

QLDC Council
23 April 2020

Report for Agenda Item | Rīpoata moto e Rāraki take : 5

Department: Chief Executive’s Office

Title | Taitara: Chief Executive’s Report

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

The purpose of this report is to report on items of general interest and to summarise items considered at recent standing committee and Wānaka Community Board meetings.

RECOMMENDATION | NGĀ TŪTOHUNGA

That Council:

1. **Note** the contents of this report;
2. **Approve** the addition of new staff officers with delegated authority under the Resource Management Act 1991 [and detailed in Attachment A];
3. **Approve** retrospectively the Council’s submission to the Otago Regional Council’s Annual Plan;

Wānaka Community Board

New Licence for Lakeland Adventures Wanaka Ltd

4. **Grant** a new licence to Lakeland Adventures Wānaka Ltd, over recreation reserve at Roys Bay, with legal description Section 13 Block XV TN of Wānaka and Part Section 7 Block XV TN of Wānaka, subject to the following terms and conditions:

Commencement	TBC
Term	5 years.
Hours of Operation	To be established, but all equipment is to be removed from the Licence Area daily.
Annual Rent	The greater of \$500.00 plus GST or 7.5% of gross revenue.
Reviews	At renewal.
Renewals	Five of a further one year by agreement of both parties.
Assignment/Sublease	With Council’s approval.

Use	<p>Non-motorised equipment hire, and the sale of guided commercial water based activities upon Lake Wānaka by Lakeland Adventures Wānaka Ltd.</p>
Insurance	<p>Requirement to have public liability insurance of \$2 million.</p>
Safety/Suspension	<p>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.</p>
Other	<p>Licensee must ensure they hold a valid resource consent for the activity, including all commercial activities upon the lake and foreshore.</p> <p>If the requested to do so by Council, the licensee must temporarily relocate their activity to a location identified by Council, if works are required to be undertaken by Council in the licence area. The licensee may also be required to permanently relocate their licence area if necessary to enable development of the lakefront area by Council.</p> <p>The licensee to obtain a Commercial Activity Permit in accordance with the Waterways and Ramp Fees Bylaws (if required) or successors to this policy.</p> <p>Licensee to ensure that all associated rubbish is removed from the reserve.</p> <p>Trailers and equipment to be removed from the reserve daily. Although limited scope can be provided for overnight occupation of the Licence Area with Councils confirmation e.g. congestion from greater Council authorised events making removal problematic.</p> <p>Retail activities shall be limited to equipment hire and the sale of Lakeland Adventures Wānaka Ltd tickets.</p> <p>The main trailer will be a maximum of 9 metres long. The final design of the trailer must first be confirmed as appropriate by the General Manager Community Services, in discussion with the Chair of the Wānaka Community Board.</p> <p>Aside from the main trailer and its associated vehicle no vehicle parking on the reserve is allowed by the Licence. Drop offs and pick up of equipment from other vehicles is permitted.</p> <p>Onsite signage shall be limited to one sandwich board and the design wrap of the trailer and its tow vehicle. As a baseline, the trailer shall be coloured a recessive colour in</p>

the range of browns, greys and greens. However, any signage, imagery, corporate branding, or design wraps to encompass all or part of the trailer may be allowed, but only if first be confirmed as appropriate by the General Manager Community Services, in discussion with the Chair of the Wānaka Community Board. Only signage and imagery so approved may be allowed within the Licence Area.

5. **Agree** to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a new licence to Lakeland Adventures Wānaka Limited over Section 13 Block XV TN of Wānaka and Part Section 7 Block XV TN of Wānaka.
6. **Agree** to delegate the final licence terms and conditions and signing authority to the Community Services General Manager.

Proposal to Vest Land in Wānaka associated with the Northlake Development

7. **Approve** the vesting of the three Local Purpose Reserves,:

Northlake Investments Ltd, Wānaka – RM190951

- a. Reserve 1: Local Purpose (Stormwater) Reserve. Area 4,470m².
- b. Reserve 2: Local Purpose (Services & Access) Reserve. Area 180m².
- c. Reserve 3: Local Purpose (Services & Access) Reserve. Area 140m².

