

**Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Armstrong Room, Lake Wānaka Centre, Wānaka on Thursday 1 June 2023 commencing at 1.00pm**

**Present:**

Mayor Glyn Lewers; Councillors Bartlett, Bruce, Cocks, Guy, Smith, Tucker, White, Whitehead and Wong

**In attendance:**

Mr Mike Theelen (Chief Executive Officer), Mr Tony Avery (General Manager, Property and Infrastructure), Ms Michelle Morss (General Manager, Strategy and Planning), Ms Laura Gledhill (Contracts Manager), Ms Carrie Edgerton (Regulatory Support, Animal Control and Parking Team Leader), Mr Paddy Cribb (Finance Manager), Mr Jeremy Payze (Senior Management Accountant – Projects), Ms Alyson Hutton (Manager, Planning Policy), Mr E J Mathee (Senior Policy Planner), Ms Amy Bowbyes (Senior Policy Planner), Mr Daniel Hadfield (Senior Policy Planner), Ms Carrie Williams (Policy Manager) and Ms Jane Robertson (Senior Governance Advisor); three members of the media and approximately five members of the public

**Apologies/Leave of Absence Applications**

Apologies were received from Councillor Ferguson and Councillor Gladding.

The following requests for Leave of Absence were made:

- Councillor Whitehead: 28 June – 8 July 2023
- Councillor Cocks: 29 June – 5 July 2023; 28 July – 5 August 2023
- Councillor Bartlett: 13 September – 11 October 2023

**On the motion of the Mayor and Councillor Bruce the Queenstown Lakes District Council resolved that the apologies be accepted and the requests for leave of absence be approved.**

**Motion carried.**

**Declaration by Arrowtown-Kawarau Councillor, Melissa White**

Councillor-elect, Ms Melissa White was invited to read aloud the declaration as a new Councillor following the recent by-election. She signed the declaration and it was witnessed by the Mayor. She joined the table.

**Declarations of Conflict of Interest**

No declarations were made.

### Matters Lying on the Table

The public excluded item “Appointment to the Queenstown Airport Board of Directors” was lying on the table from the meeting held on 27 April 2023.

**On the motion of the Mayor and Councillor Whitehead the Queenstown Lakes District Council resolved that the public excluded item ‘Appointment to the Queenstown Airport Board of Directors’ be uplifted from the table and considered as item 6A in the public excluded part of this meeting.**

**Motion carried.**

### Special Announcements

There were no special announcements.

### Public Forum

1. Mike Byars (Bidfood Ltd)

Mr Byars expressed concern that rubbish bins were being placed in a loading zone in Earl Street as it was also deemed a rubbish collection point. This meant that genuine delivery vehicles could not use the loading zone. He had engaged in lengthy email exchanges with various staff members about this issue over several months and had provided photographic evidence demonstrating the problem but his concerns had been dismissed. He stated that it was a health and safety risk and the Council had a statutory responsibility under health and safety legislation to ensure the safety of a place where a worker went to work. The situation was also contrary to the QLDC Traffic and Parking Bylaw and needed to be addressed as this mixed use was not workable.

2. John Hilhorst, FlightPlan 2050

Mr Hilhorst detailed the origins of the group, the plans developed, the personnel involved and the group’s objectives. He distributed a document entitled ‘Structural response to climate change, Queenstown Lakes District’ and asked elected members to read it in the hope that it would prompt a public conversation.

3. Pierre Marasti, Extinction Rebellion

Mr Marasti advised that the rise in ocean temperatures had broken all records and he described the various extreme weather events occurring in recent weeks, noting that all were due to emissions from human activity. High temperatures were driving the cost of living crisis and all this destruction was self-inflicted. Emissions from Queenstown Airport were 13 times greater than others and he favoured a toll being paid by all passengers at Queenstown Airport to help to address the effects.

4. Don Grant, Chair, Wānaka Airport Users Group

Mr Grant spoke about the membership of the group and detailed its activities. One of its main projects had been an examination of the airport community released in May 2023.

