



Order Paper for an ordinary meeting of the

**QUEENSTOWN LAKES DISTRICT COUNCIL**

to be held on

Thursday, 14 June 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, 14 June 2018 commencing at 1.00pm

Item	Page No.	Report Title
		<b>Apologies/Leave of Absence Requests</b> Councillor Clark (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> 3 May 2018 (Public part of ordinary meeting)
1.	30	<b>Queenstown Town Centre Spatial Framework</b>
2.	34	<b>Transport – Frankton Parking</b>
3.	47	<b>2017/18 Capital Works Programme – Third Re-forecast</b>
4.	54	<b>Representation Review 2018</b>
5.	67	<b>Making Plan Change 35 – Queenstown Airport Aircraft Air Noise Boundaries, operative</b>
6.	76	<b>Skyline Enterprises Ltd: Lessor’s and Minister’s Approval</b>
7.	93	<b>Right of Way Easement – 17 Plantation Road, Wanaka</b>
8.	107	<b>BCWanaka Limited - New Licence</b>
9.	114	<b>New Licence for RWH Travel</b>
10.	120	<b>Chief Executive’s Report</b>
	142	<b>PUBLIC EXCLUDED</b> <b>Confirmation of Minutes</b> 3 May 2018 (Public excluded part of ordinary meeting)
11.	144	<b>PUBLIC EXCLUDED</b> <b>Commonage Land Sale</b>

# Public minutes

Confirmation of minutes:

3 May 2018



Item	Page No.	Report Title
12.	169	<b>PUBLIC EXCLUDED</b> Appointment of Resource Management Act Hearings Commissioners
13.	180	<b>PUBLIC EXCLUDED</b> Request for Council Guarantee in Favour of the Queenstown Lakes Community Housing Trust

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

**Present:**

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

**In attendance:**

Mr Mike Theelen (Chief Executive), Dr Thunes Cloete (General Manager, Community Services), Mr Tony Avery (General Manager, Planning and Development), Mr Peter Hansby (General Manager, Infrastructure and Property), Mr Simon Battrick (Manager, Sport and Recreation), Mr Ulrich Glasner (Chief Engineer), Mr Myles Lind (Asset Planning Manager), Ms Michelle Morss (Corporate Manager), Ms Marie Day (Community and Events Facilitator), Ms Laura Gledhill (Contract Manager), Mr Tony Pickard (Transport Strategy Manager), Mr Blair Devlin (Manager, Planning Practice), Mr Ian Bayliss (Planning Policy Manager), Ms Anita Vanstone (Senior Planner), Mr David Wallace (Manager, Resource Management Engineering), Mrs Joanne Conroy (Property Advisor, APL Property Ltd) and Ms Jane Robertson (Senior Governance Advisor); two members of the media and approximately 8 members of the public

**Apologies/Leave of Absence Requests**

The following requests for Leave of Absence were made:

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

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

**Declarations of Conflicts of Interest**

The following declarations were made:

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

**Matters Lying on the Table**

There were no matters lying on the table.

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

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

**Public Forum**1. Cherilyn Walthew

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

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

2. Rania Louhnan

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

3. Rachel Brown

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

4. Shane Fairmaid, Developer, Bullendale SHA

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

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

5. Anna Jameson

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

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

6. Rae Baker, Director, Queenstown Winter Festival

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

**Confirmation of agenda**

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

**Confirmation of minutes**

23 March 2018

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

## 1. Wanaka Swim School Expressions of Interest

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Councillor Hill abstained from voting.**

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

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

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

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

The Mayor congratulated staff for a well delivered project.

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

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

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

## 2. Adoption of new QLDC Disability Policy

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

The report was presented by Ms Day and Ms Morss.

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

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

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

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

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

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

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

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

The report was presented by Ms Gledhill and Mr Hansby.

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**8. Public Transport Infrastructure**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

	be approved prior to the event.
<b>Termination</b>	With 12 months' notice at the Council's sole discretion.
<b>Special Conditions</b>	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.

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

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

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

The report was presented by Mr Avery.

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

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

*Councillor McRobie returned to the table.*

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

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

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

The report was presented by Mr Bayliss and Mr Avery.

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

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



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

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

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

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

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

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

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

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

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

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

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

c. minimum number of dwellings to be built 3.

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

#### 14. Chief Executive's Report

A report from the Chief Executive presented the following information:

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

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

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

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

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

**Recommendations from Wanaka Community Board**

**Proposed New Licence to Upper Clutha Plunket**

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

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

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

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

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

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

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

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

9. Agree that reserve improvement contributions are offset against those payable in accordance with the Development Contributions Policy current at the time of contributions payment, subject to:
- a. Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager.
  - b. Final approval of reserve improvement costs to be delegated to the Parks and Reserves Planning Manager and is subject to the applicant demonstrating the actual costs of the improvements.
  - c. If the cost of work to construct the approved plans exceeds the contributions available to be credited, the additional cost shall be at the applicant's expense.

#### Resolution to Exclude the Public

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

The general subject of the matters to be discussed while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(a) of the Local Government Information and Meetings Act 1987 for the passing of this resolution is as follows:

#### Confirmation of minutes of ordinary meeting held on 23 March 2018

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

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

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**3 MAY 2018**

**Page 22**

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

## QUEENSTOWN LAKES DISTRICT COUNCIL

3 MAY 2018

Page 23

Agenda items

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

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

*The meeting went into public excluded at 2.50pm.*



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

**CONFIRMED AS A TRUE AND CORRECT RECORD**

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**M A Y O R**

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**D A T E**

**QLDC Council  
14 June 2018**

**Report for Agenda Item: 1**

**Department: Property & Infrastructure**

**Queenstown Town Centre Spatial Framework**

**Purpose**

The purpose of this report is to present the Queenstown Town Centre Spatial Framework document (which includes the Queenstown Town Centre Public Realm Design Guidelines).

**Recommendation**

That Council:

1. **Note** the contents of this report; and
2. **Approve** the Queenstown Town Centre Spatial Framework and associated Queenstown Town Centre Public Realm Design Guidelines.

Prepared by:



Tony Pickard  
Transport Strategy Manager

29/05/2018

Reviewed and Authorised by:



Ulrich Glasner  
(Acting) General Manager Property and  
Infrastructure

29/05/2018

**Background**

- 1 The Queenstown Town Centre Masterplan was endorsed by Council in December 2017.
- 2 The “Queenstown Town Centre Spatial Framework” document provides the background and context to the Queenstown Town Centre Masterplan. The purpose of the document is to present a vision and strategy to guide the future form of Queenstown’s Town Centre, and to set out realistic actions and projects to achieve that vision. The Spatial Framework aims to show how the benefits being pursued within the Masterplan mirror the design principles.

- 3 The “Queenstown Town Centre Public Realm Design Guidelines” is an appendix to the Spatial Framework. The purpose of this document is to provide the design intent and direction for future public realm projects. It is a document that will guide and achieve a consistent standard for the town centre. It is a comprehensive tool kit to make quality public spaces and streets that are well designed, accessible and enjoyable for all.
- 4 It is envisaged that the Design Guidelines will be incorporated into all town centre developments wherever practical, starting immediately.

### **Options**

- 5 Option 1: Reject the Queenstown Town Centre Spatial Framework and associated Queenstown Town Centre Public Realm Design Guidelines.

#### *Advantages:*

- 6 There may savings from not following specific designs for implementations of the Masterplan.

#### *Disadvantages:*

- 7 The Queenstown Town Centre Masterplan could be misinterpreted without a supporting document to explain the vision and strategy to achieve the vision.
  - 8 Future public realm upgrade projects are unlikely to deliver a consistent standard for the town centre without a guiding reference document.
  - 9 It will be more difficult to achieve the outcomes of the Queenstown Town Centre Masterplan included within the Long Term Plan (LTP).
- 10 Option 2: Approve the Queenstown Town Centre Spatial Framework and associated Queenstown Town Centre Public Realm Design Guidelines.

#### *Advantages:*

- 11 The vision for the Queenstown Town Centre Masterplan and the strategy to achieve the vision are available as a reference document to potential investors, developers and council staff to guide the future form of Queenstown’s Town Centre.
- 12 Future public realm upgrade projects will be delivered with a cohesive ‘look and feel’ and to a consistent standard for the town centre.
- 13 The process for design, procurement and delivery for future public realm upgrade projects will be simplified.
- 14 Opportunities for efficiencies and economies of scale for the supply of materials and design elements.
- 15 Optimises and simplifies maintenance and asset management budgets/issues.

16 The outcomes of the Queenstown Town Centre Masterplan included within the LTP will be more easily met.

Disadvantages:

17 The costs of implementing a coordinated scheme may be higher than more cost focussed individual implementations.

18 This report recommends **Option 2** for addressing the matter because it provides the capability to deliver the desired benefits.

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

19 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because the high level outcomes of the Queenstown Town Centre Masterplan have already been approved by Council and have been consulted on through the LTP process.

### ***Risk***

20 This matter relates to strategic risk SR1 Current and future development needs of the community, as documented in the Council's risk register. The risk is classed as low. This matter relates to this risk because the Queenstown Town Centre Masterplan will provide a community focussed programme of implementations in an efficient, planned manner.

21 The recommended option considered above mitigates the risk by:

Treating the risk – through continued engagement with the community and application of the Business Case Approach.

### **Financial Implications**

22 The costs associated with the specified 'kit of parts' within the Queenstown Town Centre Public Realm Design Guidelines have already been incorporated within the LTP costs for the town centre street upgrades.

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

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

- Queenstown Town Centre Masterplan
- QLDC Land and Subdivision Code of Practice

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

25 This matter is included in the 10-Year Plan/Annual Plan.

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

26 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 having a robust business case supporting the investment;
- 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**

27 The persons who are affected by or interested in this matter are Queenstown residents, visitors, business owners and operators.

28 In July 2017, QLDC published a community engagement document for the Queenstown Town Centre Masterplan and conducted several community engagement events encouraging feedback across a wide variety of mediums. 46% of respondents agreed that the preferred options included within the draft Masterplan addressed the challenges facing the town centre (33% were neutral).

29 Consultation regarding the physical works has been undertaken through the LTP consultation process.

30 Throughout the preparation of the Queenstown Town Centre Public Realm Design Guidelines the town centre business community were comprehensively engaged with through DowntownQT.

### **Attachments** (Circulated separately)

- A Queenstown Town Centre Spatial Framework
- B Queenstown Town Centre Public Realm Design Guidelines

**QLDC Council  
14 June 2018****Report for Agenda Item: 2****Department: Property & Infrastructure****Transport – Frankton Parking****Purpose**

The purpose of this report is to finalise the displacement parking (from the State Highway) in the residential areas of Frankton.

The purpose is also to provide an improvement to the bus stop allocation at the Frankton Transfer Hub (Bus Station).

**Recommendation**

That Council:

1. **Note** the contents of this report;
2. **Approve** the further parking restrictions in:
  - a. Boyes Crescent
  - b. Wilmot Avenue
  - c. Douglas Street
  - d. Robertson Street
  - e. Lake Avenue
  - f. Stewart
  - g. Yewlett Crescent
3. **Approve** the extension of the bus stop within the Frankton Transfer Hub.

Prepared by:



Tony Pickard  
Transport Strategy Manager

29/05/2018

Reviewed and Authorised by:



Ulrich Glasner  
(Acting) General Manager  
Property and Infrastructure

29/05/2018

## Background

- 1 In early 2017, New Zealand Transport Agency (NZTA) agreed to delegate aspects of its bylaw to QLDC to control and manage parking restrictions along a section of the State Highway adjacent to the Airport. This had been requested by NZTA, Queenstown Airport Corporation (QAC) and members of the public, on the basis of safety and amenity.
- 2 The resulting displacement of parking from this area was accommodated in nearby residential areas in Frankton, which created some community concern. The effects of the changes were investigated by external transport engineers and there were only minor increases in the density of parking (on Bridge Street – assumed to be by construction vehicles for the Kawarau Bridge work, and on Copper Beach Avenue – cause unknown.) Since that time staff have worked with the community, through the Frankton Community Association (FCA) and a consultant traffic engineering firm, to identify solutions that would improve the initial implementations. Feedback from a meeting with FCA and consultant engineers was that the measures had generally had a positive effect and that parking occupancy overall in Frankton was at less than 40% (the planning norm is that 85% is considered the highest acceptable level, as this allows for peak times/events).
- 3 The resulting provisions are a balance of the community's wishes and requisite safety matters, whilst maintaining the intended parking provisions. They are brought to Council to comply with the needs of the Traffic and Parking Bylaw to allow their enforcement, but also as a belated response to the requirements of an earlier report in 2017<sup>1</sup> which authorised the control of the initially displaced parking. The mitigation for the delayed response to Council was an attempt to improve the Council's relationship with the community.
- 4 The implementation of the new public transport service in November 2017, combined with further parking restrictions in Queenstown town centre in March 2018, has caused an increase in parking occupancy in the streets closest to the Frankton Transfer Hub (bus station) as observed by officers. These effects are limited to within approximately 200 - 300 metres of that point.
- 5 The further works are combined in Attachment A and affect parts of:
  - a. Boyes Crescent
  - b. Wilmot Avenue
  - c. Douglas Street
  - d. Robertson Street
  - e. Lake Avenue
  - f. Stewart Street
  - g. Yewlett Crescent
- 6 During the course of the investigations, a safety issue relating to the position of an existing parking provision at the transfer hub was highlighted by Otago

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<sup>1</sup> Parking Restrictions – Frankton and Glenda Drive, QLDC Council, 25 May 2017

Regional Council (ORC) and the bus operator (Ritchies). This prevented the buses pulling out safely. The solution proposed is to remove two car parking spaces to allow public transport vehicles to use one extra bay adjacent to the facility.

- 7 With the availability of parking in the surrounding streets and within a few hundred metres, this loss is minor. Three public parking spaces and one mobility space remain for drop-offs and pick-ups.

### **Comment**

- 8 The works under this project will coincide with line marking of the same or adjacent areas through the programme of works from the Maintenance and Operations team. Where possible, these have been combined to simplify the outcomes, noting the community's wishes to minimise the level of marking, where possible.
- 9 The restrictions are intended to allow a level of parking on the residential streets to accommodate the displacements, but within the anticipated planning levels of parking, i.e. under 85% of capacity.
- 10 These works will be followed in Frankton (in the 2018/2019 planning year) by the parking strategy that is an implementation of the Queenstown Integrated Transport programme of works. This will initially address parking of all types in the Queenstown town centre, but also the Glenda Drive Industrial Area and the established residential areas of Frankton (see Attachment 2).

### **Legislation**

- 11 The relevant legislation requirement is summarised as:

#### ***Traffic and Parking Bylaw 2012 (now under review)***

*Section 6 No Parking Areas*

*Section 12 Parking Places and Transport Stations*

These requirements allow Council to make changes to the Bylaw by way of resolution. This enables the enforcement of the restrictions.

### **Budgets**

- 12 Budget is available for the changes within existing budgets (within the Frankton Flats Strategy Implementation) for both work streams. Costs are required for project management, traffic engineering and the installation of signs and marking.

### **Options**

- 13 Option 1 Do nothing, do not implement further parking restrictions.

*Advantages:*

- No further costs.



*Disadvantages:*

- Community views will not be represented in the outcome of the scheme.
- Displacement parking will not be achieved in a control manner.
- Safety and efficiency of public transport operations will be adversely affected.

14 Option 2 Implement the parking restrictions in:

- Boyes Crescent
- Wilmot Avenue
- Douglas Street
- Robertson Street
- Lake Avenue
- Stewart
- Yewlett Crescent

*Advantages:*

- The displacement parking will be achieved in a controlled manner.
- Community views have been incorporated.

*Disadvantages:*

- Nil

15 Option 3 Extend the bus stop provision in the Frankton Bus Hub.*Advantages:*

- The public transport operation's safety and efficiency will be improved.

*Disadvantages:*

- Two public parking spaces will be lost within the hub site.

16 This report recommends both **Options 2 and 3** for addressing the matter because it will result in operation efficiency and not disadvantage those who may be affected

***Significance and Engagement***

17 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.

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 low. This matter relates to this risk because potentially affected parties are consulted so the risk is mitigated.

**Financial Implications**

19 Costs of the projects are within existing budgets.

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

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

- Traffic and Parking Bylaw 2012

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

22 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**

23 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 parking and public transport infrastructure;
- 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**

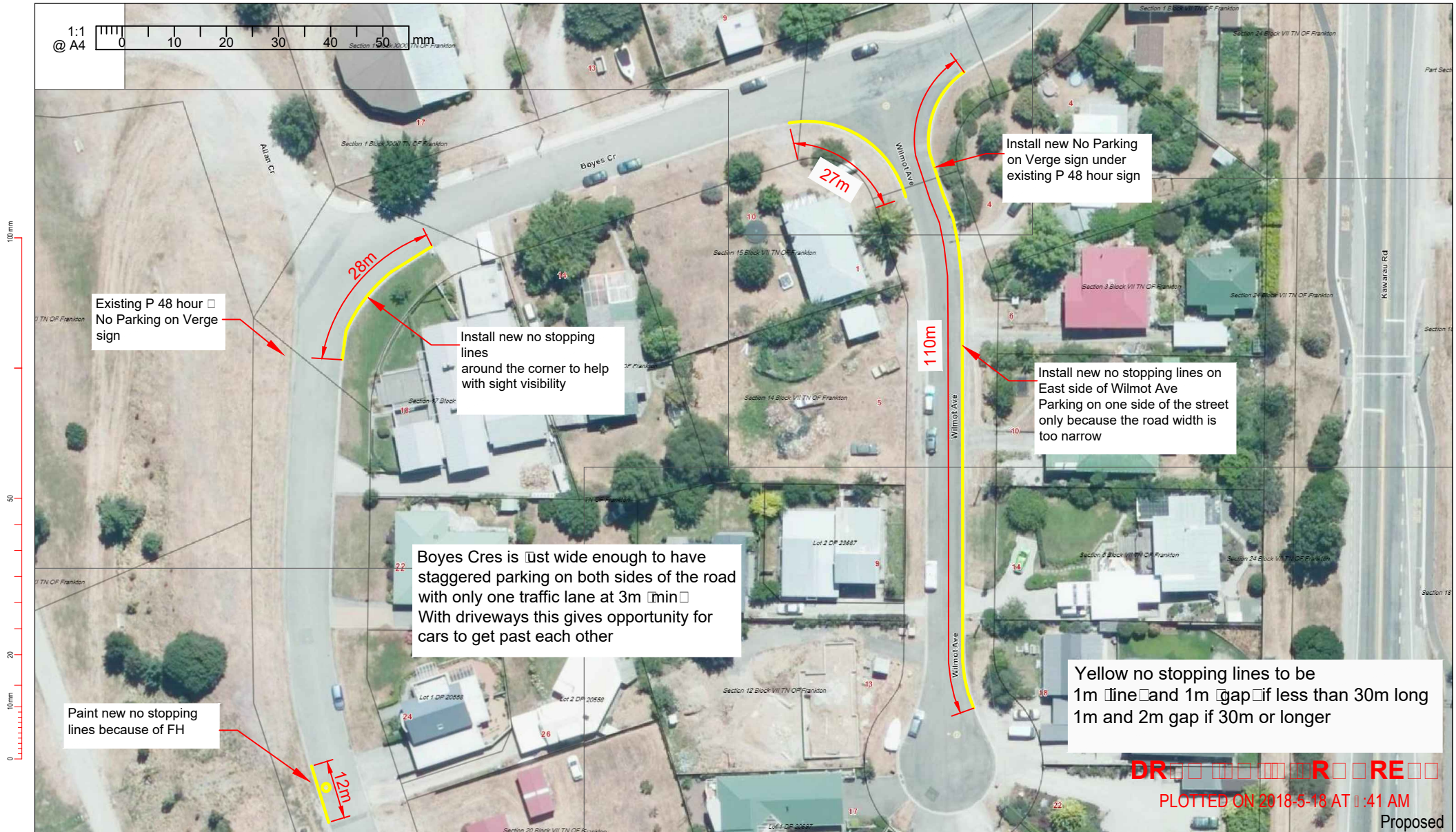
The persons who are affected by or interested in this matter are the Frankton community and public transport users.

### **Attachments**

A Parking restrictions Frankton residential area

B Indicative scope for Queenstown and Frankton Parking Strategy

C Additional bus stop at Frankton Hub



DR R RE  
 PLOTTED ON 2018-5-18 AT 11:41 AM  
 Proposed

Revision	Amendment	Approved Date



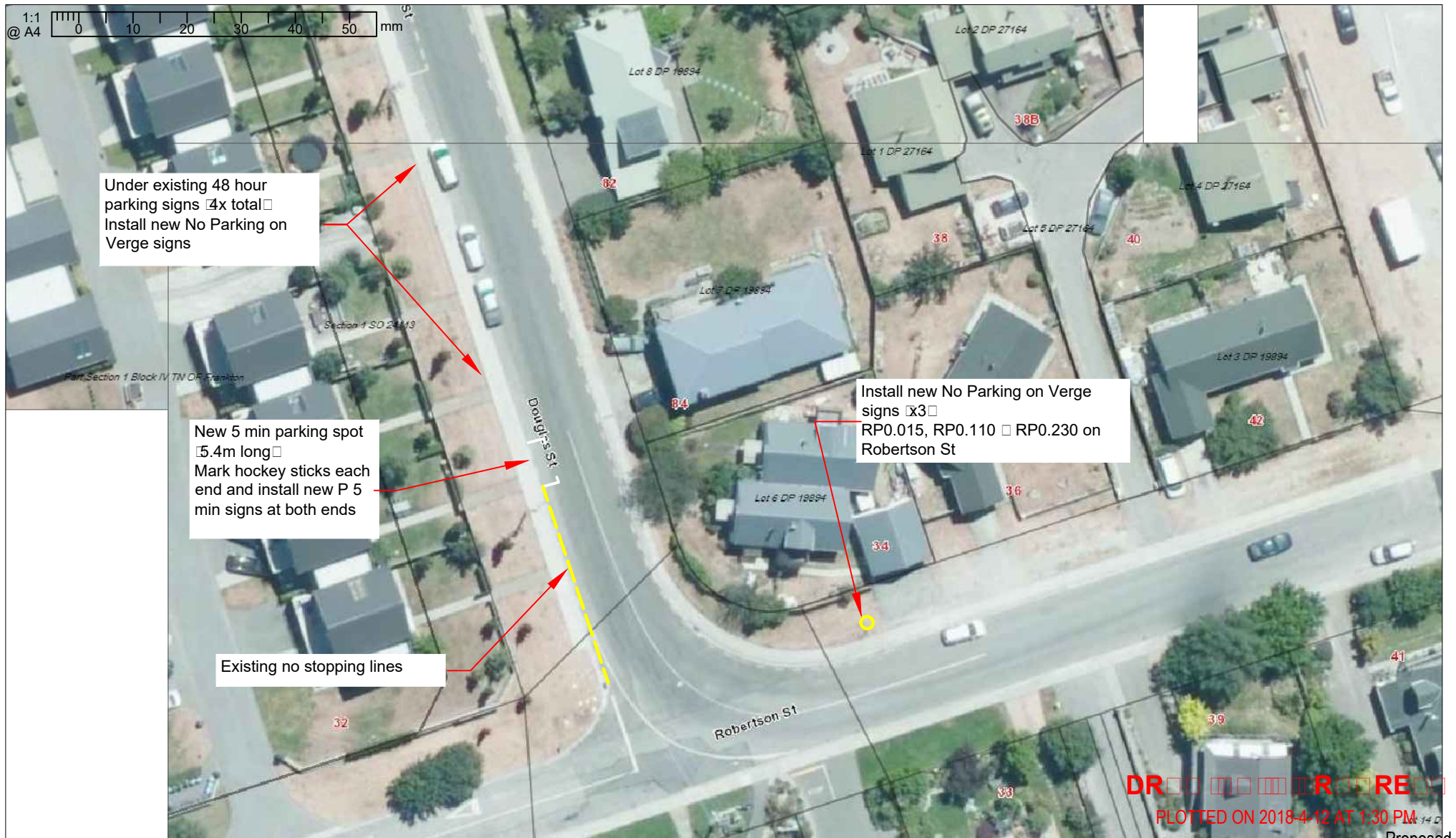
**WSP | OPUS**  
 Queenstown Office  
 64 3 451 0360

PO Box 2323  
 Queenstown 300  
 New Zealand

Designed	Approved	Approved Date
JM		
Drawn	Scales	
JM	Not to Scale	

Project		QLDC - Frankton - Parking Marking	
Sheet		Boyes Cres - Wilmot Ave	
Project No.	Sheet No.	Revision	
6   Q064.03	1 of 1	1	





Under existing 48 hour parking signs 4x total  
Install new No Parking on Verge signs

New 5 min parking spot 5.4m long  
Mark hockey sticks each end and install new P 5 min signs at both ends

Existing no stopping lines

Install new No Parking on Verge signs 3  
RP0.015, RP0.110 RP0.230 on Robertson St

