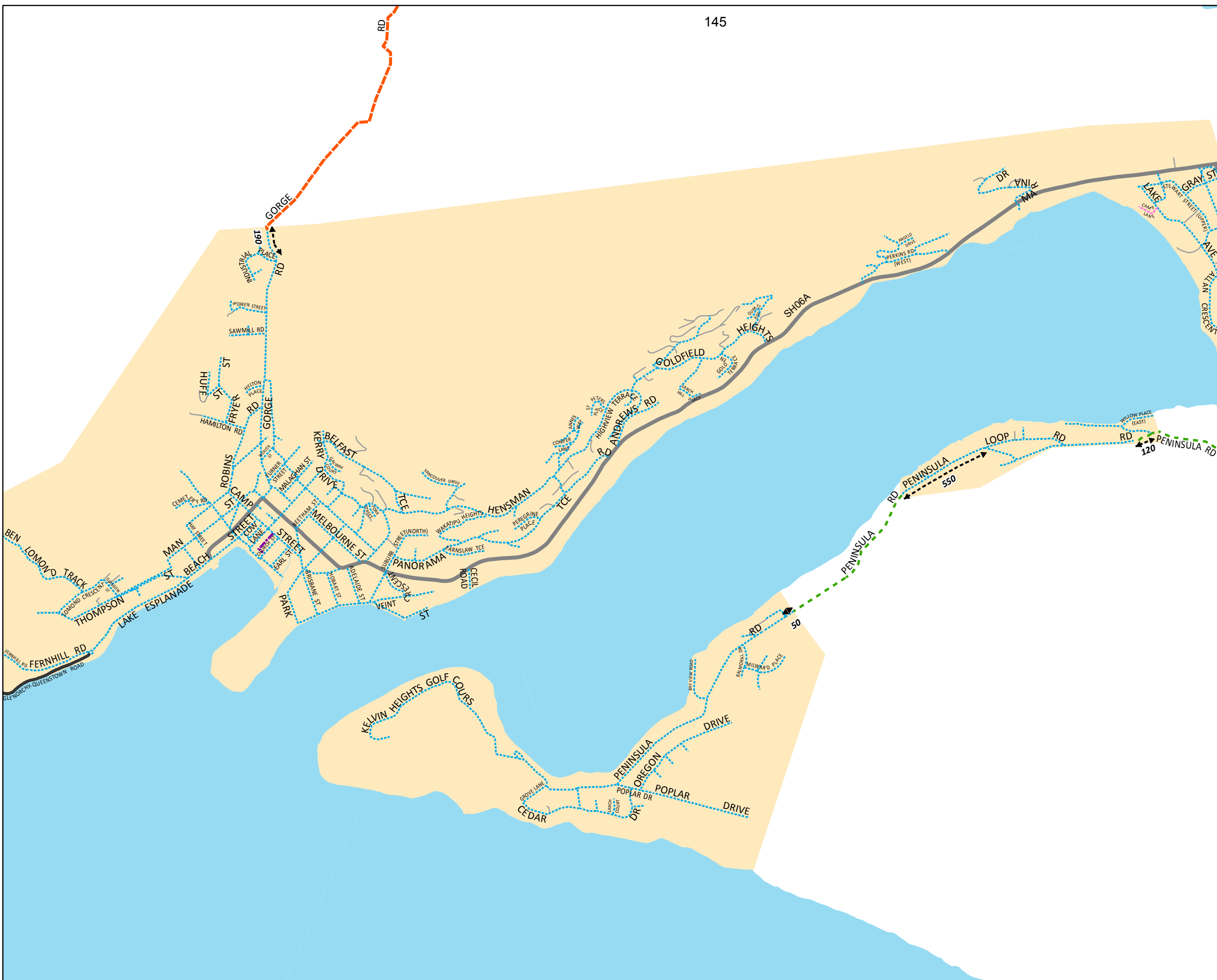
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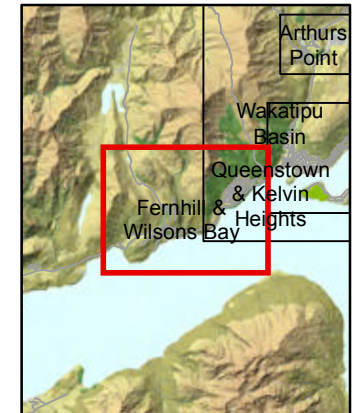
Sheet 13 Version 3



SPEED LIMIT MAPS  
Fernhill & Wilsons Bay

Legend

-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas

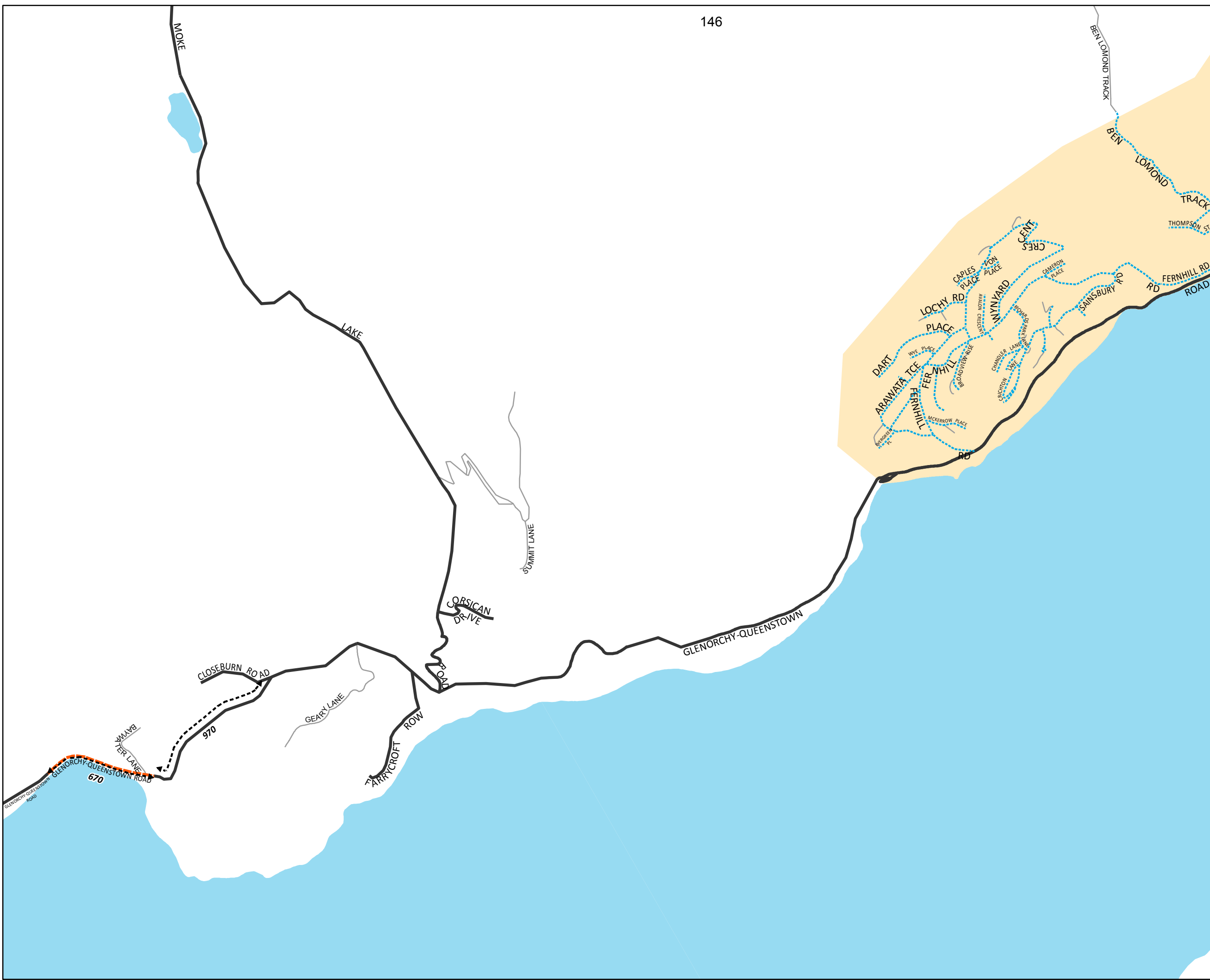
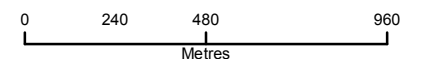


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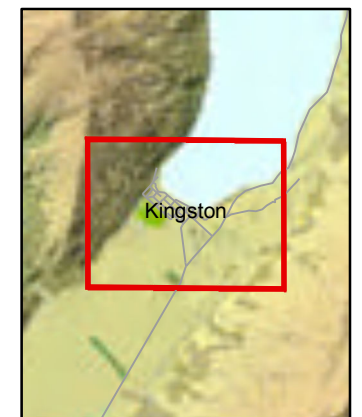


**SPEED LIMIT MAPS**

**Kingston**

**Legend**

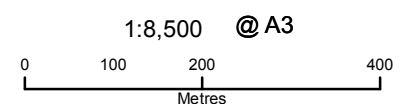
-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
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-  State Highway
-  Urban Traffic Areas



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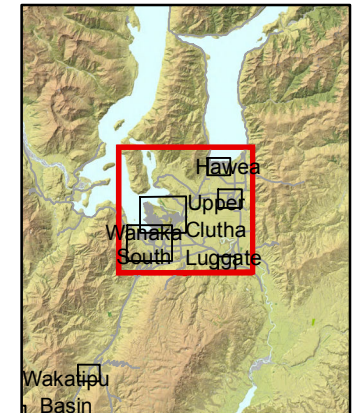


**SPEED LIMIT MAPS**

**Upper Clutha**

**Legend**

-  Distance Indicator
-  Unmaintained Roads
-  10 km/h speed limit
-  30 km/h speed limit
-  50 km/h speed limit
-  60 km/h speed limit
-  70 km/h speed limit
-  80 km/h speed limit
-  100 km/h speed limit
-  State Highway
-  Urban Traffic Areas

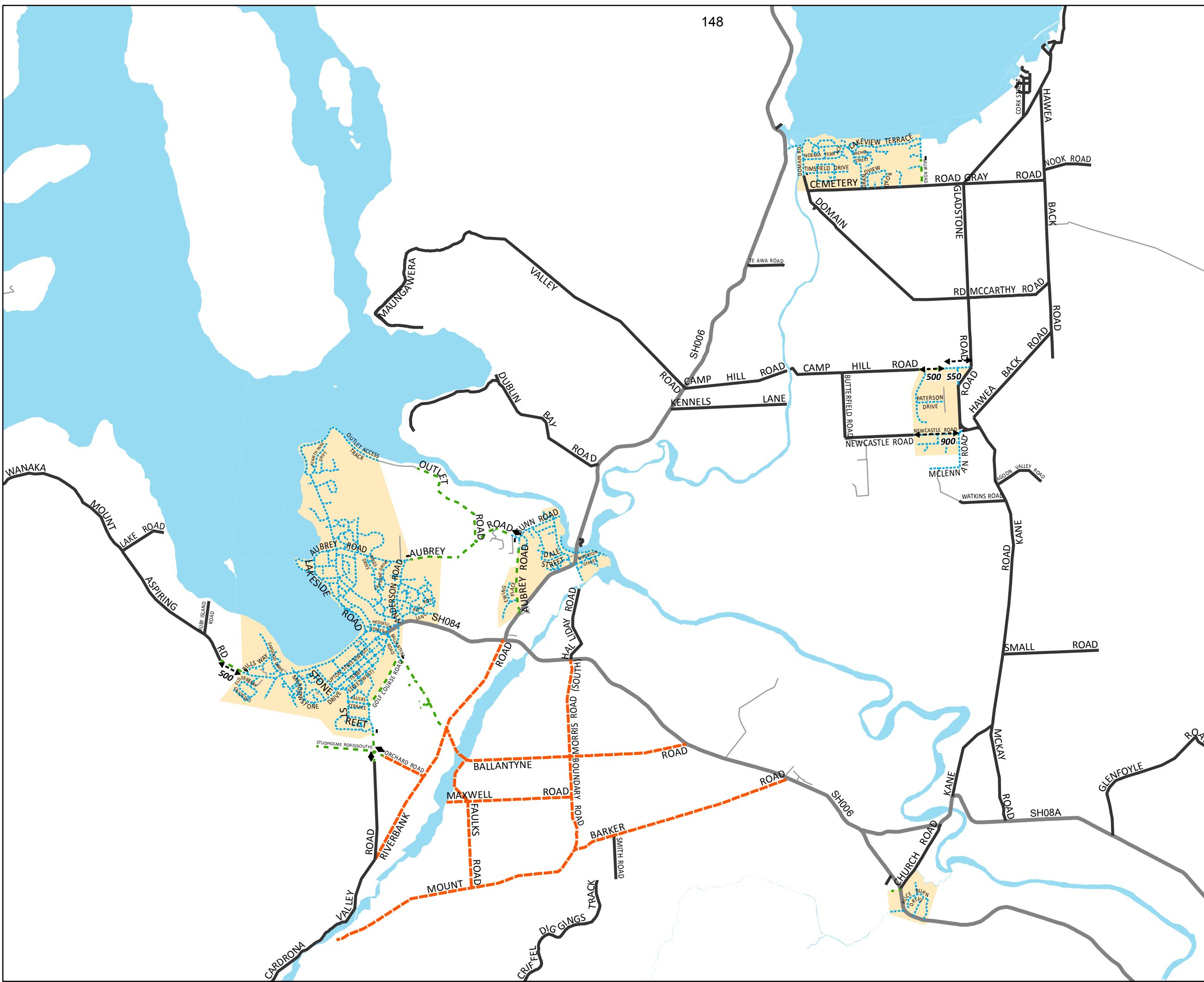
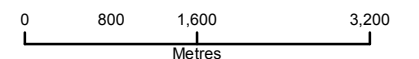


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**QLDC Council  
3 May 2018**

**Report for Agenda Item: 5**

**Department: Property & Infrastructure**

**Traffic and Parking Bylaw 2012 review**

**Purpose**

The purpose of this report is to confirm Council's intention to review the Traffic and Parking Bylaw 2012 and the proposed methodology for the review.

**Recommendation**

That Council:

1. **Note** the contents of this report;
2. **Confirm** its intention to review the Traffic and Parking Bylaw 2012.
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.

Prepared by:



Myles Lind  
Asset Planning Manager

10/04/2018

Reviewed and Authorised by:



Peter Hansby  
General Manager, Property  
and Infrastructure

10/04/2018

## Background

- 1 The Queenstown Lakes District Council Traffic and Parking Bylaw 2012 (the bylaw) regulates parking and the use of roads and public spaces under Council's control.
- 2 The bylaw is included as **Attachment A**.
- 3 The bylaw was approved by Council on 18 December 2012 and came into effect on 2 May 2013.
- 4 Section 158(1) of the Local Government Act 2002 (LGA) requires bylaws to be reviewed within 5 years of being passed.
- 5 Section 160(A) provides for a further two year period for a review to be carried out before the bylaw is revoked.
- 6 Council can also regulate parking and vehicle use on roads under section 22AB of the Land Transport Act 1998 (LTA).
- 7 The LGA and LTA have differing, but not conflicting, requirements for the making of bylaws. The LTA enables councils to make a bylaw as of right, whereas section 155 of the LGA requires councils to determine whether a bylaw is the most appropriate way of addressing issues identified.
- 8 The limiting factor to bylaws made under the LTA is that the application is to roads only – it will not regulate parking or traffic on non-road assets such as parks and reserves.
- 9 For the purposes of this review, it is proposed that the bylaw will be made under the LGA so that the bylaw rules can be consistently applied to both road and parks areas.

## Comment

### Methodology for the review

- 10 In accordance with the requirements of Section 155 of the LGA, the approach to the bylaw review will seek to determine whether a bylaw is the most appropriate way of addressing the perceived problem. To that end, the following questions will define the bylaw review scope:
  - a. Was the policy intent of the bylaw met when managing traffic and parking issues
  - b. Are there regulatory or non-regulatory alternatives to the bylaw
  - c. Are there new issues that need to be considered
  - d. Does council have the capacity to continue enforcing compliance under different growth scenarios.
- 11 The following matters are out-of-scope for the bylaw review:
  - a. Parking demand

b. Parking fees.

- 12 The review will be evidence based and will hold fairness and transparency as overarching and guiding principles.
- 13 Council staff have begun the discovery phase of the review through interviews with internal and external stakeholders, preliminary data organisation and background research.
- 14 In accordance with the requirements of Section 155 of the LGA, Council staff propose the following methodological steps to the review for Council approval.
- a. Cluster issues into the following groups to facilitate efficient and effective analysis:
    - i. Traffic (traffic movements; use of footpaths; separate/special lanes; heavy vehicles etc)
    - ii. Parking (wardens; areas and types; payment; exemptions; passenger service vehicles; residents etc)
  - b. Analyse passenger service vehicles and heavy vehicle road use and parking as separate issues due to high levels of public interest.
  - c. Proceed with following evidence gathering activities:
    - i. Analysis of Council complaints and Request for Service (RFS) data
    - ii. Analysis of NZTA / police data
    - iii. Focus group research
    - iv. Modelling of issues under different scenarios and cost benefit analysis of enforcement costs under these scenarios
  - d. Consolidate research into issues papers.
- 15 A Determination Report will be submitted to Council in July with recommendations to either confirm, amend or revoke the bylaw.
- 16 Should Council resolve to amend or revoke the bylaw after consideration of the Determination Report, a Special Consultative Procedure would be commenced in accordance with Section 156 of the LGA.

## Options

17 Option 1 Do Not Review The Bylaw

*Advantages:*

- 18 Resource assigned to the bylaw review can be reallocated to other projects.

*Disadvantages:*

- 19 If the bylaw is not reviewed in the next two years it will be revoked under Section 160 of the LGA and Council will be unable to regulate and enforce traffic and parking issues in the district.
- 20 Council will miss the opportunity to consider traffic and parking operational issues that may have arisen since the last bylaw and potential regulatory and non-regulatory response to these.
- 21 Council will miss the opportunity to consider pending issues and potential regulatory and non-regulatory response to these.
- 22 Council will miss the opportunity to continue conversations with road users and businesses over issues and consider potential regulatory and non-regulatory response to these.
- 23 Council will miss the opportunity to consider the opportunities available to regulate under other legislation that currently exist.

24 Option 2 Review the Traffic and Parking 2012 Bylaw

*Advantages:*

- 25 Council can consider traffic and parking operational issues that may have arisen since the last bylaw and potential regulatory and non-regulatory response to these.
- 26 Council can consider pending issues and potential regulatory and non-regulatory response to these.
- 27 Council can engage and collaborate with road users and businesses over issues and consider potential regulatory and non-regulatory response to these.
- 28 Council can consider the opportunities available to regulate traffic and parking under other legislation that currently exist.

*Disadvantages:*

- 29 Traffic and parking can be contentious issues and there may be challenges in managing scope with stakeholders and the public to a framework in which to make operational decisions on parking and the use of roads and public places.

30 This report recommends **Option 2** for addressing the matter because:

- a. Council will meet its statutory requirements for reviewing the bylaw as set out in the LGA
- b. The bylaw will continue to be in force during the review meaning Council can continue to regulate vehicle use on roads and parking
- c. Council can consider current and foreseeable future issues in the management and regulation of traffic and parking, and consider regulatory



and non-regulatory responses to these matters in consultation with stakeholders and the public.

### ***Significance and Engagement***

31 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy. Although the matter is of considerable interest to the communities of the district, this decision is to begin a review, whereas any subsequent decision to retain, amend or revoke the bylaw will have higher significance because of the impact of the decision.

### ***Risk***

32 This matter relates to the strategic risk SR3 - Management Practice - working within legislation, as documented in the Council's risk register. The risk is classed as moderate. This matter relates to this risk because the primary legislation which Council operates within, requires reviews of bylaws to be completed within set, fixed timeframes, and comply with community engagement and set consultative procedures, including confirmation that any bylaw does not breach the New Zealand Bill of Rights Act 1990.

33 The recommended option considered above mitigates the risk by: Treating the risk - putting measures in place which directly impact the risk.

34 The recommended option will be implemented in such a way that all the requirements of the LGA and the Bill of Rights Act are identified, tracked and fulfilled to the satisfaction of Council's in-house legal counsel.

### **Financial Implications**

35 The cost of the review will be met from existing operational budgets.

### **Council Policies, Strategies and Bylaws**

36 The following Council policies, strategies and bylaws were considered:

- Draft 10-Year Plan 2018-2028 strategic framework contributing to efficient and effective infrastructure and a responsive organisation
- Traffic and Parking Bylaw 2012 as existing regulation
- Queenstown Integrated Transport Strategy supporting improved network performance and customer experience for all modes and improved liveability and visitor experience
- Wanaka Transport Strategy 2008 supporting an appropriate transport network and parking provision.

37 The recommended option is consistent with the principles set out in the named policy/policies.

38 This matter is not explicitly identified in the 10-Year Plan/Annual Plan as a separate line item / activity.

- 39 It can be delivered within general infrastructure management activities, in alignment with other supporting projects such as town centre planning and the broader Council road safety initiatives and roading maintenance contracts.
- 40 There are three phases to a bylaw review:
- a. Evaluation of the existing bylaw and next steps (is a bylaw appropriate)
  - b. Further recommendations (investigate alternative approaches or significant changes)
  - c. Statutory consultation.

### **Local Government Act 2002 Purpose Provisions**

41 The recommended option:

- Will help meet the current and future foreseeable needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by developing an enabling and responsive regulatory framework for the management of traffic and parking issues in the district;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan; and
- Is consistent with the Council's plans and policies.

### **Consultation: Community Views and Preferences**

42 The persons who are affected by or interested in this matter are residents/ratepayers; business associations; emergency services; schools; large tourism transport operators; passenger service vehicles; heavy motor vehicle users; NZTA.

43 The Council has made initial contact with the Police and NZTA about the intention to review the bylaw. Other stakeholders will be invited for discussions on issues and opinions as part of the information gathering stage to inform the findings report and next steps recommendations.

44 With Council approval in July, a formal Special Consultative Process, open to all members of the community will be undertaken in accordance with Section 156 of the LGA.

### **Legal Considerations and Statutory Responsibilities**

Staff will work with Council in-house legal team on the legislative options that the bylaw may be developed under and the appropriateness and legality of addressing issues through a bylaw.

### **Attachments**

A Traffic and Parking Bylaw 2012

**THE QUEENSTOWN LAKES DISTRICT COUNCIL  
TRAFFIC AND PARKING BYLAW 2012**

Acting pursuant to the powers vested in it by Part 8 of the Local Government Act 2002 and following the determinations and special consultative processes required by Sections 155 and 156 of the Local Government Act 2002, the Queenstown Lakes District Council makes the Queenstown Lakes District Council Traffic and Parking Bylaw 2012.

**CONTENTS**

1. Title
  2. Commencement
  3. Revocation
  4. Purpose
  5. Definitions
  6. No Parking Areas
  7. Restricted Parking Areas
  8. Payment of Fees
  9. Parking Meters
  10. Coupon Parking
  11. Pay and Display Tickets
  12. Parking Places and Transport Stations
  13. Method of Parking
  14. Taxi and Passenger Service Vehicles
  15. Miscellaneous
  16. Traffic
  17. One Way Streets
  18. Traffic Restrictions in the Queenstown Lakes District
  19. Inspection
  20. Offences
  21. Defence
  22. Penalties
- Schedule A  
Schedule B

## 1. TITLE

This Bylaw shall be known as “The Queenstown Lakes District Council Traffic and Parking Bylaw 2012”.

## 2. COMMENCEMENT

This Bylaw shall come into full force and effect on the 7<sup>th</sup> day following the making of this Bylaw by resolution of the Council.

## 3. REVOCATION

On the day that this Bylaw commences pursuant to Clause 2 hereof “The Queenstown Lakes District Council Traffic and Parking Bylaw 2006” shall be revoked.

## 4. PURPOSE

To regulate parking and the use of roads and public places vested in or under the control of the Queenstown Lakes District Council.

## 5. DEFINITIONS

Unless the context otherwise requires:

**Authorised officer** means any person appointed or authorised by the Council to act on its behalf under this bylaw and includes any Parking Warden or Enforcement Officer.

**Council** means the Queenstown Lakes District Council.

**Coupon parking space** means a space in a coupon parking area which is suitable for the accommodation of a motor vehicle.

**Coupon parking area** is a "zone parking" area as defined in the Traffic Control Devices Rule 2004 and means any area of land or building belonging to or under the control of the Council which is authorised by resolution of the Council pursuant to clause 7.2.5 of this Bylaw as a place where vehicles may be parked using parking coupons.

**Disabled person** means the holder of a Mobility Parking Permit card issued by New Zealand CCS Inc.

**Driver** in relation to a vehicle, includes the rider of a motorcycle or moped or bicycle; and “drive” has a corresponding meaning.

**Enforcement officer** means—

- (a) A sworn member of the Police
- (b) A non-sworn member of the Police who is authorised for the purpose by the commissioner of Police.
- (c) A person who is appointed to that office by warrant under section 208 of the Land Transport Act 1998 or who holds that office by virtue of that Act and includes an Enforcement Officer appointed under section 177 of the Local Government Act 2002 and any Parking Warden appointed by the Council and warranted accordingly.

**Goods service vehicle** means a motor vehicle designed exclusively or principally for the carriage of goods or a vehicle used for the collection or delivery of goods in the course of trade.

