

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 16 November 2023 commencing at 1.00pm

Present:

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

In attendance:

Mr Mike Theelen (Chief Executive Officer), Mr Tony Avery (General Manager, Property and Infrastructure), Mr Ken Bailey (General Manager, Community Services), Ms Meaghan Miller (General Manager, Corporate Services), Mr Glen Sowry (Chief Executive, Queenstown Airport Corporation [QAC]), Mr Andrew Williamson (Chief Financial Officer, QAC), Mr Simon Flood (Deputy Chair, QAC Board), Ms Alyson Hutton (Planning Policy Manager), Mr Andrew Edgar (Senior Transport Engineer), Mr Tony Pickard (Transport Strategy Manager), Mr Geoffrey Everitt (Policy Planning GIS Lead), Ms Briana Pringle (Open Spaces Manager), Ms Tarsy Koentges (Cemeteries and Heritage Parks Officer), Ms Yvette Ridley (Parks Community/Volunteer Officer), Ms Erin Auchterlonie (Policy Advisor), Mr Jon Winterbottom (Governance Team Leader), Ms Jane Robertson (Senior Governance Advisor); no members of the media and six members of the public

Apologies/Leave of Absence Applications

There was an apology from Councillor Bartlett who was on an approved leave of absence, so no further apology was necessary.

The following requests for leave of absence were made:

- Councillor Gladding: 13-30 November 2023
- Councillor Wong: 15-20 December 2023

On the motion of the Mayor and Councillor Tucker the Queenstown Lakes District Council resolved that the requests for Leave of Absence be approved.

Motion carried.

Declarations of Conflict of Interest

No declarations of conflict.

Matters Lying on the Table

There were no matters lying on the table.

Special Announcements

The Mayor congratulated Ms Aaliyah Fowler on completion of the Tuia rangatahi programme and presented her with a certificate and flowers.

Public Forum

1. Pierre Marasti, Extinction Rebellion

Mr Marasti noted that climate litigation was happening more frequently as governments and the private sector were being challenged for their role in climate change. He cited examples of recent cases, adding that it was also occurring in New Zealand. Queenstown Airport's Master Plan proposed growth of 30% over the next 10 years and the Council should not adopt it as it was a 'climate crime'. Instead, QAC should plan for a reduction in passenger numbers and consider introducing a passenger tax to further reduce demand.

2. Cath Gilmour, We Love Whakatipu

Ms Gilmour circulated a letter from 'BARNZ' (Board of Airline Representatives NZ) that raised a number of questions about the QAC Master Plan, suggesting that these questions detailed exactly what the local community wanted to know about the Master Plan. In particular, the letter questioned the very modest growth projections and what measures would be used to achieve them, particularly in light of higher levels of growth over previous periods. It was also noted that a commitment had been given not to seek to expand the present noise boundaries before 2032, but she asked what would occur when this date was reached. She urged the Council not to green light the whole plan and questioned what was meant by the recommendation 'to endorse'. She added that the provision of long term air infrastructure needed to be a wider conversation with the community.

3. James Stokes – Managing Director, Glenorchy Air

Mr Stokes advised that his business, Glenorchy Air, operated out of Queenstown Airport. The current layout for general aviation was inefficient and represented an operational risk as it created conflict between fixed wing aircraft and helicopters. He supported the draft Master Plan as it would allow for a separate area for helicopter departures. The biggest challenge at Queenstown Airport was space and a world class hangar area was needed if Queenstown Airport was to meet its sustainability goals.

4. Sharon Fifeld, CEO, Queenstown Chamber of Commerce

The Queenstown Chamber of Commerce supported the Queenstown Airport Master Plan and the consultation that had accompanied it. Queenstown Airport was a vital piece of local infrastructure and it was fortunate that the Council was the major shareholder. The airport contributed much to the community and offset rates via dividend payments to Council. The Queenstown Airport Master Plan also aligned with the Destination Management Plan.