DR R RE  
PLOTTED ON 2018-4-12 AT 1:30 PM  
Proposed

Revision	Amendment	Approved	Date

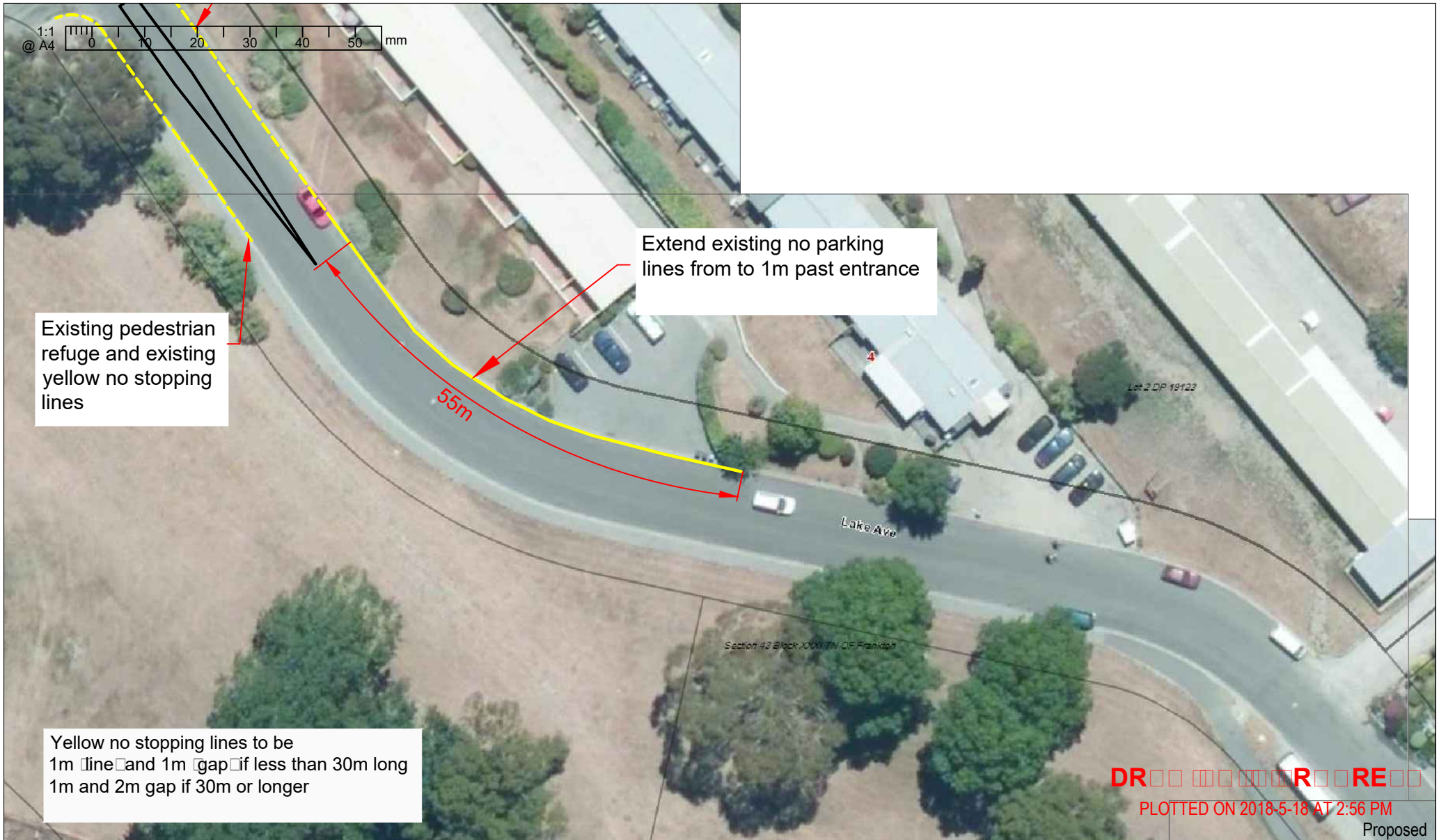


**wsp | OPUS**  
Queenstown Office  
64 3 451 0360



PO Box 2323  
Queenstown 300  
New Zealand

Designed	Approved	Approved Date
JM		
Drawn	Scales	
JM	Not to Scale	

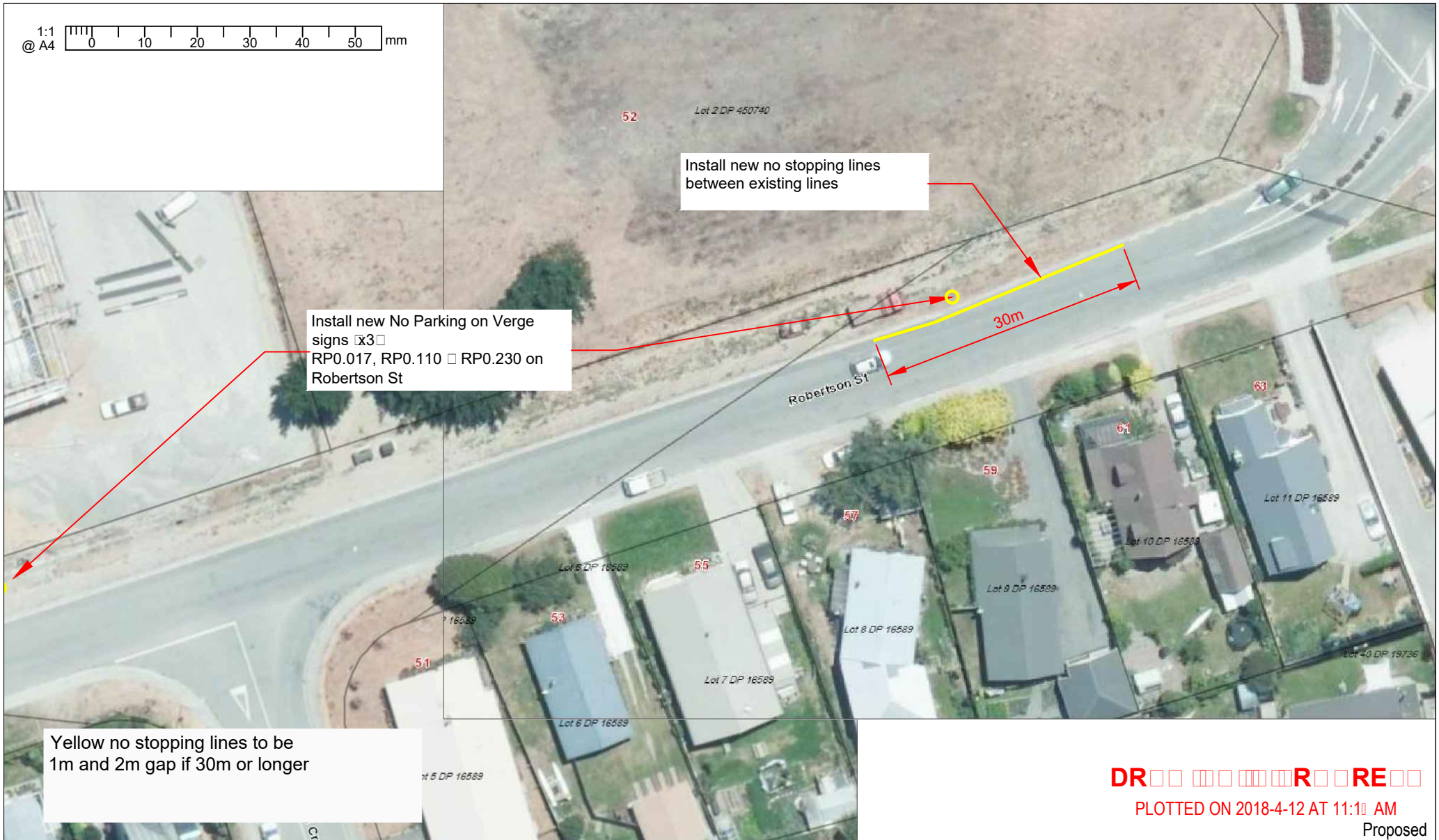
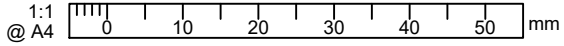
Project QLDC - Frankton - Parking Marking		
Sheet Douglas Street and Robertson St		
Project No. 6\ Q064.03	Sheet No. 1 of 1	Revision 1



DR R RE  
 PLOTTED ON 2018-5-18 AT 2:56 PM  
 Proposed

Revision	Amendment	Approved Date			 Queenstown Office PO Box 2323 Queenstown 300 New Zealand		Project QLDC - Frankton - Parking Marking	
					Designed: JM Drawn: JM		Sheet Lake Avenue	
					Approved:      Approved Date:		Project No. 6   Q064.03	
					Scales Not to Scale		Sheet No. 1 of 1	
							Revision 1	





Install new No Parking on Verge signs x3  
 RP0.017, RP0.110 RP0.230 on Robertson St

Install new no stopping lines between existing lines

Yellow no stopping lines to be 1m and 2m gap if 30m or longer

DR           R   RE    
 PLOTTED ON 2018-4-12 AT 11:10 AM  
 Proposed

Revision	Amendment	Approved Date



**WSP | OPUS**  
 Queenstown Office  
 PO Box 2323  
 Queenstown 300  
 New Zealand

Designed JM	Approved	Approved Date
Drawn JM	Scales Not to Scale	

Project QLDC - Frankton - Parking Marking	
Sheet Robertson St	
Project No. 6   Q064.03	Sheet No. / Revision 1 of 1 / 1





Yellow no stopping lines to go at least 1m past entrance ways  
 Lines to be 1m line and 1m gap if less than 30m long.  
 1m and 2m gap if 30m or longer.

DR R RE

PLOTTED ON 2018-5-18 AT 3:00 PM

Proposed

Revision	Amendment	Approved	Date

Revision	Amendment	Approved	Date

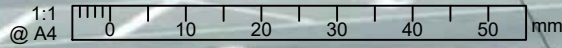


Queenstown Office  
 64 3 451 0360  
 PO Box 2323  
 Queenstown 300  
 New Zealand

Designed	Approved	Approved Date
JM		
Drawn	Scales	
JM	Not to Scale	

Project QLDC - Parking Marking			
Sheet Stewart St			
Project No. 6\ Q055.05			Sheet No. 4 of 4
			Revision 1





Yellow no stopping lines to be 1m line and 1m gap if less than 30m long  
1m and 2m gap if 30m or longer

DR           R  RE   
PLOTTED ON 2018-5-18 AT 3:06 PM  
Proposed

Revision	Amendment	Approved Date



**WSP | OPUS**  
Queenstown Office  
64 3 451 0360  
PO Box 2323  
Queenstown 300  
New Zealand

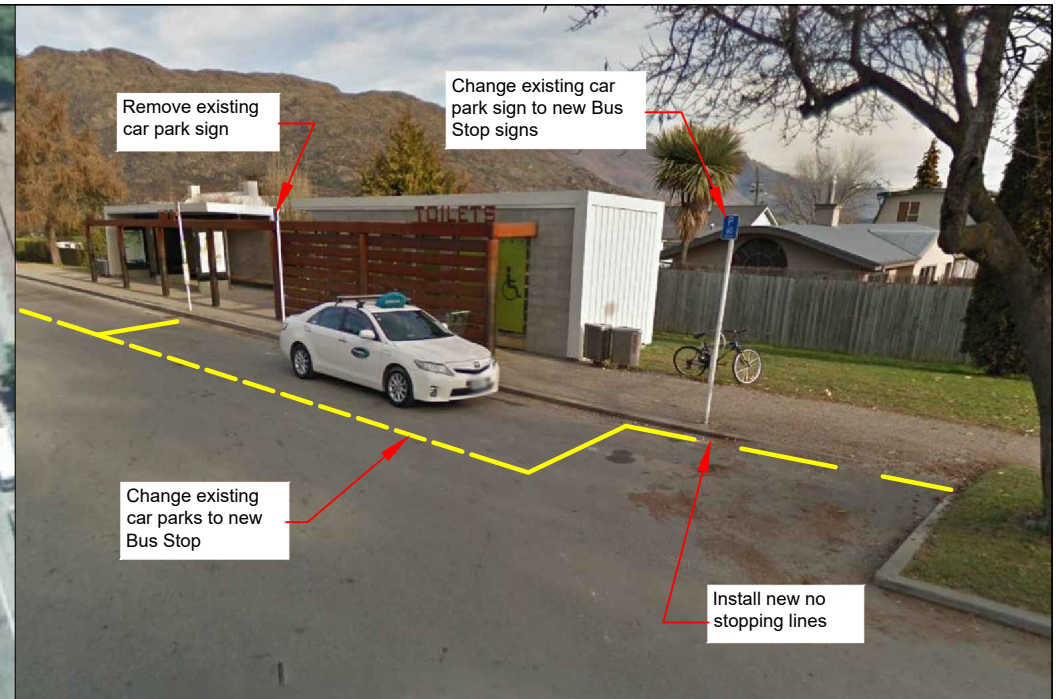
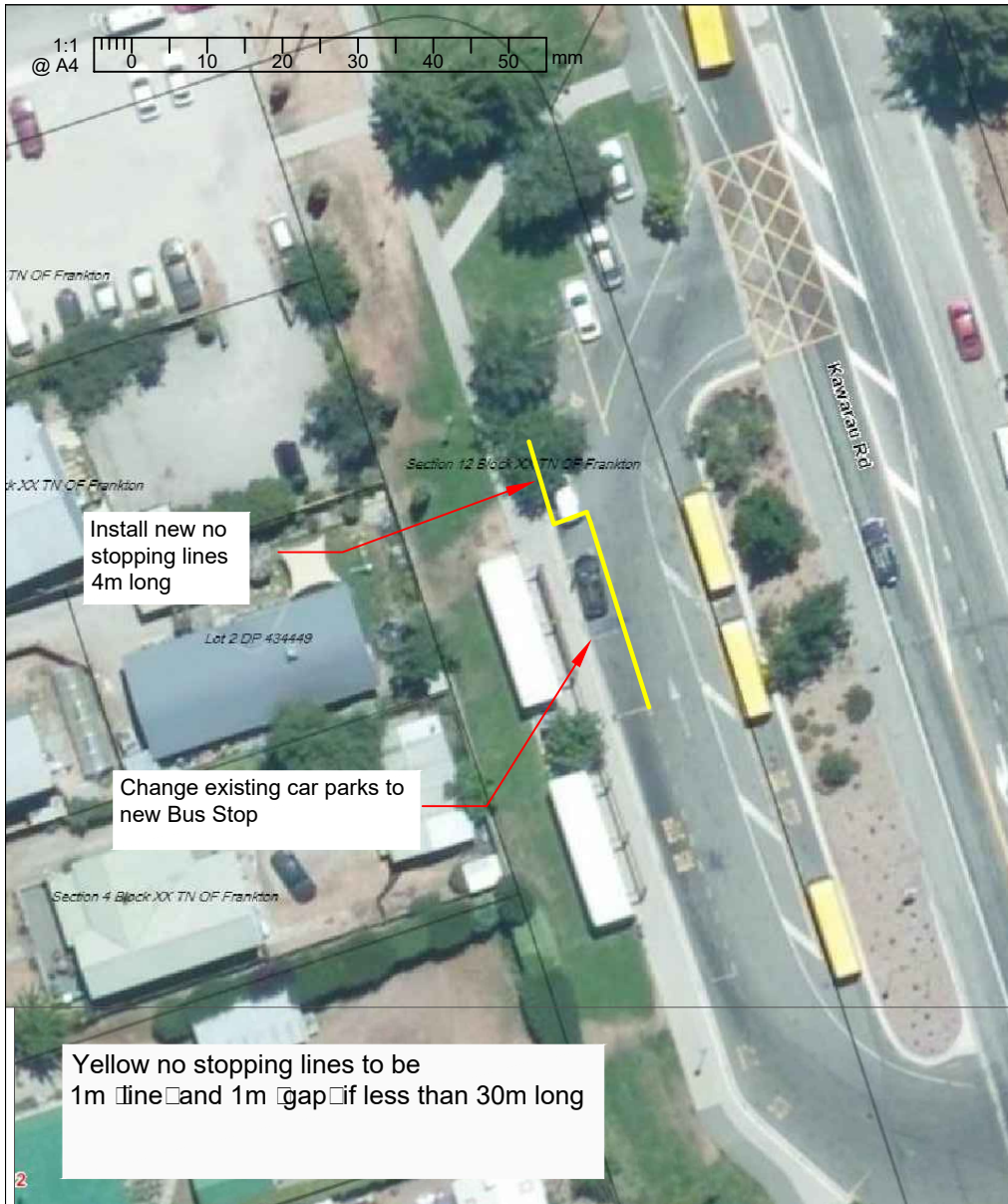
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Project		QLDC - Frankton - Parking Marking	
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Project No.	Sheet No.	Revision	
6   Q064.03	1 of 3	1	



**Attachment B**      **Indicative scope of parking strategy study in Frankton**







**DR**          **R**   **RE**

PLOTTED ON 2018-4-12 AT 11:18 AM

Proposed

Revision	Amendment	Approved Date					Project	
					Queenstown Office 64 3 451 0360		QLDC - Frankton - Parking Marking	
					PO Box 2323 Queenstown 300 New Zealand		Sheet	
					Designed JM		Frankton Bus Hub	
					Drawn JM		Project No.	
					Scales Not to Scale		6   Q064.03	
					Approved 		Sheet No.	
					Approved Date 		1 of 1	
							Revision	
							1	



**QLDC Council  
14 June 2018**

**Report for Agenda Item: 3**

**Department: Property & Infrastructure**

**2017/18 Capital Works Programme – Third Re-forecast**

The purpose of this report is to consider proposed amendments to the 2017/18 capital works programme for all Queenstown Lakes District Council capital projects.

That Council:

1. **Note** the contents of this report; and
2. **Approve** the budget changes proposed and detailed in Attachment A.

Prepared by:



Ulrich Glasner  
Acting General Manager  
Property & Infrastructure  
30/05/2018

Reviewed and Authorised  
by:



Mike Theelen  
Chief Executive

30/05/2018

- 1 At the 23 June 2017 meeting of the Queenstown Lakes District Council, the Council resolved to adopt the 2017/18 Annual Plan, which included a capital investment programme.
- 2 In order to demonstrate sustainable management of the financial assets committed to the capital investment programme, this paper provides the Council oversight of proposed changes to the current years capital programme and to gain approval to these changes.
- 3 This report is the third capex forecast review for the 2017/18 financial year.
- 4 The summary document is contained within Attachment A of this report.
- 5 This report breaks the programme into seven asset categories: Property, Solid Waste, Transport, Storm Water, Waste Water, Water Supply and other.
- 6 Contained within the asset group we have categorised projects as follows:

- 7 **New:** Where additional (new) funding is sought for existing projects or new projects are identified which the Council may consider suitable due to a change in legislation or some other business environment changes to those understood at the time of adopting the Annual Plan.
- 8 **Budget Transfer:** The project has, or is forecast to exceed, (or be below) the budget allocated through the Annual Plan process. The explanation of overspend / underspend and the proposed reallocation of funding between projects is contained within Attachment A.
- 9 **Bring Forward:** The project is complex or has a longer lead-time and with available resource capacity, it is recommended to bring part of the expenditure forward from future years to enable work to commence ahead of the projects planned start date.
- 10 **Defer:** Projects that will not be completed within the current financial year but will be completed in the 2018/19 financial year. Deferred budgets cannot be used to fund other projects in the current financial year.
- 11 Projects that are recommended to be deferred are being considered in conjunction with the draft 2018 LTP programmes for synergies.
- 12 Where it is shown that the deferred projects cannot be delivered without affecting the draft 2018 LTP programme, these projects will be stopped.
- 13 Stopped projects will then undergo a revised better business case and following the outcome of that process, programmed in a future LTP.
- 14 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.
- 15 Option 1 Approve the changes to the 2017/18 proposed capital works programme as proposed in Attachment A.

*Advantages:*

- 16 Provides an opportunity for the Council to consider the latest recommendation from officers in respect to projects planned for 2017/18 financial year
- 17 Provides the ability to manage the impacts of overspends against current budget and where possible the opportunity to take steps to keep capital expenditure within overall annual budgets.

*Disadvantages:*

- 18 This would change or delay the delivery of the projects consulted on and approved through the Long Term Planning (LTP) process.
- 19 Option 2 Status Quo, Do not approve the changes (do nothing option)

*Advantages:*

- 20 This would ensure that there are no changes to the programme of projects consulted on and approved through the Long Term Planning (LTP) process.

*Disadvantages:*

- 21 The Council will not be able to make changes to the capital programme to reflect the latest available information and investment will be less effective.
- 22 The Council will not be able to respond in a timely way to changes its operating environment and investment will be less effective.
- 23 Projects which have commenced and where sufficient alternate budget is available will be deferred, increasing the costs of delivery.
- 24 Option 3 Approve only some of the changes to the 2017/18 proposed capital works programme as proposed in Attachment A.

*Advantages:*

- 25 Provides an opportunity for the Council to consider the latest recommendation from officers in respect to projects being delivered in the 2017/18 financial year.
- 26 Provides the ability to manage the impacts of overspends against current budget and where possible the opportunity to take steps to keep capital expenditure within overall annual budgets.

*Disadvantages:*

- 27 This would change or adjust the timing of the projects consulted on and approved through the Long Term Planning (LTP) process.
- 28 This report recommends **Option 1** for addressing the matter.
- 29 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy. The proposed project adjustments are of relatively low value and budget adjustments best reflect present day understanding of assumptions and project scope.
- 30 This matter related to the operational risk : SR1 Current and Future Development needs of the Community, as documented in the Council's risk register. The risk is classed as high. This matter relates to this risk because it seeks to amend projects contained within the 10-Year Plan.
- 31 The recommended option mitigates the risk by:  
 Treating the risk - putting measures in place which directly impact the risk. This is achieved through ensuring that the right projects are being funded and completed based on the most recent information available to Council officers.
- 32 The financial implications are outlined in Attachment A.

33 The following Council Policies were considered:

- Policy on Significance – Although the decision is in respect to strategic assets, namely, water supply infrastructure, sewage treatment plants and the roading network, the decision does not involve the transfer of ownership, sale or long term lease of these strategic assets. The policy of significance therefore does not apply.

34 This matter is included in the 10-Year Plan/Annual Plan:

- The projects identified form part of the capital works projects for the 2017/18 financial year.

35 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 that the right projects are completed at the right time;
- 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.

36 Most of the proposed changes can be implemented through current funding under the 10-Year Plan and Annual Plan. The exceptions are listed in the financial section of this report.

37 The persons who are affected by or interested in this matter are residents and ratepayers of the Queenstown Lakes district community.

38 It is not considered possible to consult fully on these changes if it is intended to complete the works within the current financial year.

## **ATTACHMENTS**

A Summary of proposed project changes.

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	000221	Civic Building (Gorge Road Office)	190,000		141,000			331,000	141,000	Additional budget required to progress with Council Office upgrades to meet increased staffing levels; includes construction and fit-out of Church St and Shotover St office extensions and improvements to Civic Building to maximise use of space and make safe the reception area.
	000530	Shotover Street Office Extension	407,645		72,000			479,645	72,000	
	000732	Church Street Office Extension	45,000		74,000			119,000	74,000	
	000731	Wanaka Office Improvements	20,000			200,000		220,000	200,000	Budget brought forward from draft LTP to progress with Wanaka Office improvements. The Reece Crescent office lease expires at end of October 2018 with no further right of renewals and initial searches for alternative suitable office space to rent have not proved successful. Budget requested to secure purchase of 2 x prefabricated buildings (option to install these at rear of the Ardmore St office) that will accommodate up to 30 staff. The cost to install and relocate staff from Reece Crescent to be offset by \$51k per annum opex lease costs. Minor renovations required at Ardmore Street to provide space for 16 staff (10 additional) and form a single consolidated customer reception area at Ardmore St office.
	000295	71 Ballarat St - Flats	10,000	-	10,000			-	10,000	Budget no longer required. Replacement of carpet to be covered under OPEX as and when new tenancies commence.
	000388	8 Caernarvon St Arrowtown	15,804	-	15,804			-	15,804	Budgets no longer required. This is a placeholder for redecoration of pensioner housing.
	000389	45 McDougal St Wanaka	15,005	-	15,005			-	15,005	Budgets no longer required. This is a placeholder for redecoration of pensioner housing.
	000413	NZFS property settlement negotiation	50,000	-	50,000			-	50,000	Project budget no longer required, propose reallocate to Council office improvements.
	000564	Wanaka Airport	50,000	-	22,000			28,000	22,000	Project budget no longer required, propose reallocate to Council office improvements.
	000736	Frankton Beach Jetty	102,000		87,000			189,000	87,000	Queenstown Bay Jetty project budget no longer required as private developer funded. Balance of budget reallocated to Project 736 Frankton Beach Jetty. Project scope has been extended to include provision for reserve and traffic improvements.
	000737	Queenstown Bay Jetty	92,000	-	87,000			5,000	87,000	
	000565	Wanaka Land Reserve	2,000,000				2,000,000	-	2,000,000	Budget provision for reserve acquisition not required 17/18, defer to 18/19.
	000584	Ballantyne Road realignment	50,000	-	49,000			1,000	49,000	This budget is no longer required. Design and investigation works to realign road covered under AP budget for Wanaka Masterplan and Network Operating Framework.
	000622	Arrowtown Library	16,005	-	16,005			-	16,005	Budget to recarpet main library not required, recent property inspection report did not identify any issues with existing carpet. Reallocate budget to Council office improvements.
<b>Property Total</b>			<b>3,063,459</b>	<b>-</b>	<b>109,186</b>	<b>200,000</b>	<b>- 2,000,000</b>	<b>1,372,645</b>	<b>- 1,690,814</b>	
Solid Waste	000454	Recycle centre plant upgrade	32,360		17,640			50,000	17,640	Additional budget required to complete BBC. Budget reallocated from Project 734.
	000734	Wakatipu Recycling Centre remedial construction	70,700	-	43,000			27,700	43,000	Works to undertake remedial construction and strengthening at centre now complete and under budget/engineers estimate.
<b>Solid Waste Total</b>			<b>103,060</b>	<b>-</b>	<b>25,360</b>	<b>-</b>	<b>-</b>	<b>77,700</b>	<b>- 25,360</b>	
Storm Water	000597	Minor Capital Improvements Storm Water	20,000	-	20,000			-	20,000	Minor capital improvements provision not required.
	000603	Overland Flow Paths	30,000	-	30,000			-	30,000	This is a legacy project, no longer required.
<b>Storm Water Total</b>			<b>50,000</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>50,000</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
Transport	000051	CROWN RANGE SPR - Drainage renewals	60,000		- 50,000			10,000	- 50,000	Budget to be reallocated as works no longer required.
	000065	WAKATIPU - Traffic services renewals	51,500		60,000			111,500	60,000	Additional budget required to address signage issues identified through annual night audit.
	000068	GLENORCHY SPR - Structures component replacements	86,000		- 35,000			51,000	- 35,000	Programme of works refined following recent bridge inspection report. Budget no longer required.
	000069	WANAKA - Structures component replacements	55,000		- 40,000			15,000	- 40,000	Programme of works refined following recent bridge inspection report. Budget no longer required.
	000071	Glenorchy SPR - Drainage Renewals	50,000		- 50,000			-	- 50,000	Budget to be reallocated as works no longer required
	000082	Eastern Access Road EAR- Hawthorne Drive	6,478,659		- 900,000			5,578,659	- 900,000	Revised project budget based on forecast final cost. Project practically complete with minor variations to be carried out. Reallocate budget.
	000284	Andrews Road Safety Improvements	433,227		71,773			505,000	71,773	Additional budget required to complete scope variations including; increased bank stabilisation, fencing to address safety concerns and sewer alignment works required due to onsite conditions.
	000577	Bike Parking Facilities in CBD	100,000		- 60,000			40,000	- 60,000	Project for design and install of storage facility at Church St complete and under budget.
	NEW1	Wakatipu Active Travel Network	-			50,000		50,000	50,000	Budget brought forward from draft LTP to start work on the Detailed Business Case (scope of works and budget 17/18 approved by NZTA).
<b>Transport Total</b>			<b>7,314,386</b>	<b>-</b>	<b>- 1,003,227</b>	<b>50,000</b>	<b>-</b>	<b>6,361,159</b>	<b>- 953,227</b>	
Wastewater	000025	Wastewater - Renewals - Wanaka	485,000		- 119,000			366,000	- 119,000	Project budget no longer required 17/18. Reallocate to project 372 Cardrona Wastewater renewals.
	000027	Wastewater - Renewals - Hawea	32,175		- 32,175			-	- 32,175	Project budget no longer required 17/18. Reallocate to project 372 Cardrona Wastewater renewals.
	000372	Wastewater - Renewals - Cardrona	20,000		215,000			235,000	215,000	Additional budget required following the purchase of the Treatment Plant 17/18 including cleaning works and transporting of sludge.
	000440	Wanaka Airport WWater cxn Project Pure	10,158		- 7,500			2,658	- 7,500	Budget no longer required following new lease agreement with QAC.
	000547	Minor Capital Improvements Waste Water	50,000		- 50,000			-	- 50,000	Minor capital improvements provision not required. Reallocate to project 372 Cardrona Wastewater renewals.
<b>Wastewater Total</b>			<b>597,333</b>	<b>-</b>	<b>6,325</b>	<b>-</b>	<b>-</b>	<b>603,658</b>	<b>6,325</b>	
Water Supply	000008	Water Supply - Renewals - Arrowtown	120,000		- 40,000			80,000	- 40,000	Balance of Project budget not required, reallocate.
	000009	Water Supply - Renewals - Glenorchy	30,214		- 29,334			880	- 29,334	Project budget not required, reallocate.
	000013	Water Supply - Renewals - Hawea	45,459		24,541			70,000	24,541	Additional budget required to complete works including the motor replacement at Hawea bores.
	000016	Wanaka Yacht Club Borefield Stage 1	9,688		- 8,000			1,688	- 8,000	Project complete, reallocate budget.
	000364	Water Supply Renewals - Reticulation	65,000		35,000			100,000	35,000	Additional budget required to complete further investigations and design works of Lake Hayes Arrowtown main.
	000491	Water Supply - O&M Renewals - Arthurs Pt	20,000		- 20,000			-	- 20,000	Project budget not required, reallocate.
	000579	Middleton Development	250,000		50,000			300,000	50,000	Additional budget required to meet costs associated with the upgrades to the reservoir. Works now complete and infrastructure vested in Council.
	000586	Minor capital improvements Water Supply	50,000		- 50,000			-	- 50,000	Minor capital improvements provision not required. Reallocate to project 579 Middleton Development.
	NEW2	HIF Ladies Mile Water Supply New Scheme	-		-	280,000		280,000	280,000	Budget brought forward from draft LTP to cover costs incurred 17/18 in relation to preparation of HIF Business Case.
	NEW3	SOC bores - Quail Rise rising Main	-		-	280,000		280,000	280,000	





**QLDC Council  
14 June 2018****Report for Agenda Item: 4****Department: Corporate Services****Representation Review 2018****Purpose**

To gain Council agreement on the initial proposal for which consultation on the 2018 Representation Review will be undertaken.

**Recommendation:**

That Council:

1. **Notes** the contents of this report;
2. **Adopts** for the purposes of public consultation that:
  - a. All Councillors are elected in wards;
  - b. The names of the wards shall be: Queenstown-Wakatipu, Arrowtown and Wanaka;
  - c. The boundaries of each ward will be as at present except that Queenstown-Wakatipu Ward will lose meshblocks MB3039711 and MB3039806 which will become part of the new and enlarged Arrowtown Ward with boundaries that will now take in MacDonnell Road and the area of Millbrook;
  - d. Six Councillors will be elected by the voters in the Queenstown-Wakatipu Ward; one Councillor will be elected by the voters in the Arrowtown Ward; and three Councillors will be elected by the voters in the Wanaka Ward;
  - e. There will be a Wanaka Community Board comprising four members elected directly by voters in the Wanaka Ward and the three Wanaka Ward Councillors appointed by Council;
3. **Agrees** that submissions shall be received on the proposal and that the Council will meet as a Committee of the Whole on 13 August 2018 to hear submissions on this initial proposal; and
4. **Notes** that the final proposal will be considered at the Council meeting scheduled for 6 September 2018.