Key findings had been that Wānaka Airport generated financial revenue of \$69.6M, it had 147 employees, 713 suppliers and a combined annual salary of \$9.3M. There were 72 private aircraft based at Wānaka Airport and 71% of airport businesses were forecasting growth. It was clearly paying healthy dividends back to the community and a website was planned. The Council had not been a good landlord recently and it was hoped that this would improve. The group looked forward to ongoing discussion with the Council.

5. Mark Sinclair, Deputy Chair, Wānaka Stakeholders Group

Mr Sinclair advised that the group represented more than 3,500 local people, many of whom were involved in tourism. To date the focus had been seeking openness and genuine consultation with the community with respect to the future of Wānaka Airport. In 2022 the group had identified that the Wānaka Airport Liaison Group had not been established despite the Plan Change decision requiring it. They were pleased that a chair had been appointed and looked forward to the group working with independence.

**Confirmation of Agenda**

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

**Motion carried.**

**Confirmation of minutes**

**27 April 2023 (Ordinary meeting)**

It was noted that Councillor Bartlett was incorrectly named as 'Beattie' on page 5 of the draft minutes.

**On the motion of the Mayor and Councillor Guy the Queenstown Lakes District Council resolved that the minutes of the public part of the ordinary meeting of the Queenstown Lakes District Council held on 27 April 2023 as amended be confirmed as a true and correct record.**

**Motion carried.**

**1 Proposed Waste Fees and Charges**

A report from Laura Gledhill (Contracts Manager) provided background on the reasons for the proposed increase in waste fees and charges and sought Council approval for the waste fees and charges for the 2023/24 year.

Mr Avery and Ms Gledhill presented the report.

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

- 1. Note the contents of this report;**
- 2. Accept the proposed changes to the waste fees and charges for the 2023/24 year, commencing 1 July 2023.**

**Motion carried.**

**2. Animal Control Fees 2023/2024**

A report from Carrie Edgerton (Regulatory Support, Animal Control and Parking Team Leader) put forward proposed Animal Control Fees for the Council to adopt, in accordance with the consultation undertaken as part of the 2023/24 Annual Plan process. The report had been prepared on the basis that the Council would approve the Annual Plan on 29 June but if not, the report would be withdrawn. The report noted that the Council needed to approve Animal Control Fees at this meeting to enable the invoices to be issued in the correct timeframe.

Ms Edgerton and Mr Cribb presented the report.

Councillor Cocks asked whether the increased fee for registering working dogs was fair. Ms Edgerton noted that working dogs already received a reduction in fee because they generally did not access Animal Control Services as frequently as other dog owners. The proposed fee was also in accordance with the funding policy.

**On the motion of Councillor Bruce and Councillor Whitehead it was resolved that the Queenstown Lakes District Council:**

- 1. Note the contents of the report;**
- 2. Accept the recommendation of the 2023/24 Annual Plan Hearings Panel (being the Council as a whole) to approve the proposed Animal Control fees in accordance with Section 37 of the Dog Control Act 1996; and**
- 3. Note the commencement date of the new structure of 1 July 2023.**

**Motion carried.**

**3. Urban Intensification Variation – Endorsement to Notify**

A report from E J Mathee (Senior Policy Planner) sought approval to notify the Urban Intensification Variation to the Proposed District Plan (PDP) that would implement Policy 5 of the National Policy Statement on Urban Development 2020. The variation would apply to the district's urban environment and enable intensification of development in appropriate locations. The variation included changes to the zoning of

urban land as well as changes to the provisions in various chapters of the PDP, and amendments to design guidelines incorporated by reference in the PDP.

Ms Hutton, Ms Bowbyes and Mr Mason presented the report.

There was further discussion about a recently issued Environment Court Consent Order which added a significant residential area to one that was currently rural in Hāwea. Staff would examine the Hāwea zoning to check that any changes were appropriate and supported by economic and design evidence. This information would be presented at a future Council meeting.

**On the motion of Councillor Cocks and Councillor Bartlett it was resolved that the Queenstown Lakes District Council:**

- 1. Note the contents of the report;**
- 2. Approve for notification pursuant to section 79 and clause 5 of the First Schedule of the Resource Management Act 1991 the Urban Intensification Variation to the Queenstown Lakes Proposed District Plan; and**
- 3. Authorise the Manager of Planning Policy to make minor edits and changes to the proposal and section 32 report to improve clarity and correct any errors prior to notification.**

**Motion carried with Councillor Smith voting against the motion.**

#### **4. Capital Works 2022/23 June Reforecast**

A covering report from Jeremy Payze (Senior Management Accountant – Projects) set out proposed amendments to the capital works programme budgets as set out in the 2022/23 Annual Plan.