5. Grant Hensman

Mr Hensman spoke in support of the Council endorsing the Whakatipu Wilding Conifer Control Group {'WWCCG'} strategic plan. The Council had prepared the first iteration of the plan 15 years ago and WWCCG had been formed out of it. The WWCCG had successfully leveraged funds up to \$26M and its strategy was simple: get rid of wilding trees.

Confirmation of Agenda

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

Motion carried.

Confirmation of minutes

19 October 2023 (Ordinary meeting)

On the motion of the Mayor and Councillor Bruce 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 19 October 2023 be confirmed as a true and correct record.

Motion carried.

1. **Endorsement of the Queenstown Airport Corporation Draft Master Plan 2023**

A report from Meaghan Miller (General Manager, Corporate Services) presented the Queenstown Airport Corporation's ('QAC') Draft Master Plan 2023 for the Council's endorsement, noting that the endorsement process had been a commitment made in the 2023 Statement of Expectation.

Ms Miller presented the report. She was joined by Simon Flood, Glen Sowry and Andrew Williamson from Queenstown Airport Corporation.

There was further discussion about the proposed airport layout, the significance of the Council 'endorsing' the Master Plan and the planned use of the cross way runway. Members questioned the key assumptions and suggested that further modelling of the growth expectations was necessary to confirm their credibility.

The Mayor thanked the QAC members for their time and asked them to step down from the table.

**It was moved (Councillor Bruce/Councillor Cocks)
That the Queenstown Lakes District Council:**

- 1. Note the contents of this report; and**
- 2. Endorse the Queenstown Airport Corporation 2023 Draft Master Plan.**

Councillor Gladding proposed adding a further part to the resolution:

That the Council direct staff to prepare a report for the Audit Finance and Risk Committee's meeting on Tuesday 12 December requesting consideration of the financial risk associated with the QAC's Master Plan, and any recommendations to Council around managing that risk (noting that the report should include all revenue assumptions).

There was discussion about what the amendment was seeking to achieve. Councillor Gladding suggested that there was risk for the Council's LTP and risk to changes to the dividend. The Chief Executive suggested that the intent of the additional clause would be clearer if the words 'requesting consideration of' were deleted and replace with 'on'.

**It was moved (Councillor Gladding/Councillor Tucker)
That the Queenstown Lakes District Council:**

Direct staff to prepare a report for the Audit Finance and Risk Committee's meeting on Tuesday 12 December on the financial risk associated with the QAC's Master Plan, and any recommendations to Council around managing that risk (noting that the report should include all revenue assumptions).

Motion carried with the Mayor, Councillor Bruce and Councillor Ferguson voting against the motion.

The addition was added to the original motion and became the substantive motion:

**It was moved (Councillor Bruce/Councillor Cocks)
That the Queenstown Lakes District Council:**

- 1. Note the contents of this report;**
- 2. Endorse the Queenstown Airport Corporation 2023 Draft Master Plan; and**
- 3. Direct staff to prepare a report for the Audit Finance and Risk Committee's meeting on Tuesday 12 December on the financial risk associated with the QAC's Masterplan, and any recommendations to Council around managing that risk (noting that the report should include all revenue assumptions).**

Motion carried with Councillor Gladding voting against the motion.

2. Draft Parking Strategy for Consultation

A report from Andrew Edgar (Senior Transport Engineer) presented the draft Parking Strategy and sought approval begin a process to collect community feedback. Comment would be sought through usual media and would run from 20 November to 28 January

(to cover the summer peak holiday period) and the final Parking Strategy would be presented to the Infrastructure Committee in early 2024.

Mr Avery, Mr Edgar and Mr Pickard presented the report.

Councillor Smith expressed concern that the draft strategy did not contain anything unique to the district and he considered that it would be difficult to provide meaningful feedback. He observed that the lower level parking management plans would contain more detail and questioned whether there would be more value in consulting later when these parking management plans were available. Councillor Cocks agreed that there was limited value in talking to the community without some concrete ideas to discuss.

Mr Avery advised that the overall principles contained in the draft strategy needed to be determined in order to develop management plans, so this represented an important first step.