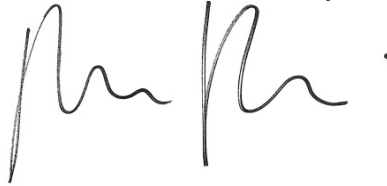
Prepared by:



Jane Robertson  
Electoral Officer

29/05/2018

Reviewed and Authorised by:



Meaghan Miller  
General Manager Corporate  
Services

1/05/2018

## Background

- 1 Councils are required by the Local Electoral Act 2001 ['LEA'] to review their representation arrangements at least once every six years. Queenstown Lakes District Council [QLDC] is due to undertake this review in 2018 for the 2019 triennial election. The process is known as the 'Representation Review' and enables Council to reassess the structure of its membership and the way Councillors and Community Board members are elected.
- 2 The Council last undertook a review in 2012. Various options were considered as part of this review but Council elected to retain the status quo. It was not appealed to the Local Government Commission, and Council's decision stood.
- 3 The present ward structure has been in place since 2006 and has been used for four elections (2007, 2010, 2013 and 2016).
- 4 The Arrowtown Ward is outside the +/-10% variance allowable under the LEA. It did not comply at the time of the last review in 2012 and several alternative options were considered at that time, but none were adopted. As Council's decision was unopposed, this non-compliance was not subject to further consideration by the Local Government Commission.
- 5 Legislative change introduced in 2013 now mandates any decision by the Council not to comply with the +/-10% rule to be referred to the Local Government Commission for determination, whether opposed or not. The referral is treated by the Commission as an appeal under LEA.

## Comment

- 6 Section 19H of the LEA requires the Council to consider:
  - The basis of election (by wards, at large or a combination);
  - The number of Councillors;
  - The names and boundaries of wards;
  - Community Boards (should there be community boards and if so, the nature of any community and the membership and structure of any community board).

The position of Mayor is not part of this review and is always elected at large.

## Timeline

- 7 The representation review is a statutory process under the LEA which directs consultation, hearings, decision-making and appeal/objection processes. There is some latitude within the legislation for commencing the review, but, once started, it must follow prescribed timeframes. These have been plotted as follows:

First Council resolution (Can be any time between 1 March and 8 Sept)	Thursday, 14 June
Consultation questionnaire goes live	Thursday, 14 June
Media release	Friday, 15 June
Within 14 days of the above process, issue public notice	Thursday, 21 June (Mountain Scene) Thursday, 21 June (Wanaka Sun) Saturday, 23 June (ODT)
Consultation period open for at least one month	Close of submissions: Monday, 16 July at 5pm
Hearing of submissions and determination of final proposal (full Council meeting as a committee of the whole) NOTE: Must occur within 6 weeks after the end of the period allowed for the making of submissions.	Monday, 13 August
Recommendation of hearings panel considered at full Council meeting	Thursday, 6 September
Media release announcing opening of appeal/objection period	Thursday, 6 September
Public Notice of final proposal and appeal rights (must be open for at least one month)	Saturday, 8 September (ODT) Thursday, 13 September (Mountain Scene) Thursday, 13 September (Wanaka Sun)
Closing date for appeals and objections	Monday, 8 October at 5pm

## Statutory principles

- 8 In reviewing their representation arrangements, councils must have regard to the following three principles:
- Communities of interest,
  - Effective representation of communities of interest, and
  - Fair representation of electors.
- These principles are discussed below.

### 'Communities of interest'

- 9 Community of interest is not defined in the LEA but good practice guidelines suggest that a community of interest is a three-dimensional concept involving:
- Perceptual - a sense of belonging to a clearly defined area or locality
  - Functional - meets the community's requirements for physical and human services
  - Political - the ability of the elected body to represent the interest and reconcile the conflicts of all its members.
- 10 Further, a community of interest has:
- A sense of community identity and belonging reinforced by:
    - Distinctive physical features

- Similarities in economic or social activities carried out in the area.
- Similarities in demographic, socio-economic and/or ethnic characteristics of the residents
- Distinct local history of the area
- Dependence on shared facilities – such as schools, recreational and cultural facilities, retail outlets, transport, and communication links.

11 During a representation review, councils need to determine:

- Any identifiable communities of interest below the district level
- Whether these communities of interest are located in identifiable geographic areas, justifying the establishment of wards, or are spread across the district.

***'Effective representation of communities of interest'***

12 Best practice guidelines suggest that key factors for consideration here are the size, nature and diversity of the district. This part of the review requires the Council to determine if the election is undertaken by wards, at large (i.e., over the whole district) or in a combination of both.

13 LEA does not express a preference for either approach but best practice suggests that councils which have opted for elections at large have the following characteristics:

- (a) A relatively compact geographic area; and/or
- (b) A shared common community of interest at the district level; and/or
- (c) Communities of interest that are spread across the district rather than being geographically distinct.

14 Other key considerations when determining effective representation are:

- avoiding arrangements that may create barriers to participation, for example, not recognising residents' familiarity and identity with an area during elections;
- not splitting recognised communities of interest between electoral subdivisions;
- not grouping together two or more communities of interest that have few common interests;
- local electors' identification with a specific area
- accessibility, size, and configuration of an area, including:
  - the population's reasonable access to its elected members and vice versa
  - the elected members' ability to:
    - effectively represent the views of their electoral area; and
    - attend public meetings throughout the area, and provide reasonable opportunities for face-to-face meetings.

15 The district is not a compact area and there are different communities of interest spread across the district. It is also considered that electors identify with a particular geographic area and that division of the district by ward is important to ensure the population's reasonable access to its elected members. Accordingly, it is recommended that QLDC continue the practice of electing Councillors by ward.

### **'Fair representation of electors'**

16 Section 19V details the factors to be applied to achieve fair representation of electors. Key to this is the provision under Section 19V(2) known as the '+/- 10%' rule:

*For the purposes of giving effect to subsection (1), the territorial authority or regional council and, where appropriate, the Commission must ensure that the population of each ward or constituency or subdivision, divided by the number of members to be elected by that ward or constituency or subdivision, produces a figure no more than 10% greater or smaller than the population of the district or region or local board area or community divided by the total number of elected members (other than members elected by the electors of a territorial authority as a whole, if any, and the mayor, if any).*

17 There are four grounds under the LEA for not complying with the above. They are:

To provide for effective representation of communities of interest within:

- a. Island communities (e.g. Stewart Island);
- b. Isolated communities;

Where compliance would limit effective representation of communities of interest by:

- c. Dividing a community of interest;
- d. Grouping together communities of interest with few commonalities.

### **Discussion of Proposals<sup>1</sup>**

#### *Option 1: Current situation (Status quo)*

18 The current situation is the **status quo** option but it is problematic as the Arrowtown ward does not comply with S19V(2) (+/-10%) as the following table shows:

	Population	Members	Pop/mem ratio	Difference from quota	% diff from quota
Queenstown-Wakatipu Ward	22,600	6	3,767	54	1.45
Wanaka Ward	11,600	3	3,867	154	4.14
Arrowtown Ward	2,930	1	2,930	-783	-21.09
<b>District</b>	<b>37,130</b>	<b>10</b>	<b>3713</b>		

-+/-10% = 3,342 - 4,084

19 Council can choose not to comply for the reasons detailed under paragraph 17, but must still refer the matter to the Local Government Commission for determination.

20 Arrowtown is neither an island community nor isolated. Anecdotally most Arrowtown residents use the shopping, leisure and cultural facilities in the wider Wakatipu basin and many work in Queenstown. Arrowtown is not separate from

<sup>1</sup> The population figures used in these calculations are Statistics NZ population estimates as at 30 June 2017 for wards, communities, local board areas, subdivisions and constituencies. Under S19X of LEA the types of population that can be used are either (a) the population from the most recent census (which is not yet available); or (b) a more recent population estimate "as assessed by the Government Statistician". The use of population projections is not permitted.

the wider Wakatipu in terms of transport or communication links and the residents are neither demographically nor ethnically separate.

- 21 However Council can justify a decision not to comply with the rule by using reason (c) namely, that Arrowtown represents its own unique community of interest.
- 22 As noted in paragraphs 9 and 10 above, ‘community of interest’ does not have a legal definition, but a series of general concepts and understandings has been developed over time and regarded as good practice. In relation to these, Arrowtown certainly ticks the box in regard to having a ‘perceptual’ community of interest, in that the population generally has a sense of belonging to a clearly defined area or locality. It has a ‘distinct local history’ and some parts of the town have ‘distinctive physical features’, particularly in the historic precinct. There are social activities specific to the area that connect the community (e.g. Arrowtown Autumn Festival, The Loop) and there is a dependence upon some local facilities which are separate from the facilities elsewhere in the district (e.g. Arrowtown School, Arrowtown Volunteer Fire Brigade, Arrowtown Police).
- 23 The District Plan points to the ‘distinctive’ character of Arrowtown, although this mainly refers to the Arrowtown Town Centre Heritage Precinct and the Arrowtown Residential Historic Management Zone. The District Plan stresses the uniqueness of these zones and sets out policies and objectives to preserve their historic character and to protect the compact nature of the town centre.
- 24 Wider than the town centre, the boundaries of Arrowtown are controlled within a discrete area by an urban growth boundary, with policies to provide *“for increased density to contribute to a more compact and connected urban form.”* Further, Objective 4.2.5 seeks to manage the scale and location of urban growth in the Arrowtown Urban Growth Boundary in order to *“limit the spatial growth of Arrowtown so that:*
- *Adverse effects of development outside the Arrowtown Urban Growth Boundary are avoided*
  - *The character and identity of the settlement, and its setting within the landscape is preserved or enhanced.”*
- 25 Accordingly, it is reasonable to conclude that the District Plan sees Arrowtown as a distinct community and seeks to maintain it as such.

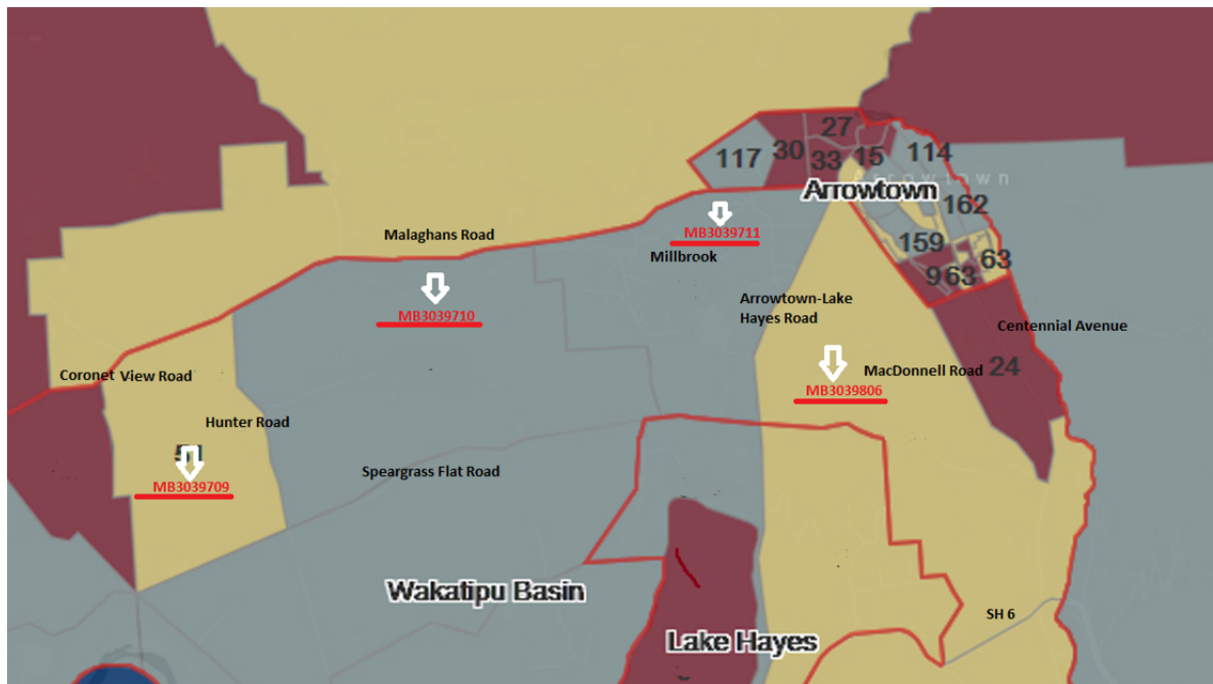
*Option 2: Enlarge the Arrowtown ward with four neighbouring meshblocks (MB3039711, MB3039710, MB3039709 and MB3039806) from Queenstown-Wakatipu to increase population; Wanaka Ward and Wanaka Community Board to remain unchanged.*

- 26 To become compliant, the Arrowtown ward needs at least 412 more people as the following calculation demonstrates:

	Population	Members	Pop/mem ratio	Difference from quota	% diff from quota
	3,342	1	3,342	-371	-9.99%

27 If Council wishes to retain Arrowtown as a separate ward electing one Councillor, it can become fully compliant by adding other meshblocks to it from the present Queenstown-Wakatipu ward that are in the vicinity of Arrowtown. This would not affect the number of Councillors elected from the Queenstown-Wakatipu ward, which would remain at 6. The following areas have been identified as possible options for adding meshblocks to the Arrowtown Ward:

Meshblock number (2013)	General area (2013 census boundaries)	2013 Census population	Stats NZ 2017 estimated population
MB3039711	Millbrook from Millbrook corner to just past Streamside Lane	111	220
MB3039710	Malaghans Road (on Millbrook side) up to Hunter Road	108	110
MB3039709	Malaghans Road (on Millbrook side) up to just past Coronet View Road	51	50
MB3039806	Across the road from Millbrook - area encased by Arrowtown-Lake Hayes Road and MacDonnell Road through to SH6	75	80
		345	460



28 In this scenario, the difference from the quota would be -8.7% which is fully compliant and would remove the need to refer the matter to the Local Government Commission:

	Population	Members	Pop/mem ratio	Difference from quota	% diff from quota
Arrowtown Ward (+4 meshblocks)	3,390	1	3,390	-323	-8.70%



29 Although it complies with S19V(2), this option does carry some risk as extending the boundary too widely could be construed as grouping communities of interest with few commonalities. This option may therefore be open to objection by both the community of Arrowtown in relation to erosion of the special ward and by the wider communities, which may associate more with the wider Wakatipu Ward.

*Option 3: Enlarge the Arrowtown ward with two meshblocks (MB3039711 and MB3039806) from Queenstown-Wakatipu that are located near Arrowtown to increase population.*

30 This is a 'half-way house' option that preserves much of the discreteness of the current Arrowtown Ward but brings it much closer to compliance. Furthermore, it adds areas already considered part of Arrowtown, due to their proximity. There has historically been some confusion about which ward these areas are in.

Meshblock number (2013)	Figure #	General area (2013 census boundaries)	2013 Census population	Stats NZ 2017 estimated population
MB3039711	1	Millbrook from Millbrook corner to just past Streamside Lane	111	220
MB3039806	4	Across the road from Millbrook - area encased by Arrowtown-Lake Hayes Road and MacDonnell Road through to SH6	75	80
				310

31 The table below shows that this would result in a 12.7% difference from the quota. It would still not be compliant with S19(V)2, but brings it much closer than at present and demonstrates to the Local Government Commission (to which it would still have to be referred) that Council is doing its best to maintain this distinct community of interest, whilst at the same time trying to comply with the law. Further, with a little more population growth (only 102 people), this area will eventually become fully compliant:

	Population	Members	Pop/mem ratio	Difference from quota	% diff from quota
Arrowtown Ward (+2 meshblocks)	3,240	1	3,240	-473	-12.74%

*Option 4: Disestablish the Arrowtown ward and incorporate it into Queenstown-Wakatipu, with voters electing seven Councillors; Wanaka ward and Wanaka Community Board to remain unchanged.*

32 This option will address the non-compliance with the Arrowtown Ward and may encourage more local engagement in the electoral process.

	Population	Members	Pop/mem ratio	Difference from quota	% diff from quota
Queenstown-Wakatipu Ward (including old Arrowtown Ward)	25,530	7	3,647	66	1.78
Wanaka Ward	11,600	3	3,867	154	4.14
<b>District</b>	<b>37,130</b>	<b>10</b>	<b>3713</b>		

33 Whilst single-member wards provide a close direct link between local electors and their representative, multi-member wards can provide for:

- greater choice for voters;
- (following the election) greater choice for residents on who to approach on local issues;
- sharing and specialising in responsibilities between ward representatives.

34 There has been anecdotal feedback that voters in the Arrowtown ward do not engage in the triennial council elections because they regularly only have one vote, that being for the district's Mayor, because the single-seat Arrowtown ward is rarely contested. In the last four elections (for which the present ward system has been in place), the Arrowtown ward Councillor has been elected unopposed on all occasions except in 2010. It is interesting to note that when the position was last contested, the voter turnout in the Arrowtown Ward was the highest return in any recent election. By contrast, when the sitting member was re-elected unopposed in 2013, Arrowtown recorded the lowest voter turn-out (only voting for a Mayoral candidate) in recent memory:

Election	Queenstown-Wakatipu	Arrowtown	Wanaka
2016	52.6%	52.1%	56.9%
2013	41.0%	35.5%	53.3%
2010	50.0%	57.0%	48.0%
2007	48.0%	51.0%	51.0%

35 Statistics from recent by-elections also indicate that Arrowtown voters engage when there is an election in their community:

By-election	No. of Candidates	Voter Return
2015 Arrowtown Ward	3	50.52%
2017 Wanaka Ward	4	41.35%
2017 Wanaka Community Board	3	36.71%

### **Wanaka Ward**

36 In all of the options discussed above, no change is proposed to the boundaries of the present Wanaka Ward and the election of three Councillors from that Ward. The present Wanaka Ward covers the area from the top of the Crown Range through to just beyond Makarora. In line with the rest of the district the population of Wanaka continues to grow but based upon the 2017 population statistics on which this report is based, there is no justification for increasing the number of elected Councillors from the Wanaka Ward from the present three:

	Population	Members	Pop/mem ratio	Difference from quota	% diff from quota
Wanaka Ward (status quo)	11,590 <sup>2</sup>	3	3,883	170	4.6%
Wanaka Ward (additional Councillor)	11,590	4	2,898	-815	-21.95%
Queenstown Lakes District	37,130	10	3,713		

+/-10% 3,342-4,084

<sup>2</sup> Note that 11590 is 10 different from the overall ward population shown in the figures above (11600). This is normal statistical practice and is within the acceptable bounds of standard deviation

### **Queenstown-Wakatipu Ward**

37 Options 2 and 3 will result in a small loss of area and population in the Queenstown-Wakatipu Ward, and the following table models the situation with the loss of two or four meshblocks. Under both options it is recommended that the Queenstown-Wakatipu Ward continue to elect six Councillors.

38 The table also shows that there is not yet the need in Queenstown-Wakatipu to elect seven Councillors, although population growth will require the Council to consider the number of elected members needed to service the population at some stage in the future.

	Population	Members	Pop/mem ratio	Difference from quota	% diff from quota
Queenstown-Wakatipu Ward (- 4 meshblocks)	22,140	6	3,690	-23	-0.62%
Queenstown-Wakatipu Ward (- 2 meshblocks)	22,290	6	3,715	2	0.05%
Queenstown-Wakatipu Ward (-2 meshblocks)	22,290	7	3,184	-529	-14.25%
<b>District</b>	<b>37,130</b>	<b>10</b>	<b>3713</b>		

+/-10% 3,342-4,084

### **Current situation: Community Board/s**

39 As part of the review, Council is required by statute to determine whether, in order to achieve fair and effective representation for individuals and communities:

*(a) there should be communities and community boards; and*

*(b) if so resolved, the nature of any community and the structure of any community board.*

40 Other considerations required in relation to community boards are:

- a. whether one or more communities should be constituted;
- b. whether any community should be abolished or united with another community;
- c. whether the boundaries of a community should be altered;
- d. whether a community should be subdivided for electoral purposes or whether it should continue to be subdivided for electoral purposes, as the case may require;
- e. whether the boundaries of any subdivision should be altered;
- f. the number of members of any community board;
- g. the number of members of a community board who should be elected and the number of members of a community board who should be appointed.

41 In relation to membership, section 19F of LEA requires that:

1. Every community board,
  - a. is to consist of not fewer than four members nor more than 12 members; and
  - b. is to include at least four elected members; and
  - c. may include appointed members.
2. The number of appointed members is to be less than half the total number of members.

- 42 The Wanaka Community Board was formed by an Order In Council in 1986 and its first meeting as the Board took place on 17 November 1989. The Board's current membership is as a result of the 2006 representation review, when the decision was made to change from six elected and three appointed to the current four elected and three appointed.
- 43 Community Boards were established by the Local Government Commission during the reorganisation of local government in 1989. The argument for establishing them was that councils would now be so large that former communities of interest might lose representation. At the time, it was also seen as a way of obtaining the cooperation of small councils that were about to be consolidated. Amalgamation created 159 community boards but according to a recently released study of community boards there are now 110 community boards in New Zealand, down from 144 in 2008.
- 44 A key finding of this study was that 'although publicly elected, most boards are treated in an advisory role to council.' Further, the report concludes that 'if boards continue to have local advocacy and advice as their central role then they will decline further around the country.' The report however, highlights Wanaka Community Board (alongside those in Thames-Coromandel and Christchurch) as being contrary to this trend, being an example of a board that takes 'leadership at the local level.' It has also long been acknowledged that Wanaka Community Board has a high level of delegated authority compared with many of its peers.
- 45 However, as part of the representation review, the Council should examine whether the Wanaka Community Board is needed for the 'fair and effective representation of individuals and communities'. The Council is also required to consider the number of elected and appointed members, currently 4 and 3 respectively.
- 46 The Wanaka ward is made up of the following different communities:

Wanaka	8,450
Hawea	2,640
Matukituki	500
	11,590

- 47 The Wanaka Community Board currently contains four elected members and the member ratio (2017) is 1: 2898. +/- 10% is 2,608-3,188. As noted above the minimum number of members a community board may contain is four. The number of appointed members must be half of the total number of members. Since its official formation in 1989, it has been the practice for all Wanaka Ward Councillors to be appointed members of the Board for the full triennium. However, there is no compulsion for this and the Council could choose instead to allocate each on a one year basis to cover the three years of the Council term.
- 48 The Local Electoral Act 2001 requires the Council to consider as part of its review of community boards whether it should be subdivided for electoral purposes. The current circumstances suggest no compelling reason, statistical or based on LEA principles, to subdivide.

## Summary

49 The Wanaka Community Board has extensive delegations which add to its function and value, and this was acknowledged in a 2018 survey of community boards which outlined some regression of community boards over the last decade:

*‘One potential future development of boards is the devolving of services and decision-making as is seen in Boards in Wanaka, Thames-Coromandel and Christchurch City. Under this scenario, local Community Boards take leadership at the local level and council takes leadership of more district or city-wide matters.*

50 It is therefore reasonable to conclude that it fulfils its role as a sub-municipal body well, with easy ability to interact with citizens and to resolve localised issues with local solutions. Accordingly, no change is recommended to the Board at this time.

## Options

51 This report recommends **Option 3** for addressing the matter because this representation proposal brings the Arrowtown ward closer to the +/-10% rule and demonstrates to the Local Government Commission that the Council is making a constructive effort to comply with the legal requirements, whilst still acknowledging that Arrowtown is a separate community of interest. It is considered that no change to the Wanaka Ward or the Wanaka Community Board is necessary at this time.

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

52 This matter is of medium significance, as determined by reference to the Council’s Significance and Engagement Policy because it will have a moderate impact upon the culture and the people of the district because it will impact upon the way they vote for the Council and the Wanaka Community Board.

### ***Risk***

53 This matter relates to operation risk OR011A Decision Making. The risk is classed as moderate as it the Council’s decision may result in the matter being referred to the Local Government Commission.

## Financial Implications

54 The cost of undertaking the Representation Review is covered by operational budgets.

## Council Policies, Strategies and Bylaws

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

- Significance and Engagement Policy
- Local Electoral Act 2001

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

57 This matter is not included in the Ten Year Plan/Annual Plan because it does not have any financial impact on Council.

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

58 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 providing income to Council and a decision in a timely manner;
- 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**

59 The initial proposal that the Council adopts will be subject to public consultation.

**QLDC Council  
14 June 2018**

**Report for Agenda Item: 5**

**Department: Planning & Development**

**Making Plan Change 35 – Queenstown Airport Aircraft Air Noise Boundaries, operative**

The purpose of this report is to make Plan Change 35 operative in accordance with Clause 17(2) of the First Schedule of the Resource Management Act 1991.

**Recommendation**

That Council:

1. **Note** the contents of this report;
2. **Authorise** officers to amend the Operative District Plan to incorporate the changes proposed through Plan Change 35 in accordance with the Environment Courts final decision dated 8 May 2018; and
3. **Approve** public notification of the date on which Plan Change 35 shall become operative.

Prepared by:



Blair Devlin  
Manager, Planning Practice

16/05/2018

Reviewed and Authorised by:



Tony Avery  
General Manager, Planning &  
Development

**Background**

- 1 The purpose of Plan Change 35: Queenstown Airport Aircraft Noise Boundaries (“**PC35**”) was to establish an appropriate land use management regime around Queenstown Airport while providing for the predicted ongoing growth of aircraft operations at the airport until 2037.
- 2 PC35 was lodged late in 2009, and was adopted in part (excluding night time flight provisions which were ‘accepted for processing’) as a plan change by the former Strategy Committee on 8 December 2009. It was publicly notified for submissions on the 27 January 2010. A hearing on PC35 was heard in Queenstown over 14-22 June and 21 – 23 September 2010. Commissioners were Dr Stephen Chiles, Mr David Clarke and Mr Robert Batty (Chair).

- 3 PC35 updated the Airport's noise boundaries to provide for predicted growth in aircraft operations to 2037 and amended various zone provisions for land located within the updated boundaries and likely to be affected by increased aircraft noise.
- 4 In conjunction with the land use management regime proposed by PC35, the associated Notice of Requirement ("**NOR**") for a designation proposed to introduce obligations for the Queenstown Airport Corporation ("**QAC**") (via its Aerodrome Purposes Designation) to undertake and fund noise mitigation works for those existing houses within the updated noise boundaries likely to be exposed to increased levels of aircraft noise over a defined exposure level.
- 5 The Commissioners decision was confirmed by Full Council at its meeting on 9 November 2010. The Commissioners who heard PC35 largely confirmed the plan change, apart from the provisions for a limited number of scheduled flights after 10pm, the decision on which was accepted by QAC (i.e. not appealed).
- 6 PC35 was subject to a number of appeals to the Environment Court. The appeals were largely resolved by agreement in early 2012, and were jointly presented to the Court during the course of two hearings and the filing of subsequent memoranda.
- 7 Three interim decisions were issued by the Environment Court with respect to PC35, the most recent dated 8 May 2013. As part of the most recent decision, the Court ordered that an up to date set of PC35 provisions and Designation 2 be filed with the Court.
- 8 A final set of provisions, giving effect to the Court's directions, was filed jointly by the parties in May 2013. However the 'Lot 6 Notice of requirement' ("**Lot 6 NOR**") lodged by the airport over land owned by Remarkables Park Ltd meant the Plan Change could not be made fully operative.
- 9 Following a joint memorandum of counsel for Council and QAC, on 8 May 2018, the Environment Court, having determined the Lot 6 NOR and confirmed the designation, and dismissed the rehearing request by Remarkables Park Ltd, issued its fourth and final decision on PC35. This decision confirmed the planning map and Figure 2 of the Remarkables Park zone as being the 'with Lot 6 NOR' version.
- 10 A copy of the final decision of the Environment Court is appended as **Attachment A**. Copies of the three interim Environment Court decisions, and the full set of amended provisions are available on OneDrive.

### **Comment**

- 11 A plan change can only be made operative by the Council when there are no outstanding submissions or appeals. All appeals to PC35 have now been resolved.



## Options

- 12 Normally this report would identify and assess the reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002. In this case, the Council has no other option but to make PC35 operative because the PC35 provisions are now finalised. Making the PC35 provisions partially operative will see them inserted into the Operative District Plan so that they are not missed by applicants or officers.
- 13 This report recommends **Option 1** for addressing the matter

## Significance and Engagement

- 14 This matter is of high significance, as determined by reference to the Council's Significance and Engagement Policy because it has a high degree of community interest, as witnessed from the 93 submissions on PC35.
- 15 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 calling for submissions, holding a hearing, and the right of appeal that was exercised to the Environment Court.

## Risk

- 16 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 PC35 is a significant physical resource for the District that affects the current and future development needs of the community.
- 17 This matter does not have significant risk. It is following the statutory process set out in the RMA for making plan changes partially operative. The right of appeal has now been exercised. The recommended option mitigates the risk by following the statutory process set out in the RMA.

## Financial Implications

- 18 None.