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

- i. Consent being granted (as necessary and subject to any subsequent variations) for any subdivision required to formally create the reserves, and to also level out topography for reserves 2 & 3 (if advised necessary by the Parks & Open Spaces Planning Manager);
- ii. Presentation of the reserves in accordance with Council's standards for reserves;
- iii. The submission of Landscape Plans to Council by the developer for certification as appropriate, including subsequent implementation of landscape and planting for the reserves. The certification of such a plan shall be by the Parks and Open Spaces Planning Manager.
- iv. The formation of sealed pathways on reserves 2 & 3 to a minimum two-metre wide width, and to also meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
- v. A potable water supply point to be provided at the boundary of the reserve lots;
- vi. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserves to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between any public reserve vested in or administered by the Council and any adjoining land;

- vii. The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserves, to ensure any fences on land adjoining, or boundaries along any reserve, shall no greater than 1.2m in height, and be 50% visually permeable;
 - viii. A three-year maintenance period by the current landowner commencing from vesting of the reserves 2 & 3;
 - ix. A maintenance agreement for reserves 2 & 3 being prepared and signed by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period; and
 - x. A maintenance period for Reserve 1, as identified in any associated resource consent to create the Local Purpose (Stormwater) Reserve, with any agreement being with Council's Property & Infrastructure department;
 - xi. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
8. **Agree** to offset any reserve improvement contributions t 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 the Parks & Open Spaces Planning Manager.
 - b. Final approval of any reserve improvement costs to be delegated to the the Parks & Open Spaces Planning Manager, and is subject to the applicant demonstrating the actual costs of the improvements.
9. **Agree** that 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.

Prepared by:



Name: Mike Theelen
Title Chief Executive
19/05/2020

CONTEXT | HOROPAKI

Update to RMA Delegations

1. A schedule is attached containing a number of delegations to new officers to hold delegated authority under the Resource Management Act 1991.
2. These delegations are required to ensure that there is sufficient capacity within Council to Subdivision Team to ensure subdivision certificates, land use covenants and associated legal documents associated with a development can be signed off in an efficient and timely manner. Some of the certificates must be signed off within Landonline (through Land Information NZ) and there are currently a limited number of Council positions possessing the authority to sign certificates on this platform. All legal documents are checked by solicitors prior to signature and team leaders will continue to be the primary signatory on all certificates. However, where a team leader is not available and the subdivision officer has checked with the Resource Management Engineering Manager, under this proposed change the subdivision officer will have authority to sign certificates.

QLDC Submission to Otago Regional Council 2020/21 Annual Plan

3. Submissions to the Otago Regional Council's Proposed Annual Plan 2020-21 closed on 24 April 2020 and timing meant that the submission could not be presented to the Council prior to the closing date. The Council's submission was signed off by myself and the Mayor and focused on a request for the Otago Regional Council to include budget to enable two fulltime equivalent Emergency Management Officers to be dedicated to the Queenstown Lakes District.
4. The Council is asked to give retrospective approval to the submission.

New Licence for Lakeland Adventures Wānaka Ltd (WCB recommendation)

5. Lakeland Adventures Wānaka Ltd seek a Licence over the Roys Bay Recreation Reserve to undertake commercial activities associated with water based recreation. The requested Licence Area is in the location of the existing Log Cabin building. Recent lease negotiations between QLDC and the Log Cabin owners were not successful and subsequently the owners have agreed to remove the building. The intention is that an extent of commercial activities currently undertaken by Lakeland Adventures Wānaka Ltd at the Log Cabin can be accommodated onsite via a new trailer operation.

Committee Meetings of Previous Round

Planning and Strategy Committee – Councillor Clark (30 April 2020)

Information:

- 1 Proposed Variation to the Proposed District Plan Chapter 11 and Chapter 27
- 2 Update on appeals relating to Council's decisions on the Proposed District Plan

Item 2 was considered with the public excluded.

Infrastructure Committee – Councillor Smith (7 May 2020)

Information:

- 1 Acceptance of 30 Year Infrastructure Strategic Outcomes Framework
- 2 Submission on Investment Decision-Making Framework Review

3 Submission on Aratiki

Wānaka Community Board – Mr Barry Bruce (14 May 2020)

Information:

- 3 Additional on-road and off-road restrictions for the Traffic and Parking Bylaw 2018: Northlake, Alpha Ridge, The Heights and Three Parks
- 4 Additional parking restrictions under the Traffic and Parking Bylaw 2018
- 5 New Licence to Place Tables and Chairs in a Public Space – The Catch, Wānaka and The Doughbin Bakery
- 6 Chair's Report

Recommendations:

- 1 New Licence for Lakeland Adventures
- 2 Proposal to Vest Land in Wānaka associated with the Northlake Development

Appeals Subcommittee – Councillor Clark (21 May 2020)

Information:

- 1 Request to mediate in relation to the appeal by Varina PTY Ltd against two conditions on granted Resource Consent RM181097

The meeting was conducted with the public excluded.