**Gross laden weight** , in relation to a motor vehicle, means—

- (a) the greatest of the following weights:
  - (i) a weight specified (subsequent to the latest modification specified, if any) as the gross laden weight of the vehicle by the manufacturer of the vehicle;
  - (ii) a weight specified as the gross laden weight of the vehicle, or of a vehicle of that kind, by or under the regulations or the rules;
  - (iii) the weight of the vehicle, together with the load that the vehicle is for the time being carrying, including equipment and accessories;
- (b) if evidence is adduced in respect of any but not all of the 3 weights referred to in paragraph (a), the greater of the weights, or (as the case may be) the only weight, in respect of which evidence is adduced;
- (c) if evidence is not adduced in respect of any of the weights referred to in paragraph (a), the total of the unladen weight of the vehicle and the weight of the maximum load that the vehicle may safely carry

**Holiday** means any Good Friday (being the Friday immediately prior to Easter Sunday), 25<sup>th</sup> day of December (Christmas Day) and the period between 12 midnight and 1.00pm on the 25<sup>th</sup> day of April (Anzac Day) in any year.

**Infringement offence** has the same meaning as it has in section 2(1) of the Land Transport Act 1998.

**Large passenger service vehicle** means any passenger service vehicle that is designed or adapted to carry more than 12 persons (including the driver)

Motorcycle means a motor vehicle running on 2 wheels, or not more than 3 wheels when fitted with a sidecar; and

- includes a vehicle with motorcycle controls that is approved as a motorcycle by the Agency; but
- does not include a moped

**Motor vehicle** means a vehicle drawn or propelled by mechanical power; and includes a trailer; but does not include—

- a vehicle running on rails; or
- a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or
- a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or
- a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or
- a pedestrian-controlled machine; or
- a vehicle that the Agency has declared under [section 168A](#) of the Land Transport Act 1998 is not a motor vehicle; or
- a mobility device

**Operate**, in relation to a vehicle, means to drive or use the vehicle on a road, or to cause or permit the vehicle to be on a road or to be driven on a road, whether or not the person is present with the vehicle; and **operator** has a corresponding meaning

**Owner** in relation to a motor vehicle, means the person lawfully entitled to possession of the vehicle, except where—

- (a) the motor vehicle is subject to a bailment that is for a period not exceeding 28 days; or
- (b) the motor vehicle is let on hire pursuant to the terms of a rental-service licence,—

in which case **owner** means the person who, but for the bailment or letting on hire, would be lawfully entitled to possession of the motor vehicle; and **owned** and **ownership** have corresponding meanings

**Parking** means,

- a) in relation to a portion of a road where parking is for the time being governed by the location of parking meters or vending machines placed under the authority of a bylaw of a local authority, the stopping or standing of a vehicle on that portion of the road for any period exceeding 5 minutes;
- (b) in relation to any other portion of a road, the stopping or standing of a vehicle (other than a vehicle picking up or setting down passengers in a loading zone or reserved parking area, and entitled to do so) on that portion of the road,

and “park” has a corresponding meaning.

**Parking coupon or coupon** means a coupon issued by or on behalf of the Council to any person authorising the parking of a vehicle in a coupon parking space in accordance with these Bylaws.

**Parking place** means a place (including a building) where vehicles or any class of vehicles may wait or park

**Parking warden** means a person appointed to hold the office of parking warden under section 128D of the Land Transport Act 1998

**Passenger service vehicle** a) means a vehicle used or available for use in a passenger service for the carriage of passengers; but does not include—

- (i) a vehicle designed or adapted to carry 12 or fewer persons (including the driver) provided by one of the passengers being carried; or
- (ii) a vehicle specified as an exempt passenger service vehicle in the regulations or the rules

**Pay and display parking meter** means a parking meter designed for the purpose of issuing a receipt indicating the date and time of payment of a fee, amount of fee paid and time until which a vehicle may be parked within a parking meter area controlled by that pay and display parking meter.

**Public Place** means a place –

- (i) That is under the control of the Council; and
- (ii) That is open to, or being used by, the public, whether or not there is a charge for admission; and includes:
  - (i) a road, whether or not the road is under the control of the Council; and
  - (ii) any part of a public place

**Rental services vehicle** means a vehicle used or available for use in a rental service for letting on hire for the carriage of passengers or goods, or both, to a person who drives the vehicle or provides a driver for the vehicle; but does not include a vehicle specified as an exempt vehicle in the Land Transport Act 1998 or the regulations or the rules made under that Act.

**Reserve** means any Council reserve, including but not limited to designated reserves under the Reserves Act or the District Plan, any grass berm or verge, ornamental gardens, grass plots, flower beds and landscaped area.

**Residential zone** means all areas as defined in the Queenstown Lakes District Council District Plan as Low Density Residential zone and High Density Residential zone.

**Road** includes—

- (a) a street; and
- (b) a motorway; and
- (c) a beach; and
- (d) a place to which the public have access, whether as of right or not; and
- (e) all bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph (d); and
- (f) all sites at which vehicles may be weighed for the purposes of this Act or any other enactment

**Small passenger service vehicle** means any passenger service vehicle that is designed or adapted to carry 12 or fewer persons (including the driver)

**Taxi** means a motor vehicle that is—

- (a) a small passenger service vehicle; and
- (b) fitted with a sign on its roof displaying the word “taxi” and any other signs required by the regulations or the rules made under the Land Transport Act 1998; and
- (c) in use or available for use for hire or reward for the carriage of passengers other than on defined routes

**Taxi service** means a passenger service carried on by means of a taxi or taxis

**Towage fee** in respect of a parking offence, means an amount specified as the towage fee in respect of that offence by the Secretary for Transport by notice in the *Gazette*; and, for the purposes of this definition, the Secretary may prescribe different rates of towage fees in respect of different classes of persons, vehicles, products, or any other property or item, or on the basis of different times of use, or different distances, or on any other differential basis.

**Town Centre zone** means all areas as defined in the Queenstown Lakes District Council District Plan as Town Centre zone.

**Transport station** means a place where transport service vehicles or any class of transport service vehicles may wait between trips.

**Use** in relation to a vehicle, includes driving, drawing or propelling on a road by means of such vehicle, and includes permitting to be on any road; and “to use” and “user” have corresponding meanings.

**Vehicle** means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and includes a hovercraft, a skateboard, in-line skates, and roller skates; but does not include—

- (i) a perambulator or pushchair:
- (ii) a shopping or sporting trundler not propelled by mechanical power:
- (iii) a wheelbarrow or hand-trolley:
- (v) a pedestrian-controlled lawnmower:

- (vi) a pedestrian-controlled agricultural machine not propelled by mechanical power:
- (vii) an article of furniture:
- (viii) a wheelchair not propelled by mechanical power:
- (ix) any other contrivance specified by the rules not to be a vehicle for the purposes of this definition:
- (x) any rail vehicle

## 6. NO PARKING AREAS

6.1 The Council may from time to time, by resolution (subject to the erection of the required signs under the Traffic Control Devices Rule 2004, or under any Rules made under the Land Transport Act 1998), declare any road, or part of any road, or public place, or part of any public place, to be a no parking area.

6.2 Any such resolution may prohibit parking at all times, or, alternatively, at or between times as are specified in the resolution.

## 7. RESTRICTED PARKING AREAS

7.1 The Council may, from time to time, by resolution (subject to the erection of the required signs under the Traffic Control Devices Rule 2004, or under any amended or substituted Rules made under the Land Transport Act 1998), declare any road, or part of any road, or public place, or part of any public place, to be a restricted parking area.

7.2 The Council may, by resolution, in respect of any restricted parking area:

- 7.2.1 Determine the time period or time periods between which parking restrictions shall have effect;
- 7.2.2 Declare the number and situation of parking spaces within each restricted parking area;
- 7.2.3 Declare the maximum time allowed for parking in any parking space in any restricted parking area;
- 7.2.4 Fix the charges payable for parking in a parking space in a restricted parking area.
- 7.2.5 Declare the means by which parking charges may be paid in a restricted parking area, including, but not by way of limitation, by the use of parking meters, pay and display tickets, parking coupons, attendant issued tickets, or otherwise.
- 7.2.6 Declare the maximum time allowed for parking by a mobility parking permit holder in any restricted parking area.

7.3 The Council may, by resolution:

- 7.3.1 Vary or abolish any restricted parking area.
- 7.3.2 Vary or revoke any resolution made under Clause 7.2 of this Bylaw and make any new resolution in substitution for the revoked resolution.

7.4 The Council or any authorised officer may remove or cause to be removed any vehicle or other thing from any public road, or public place, which



contravenes this Bylaw, or any resolution made under this Bylaw, and recover from the person committing the breach of this Bylaw all expenses incurred by the Council in connection with the removal of the offending vehicle or thing.

## 8. PAYMENT OF FEES

Where a charge has been prescribed by resolution which allows a vehicle to be parked in a restricted parking area for a determined period of time, payment of the charge shall be made in the manner as has been so prescribed for that restricted parking area or where alternative methods of payment have been approved and determined, by any one of such approved methods of payment.

## 9. PARKING METERS

9.1 When any vehicle is parked in a parking space controlled by a parking meter the driver of that vehicle shall immediately insert in the parking meter installed for that space, the prescribed fee so that the meter mechanism is activated. The vehicle may be lawfully parked in that parking space during the period for which the prescribed fee has been paid.

9.2 It shall be lawful for the driver of a vehicle during, or when the period for which the fee was paid has expired, to insert another prescribed fee in the parking meter and set the parking meter in operation for a further period.

9.3 Notwithstanding 9.2, in any area where the Council has, by resolution, fixed a maximum authorised period of parking, which area is indicated by signage under the Land Transport: Traffic Control Devices Rule 2004 or under any Rule made under the Land Transport Act 1998, no person shall park or cause to park any vehicle or allow a vehicle to occupy a parking space in that restricted parking area for any one time in excess of the maximum authorised period of parking.

## 10. COUPON PARKING

Where payment of a parking fee is made or is to be made by the use of a parking coupon, the following provisions shall apply:

10.1 The driver, or person in charge of the vehicle, shall without delay, on parking the vehicle, display on or in the vehicle, in a position where it can be inspected by any person outside the vehicle, a valid parking coupon in accordance with the instructions printed on the coupon, or which accompanied the coupon when purchased and which coupon has been activated in accordance with those instructions.

10.2 A parking coupon shall be invalid if:

10.2.1 The coupon is torn, defaced, or mutilated to such an extent that any material particular is not legible; or

10.2.2 The authorised time on the coupon has expired; or

10.2.3 The coupon has been tampered with or is used in such a way that is prevented from functioning properly; or

10.2.4 The coupon cannot be read and inspected by any person outside the vehicle.

10.2.5 The coupon has not been used or activated in accordance with the instructions printed on the coupon, or which accompanied the coupon when purchased.

## 11. PAY AND DISPLAY TICKETS

Where payment of parking charge is made, or is to be made, by the use of a pay and display ticket, the following provisions shall apply:

11.1 The driver or person in charge of the vehicle shall, without delay on parking, display on or in the vehicle in a position where it can be inspected by any person outside the vehicle a valid pay and display ticket in accordance with the instructions, if any, printed on the pay and display ticket, or the instructions, if any, given by any sign relating to the restricted parking area.

11.2 A pay and display ticket shall be invalid if:

11.2.1 The ticket is torn, defaced, or mutilated to such an extent that any material particular is not legible; or

11.2.2 The authorised time on the coupon has expired; or

11.2.3 The ticket has been tampered with; or

11.2.4 The ticket is not used in accordance with the instructions (if any) relating to the use of the ticket given on the ticket or on any sign.

11.2.5 The ticket cannot be read and inspected by any person outside the vehicle.

## 12. PARKING PLACES AND TRANSPORT STATIONS

12.1 The Council may, from time to time, by resolution (subject to the erection of the required signs under the Traffic Control Devices Rule 2004, or under any Rules made under the Land Transport Act 1998), set aside any specified part of any road or any specified part of a public place, as a parking place or transport station exclusively for the use of:

12.1.1 Goods service vehicles;

12.1.2 Passenger service vehicles;

12.1.3 Taxis;

12.1.4 Vehicles used by disabled persons;

12.1.5 Any other class or description of vehicle specified in the Resolution.

12.2 The Council may, from time to time, by resolution, prescribe:

12.2.1 The number, class or description of vehicles for each parking place or transport station.

12.2.2 The rental or fee to be paid for the use of any parking place or transport station, and the manner of payment.

12.2.3 The times, manner and conditions of use of any parking place or transport station.

12.3 The Council may, from time to time, by resolution:

12.3.1 Abolish any parking place or transport station, or extend or reduce the area of any parking place or transport station.

12.3.2 Vary the number, class or description of vehicles which may use any specified parking place or transport station.

12.3.3 Vary the rental or fees payable for the use of any parking place or transport station, and the manner of payment.

### 13. METHOD OF PARKING

13.1 In any restricted parking area, parking place, or transport station, where individual parks are indicated by painting lines or other markings:

13.1.1 Each vehicle shall be parked entirely within a single parking space.

13.1.2 Only motorcycles shall park in spaces marked for the use of motorcycles.

13.2 In any restricted parking area, where any parking spaces are marked for the use of motorcycles only:

13.2.1 If the space is divided into bays for angle parking of motorcycles, no motorcycle (other than a motorcycle with a sidecar attached) shall be parked across any line marking the edge of the bay.

13.2.2 Where more than one motorcycle occupies a metered space, it shall not be necessary for more than one parking fee to be paid, provided that no motorcycle shall remain parked in the metered space after the time on the meter has expired.

### 14. TAXI AND PASSENGER SERVICE VEHICLES

14.1 No taxi shall be parked on any road or in any public place other than at a parking space or transport station set aside for the use of taxis unless the vehicle is a taxi, and has either:

14.1.1 Been hired; or

14.1.2 Is not otherwise available for hire.

14.2 No large passenger service vehicle shall be parked in any public place other than at a parking space set aside for such vehicles.

14.3 No vehicle, other than a taxi, shall park in a parking place or transport station set aside for taxis.

14.4 No vehicle, other than a large passenger service vehicle, shall park in a parking place or transport station set aside for large passenger service vehicles.

- 14.5 No passenger service vehicle exceeding 2000 kilograms in tare weight or goods service vehicle exceeding 4000 kilograms in tare weight shall be parked in any public place between midnight and 5.00am, except where such overnight parking has been specifically authorised by the Council.
- 14.6 No goods service vehicle, large passenger service vehicle, small passenger service vehicle, or rental service vehicle parked on any road or in any public place situated within the area of the Queenstown Lakes District shall be washed down or cleaned such that any water, sludge or other liquid flows from the vehicle onto any road or into a culvert, ditch or drain associated with the road.
- 14.7 No goods service vehicle, large passenger service vehicle, small passenger service vehicle, or rental service vehicle shall park on any road or public place or reserve with its engine running for a period in excess of 5-minutes.

## 15. MISCELLANEOUS

- 15.1 No vehicle shall be driven or parked on any road or in any public place so that it causes a nuisance.
- 15.2 Without the prior written consent of the Council, no person shall:
- 15.2.1 Leave or place on any road, or in any public place, any thing other than a vehicle except where the leaving or placing of such thing has been specifically authorised in writing by the Council.
- 15.2.2 Park on any road or in any public place, any vehicle displaying a "For Sale" sign, unless the vehicle is being used bona fide for travel and is parked, incidentally, in the course of such travel.
- 15.2.3 Leave any vehicle parked on any road or in any public place for a continuous period of more than 14 days other than in a designated long term parking area.
- 15.2.4 Alter, add to, repair or maintain any vehicle on any road or in any public place, unless such alterations, additions or repairs are necessary to enable the vehicle to be immediately moved from the road or public place, and only if the time taken to alter, add to, or repair the vehicle is no longer than reasonably necessary for the vehicle to be so moved; provided that in any prosecution of any person for breach of this provision in this Bylaw, the onus shall be on such person to prove that alterations, additions or repairs were necessary to enable the vehicle to be immediately moved and that, in all circumstances, the time taken to move the vehicle was reasonable.
- 15.2.5 Stop, stand or park any rental service vehicle on any road or in any public place, except in a parking place or transport station so designated under this Bylaw for the use of rental vehicles PROVIDED HOWEVER nothing in this paragraph applies to any rental vehicle actually under hire.
- 15.3 No person shall remove, deface, or otherwise interfere with any notice, board, sign, disk, meter, or pay and display machine located, erected or placed by the Council on any road or in any public place.

## 16. TRAFFIC

16.1 The Council may from time to time, by resolution (subject to the erection of any required signs under the Traffic Control Devices Rule 2004 or under any amended or substituted Rules made under the Land Transport Act 1998):

16.1.1 For the safety of the public or for the better preservation of the road, fix the maximum permissible speed for vehicles travelling on any road and to prescribe the type, nature and class of vehicle permitted to use any road.

16.1.2 Prohibit on any specified road or at or in any public place any vehicle generally or any specified class of vehicle from making turns to either the left or to the right path of travel.

16.1.3 Direct that vehicles on any specified road or in any specified place shall travel in one specified direction only.

16.1.4 Prohibit and/or restrict, absolutely or upon such conditions as may be imposed in the resolution, any specified class of vehicle or any identified vehicle from using any particular road or public place, if because of the vehicles size, the vehicles type or manner of operation, or the nature of goods or persons carried upon such vehicle, the vehicle is considered to be unsuitable for use on any such road, or in any such public place as will be detailed or specified in the resolution without such prohibition, restriction or conditional use as the case may be.

16.2 An authorised officer may direct the driver of any vehicle to fit snow chains to such vehicle on any road. If provided with this direction no person shall drive, or direct or allow such vehicle to be driven without snow chains fitted.

## 17 ONE WAY STREETS

17.1 No person shall operate any vehicle on any of the roads specified in Schedule A of this Bylaw, except in the direction specified in that schedule.

17.2 Subclause (1) is subject to the erection of the required signs under the Traffic Control Devices Rule 2004 or under any Rules made under the Land Transport Act 1998.

## 18 TRAFFIC RESTRICTIONS IN THE QUEENSTOWN LAKES DISTRICT

No person shall operate:

18.1 Any goods service vehicle or heavy vehicle, with the exception of any large passenger service vehicle, exceeding 3,000 kilograms tare weight on:

18.1.1 Beach Street;

18.1.2 Cow Lane;

18.1.3 Rees Street;

18.1.4 Marine Parade between Rees and Church Streets;

- 18.1.5 Searle Lane;
  - 18.1.6 Church Street;
  - 18.1.7 Earl Street;
  - 18.1.8 Camp Street between Shotover and Earl Streets;
  - 18.1.9 Buckingham Street in Arrowtown between Wiltshire and Berkshire Streets between 10.00am and 6.00pm on any day.
- 18.2 Any passenger service vehicle exceeding 3,000 kilograms tare weight on:
- 18.2.1 Beach Street;
  - 18.2.2 Rees Street;
  - 18.2.3 Marine Parade (Between Ballarat and Church Streets);
  - 18.2.4 Buckingham Street in Arrowtown between Wiltshire and Berkshire Streets; at any time on any day
  - 18.2.5 Helwick Street in Wanaka between Ardmore and Brownston Streets
- 18.3 Any heavy motor vehicle with a gross laden weight exceeding 3,500 kilograms on Hallenstein Street, Queenstown, except for the sole and specific purpose of delivery or collection of goods or passengers, to or from residential and commercial properties directly accessible only from Hallenstein Street.
- 18.4 A goods service vehicle or passenger service vehicle, or combination of such vehicles, having a gross laden weight of more than 14,200 kilograms or an overall length of more than 12.6 metres in that part of the Crown Range Road from the intersection of the Crown Range Road with State Highway 6 at Whitechapel to the west side of Bridge No 11 on the Crown Range Road (the 'prohibited zone'). Such prohibition is subject to the following conditions:
- 18.4.1 The prohibition shall not apply to any such prohibited vehicle where such vehicle is using the Crown Range Road for the sole and express purpose of travelling to or from properties situated within the prohibited zone.
  - 18.4.2 The prohibition shall not apply to any prohibited vehicle which is directly involved in road works, road maintenance and upkeep within the prohibited zone.
  - 18.4.3 The prohibition shall not apply and be deemed to have been lifted where there has been a temporary closure of State Highway 6 between Cromwell and Whitechapel; provided however that such temporary closure shall have been in effect for a period in excess of three hours.
  - 18.4.4 The prohibition shall not apply to any vehicle using the prohibited zone which is carrying and displaying a valid permit issued in respect of the said vehicle under regulation

7 of the Heavy Motor Vehicle Regulations 1974 and/or section 5 of the Land Transport Rule: Vehicle Dimensions and Mass 2002.

- 18.5 Any skateboard at any time in:
- 18.5.1 Any part of the area bounded by Shotover Street (between Rees and Stanley Streets), Stanley Street (between Shotover and Ballarat Streets), Ballarat Street (between Stanley and Camp Streets), Camp Street (between Ballarat and Earl Streets), Earl Street (between Camp Street and Marine Parade), Marine Parade, Rees Street and Beach Street (between Rees and Shotover Streets).
  - 18.5.2 Duke Street
  - 18.5.3 Brecon Street (between Shotover and Man Streets)
- 18.6 Subclauses 18.1, 18.2, 18.3, and 18.4 are subject to the erection of the required signs under the Traffic Control Devices Rule 2004 or under any Rules made under the Land Transport Act 1998.
- 18.7 Rubbish and waste collection vehicles operating under and pursuant to any Waste Management Collection Contract with the Council in collecting rubbish and waste from the Central Queenstown area are exempted from the provisions of Clauses 18.1 and 18.4 hereof.
- 18.8 The Chief Executive Officer of the Council is expressly authorised to issue permits to contractors and construction vehicles in respect of specified construction contracts and projects within the Central Queenstown and Wanaka areas so as to permit such vehicles on specific days to load and unload materials and supplies for such projects within such Central Queenstown and Wanaka areas and to use the various roads and streets as detailed in Clauses 18.1 and 18.2 hereof between 10.00am and 6.00pm on any day subject to such conditions as may be included in such permit by the said Chief Executive Officer.
- 18.9 The Chief Executive Officer of the Council is expressly authorised to issue permits to events organisers in respect of specified events within the Central Queenstown and Wanaka areas so as to permit parking spaces to be occupied within such Central Queenstown and Wanaka areas and the use of the various roads and streets as detailed in Clauses 18.1 and 18.2 hereof between 10.00am and 6.00pm on any day subject to such conditions as may be included in such permit by the said Chief Executive Officer.

## 19 INSPECTION

Any parking warden or any enforcement officer may, for the purposes of this Bylaw:

- 19.1 Inspect any parked vehicle.
- 19.2 Inspect any parking coupon or pay and display ticket or parking meter.

- 19.3 Require the driver, or any person appearing to be in charge of a parked vehicle, to produce for inspection any parking coupon or pay and display ticket.
- 19.4 Retain for the purposes of any proceedings under this bylaw, any parking coupon or pay and display ticket produced for inspection pursuant to a requirement issued under 19.3 of this bylaw, where the parking warden or enforcement officer believes on reasonable grounds that the parking coupon or pay and display ticket has been rendered invalid.

## 20 OFFENCES

- 20.1 The operation, driving, using or parking of any vehicle in breach of any of the provisions of this Bylaw or any resolution made under this Bylaw is a breach of this Bylaw.
- 20.2 Without limiting the liability of any person under any enactment, for a breach of this Bylaw, every person commits an offence against the Bylaw who:
  - 20.2.1 Commits a breach of this Bylaw.
  - 20.2.2 Causes or permits to be done, anything contrary to this Bylaw.
  - 20.2.3 Omits, fails or refuses to do anything required by this Bylaw.
  - 20.2.4 Operates any vehicle contrary to this Bylaw.
  - 20.2.5 As the owner of anything parked or left on any road or in any public place does any act contrary to the provisions of this Bylaw.
  - 20.2.6 Is the driver, operator, person in charge, or user of any vehicle, which is driven, operated, used or parked in breach of this Bylaw.
  - 20.2.7 Operates any vehicle contrary to any resolution made by the Council under clause 16 of this Bylaw.
  - 20.2.8 Operates any vehicle contrary to the provisions of clause 18 hereof.
- 20.3 Nothing in this clause limits the liability of any person for an infringement offence under Section 2(1) of the Land Transport Act 1998.

## 21 DEFENCE

- 21.1 It is a defence to any person charged with a breach of this Bylaw, or any resolution made under this Bylaw, if that person proves that the act or omission complained of was:
  - 21.1.1 Done in an emergency.
  - 21.1.2 Done in compliance with the directions of a parking warden, enforcement officer, constable, traffic signal or traffic sign.



21.1.3 In the case of an act done by a parking warden, enforcement officer, or constable, necessary in the execution of the duty of the parking warden, enforcement officer or constable.

## 22 PENALTIES

Without limiting the liability of any person under any enactment, for a breach of this Bylaw, any person who commits an offence against this Bylaw is liable to:

- 22.1 If the offence is an infringement offence under sections 41A, 42A and Schedule 2 of the Land Transport (Road Safety and Other Matters) Amendment Act 2011, the infringement fee fixed by that Act or regulations made under the Land Transport Act 1998, together with any towage fee incurred by the Council;
- 22.2 Notwithstanding 22.1, pursuant to the relevant provision of Part 10 of the Second Schedule of the Land Transport (Road Safety and Other Matters) Amendment Act 2011, a breach of a provision specified in the first column of Schedule B is an infringement offence, and the infringement fee is that amount specified in the third column of Schedule B.