## Council Policies, Strategies and Bylaws

- 19 The following Council policies, strategies and bylaws were considered:
- Operative District Plan
  - Proposed District Plan
- 20 The recommended option is consistent with the principles set out in the named policies.
- 21 This matter is not included in the 10-Year Plan/Annual Plan

## Local Government Act 2002 Purpose Provisions

22 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 PC35 provisions operative;
- 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

23 The Council has already consulted on PC35 in 2010 and 93 submissions were received.

## Attachments

A Environment Court Final Decision – 8 May 2018

### Documents available on OneDrive

B Environment Court Interim Decision – 10 September 2012

C Environment Court Second Interim Decision – 5 March 2013

D Environment Court Interim Decision Erratum – 6 March 2013

Amended Operative District Plan provisions (**Note** – provision shown were updated in May 2013 and have subsequently been amended by other plan changes).

Map – Planning Map 31a

- i Business and Industrial areas
- ii Appendix 13
- iii Business and Industrial Rules
- iv District Wide Issues
- v Definitions
- vi Designations
- vii Frankton Flats B Rules
- viii Noise Management Plan
- ix Queenstown Airport Mixed Use zone
- x Residential provisions
- xi Residential rules
- xii Remarkables Park Zone objectives and policies
- xiii Remarkables Park Zone rules
- xiv Rural chapter rules
- xv Rural chapter objectives and policies
- xvi Transport chapter

BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA

Decision No. [2018] NZEnvC 63

IN THE MATTER of the Resource Management Act 1991  
AND of appeals pursuant to clause 14 of the First  
Schedule  
BETWEEN AIR NEW ZEALAND LIMITED  
(ENV-2011-WLG-01)  
QUEENSTOWN AIRPORT  
CORPORATION LIMITED  
(ENV-2011-WLG-03)  
REMARKABLES PARK LIMITED AND  
SHOTOVER PARK LTD  
(ENV-2011-WLG-04)  
Appellants  
AND QUEENSTOWN LAKES DISTRICT  
COUNCIL  
Respondent

Court: Environment Judge J E Borthwick  
Environment Commissioner R M Dunlop  
Environment Commissioner D J Bunting  
Hearing: In Chambers at Christchurch  
Date of Decision: 9 May 2018  
Date of Issue: 9 May 2018

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**FINAL DECISION  
OF THE ENVIRONMENT COURT**

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A: Planning Map 31a and Figure 2 of the Remarkables Park Zone – Rules in the Queenstown Lakes District Plan, attached and labelled “A”, are approved.



## REASONS

[1] These proceedings concern three appeals on proposed Plan Change 35 ("PC35") to the Queenstown Lakes District Plan. The court released three Interim Decisions in 2012 and 2013 on the appeals to the plan change.<sup>1</sup> The decisions confirmed the plan change subject to amendments approved by the court to the objectives, policies and rules.

[2] The Air Noise Boundary to be depicted in Planning Map 31a and second, Figure 2 of the Remarkables Park Zone ("RPZ"), were not finalised as they were to be informed by the outcome of another proceeding on a Notice of Requirement lodged by Queenstown Airport Corporation Ltd to alter Designation 2 and extend the aerodrome at Queenstown Airport ("Lot 6") – a position which was accepted by the District Council at that time.<sup>2</sup>

[3] On 19 March 2018 a joint memorandum was filed and the parties requested that the court issue a further interim decision on PC35 in respect of all zones affected by PC35, including the noise boundaries shown on Map 31a that apply to those zones, but excluding the noise boundaries insofar as they applied to the RPZ and Figure 2 of the RPZ. In doing so, the parties were attempting to partially conclude the PC35 appeals without pre-empting the outcome of an application to rehear the final decision on Lot 6.

[4] The Environment Court has now heard the application for rehearing for Lot 6 and released its decision refusing the same. Following the release of the Lot 6 decision, we asked the parties whether there was any principled reason for the Environment Court not to release a final decision on PC35, confirming the planning map and figure.<sup>3</sup> No party raised any opposition.

[5] On 4 May 2018 the District Council filed a memorandum supporting the release of a final decision for PC35, inclusive of the RPZ, confirming Planning Map 31a and Figure 2. The District Council circulated a final version of Planning Map 31a and Figure

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<sup>1</sup> [2012] NZEnvC 195; [2013] NZEnvC 28; [2013] NZEnvC 93.

<sup>2</sup> [2013] NZEnvC 28 at [5].

<sup>3</sup> Minute dated 27 April 2017.



2 for the parties' comment.<sup>4</sup> Mr Devlin, a planner engaged by the Council, deposes the air noise boundaries depicted on the planning map are based on modelling data provided by the acoustic consultancy, Marshall Day. He confirms our understanding that no party to the PC35 proceedings has sought a correlation between the southern boundary of Activity Area 8 of the Remarkables Park Zone and the Air Noise Boundary as it applies to the same zone.

[6] Again, having had the opportunity to do so, no party has given notice of their opposition to the making of a final decision approving the planning map and the figure circulated.<sup>5</sup> RPL filed a memorandum confirming that the final decision should be made based on approving the relevant documents attached to Mr Devlin's affidavit sworn 9 May 2018.<sup>6</sup>

[7] The court has reviewed the original documents handed up during the hearing and the revised Planning Map 31a (including Remarkables Park Zone), and approves Planning Map 31a and Figure 2, attached to this decision and labelled "A," finding that they give effect to the Environment Court's earlier decisions on the plan change.

For the court:

  
\_\_\_\_\_  
**J E Borthwick**  
**Environment Judge**



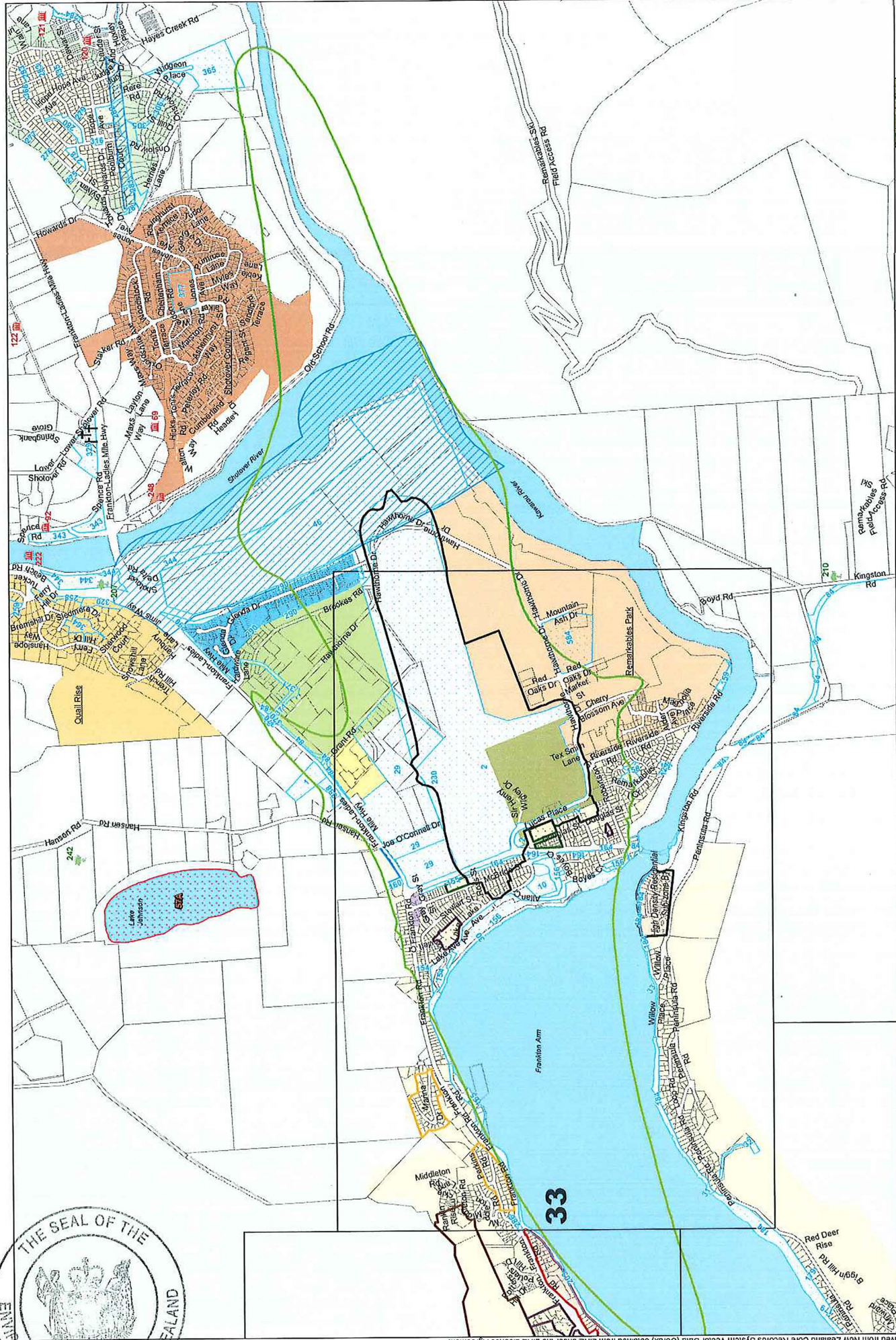
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<sup>4</sup> QLDC memorandum dated 4 May 2018 and affidavit of Mr Devlin sworn 9 May 2018.

<sup>5</sup> Direction given under cover of the registry's correspondence dated 4 May 2018.

<sup>6</sup> Memorandum dated 9 May 2018 and confirmed in a telephone conference held on the same day.





**31a**

QUEENSTOWN LAKES DISTRICT COUNCIL

Maps created by QLDC GIS Department

0 150 300 600  
Metres  
Scale: 1:20,000

**Queenstown Airport**

Map Printed: May 2018

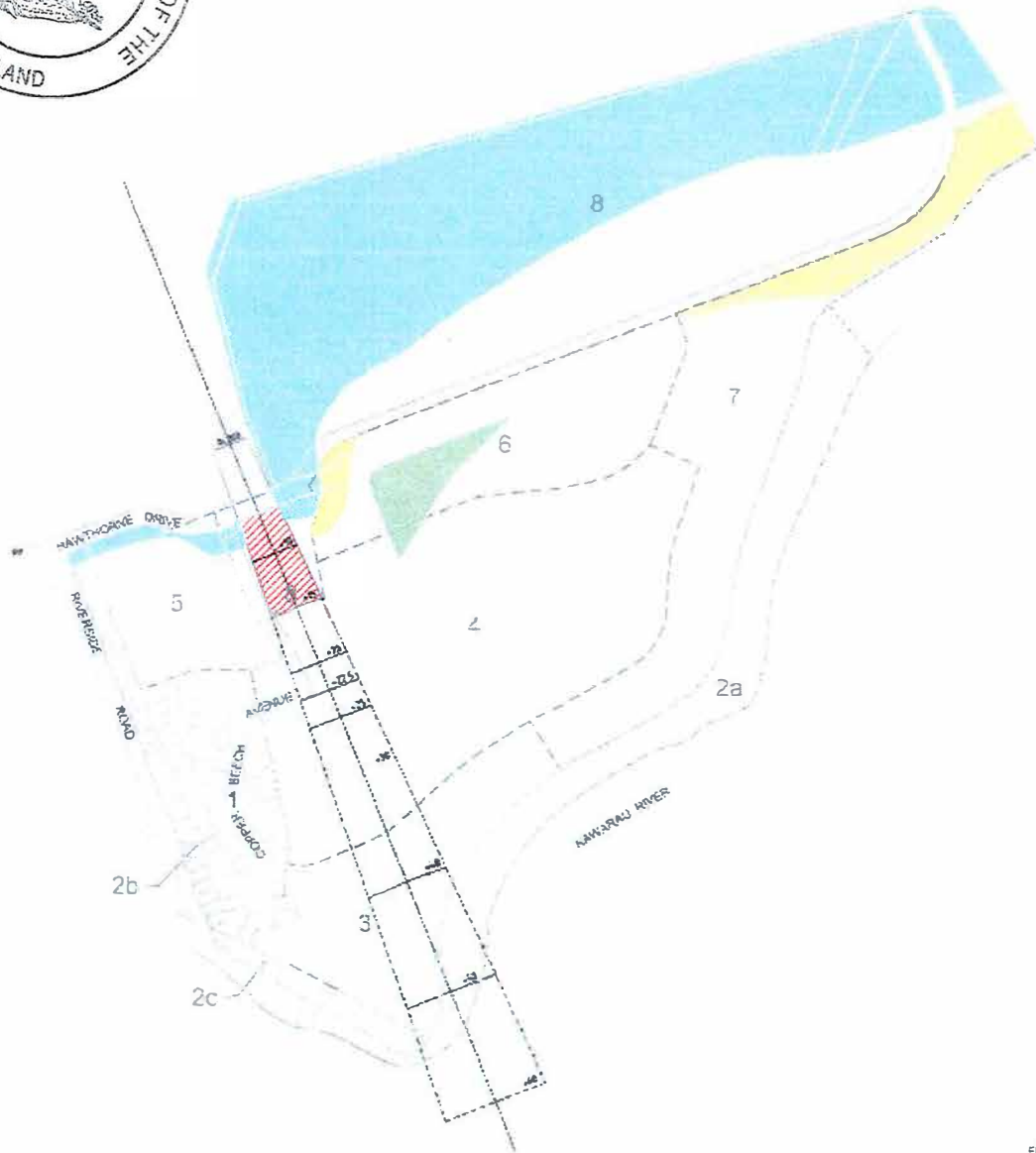
Queenstown Lakes District Council  
District Plan Maps

Parcel boundaries derived from New Zealand Core Records System Vector Data (Coax) obtained from LINZ under the LINZ Licence Agreement







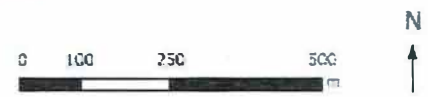


# REMARKABLES PARK ZONE - RULES



REMARKABLES PARK ZONE:  
Figure 2 - Airport Measures and Activity Areas

- KEY:
-  NO BUILDINGS AREA
  -  NO RESIDENTIAL, VISITOR ACCOMMODATION OR COMMUNITY ACTIVITIES AREA
  -  RESIDENTIAL OR VISITOR ACCOMMODATION, WITH SOUND INSULATION
  -  REFER TO SITE STANDARD 12.11.5.1 (N) "EDUCATIONAL FACILITIES"



File name: 4-uCSS: 1580\_30-92156E Qbv2037 Forecast Info\Figures\RP\_Zone\_Fig2\NDMG PCSE 120125 by -86.dwg

**QLDC Council**  
**14 June 2018****Report for Agenda Item: 6****Department: Community Services****Lessor's and Minister's Approval to enable Skyline Enterprises Limited, to establish temporary and permanent buildings, and to undertake earthworks, within their Lease Area on the Ben Lomond Recreation Reserve****Purpose**

To consider granting Lessor's Approval and exercise the Minister's delegation to provide Minister's Approval to Skyline Enterprises Limited (SEL) to establish temporary and permanent buildings, and to undertake earthworks within their Lease Area, as described in Resource Consent Application RM180004. The delegation to provide Lessor's Approval and Minister's Approval is with Council.

**Recommendation**

That Council:

1. **Note** the contents of this report;
2. **Approve** Lessor's Approval and Minister's Approval to establish a number of temporary and permanent buildings on Section 1 SO 24832, subject to resource consent RM180004 being granted;
3. **Ensure** that prior to any works being undertaken upon the site, a Health and Safety Plan is first provided to Council to ensure the health and safety of users of the Ben Lomond Recreation Reserve, for all works associated with the proposal; and
4. **Require** that all buildings and associated earthworks are in accordance with a final decision on resource consent RM180004, to also include a removal date for the temporary buildings considered appropriate by the Chief Executive Officer of the Queenstown Lakes District Council.

Prepared by:

Reviewed and Authorised by:



Aaron Burt  
Senior Planner: Parks &  
Reserves  
31/05/2018



Thunes Cloete  
General Manager Community  
Services  
31/05/2018



## Background

- 1 For the development now proposed to occur, SEL requires Affected Person's Approval from QLDC, with that delegation being with the Chief Executive Officer. SEL also requires Minister's Approval, and Lessor's Approval, and as Council can exercise those delegations, they are addressed under this report. It should be noted that SEL require all approvals (including resource consent) to progress, and any grant of one approval does not mean that other approvals will automatically follow, or should imply support for the greater activity.
- 2 Skyline Enterprises Limited (SEL) lease an area of the Ben Lomond Recreation Reserve (Reserve) from the Queenstown Lakes District Council. That lease is registered as encumbrance 5014878.1 on the Certificate of Title for the Reserve (lease). For clarity, the land associated with this report is at the SEL restaurant and luge site accessed from the top of the gondola.
- 3 Clause 6 of the SEL Lease states:
 

“that the Lessee shall not erect or place any buildings or other improvements or add any addition to any existing building or structure on the demised land without the prior approval in writing of the Lessor and the Minister.”
- 4 SEL have applied for resource consent RM180004, to allow for a number of temporary and permanent buildings to be located within their lease area, and to undertake associated earthworks. At the time of writing this report SEL have not been granted resource consent, and have sought to obtain the Affected Person's Approval (APA) from the QLDC as administrator of the reserve. The delegation to provide APA rests with the Chief Executive Officer of the QLDC, and at the time of writing this report no APA has been provided.
- 5 Southern Planning Group, as the agent of SEL has outlined their request for approval in the document included as Attachment A to this report. This is accompanied by site and earthworks plans prepared by Patterson Pitts Group and included as Attachment B. The request can be separated into three distinct elements, being: 16 temporary buildings; 9 permanent buildings; and associated earthworks. These aspects are elaborated upon as follows under their respective headings.

### Proposed Temporary Buildings

- 6 SEL seek to establish and utilise 16 temporary port-a-com and/or container buildings in association with the construction activities for a new luge workshop, replacement of the luge chairlift and the major gondola and restaurant upgrade.
- 7 SEL propose to site the temporary buildings within the Skyline Lease Area until 30 June 2023.
- 8 Southern Planning Group have provided the following associated information in their correspondence dated 2 March 2018 (Attachment A):
  - Building 'M' will breach the 8m maximum height limit by 0.7m.

- Building 'L' will breach the 8m maximum height limit by 0.5m.
- All other buildings will comply with the 8m maximum height limit.
- Buildings 'F' – 'P' will be partially benched into the embankment, therefore requiring earthworks. This benching will require a maximum cut height of 1m, a total exposed area of 55m<sup>2</sup> and a total volume of 25m<sup>3</sup>.
- Building 'D' is proposed to be located 9.74m from the northern boundary and 5.42m from the western boundary of the Skyline Lease Area, therefore breaching the 15m internal boundary setback requirement.
- Building 'E' is proposed to be located 14.05m from the northern boundary and 8.15m from the western boundary of the Skyline Lease Area, therefore breaching the 15m internal boundary setback requirement.

### Proposed Permanent Buildings

#### *Luge Photo Building (Building 'Q')*

- 9 An existing Luge Photo Building is proposed to be relocated to the east of the cluster of proposed temporary buildings, south of the lower luge terminal. The building measures 6.3m (L) x 2.6m (W) x 3.0m (H) and clad in karaka green steel overlain with un-stained horizontal hardwood battens. Each end of the building contains full glazing.
- 10 This building was consented under RM070488 in a location approximately 20m north of the proposed location. As part of the current application to relocate the building from its presently approved location, resource consent RM70488 will be surrendered if RM180004 is granted.
- 11 No earthworks are required or proposed to site the building in its proposed location.

#### *Water Storage Tanks*

- 12 Four (4) new water storage tanks, each with 22,500 litre capacity, are proposed in the north-eastern corner of the Skyline Lease Area, south-east of five existing 30,000 litre water tanks. Each tank occupies a footprint of 9.6m<sup>2</sup>, is 3.5m in diameter and 2.5m in height.
- 13 The water tanks would be located between 8.30m and 8.72m from the north west boundary and 6.62m from the north eastern boundary of the Skyline Lease Area, therefore breaching the 15m internal boundary setback requirement.
- 14 The water tanks are unpainted concrete structures, however they will be partially buried. In order to do so, it is proposed to undertake 440m<sup>3</sup> of cut of which 420m<sup>3</sup> will be re-used as fill. The remaining 20m<sup>3</sup> will be removed from site. The maximum cut height will be 3.3m and the maximum fill depth will 3.3m.
- 15 The works will occur over a total area of 410m<sup>2</sup>.
- 16 The water tanks will require delivery to the Skyline Lease Area by a maximum of four heavy vehicle

#### *Concrete Building Foundations*

- 17 It is proposed to construct concrete foundations for three new building pylons adjacent to the new luge track. The foundations are associated with the resource consent for the expansion of the restaurant building, currently being considered by the Environment Court (Council reference RM160647).
- 18 The proposed works will require the excavation of a 4m x 4m hole to a depth of 4.5m for each foundation. The holes on two of three of the foundations will be filled with concrete measuring 1.5m x 1.5m and 1.75m x 1.75m respectively, and attached to bedrock with rock anchors. A 750mm concrete pile with internal steel column installed to just below the finished ground surface (approximately 200mm below the finished ground level) will extend above the main foundation footings. These holes will then be back filled.
- 19 The third foundation will necessitate the same size of excavated hole as detailed above and will have a 1.5m x 1.5m footing attached to the bedrock with rock anchors. Because the foundation sits just in front of an existing timber crib retaining wall, the 750mm concrete pile with internal steel column will extend above ground level to the top of this retaining wall. The excavated hole for the foundation footing will be backfilled.
- 20 The area in front of the concrete pile and between AJ Hackett Bungy is subject to native tree and shrub planting as part of resource consent RM170147 (luge lift replacement). The applicant has volunteered that this landscaping will formally comprise part of the RM180004 resource consent proposal to mitigate the visibility of the above ground part of this foundation.
- 21 The proposal requires earthworks of 170m<sup>3</sup> cut and 170m<sup>3</sup> of fill, with a maximum cut height and fill depth of 4.5m over an area of 50m<sup>2</sup>.
- 22 SEL proposes to undertake the foundation works at the same time the new luge track (consented under RM170147) is laid to avoid the luge operations being shut down twice.
- 23 As resource consent RM160647 for the expansion of the restaurant building has not yet been determined, the current proposal needs to be considered on its merits.
- 24 Should the RM160647 application not be approved, the building foundations would remain on site but would either be subterranean and out of view from any persons within or outside of the subject site, or screened by proposed native tree and shrub planting.
- 25 In order to undertake the works associated with the concrete foundations, it will be necessary to have 18 heavy vehicles (concrete trucks) undertake a return trip to the site to pour the concrete foundations. The concrete pours will occur over four days, although those days might not be consecutive:
- Day 1 – 8 trucks + pump (to be completed between 7.30am and 12.00pm)
  - Day 2 – 4 trucks + pump (to be completed between 7.30am and 10.00am)
  - Day 3 – 4 trucks + pump (to be completed between 7.30am and 10.00am)
  - Day 4 – 2 trucks + pump (to be completed between 7.30am and 10.00am)

### *Lower Luge Operators Building (Building 'R')*

26 It is proposed to establish a small operators' building adjacent to the western side of the bull wheel at the lower luge terminal. The building will be the same as the existing building immediately adjacent to the bull wheel, 1.75m x 1.65m and 2.5m high, clad in Karaka Green ribbed iron.

### Earthworks

27 As discussed above, earthworks are proposed for the scaffold platform, water tanks and building foundations. A total cumulative volume of 1,225m<sup>3</sup> of earthworks is proposed.

28 To enable the above, SEL now require Lessor's and Minister's approval for the buildings in accordance with Clause 6 of their Lease. The consideration of this Lessor's and Minister's approval is the purpose of this report.

### **Comment**

29 The underlying land is a recreation reserve administered by QLDC and leased to SEL by QLDC.

30 There is a management plan in place for the reserve and one of the objectives of the Ben Lomond and Queenstown Hill Management Plan is "provision for recreation and tourism activities, including commercial activities that do not adversely impact on the landscape, recreation and natural values."

31 Commercial activities including the luge and restaurant are permitted under the terms of the current lease and will not change fundamentally as a result of the introduction of the buildings.

32 A number of conditions which serve to mitigate effects on the environment as well as persons have been volunteered by the applicant to be included in any grant of resource consent under RM180004. It is likely that further conditions will be imposed through the assessment of the Resource Consent to ensure any associated effects are appropriately mitigated.

33 It is recommended that any decision to grant Lessor's and Minister's approval is subject to resource consent RM180004 being granted.

34 Council has the delegation to provide Lessor's and Minister's approval.

### **Options**

35 Option 1 Council can grant Lessor's and Minister's Approval to Skyline Enterprises Limited for the proposed buildings subject to resource consent being obtained.

#### *Advantages:*

36 SEL will be able to establish the various proposed buildings.

37 SEL will have additional capacity for site offices for the current and anticipated development works.

38 SEL will improve their water storage capacity.

39 SEL can commence foundation works for the proposed new restaurant facility shortly, saving the need to shut the Luge operations down again in the future to undertake such works.

*Disadvantages:*

40 The Ben Lomond Recreation Reserve will be further developed, compared to the existing degree of use.

41 There will be some initial adverse effects during earthworks and construction relating to noise and transport.

42 Option 2 Council can decline Lessor's and Minister's Approval to Skyline Enterprises Limited for the proposed buildings.

*Advantages:*

43 The Ben Lomond Recreation Reserve won't be occupied by further buildings.

44 There will be no effects relating to noise and transport as a result of this proposal.

*Disadvantages:*

45 SEL will either not be able to implement its redevelopment as intended or will need to reassess how the redevelopment can be delivered without the proposed buildings possibly resulting in delays and/or additional expense.

46 This report recommends **Option 1** for addressing the matter as it will enable SEL to install the buildings while resource consent conditions, if approved, will appropriately mitigate any adverse effects.

***Significance and Engagement***

47 This matter is considered of low significance, as determined by reference to the Council's Significance and Engagement policy as it does not involve a Council strategic asset, is of low importance to the Queenstown Lakes District, is of moderate interest to the general community, is not inconsistent with policy and strategy and does not impact on Council's capability and capacity.

**Risk**

48 This matter related to the operational risk OR027 'Delivering levels of service', as documented in the Council's risk register. The risk is classed as moderate. This matter relates to this risk because it requires a decision from Council relating to an existing lease.

49 The risk is tolerated as it is considered the buildings do not impact significantly on the commercial activities which are provided for under lease and the Ben Lomond and Queenstown Hill Management Plan.

### **Financial Implications**

50 Council is likely to benefit from the proposal as some buildings enable SEL to continue operations thereby maintaining revenue. Council and the community benefit from the lessee doing well commercially.

51 All costs associated with the consenting, design and installation of the buildings will be met entirely by SEL.

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

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

- Significance and Engagement Policy 2014
- Ben Lomond and Queenstown Hill Management Plan

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

54 This matter is included in the 10-Year Plan/Annual Plan as administration associated with overseeing this approval will be covered in existing property budget provisions.

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

55 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 providing opportunity for increased income to Council and making a decision in a timely manner;
- 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**

56 Effects associated with the introduction of the buildings will be assessed as part of the resource consent application. It is not considered necessary to conduct further consultation relating to the Lessor's Approval.

### **Attachments**

- A Lessor's Approval Request Letter
- B Associated Plans

15<sup>th</sup> April 2018

Queenstown Lakes District Council  
C/- APL Property Queenstown  
PO BOX 1586  
Queenstown 9348

**Attention:** Blake Hoger

Dear Blake;

**SKYLINE ENTERPRISES LIMITED – APPLICATION FOR LESSOR APPROVAL PURSUANT TO CLAUSE 6  
OF LEASE 5014878.1**

**Introduction**

As you are aware Southern Planning Group act for Skyline Enterprises Limited (“SEL”) who has sought resource consent (RM180004) for a number of temporary and permanent buildings to be located within their Lease area on Bob’s Peak and within the Ben Lomond Recreation Reserve, Queenstown.

As part of the processing of resource consent RM180004 the Queenstown Lakes District Council (“Council”) has been asked to provide an affected party approval to SEL’s resource consent application. We understand that this approval request is currently being considered by the Parks and Reserves Department.

While affected party approval is being obtained it is acknowledged that ‘Lessor Approval’ is required from the Council pursuant to Clause 6 of the existing Lease<sup>1</sup> held by SEL and which was issued pursuant to the Reserves Act 1977. Specifically, Clause 6 of this lease states:

*“That the Lessee shall not erect or place any buildings or other improvements or add any addition to any existing building or structure on the demised land without the prior approval in writing of the Lessor and the Minister.”*

It is understood that the Council has delegated authority from the Minister of Conservation to make a determination for approval pursuant to this Clause of the Lease.

It is also understood that it is Council practise to not consider providing Lessor approval until such time that resource consent has been issued and the final development outcome is confirmed. In this case, time frames for implementing the required works prior to winter 2018 are very tight and this lessor approval application is being made concurrently with the Parks and Reserves Departments affected party approval consideration of the resource consent RM180004.

Accordingly, the primary purpose of this correspondence is to formally request ‘Lessors Approval’ in accordance with Clause 6 of Lease 5014878.1.