Mr Avery and Mr Payze presented the report. He noted that this would be the final such report for the financial year and the report presented some minor reallocations.

There was further discussion about the risk of Butlers Green wall failing. Mr Avery confirmed that the funding allocation was to undertake further investigation into how best to upgrade the wall.

**On the motion of Councillor Whitehead and Councillor White it was resolved that the Queenstown Lakes District Council:**

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

2. **Approve all proposed budget changes in accordance with Attachment A of the 'June 2023 Capital Works Reforecast' report; and**
3. **Note that approval of recommendation (2) will deliver a net increase of \$0.8M to 2022/23 [as per Attachment A], along with a net decrease of \$0.8M to 2023/24 budgets.**

**Motion carried.**

## 5 **Queenstown Lakes District Council Submissions**

A report from Pennie Pearce (Acting Policy Manager) presented submissions made to various government agencies on open consultations relevant to the Council and the Queenstown Lakes District and sought the Council's retrospective approval of the submissions' content. The submissions presented were to the Otago Regional Council Annual Plan 2023/24 and on the Ministry of Transport's 'Charging our Future' EV Charging Strategy Submission.

Ms Morss and Ms Williams presented the report.

**On the motion of Councillor Whitehead and Councillor Tucker it was resolved that the Queenstown Lakes District Council:**

1. **Note the contents of the report;**
2. **Approve retrospectively the contents of the Otago Regional Council Annual Plan 2023- 2024 Submission; and**
3. **Approve retrospectively the contents of the Ministry of Transport's 'Charging Our Future' EV Charging Strategy Submission.**

## 6 **Chief Executive's Report**

A report from the Chief Executive presented:

- Committee and community appointments for Councillor Melissa White made by the Mayor for the Council to note;
- Retrospective approval of an application to Local Government New Zealand for a remit re 'Allocation of risk and liability in the building sector';
- A proposed reserve in Henley Downs (recommendation from Community & Services Committee meeting held on 16 May 2023);
- Recommendation from the Wānaka-Upper Clutha Community Board ['WUCCB'] in respect to the Upper Clutha A&P Society's new building (recommendation from WUCCB meeting held on 19 May 2023).

The Chief Executive confirmed that the remit had been accepted.

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

- 1. Note the contents of this report;**
- 2. Approve retrospectively the application to Local Government New Zealand for the proposed remit “Allocation of risk and liability in the building sector”;**
- 3. Note the committee and community appointments for Councillor Melissa White:**
  - Planning & Strategy Committee**
  - Lake Hayes and Shotover Country Community Association**
  - Gibbston Community Association**

**Community & Services Committee**

- 4. Approve the vesting of the proposed reserves:**

**RCL Henley Downs Limited RM220406**

- Local Purpose (access) Reserve – Lot 79 being 258<sup>2</sup> in area**
- Recreation Reserve – Lot 80 being 1.042 hectares in area for a Local Park**

**Subject to the following works being undertaken at the Applicant’s expense:**

- a. Compliance with the conditions of resource consent RM220406 (and any subsequent variations) which include:**
  - i. The submission of landscape plans to Council for certification by the Parks and Open Spaces Planning Manager;**
  - ii. The formation of a sealed pathway on the reserves to meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);**
  - iii. Provision of a potable water supply point to be provided at the boundary of the reserve lots;**
  - iv. 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 any public reserve vested in or administered by the Council and any adjoining land;**

- v. The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserve, to ensure any fences on land adjoining, or boundaries along any reserve, shall be no greater than 1.2m in height, and be 50% visually permeable;
  - vi. A three-year maintenance period by the consent holder commencing from vesting of the reserve; and
  - vii. A maintenance agreement for reserve prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period.
- b. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy; and
  - c. Presentation of the reserve in accordance with Council's policies.
5. Agree that any reserve improvement contributions are offset against those payable in accordance with the Developments 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 & Open Spaces Planning Manager.
  - b. Final approval of any reserve improvement costs to be delegated to the Parks & Open Spaces Planning Manager and to be 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.