## SCHEDULE A

## Clause 17.1

This Schedule forms part of and is to be read in conjunction with  
THE QUEENSTOWN LAKES DISTRICT COUNCIL TRAFFIC AND PARKING BYLAW  
2012

Name of street and required direction of movement:

<u>Beach Street</u>	-	Southwesterly from Camp Street to Shotover Street
<u>Cow Lane</u>	-	Southwesterly then northwesterly from Camp Street to Beach Street
<u>Rees Street/Marine Parade</u>	-	Southeasterly from Shotover Street to Church Street
<u>Marine Parade</u>	-	Northwesterly from Earl Street to Church Street
<u>Camp Street</u>	-	Southeasterly from Church Street to Earl Street
<u>Earl Street</u>	-	Southwesterly from Camp Street to Marine Parade.
<u>Church Street</u>	-	Northeasterly from Marine Parade to Camp Street
<u>Searle Lane</u>	-	Northwesterly from Church Street turning northeasterly to Camp Street
<u>Henry Street</u>	-	Northwesterly from Ballarat Street to Gorge Road
<u>Duke Street/Brecon Street</u>	-	In a southerly direction from the roundabout intersection at the junction of Man Street, Camp Street and Memorial Lane turning southeasterly onto Brecon Street to Shotover Street
<u>Templeton Way</u>	-	In a northerly direction for its full length from its intersection with Memorial Street
<u>Unnamed service lane located between 101 and 105 Ardmore Street</u>	-	In a northwesterly direction for its full length

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## SCHEDULE B

## Clause 23.2

This Schedule forms part of and is to be read in conjunction with  
 THE QUEENSTOWN LAKES DISTRICT COUNCIL TRAFFIC AND PARKING BYLAW  
 2012

Provision	Brief description	Infringement fee (\$)
16.3	Operating a vehicle without snow chains when directed	150
18.1	Operating certain vehicles over 3,000 kg tare weight on prohibited roads at prohibited times	150
18.2	Operating a passenger service vehicle over 3000 kg tare weight on prohibited roads	150
18.3	Operating a heavy motor vehicle over 3,500 kg tare weight on Hallenstein Street other than for delivery or collection of goods or passengers	150
18.4	Operating a goods service vehicle or passenger service vehicle, or combination of such vehicles, having a gross laden weight of more than 14,200 kilograms or an overall length exceeding 12.6 metres on the Crown Range Road.	500
18.5	Using a skateboard in a prohibited area	50

(THE QUEENSTOWN LAKES DISTRICT COUNCIL TRAFFIC AND PARKING BYLAW 2012)

This Bylaw was adopted pursuant to a Resolution passed by the Queenstown Lakes District Council on the [ ] day of [ ] 2012 under the Special Order process of the Local Government Act 2002

Mayor

Chief Executive  
Officer

The attached Bylaw "The Queenstown Lakes District Council Traffic and Parking Bylaw 2012" was confirmed pursuant to a Resolution passed by the Queenstown Lakes District Council on the [ ] day of [ ] 2012 under the Special Order process of the Local Government Act 2002.

Mayor

Chief Executive  
Officer

**QLDC Council  
3 May 2018****Report for Agenda Item: 6****Department: Property & Infrastructure****Trade Waste Bylaw 2014 Review****Purpose**

The purpose of this report is to confirm Council's intention to review the Trade Waste Bylaw 2014 and the proposed methodology for the review.

**Recommendation**

That 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.

Prepared by:



Myles Lind  
Asset Planning Manager

10/04/2018

Reviewed and Authorised by:



Peter Hansby  
General Manager, Property  
and Infrastructure  
11/04/2018

## Background

- 1 The Queenstown Lakes District Council Trade Waste Bylaw 2014 (the Bylaw) applies to all premises that discharge trade waste as well as all tankered waste discharged to the wastewater network within the district.
- 2 The Bylaw is included as **Attachment A**.
- 3 The Bylaw was structured on the NZS 9201.23:2004 Model Trade Waste Bylaw with amendments. It was adopted by Council on 30 July 2015 and came into force on 1 August 2015.
- 4 Section 158(1) of the Local Government Act 2002 (LGA) requires bylaws to be reviewed within 5 years of being adopted.

## Comment

### Legislative Framework for the Current Bylaw

- 5 The Bylaw was made under Sections 145, 146 and 148 of the LGA. Section 145 enables councils to make Bylaws for the purposes of:
  - a. Protecting the public from nuisance.
  - b. Protecting, promoting and maintaining public health and safety.
  - c. Minimising the potential for offensive behaviour in public places.
- 6 Section 146 specifically provides for councils to make Bylaws in relation to:
  - a. regulating trade wastes.
  - b. managing, regulating against or protecting from damage, misuse, or loss or for preventing the use of infrastructure associated with wastewater.
- 7 Section 148 imposes special requirements for trade waste bylaws including providing proposed Bylaws to the Minister of Health for comment and an extended public consultation process.
- 8 Copies of proposed Bylaws must also be sent to owners/occupiers of identified trade premises.

### Implementation of the Current Bylaw

- 9 In consulting on the current Bylaw in 2014/15, Council outlined an intention to stagger its implementation, first with a focus on education to enable businesses to amend current practices, with an outcome of self-regulation and compliance prior to the full implementation of the Bylaw.
- 10 Further, it was noted that there was no budget provision for the implementation of the Bylaw. As a result, although Council has a regulatory framework in place for trade waste, it has not been formally acted on.

- 11 Rather than proceed with implementation with a review pending in the next couple of years, it is recommended that the review be undertaken earlier than statutorily required to ensure any future regulatory activity is appropriate.
- 12 Through education engagement with trade customers over 2016/17, it has been identified that the trade waste customer types and management needs of the district have changed since the development of the Bylaw in 2014.
- 13 There has also been an increased focus from the Otago Regional Council requiring changes in the management of wastewater networks that further supports the need for an earlier review of the Bylaw.

### **Methodology for the Review**

- 14 In accordance with the requirements of Section 155 of the LGA, the approach to the Bylaw review will seek to determine whether a Bylaw is the most appropriate way of addressing the perceived problem. To that end, the following questions will define the Bylaw review scope:
  - a. Was the policy intent of the Bylaw met when managing trade waste issues?
  - b. Are there regulatory or non-regulatory alternatives to the Bylaw?
  - c. Are there new issues that need to be considered?
  - d. Does Council have the capacity to continue educating and enforcing compliance under different growth scenarios?
- 15 The following matters are out-of-scope for the Bylaw review:
  - a. Wastewater treatment plant process changes.
  - b. Management and resource consent requirements of the Council's sewerage system.
  - c. Management of trade discharges into private sewerage systems.
- 16 The review will be evidence based and will hold fairness and transparency as overarching and guiding principles.
- 17 Council staff have begun the discovery phase of the review through interviews with internal and external stakeholders, preliminary data organisation and background research.
- 18 In accordance with the requirements of Section 155 of the LGA, Council staff propose the following methodological steps to the review for Council approval.
  - a. Cluster issues into the following groups to facilitate efficient and effective analysis:
    - i. Small trade waste customers

- ii. Large trade waste customers
  - iii. Tankered liquid waste
- b. Proceed with following evidence gathering activities:
- i. Analysis of Council complaints and Request for Service (RFS) data
  - ii. Analysis of wastewater network performance
  - iii. Analysis of wastewater treatment plant performance
  - iv. Focus group research
  - v. Modelling of issues under different scenarios and cost benefit analysis of enforcement costs under these scenarios
- c. Consolidate research into an issue paper.

19 A determination report will be submitted to Council in July with recommendations either to confirm, amend or revoke the Bylaw.

20 Should Council resolve to amend or revoke the Bylaw after consideration of the Determination Report, a public consultation process that meets the requirements of both Section 148 and Section 156 of the LGA would be commenced.

### **Options**

21 Option 1 Do not review the Bylaw

*Advantages:*

22 Resource assigned to the Bylaw review can be reallocated to other projects.

23 The existing Bylaw could be implemented should budget be allocated.

*Disadvantages:*

24 Implementing the existing Bylaw may result in inappropriate regulatory activities given the passage of time since the last determination and the rapid growth changes in the district.

25 Council will miss the opportunity to consider trade waste issues that may have arisen since the last Bylaw and potential regulatory and non-regulatory response to these.

26 Council will miss the opportunity to consider the opportunities available to extend the regulation of trade waste to the stormwater network.

27 Option 2 Review the Trade Waste Bylaw 2014

*Advantages:*



- 28 Council can consider the implementation of any new regulatory activities in light of current issues and recent and forecast growth of the district.
- 29 Council can consider trade waste issues that have arisen since the last Bylaw and potential regulatory and non-regulatory response to these.
- 30 Council can consider pending issues and potential regulatory and non-regulatory response to these.
- 31 Council can consider the opportunities available to extend the regulation of trade waste to include discharges the public stormwater network.

*Disadvantages:*

- 32 The existing Bylaw will not be implemented.
- 33 This report recommends **Option 2** for addressing the matter because:
  - a. Council will meet its statutory requirements for reviewing the Bylaw as set out in the LGA.
  - b. The Bylaw will continue to be in force during the review meaning Council may regulate trade waste if resource and budget was available.
  - c. Council can consider current and foreseeable future issues in the management and regulation of trade waste, and consider regulatory and non-regulatory responses to these matters in consultation with stakeholders and the public.

***Significance and Engagement***

- 34 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy. Although the matter is of interest to some members of the community, this decision is to begin a review, whereas any subsequent decision to retain, amend or revoke the bylaw will have higher significance because of the impact of the decision.

***Risk***

- 35 This matter relates to the strategic risk SR3 - Management Practice - working within legislation, as documented in the Council's risk register. The risk is classed as moderate. This matter relates to this risk because the primary legislation which Council operates within requires reviews of Bylaws to be completed within set, fixed timeframes, and comply with community engagement and set consultative procedures, including confirmation that any Bylaw does not breach the New Zealand Bill of Rights Act 1990.
- 36 The recommended option considered above mitigates the risk by treating the risk - putting measures in place which directly impact the risk.

37 The recommended option will be implemented in such a way that all the requirements of the LGA and the Bill of Rights Act are identified, tracked and fulfilled to the satisfaction of Council's in-house legal counsel.

### **Financial Implications**

38 The cost of the review will be met from existing budgets.

### **Council Policies, Strategies and Bylaws**

39 The following Council policies, strategies and bylaws were considered:

- Draft 10-Year Plan 2018-2028 strategic framework contributing to efficient and effective infrastructure and a responsive organisation
- Trade Waste Bylaw 2014 as existing regulation
- Waste Minimisation Strategy supporting reducing the harmful effects of waste.

40 The recommended option is consistent with the principles set out in the named policy/policies.

41 There are three phases to a Bylaw review:

- a. Evaluation of the existing Bylaw and next steps (is a Bylaw appropriate)
- b. Further recommendations (investigate alternative approaches or significant changes)
- c. Statutory consultation.

### **Local Government Act 2002 Purpose Provisions**

42 The recommended option:

- Will help meet the current and future foreseeable needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by developing an enabling and responsive regulatory framework for the management of traffic and parking issues in the district;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan; and
- Is consistent with the Council's plans and policies.

### **Consultation: Community Views and Preferences**

43 The persons who are affected by or interested in this matter are small and large businesses generating trade wastes, business associations, Otago Regional Council and Ministry of Health.

44 The Council has met with all of the trade waste customers throughout the district as part of its trade waste education roll out undertaken between 2016 and 2017.

- 45 The Council has made initial contact with the Otago Regional Council about the intention to review the Bylaw.
- 46 Other stakeholders will be invited for discussions on issues and opinions as part of the information gathering stage to inform the findings report and next steps recommendations.
- 47 Should Council endorse a new or amended Bylaw in July, a formal consultative process, open to all members of the community, will be undertaken in accordance with Sections 148 and 156 of the LGA.

### **Legal Considerations and Statutory Responsibilities**

- 48 Staff will work with Council in-house legal team on the legislative options that the bylaw may be developed under and the appropriateness and legality of addressing issues through a bylaw.

### **Attachments**

- A Trade Waste Bylaw 2014



## **TRADE WASTE BYLAW 2014**

## QUEENSTOWN LAKES DISTRICT COUNCIL TRADE WASTE BYLAW 2014

### PART 1 – ADMINISTRATION

#### 1 TITLE AND COMMENCEMENT

- a) The Queenstown Lakes District Council makes the Queenstown Lakes District Council Trade Waste Bylaw 2014.
- b) This bylaw is made pursuant to sections 145, 146 and 148 of the Local Government Act 2002.
- c) This bylaw is "The Queenstown Lakes District Council Trade Waste Bylaw 2014".
- d) This bylaw applies to all premises that discharge trade waste as well as all tankered waste discharged within the Queenstown Lakes District.

#### 2 PURPOSE

- a) The purposes of this bylaw are to:
  - i. protect the water quality within the district's rivers and lakes;
  - ii. give effect to Queenstown Lakes District Council's obligations under National Environmental Standards and Regional Plan rules, and achieve compliance with the resource consents that apply within the Queenstown Lakes District;
  - iii. protect the health, safety and wellbeing of people within the Queenstown Lakes District;
  - iv. ensure that the Queenstown Lakes District Council can meet its obligations under the Resource Management Act 1991 and the Local Government Act 2002;
  - v. protect the wastewater network (including the treatment plant) from substances that have a detrimental effect on its operation and asset life;
  - vi. optimise the capacity of wastewater infrastructure and treatment assets;
  - vii. ensure compliance with resource consent conditions;
  - viii. provide a basis for monitoring discharges from industry and trade premises;
  - ix. encourage waste minimisation; and
  - x. encourage water conservation.

#### 3 SCOPE

- a) This bylaw provides for the:
  - i. establishment of three grades of trade waste: Permitted, Conditional and Prohibited;
  - ii. acceptance of long-term, intermittent, or temporary discharges of trade waste that are controlled or permitted into the wastewater network and the exclusion of prohibited trade waste;
  - iii. specification of permitted discharges so that the capacity of the wastewater network is not exceeded;
  - iv. regulation of trade waste that may increase the operational and maintenance costs of the wastewater network and treatment system;
  - v. prohibition of trade waste that decreases the effectiveness of the wastewater treatment system;

- vi. correct storage of materials in order to protect the wastewater network from spillage of hazardous substances;
- vii. pre-treatment of waste before it is accepted for discharge to the wastewater network;
- viii. dischargers of trade waste to be required to undertake sampling and monitoring of trade waste to ensure compliance with the bylaw;
- ix. Council to accept or refuse a trade waste discharge of specified characteristics;
- x. charges to be set to cover the cost of administration and monitoring of a trade waste scheme;
- xi. disconnection of premises from the wastewater network in the event of unauthorised discharges of trade waste; and
- xii. use of enforcement powers, including penalties to be applied to persons who discharge or permit discharges of trade waste in a manner that does not comply with this bylaw.

#### 4 OTHER LEGAL REQUIREMENTS NOT AFFECTED

- a) Compliance with this bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, regional plans, district plans or resource consents.

#### 5 INTERPRETATION

- a) Any expression used in this bylaw, which is not defined, shall have the same meaning as given to such expression in any of the following legislation: the Resource Management Act 1991, the Building Act 1991, the Local Government Act 2002, the Health Act 1956, and any subsequent amendments.
- b) In the event that the provisions of this bylaw conflict with the provisions of the Local Government Act 2002, the provisions of the Local Government Act 2002 shall prevail.
- c) Explanatory notes and additional information following the clauses of this bylaw are for information purposes only, do not form part of this bylaw and may be made, amended, revoked or replaced by the Council at any time.
- d) The words used in this bylaw have the following meanings:
  - Approved Device** means a device that meets the accuracy and other specifications set by the Council for measurement or monitoring of waste characteristics.

**Conditional** trade waste means a trade waste which has, or is likely to have no prohibited characteristics and which exceeds any one or more of the characteristic set out in Schedule 1A of this bylaw.

**Consent** means a trade waste consent, with conditions given in writing by the Queenstown Lakes District Council to an owner or occupier of a trade premises with a wastewater service connection.

**Discharge** includes emit, deposit, and allow to escape on a continuous, intermittent or temporary basis.

**Food business** has the same meaning as section 10 of the Food Act 2014<sup>1</sup>.

**Food premises** means premises from which a food business operates.

**Hazardous materials** means raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any material which when mixed with the wastewater stream is likely to generate toxic, flammable, explosive or corrosive materials or any other material likely to be deleterious to the Council Sewer or the health and safety of Council staff and the public; or any hazardous substance as defined in the Hazardous Substances and New Organisms Act 1996.

**Management plan** means the plan for management of trade waste operations on the Premises, and may include provision for cleaner production, waste minimization, monitoring and recording of discharges, contingency management procedures, and any relevant industry Code of Practice.

**Permitted trade waste** means a trade waste with the characteristics set out in Schedule 1A of this bylaw.

**Person** includes a person, the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporated.

**Point of discharge** is the connection point between the wastewater network and a private drain.

**Premises** means either:

- i. a property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued; or
- ii. a building or part of a building that has been defined as an individual unit by a crosslease, unit title or company lease and for which a certificate of title is available; or
- iii. land held in public ownership (e.g. reserve) for a particular purpose; or
- iv. individual units in buildings which are separately leased or separately occupied.

**Prohibited trade waste** means a trade waste with the characteristics set out in Schedule 1B of this bylaw.

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<sup>1</sup> Section 10 of the Food Act 2014 provides: “**food business**—  
 (a) means a business, activity, or undertaking that trades in food (whether in whole or in part); and  
 (b) includes a business, activity, or undertaking that—  
     (i) sells food on the Internet; or  
     (ii) is declared by the Governor-General, by Order in Council made under [section 393](#), to be a food business for the purposes of this Act; but  
 (c) does not include a business, activity, or undertaking—  
     (i) merely because it carries on a business other than trading in food and, in the course of doing so, acts as an intermediary between persons who trade in food by providing, for reward, a place (including mobile premises) or services (for example, an Internet service provider or an auction site on the Internet); or  
     (ii) that is declared by the Governor-General, by Order in Council made under [section 393](#), not to be a food business for the purposes of this Act.”

**Tankered Waste** means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, but excludes Domestic Sewage discharged directly from house buses, caravans, buses and similar vehicles.

**Temporary discharge** means any discharge of an intermittent or short duration and includes the short-term discharge of an unusual waste from Premises subject to an existing Consent.

**Trade Premises** means:

- i. any premises used or intended to be used for any industrial or trade purpose; or
- ii. any premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- iii. any other premises from which a contaminant is discharged in connection with any industrial or trade process; or
- iv. any other premises discharging other than domestic sewage to the wastewater network and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

**Trade Waste** is any liquid or gas, with or without matter in suspension or solution, that is or may be discharged from a Trade Premises to the Council's wastewater network in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and excludes condensing or cooling waters and stormwater which cannot be practically separated, or domestic sewage.

**Wastewater** means water or other liquid, including waste matter in solution or suspension, discharged by any method from any Premises to the wastewater network.

**Wastewater Network** means the system for collection, treatment and disposal of wastewater and trade waste, including all sewers, pumping stations, storage tanks, sewage treatment plants, outfalls, and other related structures operated by the Council and used for the reception, treatment and disposal of trade waste.

## **PART 2 – DISCHARGE OF TRADE WASTE TO THE WASTEWATER NETWORK**

### **1 DUTY TO CONTROL DISCHARGES**

- a) No person may discharge trade waste into the wastewater network, in a manner contravenes this bylaw.
- b) No person may discharge trade waste with constituents or characteristics that exceed the parameters specified in schedule 1A unless a trade waste consent has first been obtained.
- c) No person may discharge solid waste into the wastewater network.
- d) No person may discharge trade waste with constituents or characteristics in a manner that contravenes a trade waste consent.
- e) No person may discharge, or allow to be discharged tankered waste into the wastewater network other than at an approved location.



- f) No person may make any false or inaccurate statement or disclosure as to the contents of any tankered waste or any trade waste.
- g) No person may discharge trade waste with constituents or characteristics that are specified as prohibited in Schedule 1B.
- h) The Council may prohibit the discharge of trade waste which contravene this bylaw by removing, closing or modifying the wastewater connection access point in a manner that prevents a discharge of trade waste from the premises.
- i) Occupiers of trade premises shall maintain service and maintenance contracts for pre-treatment devices at the occupier's expense.
- j) The occupier must, at its expense, use processes, equipment or storage facilities to control:
  - i. the quality, quantity and rate of trade waste discharged from the trade premises; and
  - ii. the constituents, or characteristics in trade waste in accordance with any trade waste consent conditions;
 prior to the point of discharge into the wastewater network.

## **2 CONTROL OF TRADE WASTE DISCHARGES**

- a) Where the trade waste includes, or is likely to include, fats, grease or oils in excess of 100 grams per 1000 litres each day:
  - i. grease traps must be installed at the trade premises; and
  - ii. occupiers must use and maintain the grease traps.

## **3 CONTROL OF TRADE WASTE FROM FOOD PREMISES**

- a) Refuse or garbage grinders and macerators shall not be used to dispose of solid waste from food premises to the wastewater network unless approved by Council.

**Explanatory note:** *premises such as Marae, churches, public halls and facilities, school catering facilities or kitchens must fit grease traps and obtain a trade waste consent.*

## **4 NO DILUTION OF TRADE WASTE**

- a) No person may add or permit the addition of any potable, condensing, cooling water or stormwater to any trade waste stream in order to vary the characteristics of the waste, unless the Council has granted a trade waste consent;

## **5 DISCHARGE OR STORAGE OF HAZARDOUS MATERIALS**

- a) No person may discharge hazardous waste into the wastewater network.
- b) No person shall store at any trade premises raw material, products or waste containing:
  - i. corrosive, toxic, biocidal, radioactive, flammable, or explosive materials; or any material which, when mixed with the wastewater stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous; or
  - ii. any other material likely to be harmful to the wastewater network or the health and safety of people;

without taking all reasonable steps to prevent entry into the wastewater network from leakage, spillage or other mishap.

## **PART 3 – TRADE WASTE CONSENTS**

### **1 APPLICATION FOR A TRADE WASTE CONSENT**

- a) Every person who discharges, or is likely to discharge, trade waste or tankered waste is required to apply in the prescribed form for a trade waste consent:
  - i. in the case of trade premises or tankered waste operation that exists at 1 August 2015, an application must be made prior to 1 December 2015; or
  - ii. in all other cases prior to the commencement of a discharge of trade waste.
- b) Every person who discharges, or is likely to discharge trade waste with characteristics that may exceed the limits specified in a trade waste consent is required to apply for a variation of the trade waste consent.
- c) Every person who changes or is likely to change an approved means of pre-treatment for a discharge that is permitted by a trade waste consent is required to apply for a variation of the trade waste consent.
- d) All applications must be made in the prescribed form and be accompanied by the application fees.
- e) No discharges of trade waste with volumes, characteristics or constituents prohibited by this bylaw shall be approved to be discharged into the wastewater network.
- f) Within 10 working days of receiving an application for a trade waste consent to discharge from any premises or to vary a trade waste consent, the Council may require the applicant to:
  - i. submit any additional information which it considers necessary to determine the application;
  - ii. submit a trade waste management plan;
  - iii. obtain an independent report or producer statement completed by a suitably experienced and qualified person to verify any or all information supplied by the applicant, including any management plan; and/or
  - iv. present an analysis of the trade waste together with a report interpreting those results.

### **2 DECISION ON APPLICATION**

- a) The Council must determine an application for a trade waste consent and issue its decision to either:
  - i. grant the application as a permitted trade waste where the characteristics of the trade waste meet the parameters in schedule 1A; or
  - ii. grant the application as a conditional trade waste discharge consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of consent to the discharge; or
  - iii. decline the application and notify the applicant of the decision giving a statement of the reasons for refusal (this may include a requirement that the applicant enter into a specific trade waste agreement with the Council); or
  - iv. Decline the application as the trade waste has prohibited characteristics.

### **3 APPLICATION CONSIDERATION CRITERIA**

- a) The Council is not required to issue a trade waste consent until it receives any charge or fee fixed by it in relation to the application consent.
- b) In considering any application for a trade waste consent to discharge from any trade premises or to discharge tankered waste into the wastewater network on such a consent, the Council must have regard to the following matters:
  - i. the quality, volume, and rate of discharge of the trade waste from such premises or tanker.
  - ii. the health and safety of people.
  - iii. the limits and/or maximum values for characteristics of trade waste as specified in Schedule 1A of this Bylaw.
  - iv. the extent to which the trade waste may react with other trade waste or wastewater to produce an undesirable effect, e.g. settlement of solids.
  - v. production of odours, accelerated corrosion and deterioration of the wastewater network.
  - vi. the flows and velocities in the wastewater network and the material or construction of the wastewater network.
  - vii. the capacity of the wastewater network and other facilities.
  - viii. the nature of any wastewater treatment process and the degree to which the trade waste is capable of being treated in the wastewater treatment plant.
  - ix. the timing and balancing of flows into the wastewater network.
  - x. any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of wastewater sludges, beneficial use of biosolids, and any discharge to air (including the necessity for compliance with any Resource Consent, discharge permit or water classification).
  - xi. the effect of the trade waste discharge on the ultimate receiving environment.
  - xii. the conditions on Resource Consents for the wastewater network and the residuals from it.
  - xiii. the possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the wastewater network or the environment.
  - xiv. consideration of other existing or future discharges.
  - xv. the amenability of the trade waste to pre-treatment.
  - xvi. existing pre-treatment works on the premises and the potential for their future use.
  - xvii. cleaner production techniques and waste minimisation practices.
  - xviii. requirements and limitations related to wastewater sludge disposal and reuse.
  - xix. requirements to control and isolate stormwater.
  - xx. any Management Plan.
  - xxi. tankered waste being discharged at an approved location/s.
  - xxii. whether it would be more appropriate for the discharge to be controlled pursuant to a trade waste agreement.