An overview of the approved development is detailed below.

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<sup>1</sup> Lease registered as encumbrance 5014878.1 on Certificate of Title 185162



## Overview of Proposal

'Lessor Approval' is sought from the Queenstown Lakes District Council to authorise the establishment of a range of temporary and permanent buildings within the SEL Lease Area. A description of the proposed buildings is outlined below:

Patterson Pitts Group surveyors have prepared a site and earthworks plans that illustrate the locations of the proposed buildings labelled 'A' through 'R'. A copy of this plan is attached as **Appendix [A]**. Each of these buildings is described below:

### Buildings 'A' & 'B' – Temporary Port-a-Com Site Offices

As identified above the applicant is presently undertaking the demolition of the existing luge chair lift and replacement with a new higher capacity chair lift with associated earthworks and landscaping pursuant to resource consent RM170147 and its variation RM171122.

Two temporary construction buildings are required as site offices for this project. These port-a-com buildings are already established on site with one of which having been located here for a couple of years following a previous Lessor approval.

The two port-a-com buildings are each 6m x 3m or 18m<sup>2</sup> in area and are located to rear of the existing upper gondola terminal and the heli pad. The existing port-a-coms are illustrated below:



Photos 1 and 2 – Existing Portacom Site Offices.

It is proposed to retain these port-a-com buildings on site following completion of the Luge Lift works in June 2018 such that they can be utilised as site offices for the main gondola re-development currently being considered by the Environment Court (applications RM160647 and RM171172).

### Building 'C' – G-Force Ticketing Hut

As part of the construction works being undertaken on the site for the Luge chairlift the existing G-Force paragliding ticket building has had to be removed. Subsequently, a replacement 3m x 3m or 9m<sup>2</sup> ticket hut has been established adjacent to the stairs leading from the cobblestone terrace outside the market kitchen to the lower deck/terrace on the north eastern end of the SEL Restaurant building for G-Force Paragliding.

The building is illustrated below in photograph 2:



Photograph 2. G-Force Paragliding Temporary Ticket Office

### Buildings 'D' & 'E' – Temporary Luge Workshop and Storage Buildings

As part of the Luge chair lift upgrade the existing Luge work shop and storage building is being demolished. Resource consent has recently been submitted for construction of a replacement workshop building. This is anticipated to take a number of months to approve (both resource consent and Lessor approval) and subsequently build on site.

Accordingly, in the interim two temporary workshops / storage containers (shipping containers) also of the dimensions 6m x 3m or 18m<sup>2</sup> are proposed near the north western boundary of the SEL Lease Area as indicated on the PPG plan in **Appendix [A]**.

Building 'D' will be situated approximately 9.74m from the northern boundary and 5.4m from the western boundary. Building 'E' will be 14.05m from the northern internal boundary setback and 8.15m from the western boundary. Accordingly, both buildings breach the minimum 15m internal boundary setback.

### Buildings 'F' – 'P' – Temporary Construction Offices and Storage

As identified above, the SEL gondola and restaurant upgrades are subject to resource consents being assessed by the Environment Court. RM160647 is subject to an interim decision from the Environment Court which indicates that it is likely the proposal will be approved if car parking and storm water issues can be resolved.

As such, the consent application and this Lessor approval is thinking ahead to the requirements for temporary buildings during the construction period of that development which could start in late 2018 or early 2019 depending on the timing of final decisions from the Environment Court. Specifically, this substantial building project will require a number of site offices and storage containers due to the scale of the project build and the number of contractors that will be operating on site during the estimated four year construction period.

The two existing site offices described above and illustrated in photos 1 and 2 (Buildings 'A' & 'B') will be utilised, but there will be a requirement for up to 11 additional site offices and storage containers to accommodate the various contactors, site managers and experts that will be employed on site throughout the construction period.

Accordingly, Lessor approval is also sought for 11 additional site office and storage container 'platforms' upon which similar sized (6m x 3m or 18m<sup>2</sup>) temporary construction buildings can be established until the end of the construction period for the RM160647 development.

These additional construction buildings will be established on a scaffold platform on the embankment behind the existing paved outdoor area at the rear of the market kitchen.

These buildings will be clustered around the tower crane that will be established on the subject site to keep as much of the site management and storage in a central location.

In order to site the containers and scaffold platform into the sloping topography minor earthworks are proposed to establish a small bench. This bench will require a maximum cut height of 1m, a total exposed area of 55m<sup>2</sup> and a total volume of 25m<sup>3</sup>. The extent of earthworks is illustrated on the earthworks plans prepared by Patterson Pitts Group in **Appendix [B]**.

As a result of establishing buildings 'F' – 'P' on a scaffold platform to minimise the earthworks buildings 'M' and 'L' will breach the 8m height limit by 0.7 and 0.5m respectively.

#### Building 'Q' – Photo Kiosk

Building 'Q' on the Patterson Pitts Group plans in **Appendix [B]** represents the Luge photo kiosk. As part of the Luge lift replacement resource consent RM170147 it was identified that this existing photo kiosk and commercial photography business that had been previously authorised by resource consent RM070488 would be removed.

This was because the new lower terminal chair lift would compromise its position. At that point in time a new location for the existing 6.3m x 2.6m building and its associated business had not been identified and it was specified that this would be addressed in a later resource consent application. This location has now been confirmed and it is subsequently proposed to permanently locate this kiosk on the western side of the new lower Luge chairlift.

The building is 6.3m x 2.6m and is 3 metres high with a flat roof. The exterior of the booth is karaka green clad in un-stained horizontal hardwood battens. Each end is fully glazed. The existing building is shown in the photo below:



Photos 3. & 4. Illustrating the Photo Kiosk Building on Site as Approved by RM070488

### Building 'R' - Lower Luge Chairlift Operator Building

At each end of the Luge lift there is a small operators building. When the applicant obtained resource consent RM170147 for the Luge lift replacement the operators building adjacent to the bull wheel at the lower terminal was not specified in the plans.

It is proposed to rectify this oversight by addressing the inclusion on this building now. The building measures 1.75m x 1.65m and 2.5m high and is clad in Karaka Green ribbed iron similar to the photos below:



Photos 5 & 6. Original Lower Lift Operators Building Illustrated by Blue Arrow and Cladding Type and Colour Illustrated by Picture of Original Top Lift Operators Building.

### Buildings 'S', 'T' & 'U'- Proposed Concrete Foundations

As identified above the applicant has sought consent for an expanded restaurant building on Bob's Peak (RM160647). This proceeded by way of direct referral to the Environment Court who issued an interim decision in August 2015.

This decision indicates that subject to resolution of the discharge of storm water from the building on Bob's Peak (an ORC Discharge Permit is lodged for this) and the provision of a minimum 350 car parks (RM171172 is proceeding by direct referral for a 448 space car park) that the building expansion will be approved.

This building expansion extends east of the existing restaurant building and towards the lower Luge chairlift. As a result the concrete foundations for three of the new building pylons will sit immediately adjacent to the Luge track.

The Luge track is being modified slightly under RM170147 and will necessitate a shutdown of the Luge to do so. Skyline wish to install these three concrete foundations at the same time then lay the new part of the Luge track.

The reason for progressing these works now rather than waiting for the Environment Court's final decision is that there would need to be a second closure of the Luge track to dig up this section of the track and install the three foundations. Notwithstanding it makes financial sense not to lay this section of the Luge track twice, a shut-down of the Luge track results in a significant loss of revenue. Therefore closing it twice is a significant cost for the applicant. For these reasons, consent is sought to enable the establishment of the foundations immediately.

The proposed works will require the excavation of a 4m x 4m hole to a depth of 4.5m for each foundation. The hole will be filled with concrete measuring 3m x 3m with a 600mm diameter column installed to just below the finished ground surface (200mm below finished ground level). The holes will then be back filled.



One of the three foundations will involve the 600mm diameter concrete column being located in front of an existing timber crib retaining wall and extended to the top of this wall rather than being buried. This column will however be screened by native landscaping approved as part of the RM170147 luge lift replacement consent.

There will be no plainly visible elements of these foundations due to their buried location and/or the fact they will be screened by vegetation. As such, even if the RM160647 consent is ultimately declined by the Environment Court. In that circumstance, the foundations will remain in situ and out of site.

The proposal requires earthworks of 170m<sup>3</sup> cut and 170m<sup>3</sup> of fill with a maximum cut height and fill depth of 4.5m over an area of 50m<sup>2</sup>. The earthworks are detailed in the Patterson Pitts Group plans in **Appendix [A]**.

#### Building 'V' - Proposed Water Tanks

It is necessary to increase the amount of static water storage available for the Skyline restaurant building. Specifically, it is proposed to provide an extra 90,000l of static storage by way of four new 22,500l tanks.

The four new tanks will be partially buried in front of the five existing 30,000l partially buried concrete water tanks that sit adjacent to the fire fighting and irrigation pond above the Luge lift top terminal.

The tanks will be 3.5 in diameter, 2.5m high (although partially buried) and occupy a footprint of 9.6m<sup>2</sup>. The water tanks will be located between 8.3 – 8.7m from the northwest boundary and 6.62m to the north east boundary thus breaching the 15m internal boundary setbacks.

The new tanks location is illustrated on the Patterson Pitts Group Plan in **Appendix [A]** as building 'V'. In order to site the tanks into the ground it is proposed to undertake 440m<sup>3</sup> of cut of which 420m<sup>3</sup> will be re-used as fill. The remaining 20m<sup>3</sup> will be removed from site. The maximum cut height will be 3.3m and the maximum fill depth will 3.3m. The works will occur over a total area of 410m<sup>2</sup>.

The tanks will be un-painted concrete which is consistent with the existing tanks. The Patterson Pitts Group plans in **Appendix [B]** provide cross sections indicating that the tanks will be mostly subterranean.

#### Summary

SEL is seeking Lessor Approval for a range of temporary and permanent buildings within their Lease area on Bob's Peak.

The proposal is described in detail above and on the Patterson Pitts Group plans in **Appendix [A]**. Further, the proposal is currently being assessed by the Council's planning and Parks and Reserves Department via resource consent RM180004.

It is now requested that the Council's approval as Lessor is granted to SEL to enable resource consent RM180004 to be implemented.

I trust that the information contained within and **attached** to this correspondence provides a comprehensive understanding of the proposal. Should you have any questions, please do not hesitate to contact the writer directly.

Yours faithfully

A handwritten signature in black ink, appearing to read "Sean Dent". The signature is fluid and cursive, with the first name "Sean" and the last name "Dent" clearly distinguishable.

Sean Dent  
DIRECTOR

**SOUTHERN PLANNING GROUP**  
16275 – LESSOR APPROVAL

LEGEND	
	Temporary Buildings
	Existing Buildings
	Gravel Paths
	Paved Areas
	Luge Track
	Site Boundary
	Proposed Main building redevelopment



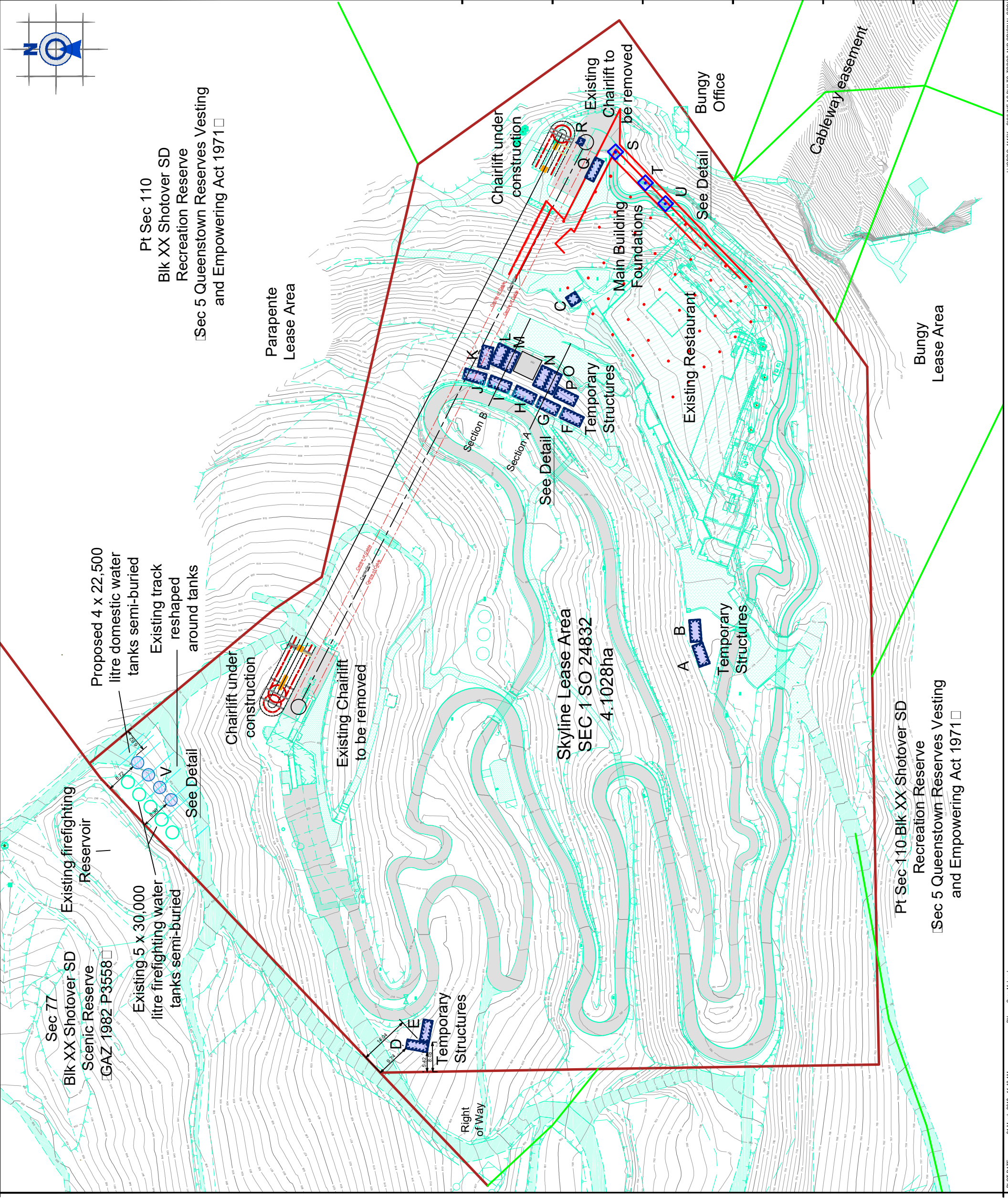
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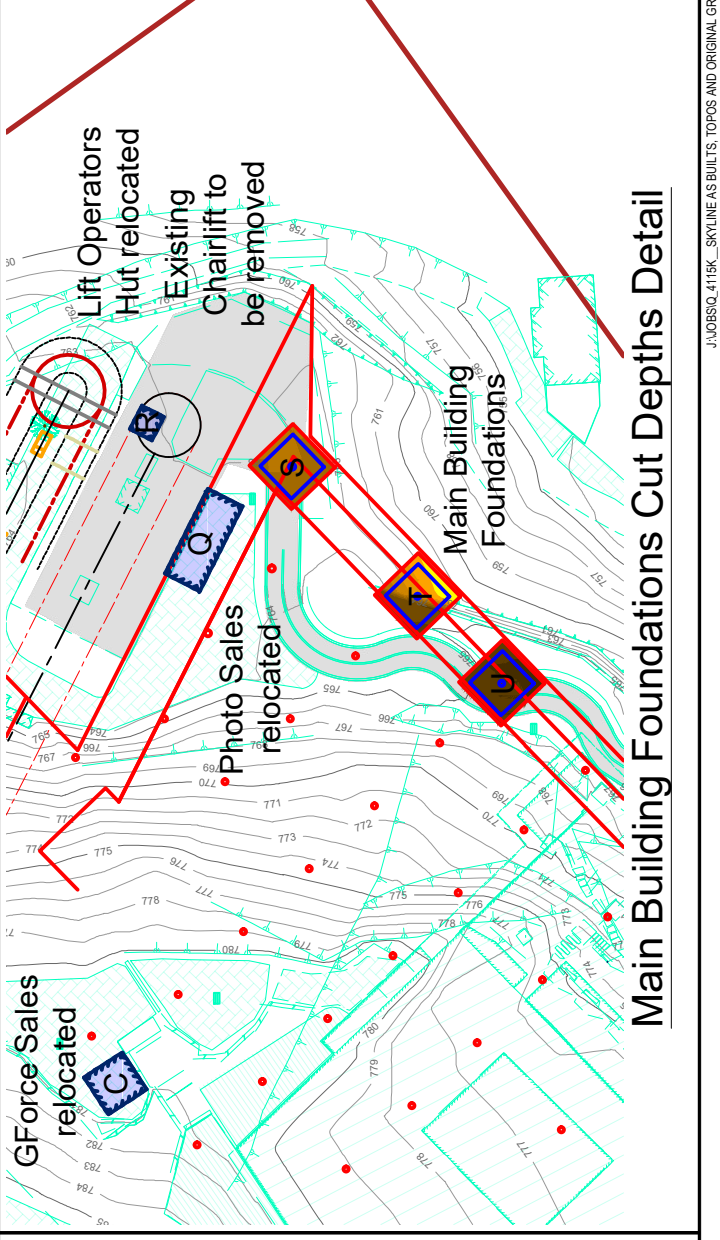
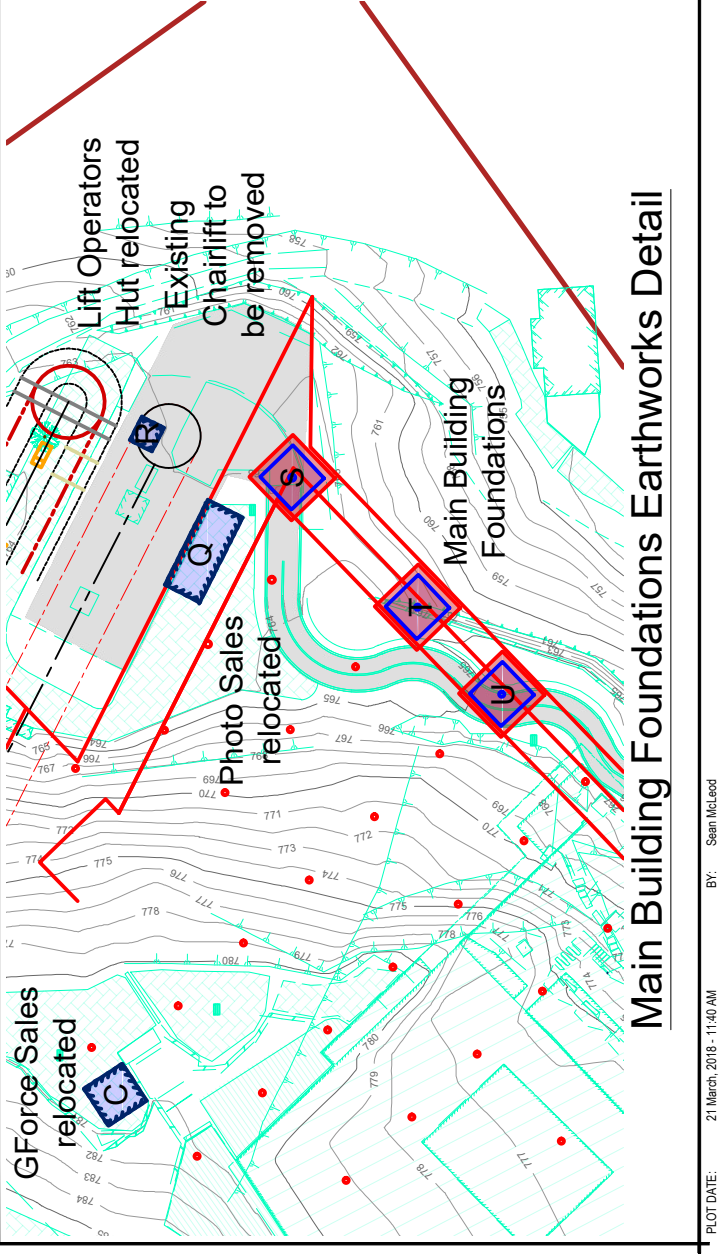
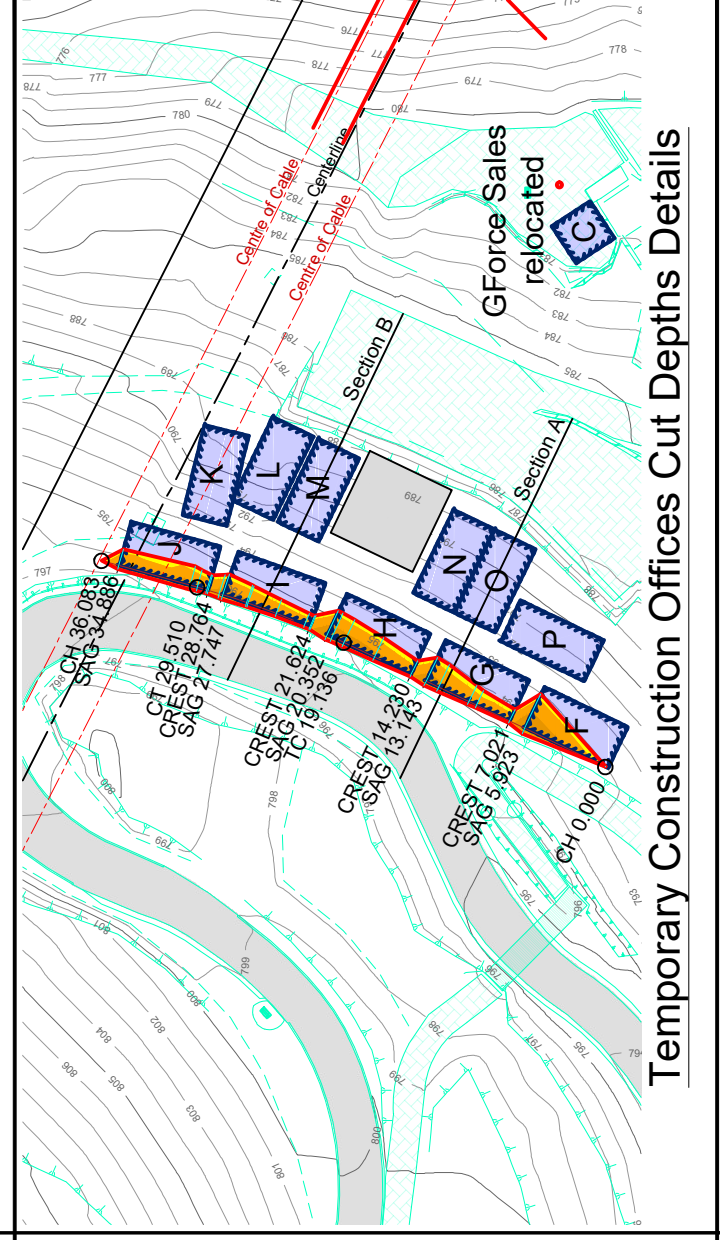
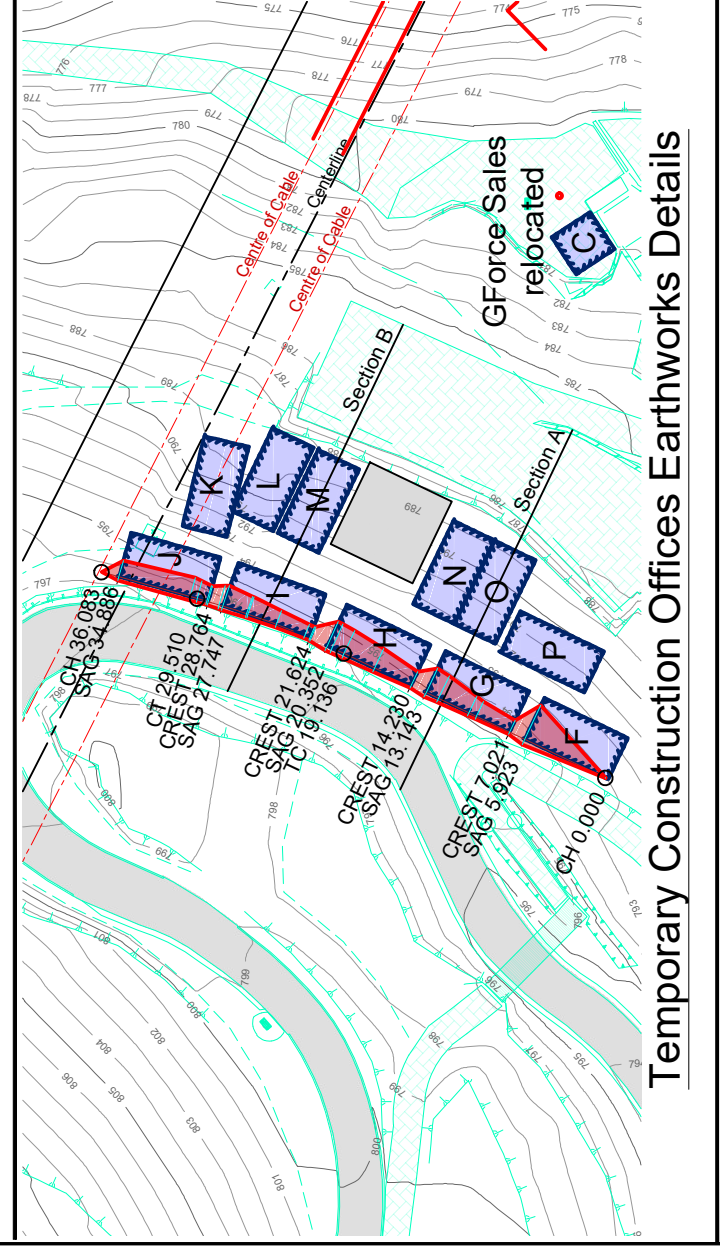
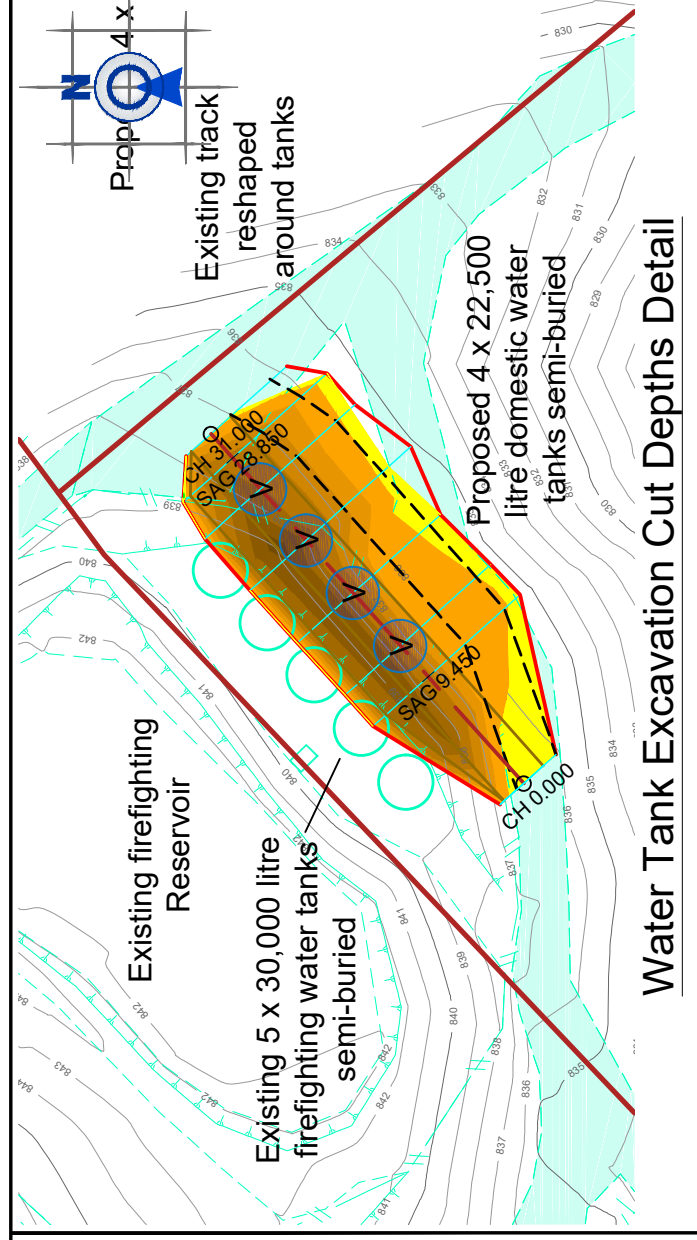
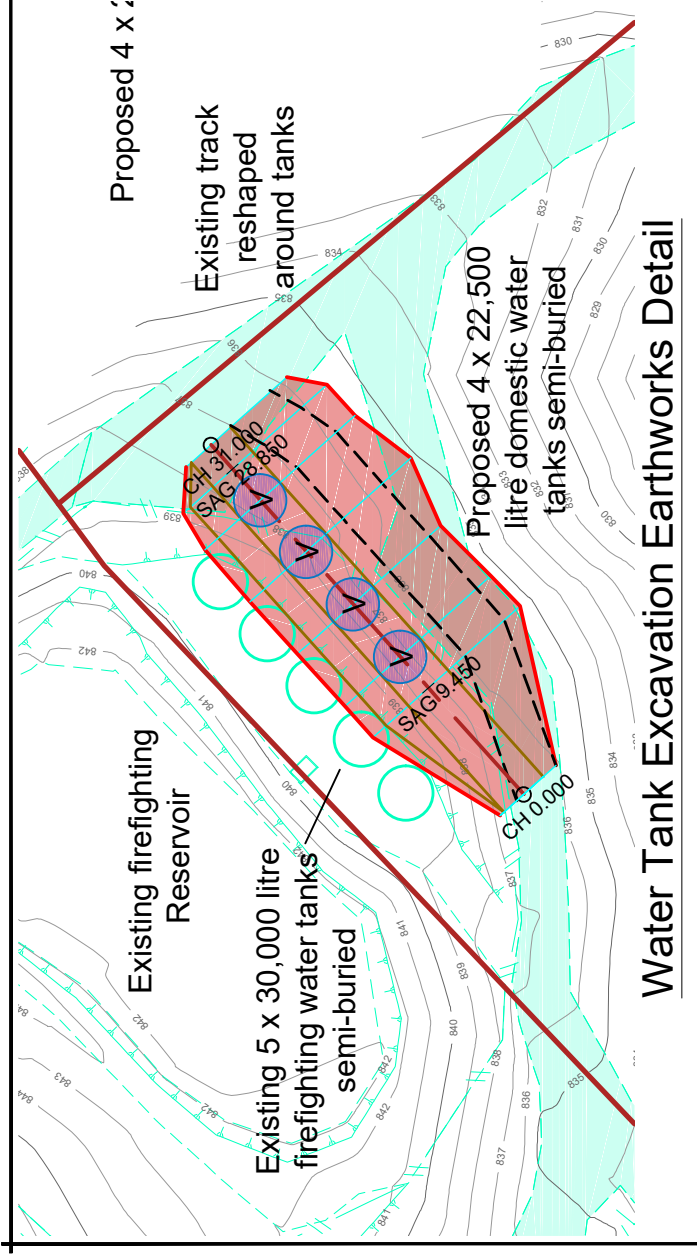
Client Location:  
**SKYLINE ENTERPRISES LIMITED**  
 SEC 1 SO 24832,  
 53 BRECON STREET