Councillor Guy stated that there needed to be some acknowledgement of the need for carparking infrastructure as there would always be sectors of the population who chose to drive. In addition, there were a number of areas in the district without public transport, and she favoured identifying stakeholders who could partner with Council. It was noted that parking management plans would examine where parking needed to be provided.

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

- 1. Note the contents of this report.**
- 2. Approve the draft Parking Strategy for consultation.**

Motion carried with Councillor Smith and Councillor White voting against the motion.

The meeting adjourned at 2.41pm and resumed at 2.46pm.

3. Whakatipu Wilding Conifer Strategy 2023/33

A report from Yvette Ridley (Parks Community/Volunteer Officer) presented the Whakatipu Wilding Conifer Control Group Strategic Plan for the years 2023/2033 for adoption.

Ms Ridley, Ms Pringle and Mr Bailey presented the report.

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

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

2. Endorse the Whakatipu Wilding Conifer Control group Strategic Plan 2023/33.

Motion carried unanimously.

4. Ratification of Independent Hearing Panel Recommendation – PPC54 Northlake Private Plan Change

A report from Geoffrey Everitt (Policy Planning/GIS Lead) presented the recommendations report of the Independent Hearings Panel (IHP) on provisions and matters raised in submissions for PC54 Northlake Private Plan Change. The report sought a Council resolution to notify the IHP recommendation report as a Council decision in accordance with Clause 10 and 11 of Schedule 1 of the Resource Management Act 1991.

Ms Hutton and Mr Everitt presented the report. Mr Everitt summarised the intent of the Plan Change.

Councillor Smith advised that he did not support the recommendation as he did not accept the hearings panel's advice regarding the adequacy of transport infrastructure.

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

- 1. Note the contents of this report;**
- 2. Adopt the Independent Hearing Panel report and recommendations on provision and matters raised in submissions as the Council's decision and direct staff to notify the decision in accordance with Clause 10 and 11 of Schedule 1 of the Resource Management Act of 1991 and;**
- 3. Note that adopting the report and recommendations on submissions as the Council's decision means the Council also adopts the independent hearing panel's reasons for those decision on submissions as set out in the recommendations report.**

Motion carried with Councillor Smith voting against the motion.

5. Adoption of QLDC Cemeteries Bylaw 2023

A report from Erin Auchterlonie (Policy Advisor) introduced the draft Cemeteries Bylaw 2023/Kā Ture Urupā for adoption following completion of the Special Consultative Procedure.

Mr Bailey, Ms Keontges and Ms Auchterlonie presented the report. There was further discussion about the ability for plot holders (or their families) to undertake personal maintenance in Council cemeteries.

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

1. Note the contents of the report;
2. Note that on 10 August 2023, Council determined, pursuant to section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing the issues related to activities in QLDC administered cemeteries;
3. Determine prior to making the bylaw, pursuant to section 155(2)(a) of the Local Government Act 2002, that the draft Cemeteries Bylaw 2023 / Kā Ture Urupā is the most appropriate form of bylaw;
4. Determine prior to making the bylaw, pursuant to section 155(2)(b) of the Local Government Act 2002, that the draft Cemeteries Bylaw 2023 / Kā Ture Urupā does not give rise to any implications under the New Zealand Bill of Rights Act 1990;
5. Adopt the draft Cemeteries Bylaw 2023 / Kā Ture Urupā, with the following changes recommended by the Hearings Panel from the draft bylaw that went out for consultation:
 - a. Section 14. "Exclusive Right to Inter" (emphasis added to wording change);
 - b. Clause 14.1 "All plots sold by Council shall be sold upon the terms and conditions as decided by Council, as amended from time to time, and the exclusive right to inter may be granted for such limited period as Council decides" (emphasis added to wording change);
6. Resolve that the draft Cemeteries Bylaw 2023 / Kā Ture Urupā will come into effect on 1 December 2023 and that the Cemeteries Bylaw 2017 is revoked on 1 December 2023;
7. Note that in accordance with section 157 of the Local Government Act 2002, public notice be given of the review of the draft Cemeteries Bylaw 2023 / Kā Ture Urupā, advising:
 - a. that the bylaw will come into force on 1 December 2023; and
 - b. that copies of the bylaw may be inspected, without fee, at all Council offices.