### **4 CONDITIONS OF TRADE WASTE CONSENT – GENERAL**

- a) A trade waste consent may be granted for a period of up to 5 years.

- b) A trade waste consent to discharge may impose restrictions on trade waste discharges by:
  - i. specifying mass, volume, pH, temperature and concentration limits for any constituent or characteristic; and
  - ii. specifying the rate of discharge of any constituent or characteristic.
- c) Any consent may be granted subject to such conditions that the Council may impose, including but not limited to:
  - i. the particular public part of the wastewater network to which the discharge will be made;
  - ii. the maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
  - iii. the maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined by the processing officer;
  - iv. the period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
  - v. the degree of acidity, or alkalinity of the discharge at the time of discharge;
  - vi. the temperature of the trade waste at the time of discharge;
  - vii. the provision by, or for the Consent Holder, at the Consent Holder's expense, of screens, grease traps, silt traps or other pre-treatment works to control trade waste discharge characteristics to the consented levels;
  - viii. the provision and maintenance at the Consent Holder's expense of inspection chambers, manholes or other apparatus or devices to provide safe and reasonable access to drains for sampling and inspection;
  - ix. the provision and maintenance of a sampling and analysis programme, and flow measurement requirements, at the Consent Holder's expense;
  - x. the method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in determining compliance with the Consent and for determining the amount of any trade waste charges applicable to that discharge;
  - xi. the provision and maintenance by, and at the expense of, the Consent Holder of such meters or devices as may be required to measure the volume or flow rate of any trade waste being discharged from the premises, and for the calibration of such meters;
  - xii. the provision and maintenance, at the Consent Holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices including safe sampling points of access as may be required;
  - xiii. at times specified, the provision in a Council approved format by the Consent Holder to the Council of all flow and/or volume records and results of analyses;
  - xiv. risk assessment of damage to the environment due to an accidental discharge of a chemical;
  - xv. the provision and implementation of a management plan;
  - xvi. waste minimisation and management;
  - xvii. cleaner production techniques;
  - xviii. remote monitoring and/or control of discharges;

- xix. third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal);
- xx. the requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council's Sewerage System, its treatment plants, or could result in the Council being in breach of any statutory obligation;
- xxi. the amount, if any, of cooling water, condensing water or stormwater which cannot practically be separated from trade wastes, that may be included with the discharge;
- xxii. the cessation of a consent to discharge putrescible wastes to the wastewater network when the Council has provided or arranged an alternative commercial collection and disposal system; and
- xxiii. a prescribed sampling and monitoring programme to be carried out by the consent holder or occupier of the trade premises or tinkered waste operation.

## **5 TANKERED WASTE**

- a) Tankered waste shall not be discharged into the Council's wastewater network by any person or Consent Holder not compliant with the Liquid and Hazardous Wastes Code of Practice.
- b) Council may accept tankered waste for discharge at an approved location.
- c) Tankered waste shall:
  - i. be transported by a Consent Holder to discharge domestic septic tank or industrial wastes;
  - ii. have material safety data sheets (MSDS) supplied to Council detailing the contents of a waste; and
  - iii. be tested to determine their character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all testing and advice shall be borne by the Consent Holder.
- d) To prevent cross-contamination between tanker loads, the tanker shall be thoroughly washed prior to collecting a load for disposal into the wastewater network.
- e) The discharger of tankered waste must give 24 hours' notice for the disposal of wastes other than those sourced from domestic septic tanks.

## **6 CONDITIONS OF TRADE WASTE CONSENT FOR TANKERED WASTE - MASS, VOLUME, RATE, CONCENTRATION, TEMPERATURE AND PH VALUES**

- a) Limits on the mass, volume, concentration, pH or temperature may be imposed for any constituent. Any characteristic that is subject to mass limit restrictions shall also have its maximum concentration limited.
- b) When setting mass, volume and concentration limit restrictions for a particular constituent in a trade waste consent the Council must have regard to:
  - i. conditions in the wastewater network near the trade waste discharge point and elsewhere in the wastewater network;
  - ii. the extent to which the available industrial capacity for the Constituent was met during the Council's preceding financial year, and the expected levels of the Constituent for the forthcoming financial year;
  - iii. if the applicant uses cleaner production techniques;

- iv. if the applicant has established a programme to achieve a programme to achieve cleaner production techniques to the satisfaction of the Council within a satisfactory period;
- v. if in the opinion of the Council, there is any advantage to increasing the discharge of a particular constituent in exchange for decreasing the discharge of another constituent;
- vi. any requirements of the Council to meet resource consent conditions or regional plan rules;
- vii. any requirements of the Council to reduce the pollutant discharge of the trade waste or wastewater;
- viii. how great a proportion the mass flow of a constituent of the discharge will be of the total mass flow of that characteristic in the wastewater;
- ix. the total mass of the constituent allowable in the wastewater, and the proportion (if any) to be reserved for future allocations of discharge of such constituents to other consent holders; and
- x. if there is an interaction with other constituents which increases or decreases the effect of their characteristic on the wastewater network including reticulation, treatment process, or receiving water (or land).

## **7 REVIEW OF TRADE WASTE CONSENT**

- a) The Council may at any time during the term of a trade waste consent, by written notice to the consent holder review the trade waste consent and vary any condition of the trade waste consent where a change to a condition is necessary:
  - i. following a review of the performance of pre-treatment devices or processes;
  - ii. to meet any new Resource Consent imposed on the discharge from the Council's Wastewater network; and/or
  - iii. to comply with any other legal requirements that must be met by the Council.

## **8 TRANSFER OF TRADE WASTE CONSENT**

- a) A trade waste consent to discharge shall be issued in the name of the given Consent Holder.
- b) The Consent Holder shall not, unless written approval is obtained from Council:
  - i. transfer to any other party the rights and responsibilities provided for under this bylaw, and under the consent; or
  - ii. allow a point of discharge to serve another premises, or the private drain to that point to extend by pipe, or any other means, to serve another premises.
- c) Transfer of a trade waste consent on change of ownership of a premises shall not be unreasonably withheld if the characteristics of the wastewater remain unchanged.
- d) When an occupier ceases to occupy a premises from which trade waste are discharged into the wastewater network, any trade waste consent shall terminate, unless a transfer is effected prior to vacating the premises.

- e) The consent holder remains liable for the failure to meet any obligations existing at the date of termination notwithstanding termination of the trade waste consent.

## **9 CANCELLATION OF TRADE WASTE CONSENT**

- a) The Council may suspend or cancel any consent to discharge at any time following not less than 20 working days' notice, to the consent holder or person discharging or person allowing a discharge of any trade waste, where in the opinion of an enforcement officer:
  - i. the consent holder has failed to comply with any condition of the trade waste consent;
  - ii. the consent holder has failed to maintain control over the discharge;
  - iii. the consent holder is discharging or allowing the discharge of any prohibited trade waste;
  - iv. the consent holder has failed to provide and when appropriate update a Management Plan as required for a conditional trade waste consent; and/or
  - v. the consent holder has failed to pay any applicable fees.
- b) The Council may suspend or cancel any trade waste consent to discharge at any time following not less than 24 hours' notice to the Consent Holder or person discharging any trade waste or tankered waste where in the opinion of an enforcement officer:
  - i. any breach of a Resource Consent held by the Council, has arisen from (whether wholly or partly) by the trade waste discharge;
  - ii. any act or omission of the consent holder is, or is likely to:
    - (a) adversely affect the safety of the wastewater network;
    - (b) damage to any part of the wastewater network;
    - (c) adversely affect the health of any person;
    - (d) adversely affect the safety of any person; or
    - (e) adversely affect the environment; and/or
  - iii. it is necessary for the Council to comply with any other legal requirement.

## **PART 5 – ENFORCEMENT**

### **1 POWERS OF ENTRY**

- a) All enforcement officers or authorised agents of the Council, or any analyst may enter any premises believed to be discharging trade waste at any time in order to determine any characteristics of any actual or potential discharge by:
  - i. taking readings and measurements;
  - ii. carrying out an inspection; and
  - iii. taking samples for testing, of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

### **2 MONITORING OF TRADE WASTE**

- a) As determined by the Council sampling, testing and monitoring may be undertaken to determine if a discharge:
  - i. complies with the provisions of this Bylaw;
  - ii. is to be classified as permitted, conditional, or prohibited; or

- iii. complies with the provisions of Schedule 1A of this bylaw for a permitted discharge and any trade waste consent to discharge.
- b) The taking, preservation, transportation, and analysis of the sample shall be undertaken by an authorised officer or agent, or the person discharging, in accordance with accepted industry standard methods, or by a method specifically approved by the Council.
- c) Sampling must be undertaken using the sampling procedure set out in Schedule 1C.
- d) The person discharging shall be responsible for all reasonable costs. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

### **3 ENFORCEMENT**

- a) The Council may use all its powers under the Local Government Act 2002 to enforce this bylaw.

### **4 OFFENCES AND PENALTIES**

- a) Every person who contravenes or permits a contravention of this bylaw commits an offence.
- b) Every person who commits an offence under this bylaw is liable to a penalty under section 242(4) of the Local Government Act 2002, or to a penalty under the Health Act 1956.

### **5 ADMINISTRATIVE INFORMATION**

- a) These bylaws are made under the Local Government Act 2002.
- b) These bylaws are administered by the Queenstown Lakes District Council.
- c) The initial resolution to make this Bylaw was passed by the Queenstown Lakes District Council at an ordinary meeting of the Council held on the 27 November 2014 and was confirmed, following consideration of submissions received during the special consultative procedure, by a resolution of the Council at a subsequent ordinary meeting of the Council on 30 July 2015.

The common seal of the Queenstown Lakes District Council is attached in the presence of:

Mayor: \_\_\_\_\_

Chief Executive: \_\_\_\_\_

Date: \_\_\_\_\_



**QLDC Council  
3 May 2018**

**Report for Agenda Item: 7**

**Department: Property & Infrastructure**

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

**Purpose**

The purpose of this report is to seek adoption of the revised QLDC Land Development and Subdivision Code of Practice which incorporates NZS 4404:2010 with QLDC amendments.

**Executive Summary**

- 1 This report seeks the adoption of an updated technical standard that will align land development and subdivision within the district to the current national standard and best practice.
- 2 Following targeted consultation with internal technical experts, Council maintenance contractors and the developer community along with a public notification period, amendments to the QLDC Land Development and Subdivision Code of Practice have been made. These changes reflect the working knowledge and practical issues that have been previously encountered in the district.

**Recommendation**

That 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.

Prepared by:



Ulrich Glasner  
Chief Engineer – Property  
and Infrastructure

16/04/2018

Reviewed and Authorised by:



Peter Hansby  
General Manager – Property  
and Infrastructure

16/04/2018

## Background

- 1 The Council's current code of practice for subdivision and land development is NZS4404:2010 with QLDC amendments, which were adopted by Council in June 2015. The code of practice provides guidance to ensure land development and subdivision infrastructure is designed and constructed using best practice.
- 2 QLDC has carried out a review of the current code of practice and recommended amendments to this document which have been incorporated into the technical standard that is the subject of this report. These changes reflect the working knowledge and practical issues that have been previously encountered in the district.
- 3 On 7 September 2017 Council's Infrastructure Committee recommended that Council adopt the QLDC Land Development and Subdivision Code of Practice subject to any changes as a result of consultation with industry practitioners.

## Comment

- 4 Consultation with the developer community in September 2017 and public notification in March 2018 highlighted three specific amendments worthy of further explanation:

### Street parking

- 5 Developers consider a requirement of 1 on street parking space per residential unit in a Low Density environment is excessive and would not necessarily be achievable taking into account driveways, swales and street trees. Furthermore, developers consider flexibility should be provided to enable assessment of on street parking requirements on a case by case basis so for example, proximity to other parking facilities can be taken into account. In addition, given the Council is currently reviewing Chapter 14 of the District Plan it is considered more efficient to wait until this review is complete to ensure parking requirements onsite and on street can be considered in a holistic manner.

### Disability

- 6 Inclusion of disability access. Code of Practice to reference existing standards NZS 4121:2001 (Design for Access and Mobility).

- 7 Tactile pavers must be designed and installed as recommended in “RTS 14 - Guidelines for facilities for blind and vision impaired pedestrians”. Refer to NZS 4121:2001, Design for Access and Mobility - Buildings and Associated Facilities and NZTA Pedestrian Planning and Design Guide.

### **Bond - Roading**

- 8 Second coat seals are the responsibility of the developer and must be applied in the season following the first coat. The second coat seal can be undertaken via two options: as part of the Council’s annual sealing programme (developer to cover costs) or independently by the developer (a bond will be required to ensure this work is undertaken). Council will need to ensure financial systems are in place to receive bonds and all monies are used for reseal purposes.

### **Options**

- 9 Option 1 Do nothing

#### *Advantages:*

- 10 The development community are familiar with the existing QLDC Land Development and Subdivision Code of Practice.

#### *Disadvantages:*

- 11 The existing code of practice does not reflect Council’s preferred standards within the district. They give rise to inconsistencies and contain aspects which are incorrect or irrelevant.

- 12 Option 2 Adopt as recommended

#### *Advantages:*

- 13 Council’s standard will reflect engineering best practice and subdivisions and land development will be designed and constructed to an appropriate standard.

- 14 The robust standards and utilising a higher standard of materials will assist in reducing on-going maintenance costs.

#### *Disadvantages:*

- 15 The developer community will need to adjust to changes but this has been minimised through the consultation process.

- 16 This report recommends **Option 2** for addressing the matter as this will allow the Council’s Land Development and Subdivision Code of Practice to align with national standards and Councils preferred standards within the district.

### **Significance and Engagement**

- 17 This matter is of medium significance, as determined by reference to the Council’s Significance and Engagement Policy because whilst the document will

have an impact on the wider environment, it will provide Council's preferred standard and is aligned to the current New Zealand standard.

### **Risk**

18 This matter relates to the strategic risk SR1 – Current and future development needs of the community (including environmental protection) as documented in the Council's risk register. The risk is classed as high. This matter relates to this risk because the likelihood of it occurring is high due to the potential non-compliance with technical requirements.

19 The purpose of this document is to mitigate the risk by providing guidance to the developer community when constructing assets that may be vested in Council. The measures include adopting Council's preferred standard and meeting these standards to ensure appropriately designed and constructed infrastructure.

### **Financial Implications**

20 Potential reduction in on-going maintenance costs associated with vested assets by adopting proposed QLDC Land Development and Subdivision Code of Practice.

### **Council Policies, Strategies and Bylaws**

21 The following Council policies, strategies and bylaws were considered:

- QLDC Land Development and Subdivision Code of Practice which incorporates NZS 4404:2010
- Infrastructure Asset Management Strategy
- QLDC Southern Light Strategy and Technical Specifications 2017
- Parks and Open Space Strategy 2017
- Proposed District Plan
- Draft QLDC Disability Policy

22 The recommended option is consistent with the principles set out in the named policy/policies.

23 This matter is not included in the 10-Year Plan/Annual Plan

### **Local Government Act 2002 Purpose Provisions**

24 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by adopting Council's preferred standards;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and

- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

### **Consultation: Community Views and Preferences**

- 25 The persons who are affected by or interested in this matter are the broader community, the development community including developers, engineers and surveyors, and Council Officers involved with the approval of future development an on-going operation and maintenance of assets vested in Council.
- 26 The Council has internally reviewed the QLDC Land Development and Subdivision Code of Practice with technical experts from within the Property and Infrastructure and the Planning and Development teams. Due to the high level of technical content, targeted consultation was carried out with developer stakeholders (engineers, surveyors, developers). Consultation also occurred through a four week, public notification process in both Wanaka and Queenstown newspapers, on-line and through social media.

### **Legal Considerations and Statutory Responsibilities**

- 27 The Resource Management Act 1991 requires the Council to publicly notify the amended QLDC Land Development and Subdivision Code of Practice prior to notifying it as part of the Proposed District Plan. QLDC legal advice was received on the term of this notification period and four weeks was agreed. The public notification occurred between 7 March and 4 April 2018.

### **Attachments**

- A QLDC Land Development and Subdivision Code of Practice – Amendments and Modifications to NZS4404:2010

**QLDC Council  
3 May 2018**

**Report for Agenda Item: 8**

**Department: Property & Infrastructure**

**Public Transport Infrastructure**

**Purpose**

The purpose of this report is to request Council establish a Hearing Panel to make decisions on Public Transport Infrastructure (Bus Shelters).

**Recommendation**

That Council:

1. **Note** the contents of this report;
2. **Delegate** its power to a panel [to be named], to hear and make decisions on objections to the location of new public transport infrastructure, without further recourse to Council.


Prepared by:



Tony Pickard  
Transport Strategy Manager

10/04/2018

Reviewed and Authorised by:



Peter Hansby  
General Manager  
Property and Infrastructure  
11/04/2018

**Background**

- 1 The Queenstown Town Centre Transport Strategy (QTCTS), and subsequent transport strategies, have included the need to provide infrastructure support to a revised Public Transport Network. This has required new routes and stops to be formed. Whilst the stops can be created in road reserves, adding shelters triggers a requirement for formal consultation under the Local Government Act 1974.

**Comment**

- 2 The Otago Regional Council (ORC) identified a number of new stops needed to support the new Public Transport service (November 2017), along with the re-use of several existing sites. Several of these new stops will be adjacent to private property and Council is required to consult formally under the above legislation to

add shelters. Consultation (QLDC Bus Stop Policy and Standards 2008) was carried out by officers for the siting of these new stops, although shelters were not planned to be added unless the stops were confirmed as permanent. There have been a number of changes already, and the ORC has now conducted the first tranche of stakeholder feedback confirming these locations.

- 3 Sites for stops / possible shelters have been identified at Robertson Road, Centennial Avenue (2), Willow Place, Stalker Road and Jones Avenue. These are currently undergoing engineering design.
- 4 Further sites for stops / shelters are also being investigated in a second tranche, and will be added to further support the Public Transport Service.
- 5 Additionally, a review of the existing facilities is being undertaken to identify any upgrades required. The new shelters will comprise an enclosed frame with mobility compliant access, seats, bike racks and ski racks as standard. Investigations will also identify whether lighting and waste bins can be added. Sections of footpath may need to be improved or provided to service each location.

### **Legislation**

- 6 The relevant legislation requirement is summarised as:

#### ***Local Government Act 1974***

*Section 339 (transport shelters) states:*

- *Council must give notice in writing to occupier and owner of affected land frontage*
- *Owner / occupier has 14 days to object*
- *Council shall hear objections no sooner than 7 days after the date the objection is received.*

- 7 Council's Legal Manager has advised that Council can delegate its power to hear and make decisions on objections to a hearing panel, ideally made up of three Councillors or officers. As there will be a roll out of several tranches over the next 14 months (May 2018 – June 2019) officers recommend that authority is delegated to this panel to avoid the need to bring these matters back to Council.

### **Budgets**

- 8 Budget is available for the first tranche from the existing QTCTS funds. The approximate cost of a new shelter (installed) is \$20,000, with additional costs for footpaths, variable on a site by site basis.
- 9 The Transport Improvements Fund that was set up to provide subsidy for Public Transport also allows for this minor infrastructure and has adequate levels of funding.

## Options

### 10 Option 1 Do nothing – do not install shelters

*Advantages:*

11 No further consultation is required.

*Disadvantages:*

12 Inadequate weather protection will likely reduce the patronage of public transport.

### 13 Option 2 Establish a hearing panel for each tranche of implementations and report back to Council for decisions.

*Advantages:*

14 Council will be able to make decisions on individual locations.

*Disadvantages:*

15 The process will be elongated, causing additional work.

16 Inadequate weather protection will likely reduce the patronage of public transport.

### 17 Option 3 Council delegate its power to a panel to hear and make decisions on objections to the location of new public transport infrastructure, without further recourse to Council.

*Advantages:*

18 This will be the most efficient use of officer's and Council's time.

19 Individual submitters / objectors will not be disadvantaged.

*Disadvantages:*

20 Council will not be able to consider individual decisions.

21 This report recommends **Option 3** for addressing the matter because it will result in operational efficiency and not disadvantage those who may be affected.

## ***Significance and Engagement***

22 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because those directly affected will be consulted.

23 The level of significance determines the level of compliance necessary with the decision making requirements in sections 76-78 of the Local Government Act 2002. A higher level of compliance must be achieved for a significant decision.



24 This matter relates to the strategic risk SR1 Current and future development needs of the community (including environmental protection), as documented in the Council's risk register. The risk is classed as low. This matter relates to this risk because potentially affected parties are consulted so the risk is mitigated.

### **Financial Implications**

25 Costs of the projects are within existing budgets.

### **Council Policies, Strategies and Bylaws**

26 The following Council policies, strategies and bylaws were considered:

- Queenstown Town Centre Transport Strategy
- Queenstown Integrated Transport Strategy
- Queenstown Town Centre Master Plan

27 The recommended option is consistent with the principles set out in the named policy/policies.

28 This matter is included in the 10-Year Plan/Annual Plan under:

- Core Infrastructure and Services
- Effective and efficient infrastructure that meets the needs of growth.

### **Local Government Act 2002 Purpose Provisions**

29 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by increasing amenity levels of public transport infrastructure and maintaining levels of patronage;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

### **Consultation: Community Views and Preferences**

30 The persons who are affected by or interested in this matter are property owners and public transport users.

### **Legal Considerations and Statutory Responsibilities**

Consultation is required under Local Government Act 1974 s 339.

**QLDC Council  
3 May 2018****Report for Agenda Item: 9****Department: Community Services****New licence for Vertigo Bikes Limited on Ben Lomond Bike Park****Purpose**

The purpose of this report is to consider whether to grant a new licence to Vertigo Bikes Limited to enable them to continue to operate on the Ben Lomond on the Queenstown Bike Park.

**Recommendation**

That Council:

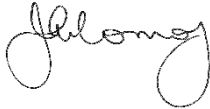
1. **Note** the contents of this report;
2. **Approve** a new licence to Vertigo Bikes Limited to offer guided bike tours in the Queenstown Bike Park on Ben Lomond (Sections 106 and 110 Block XX Shotover Survey District, sections 4 and 10 Block 1 Mid Wakatipu Survey District) subject to the following terms:

Commencement	1 December 2017
Term	5 Years
Rent	The greater of \$500 plus GST per annum or 7.5% of turnover, plus 3% of turnover towards track maintenance.
Renewals	One of five years
Rent Reviews	On renewal
Insurance	Required to have public liability insurance of \$2 million
Safety/Suspension	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.
Termination	Council to retain the ability to cancel the licence at their discretion with a minimum of 12 months' notice.

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.
4. **Delegate** signing authority to the Community Services General Manager.

Prepared by:

Reviewed and Authorised by:



Jo Conroy  
APL Property Ltd

28/02/2018



Aaron Burt  
Senior Planner:  
Parks & Reserves  
16/04/2018



Thunes Cloete  
Community Services  
General Manager  
18/04/2018

## Background

- 1 Vertigo Bikes (previously Vertigo Heli Adventures) have been providing guided bike tours in the Ben Lomond bike park since 2001. The legal description of the land is Sections 106 and 110 Block XX Shotover Survey District and Sections 4 and 10 Block 1 Mid Wakatipu Survey District. Their most recent licence was granted in December 2011 for one year with 5 renewals. They are seeking a new licence to enable them to trade from the reserve.
- 2 The fee for the previous licence was 7.5% of turnover plus 3% of turnover as a contribution to maintenance costs. They have not been required to pay a base rent. Past rent (not including the maintenance contribution) was \$990 in 2017, \$1233 in 2016 and \$1292 in 2015.
- 3 No complaints have been received about the operation and no other party has sought a licence for the bike park.
- 4 The licence is contemplated in the Ben Lomond and Queenstown Hill Reserve management plan so public notification is not required. Sections 9.3.1 and 11.1 and appendix two of the management plan refer to this licence and commercial concessions in general, and these excerpts are attached as Attachment A to this report.

## Comment

- 6 The management plan refers to maintaining "existing 'recreation' leases where there is clear benefit to public recreation use of the reserve" (policy 11.1.1 (1)). Residents may use the Bike Park independently of any commercial guides, but for visitors, the ability to be guided in the park provides a recreational opportunity

that might not otherwise be available to them. Therefore, the proposal meets with policy 11.1.1(1).

- 7 Vertigo have operated successfully on the reserve for 17 years with little impact on the land or the public. We have not received any complaints about the activity and the operators have paid their rent promptly.
- 8 The forest on Ben Lomond is now reaching maturity and is often dry and therefore a potential fire hazard. The more people using the Bike Park the higher the risk of fire. The additional people in the Park because of this operator is minor and the risk is mitigated to some extent by having the professional and qualified Vertigo guides in the vicinity to watch for irresponsible behaviour or potential fires.

### **Options**

- 9 Option 1 To approve a new licence to Vertigo Bikes Limited over Sections 106 and 110 Block XX Shotover Survey District and Sections 4 and 10 Block 1 Mid Wakatipu Survey District subject to the terms and conditions outlined above.

#### *Advantages:*

- 10 Will enable a recreational tourist activity to continue, improving accessibility of the reserve.
- 11 Adds vibrancy to the district.
- 12 Will generate income to Council.
- 13 Will result in professional guides in the area to report risks.