Purpose/Drawing Title:  
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 FOR TEMPORARY BUILDINGS  
 OVERVIEW**

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Drawn by:	SAM			
Checked by:				
Approved by:		Sheet No:	115	DO NOT SCALE
Job Ref:	Q4115K - 64	Revision No:	C	Date Created: 21/03/2018







**Cut/Fill Depths**

Cut 1.5-2.5m
Cut 2.5-3.75m
Cut 3.75-4.75m
Cut 4.25-4.75m
Cut 4.75-5.25m
Fill 0.25-0.75m
Fill 0.75-1.25m
Fill 1.25-1.75m
Fill 1.75-2.25m
Fill 2.25-2.75m
Fill 2.75-3.25m
Fill 3.25-3.75m
Fill 3.75-4.25m
Fill 4.25-4.75m
Fill 4.75-5.25m
Fill 5.25m

Existing major contour  
Existing minor contour

**LEGEND**

- Temporary Buildings
- Existing Buildings
- Gravel Paths
- Paved Areas
- Luge Track
- Cut Area
- Site Boundary
- Proposed Main building redevelopment



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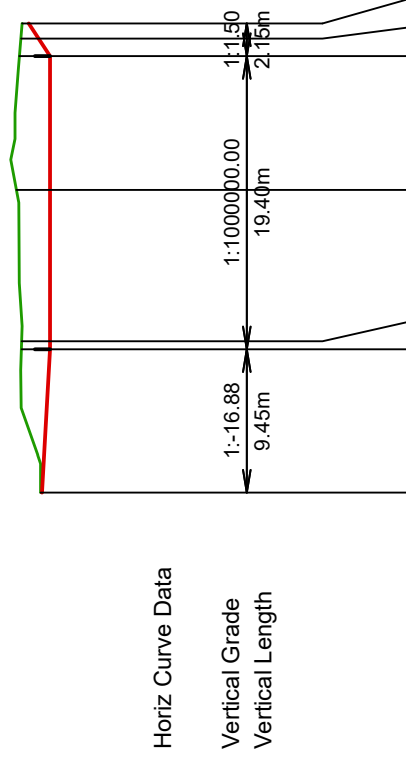
**QUEENSTOWN:**  
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 E queenstown@ppgroup.co.nz

Client Location:  
**SKYLINE ENTERPRISES LIMITED**  
 SEC 1 SO 24832,  
 53 BRECON STREET

Purpose/Drawing Title:  
**RESOURCE CONSENT PLAN  
 FOR TEMPORARY BUILDINGS  
 EARTHWORKS DETAILS**

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Designed by:	LR Dec 2017	A3		
Drawn by:	SAM			
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		Revision No:	C	Date Created: 21/03/2018

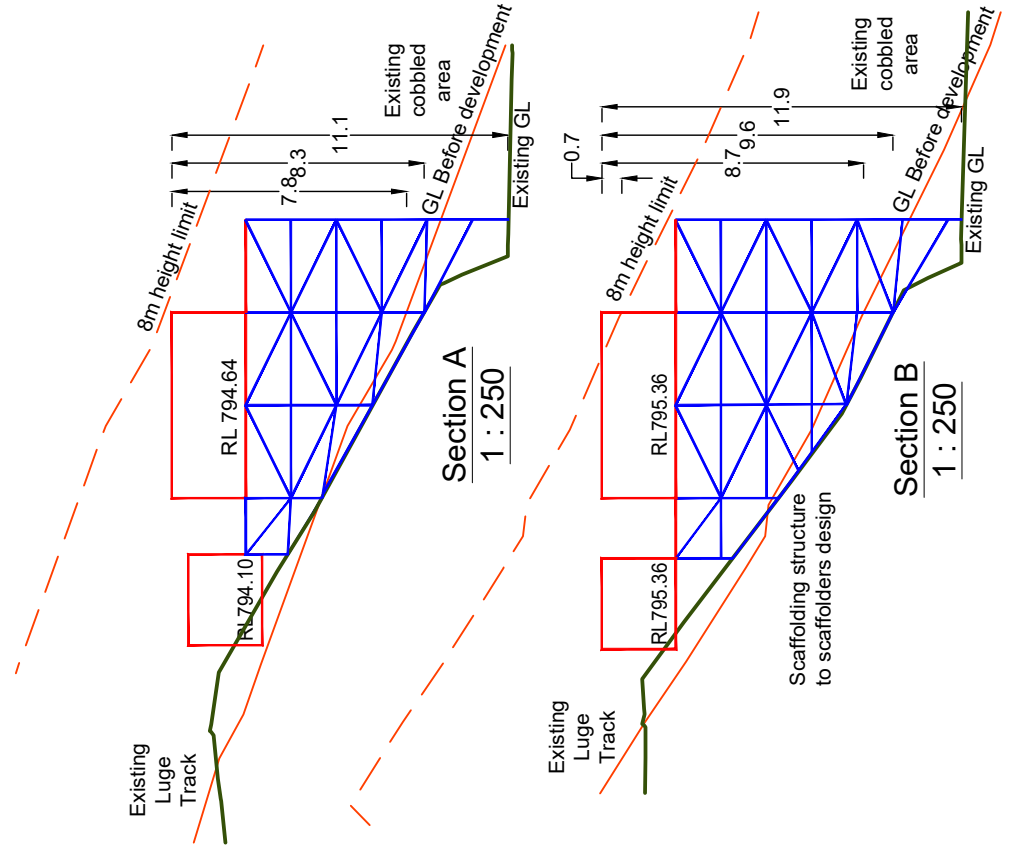




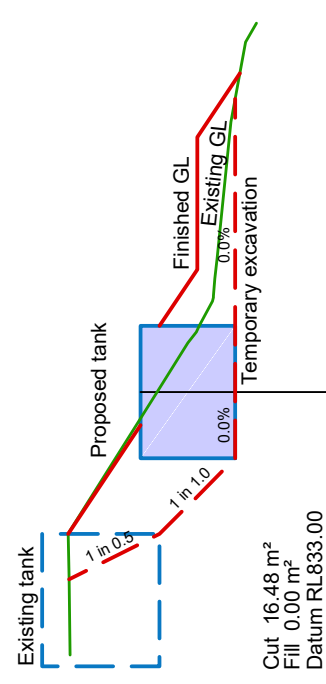
Datum RL810.00	Existing ground level at centreline	+ Fill depth	- Cut depth	Finished level at centreline	Chainage
836.14	836.14	-0.08		836.06	0.00
837.40	837.40	-1.90		835.50	9.45
837.38	837.38	-1.88		835.50	10.00
837.75	837.75	-2.25		835.50	20.00
837.54	837.54	-2.04		835.50	28.85
837.43	837.43	-1.16		836.27	30.00
837.36	837.36	-0.43		836.93	31.00

SCALE 1:500 horizontal  
1:500 vertical

### Water Tanks Excavation Long Section

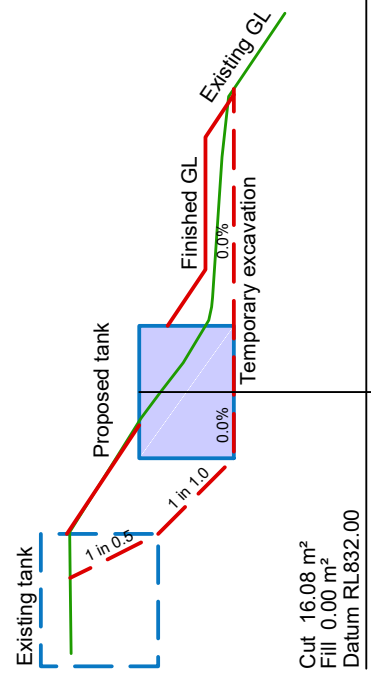


### Temporary Building Sections



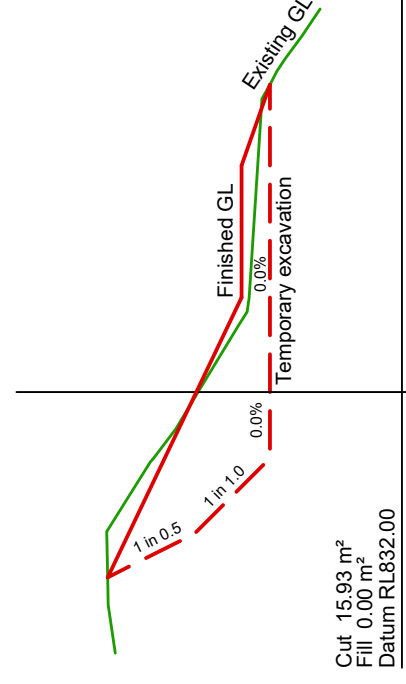
Chainage 16.90

Cut 16.48 m<sup>2</sup>  
Fill 0.00 m<sup>2</sup>  
Datum RL833.00



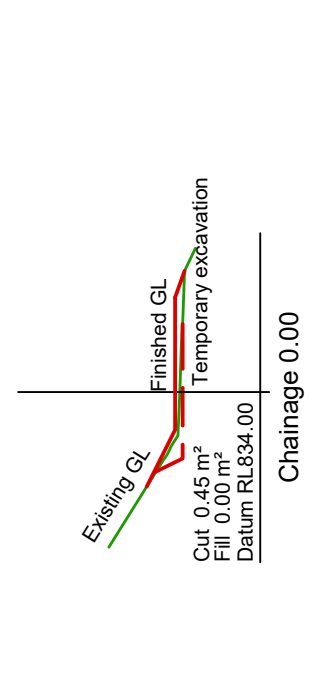
Chainage 12.22

Cut 16.08 m<sup>2</sup>  
Fill 0.00 m<sup>2</sup>  
Datum RL832.00



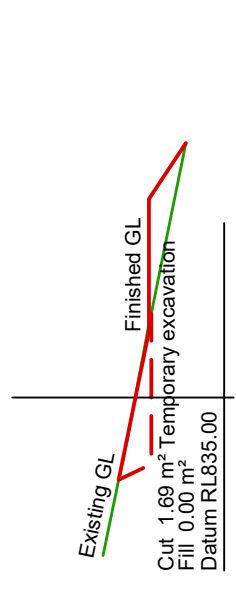
Chainage 9.45

Cut 15.93 m<sup>2</sup>  
Fill 0.00 m<sup>2</sup>  
Datum RL832.00



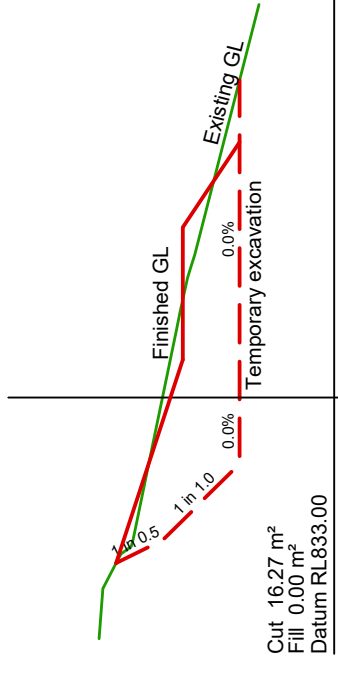
Chainage 0.00

Cut 0.45 m<sup>2</sup>  
Fill 0.00 m<sup>2</sup>  
Datum RL834.00



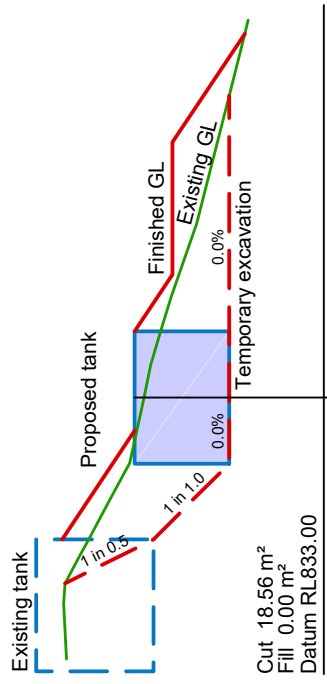
Chainage 31.00

Cut 1.69 m<sup>2</sup>  
Fill 0.00 m<sup>2</sup>  
Datum RL835.00



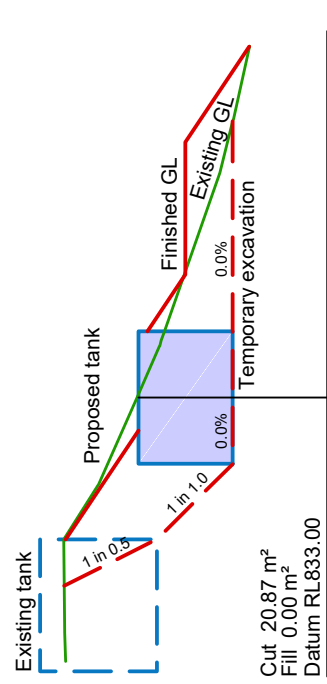
Chainage 28.85

Cut 16.27 m<sup>2</sup>  
Fill 0.00 m<sup>2</sup>  
Datum RL833.00



Chainage 26.10

Cut 18.56 m<sup>2</sup>  
Fill 0.00 m<sup>2</sup>  
Datum RL833.00



Chainage 21.55

Cut 20.87 m<sup>2</sup>  
Fill 0.00 m<sup>2</sup>  
Datum RL833.00

### Water Tanks Excavation Cross Sections

Scale 1:200

**Notes:**  
Earthworks for water tanks:

- Cut 440m<sup>3</sup>
- Fill 420m<sup>3</sup>
- Remove from site 20m<sup>3</sup>
- Maximum Height Cut 3.3m
- Maximum Height Fill 3.3m
- Total Area 410m<sup>2</sup>

Earthworks for foundations:

- Cut 170m<sup>3</sup>
- Fill 130m<sup>3</sup>
- Imported Concrete 40m<sup>3</sup>
- Remove from site 40m<sup>3</sup>
- Maximum Height Cut 4.5m
- Maximum Height Fill 4.5m
- Total Area 50m<sup>2</sup>

Earthworks for Temp buildings:

- Cut 25m<sup>3</sup>
- Fill 25m<sup>3</sup> reinstatement
- Maximum Height Cut 1.0m
- Total Area 55m<sup>2</sup>



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Client Location:  
**SKYLINE ENTERPRISES LIMITED**  
SEC 1 SO 24832,  
53 BRECON STREET

Purpose/Drawing Title:  
**LONG AND CROSS SECTIONS FOR RESOURCE CONSENT FOR TEMPORARY BUILDINGS**

Surveyed by: LR 2017	Original Size: A3	Scale: As Shown
Designed by: SAM Feb 2018		
Drawn by: AH Feb 2018		
Approved by:	Sheet No: 117	Revision No: A
Job Ref: Q4115K - 64		Date Created: 27/02/2017

**QLDC Council  
14 June 2018****Report for Agenda Item: 7****Department: Community Services****Right of Way Easement – 17 Plantation Road, Wanaka****Purpose**

To consider granting a Right of Way Easement over Local Purpose Reserve, to enable access to the first floor level of 17 Plantation Road, Wanaka.

**Recommendation**

That Council:

1. **Note** the contents of this report;
2. **Grant** a Right of Way Easement over Council administered Local Purpose Reserve (Lot 18 DP 300804) in favour of the proprietors of 17 Plantation Rd, Wanaka (Lot 10 DP 300804) subject to the following conditions;
  - a. Building and Resource Consent is obtained prior to construction, if required.
  - b. All activities to be undertaken in accordance with the relevant Worksafe New Zealand, standards for the work environment.
  - c. The work site to be evidenced by before and after photographs, video or similar to be provided by the applicant;
  - d. Reinstatement of the area to be completed immediately following installation of the structures (ramp and walkway) to the satisfaction of the Parks and Reserves Planning Manager.
  - e. Ongoing maintenance of structures within the easement area to be the responsibility of the applicant.
  - f. Within three months of completion of the work, the applicant to provide QLDC with a surveyed easement and signed Deed of Easement.
3. **Delegate** authority to approve final terms and conditions, including location, and execution authority to the General Manager Community Services; and
4. **Agree** to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of an easement to the proprietors of 17 Plantation Rd, Wanaka over Lot 18 DP 300804.

Prepared by:

Reviewed and Authorised by:



Blake Hoger  
Property Advisor  
APL Property  
Limited

24/05/2018



Aaron Burt  
Senior Planner: Parks  
& Reserves

28/05/2018



Thunes Cloete  
General Manager  
Community Services

30/05/2018

## Background

- 1 The owners of 17 Plantation Road are Proactive in Wanaka Limited (PWL), who operate a gym from the property. Access to the building is currently via a vehicular ramp from Plantation Rd. The ramp leads to parking and pedestrian access to the building. A site plan is included as ATTACHMENT A
- 2 PWL seek to establish a residence for an onsite manager in the south western corner of the first floor. The area is currently used as an office.
- 3 Access to the first floor is currently via internal stairs. Access to the office is across the gym floor. PWL's preference is for a separate, external, pedestrian access to be formed via Plantation Road.
- 4 The new access is proposed from an existing concrete footpath within the road reserve and will lead through Local Purpose Reserve. The path will be formed with exposed aggregate concrete pavers. The Local Purpose Reserve is currently landscaped and will need to be cleared to the width of the path, being approximately 2m. Photographs of the reserve are included as ATTACHMENT B
- 5 As the height of the road is similar to the height of the first floor, a ramp is to be installed to connect the path to the building over a void of approximately 2-3m in height. The ramp will be largely located within the boundary of the applicant's property.
- 6 The ramp will be constructed using timber and will incorporate metal balustrades for safety. It will be supported by a concrete block retaining wall. Plans prepared by their designer, Black Peak, are included as ATTACHMENT C.

## Comment

- 7 The applicant is seeking a Right of Way Easement to formalise and secure access over the Local Purpose Reserve. The purpose of Lot 18 DP 30804 is a Beautification Reserve.

- 8 The landscaping in the reserve was required under an underlying resource consent (RM000168) to mitigate the effects of built form.
- 9 The proposed new access will allow a future resident to access the apartment without walking through the gym. Wheelchair access will also be possible whereas the current internal stairway to the first floor prevents such access.
- 10 Under the Reserves Act 1977, Ministerial consent is required before an easement can be granted over a reserve. Consent is delegated to Council and must be granted prior to the Easement being lodged with LINZ.
- 11 Following a resolution of the Wanaka Community Board on 1 February 2018, Council's intention to grant an easement was publicly notified. No submissions were received either for or against the proposal.
- 12 Should an easement be granted by Council, an easement fee will be applicable in accordance with QLDC's Easement Policy of 2008. The applicant has obtained an assessment of the easement fee prepared by Colliers International in the amount of \$1,650.00.

### Options

- 13 Option 1 Council can grant a Right of Way Easement subject to the recommended conditions.

#### *Advantages:*

- 14 The applicants will be able to establish a private access to the property, in particular to a proposed manager's apartment.
- 15 QLDC will receive an easement fee of approximately \$1,650.00.

#### *Disadvantages:*

- 16 An area of Local Purpose Reserve will be encumbered for private use.
- 17 There will be minor vegetation loss.

- 18 Option 2 Council can decline granting a ROW Easement.

#### *Advantages:*

- 19 The Local Purpose Reserve will remain unencumbered and there will be no vegetation loss.

#### *Disadvantages:*

- 20 The applicant will not be able to form a separate, external, pedestrian access to the first floor and may be restricted in establishing a manager's apartment.
- 21 This report recommends **Option 1** for addressing the matter as it will enable the applicant to establish an alternative accessway to their property with minimal impact to the Local Purpose Reserve.

### **Significance and Engagement**

22 This matter is of low significance, as determined by reference to the Council's Significance and Engagement policy as it does not involve a Council strategic asset, is of low importance to the Queenstown Lakes District, is not of great interest to the general community, is not inconsistent with policy and strategy and does not impact on Council's capability and capacity.

### **Risk**

23 This matter relates to operation risk OR011A Decision Making. The risk is classed as moderate.

### **Financial Implications**

24 The applicant has paid an application fee and has agreed to pay for all legal and surveying costs to establish the easement.

25 Council will receive an easement fee in accordance with the Easement Policy 2008.

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

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

- Significance & Engagement Policy 2014
- Easement Policy 2008

27 The recommended option is consistent with the principles set out in the named policies.

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

28 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 establishing an additional, private access way to a building.
- 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**

29 The persons who are affected by or interested in this matter are general members of the public. The matter has been publicly notified with no submissions received.