Motion carried unanimously.

6. Submission on Electoral (Lowering the Voting Age for Local Elections and Polls) Legislation Bill

A report from Erin Auchterlonie (Policy Advisor) presented the Council's submission to the Justice Committee on its consultation on the Electoral (Lowering the Voting Age for Local Elections and Polls) Legislation Bill. Retrospective approval was sought because the submission had been made to the Justice Committee on 20 October 2023.

Ms Auchterlonie presented that report.

Councillor Cocks stated that he was opposed to the government lowering the voting age for local elections but not for central government elections.

Councillor Guy commented about youth engagement in the district and plans to re-establish a youth council. She added that there was also a proposal for year 8 students to be representatives on community associations which was a good way of raising civic awareness within youth.

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

- 1. Note the contents of this report;**
- 2. Approve retrospectively the contents of the Electoral (Lowering the Voting Age for Local Elections and Polls) Legislation Bill submission.**

Motion carried, with Councillor Cocks recording his vote against the motion.

7. Chief Executive's Report

A report from the Chief Executive presented a summary of items discussed at recent Standing Committee meetings and the Wānaka -Upper Clutha Community Board meeting held on 12 October 2023. The report also contained a recommendation for approval from the Community & Services Committee that a Notice of Intent be published advising that a Reserve Management will be prepared for the Riverside Road Reserves.

The Chief Executive introduced the report.

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

- 1. Note the contents of this report;**
- 2. Agree that a Notice of Intent is published advising that Reserve Management Plan for the Riverside Road**

Reserves is to be prepared in accordance with s41(5) of the Reserves Act 1977.

Motion carried unanimously.

RESOLUTION TO EXCLUDE THE PUBLIC

On the motion of Councillor Guy and Councillor Bruce 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

- Item 5A: Chief Executive’s Report – Adjustment to contract cost for TechnologyOne
- Item 6: Recommendation to Appoint and Reappoint Queenstown Airport Corporation Board Directors
- Item 7: Lower Shotover Road Acquisition & Legalisation
- Item 8: NZUP easements to Waka Kotahi New Zealand Transport Agency over the Frankton Domain and Queenstown Events Centre
- Item 9: Appointment of Commissioners to the Independent Hearings Panel for Resource Consent Application “Cold Gold Clutha Ltd (RM220834)
- Item 10: Confirmation of Council Chief Executive’s KPIs

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
5A. Chief Executive’s Report – Adjustment to contract cost for TechnologyOne	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of information is necessary to: i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2)(i)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
6. Recommendation to Appoint and Reappoint Queenstown Airport Corporation Board 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. Lower Shotover Road Acquisition & Legalisation	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 out, 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)
8. NZUP easements to Waka Kotahi New Zealand Transport Agency over the Frankton Domain and Queenstown Events Centre	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 out, 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)

General subject to be considered.	Reason for passing this resolution.	Grounds under Section 7 for the passing of this resolution.
9. Appointment of Commissioners to the Independent Hearings Panel for Resource Consent Application “Cold Gold Clutha Ltd (RM220834)	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)
10. Confirmation of Council Chief Executive’s KPIs	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 3.08pm.

PUBLIC EXCLUDED

Confirmation of minutes

Ordinary meeting of the Council held on 19 October 2023

On the motion of the Mayor and Councillor Whitehead the Queenstown Lakes District Council resolved that the minutes of the public excluded part of the ordinary meeting of the Queenstown Lakes District Council held on 19 October 2023 be confirmed as a true and correct record.

Motion carried with two abstentions.

On the motion of the Mayor and Councillor Bruce it was resolved that the Queenstown Lakes District Council agree to readmit the public.

The meeting came out of public excluded and concluded at 3.10pm.

MAYOR

DATE