#### *Disadvantages:*

- 14 A commercial operator will continue to undertake guided tours on the recreation reserve.
- 15 Provides a licence within an area of aging forest that requires ongoing management of potential hazards.
- 16 Option 2 To grant a new licence to Vertigo Bikes Limited over Sections 106 and 110 Block XX Shotover Survey District and Sections 4 and 10 Block 1 Mid Wakatipu Survey District subject to different terms and conditions.

#### *Advantages:*

- 17 As above.

#### *Disadvantages:*

- 18 As above.

- 19 Option 4 To decline the request.

*Advantages:*

- 20 The reserve will no longer be used by this commercial entity.
- 21 May reduce the risk associated with the forest.

*Disadvantages:*

- 22 Visitors to Queenstown will no longer have the option of a guided bike tour in the Queenstown Bike Park reducing accessibility and vibrancy.
- 23 Council will lose a small amount of rental income and maintenance contribution.
- 24 This report recommends **Option 1** for addressing the matter because it will ensure that guided bike tours are still available on the Queenstown Bike Park, thereby increasing accessibility to the reserves and vibrancy of the town.

***Significance and Engagement***

- 25 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves a strategic asset (the reserve) but does not have a significant impact on it.

***Risk***

- 26 This matter relates to operation risk OR011A Decision Making. The risk is classed as moderate.

**Financial Implications**

- 27 The lease will generate rent of approximately \$1,200 per annum plus GST if it is granted.
- 28 The Lessee will pay all costs incurred in granting the lease.

**Council Policies, Strategies and Bylaws**

- 29 The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy 2014.
- Community Facility Funding Policy update 2012
- Ben Lomond and Queenstown Hill Reserve Management Plan

- 30 The recommended option is consistent with the principles set out in the named policy/policies.
- 31 This matter is included in the 10-Year Plan/Annual Plan in the existing property budgets.

## **Local Government Act 2002 Purpose Provisions**

32 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by enabling an establish tourism activity to continue;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

## **Consultation: Community Views and Preferences**

33 The persons who are affected by or interested in this matter are residents/ratepayers and visitors of the Queenstown Lakes district community. The community was consulted when the reserve management plan was drafted including the ability of Council to renew the leases and licences in place at that time.

## **Attachments**

- A Policy 9.3.1 and 11.1.1 and appendix two from the Ben Lomond and Queenstown Hill Reserve Management Plan.
- B Plan showing trails used under licence.

## 9.2 Objective: Plan Review

1. To review the plan on a regular basis to ensure it remains current and relevant.

### 9.2.1 Policies

- 1 To keep this management plan under 'continuous review' and to formally review it at least every 10 years.

## 9.3 Objective: Occupation Agreements

- 1 To issue occupation agreements to commercial operators and other users of Ben Lomond reserve land which are compatible with the values of the reserve and support the long-term objectives for reserve development and use.
- 2 No commercial occupation agreements for Queenstown Hill except for:
  - essential services
  - existing leases or licences as detailed in this plan
  - rock climbing and abseiling on the Gorge Road faces

### 9.3.1 Policies

- 1 Commercial users and public utility activities will be permitted within the reserve where they are compatible with or do not unduly affect its primary purpose, and recreation, landscape, and biodiversity values.
- 2 Commercial users of the reserve, and public utility activities, will require a concession (lease, licence, permit or easement under Section 54 of the Reserves Act 1977), or a formal agreement under Section 53(f) of the Reserves Act 1977, where a significant commercial activity is involved and/or it is considered to impact upon the reserve's primary purpose or its recreation, landscape, or biodiversity values.
- 3 Applications for use of the reserve for commercial purposes or for public utilities will be considered by the Queenstown Lakes District Council, who will consider the appropriate form of concession (a lease, licence, easement or permit) and appropriate level of consultation..
- 4 The costs associated with processing and advertising an application for an occupation agreement will be determined by current Council policy.
- 5 The Queenstown Lakes District Council will review all leases (existing and future) as they expire or renewed to ensure their continued compatibility with this reserve management plan.
- 6 New commercial motorised recreational use of the reserves will not be permitted i.e. motorbikes, farm trikes, four wheel drive vehicles or micro-light launching or similar powered flight activities.
- 7 To permit the development of a commercial thermal pool complex on the reserve below the Heritage Villas in the area below the tennis courts. Any lease will be subject to the lessee obtaining all necessary resource consents and satisfying the Council that the building design, landscaping and site requirements (facilities, roads and walkways, parking, servicing etc) can be accommodated on the site whilst providing protection and

maintenance of mountain and lake views from adjoining property owners and with minimal impact on existing recreational users.

- 8 To provide a lease to a suitable club for the operation, care and maintenance of the Petanque Terrain
- 9 To permit concessions for limited commercial rock climbing and abseiling operations on the faces above Gorge Road within the Queenstown Hill reserve subject to the proposed lease/licence being notified in accordance with the Reserves Act 1977.
- 10 Helicopter landings will be restricted to those required for reserve management requirements (such as wilding pine control, forestry operations, search and rescue and fire control) and landings at the helicopter landing pad adjacent to the Skyline Gondola Terminal for tourism purposes. These landings will be subject to helicopter operators having obtained a licence to land from the QLDC and complying with the following conditions:
  - only one helicopter to be on the helipad at any one time
  - no helicopter is to make an approach to the helipad or operate over the reserve while the pad is occupied by another helicopter
  - That the use of the helipad be limited from 10 a.m. to 7:00 p.m. daily
  - that the flight path to the helipad be such that flying over the urban areas of the District be prohibited
  - That scenic flights originating from and returning to the helipad be prohibited
  - That operators pay a licence fee as set from time to time by the QLDC.

The Council will continue to monitor the effects of helicopter landings at the Skyline Terminal and may impose limits on the number and frequency of flights via the licences issued.

#### **9.4 Objective: Partnerships**

Effective partnerships with private or public organisations that assist in achieving the objectives of this management plan.

##### **9.4.1 Policies**

- 1 The Queenstown Lakes District Council will seek to identify and work co-operatively with any organisation where such partnership results in an effective method to assist in achieving the goals and objectives of this management plan.
- 2 To work in partnership with the Wakatipu Trails Trust regarding the development and implementation of the trail network for Ben Lomond and Queenstown Hill as identified in the Wakatipu Trails Strategy.



## Attachment A (b) Vertigo Bikes - Section 11.1 Management Plan

The intention is that Queenstown Hill will be low impact recreation use, with the focus continuing to be on casual use such as currently provided by the walking tracks and rock climbing.

Organised recreation concessions may be considered where the impact is low. Low impact is defined as having no or minimal requirement for built facilities or significant changes to the natural environment and the activity does not significantly impact on the natural quiet of the reserve.

### **11.1 Objective: Recreation Use**

#### **Ben Lomond**

- 1 Limited provision of commercial tourism based recreation activities that rely on the unique topography and location of Ben Lomond reserve, and are compatible with the reserves wider values.
- 2 Enhancement of opportunities for casual recreation activities that are based on the enjoyment of the reserves natural environment, topography and landscape views, and are compatible with the reserves wider values.
- 3 Restoration of the historic Powerhouse and associated landscape development to include carparking, stream restoration, improved access and circulation and provision for future interpretive facilities, public amenities in accordance with a landscape plan approved by Council

#### **Queenstown Hill**

- 4 Low impact recreation activities that rely on and are complementary to Queenstown Hill's natural quiet.

#### **11.1.1 Policies**

- 1 To maintain existing 'recreation' leases where there is clear benefit to public recreation use of the reserve.
- 2 To consider additional commercial recreation activities on the Ben Lomond reserve, that are compatible with, and do not compromise the reserves wider values.
- 3 To limit commercial recreation activities on the Queenstown Hill reserve. Applications for concessions will be considered where it can be clearly demonstrated that they will have a minimal requirement for development of facilities or changes to the environment, and the activity will have a minimal impact on the natural quiet of the reserve.
- 4 To retain the existing vehicle access road to the top of the Gondola, and to maintain the existing easement to Skyline Enterprises Limited, which provides for their uninterrupted access along this road, with maintenance of the road being the responsibility of Skyline Enterprises Limited.
- 5 To permit the limited use of the road for mountain bike events from time to time subject to the event organiser gaining the written approval from the easement tenant (Skyline Enterprises Ltd) and lodging a traffic management plan with Council.
- 6 To develop and maintain to a high standard, a network of walking tracks within the reserves, to the appropriate New Zealand standards

- 7 To exclude mountain bike use within 200 metres of (and including) the Time Walk track and restrict mountain bike use to formed and approved trails.
- 8 To develop new tracks as demand warrants and opportunities are identified.
- 9 Develop a new high standard walking and cycling commuter track from Fernhill to Thompson Street (Town Link Track).
- 10 Undertake a review and rationalisation of existing tracks and identify strategies to minimise conflicts between pedestrian users and mountain bike riders.
- 11 To define tracks as either single use tracks or dual use (mountain biking and walking) and develop the tracks to an appropriate width for each category.
- 12 To plan and develop a network of mountain bike tracks to specifically target beginner and intermediate level riders in association with the Wakatipu Trails Trust and the Queenstown Mountain Bike Club.
- 13 To permit the retention of the existing freestyle mountain bike terrain park to the current extent subject to entering into a lease for the care and maintenance of the facility with a suitable club and subject to future forestry, safety and operational requirements.
- 14 To realign the downhill mountain bike track from Williams Street to the One Mile Powerhouse to minimise pedestrian and mountain bike conflicts.
- 15 To support the preservation of the Powerhouse as a public amenity and historical premise for the enjoyment of the Queenstown community and visitors.
- 16 To permit the use and development of the historic powerhouse as a static or interactive historic display and to provide for the development of associated amenities such as carparking, improved access, public toilets and limited commercial opportunities such as a café or display centre where these are compatible with the use of the powerhouse as a visitor destination.
- 17 To permit the development, alterations and additions to One Mile Creek including the diversion of water and restoration of the dam and pipeline for the purpose of power generation subject to resource management and Reserves Act requirements.
- 18 To recognise that the Powerhouse and the precinct generally has historical significance both in terms of the Queenstown Lakes District Council District Plan and the New Zealand Historic Places Trust.
- 19 To support agencies that wish to stage events within the reserves where the events have clear public good benefits, negligible environmental impacts and which support the vision and goals of this management plan.
- 20 To work with the Department of Conservation and the Wakatipu Trails Trust to ensure all tracks and other recreation assets within and adjoining the Council administered reserves are developed and maintained to consistent and recognised standards.
- 21 To encourage and work with community and other volunteer groups who wish to work with the Queenstown Lakes District Council to develop and maintain appropriate recreation resources.

- 22 To complete a review of sign requirements throughout and leading to the reserves and upgrade signs to guide and provide information for visitors to the reserves including information on trails, descriptions and grades in accordance with the appropriate New Zealand and Council Standards.
- 23 To review the location of the existing interpretative signs on Queenstown Hill and to locate where view shafts are to be created as “resting points” on the uphill walk.
- 24 To prohibit domestic animals (other than dogs) from the reserves.
- 25 To prohibit dogs from the Queenstown Hill Time Walk as much of the walkway is on private farmland which is grazed.

## **12.0 Goal 4: Protect Landscape Values**

Any developments or changes to the management of the reserves vegetation cover have the potential to alter the Landscape values of the reserve. Due to the reserves prominence in the wider landscape setting, any developments or changes must be carefully considered in regard to these landscape values.

The exotic forestry management and in particular the rate and method of logging has the greatest potential to adversely effect the landscape values, although the impact is relatively short term.

Physical structures also have the potential to create an adverse effect. Therefore new structures should be limited and designed, or of a scale so that adverse landscape impacts are minimised.

Long term changes to the vegetation cover will also have an effect on landscape values. This could be as a result of continuing wilding pine spread onto the upper slopes or a managed approach to replacing exotic conifer vegetation with native bush.

The tarns at the top of Queenstown hill are considered to have special values and their protection from wilding pine spread or inappropriate use will receive priority.

Fire has the potential to have a devastating effect on the landscape values of the reserve; the large areas of exotic pine are particularly at risk. As such, active measures should be in place to prevent fires and to deal quickly with any outbreaks.

Helicopter operations over the reserve have a detrimental effect on the natural quiet of the reserve and have the potential to adversely affect the experience of users. However, they are considered an important component of the Tourism services available. As such licenses have been issued for limited landings on the reserve at the Skyline restaurant site. In 2003, 1531 licensed landings were made at this site. This situation will need to be monitored carefully and reassessed when new or renewal of helicopter licenses is considered to ensure that an acceptable balance is achieved. However, it also needs to be recognised that this management plan has no ability to prevent or restrict helicopters flying over the reserve.

The protection and enhancement of the landscape values provided by the vegetation cover is defined in Section 10 Biodiversity

## APPENDIX TWO: Leases, Licenses, Concessions and Landscape Plans

Lessor	Lessee	Commencement	Term	Final Expiry	Location	Purpose
QLDC	Peak Bungy Ltd	1 Dec 1997	10 years	2017	Section 110 Block XX Shotover SD	Bungy Jumping operation
QLDC	Vertigo Heli Adventures Ltd	1 November 2001	5 years	2011	Section 110 Block XX Shotover SD And Section 106, Block XX, Shotover SD	Downhill mountain biking operation
QLDC	Queenstown Commercial Parapenters Ltd	1 June 2000	20 years	2020		
QLDC	Skyline Enterprises Ltd	1 April 1995	5 years	2070	Section 1 SO 24832 and Section 1 and Pt of CT9B/769 SO 22971	Gondola, Luge and associated activity
QLDC	Via Ferrata NZ Limited	Under negotiation	Under negotiation	Under negotiation	Lot 2 DP 20808, Blk XX Shotover SD	Rock Climbing Operation

### Easements

In favour of Dunedin Electricity Limited as a right of way to convey water, electricity and telephonic communications  
2 April 1997 over Section 42 Block I Mid Wakatipu Survey District.

### Licences under the Civil Aviation Regulations (Superseded)

Alpine Helicopters Ltd  
Southern Lakes Helicopters

### Approved Council landscape Plans

One Mile Powerhouse Landscape Plan, Blakely Wallace 2004  
Two Mile Creek Landscape Management Plan, Morgan Pollard and Associates, 2004  
Heritage Hotel – Little Rock Villas Landscape Plan 2003

Attachment B - Queenstown Bike Park – trails used by Vertigo Bikes shown solid green, blue and black.



**QLDC Council  
3 May 2018****Report for Agenda Item: 10****Department: Community Services****New licence to Queenstown Winter Festival over the reserves known as Marine Parade and Earnslaw Park****Purpose**

The purpose of this report is to consider a new 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).

**Recommendation**

That 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;

Commencement	June 2018
Term	3 years
Rent	\$1 per annum pursuant to Community Facility Funding Policy
Reviews	At renewal or when Community Facility Funding Policy is reviewed
Renewals	1 of 3 years (by agreement of both parties)
Use	Festival to celebrate the winter season.
Insurance	\$2 million public liability insurance cover
Duration	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.
Safety/Suspension	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 be approved prior to the event.

Termination With 12 months' notice at the Council's sole discretion.

Special Conditions Licensee must ensure they hold a valid resource consent for the activity.

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.

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.

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.

Prepared by:

Reviewed and Authorised by:



Dan Cruickshank  
Property Advisor – APL  
Property

5/04/2018



Stephen Quin  
Parks and Reserves  
Planning Manager

17/04/2018



Thunes Cloete  
Community Services  
General Manager

18/04/2018

## Background

- 1 The Queenstown Winter Festival is in its 44<sup>th</sup> year and has been hugely successful. The festival is enjoyed by residents, tourists and visitors alike, and adds considerably to the atmosphere in the heart of Queenstown.
- 2 In June 2015, Council approved three Licences to Occupy to the Queenstown Winter Festival for a duration of three years. The terms of these licences specified they must be approved by Council annually with the licence fee set at \$1.00 (if demanded).
- 3 Previous licences have utilised the Village Green Recreation Reserve for an ice rink. Changes to the festival objectives no longer see this as a beneficial activity and as such, the use of the reserve is no longer required under their licence application.
- 4 The process to grant a licence required notification under section 119 of the Reserves Act. The intention to grant a new licence was notified on 21 March 2018 and no submissions were received.

## Comment

- 5 Queenstown Winter Festival wishes again to use a number of areas around the town centre for the duration of the festival. Recent changes in format now see the festival running for 4 days with up to 1 week either side for pack in and pack out days. We propose the licence application to permit for one week of festival activities, which will allow for possible format changes in future years.
- 6 The festival activities and specific use of the reserves are likely to change from year to year. The proposed licence will allow for changes in format and locations of the various festival components, subject to annual approval from QLDC's Parks and Reserves Team. This year's festival will use the two reserves as detailed below.
- 7 Use of Earnslaw Park is again being sought for the purpose of a festival hub. The area is legally known as Secs 6/18 27 Blk XV Town of Queenstown, being part of the land comprised and described as Recreation Reserve. There will be a variety of events onsite including food vendors, a bar and sponsor activations. The exact use of this reserve may vary slightly from year to year under the proposed licence.
- 8 The 2018 festival proposes to use Marine Parade Reserve as the base area to hold the main music stage for the concert aspects of the festival. A temporary scaffolding stage is proposed to be built at the southern end of the bay near the Bathhouse. This area is legally known as Sec 6 Blk LI Town of Queenstown, being part of the land comprised and described as Recreation Reserve, Certificate of Title 46575
- 9 In addition to the stage, Marine Parade reserve will be used to host food vendors, bar area, sponsor activations, temporary dodgeball court, Day on the Bay activities as well as a primary viewing area for the fireworks display.



- 10 In the event of poor weather, the alternative option will be to return the main stage to its former location on Earnslaw Park.
- 11 Holding a festival on the reserves carries with it inherent risks. Similar to previous years, an event specific health and safety plan will need to be submitted for approval with Council each year. A traffic management plan will need to be approved by QLDC's Roding and Infrastructure team each year to address the safety implications of those aspects associated with roads.
- 12 A significant amount of infrastructure and equipment will need to be set up for various parts of the festival. The pack in/out will impact the usability and accessibility to the users of the reserves. An event management plan will need to be submitted and approved with the Parks and Reserves team to address the logistics of event set up.
- 13 The success of the Queenstown Winter Festival has a direct positive impact on the local community and businesses by marketing the area both domestically and internationally as a destination at the start of the ski season.
- 14 Due to the length of occupation and exclusive access to ticketed events, temporary permits issued under the Reserves Act 1977 are not appropriate.
- 15 If a licence is approved for a term of three years, the actual occupation of the site will be restricted to the immediate dates of the festival, plus allowance for the pack in and out of one week either side, subject to approval by Council officers.
- 16 In order to issue a licence over a recreation reserve, Council must first advertise the intention to grant a licence, and hear any negative submissions received. Following the notification on 21 March 2018, no submissions either for or against the proposed licence were received.

## Options

- 17 Option 1 To approve a new licence over the Recreation Reserves known as Earnslaw Park and Marine Parade.

### *Advantages:*

- 18 The success of the Queenstown Winter Festival has a direct positive impact on the local community and businesses by marketing the area both domestically and internationally as a destination at the start of the ski season. It also creates an additional tourist activity for the area, bringing increased trade and spending.
- 19 Approval of a licence to hold the festival will increase the recreational use of the reserves.

### *Disadvantages:*

- 20 Granting a licence over the reserves will restrict public access for the duration of the event; however, the benefits may outweigh this when

considered in the context that more people are likely to use the reserve at a traditionally quiet time of the year.

- 21 Disruption to surrounding businesses and existing trade. It is anticipated that this would be offset by increased foot traffic to the area as a result of the events.
- 22 The reserves will likely require some rehabilitation following the event, creating disruption and a cost of repair.
- 23 Option 2 Not to approve a new licence over the Recreation Reserves known as Earnslaw Park and Marine Parade.

*Advantages:*

- 24 The reserves will not require any rehabilitation following the event, saving on disruption and cost of repair.

*Disadvantages:*

- 25 A huge loss to the community in terms of trade, but also domestic and international media exposure. It would result in the loss of a much anticipated event, which brings visitors from all around New Zealand and the world.
- 26 This report recommends **Option 1** for addressing the matter as it supports local businesses and the wider community, markets the area both domestically and internationally and creates an additional tourist attraction. It is also consistent with prior decisions of Council to use the reserves for this purpose.

***Significance and Engagement***

- 27 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves Council significant assets and is of importance to the Queenstown Lakes District and the community. It is consistent with policy and strategy and does not impact on Council's capability and capacity.

***Risk***

- 28 This matter related to the operational risk OR011A, as documented in the Council's risk register. The risk is classed as moderate.

**Financial Implications**

- 29 The Queenstown Winter Festival is a not for profit organisation and the event brings in a huge amount of interest, publicity and trade to the town. Accordingly, the proposed rent charge is \$1.00 (if demanded).
- 30 The cost of the new licences will be met through existing property legal budgets.

### **Council Policies, Strategies and Bylaws**

31 The following Council policies, strategies and bylaws were considered:

- Community Facility Pricing Policy 2011 – Rent charged at \$1 (if demanded) is consistent with this policy
- Queenstown Bay Foreshore Reserves Management Plan 2016 – Granting licences to Winter Festival is consistent with the overarching objectives of this plan

32 The recommended option is consistent with the principles set out in the named policy/policies.

33 This matter is not included in the 10-Year Plan/Annual Plan

### **Local Government Act 2002 Purpose Provisions**

34 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by permitting an event which positively effects the community and promotes Queenstown both domestically and internationally; and
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

### **Consultation: Community Views and Preferences**










35 The persons who are affected by or interested in this matter are local businesses and residents/ratepayers of the Queenstown Lakes District with an interest in the recreation reserves.

36 On 27 March 2018 Council issued public notice of the intention to grant licences pursuant to section 54(1)(b)&(d) & 119 of the Reserves Act 1977, with no submissions received.

### **Attachments**

A Site plans



-  Foodies
-  Sponsor activations
-  Stage option
-  General bar
-  Theming and sponsor activations
-  Info tent
-  Coffee
-  Port-a-com
-  FOH

Marine Parade: Official Opening/welcome on 1700-2100 / Earnslaw Park: Torchlight procession start 1600

Earnslaw Park – Hub open 12noon: 9pm/ Marine Parade: stage running 6pm – 8pm



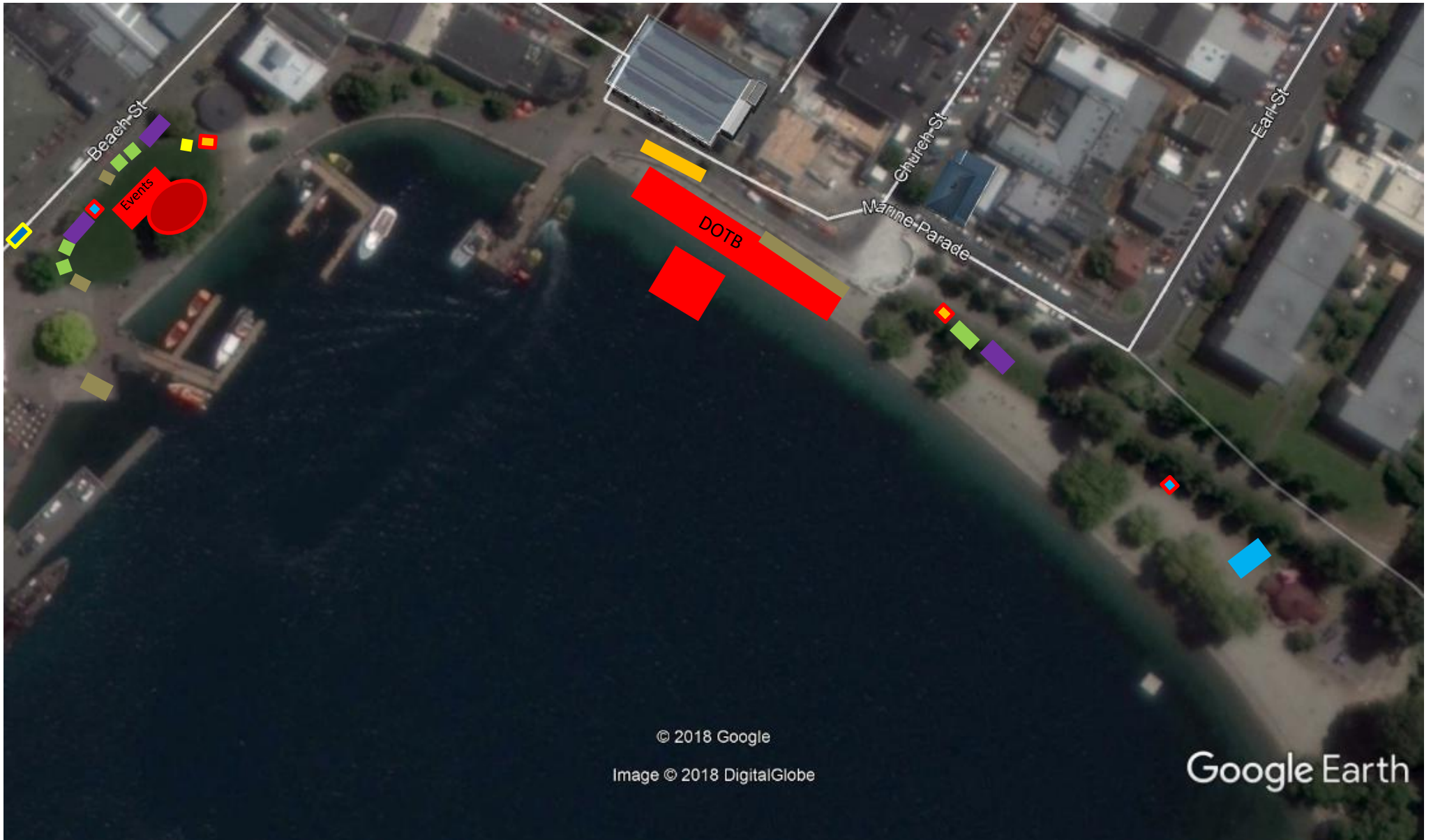
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Google Earth

- Foodies
- Sponsor activations
- Stage option
- General bar
- Theming and small activation
- Info tent
- Coffee
- Port-a-com
- FOH
- Media risers
- Event – Dodgeball 1200-1500,

Earnslaw Park – Hub open 12noon: 9pm/ Marine Parade: stage running 5pm – 9pm



- Foodies
- Sponsor activations
- Stage option
- General bar
- Theming and small activation
- Info tent
- Coffee
- Port-a-com
- Grandstand
- FOH
- Event – Day on the Bay 1200-1500



- Foodies
- Sponsor activations
- Stage option
- General bar
- Theming and small activation
- Info tent
- Coffee
- Event zone
- Port-a-com
- Restaurants serving to street
- FOH

Earnslaw Park: Hub open 12noon – 6pm / Marine Parade: Stage running 12noon – 5pm

**QLDC Council  
3 May 2018****Report for Agenda Item: 11****Department: Planning & Development****Making Plan Change 52, Mount Cardrona Station, Operative****Purpose**

The purpose of this paper is to make Plan Change 52, Mount Cardrona Station, (PC52), operative.