**Attachments**

- A Site Plan
- B Photographs of Existing Reserve
- C Design Plans

ROW Easement – 17 Plantation Road  
Attachment A



Right of Way proposed at southern boundary



ROW Easement – 17 Plantation Road

Attachment B

Existing view of Local Purpose Reserve through which the path is proposed



Existing view of Local Purpose Reserve below the proposed ramp





Location of proposed ramp – access will be formed through window on first floor



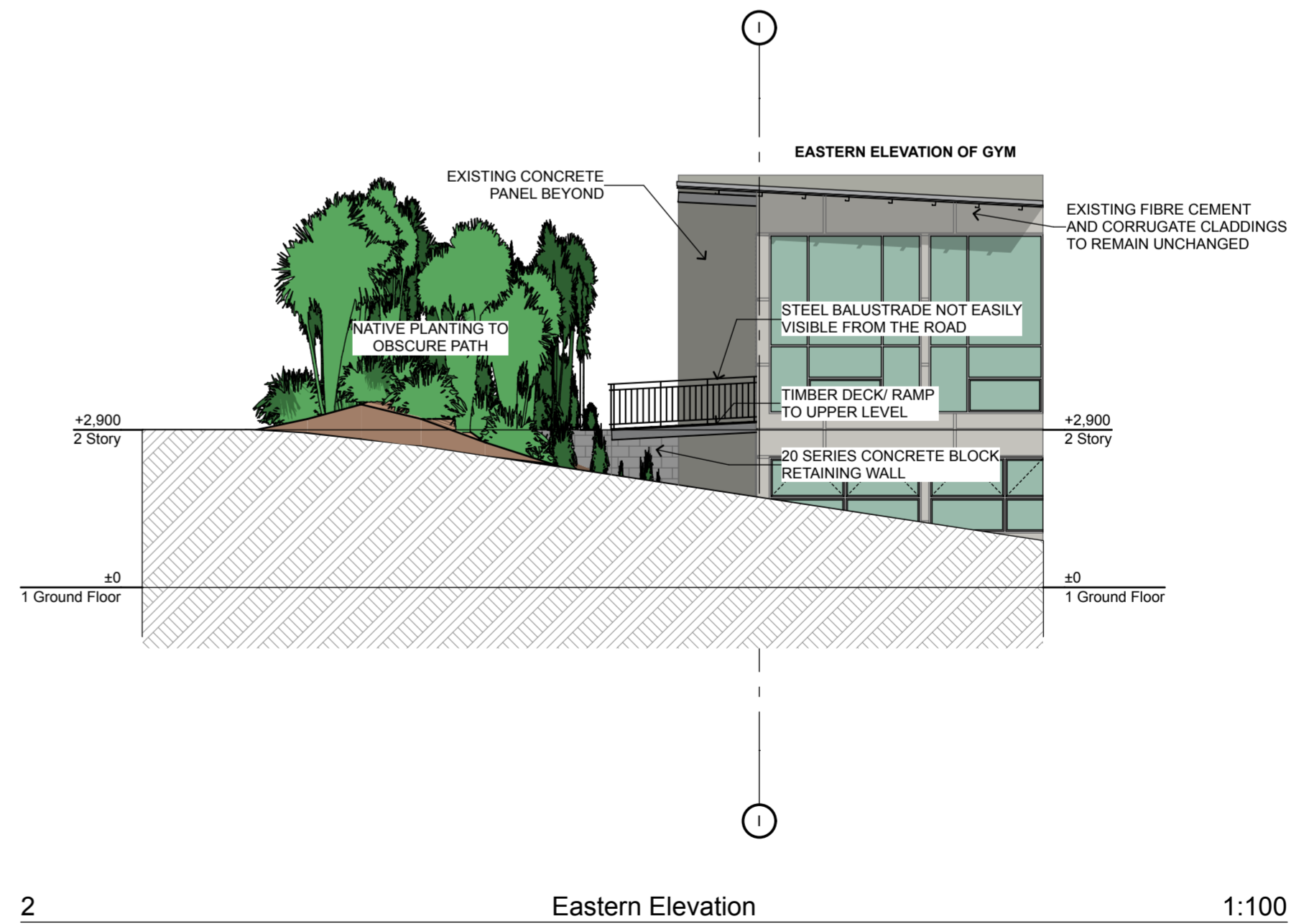
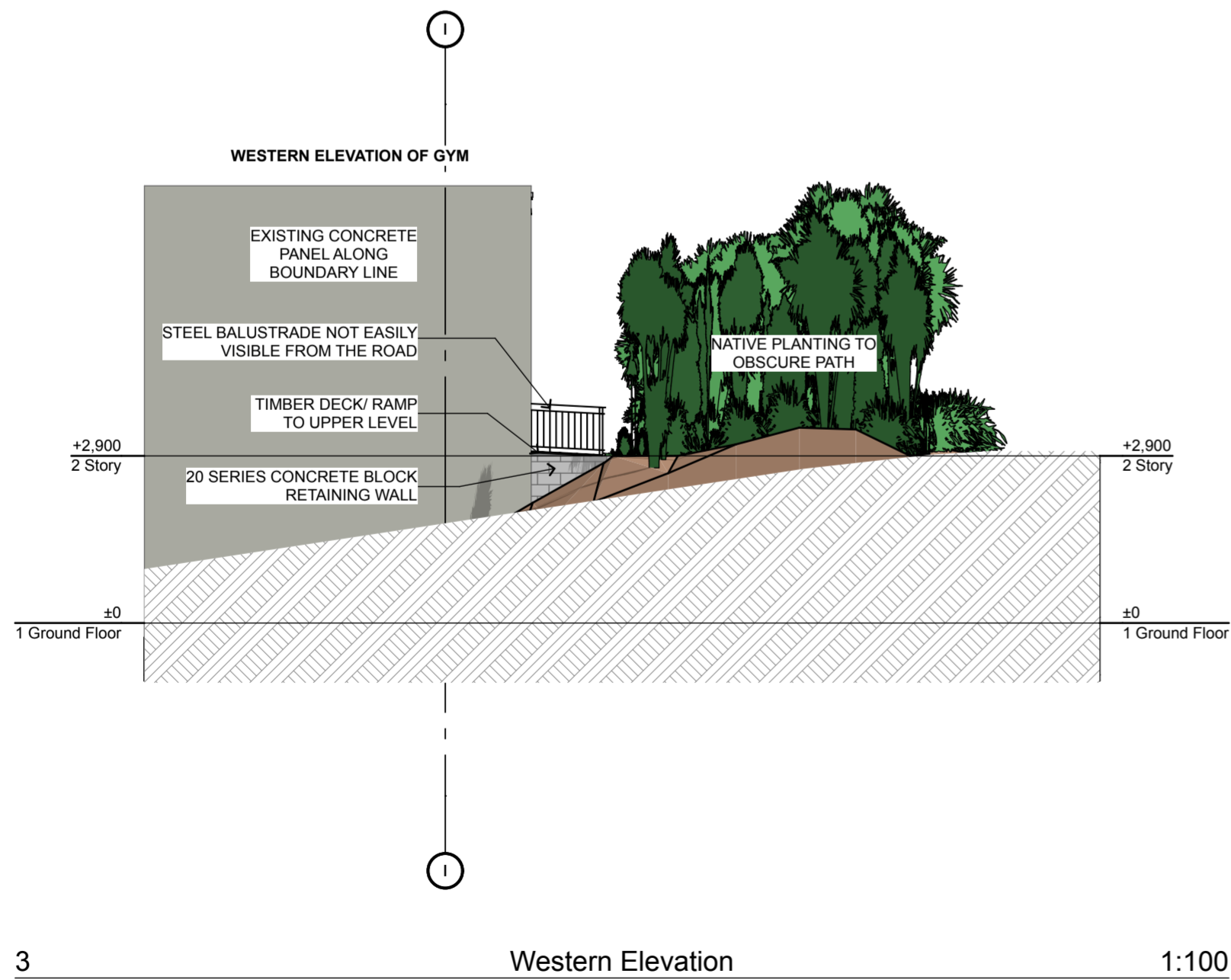
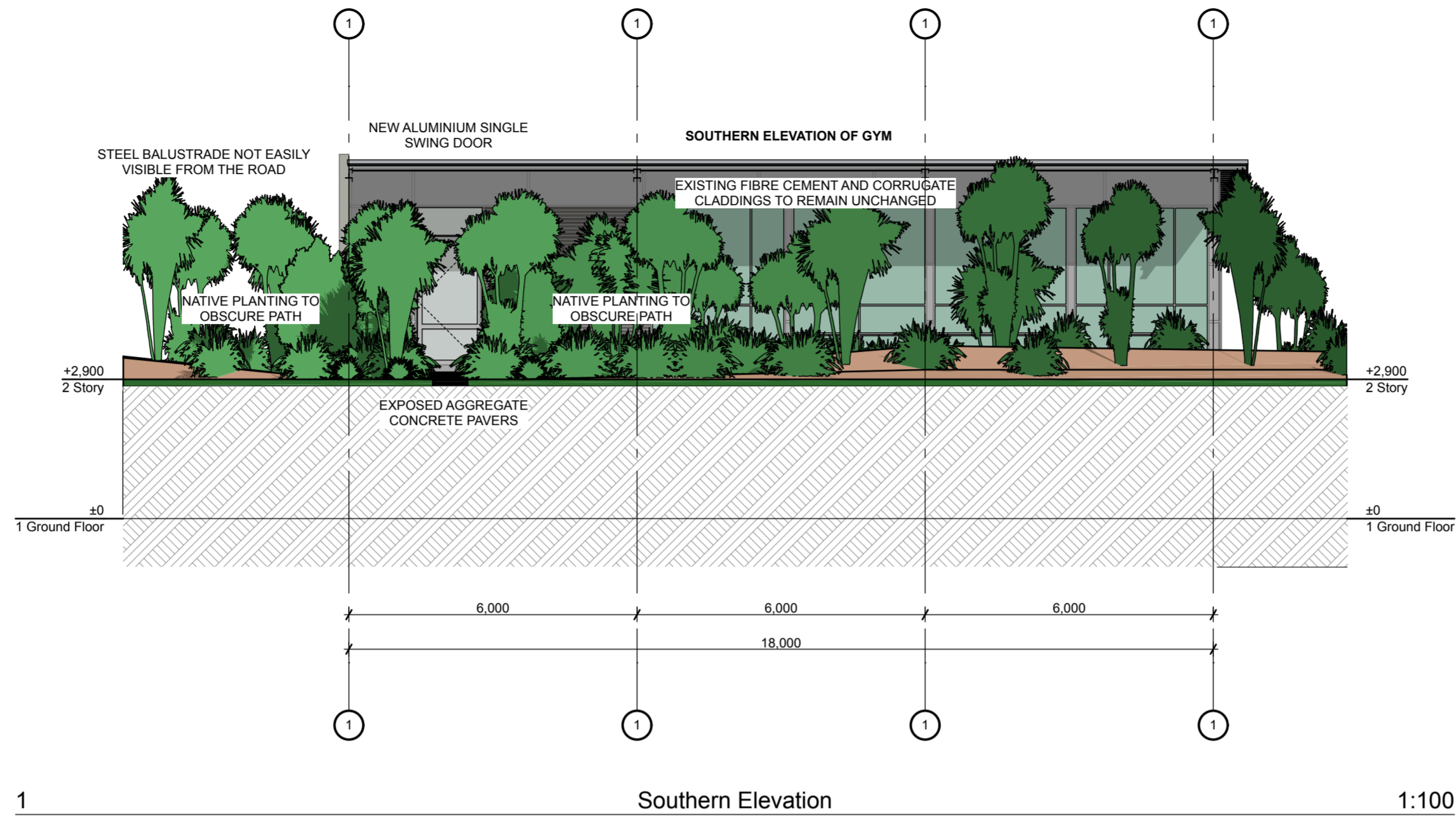








RevID	ChID	Revision	Date



**BLACK PEAK**  
DESIGN - DRAUGHTING SERVICES - 3D RENDERERS

Jason Kerr    Site Design  
M: 021 1889 7148  
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**DESIGNER**  
Jason Kerr  
7 Old Racecourse Road Wanaka 9305

**CAD TECH**  
J Kerr

**PROJECT NO.** 17-26

**DATE OF ISSUE** 6/11/17

**Pro\_Active Gym**

Fit For Wanaka Limited

17 Plantation Road Wanaka  
9305

**LAYOUT ID**  
301

**REVISION**  
RC

**SHEET TITLE**  
Elevations


3 Western Elevation 1:100      2 Eastern Elevation 1:100





RevID	ChID	Revision	Date

SHEET TITLE Renders	LAYOUT ID 501	<b>Pro_Active Gym</b> Fit For Wanaka Limited 17 Plantation Road Wanaka 9305	<b>DESIGNER</b> Jason Kerr 7 Old Racecourse Road Wanaka 9305	<b>CAD TECH</b> J Kerr	<b>PROJECT NO.</b> 17-26
	REVISION RC				

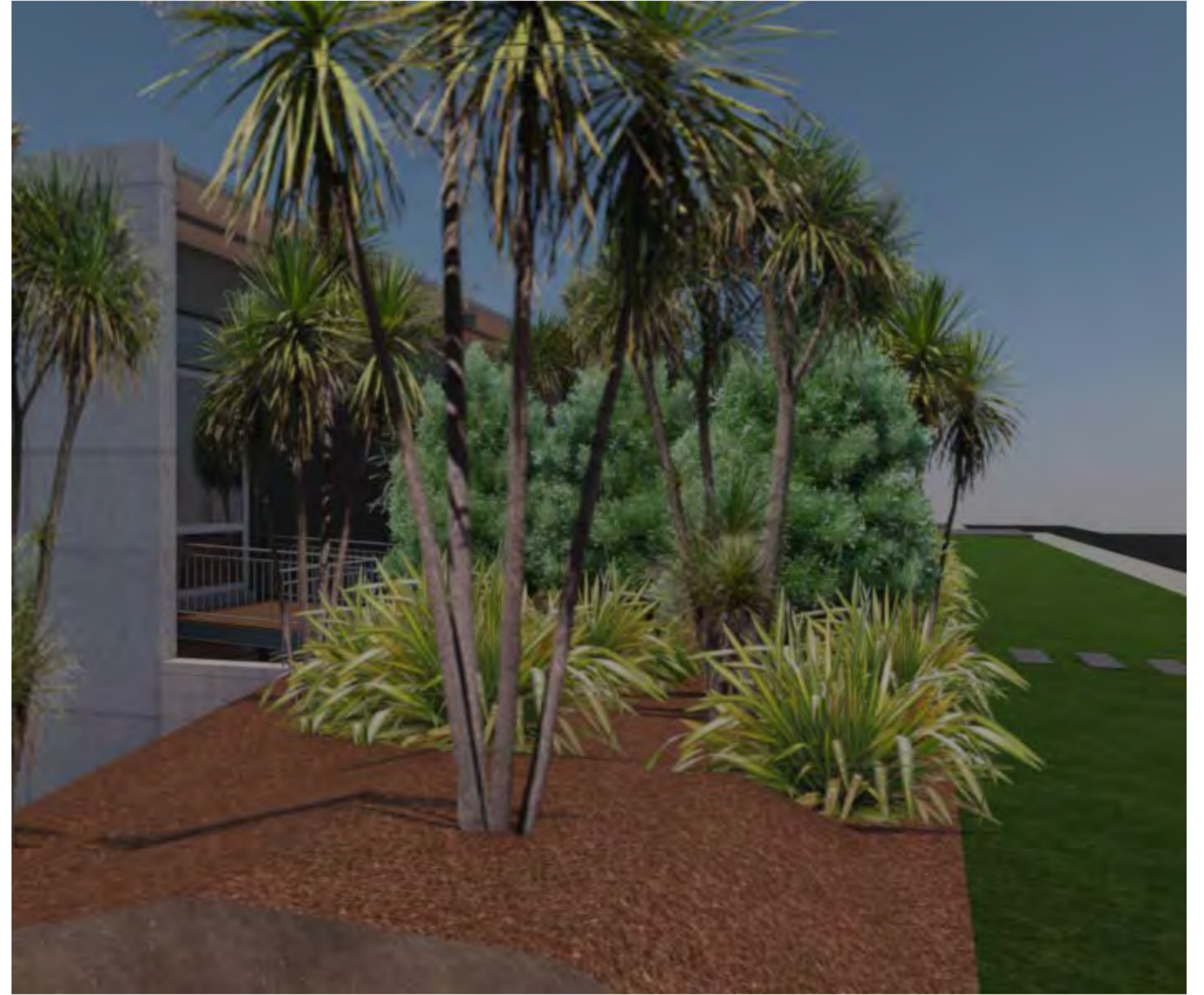



**BLACK PEAK**  
DESIGN • DRAUGHTING SERVICES • 3D RENDERERS

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RevID	ChID	Revision	Date



<b>SHEET TITLE</b> Renders	<b>LAYOUT ID</b> 502	<b>Pro_Active Gym</b>	<b>DESIGNER</b> Jason Kerr 7 Old Racecourse Road Wanaka 9305	 <b>BLACK PEAK</b> DESIGN • DRAUGHTING SERVICES • 3D RENDERS Jason Kerr LBP, Carpentry, Site, Design M: 021 688 748 E: jase@blackpeak.net.nz 7 Old Racecourse Road Wanaka 9305 T: 03 443 8888 W: blackpeak.net.nz
<b>REVISION</b>	<b>RC</b>	<b>Fit For Wanaka Limited</b>	<b>CAD TECH</b> J Kerr	
		17 Plantation Road Wanaka 9305	<b>PROJECT NO.</b> 17-26 <b>DATE OF ISSUE</b> 6/11/17	



**QLDC Council  
14 June 2018****Report for Agenda Item: 8****Department: Community Services****BCWanaka Limited - New Licence****Purpose**

To consider approving a new licence to BCWanaka Limited, trading as Climbing Queenstown, to take guided climbing tours on Queenstown Hill, off Gorge Road.

**Recommendation**

That Council:

1. **Note** the contents of this report;
2. **Grant** a new licence to BCWanaka Limited trading as Climbing Queenstown over recreation reserve on Queenstown Hill with legal description Lot 2 DP 496901, subject to the following terms and conditions:

Commencement	1 July 2018
Term	5 years
Rent	The greater of \$500.00 plus GST per annum or 7.5% turnover
Reviews	At renewal
Renewals	1 of a further 5 years by agreement of both parties
Assignment/Sublease	With Council's approval
Use	Commercial guided rock climbing and associated activities
Insurance	Requirement to have public liability insurance of \$2 million
Safety/Suspension	Council to retain ability to suspend the licence for health and safety purposes.

Applicant must hold an approved Health and Safety at Work (Adventure Activities) certification or provide confirmation that this is not required for the activity, under the Adventure Activity Regulations 2011.


Operating plan to be reviewed by an independent Health and Safety Specialist.

The route and any infrastructure (e.g. fixing bolts) used must be independently certified each year at the licensee's cost.

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 BCWanaka Limited over Lot 2 DP 496901.
4. **Delegate** final licence terms and conditions and signing authority to the General Manager Community Services.

Prepared by:

Reviewed and Authorised by:





Dan Cruickshank  
Property Advisor – APL  
Property

Aaron Burt  
Senior Planner: Parks & Community  
Reserves

Thunes Cloete  
General Manager  
Services

3/05/2018

28/05/2018

30/05/2018

## Background

- 1 Climbing Queenstown previously held a licence to undertake guided climbing on Council reserve on Gorge Road (part of Queenstown Hill reserve). The business has been sold to BCWanaka Limited, owned and operated by William Ogle (Loz) and Donald Frengley, which has been operating since 2009. Loz qualified as a rock climbing guide in 2004.
- 2 The licence was annually renewable and was last renewed in July 2016 for a year. It was not renewed last year due to the need for more robust health and safety procedures to be agreed.
- 3 BCWanaka Ltd are seeking a new licence to operate on the land. Their use is very occasional as they also have a number of climbing sites on other private land.

## Comment

- 4 Until 2016, there were two operators holding licences to operate in the Gorge Road, Queenstown Hill Recreation Reserve area. However, the second operator is no longer seeking a licence to continue to operate.

- 5 The proposed licence area has been traditionally used by commercial and recreational climbers who have developed and climbed on 'craggs' around Queenstown since at least 1990.
- 6 Because of the local rock type (schist), the use of fixed anchor points (bolts) is common. They are placed by climbers themselves, but that process is time consuming and expensive, so they are often left in place and can be used for some years before replacement. Climbers are encouraged to follow the New Zealand Alpine Club (NZAC) best practice when installing bolts. Climbers are then personally responsible to check the bolts as they climb to ensure they are safe.
- 7 When the area is used commercially, it becomes a "workplace" under the Health and Safety at Work Act 2015 and as the owner of the land, Council has an obligation to eliminate or minimise risks to health and safety as far as reasonably practicable. Therefore, extensive consideration has been given to the continued operations of the requested commercial activity, and external legal advice has been sought on it. The terms of the licence must therefore be sufficient to ensure the operators as far as reasonably practicable eliminate or minimise the risks of their operation including ensuring the bolts are safe.
- 8 The activity is specifically contemplated in the Ben Lomond and Queenstown Hill Reserve Management Plan and therefore public notification is not required in this instance.

### **Options**

- 9 Option 1 To grant a licence to BC Wanaka Limited to undertake guided climbing on recreation reserve known as Queenstown Hill with legal description Lot 2 DP 496901, with terms and conditions as recommended above.

#### *Advantages:*

- 10 Allows for commercial activity that provides a beneficial and enabling form of recreation and enjoyment on the Council reserve land.
- 11 Supports an established business.
- 12 Provides a process to manage health and safety concerns associated with the activity and has the potential to benefit recreational users through formal review and assessment process of the routes.
- 13 Will provide additional income for Council.

#### *Disadvantages:*

- 14 May increase commercial congestion on the reserve land.
- 15 The activity can be considered high risk, and requires more oversight and monitoring plus consultation, co-ordination and co-operation with BC Wanaka Limited by the Council to ensure that regular audits, reviews and accreditation are being carried out.

16 Option 2 To decline the application by BC Wanaka Limited.

*Advantages:*

17 Will not increase commercial congestion on the reserve land.

18 Will not allow an activity that can be considered high risk, and potentially requiring more oversight and monitoring plus consultation, co-ordination and co-operation with BC Wanaka Limited by the Council to ensure that regular audits, reviews and accreditation are being carried out.

*Disadvantages:*

19 Will not allow for commercial activity that provides a beneficial and enabling form of recreation and enjoyment from the Council reserve land.

20 Will not support an established and successful business.

21 Will not benefit recreational users through having a formal review and assessment process of the routes occurring.

22 Will not provide additional income for Council.

23 This report recommends **Option 1** for addressing the matter because the recommendations proposed provide a balance between Council controls, recreational user benefit and the ability for the operator to continue a successful and safe business.

### **Significance and Engagement**

24 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves recreation reserves, which can be used by many local ratepayers as well as tourists visiting the area.

### **Risk**

25 This matter relates to the operational risk OR011A Decision Making as documented in the Council's risk register. The risk is classed as moderate.

26 Council will need to comply with its legal obligations under the Health and Safety at Work Act 2015, and any relevant Regulations, as set out in separate legal advice. This will include its primary duty of care to other persons, where it is deemed to manage or control the workplace and the requirement to consult, co-operate and co-ordinate activities with BC Wanaka Limited. Note also the separate legal obligations of officers of the Council.

### **Financial Implications**

27 It is proposed that Council will receive base income of \$500+GST or 7.5% of turnover whichever is the greater.

28 All costs associated with issuing, certification, review and monitoring of the licence to be met by the applicant.

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

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

- Significance and Engagement Policy
- Ben Lomond and Queenstown Hill Reserve Management Plan
- Community Facility Funding Policy
- Council Health and Safety Policy?

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

31 This matter is not included in the 10-Year Plan/Annual Plan but has no impact on it.

### **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 providing income to Council and a decision in a timely manner;
- 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 predominantly the users of the reserve and residents/ratepayers of the Queenstown Lakes District community.

34 The activity is contemplated in the Ben Lomond and Queenstown Hill Reserve Management Plan and considered to be low impact to other users of the reserve, therefore no further public notification or consultation is proposed.

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

35 The Health and Safety at Work Act 2015 and relevant Regulations have been taken into account and complied with.

36 Legal advice has been taken and the recommended option is consistent with that advice.

### **Attachments**

A Plan of licence area

**Attachment A – Location of Climbing Activities**





Attachment A – Location of Climbing Activities



**QLDC Council**  
**14 June 2018****Report for Agenda Item: 9****Department: Community Services****New Licence for RWH Travel****Purpose**

To consider approving a new licence to RWH travel Limited, to take walking tours on Ben Lomond and Queenstown Hill reserves.

**Recommendation**

That Council:

- 1 **Note** the contents of this report;
- 2 **Grant** a new licence to RWH Travel Limited over recreation reserve on Queenstown Hill and Ben Lomond, with legal descriptions Lot 802 DP 306902, Part Section 104 Block XX Shotover Survey District, Part Section 110 Block XX Mid Wakatipu Survey District, Section 1 SO 24350, Section 4 Block 1 Mid Wakatipu Survey District and Section 106 Block XX Mid Wakatipu Survey District, subject to the following terms and conditions:

Commencement	1 July 2018
Term	5 years
Rent	The greater of \$500.00 base rent plus GST per annum or \$5 per walker plus GST
Reviews	At renewal.
Renewals	1 of a further 5 years by agreement of both parties.
Assignment/Sublease	With Council's approval.
Use	Guided walking tours not exceeding a total of 20 people per tour.
Insurance	Requirement 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. Health and Safety plan to be provided to Council prior to commencing the activity.

Other

The number of guided day tours operated by RWH shall not exceed (30) per annum for each of the areas described as Queenstown Hill and Ben Lomond.

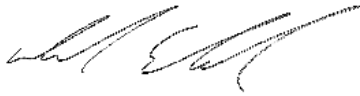
Tours shall not be conducted on more than six (6) consecutive days for each location. Walkers to behave responsibly (as detailed in body of report).

Licensee to implement both a rubbish and toilet policy and provide it to the Council.

- 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 RWH Travel Limited over the reserves detailed above.
- 4 **Delegate** final licence terms and conditions and signing authority to the General Manager Community Services.

Prepared by:

Reviewed and Authorised by:





Dan Cruickshank  
Property Advisor – APL  
Property

Aaron Burt  
Senior Planner: Parks & Reserves

Thunes Cloete  
Community Services  
General Manager

2/05/2018

25/05/2018

30/05/2018

## Background

- 1 RWH Travel Limited (previously known as Ramblers) have held a licence to take guided walking tours on Queenstown Hill and Ben Lomond since 2007. The business is based in the United Kingdom and operates tours of New Zealand including a range of day walks. The licence was annually renewable and was last renewed in July 2017 for a year.
- 2 RWH are seeking a new licence commencing 1 July 2018 subject to similar terms and conditions as the previous licence.

## Comment

- 6 The applicant has operated on a limited basis over the past ten years. The number of walkers was initially between 100 and 218 walkers per annum, but has reduced to between 46 and 86 walkers per annum since 2012.
- 7 The former licence required fees of \$5 per walker, and over the past few years the fees have been less than \$500 (including GST) per annum. They have paid their fees promptly and APL/Council have never received any complaints about the company or the activity.
- 8 The following additional terms will be included in the licence:
  - Stay on the designated walking trails at all times;
  - Adhere to all rules and regulations imposed by the Council for the Reserves on any specific walkway or trail on those Reserves;
  - Respect the rights of other users of the Reserves and/or walking trails;
  - Remove all rubbish and waste matter from the Reserves;
  - Walkers to be given access to toilets prior to undertaking walks and guides to carry waste bags;
  - Do not damage or destroy any vegetation on the Reserves;
  - Do nothing which may result in any harm or injury to any livestock or animal found on the Reserves;
  - Do nothing which may constitute a nuisance to any other person lawfully using the Reserves or walking trail, or to any person owning land adjoining the Reserves.
- 9 Under the new licence, we recommend bringing the licence fee in line with other similar commercial activities operating on Council land, and therefore suggest the licence fee be set at \$500+GST per annum plus or at \$5+GST per walker, whichever is the greater.
- 10 The activity is specifically contemplated on Ben Lomond in the Ben Lomond and Queenstown Hill Reserve Management Plan but is not contemplated on Queenstown Hill. However, public notification is not required in this instance because the activity is limited to no more than 6 consecutive days in each location.

## Options

- 11 Option 1 To grant a licence to RWH Travel Limited to undertake guided walking tours over recreation reserves known as Queenstown Hill and Ben Lomond, with legal descriptions Lot 802 DP 306902, Part Section 104 Block XX Shotover Survey District, Part Section 110 Block XX Mid Wakatipu Survey District, Section 1 SO 24350, Section 4 Block 1 Mid Wakatipu Survey District and Section 106 Block XX Mid Wakatipu Survey District, with terms and conditions as recommended above.

*Advantages:*

- 12 Allows for commercial activity that provides a beneficial and enabling form of recreation and enjoyment on the Council reserve land.
- 13 Supports an established and successful business.
- 14 Will provide additional income for Council.

*Disadvantages:*

- 15 May increase commercial congestion on the reserve land and trails.
- 16 Option 2 To decline the application by RWH Travel Limited.

*Advantages:*

- 17 Will not increase commercial congestion on the reserve land and trails.

*Disadvantages:*

- 18 Will not allow for commercial activity that provides a beneficial and enabling form of recreation and enjoyment from the Council land.
  - 19 Will not support an established and successful business.
  - 20 Will not provide additional income for Council.
- 21 This report recommends **Option 1** for addressing the matter because the recommendations proposed provide a balance between Council controls and the ability for the operator to continue a successful business.

**Significance and Engagement**

- 22 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves recreation reserves that can be used by many local rate payers as well as tourists visiting the area.

**Risk**

- 23 This matter relates to the operational risk OR011A Decision Making as documented in the Council's risk register. The risk is classed as moderate. The risk is mitigated by making a decision in a timely manner.

**Financial Implications**

- 24 It is proposed that Council will receive base income of \$500+GST, or \$5 per walker (plus GST), whichever is the greater.
- 25 All legal fees associated with issuing the licence will be met by the applicant.

**Council Policies, Strategies and Bylaws**

- 26 The following Council policies, strategies and bylaws were considered:



- Significance and Engagement Policy
- Ben Lomond and Queenstown Hill Reserve Management Plan
- Community Facility Funding Policy

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

28 This matter **is not** included in the 10-Year Plan/Annual Plan but has no impact on it.

### **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 providing income to Council and a decision in a timely manner;
- 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**

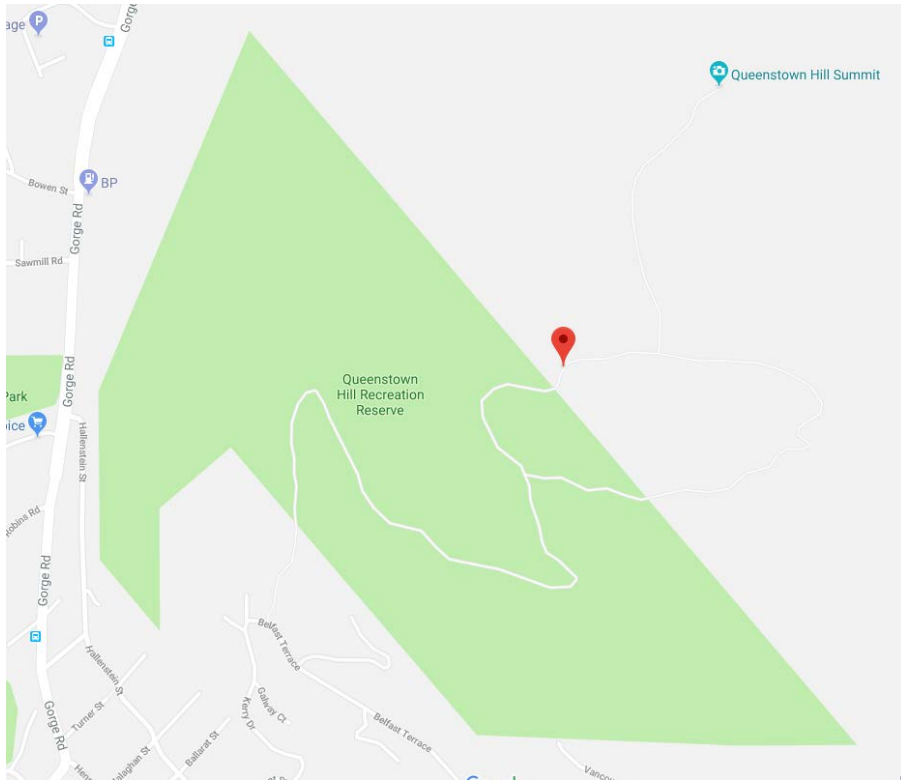
30 The persons who are affected by or interested in this matter are predominantly the users of the reserve and residents/ratepayers of the Queenstown Lakes District community.