**Wānaka-Upper Clutha Community Board**

- 6. Agree that the Minister's approval is provided under the current lease to enable the Society to progress their new building; and
- 7. Delegate signing authority to the General Manager Community Services, noting that any potential subsequent revisions to the design of the building, if not

of a significant or material nature, may be resolved by the General Manager Community Services in direct communication with the Wānaka-Upper Clutha Community Board and the advice of the (current) Chair.

#### RESOLUTION TO EXCLUDE THE PUBLIC

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

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

#### Confirmation of minutes

##### Ordinary meeting held on 27 April 2023

#### Confirmation of minutes

- Item 4A: Chief Executive's Report – Appointment to the Queenstown Airport Board of Directors and Appointment of Chair of Wānaka Airport Liaison Group
- Item 5: Additional budget request to fund the increase in cost to continue to deliver and complete the Arterial Stage One project
- Item 6: Roading Network Maintenance Contract Extension
- Item 7: Transport Choices Funding Agreement
- Item 8: Shotover Wastewater Treatment Plant Stage 3 Upgrade – Ratification of Proposed Budget and Approval to Award Construction Contract
- Item 9: Reserve Revocation Notification and Potential Disposal Lot 2 Kawarau Heights
- Item 10: Appoint Commissioners on Independent Hearing Panel – PC54 Northlake Private Plan Change

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
4A. Chief Executive's Report – Appointment to the Queenstown Airport Board of Directors and Appointment of Chair of Wānaka Airport Liaison Group	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)
5. Additional budget request to fund the increase in cost to continue to deliver and complete the Arterial Stage One project	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 Council to carry on, without prejudice or disadvantage, commercial activities i) enable Council to carry on, without prejudice or disadvantage, commercial negotiations	Section 7(2)(h)  Section 7(2)(i)
6. Roading Network Maintenance Contract Extension	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: i) enable Council to carry on, without prejudice or disadvantage, commercial negotiations.	Section 7(2)(i)
7. Transport Choices Funding Agreement	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: h) enable Council to carry on, without prejudice or disadvantage, commercial activities i) enable Council to carry on, without prejudice or disadvantage, commercial negotiations	Section 7(2)(h)  Section 7(2)(i)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
8. Shotover Wastewater Treatment Plant Stage 3 Upgrade – Ratification of Proposed Budget and Approval to Award Construction Contract	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 Council to carry on, without prejudice or disadvantage, commercial activities i) enable Council to carry on, without prejudice or disadvantage, commercial negotiations	Section 7(2)(h)  Section 7(2)(i)
9. Reserve Revocation Notification and Potential Disposal Lot 2 Kawarau Heights	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 Council to carry on, without prejudice or disadvantage, commercial activities i) enable Council to carry on, without prejudice or disadvantage, commercial negotiations	Section 7(2)(h)  Section 7(2)(i)
10. Appoint Commissioners on Independent Hearing Panel – PC54 Northlake Private Plan Change	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)

### Agenda items

Item 6A: Chief Executive’s Report – Appointment to the Queenstown Airport Board of Directors

Item 7: Appointment of Commissioners to the Independent Hearings Panel for the Te Pūtahi Ladies Mile Variation to the Proposed District Plan and delegation of certain functions to Independent Hearings Panel

Item 8: Appointment of Commissioners to the Independent Hearings Panels for the Landscape Schedules variations to the Proposed District Plan

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
6A. Chief Executive's Report – Appointment to the Queenstown Airport Board of Directors	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)
7. Appointment of Commissioners to the Independent Hearings Panel for the Te Pūtahi Ladies Mile Variation to the Proposed District Plan and delegation of certain functions to Independent Hearings Panel	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)
8. Appointment of Commissioners to the Independent Hearings Panels for the Landscape Schedules variations to 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)

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

*The meeting went into public excluded at 2.02 pm.*

*The meeting came out of public excluded and concluded at 2.38pm.*

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**MAYOR**

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**DATE**