**Recommendation**

That 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.

Prepared by:



Blair Devlin  
Manager, Planning Practice  
17/04/2018

Reviewed and Authorised by:



Tony Avery  
General Manager Planning and  
Development  
17/04/2018

**Background**

- 1 At its meeting on 8 February 2018, the Council resolved to adopt the recommended 'decisions on submissions' from its appointed commissioners. Public notice of the decision on PC52 was given on 15 February 2018.

**Comment**

- 2 No appeals have been received within the 30 working day appeal period. The Council can now make the plan change operative.



## **Options**

- 3 The Council does not have any other options on this matter.

## ***Significance and Engagement***

- 4 This matter is of high significance, as determined by reference to the Council's Significance and Engagement Policy because the District Plan including the area affected by PC52 impacts on a large number of residents and ratepayers, some of whom may be specifically affected by the proposed provisions.
- 5 Compliance with the decision making requirements in sections 76-78 of the Local Government Act 2002 has been achieved through the public participation process of the Resource Management Act (RMA), including notifying the plan change request, calling for submissions, holding a hearing, and the right of appeal that was exercised to the Environment Court.

## ***Risk***

- 6 This matter relates to the strategic risk SR1 'Current and future development needs of the community (including environmental protection), as documented in the Council's risk register. The risk is classed as high. This matter relates to this risk because the District Plan, along with the 10 Year Plan and Asset Management Plans, is central to the current and future development needs of the community.
- 7 The recommended option considered above mitigates the risk by providing the necessary regulatory framework to provide for these needs.

## **Financial Implications**

- 8 None.

## **Council Policies, Strategies and Bylaws**

- 9 The Operative District Plan is the most relevant Council policy, strategy or bylaws. Making PC52 operative as per the Commissioners recommendation and Council decision gives effect to the Operative District Plan.

## **Local Government Act 2002 Purpose Provisions**

- 10 The recommended option:

- Will help meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and

- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

**Consultation: Community Views and Preferences**

11 The Council has already consulted on PC52 via submissions and further submissions were received, the hearing and appeal processes.

**Legal Considerations and Statutory Responsibilities**

12 Making the plan changes operative is in accordance with Clause 17 of the First Schedule of the RMA.

**QLDC Council  
3 May 2018****Report for Agenda Item: 12****Department: Planning & Development****Proposed District Plan Decisions on Stage 1 Chapters****Purpose**

The purpose of this report is to provide the reports and recommendations of independent commissioners on provisions and matters raised in submissions for the 33 chapters of the Proposed District Plan that make up Stage 1 of the district plan review and to seek ratification as a Council decision. A resolution from Council is sought to notify a 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.

**Recommendation**

That Council:

1. **Notes** the contents of this report;
2. **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;
3. **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;
4. **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
5. **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.

Prepared by:



Ian Bayliss  
Planning Policy Manager

17/04/2018

Reviewed and Authorised by:



Tony Avery  
General Manager Planning  
and Development

20/04/2018

## Background

### Proposed District Plan – Stage 1

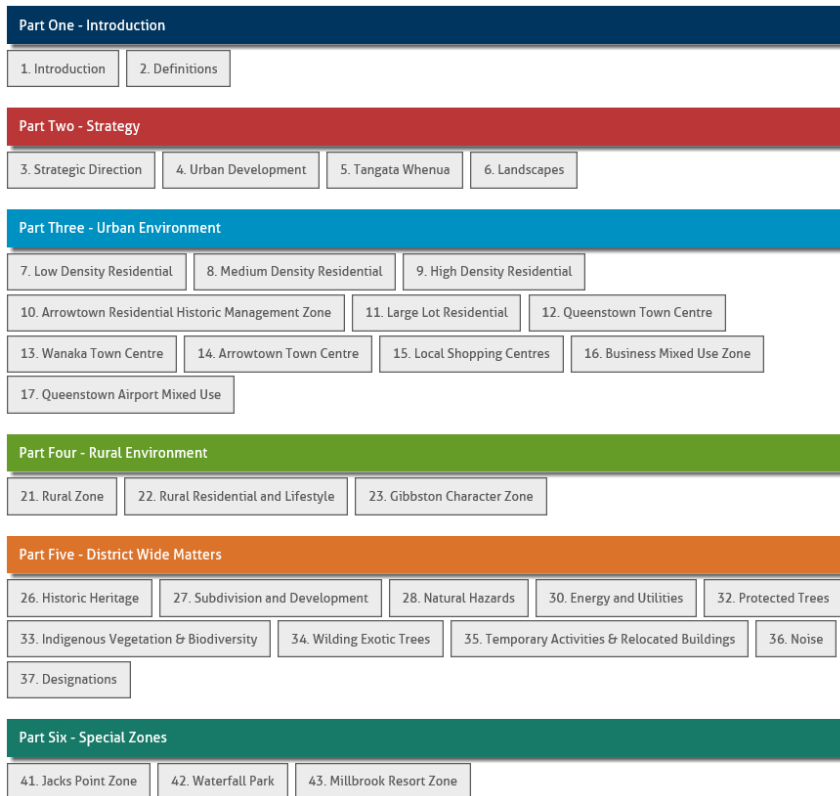
- 1 The District Plan is an important lever for promoting sustainable growth and managing economic development in the Queenstown District (District) in a way that achieves economic, social and environmental outcomes. Completing the District Plan review is a matter of some urgency as most of the Operative District Plan (the ODP) which is the current statutory planning instrument being used in the District, was 10 years old when this review formally commenced in April 2014. Section 79(1) of the Resource Management Act 1991 (RMA) requires that the provisions of the District Plan be reviewed every 10 years.
- 2 The Proposed District Plan (PDP) is the result of a review of the ODP under section 79(4) of the RMA. It is being developed and reviewed in stages as an activity based plan intended to be a “streamlined document that is easier to understand, provides for greater certainty and better planning outcomes”<sup>1</sup>.

### Scope of Stage 1 of the PDP

- 3 The scope of the PDP is determined by the document itself - that is, the chapters and the planning maps that form the PDP.
- 4 The Stage 1 planning maps include zones, designations, overlays and other annotations covering more than 90% of the land in the district, the surface and margins of lakes and apply new plan provisions. When notified, Stage 1 of the PDP contained 32 chapters set out in Figure 1.
- 5 Initially excluded from the review were the Signs, Transport, Affordable Housing, Open Space, Hazardous Substances Signs and Earthworks chapters of the ODP and provisions relating to the Frankton Flats, Remarkables Park, Mount Cardrona Station, Penrith Park, Hydro-Generation, Industrial, Business and Three Parks Zones. Also excluded are the Arrowtown South, Kingston Village, Ballantyne Road, Peninsula Bay North, Shotover Country Estate and Northlake Special zones as well as the land affected by the Queenstown Town Centre extension.

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<sup>1</sup> QLDC Council Agenda Report, District Plan Review, 17 April 2014



**Figure 1. Notified Stage 1 Proposed District Plan Chapters**

## Consultation and Plan Development

- 6 A substantial amount of monitoring of the District Plan, policy development and community consultation occurred between 2012 and 2015, when the PDP was notified. This included developing a series of monitoring reports, holding an extensive range of meetings with stakeholders and wider community meetings, issuing a series of brochures on specific issues and locations and compiling substantial written feedback.

### Submissions.

- 7 The 32 chapters and planning maps that make up Stage 1 of the PDP were notified on 26 August 2015. 845 original submissions and 365 further submissions (referred to in this report as “the submissions”) were received and recorded for consideration.
- 8 Submissions on PDP provisions that have been the subject of a variation as part of Stage 2 of the PDP, including submissions affected by the Wakatipu Basin Variation and the Open Space and Recreation Variation, are automatically transferred to the hearing process for those variations.

### Independent Hearings Panel

- 9 A panel of Hearing Commissioners (Panel) was appointed to hear the submissions on the PDP and to make recommendations to the Council on those

matters on 29 October 2015, 26 November 2015 and 24 November 2016. Denis Nugent was appointed to Chair the Panel on 29 October 2015. Trevor Robinson was appointed to Chair the Panel for Upper Clutha Mapping and Zoning.

10 The appointed Hearing Commissioners were:

Lyal Cocks	Brad Coombs	Yvette Couch-Lewis
Jan Crawford	Alexa Forbes	Cath Gilmour
Greg Hill	Jenny Hudson	Ella Lawton
Calum MacLeod	David McMahon	David Mountford
Ian Munro	Bob Nixon	Denis Nugent
Trevor Robinson	Paul Rodgers	Mark St Clair
Simon Stammers-Smith	Scott Stevens	Jane Taylor

### **Hearings**

11 Matters raised in submissions were grouped into 14 Hearing Streams and considered at a series of 14 hearings in Queenstown, Wanaka and Hawea. The hearings began on 7 March 2016 with consideration of the Strategic Direction, Urban Development, Tangata Whenua and Landscape chapters then progressed through the chapters addressing the rural and urban environments and through district wide matters. The final Stage 1 hearings in late 2017 addressed Mapping and Zoning in the Wanaka and Queenstown wards and concluded on 12 September 2017.

### **Designations**

12 The designations that exist in the District were also notified as part of Stage 1 of the PDP. However, the Council 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. As such, no decision of the Council is requested on the Designations Chapter 37.

### **Decision on Millbrook Resort Zone**

13 The Council notified its decision on the Millbrook Resort Zone chapter on 18 October 2017. As such, a decision is not sought on the submissions on this chapter.

### **Comment**

#### **Commissioner Recommendations**

14 The Hearings Commissioners have heard the submissions on the PDP, considered written and oral evidence and submissions, taken advice, questioned participants at hearings and undertaken site visits. Their recommendations are set out in detail in a series of reports covering the 14 Hearing Streams and include the following components that make up the recommended decisions:

- a. recommendations on all submission points relating to Stage 1 of the PDP (see reports in Attachment 1 for details);
  - b. reasons for accepting and rejecting individual submissions or groups of submissions (see Attachment 1 reports);
  - c. recommended changes to provisions that are of minor effect or correct minor errors (see Attachment 1 reports);
  - d. further evaluation of recommended amendments to provisions under section 32AA of the RMA (see Attachment 1 reports).
  - e. the text of the recommended plan contained in a set of chapters (see Attachment 2);
  - f. a set of planning maps setting out zones, designations, overlays and other notations (see Attachment 3);
- 15 The suite of recommendations contained in the above reports reflect the Panel's consideration of the plan and issues raised by submissions as a whole and an intention to create an integrated workable planning document.
- 16 The recommendations themselves do not constitute a decision as under the RMA a local authority must give a decision on the provisions and matters raised in submissions.
- 17 As discussed in the Options section of this report, it would be problematic for the Council to adopt some aspects of the recommendations and seek to amend others. Unlike the Panel, Councillors have not considered the full breadth of submissions, or the substantial body of evidence that has informed these recommendations. Piecemeal decision making at this point is likely to be unfair on submitters who have participated in the process in good faith. It could create decisions that are incompatible with sound resource management practise and therefore difficult or impossible to defend.
- 18 The reports and recommendations discuss a number of possible future variations and investigations to address issues highlighted in considering the submissions. The Panel can't require that Council undertake future plan changes and adopting the recommendations does not mean Council agree to these suggestions. Council will in due course make its own decision about if, when and how this work will be done.

#### **Effect of these decisions on the PDP rules**

- 19 In most circumstances, once a decision on submissions relating to rules on the PDP is made and publicly notified those rules will have legal effect. However, some exceptions include:
- a. rules that had immediate legal effect on notification because they protect or relate to water, air or soil conservation, significant indigenous vegetation fauna and habitats, historic heritage or protected trees; or

- b. the Council resolves that the rule has legal effect once the PDP becomes operative; or
  - c. the Environment Court orders a different date.
- 20 “Legal effect” means people undertaking land use activities will both benefit from and need to comply with the rules of the PDP, or seek consent to breach or infringe them. Consent will also need to be obtained under any relevant rule in the ODP until the equivalent provisions in the PDP are made operative or treated as operative.
- 21 There have been no relevant Environment Court orders or Council resolutions made on the timing that the Stage 1 PDP rules have legal effect. As such, with the exception of rules that had immediate legal effect at notification, the Stage 1 rules will have legal effect from the date that the Council’s decisions are notified.

### **Implementing the decisions**

- 22 Provisions in the PDP can’t be treated as operative until all submissions in opposition and appeals on that particular provision have been determined. This means decisions on these recommendations will bring the Stage 1 provisions of the PDP into legal effect but where an appeal is lodged on a provision the current ODP provision will continue to apply to the evaluation of applications for resource consent or enforcement action for some time.
- 23 Most Council staff and external users of the District Plan are used to carrying out functions under the RMA, where more than one set of District Plan provisions are relevant. However, further training is being provided and guidance material is being produced to help plan users and to ensure the District Plan is administered consistently and correctly.

### **Options**

- 24 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002:
- 25 In this instance the status quo is not considered a viable option because a decision to either adopt the recommendations or require them to be reheard is required.

### **Option 1 - Accept the recommendation to adopt the recommendations of the Panel on the Stage 1 provisions as set out in Attachments 1 - 3 as the Council’s decision.**

#### ***Advantages:***

- 26 These provisions of the PDP recommended by the Panel have been through a thorough process of consultation, public notification, submissions, evaluation of costs and benefits under section 32 and consideration against the relevant legal tests set out in the RMA.



- 27 Experienced Commissioners had the benefit of considering submissions and further submissions including professional assistance from submitter representatives as well as assistance from Council officer's, technical experts and legal counsel. The Panel have arrived at their recommended decisions based on well-informed consideration.
- 28 The submissions and hearing process gave the public the opportunity to either support or oppose the proposals contained within the PDP and be heard in relation to their submissions.
- 29 Adopting the recommendations will bring the Stage 1 PDP rules into legal effect and move towards the Stage 1 chapters being made operative.

***Disadvantages:***

- 30 A number of options are available to address the potential disadvantages. The Council may not agree with some of the Panel's recommendations in which case it can
- initiate a variation to the Proposed District Plan, or
  - join an appeal that seeks changes consistent with Council's position.
- 31 Should the Council reach a view that aspects of the recommendations are incorrect, inappropriate, or in other ways contrary to sound resource management, Council could undertake a variation to the PDP that addresses the concern. This option will take time and resources but could be entirely controlled by the Council.
- 32 If an appeal against the requested decision is made that raises similar concerns the Council could align its position with that appeal and potentially reach a resolution through mediation. However, this option relies on appeals and will place the decision on the matter in the hands of the Court.

**Option 2 - Reject the Panel's recommendations and rehear submissions on this aspect of the PDP.**

***Advantages:***

- 33 Would allow Council to appoint new Commissioners onto the Panel to re-hear submissions on aspects of the decision it was unhappy with.

***Disadvantages:***

- 34 The Council has not heard the evidence presented at the hearing or read the submissions on Stage 1 of the PDP. This means that before the Council can make a decision on Stage 1 of the PDP, all submitters' submissions, Council officer recommendations and evidence will need to be re-heard at another hearing.
- 35 To change the recommendations without undertaking a further hearing would not demonstrate fairness or natural justice to those who have inputted into the process, and submitters who have participated in good faith.

- 36 Reviewing the district plan in stages makes for a complex planning framework that is difficult to administer. Option 2 is likely to increase this complexity and make the plan more difficult for users of the plan to understand and comply with.
- 37 Additional Council, applicant and submitter resources will be required to rehear the relevant aspects of the PDP.
- 38 This report recommends Option 1 for addressing the matter.

### ***Significance and Engagement***

- 39 This matter is of high significance, as determined by reference to the Council's Significance and Engagement Policy because the matter relates to the appointment of Councillors and Commissioners to hear, deliberate and make recommendations on the submissions on the Proposed District Plan, which is a very significant statutory document in terms of the social, economic and environmental wellbeing of the District.

### ***Risk***

30. This matter relates to the strategic risk SR1 'Current and future development needs of the community (including environmental protection)' as documented in the Council's risk register. The risk is classed as high. This matter relates to this risk because it is considered to be of significant importance in terms of the managed growth and regulation of development for the District.
31. The recommended options considered above mitigate the risk by: Treating the risk - putting measures in place which directly impact the risk. The recommended option considered above mitigates the risk by adopting the decision of the Panel who heard all the evidence before them and made a decision based upon that evidence.

### **Financial Implications**

- 40 There is no budget or cost implications resulting from the decision.

### **Council Policies, Strategies and Bylaws**

- 41 The following Council policies, strategies and bylaws were considered:

- Operative District Plan
- Proposed District Plan

- 42 The recommended option is consistent with the principles set out in the named policies.

- 43 This matter is not included in the 10-Year Plan/Annual Plan.

### **Local Government Act 2002 Purpose Provisions**

- 44 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by making the decision in a timely fashion;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

### **Consultation: Community Views and Preferences**

45 The persons who are affected by or interested in this matter are the submitters, visitors to and residents within the resort and the wider Arrowtown and Wakatipu Basin community. Submissions from these parties were considered by the appointed Panel.

### **Legal Considerations and Statutory Responsibilities**

46 The process for dealing with plan changes is set out in the First Schedule of the Resource Management Act.

### **Attachments** (All saved separately)

Attachment A: Reports and Recommendations of Independent Commissioners (including recommendations on Submissions – Streams 1-13)

Attachment B: Proposed District Plan Stage 1 Chapters (Recommendations Version)

Attachment C: Proposed District Plan Stage 1 Planning Maps (Recommendations Version)

**QLDC Council  
3 May 2018**

**Report for Agenda Item: 13**

**Department: Planning & Development**

**Special Housing Area Expression of Interest: Bullendale**

**Purpose**

- 1 The purpose of this report is to identify measures to be adopted by way of the Draft Deed of Agreement so that the Council can recommend to the Minister of Housing and Urban Development (**Minister**) that the Bullendale EOI (**the proposal**) be established as a Special Housing Area (**SHA**).

**Public Excluded**

- 2 It is recommended that **Attachment A** (Draft Deed of Agreement) to this report is considered with the public excluded in accordance with the Local Government Official Information and Meetings Act 1987 section 7(2)(h) on the grounds that the withholding of the information is necessary to enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities and section 7(2)(i) on the grounds that withholding of the information is necessary to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

**Executive Summary**

- 3 The Expression of Interest for the proposed Bullendale SHA was submitted to the Council on the 7 November 2017. The site is located at 117 Arthurs Point Road, Arthurs Point and it adjoins the Arthurs Point SHA (located to the east of the subject site and currently under construction). The proposal comprises a residential development that is very similar to the approved development within the neighbouring site.
- 4 This proposal was supported in principle at the Council meeting that took place on the 14 December 2017, and is again presented to Council following Council's resolution at the meeting to seek further information in regards to traffic effects, obtain feedback from the Department of Conservation in relation to the storm water proposal and the negotiation of the draft Deed in accordance with the Lead Policy (titled: Housing Accords and Special Housing Areas Act 2013 Implementation Guidelines) (**the Lead Policy**).
- 5 This report sets out how these matters have been addressed since the meeting. It does not repeat the assessment of the proposal against all of the statutory and other criteria as set out in the earlier report. The Council might wish to remind itself of the advantages and disadvantages of the proposal, and the criteria to be considered when considering whether or not to agree with the terms of the draft Deed and resolve to enter into the Deed.

- 6 The draft Deed has been negotiated and agreed by the developer in principle, subject to agreement and refinement by the Council. The draft Deed contains commitments relating to infrastructure provision and affordable housing as conditions on which the proposed SHA will be recommended to the Minister. It provides a mechanism to avoid use of the dwellings as commercial visitor accommodation. A copy of the draft Deed is contained in **Attachment A** (*Public excluded*). It is anticipated that the agreed copy of the Deed will be available prior to the meeting.

### Recommendation

7 That 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 SHA 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 an SHA, 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 an SHA 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.

Prepared by:



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10/04/2018

Reviewed and Authorised by:



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GM Planning and  
Development  
18/04/2018

**Background**

8 The proposal site is located at 117 Arthurs Point Road, Arthurs Point and is approximately 4.12ha. The proposal site is on the left hand side of Figure One below, while the approved Arthurs Point SHA development is shown on the right hand side.



Figure One: Proposed Site Layout (indicated on the left hand side)

9 The site is located in the following zones of both the Proposed and Operative District Plans:

Operative District Plan (ODP)	Proposed District Plan (PDP)
<ul style="list-style-type: none"> <li>• Rural General</li> <li>• Partly located within the Outstanding Natural Landscape</li> <li>• Low Density Residential</li> <li>• Building line restriction adjacent to Arthurs Point Road</li> </ul>	<ul style="list-style-type: none"> <li>• Rural</li> <li>• Partly located within the Outstanding Natural Landscape</li> <li>• Low Density Residential in notified version of PDP (2015)</li> <li>• Medium Density Residential in the decision version of PDP (2018)</li> <li>• Partly located within the Urban Growth Boundary (UGB)</li> <li>• Building line restriction adjacent to Arthurs Point Road.</li> </ul>

10 The site is located in an area that has a nil to low liquefaction risk and the rear portion of the site is identified as being a landslide area.

- 11 In summary the proposal will be predominantly residential and involves the construction of the following (these numbers will be subject to final resource consent):

Dwelling Type	Bedrooms	Total	Dwelling Type	Bedrooms	Total
House	2 bedroom	19	Apartment	1 bedroom	9
	3 bedroom	16		2 bedroom	32
	3.5 bedroom	4		3 bedroom	12
Total	12	39			53
<b>Overall Total</b>					92

- 13 Overall, the proposal provides for 2 car parking spaces per dwelling (184 in total). However, it is unclear from the EOI if this is allocated evenly to each dwelling.
- 14 The proposal also includes the vesting of reserves and roads with Council and through the draft Deed the developer has confirmed compliance with the affordable housing contribution of the Lead Policy.
- 15 The EOI comprises concept design plans and images of the Arthurs Point SHA, with supporting assessments from a planner, urban designer and engineers. It is noted that the same consultant team is involved in the proposal as the Arthurs Point SHA.
- 16 At the 14 December 2017 meeting, the Council resolved:
1. *Note the contents of this report and;*
  2. *Note feedback received from the public will be provided to Councillors separately;*
  3. *Approve in principle the potential development of the Bullendale Special Housing Area, subject to further consideration of the below requirements:*
    - a) *Instruct the General Manager of Planning and Development to proceed with negotiation of the Stakeholder Deed that fulfils the infrastructure, parks and reserves (including trails, footpaths and connections) and affordable housing requirements of the Special Housing Area Lead Policy titled: Housing Accords and Special Housing Areas Act 2013 Implementation Guidelines;*
    - b) *The developer to obtain confirmation from the Department of Conservation that the proposed stormwater solution to increase flows over their land is acceptable;*
    - c) *Gain confirmation from Aukaha that the proposal is supported in principle;*
    - d) *Negotiate qualifying development criteria for the proposed Special Housing Area; and*

- e) *Provide further detailed assessment on the traffic effects.*
- f) *Instruct Council officers to report back to the Council on the measures discussed in Point 3 above.*

17 This proposal was supported in principle at the Council meeting on the 14 December 2017. Measures taken to address the resolution are detailed further below.