31 As the proposal has a very low impact on the reserves, no notification has been undertaken and none is proposed.

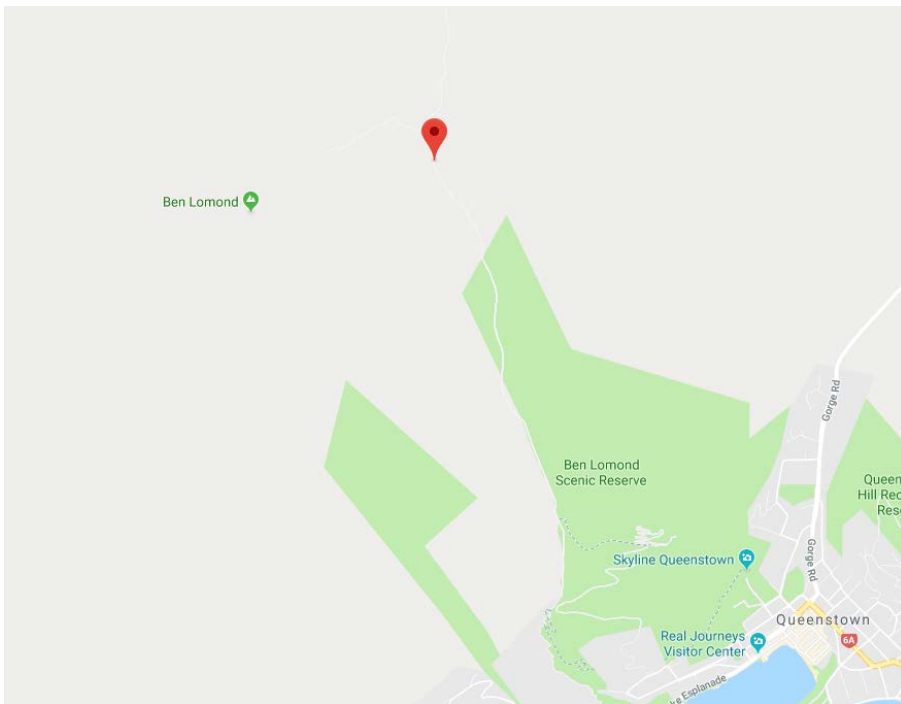
### **Attachments**

A Map of walking routes

**Attachment A – Track Locations**



Queenstown Hill Walkway



Ben Lomond Track

**QLDC Council  
14 June 2018****Report for Agenda Item: 10****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 **Approve** (retrospectively) the lodgement of the following submissions on 11 May 2018 on behalf of the Council:
  - a) Otago Regional Council Long Term Plan 2018-28
  - b) Otago Regional Council Air Quality Strategy
  - c) Otago Regional Council Draft Biodiversity Strategy
- 3 **Note** the delegations exercised for licences to occupy and temporary road closures by the Chief Executive during May 2018.
- 4 **Note** the items considered during the past meeting round by the Planning and Strategy Committee, Appeals Subcommittee, Wanaka Community Board and Community and Services Committee.
- 5 Recommendation from Wanaka Community Board  
**Proposal to Vest Land in Wanaka as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy**
  - 1 That the vesting of the four proposed reserves be approved:
    - Bright Sky Ltd SHA - PA170131
      - a. Reserve 1: Recreation Reserve, Frederick Street.
      - b. Reserve 2: Local Purpose Reserve (access), Frederick Street.
      - c. Reserve 3: Local Purpose Reserve (access), Frederick Street.
    - Northlake Investments Ltd - RM180581
      - d. Lot 4: Recreation Reserve, Northlake Drive.

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 advised necessary by the Parks and Reserves 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, and 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 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 three 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 That reserve land contributions be offset in accordance with the Development Contributions Policy current at the time of contributions payment, subject to recommendation (iii) above.
  - 3 That reserve improvement contributions be 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.

6 Recommendation from Community and Services Committee  
Proposal to Vest Land as Reserve and to Offset Reserve Land Contributions as per the Development Contributions Policy as Applicable

1. That the vesting of the two proposed reserves be approved:

Glenorchy Trustee Ltd – RM171428

Lot 200 (a, b &c): Local Purpose (Beautification Strip) Reserve, Oban Street

Shotover Country Ltd - RM1714

Lot 1001: Local Purpose (Flood Protection) Reserve, Hicks Road, Shotover Country

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;
- 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, and 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 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 with a visual permeability of at least 50%;
- viii. A three 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 That any reserve land contributions (if applicable) be offset in accordance with the Development Contributions Policy current at the time of contributions payment, subject to recommendation three above.

### Retrospective Approval of Submissions

- 1 Appended to this report are three submissions to the Otago Regional Council signed by myself and the Mayor and dated 11 May 2018:
- Otago Regional Council Long Term Plan 2018-28
  - Otago Regional Council Air Quality Strategy
  - Otago Regional Council Draft Biodiversity Strategy
- 2 The submissions were made on behalf of the Council and needed to be lodged before the closing date of 11 May 2018.
- 3 The Council is asked to approve retrospectively these submissions as the timing meant that the draft submissions could not be presented to a full Council meeting prior to the closing date for submissions.

### Delegations Exercised

- 4 Presented below is a list of applications for licences to occupy and temporary road closures considered by the Chief Executive under delegated authority during May 2018.

Address/Site/Event	Type	Brief Description	Date of Decision	Outcome
Southern H2O Ltd – Littles Rd	Variation of existing Licence to Occupy Road Reserve	Amend encumbrance requirements	18/05/18	Approved
Winter Festival 2018	Licence to Occupy Road Reserve	Approval for Rail Jam (Brecon Street) and Grandstand (Marine Parade)	18/05/18	Approved
Winter Festival 2018	Temporary Road Closures	Approval to close various roads in Queenstown during the period 21-24 June 2018	17/05/18	Approved
Arrowtown Garage Car Show and Shine	Temporary Road Closures	Approval to close part of Caernarvon Street, Arrowtown for event held on 26 May 2018	18/05/18	Approved

### Committee Meetings of Previous Round

- 5 Planning and Strategy Committee - Councillor Hill (10 May 2018)

Information:

- 1 Housing & Business Development Capacity Assessments

6 Appeals Subcommittee – Councillor Hill (10 May 2018)

Information:

- 1 Request to Mediate in Relation to the Appeal by Bunnings Limited Against the Decline of Resource Consent RM170347 to construct a new large format retail facility
- 2 Request to Mediate in Relation to the Appeal by Kawarau Village Holdings Limited Against the Grant of a Resource Consent RM170437 to construct a new hotel
- 3 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 (24 May 2018)

Ratification:

- 3 Proposal to Vest Land as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy

Information:

- 1 Licence to Occupy Air Space over Road Reserve – 67 Brownston Street, Wanaka
- 2 Road Naming Application – Universal Developments Limited application to name a new road within 'The Heights' Development
- 4 Chair's report

8 Community and Services Committee – Councillor Stevens (31 May 2018)

Ratification:

- 3 Proposal to Vest Land as Reserve and to Offset Reserve Land Contributions as per the Development Contributions Policy
  - Glenorchy Trustee Ltd – RM171428
  - Shotover Country Ltd – RM171487

Information:

- 1 Heritage Incentive Grant Application – Preston's Cottage, 30 Kent Street, Arrowtown
- 2 Queenstown Gardens Artwork
- 4 Naming of one existing reserve and one proposed reserve within the Queenstown Lakes District

**Attachments**

- A Submission to Otago Regional Council Long Term Plan 2018-28
- B Submission to Otago Regional Council Air Quality Strategy
- C Submission to Otago Regional Council Draft Biodiversity Strategy

## Attachment A

11<sup>th</sup> May 2018

Otago Regional Council  
Consultation Document for the 10 Year Plan  
Freepost 497  
Private Bag 1954  
Dunedin 9054

Via email: [longtermplan@orc.govt.nz](mailto:longtermplan@orc.govt.nz)

Dear Sir / Madam,

### RE: QLDC SUBMISSION

Thank you for the opportunity to present our submission in relation to the Otago Regional Council's Long Term Plan.

We are keen to be heard in relation to our submission.

Yours sincerely,



Mike Theelen  
Chief Executive  
Queenstown Lakes District Council



Jim Boulton  
Mayor  
Queenstown Lakes District Council

## 1.0 INTRODUCTION AND CONTEXT

- 1.1 Queenstown Lakes District Council (QLDC) has had the opportunity to consider the Otago Regional Council's (ORC) Long Term Plan (LTP) 2018-28 and offers its congratulations on production of an accessible and well-considered plan.
- 1.2 From a strategic perspective, it's clear that the vision, outcomes, goals and priorities of the ORC's LTP are fully complementary with QLDC's approach to the next ten years. Our vision statement is "vibrant communities, enduring landscapes, bold leadership".
- 1.3 QLDC expresses its thanks for the inclusion of a number of issues that directly impact our community on a local level and would like to provide feedback in relation to the following:

Significant Issues from the Consultation Document:

- Climate change – position supported
- Water monitoring – position supported
- Urban water quality – position supported

Other matters of importance:

- Demographic projections – use of peak visitor numbers essential
- Emergency management – increased resources required
- Public transport – improved bus routes and frequency needed
- Wilding Trees – enhanced support needed
- Future Development Strategy – partnership with ORC required
- Housing Infrastructure Fund – improved engagement required
- Wastewater schemes – partnership model suggested

## 2.0 CLIMATE CHANGE

- 2.1 QLDC fully supports ORC's initiatives to better understand the impacts of climate change on all areas within the Region, as provided for in the preferred option.

## 3.0 WATER MONITORING

- 3.1 QLDC also supports the extension of the water monitoring programme, particularly in relation to the provision of buoys and boat-based monitoring in Lake Hayes, Wanaka and Wakatipu. We note the options analysis for Lake Hayes but wish to highlight that in 2016 the QLDC requested that the ORC fund remediation for this iconic lake. It has taken a full year for the Council to reach a position of considering remediation and the anticipated funding to actually undertake this remediation is not included in the plan. Last year we requested that \$200,000 be included in the ORC budget to undertake this remediation. This request continues to stand.
- 3.2 Additionally the Council would like to request a more reactive approach on the part of the ORC in the event of declaring areas unsafe for swimming. It is critical that these matters are monitored daily and

that the notices are lifted in a timely manner. This is both an important community issue but a matter of reputation for the district and region.

- 3.3 We welcome the opportunity to work collaboratively with the ORC in monitoring and protecting our district's lakes, rivers and waterways.

#### **4.0 URBAN WATER QUALITY**

- 4.1 QLDC supports the acceleration of the strategy for urban water quality. We look forward to being involved in the development of the strategy and being consulted as a key stakeholder throughout.

#### **5.0 DEMOGRAPHIC PROJECTIONS**

- 5.1 ORC has accurately reflected resident and average population growth for the Queenstown Lakes District in the Ten Year Plan. However it is of significant concern that the ORC has failed to take into account and plan for peak visitor numbers as opposed to average visitor numbers. QLDC is surprised that this was not highlighted during the audit process.
- 5.2 On any given day, it's essential that the district's infrastructure, public transport and emergency management response capability is scaled to cope with peak visitor day numbers. This dramatic variation in population figures is a nuance that is uniquely pronounced in the Queenstown Lakes District. It may put this issue into perspective to remind the ORC that QLDC predicts that within ten years at peak time our population will be bigger than the city of Dunedin.
- 5.3 The quantum increase of visitor growth and pressure on the district is significant over the next ten years.
- 5.4 QLDC requests that the ORC revisits the population projections provided in September 2017 and replaces average visitor day numbers, with peak visitor day numbers. This will require the subsequent reassessment of all provisions planned for the Queenstown Lakes District, to ensure that sufficient resources and activities are planned and allocated to meet demand.
- 5.5 If the ORC does not revisit the population projections, the premise for investment and level of service in the Queenstown Lakes District may be flawed. This will place the achievement of key outcomes, goals and strategic priorities at significant risk.

#### **6.0 EMERGENCY MANAGEMENT**

- 6.1 Whilst QLDC is keen to support the initiatives of the ORC in relation to emergency management (as outlined on p51), we hold a clear position that the existing provisions are inadequate for the resilience and response requirement of the Queenstown Lakes District.
- 6.2 Within the assumptions given on p99, the plan emphasises that the Regional Response Group will be ready to respond to any natural disasters in the next ten years. The Otago Regional Response Group has made some good inroads around preparedness but the entire Otago Regional Response Group is

based in Dunedin (with the exception of the Emergency Management Officers). With all the best will in the world the QLDC finds this assumption unrealistic. In a regional event resources will not be adequate to respond across Otago, particularly during the first critical hours and days.

- 6.3 The current level of investment into the Queenstown Lakes - namely a single Emergency Management Officer to cover the entire district and manage the significant tourism sector resilience pieces and administer Community Plans for Queenstown, Wanaka, Arrowtown, Glenorchy, Kingston, Makarora, Hawea and Luggate, together with a number of community associations and hold all the relationships with elected members, staff and emergency services - is not reasonable or tenable in the fastest growing District in New Zealand.
- 6.4 In the event of an Alpine Fault rupture, Queenstown Lakes District will be the most significantly impacted part of the Otago Region. It will be critical for our small communities, our tourist operators and local residents to be prepared to be resilient. That requires more and ongoing investment in planning, engagement and education than one officer can be expected to manage across the entire District.
- 6.5 When considered alongside the complex nature of our District, with isolated rural communities and vulnerable tourist populations; the challenge becomes exacerbated.
- 6.6 In order to meet the strategic priority of 'resilient communities', the ORC needs to significantly increase dedicated emergency management resources in the Queenstown Lakes District and provide two Emergency Management Officers. We appreciate this will have a modest ratings impact, but believe our community will support such an important investment.

## 7.0 PUBLIC TRANSPORT

- 7.1 QLDC commends the ORC key goal of achieving a 'connected community' with a 'service delivery that puts community first'. Passenger Transport is clearly a critical element in the delivery of this goal.
- 7.2 However, it is difficult to understand the intent of the plan in relation to the Queenstown Lakes District, particularly regarding the anticipated enhancement of the Wakatipu Basin service.
- 7.3 QLDC contends that the ongoing success of the service relies on both the introduction of new routes and the increase of frequency. Whilst this is partially acknowledged in the documentation, there is inconsistency between the Consultation Document and the Supporting Documents as to exactly with this entails for our district. We wish to reiterate that the Council would like to be consulted on these matters and consider prioritisation on a collaborative basis, including route planning and development. Given QLDC is providing a direct subsidy to this service it is our express expectation that we will be including in goal setting, prioritisation, decisions and timing.
- 7.4 QLDC has identified the following factors as critical to the success of the service ongoing in the district:
- The delivery of a Malaghan Road loop route linking Arrowtown and Queenstown
  - increased frequency of service across the network – both off-peak and during peak periods



- provision of additional services to meet demand for key events

## **8.0 WILDING TREES**

- 8.1 QLDC commends ORC on its recognition of the scale and threat posed by wilding conifers to the region's water and land resources in the Long Term Plan.
- 8.2 The ORC Long Term Plan provides funding for wilding tree control. QLDC requests that ORC considers a substantial increase to its financial commitment to eradicating wilding conifers, as QLDC contributes \$500,000 annually in its Long Term Plan.
- 8.3 QLDC recommends that ORC work closely with existing community groups such as the Wakatipu Wilding Conifer Control Group.
- 8.4 QLDC asks that ORC supports National Wilding funding in Otago, with staff support provided in-kind to administer the programme.
- 8.5 Furthermore, QLDC requests that ORC involves and works closely with QLDC on the development of the Pest Management Plan.

## **9.0 FUTURE DEVELOPMENT STRATEGY**

- 9.1 QLDC would like to highlight the need for effective collaboration with ORC in developing a Future Development Strategy (FDS) for the Queenstown Lakes District. QLDC is required to prepare an FDS in order to comply with the National Policy Statement on Urban Development Capacity and to develop it through a process involving meaningful collaboration between related authorities which in this context must include both Central Otago District Council (CODC) and ORC.
- 9.2 As previously discussed with ORC officials, we would greatly appreciate greater involvement from ORC experts in the development and evaluation of options and in facilitating engagement with CODC. We would therefore like to formally request that resources are made available to provide input to the process and to provide alignment ongoing.

## **10.0 HOUSING INFRASTRUCTURE FUND (HIF)**

- 10.1 QLDC requests that the ORC engages more effectively with QLDC on its current HIF applications. In particular, QLDC is keen to work with the ORC in relation to Kingston consenting matters and on other HIF applications in relation to transport issues. To date, the engagement on these matters with the ORC has been reasonably challenging.

## **11.0 WASTEWATER SCHEMES**

- 11.1 QLDC notes that there are now successful examples of regional councils partnering with local councils to subsidise wastewater schemes in smaller communities. We commend this form of proactive approach from regional councils. As such, QLDC would like the opportunity to explore the

potential for this form of collaboration with the ORC. This would enable both parties to invest in the right community and environmental outcomes for our district.

## 12.0 CONCLUSION

- 12.1 QLDC strongly urges that the ORC revisit its demographic projections for the Queenstown Lakes District and amends the LTP on the basis of peak visitor numbers (as opposed to average visitor numbers). The quantum of growth over the next ten years must be factored and planned for at peak population.
- 12.2 Emergency management assumptions and provisions must be reviewed for the Queenstown Lakes District and a second, dedicated Emergency Management Officer included in the plan.
- 12.3 QLDC congratulates the ORC for the development of the initial bus network in the district, but is keen to work with ORC to develop critical next steps. These will be integral to building positivity around public transport, delivering a mode shift and embedding new travel behaviours. In particular an investment in more frequency of services and new services to widen the catchment will be essential in 2018/19.
- 12.4 QLDC commends ORC's recognition of the commitment required to eradicate Wilding Conifers, but requests additional funding and support. Further focus on the development of a pest management plan is required.
- 12.5 QLDC is also keen to engage with the ORC effectively and partner in the delivery of a number of initiatives, most notably in relation to the QLDC Future Development Strategy, HIF projects and the delivery of smaller community wastewater schemes.
- 12.6 To conclude, QLDC fully supports the ORC in its endeavours to address key issues for the Otago region, especially in relation to climate change, water monitoring and urban water quality but acknowledge some frustration at the lack of committed remediation budget.

## Attachment B

11th May 2018

Otago Regional Council  
Freepost 497  
Private Bag 1954  
Dunedin 9054

Via email: [info@orc.govt.nz](mailto:info@orc.govt.nz)

Dear Sir / Madam,

### RE: QLDC SUBMISSION – AIR QUALITY

Thank you for the opportunity to present our submission in relation to the Otago Regional Council's Air Quality Strategy.

We are keen to be heard in relation to our submission, should the opportunity arise.

Yours sincerely,



Mike Theelen  
Chief Executive  
Queenstown Lakes District Council



Jim Boulton  
Mayor  
Queenstown Lakes District Council

## 1.0 INTRODUCTION AND CONTEXT

- 1.1 The vision of Otago Regional Council's Draft Air Quality Strategy (the Strategy) is for Otago to have clean air everywhere. The four desired outcomes of the Strategy are cleaner heating, reduced reliance on outdoor burning, no nuisance from emissions and no toxic emissions impacting on people and ecosystems. The Otago Regional Council has proposed key actions to achieve these desired outcomes within set timeframes.
- 1.2 The implementation of this strategy through these key actions has the potential to change the resource management approach of the Queenstown Lakes District Council (QLDC) District Plan, with respect to land use and other activities that effect air quality in the district.
- 1.3 This submission summarises the opinions of QLDC Officers in relation to the Strategy, specifically proposals that would trigger changes, in both the operative or proposed District Plans, and affect how it's administered.

## 2.0 GENERAL COMMENTS

- 2.1 In order to meet the desired outcomes of the Strategy, QLDC supports collaborative actions between the Otago Regional Council and Otago's Territorial Authorities, in order to prevent the nuisance effects of air pollution and manage the effects of urban growth on air quality.
- 2.2 The Strategy states that "*in time, air quality issues will be resolved*" (p.3). QLDC Officers would like to express concern over the vagueness of this approach, and its lack of a definitive timeframe. It would be useful if the strategy could outline its context within the wider policy approach for air quality management, in particular its linkages, and how it seeks to give effect, to the National Environmental Standard for Air Quality (Resource Management Regulations 2004). A timeframe for delivery should also be provided.
- 2.3 The Strategy states that the Otago Regional Council "*will advocate for adequate controls in district plans and other relevant legislation to prevent nuisance activities*" (p.12). QLDC supports this action, as it seeks to ensure that submissions are made on relevant city and district plans to ensure that they are not inconsistent with any higher level plans for the management of air quality.
- 2.4 QLDC supports the recognition that there is rapid growth in Central Otago towns situated where air inversions occur. It would be useful if this recognition could be expanded to acknowledge Wanaka and other towns in the Queenstown Lakes District where inversions also contribute to lower air quality at certain times of year. These towns are also experiencing rapid growth, and will require specific consideration in the management of Otago's overall air quality.
- 2.5 It would be beneficial for the Strategy to include up-to-date data on air quality indicators across the Otago Region, for example, average PM10 levels and exceedances<sup>1</sup>. It would also be good to include

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<sup>1</sup> Ministry for the Environment. (2003). Health Effects of PM10 in New Zealand. Air Quality Technical Report No. 39. Retrieved from: <https://www.mfe.govt.nz/sites/default/files/air-quality-tech-report-39-aug03.pdf> on May 8, 2018

target levels with respect to the Ministry for the Environment's ambient air quality guideline values of 50 ug/m<sup>3</sup> (24 hour average) and 20 ug/m<sup>3</sup> (annual average)<sup>1</sup> and other environmental health indicators.

- 2.6 Officers note that the effects of traffic congestion on air quality were not specifically addressed in this strategy, which may create a gap in the policy approach to achieving better air quality in Otago. If the effects of traffic congestion on air quality is addressed through other regional plans or strategies, this should be noted in the document.

### 3.0 QLDC DIRECT RESPONSE TO THE PROPOSED AIR QUALITY ACTIONS

- 3.1 QLDC officers have identified certain actions proposed in the Strategy which will affect the ongoing development and administration of the QLDC District Plan. These actions also have the potential to trigger a review or update of the operative (and proposed) District Plans to ensure that these give effect to regional policy documents.
- 3.2 Action 1: *“Review policies and rules on emissions from new buildings and outdoor burning within urban areas”* (p.3, p.14). This action has a timeframe of three years and seeks to ensure Outcome 1 of the Strategy is achieved. QLDC officers support this action, but suggests that a shorter timeframe is more appropriate, given the rapid growth of certain urban areas within the Otago Region.
- 3.3 Action 2: *Review policies and rules on outdoor burning within and around urban areas”* (p. 15). The Strategy states that this should occur within 3 years, and seeks to ensure outcome 2 of the strategy is achieved. QLDC officers support this action, and seek that such policies and rules are reviewed so that they are relevant to the effective assessment and control of outdoor burning activities within the rapidly expanding urban and peri-urban areas of the district.
- 3.4 Action 3: *“Collaborate with city and district councils to manage the effects of urban growth on air quality”* (p.3, p.14). The Strategy states that this will occur from 2020. There is significant urban growth in the Wakatipu Basin and Wanaka areas that will happen before this time. QLDC Officers are of the opinion that the planned collaboration between QLDC and the Otago Regional Council needs to commence as soon as is practicable. The Strategy also notes that earthworks, roads and other land uses generate dust, and seeks that dust is effectively controlled (Outcome 3).’
- 3.5 Action 4: *“Research the environmental impact of chemical use in Otago”* (p.15). The strategy states that this should occur within 10 years. QLDC supports the recognition of the effect of spraying from horticulture and viticulture activities, as these are significant land use activities within the district and supports the Strategy's requirement that spraying activities occur in a targeted and controlled way (Outcome 4).
- 3.6 Officers have also noted that the desired outcomes have been stated in an ambiguous way, and that the processes that consenting territorial authorities will need to incorporate into their operations with respect to air quality should be further explained by the Strategy. It would be particularly useful if the Strategy or an accompanying document would give more guidance on consent conditions that

would ensure that the desired outcomes of improving air quality and clean air everywhere are to be achieved.

- 3.7 Relevant data on the region's air quality is not present in the Strategy, and the inclusion of such data would be a great improvement. It would help focus efforts on key tasks that would improve air quality in Otago.

#### 4.0 RECOMMENDATIONS AND SUMMARY

4.1 QLDC supports the actions and desired outcomes of the ORC's Draft Air Quality Strategy. As outlined above, the following key changes are recommended:

- That the strategy's overall statement, that "in time, air quality issues will be resolved" is reviewed to include measurable air quality indicators and a realistic timeframe.
- That the Strategy outlines its context and timelines within the wider policy approach for air quality management, in particular how it seeks to give effect, to the National Environmental Standard for Air Quality (Resource Management Regulations 2004).
- That Wanaka is specifically acknowledged as a place where temperature inversions lead to lower air quality at certain times of year, so that future policies seeking to address Wanaka's air quality have the relevant strategic background to do so.
- That relevant quantitative data for Air Quality indicators and trends are clearly linked to the goals and incorporated into the Strategy.
- That the effects of traffic congestion on Otago's air quality is acknowledged and effectively incorporated into this Strategy.
- That the strategy incorporates more guidance on consent conditions that would ensure that the desired outcomes of improving air quality and clean air everywhere are to be achieved.



## Attachment C

11th May 2018

Otago Regional Council  
Freepost 497  
Private Bag 1954  
Dunedin 9054

Via email: [info@orc.govt.nz](mailto:info@orc.govt.nz)

Dear Sir / Madam,

### RE: QLDC SUBMISSION – BIODIVERSITY STRATEGY

Thank you for the opportunity to present our submission in relation to the Otago Regional Council's Draft Biodiversity Strategy.

We are keen to be heard in relation to our submission, should the opportunity arise.

Yours sincerely,



Mike Theelen  
Chief Executive  
Queenstown Lakes District Council



Jim Boulton  
Mayor  
Queenstown Lakes District Council

## 1.0 INTRODUCTION AND CONTEXT

- 1.1 QLDC would like to commend ORC for taking the lead on this strategy.
- 1.2 The proposed Queenstown Lakes District Plan contains a list of threatened plants, and an operative list of numerous recently-assessed significant natural areas that capture mostly woody indigenous vegetation, wetlands, and sites of specific wildlife interest. Both threatened plant species and significant natural areas are protected by indigenous vegetation clearance rules.
- 1.3 QLDC supports that the strategy will provide guidance and a common focus for policy and decision making, resource allocation, voluntary effort, and on-the-ground projects and initiatives relating to biodiversity management in the Region.
- 1.4 QLDC would like to make the following submission points so that the strategy will provide a framework for efficient and effective management of native ecosystems and the eradication of specified plants and animals in the Otago Region. This submission will comment on:
- Community Groups
  - Pest Management
  - Wilding Conifers

## 2.0 COMMUNITY GROUPS

- 2.1 QLDC supports partnerships with ORC and supports the formation of a regional biodiversity group jointly funded by TLAs and ORC.
- 2.2 QLDC recommends that ORC work closely with existing community groups and is involved and committed to these groups.
- 2.3 QLDC commends ORC on the increase to the contestable ORC Biodiversity Fund of \$500k per year.
- 2.4 In addition to the ORC Biodiversity Fund, QLDC requests that ORC contributes committed remediation budgets and resources (in kind staff time) for established Biodiversity Community programs. QLDC and LINZ currently contribute to the following programmes:
- Lake Wakatipu Aquatic Weed Management Group (Lagarosiphon control in the Kawarau River and preventing establishment in Lake Wakatipu)
  - Lagarosiphon control in Lake Wanaka
  - Predator free programmes in Otago
  - Wetland groups in the Queenstown Lakes District
  - Other pests/plant programmes that develop

- 2.5 QLDC requests that ORC expands its support for predator free programmes to areas outside of Dunedin, working with community programmes across Otago, for example the Wakatipu Wildlife Trust (Queenstown) and the Wanaka Backyard Trapping Group (Wanaka)

### **3.0 PEST MANAGEMENT**

- 3.1 QLDC recognises the importance of administering and reviewing the Regional Pest Management Plan. Furthermore, we request that ORC involves and works closely with QLDC on the development of the Pest Management Plan in future.
- 3.2 QLDC recommends that ORC looks to other Regional councils nationally such as Environment Canterbury to assess the rules that have been implemented in their plans.
- 3.3 QLDC requests that ORC increases its resourcing for environmental monitoring and pest management compliance across Otago.
- 3.4 QLDC requests that ORC remains focused on providing engaged responses to pest management and demonstrating clear commitment to pest management.
- 3.5 It is agreed that ORC should take the lead on education and advocacy, by providing information on biodiversity and developing an online portal for sharing information.
- 3.6 Additionally, QLDC supports ORC' suggestion of an established targeted rate for pest control and/or biodiversity projects.

### **4.0 WILDING CONIFERS**

- 4.1 QLDC commends ORC on its recognition of the scale and threat posed by wilding conifers to the region's water and land resources in the Long Term Plan.
- 4.2 The ORC Long Term Plan provides funding for wilding tree control. QLDC requests that ORC considers a substantial increase to its financial commitment to eradicating wilding conifers, as QLDC contributes \$500,000 annually in its Long Term Plan.
- 4.3 QLDC agree that protection of tussock grassland habitat is a key point in the Strategy. We do not agree that alpine tussock grassland in Otago Region is generally well-protected, Wilding conifers are a major threat to these tussock grassland.

### **5.0 RECOMMENDATIONS AND SUMMARY**

- 5.1 QLDC supports the actions and desired outcomes of the ORC's Draft Biodiversity Strategy. As outlined above, it is recommended that further focus is given to working with community groups, widening the approach to pest management and increasing funding for the eradication of wilding conifers.

## 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 3 May 2018

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

### Agenda Items

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

11. Commonage Land Sale	<p>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to:</p> <p>h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities;</p> <p>i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>j) prevent the disclosure or use of official information for improper gain or improper advantage</p>	<p>Section 7(2)(h)</p> <p>Section 7(2)(i)</p> <p>Section 7(2)(j)</p>
12. Appointment of Resource Management Act hearing commissioners	<p>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to:</p> <p>a) protect the privacy of natural persons, including that of deceased natural persons.</p>	<p>Section 7(2)(a)</p>
13. Request for Council Guarantee in Favour of the Queenstown Lakes Community Housing Trust	<p>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to:</p> <p>2(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 to including that of deceased natural persons.</p> <p>i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p>	<p>Section 7(2)(b)(ii)</p> <p>Section 7(2)(i)</p>

**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.**