#### Negotiation of Draft Deed (Resolution 3 (b))

18 The draft Deed (**Attachment A** – Public excluded) has been developed for consideration by Council to outline conditions on which this proposal could be recommended to the Minister. The draft Deed addresses the resolutions of 14 December 2017 relating to infrastructure, reserves and connections and affordable housing deliverability. The draft Deed contains the following:

- a) The developer has agreed to design, and obtain all necessary consents for, and construct the necessary water, wastewater and storm water infrastructure at its sole cost. Further assessment of the water and waste water network has confirmed that there is capacity in the existing networks to cater for the development. Some site specific servicing issues in regards to water supply have been raised and the developer will address this within the subsequent resource consent application. Noting that the design and construction of this will be at their cost;
- b) All roads, paths, footpaths (including the connection path to Arthurs Point and Atley Roads) and the pedestrian crossing will be designed and built to Council standards at the sole cost of the developer;
- c) Residential visitor accommodation is permitted that is in line with the requirements of the Proposed District Plan. This means house owners are able to rent out their properties for a cumulative total of 28 days per 12 month period for up to 3 lets, which is the same as other residential properties. Commercial visitor accommodation is not permitted;
- d) Affordability – 10% of the developable area is to be provided to the Queenstown Lakes Community Housing Trust (**QLCHT**). This must be capable of housing at least nine residential units, be supplied to the Trust within a set timeframe from the commencement of onsite works and be a suitable surface condition and level to enable the dwellings to be efficiently constructed onsite. The Deed also requires the developer and the QLCHT to enter into a Heads of Agreement on how each party will work together to address the construction of the future dwellings on the lot; and
- e) The draft Deed requires the QLCHT and the developer to enter into a head of agreement to work together in good faith in relation to the future dwellings on the site.

19 As with all developments including SHAs, there would be an ongoing cost to Council for maintaining any vested services or reticulation constructed to service the development, but the developer otherwise agrees to fund the planning and construction of the necessary infrastructure.



- 20 The draft Deed has been agreed in principle by the developer. It is only the final wording that is still being negotiated. The draft Deed is structured such that it would be executed prior to recommendation of the SHA to the Minister.

Agency Responses from Aukaha and Department of Conservation (Resolution 3 (b) and 3 (c))

- 21 Aukaha (formerly Kai Tahu ki Otago) have no specific concerns with the proposal on the understanding that the existing infrastructure will accommodate the new proposed subdivision (**Attachment B**). Aukaha have requested that the Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol be adhered to. This will be considered as part of the resource consent process.
- 22 The Department of Conservation have also provided an in principle confirmation of the proposed stormwater solution (**Attachment C**). The Department of Conservation have noted that this does not negate the requirement for the Department to undertake a full assessment once a formal concession application for stormwater discharge is received. This also will be assessed at the time of the resource consent application.

Negotiation of Qualifying Development Criteria (Resolution 3(d))

- 23 An 8m height limit currently applies to both the Low Density Residential (for flat sites), and Medium Density Residential (decision version of PDP 2018) and Rural General/Rural Zones, and a 7m height limit applies to sloping sites of the Low Density Residential in the ODP and PDP. It is noted that the Rural Visitor Zone (ODP) to the east has a 8m height limit for residential developments and 12m height limit for Visitor Accommodation. For design reasons, the developer prefers that some flexibility is provided for height to enable three storey development with a basement car parking area. As the legislation specifies a default SHA height limit of 27m unless otherwise specified, it is recommended that a 11m height limit and four storey limit apply to the proposed SHA. This has been confirmed by the developer. This would mean that if SHA status was conferred, and a subsequent application for a qualifying development was received by Council that exceeded this height limit or storey height, it would not be accepted as a 'qualifying development' under the SHA.
- 24 A minimum number of 3 dwellings is also being proposed as one of the qualifying development criteria. This means that to be a qualifying development at least 3 residential units need to be proposed to be able to be processed under the HASHAA. This minimum is consistent with those of other approved SHAs and has been kept low to allow a degree of flexibility. The draft Deed requires the site to be developed in general accordance with the Expression of Interest, but it is acknowledged that in some instances dwellings have had to be removed from the proposal due to adverse effects.
- 25 It is also noted that the effects of the proposal on neighbours will be assessed at the time of any qualifying development resource consent application.

Further assessment of the traffic effects (Resolution 3(e))

- 26 The applicant has submitted further information in regards the effects on the Edith Cavell Bridge and the proposed pedestrian crossing (**Attachment D**). The consultant traffic engineer has concluded that the proposal will increase traffic demand at the Edith Cavell Bridge, but the effect of this is not significant and is within current daily and seasonal variations. Council's Infrastructure Engineer agrees with these findings.
- 27 The proposal identifies a pedestrian crossing over Arthurs Point Road and further information was requested to make sure there were no safety issues. The Consultant Traffic Engineer has concluded that the proposed crossing would be acceptable with respect to safety. Council's Infrastructure Engineer is satisfied with these findings. Further detailed assessment will be provided as part of the resource consent application.

#### Water and Wastewater Scheme Boundary Adjustments

- 28 The proposal site is partly zoned Low Density Residential and Rural (notified version of PDP 2015) and the Medium Density Residential and Rural Zones (decision version of PDP 2018). As a result, part of the site that may be acceptable for development falls outside the existing water and waste water scheme boundaries. The developer has agreed, at its sole cost, to design and obtain all necessary consents and construct any infrastructure that is necessary to enable an adequate water supply and address the wastewater effects of the proposal in accordance with Council standards.
- 29 If the Minister agrees to establish the proposal site as a SHA a technical issue arises when processing resource consents that propose use of Council water and waste water infrastructure. Only development within approved scheme boundaries will be looked upon favourably. Conditionally approving an extension to water and waste water supply/scheme boundaries to cater for the approved qualifying development will overcome this technicality.
- 30 To effectively process resource consent applications for the proposal, confirmation is required from Council that the supply boundaries can be extended to meet the associated demand if relevant resource consents are granted within the proposed SHA area. There are considered to be no adverse effects from conditionally extending the scheme boundaries if resource consent is approved. Council's Infrastructure Development Engineer has not raised any concerns with the proposal, as all the infrastructure requirements to service the proposal site will be met by the developer prior to the extension of the scheme boundary.

#### *Conclusion*

- 31 In recommending the SHA to the Minister, the Council has to be satisfied that the proposal is generally consistent with the principles espoused in the Lead Policy. The majority of the portion of the site that is proposed for residential purposes is located on residential zoned land that is within the proposed UGB in the PDP. The proposal targets a specific housing market (being first home owners), it would provide both a mixture of dwellings and apartments and different sizes sized dwellings (1 to 3 + bedrooms). Council's Infrastructure Department have confirmed that adequate infrastructure exists or is likely to exist to service the development.

- 32 It should be emphasised that conferring SHA status for the site only enables the potential for development. SHA status, in itself, does not guarantee applications for qualifying developments will be approved, and planning matters (including UGBs, character / amenity and landscape issues and impact on neighbouring properties) are a relevant and explicit consideration at the resource consent application stage as second, third and fourth tier considerations under HASHAA. In particular, the applicant will need to address the impact of the increased levels of development, including bulk, location and shading on adjacent neighbours.

### Other matters

- 33 The Arthurs Point Residents Association (**APRA**) provided feedback, which was provided to Councillors on the 7 December 2017. In the APRA minutes it was noted that Mr Streat (neighbouring landowner and developer) supported the vehicle connection through to Morning Star Terrace. Mr Streat has since contacted Council and advised he does not support this connection.

### **Options**

- 34 Option 1: Agree with the terms of the draft Deed and the conditional scheme boundary extension. Resolve to enter into the Deed.

#### *Advantages:*

- 35 Helps contribute to achieving the purpose of the HASHAA, advancing the principles and priority actions in the Housing Accord, and helps the Council to achieve the housing targets in the Housing Accord by enabling new housing aimed at first home owners to be constructed.
- 36 Generates a number of social and economic benefits (both short term and long term) such as the creation of jobs during the construction phase and long term benefits relating to the increased provision of the supply of a range of houses;
- 37 Contributes to affordable housing in the Wakatipu Basin;
- 38 Ensures the developers commitments to the provision of affordable housing, infrastructure and reserves are legally binding after the SHA is established;
- 39 Provides certainty over conditions for recommendation to the Minister via a draft Deed; and
- 40 The proposal is considered to be generally consistent with the Council's Lead Policy, due to the majority of the site being located within the proposed UGB and the proposed residential zone of the PDP. It is a logical extension of the Arthurs Point SHA.

#### *Disadvantages:*

- 41 Given the Council's support in principle for the Bullendale proposal, there are no significant disadvantages in entering the draft Deed.

42 Option 2: Not agree with the terms of the draft Deed and the conditional scheme boundary extension.

*Advantages:*

43 Given the Council's support in principle for the Bullendale proposal, there are no significant advantages in not entering the draft Deed.

*Disadvantages:*

44 Given the Council's support in principle for the proposal, not entering the Deed would mean that the Council would not be in a position to recommend to the Minister that the SHA be established. This would risk the District's acute housing supply and affordability issues continuing to grow, resulting in adverse social and economic benefits; and

45 The Council would forgo the opportunity of providing a significant new housing option in the Wakatipu Basin, and the long and short term social and economic benefits offered by the proposal.

46 This report recommends **Option 1** for addressing the matter.

47 If **Option 2** is adopted:

- a. further negotiation between the developer and Council will be required to secure any remaining HASHAA and Lead Policy requirements such that the Council can be confident in recommending the proposal to the Minister; or
- b. the Council will not be able to recommend the proposal to the Minister for establishment as an SHA.

### **Significance and Engagement**

48 This matter is of high significance, as determined by reference to the Council's Significance and Engagement Policy because:

- **Importance:** the matter is of high importance to the District. Housing supply and affordability is a significant issue for the District;
- **Community interest:** the matter is of considerable interest to the community;
- **Existing policy and strategy:** The proposal is considered consistent with the Housing Accord, and is generally consistent with the Council's Lead Policy. Some aspects of the proposal are generally consistent with the provisions of the ODP and PDP because urban development is anticipated on the residentially zoned portion of the site. However, the proposal also promotes increased levels of density to those anticipated by both the ODP and PDP, and proposes residential development on Rural zoned land that is located outside the UGB and within the ONL. This is not entirely consistent with either the ODP or PDP and will be assessed at the time of the qualifying development resource consent.
- **Capability and Capacity:** There is capacity within the existing network to service the proposal.

## **Risk**

49 This matter relates to the strategic risk SR1 'Current and future development needs of the community (including environmental protection)' as documented in the Council's risk register. The risk is classed as high. This is because of economic, social, environmental and reputational risks.

50 This matter relates to this risk because the supply of housing is central to the current and future development needs of the community. In this instance, it is considered that the social and economic benefits towards the provision of housing and land packages that are targeted at first home owners are met. The subsequent resource consent assessment process under the HASHAA also provides the opportunity for further mitigation of risk.

## **Financial Implications**

51 Under the HASHAA, developers are required to provide the necessary infrastructure to service their developments. This has been secured in the draft Deed. It is acknowledged that there will be some ongoing infrastructure maintenance costs, but these are likely to be minor.

## **Council Policies, Strategies and Bylaws**

52 The following Council policies, strategies and bylaws were considered:

- Lead Policy for SHAs;
- The Operative District Plan;
- The Proposed District Plan;
- Growth Management Strategy 2007;
- Housing Our People in our Environment Strategy;
- Economic Development Strategy;
- 2017/2018 Annual Plan and the Long Term Plan;
- Mayoral Housing Affordability Taskforce Report;
- Monitoring Reports for

53 This matter is partly included in the 10-Year Plan/Annual Plan, due to the fact that some level of development is anticipated on the site.

## **Local Government Act 2002 Purpose Provisions**

54 The proposed resolution accords with Section 10 of the Local Government Act 2002, in that it fulfils the need for good-quality performance of regulatory functions.

55 The recommended option:

- a. Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by

- utilising the HASHAA to enable increased levels of residential development on the proposal site;
- b. Can currently be implemented through current funding under the 10-Year Plan and Annual Plan;
  - c. Is considered to be generally consistent with the Council's plans and policies; and
  - d. Would alter the intended level of infrastructural service provision undertaken by or on behalf of the Council.

### **Consultation: Community Views and Preferences**

- 56 HASHAA does not set any statutory responsibilities in terms of consultation on the establishment of SHAs. However, the Council has sought public feedback / comment regarding the proposed SHA, which it has done for all SHA proposals. This feedback was provided to Councillors prior to the 14 December 2017 Council meeting and is available on the Council's website
- 57 In addition, should the SHA be established, the consent authority may request at the time of the resource consent application the written approval of adjacent land owners if they are deemed to be affected. In addition, the consent authority may undertake a limited notification resource consent process with adjacent landowners, local authorities (Otago Regional Council), infrastructure providers (limited to those who have assets on, under or above, or adjacent to the proposal site) and requiring authorities (if the adjacent land is subject to a designation).

### **Legal Considerations and Statutory Responsibilities**

- 58 The HASHAA provides limited guidance as to the assessment of potential SHAs, beyond housing demand and infrastructure concerns. HASHAA is silent on the relevance of planning considerations; however the Council's legal advice is that these are relevant considerations and this has been confirmed by a High Court decision. The weight to be given to these matters is at the Council's discretion, having regard to the overall purpose of HASHAA. These matters have been considered in this report and the previous report presented to Council at the 14 December 2017 Council meeting.
- 59 The Council will need to consider the consistency of any decision to recommend this SHA to the Minister and its decision in July 2015 to notify the PDP which maintains the sites as Low Density Residential / Rural Zone. It also need to be aware of its proposed Medium Density Residential / Rural Zoning in the decision version of the PDP (2018). The majority of the proposal site is located within the proposed UGB and it adjoins an existing urban area being Arthurs Point. It also adjoins the Arthurs Point SHA that is currently under construction. The proposal is considered to be generally consistent with the Lead Policy, the Accord and the purpose of the HASHAA.
- 60 In this instance the provision of houses outweighs the adverse effects of proceeding with a development that promotes increased levels of development anticipated by the ODP and PDP.
- 61 The proposal would help achieve the purpose of HASHAA.

62 The draft Deed has been drafted and reviewed by Council's lawyers.

**ATTACHMENTS**

- A Draft Deed – *Public excluded*
- B Agency Response – Aukaha (formerly *Kai Tahu ki Otago*)
- C Agency Response – Department of Conservation
- D Transport Assessments – Edith Cavell Bridge and Pedestrian Crossing

28 November 2017

Queenstown Lakes District Council  
Private Bag 50072  
QUEENSTOWN 9348

Attention: Anita Vanstone

### Proposal

Ngā Rūnanga understands that Queenstown Lakes District Council are seeking advice on Māori archaeological and cultural values for:

- Proposed Bullendale Special Housing Area – 117 Arthurs Point Road, Arthurs Point, Queenstown (as specified in the information provided)

### Situation

Aukaha writes this report on behalf of Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ōtākou, two of the kaitiaki Rūnanga whose takiwa includes the site the proposal relates to.

### Decision

Rūnanga representatives have been informed of the proposal received 8 November 2017. Please be advised that Ngā Rūnanga have no specific concerns with the above proposal on the understanding that the existing infrastructure will accommodate the new proposed subdivision and also request the following be adhered to:-

1. That the Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol (attached) should be adhered to.

Ngā Rūnanga would like it noted that although there are no recorded Māori archaeological sites within the boundary of the proposed Special Housing Area. This area is known to be utilised as a thoroughfare for Māori in the past. Therefore, any earthworks undertaken should be carried out in a way that allows contractors to monitor for artefacts or archaeological material.

This reply is specific to the above proposal. Any changes to the proposal will require further consultation.

Nahaku noa  
Na



**Chris Rosenbrock**  
General Manager

cc Kāti Huirapa Rūnaka ki Puketeraki  
Te Rūnanga o Ōtākou

G:\Aukaha\1. RMA\3. Resource Consents\1. Consents and Submissions\2017\Reply Letters\20171129 - 4352-Arthurs Point-QLDC-special housing area.docx





15<sup>th</sup> February 2018

Shane Fairmaid  
237 Wairakei Road  
Bryndwr  
CHRISTCHURCH 8053  
Email: [shanef@momentumprojects.co.nz](mailto:shanef@momentumprojects.co.nz)

Dear Shane

**Re: State 2 – Bullendale – Tomasi site – Special Housing Area**

I have considered your request for the Tomasi site to be included in the current concession for discharging storm water from a residential subdivision in the name of Riverton Queenstown Limited (54170-OTH) for the purposes of the Special Housing Area approval which the Queenstown Lakes District Council approved in December 2017.

My approval to include this area as part of the concession is granted “in principle” on the basis that the proposal is as described, is for the purposes described, and will have the effects on the Department’s interests as described in your email dated 12<sup>th</sup> January 2018 to Kelvin Brown, Permissions Advisor, in the Dunedin Office.

This approval is limited to the likely adverse effects of the proposal on the Department’s interests and should not be construed as approval to effects on the environment generally.

This approval does not negate the requirement for the Department to undertake a full assessment once a formal concession application for the stormwater discharge is received. Should any further impacts come to light then the risk and consequence of this is yours to bear.

This approval will be rendered null and void if the proposal to which it refers is changed between the date of this approval and its consideration by the consent authority without referral back to me for my further assessment.

Yours sincerely



Geoff Owen  
Operations Manager  
Wakatipu District

**Whakatipu-wai-Māori / Queenstown Office**  
1 Arthurs Point Road, Arthurs Point, Queenstown 9371  
PO Box 811, Queenstown 9348



19 February 2018

Bullendale Developments Limited

C/- Momentum Projects

By email

Attention: Shane Fairmaid

Dear Shane,

## Edith Cavell Bridge, Arthurs Point Traffic Report

The purpose of this letter is to provide a high level traffic report for the Edith Cavell Bridge.

### 1 Background

The Tomasi SHA is a proposed extension of Bullendale subdivision at 157 Arthurs Point Road.

The Tomasi development would subdivide Lot 2 DP12913 with accesses through the Bullendale Subdivision which is a SHA created under consent approval SH160143. Bullendale is not fully constructed although design drawings have been approved for a proposed access from Arthurs Point Road.

This high level traffic report for the Edith Cavell Bridge has been provided following a request from Council when considering the proposed Tomasi SHA Application.

### 2 Existing Traffic

Edith Cavell Bridge is a single lane bridge on Arthurs Point Road which is part of an arterial road link between Queenstown and Arrowtown. Arthurs Point Road also provides the main transport link between Queenstown and the Coronet Peak Ski Area, hence it is likely that Arthurs Point Road will have a significant seasonal variation in traffic flows.

#### 2.1 QLDC traffic Data

Traffic flow data for Arthurs Point Road is collated by QLDC, the following Table 1 provides a summary of the peak period traffic flows in the vicinity of the site.

**Table 1 – Arthurs Point Road Traffic Count Data, Peak Hourly Traffic (vph)**

Site	2011	2012	2013	2014
Arthurs Point Road (Edith Cavell Bridge) From chainage 0m (Oxenbridge Tunnel Road) to 640m (Atley Road)	337 <sup>1</sup>	365 <sup>2</sup>	393 <sup>3</sup>	505 <sup>4</sup>

<sup>1</sup> Peak flow at 17:00, November.

<sup>2</sup> Peak flow at 17:00, January. A further count undertaken has a peak flow of 324vph at 08:00, October.

<sup>3</sup> Peak flow at 17:00, February.

<sup>4</sup> Peak flow at 17:00, March. A further count undertaken has a peak flow of 406vph at 16:00, July.

This traffic count data is provided as a two directional peak period traffic. The peak periods recorded in the table above all occurred in the evening (pm) peak period (17:00). No current traffic count data has been provided for this portion of Arthurs Point Road.

## 2.2 Crash History

The NZTA crash database (CAS) has been used to identify any reported crashes at the Edith Cavell Bridge during the last 5 years, 2013 to 2017 inclusive. There have been a total of eight reported crashes within 150m of the bridge which includes:

- Six loss of control type crashes, one of these was a loss of control on the bridge and three were at the Gorge Road/Oxenbridge Tunnel Road end of the bridge. One of these loss of control crashes resulted in two minor injuries. These crashes do not appear to be a result of the bridge control or queuing,
- One crash at the northern/eastern end of the bridge where a bus collided with a vehicle within the road. The position of this crash is between the bridge and the Shotover Jet Access but does not appear to be related to the bridge control or queuing, and
- One crash at the southern/eastern (Queenstown) end of the bridge which appears to be queue related. The crash involved a car colliding with the back of a stopped/slow moving car awaiting for traffic. This appears to be a typical back of queue type crash which is related to the bridge control.

It is noted that in May 2012 (6 years ago) there was also a queue related crash at the northern/eastern end of the bridge which related in two minor injuries.

## 2.3 Recent Traffic Observations

The following (refer Table 2) traffic flows have been recorded for Edith Cavell Bridge during 2017/2018.

**Table 2 – Edith Cavell Bridge, Peak Period Traffic by Bartlett Consulting**

Survey Date	Period	Peak <sup>5</sup> (vph)	Typical <sup>6</sup> (vph)	Observations
1 Jun 2017	08:00-09:00, AM	642	600	79% towards Queenstown
1 Jun 2017	17:00-18:00, PM	1326	888	46% towards Queenstown
26 Jul 2017	17:00-18:00, PM	1110	848	41% towards Queenstown Winter traffic including a greater proportion of bus type vehicles.
27 Jul 2017	08:00-09:00, AM	768		80% towards Queenstown
23 Jan 2018	17:00-18:00, PM	752	736	46% towards Queenstown Summer season traffic.

For the basis of this traffic analysis the individual counts have been averaged to give an average existing 2017/2018 traffic flow at the Edith Cavell Bridge of 836vph in the pm peak period and 656vph in the am peak period.

When these traffic flows were recorded the following traffic flow observations were also noted:

<sup>5</sup> Based on the peak 10 minute count at the site factored to an hourly traffic flow.

<sup>6</sup> Based on more the average of more than one 10 minute count at the site and factored up to an hourly traffic flow.

- During the June am peak period there appeared to be some available capacity when the majority of traffic is traveling towards Queenstown and generally has the right of way. There was minor delay and queuing noted in the opposite direction, toward Arrowtown. This suggests that the Edith Cavell Bridge would have a Level of Service of B during the am peak period. This is based on there being some delay as a result of the bridge control but generally less than 15 second average delay<sup>7</sup>.
- During the July am peak period the level of delay had increased as a result of increased traffic. During the July observations the majority of traffic (80%) was towards Queenstown and had the right of way at the bridge. Queuing at the Queenstown end was noticeably greater with delays greater than 15 seconds suggesting a level of service of C for this direction. It was also noted that the traffic from Queenstown had a greater proportion of buses associated with Coronet Peak ski traffic. During this period there were times when courteous behaviour allowed drivers queued on the give way control to proceed over the bridge.
- During the June pm peak period there was queuing, on both sides of the bridge, through the peak period. During one 10 minute sample period the minimum queue length was 3 vehicles with the maximum queue length in excess of 13 stationary vehicles on each side of the bridge. During this period the level of service was estimated as either D or E as the average delay as a result of the bridge control would be between 25 and 50 seconds<sup>8</sup>. During a 10 minute sample 221 vehicles crossed the bridge<sup>9</sup> suggesting a peak hourly flow estimated at 1,326vph<sup>10</sup>. During the pm peak period the bridge operated through driver courtesy in that those with the right of way regularly stopped to create a gap to allow vehicles queued on the opposite side of the bridge to proceed over the bridge. This behaviour essentially overrides the current priority control at the bridge.
- The July and January pm peak period had similar operational issues in that there was queuing at the bridge during the peak periods. Up to 185 vehicles crossing the bridge during a 10 minute sample period in July suggesting a peak traffic flow of 1,110vph. During this time there was an increased number of bus type vehicles associated with Coronet Peak ski traffic. During the January pm peak period the traffic flow was more distributed over the full hour period and there was no identifiable peak during the hour.

### 3 Predicted Future Traffic

QLDC have a Queenstown Traffic Model (2016). This provides the AM and PM peak hour traffic volumes for 2016 by direction which has then been used to predict future for 2025 and 2045 based on anticipated growth from existing and possible development enabled by the Operative QLDC District Plan. The following information was provided with the model data.

*The Queenstown traffic model uses data from the QLDC growth forecasts prepared by Rationale Limited and peer reviewed by Insight Economics, to ascertain anticipated growth in the District. These forecasts have been approved by the QLDC Finance, Planning and Infrastructure teams. For the purposes of this update the landuse growth was informed by the peak day "High Adj" high growth scenario which was the recommended scenario from the Rationale forecasts and sits between Statistics New Zealand's medium and high growth forecasts.*

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<sup>7</sup> Based on am traffic observations on 1 June 2017.

<sup>8</sup> Based on pm traffic observations on 1 June 2017 (10 minute survey 17:15 to 17:25).

<sup>9</sup> Based on pm traffic observations on 1 June 2017 (10 minute survey 17:15 to 17:25).

<sup>10</sup> Based on pro rata calculation from a 10 minute traffic observations.

The following Table 3 provides the future predicted traffic at the Edith Cavell Bridge.

**Table 2 – Edith Cavell Bridge, Peak Period Traffic from Queenstown Traffic Model**

Model Year	AM traffic (vph)	PM traffic (vph)	Observations
2016	515	590	Based on other traffic counts on Arthurs Point Road the 2016 traffic flows are considered similar to actual traffic flow in 2016. AM – 74%, PM – 33% towards Queenstown
2025	597	729	
2045	749	940	

Based on the predicted traffic from the Queenstown Traffic model there would be an annual traffic growth rate of:

- Between 2016 and 2025 – 1.65% in the am peak period and 2.38% in the pm peak period.
- Between 2025 and 2045 – 1.15% in the am peak period and 1.28% in the pm peak period.

It is noted that predicted growth rates are significantly less than the current growth rates experienced within this part of the QLDC road network. However, the model can be used to provide a potential growth rate between now (2018) and a possible design year for a development project such as 2030 being 10 years from a possible opening date. Based on the Queenstown traffic model the am peak period traffic at Edith Cavell bridge would increase 19% to 2030 and the pm peak period will increase 26% to 2030.

## 4 Committed Development

There are a number of committed developments within the immediate area of the proposed Tomasi development site. These developments have planning approvals and are currently under construction, these include:

- Bullendale SHA, 88 residential dwellings, SH160143
- Residence du Parc, RM160899 Subdivision to create 6 lots for development including RM161114 to develop 48 Visitor Accommodation apartments over 2 lots. The remaining lots have the potential (under RM160899) to be developed as further 13 residential dwellings.

These committed developments will increase the potential traffic flow at the Edith Cavell Bridge. Based on traffic generation from the Atley Road portion of Arthurs Point (173 residential dwellings) it is possible that these committed developments (total 149 dwellings) could add 79vph in the am peak period and 76vph in the pm peak period. It is noted that there is considerable scope for further dwellings to be developed within the Morning Star terrace portion of Arthurs Point. This area is generally zoned Low Density Residential, the development of this area has been assumed to be included in the QLDC traffic model as this is the type of development anticipated within the zoning of the Operative QLDC District Plan.

## 5 Proposed Development

The proposed Tomasi development is expected to include up to 100 residential dwellings within Lot 2 DP12913. Access to this development will utilise the roading infrastructure within the Bullendale development. This includes the road link, Bullendale Drive and access intersection from Arthurs Point Road.

### 5.1 Development Traffic

Turning traffic counts have been undertaken at the intersection of Arthurs Point Road and Atley Road. Atley Road serves approximately 173 developed residential lots and it is therefore

possible to use the turning counts at this intersection to estimate a trip rate for development which would utilise Edith Cavell Bridge. Based on this methodology the proposed Tomasi development (100 residential dwellings) would increase traffic flow at Edith Cavell Bridge by 53vph (7%) in the am peak period and 51vph (6%) in the pm peak period.

## 6 Traffic Assessment

Based on predicted traffic flows from the Queenstown Traffic Model (2016) the Edith Cavell Bridge is currently operating at a traffic flow anticipated beyond 2033 in the am peak period and 2036 in the pm peak period. This is a result of traffic growth being significantly greater than predicted in the Queenstown Traffic Model.

During the am peak period the priority controls at the Edith Cavell Bridge are generally effective as the majority of traffic is towards Queenstown and therefore has the right of way. During this period the observations suggest that the delay was less than 15 seconds towards Queenstown (level of service B) and greater the 15 seconds from Queenstown (level of service C) as a result of the give way control.

During the pm peak period the bridge generally had queues both sides with occasional clearing of one queue or the other. During this period the priority controls were largely ignored with queuing managed through courteous driver behaviour. It was normal to observe drivers on the Arthurs Point approach (Queenstown bound, with the right of way) stopping to allow opposing traffic to cross the bridge. Without this type of driver behaviour the queuing on the southern/western (Queenstown) end of the bridge would be significant as the formal single lane bridge controls would not cater for current traffic demand. The current operational capacity of the bridge is significantly beyond the capacity of the priority controls.

The proposed development will add traffic to the bridge during the peak periods. This increase will be minor, approximately 7% am and 6% pm, periods. In traffic engineering terms this increase is not considered to be significant. In terms of traffic flow at the bridge the projected increase would be less than the daily and seasonal traffic variations experienced.

During the peak periods it is considered the Bridge is already operating beyond the capacity of the priority control. This is evident by the queuing and driver behaviour whereby those which have the right of way have been observed to wait for other opposing queued traffic to use the bridge. If traffic growth and committed development are allowed for the bridge will be operating significantly beyond the capacity of the priority controls at either an opening year (say 2020) or the design year (say 2030). It is more likely that if there are no capacity improvements at the bridge then growth and committed development will lead to redistribution of traffic such as use of other parts of the network (Littles/Dalefields, Domain and Lower Shotover Roads) or lead to a lengthening of the peak period through peak spreading. It is also possible some users will consider other transport modes such as bus or cycle to travel between Queenstown and Arthurs Point. Based on projected growth and committed development this will happen regardless of the proposed Tomasi development.

It is considered that the only option to improve capacity, to cater for traffic growth and committed developments, at the Edith Cavell Bridge is to provide a two lane crossing. Traffic signals, similar to Kawarau Falls Bridge, are unlikely to have any improvements in the peak periods. Traffic signals will require an all red phase and are more likely to result in greater levels of delay in all time periods.

The QLDC 2015-2045 Infrastructure Strategy (30 year strategy) includes for future works at Edith Cavell Bridge before 2045. This includes the addition of a cycleway, footpath and earthquake strengthening. The replacement of this bridge is currently beyond the 30 year strategy (refer Table 1). It is noted through discussion with the QLDC Road Network Team that the next Land Transport Programme is to be released in June 2018 is likely that this will

include improvements to Edith Cavell Bridge before 2028 although it is not known at this stage what these improvements will be.

## 7 Summary

This high level traffic report for the Edith Cavell Bridge has been provided following a request from Council when considering the proposed Tomasi SHA Application. This report is based on current traffic flow data, projected traffic flow data from the Queenstown Traffic Model (2016) and traffic flow observations at the bridge during 2017 and 2018.

The current traffic flows at Edith Cavell bridge are significantly greater than anticipated and are generally equivalent to projected traffic flows from the Queenstown Traffic Model for 2033/2036. This significant flow increase has resulted in noticeable traffic effects at the Edith Cavell Bridge. Through observations during the pm peak period it is considered that the current traffic flow is already beyond the efficient operational capacity of the current priority single lane bridge controls.

It is likely that the combination of growth and committed development will lead to significant delays at the existing single lane bridge and potentially to a greater use of other transport routes or modes. It is expected that this will occur regardless of any additional traffic from the proposed Tomasi development. It is recommended that to accommodate anticipated growth and nearby developments that capacity improvements at Edith Cavell Bridge are considered. The only viable capacity improvement is to provide a two lane bridge. Discussion with QLDC have highlighted that there has been no budgeting for any form of capacity improvements at the Edith Cavell Bridge in current budgets or strategies.

The proposed Tomasi development will increase traffic demand at the Edith Cavell Bridge. The increased demand will be minimal and is within the current daily and seasonal variations. In traffic engineering terms the increase will not be significant.

Should you require any further information please contact me.

Yours sincerely,

A handwritten signature in blue ink, appearing to be "Jason Bartlett", written over a blue oval-shaped stamp or watermark.

**Jason Bartlett**

CEng MICE, G.IPENZ  
Traffic Engineer

21 March 2018

Bullendale Developments Limited

C/- Momentum Projects

By email

Attention: Shane Fairmaid

Dear Shane,

## Tomasi SHA, Arthurs Point Crossing Location

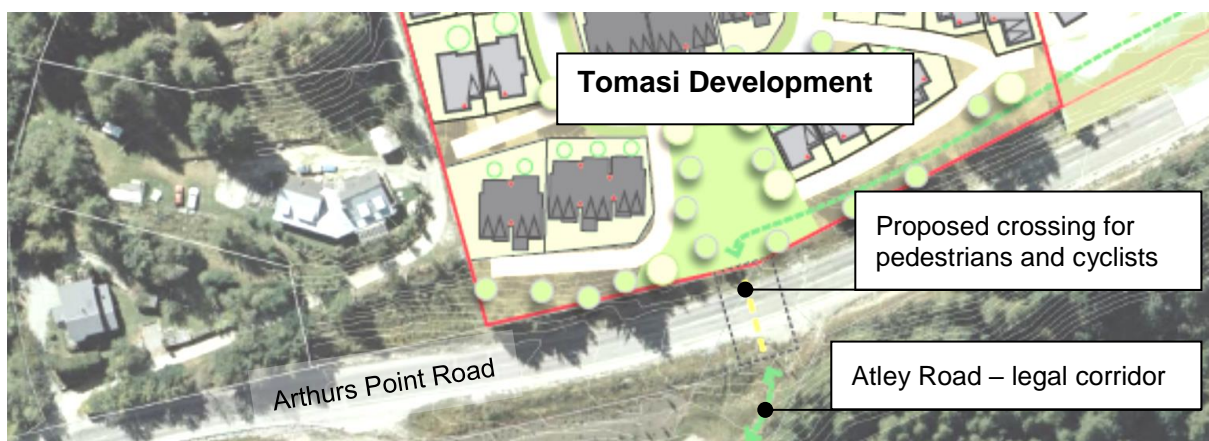
The purpose of this letter is to provide additional information relating to a possible crossing (for pedestrians and cyclists) on Arthurs Point Road. This information is being provided in response to a QLDC request for information and their concern regarding the safety of the proposed crossing location.

### 1 Background

The transport assessment for the proposed Tomasi SHA (Bartlett Consulting, dated 19 October 2017) recommended a pedestrian/cycle link between the site, on the northern side of Arthurs Point Road, and the Atley Road area of Arthurs Point.

A proposed crossing location is identified in the Masterplan documents and is shown in Figure 1 below.

**Figure 1 – Proposed Crossing, from The Property Group drawings**



The Council assessment of the proposed development raised concerns regarding the safety of a crossing at this location. This assessment considered the safety elements of the proposed crossing location.



## 2 Existing Transport Network

Arthurs Point Road has a legal speed limit of 70km/hr. Recently this has been overlaid with a temporary speed limit of 50km/hr. It is believed that QLDC have placed the temporary speed limit on Arthurs Point Road in advance of changes to the Speed Limit Bylaw. It is anticipated that the Speed Limit Bylaw to be revised later this year will reduce the legal speed limit on Arthurs Point Road to 50km/hr.

No speed surveys have been undertaken at the site. It is possible that the operating speed could be as high as 80km/hr<sup>1</sup> based on the current legal speed limit of 70km/hr. This is considered to be a worst case scenario based on the likely speed limit reduction.

## 3 Visibility Sight Distances

The safety of a crossing is predominantly a result of visibility sight distance. This has two elements:

- That pedestrians have sufficient visibility to view approaching vehicles and make appropriate decisions to cross, and
- That approaching drivers have sufficient visibility to view pedestrians on the crossing and take appropriate action to avoid a collision.

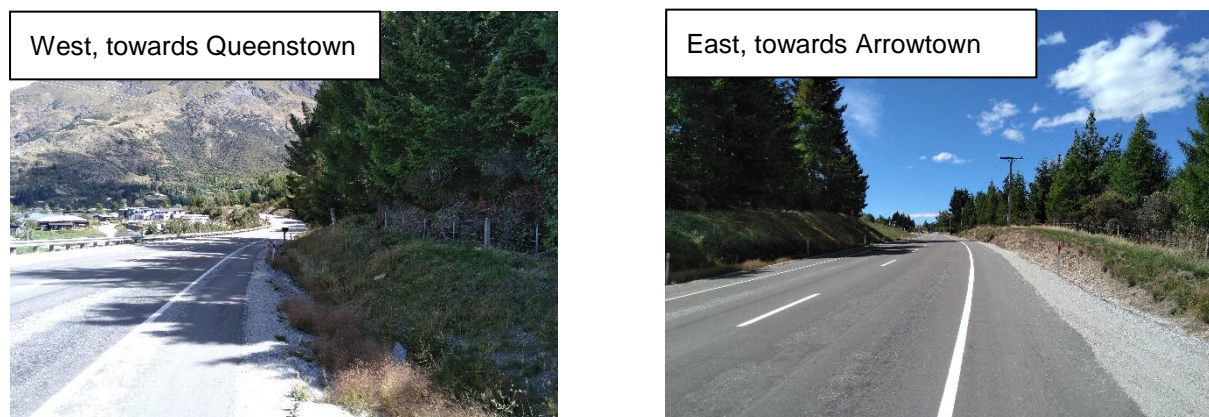
### 3.1 Available Sight Distance

A review of the available visibility sight distances at the crossing site showed:

- To the west (toward Queenstown) 220m sight distance restricted by the horizontal alignment and vegetation in the road reserve, and
- To the east (towards Arrowtown) 320m sight distance restricted by the horizontal alignment and the topography (slope) on the inside of the curve.

The view from the proposed crossing location (in each direction) is shown in Figure 2 below.

**Figure 2 – Visibility from the proposed crossing location**



<sup>1</sup> Based on Austroads Guide to Road Design, Part 3: Geometric Design (2016), refer Section 3.3 Operating Speeds on Urban Roads.

### 3.2 Crossing Sight Distance

Crossing sight distance is the distance pedestrians expect to see towards approaching traffic in order to feel safe when crossing the road. Crossing sight distance is based on the crossing length (carriageway width, 7.5m), expected walking speed (4.5km/hr or 1.25m/sec) and the anticipated approaching vehicle speed (80km/hr). For a pedestrian to feel comfortable to crossing Arthurs Point Road (with no central refuge) they would expect to see 133m<sup>2</sup> in each direction. If a central refuge is considered this will reduce the crossing length to one lane at a time and thereby also reduce the required crossing sight distance.

This calculation is based on a 70km/hr speed limit. If the posted speed limit was reduced the required crossing sight distance would reduce.

### 3.3 Safe Intersection Sight Distance

Ideally approaching drivers will have Safe Intersection Sight Distance (SISD) to the crossing location. SISD means that drivers will have sufficient visibility to the crossing so that they can identify any hazard (pedestrian or cyclist) and consider their most appropriate reaction to avoid a pedestrian/cyclist at the crossing. As an absolute minimum approaching drivers should have Approach Sight Distance (ASD) to the crossing which allows drivers identify any hazard and safely stop.

The Minimum (1.5 second reaction time) SISD for an 80km/hr approach is 180m<sup>3</sup> allowing for a slight downhill approach gradient. This assessment is based on a 70km/hr speed limit. If the posted speed limit was reduced the required SISD would also reduce.

## 4 Summary

The proposed Tomasi SHA identifies a possible crossing over Arthurs Point Road. The crossing would provide a pedestrian and cycle link between the proposed Tomasi subdivision and the Atley Road portion of Arthurs Point.

An assessment of visibility sight distances suggest that the available visibility sight distances are greater than the requirements for pedestrians (and cyclists) and approaching drivers. I therefore consider that the proposed crossing would be acceptable with respect to safety. It is noted that this assessment is based on a 70km/hr legal speed limit. For a possible 50km/hr speed limit minimum required sight distances would reduce.

Should you require any further information please contact me.

Yours sincerely,



**Jason Bartlett**

CEng/MICE, G.IPENZ  
Traffic Engineer

<sup>2</sup> Calculated using Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections, Section 3.3 Pedestrian Sight Distance Requirements, Equation 3.

<sup>3</sup> From Austroads Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections, Section 3.2.2 Safe Intersection Sight Distance (SISD), Tables 3.2 & 3.3.

**QLDC Council**  
**3 May 2018****Report for Agenda Item: 14****Department: CEO Office****Chief Executive's Monthly Report****Purpose**

The purpose of this report is to present a summary of items considered at recent Standing Committee and Wanaka Community Board meetings, and to present other updates on various matters.

**Recommendation**

That 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.
6. Recommendations from Wanaka Community Board

**a. Proposed New Licence to Upper Clutha Plunket**

**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.

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

1. **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.
2. **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.
  3. **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:
    - i. Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager.
    - ii. 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.
    - iii. 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.

#### **Queenstown Lakes Community Housing Trust ('QLCHT') membership**

- 1 The Memorandum of Understanding between Council and the Trust states that the Council will endorse the appointment of Trustees to the Trust.
- 2 At a Board meeting in March 2018, the Trust resolved to invite Jayne MacDonald to join QLCHT as a Trustee. Accordingly, the Council is asked to provide its formal endorsement of this appointment.

#### **Local Government New Zealand ('LGNZ') Annual Conference**

- 3 The 2018 Local Government New Zealand annual conference theme is 'We are firmly focused on the future: Future-proofing for a prosperous and vibrant New Zealand'. It is taking place in Christchurch from 15-17 July 2018. Traditionally the Chief Executive attends the conference and I propose that Councillor MacLeod, representing the Mayor, attends with me. The registration fee for the conference is \$1,410.00 if paid before 25 May and \$1,510.00 if paid after this date.
- 4 Councillor MacLeod and I will also attend the LGNZ Annual General Meeting with Councillor MacLeod being the Council's presiding delegate.

#### **Delegations Exercised**

- 5 Presented below is a list of applications for licences to occupy and table and chair licences considered by the Chief Executive under delegated authority during March 2018.

Address/Site/Event	Type	Brief Description	Date of Decision	Outcome
Buckingham Street, Arrowtown	Licence to Occupy Road Reserve	Landmarks Pou (sign)	27/03/2018	Approved
59 Beach Street	Licence to Occupy Road Reserve	Temporary LTO for construction purposes	27/03/2018	Approved
Joe's Café – Searle Lane	Table & Chair Licence	Variation to existing licence to increase area and number of tables	27/03/2018	Approved

### **Committee meetings of previous meeting round**

#### **6 Appeals Subcommittee – Councillor Hill (29 March 2018)**

Information:

- 1 Request to Mediate in Relation to the Appeal by Gibbston Vines Limited Against the Decline of Resource Consent RM170201
- 2 Request to Mediate in Relation to the Appeal by A Hey, P Dennison and S Grant Against the Decline of Resource Consent RM170041
- 3 Request to Mediate in Relation to the Appeal by Frankton Trading Trustee Company Limited Against the Decline of Resource Consent RM170931
- 4 Request to Mediate in Relation to the Appeal by Alps Investments Limited Against the Grant of Resource Consent RM170105
- 5 Request to settle an appeal by Millbrook Country Club Limited against the Council's decision on Rule 42.5.12 of the Proposed District Plan (NOTE: This item was deferred to a future meeting because the meeting did not have a quorum at the time.)
- 6 Update on appeals relating to Council's functions under the Resource Management Act

Note that this meeting was held with the public excluded.

#### **7 Wanaka Community Board – Councillor Smith (12 April 2018)**

Ratification:

- 2 Proposed new licence to Upper Clutha Plunket
- 3 Proposal to Vest Land in Wanaka as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy

Information:

- 1 Future of Hawea Waste Collection Point (NOTE: This is a recommendation to the Infrastructure Committee which has the delegation to make a decision).

- 4 Go Jets Wanaka – New Licence Notification
- 5 Road Naming Application – Alpine Estates application to name three roads within the development
- 6 Road Naming Application - Willowridge Developments Limited application to name three new roads within the Stage 3 and 4 Luggate Park Development
- 7 Road Naming Application - M Ayre application to name one new road within the five lot subdivision at 68 Kennels Lane, Wanaka (NOTE: This item was withdrawn from the agenda at the meeting.)
- 8 Chair's report

8 Appeals Subcommittee – Councillor Hill (16 April 2018)

Information:

- 1 Request to settle an appeal by Millbrook Country Club Limited against the Council's decision on Rule 42.5.12 of the Proposed District Plan

Note that this meeting was held with the public excluded.

9 Community and Services Committee – Councillor Stevens (19 April 2018)

Information:

- 1 Queenstown Gardens Development Plan

**Attachments**

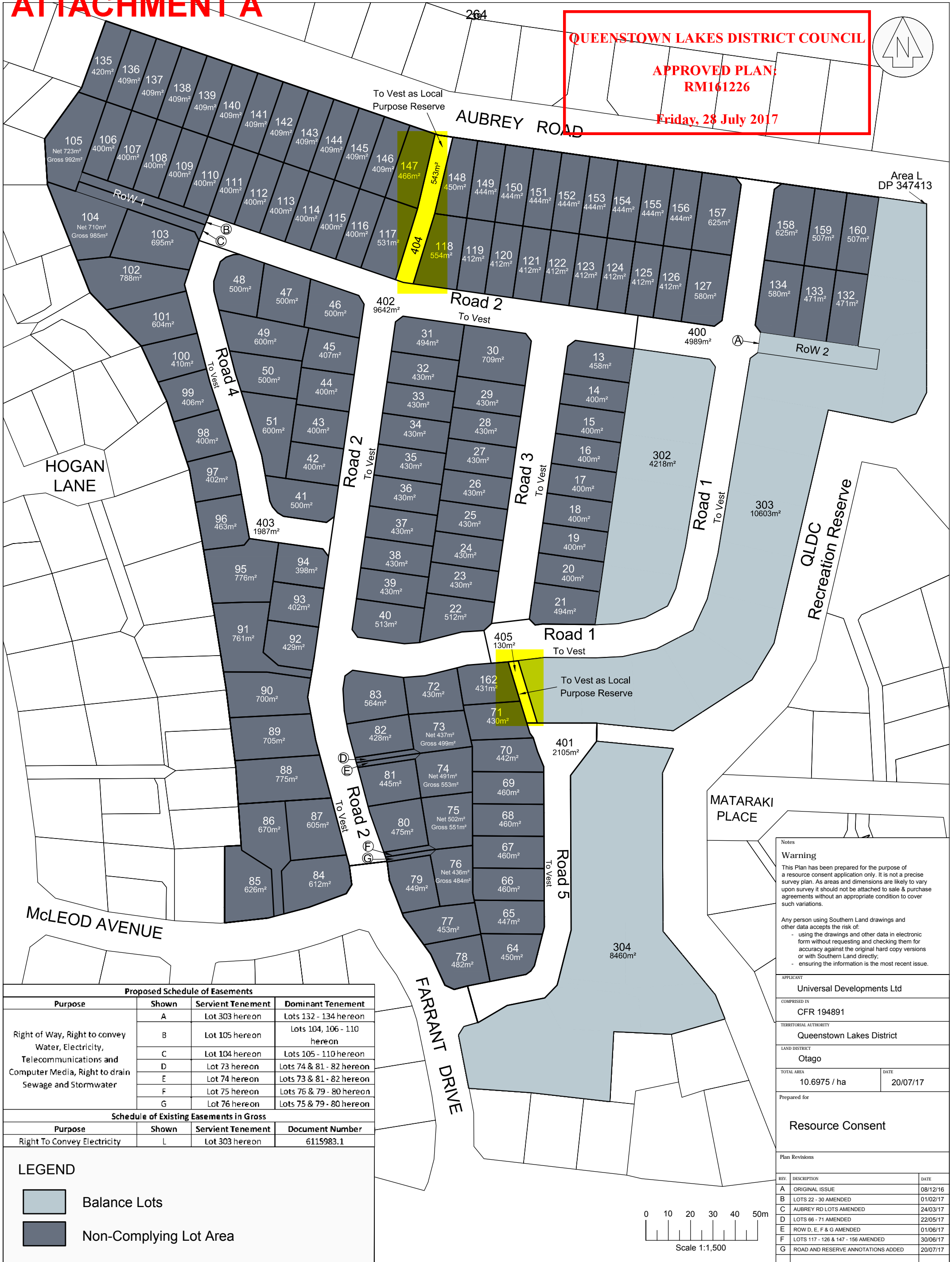
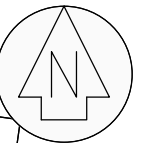
- A Reserve Plans, Universal Developments, Aubrey Road, Wanaka  
(Recommendation from WCB)

# ATTACHMENT A

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM161226

Friday, 28 July 2017



Proposed Schedule of Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way, Right to convey Water, Electricity, Telecommunications and Computer Media, Right to drain Sewage and Stormwater	A	Lot 303 hereon	Lots 132 - 134 hereon
	B	Lot 105 hereon	Lots 104, 106 - 110 hereon
	C	Lot 104 hereon	Lots 105 - 110 hereon
	D	Lot 73 hereon	Lots 74 & 81 - 82 hereon
	E	Lot 74 hereon	Lots 73 & 81 - 82 hereon
	F	Lot 75 hereon	Lots 76 & 79 - 80 hereon
	G	Lot 76 hereon	Lots 75 & 79 - 80 hereon

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement	Document Number
Right To Convey Electricity	L	Lot 303 hereon	6115983.1

**LEGEND**

- Balance Lots
- Non-Complying Lot Area

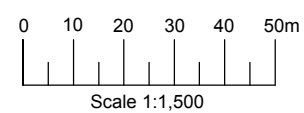
**Notes**

**Warning**  
This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land drawings and other data accepts the risk of:  
 - using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly;  
 - ensuring the information is the most recent issue.

APPLICANT	Universal Developments Ltd
COMPRISED IN	CFR 194891
TERRITORIAL AUTHORITY	Queenstown Lakes District
LAND DISTRICT	Otago
TOTAL AREA	10.6975 / ha
DATE	20/07/17
Prepared for	Resource Consent

REV.	DESCRIPTION	DATE
A	ORIGINAL ISSUE	08/12/16
B	LOTS 22 - 30 AMENDED	01/02/17
C	AUBREY RD LOTS AMENDED	24/03/17
D	LOTS 66 - 71 AMENDED	22/05/17
E	ROW D, E, F & G AMENDED	01/06/17
F	LOTS 117 - 126 & 147 - 156 AMENDED	30/06/17
G	ROAD AND RESERVE ANNOTATIONS ADDED	20/07/17



Lots 13 - 51, 64 - 127, 132 - 160, 162, 302 - 304, 400 - 405 being a proposed subdivision of Lot 110 DP 347413

A Project By:  
**UNIVERSAL DEVELOPMENTS**

SCALE  
1:1,500 @ A3

DATUM & LEVEL  
Lindis Peak 2000

LEVEL IN TERMS OF MSL  
ORIGIN QIT 1 DP 447560 RL = 310.19



## Recommendation to Exclude the Public

It is recommended that the Council resolve 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

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 hearing 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 that of deceased natural persons.	Section 7(2)(a)
16. Appointment of Commissioners to the hearings panel 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)
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: i) enable any local authority holding the information to carry on, 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 for the passing of this resolution.
13. Special Housing Area Expression of Interest: Bullendale Attachment A: Draft Deed	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.**