

Minutes of an ordinary meeting of the Queenstown Lakes District Council held in the Main Hall, Arrowtown Community Centre, Jack Reid Park, Arrowtown on Thursday 24 October 2024 commencing at 1.00pm

Present:

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

In attendance:

Mr Mike Theelen (Chief Executive Officer), Mr Tony Avery (General Manager, Property & Infrastructure), Ms Katherine Harbrow (General Manager, Assurance, Finance & Risk), Ms Michelle Morss (General Manager, Strategy & Policy), Mr David Wallace (General Manager Planning & Development), Mr Ken Bailey (General Manager, Community Services), Mr Simon Battrick (Sports & Recreation Manager), Mr Roger Davidson (Property Director), Ms Katie Church (Director, People & Capability), Mr Simon Mason (Infrastructure Operations Manager), Mr Paul Carter (Property Projects Manager), Mr Adrian Hoddinott (Operations & Contracts Manager, Parks), Ms Sian Swinney (Alcohol Licensing Inspector Manager), Ms Carrie Williams (Policy Manager), Ms Alyson Hutton (Planning Policy Manager), Ms Laura Gledhill (Operations & Contracts Manager, Solid Waste), Mr Jeremy Payze (Senior Management Accountant – Projects), Mrs Jeannie Galavazi (Principal Parks Planner), Mr Dom Harrison (Parks & Reserves Planner), Ms Leanne Crozier (Decipher Group), Mr Jon Winterbottom (Democracy Services Team Leader) and Ms Jane Robertson (Senior Democracy Services Advisor); two members of the media and approximately 22 members of the public

Apologies/Leave of Absence Applications

An apology was received from Councillor Whitehead.

The following requests for leave of absence were made:

- Councillor Tucker: 30 October – 4 November 2024
- Councillor White: 3-9 December 2024

It was moved (The Mayor/Councillor Guy):

That the Queenstown Lakes District Council resolve that the apology from Councillor Whitehead be accepted and the requests for leave of absence be approved.

Motion carried unanimously.

Declarations of Conflict of Interest

No declarations were made.

Public Forum

1. Julie Scott, Chief Executive, Queenstown Lakes Community Housing Trust (QLCHT): Transfer of QLDC community housing to QLCHT

Ms Scott spoke in support of the transfer of the Council's rental housing units to the Trust as detailed in an agenda item. She noted that initial discussions had occurred as long ago as 2009 but the proposal was finally coming to fruition, subject to the Council approving the report's recommendation.

2. Darelle Jenkins, Hospitality New Zealand: Outdoor Dining Fees

Ms Jenkins detailed the positive benefits of outdoor dining in the district. She expressed concern about the Council's increased fees for outdoor dining areas and their introduction without consultation. It was a very large increase which many businesses were struggling to pay in the current economic climate. Renewing a licence should be cheaper than a new licence and there was an inconsistency with pop up stalls which could operate without paying a licence fee.

3. Sharon Fifield, Chief Executive Queenstown Chamber of Commerce: Parking; general state of business

Ms Fifield expressed concern about the loss of carparking in the Queenstown CBD, which meant that many locals no longer came into town. The parking that was left was expensive and the Council was using CCTV to punish minor parking indiscretions. The Council needed to move forward with establishing parking on the Stanley Street site to relieve the situation.

The Chamber was alarmed about increased fees for outdoor dining permits and the negative effect on the CBD if outdoor dining areas declined as a result.

4. Pierre Marasti, Extinction Rebellion: Global warming

Mr Marasti referred to the recent Dunedin floods, adding that extreme weather events would continue to worsen as global warming accelerated. More carbon staying in the atmosphere meant that the rate of acceleration was increasing and would continue to do so. Global wildlife populations had fallen 73% in 50 years and in New Zealand only 33% of indigenous forests remained. Otago Regional Council should go ahead and notify its new Land and Water Plan regardless of proposed changes to water regulations.

5. Brian Boyle: Impact of the Proposed Fast-track Development of Gibbston Village on the Kawarau Gibbston Dark Sky Park

Plans to develop an international Dark Sky Park in Gibbston would fail if 900 houses were constructed because plans for the Dark Sky Park had been developed on an expected low population growth. The scale of the proposed development of Gibbston Village was likely to result in the loss of dark sky accreditation.

6. Sam 'Q' Belk, Friends of Gibbston Character Zone: Proposed Fast-track Development of Gibbston Village

Mr Belk asked the Council to oppose the fast track consent for the Gibbston Village as this would jeopardise the dark sky status being sought for Gibbston Valley. He believed that the Gibbston Village proposal would be a disaster for the valley and would destroy its unique character.

7. Rosemary Cross: Fast-track proposal for Gibbston Village

Ms Cross was opposed to the Gibbston Village proposal that would add about 3,000 people to the Gibbston Valley community without consultation. More affordable housing was needed but Gibbston Valley was a poor choice as a large earthquake would isolate it and the area lacked local amenities. It was not an easy work from home location, State Highway 6 was getting busier and these dwellings would be close to the road. Tourism remained a large export earner and this proposal would seriously damage brand-Queenstown.

8. Sean Brennan: Fast-track proposal for Gibbston Village

Establishment of the Gibbston Village would threaten the nature of the Gibbston Character Zone which had been established to protect both the soils and the dark night skies. Local infrastructure was inadequate for 900 new homes and the fast track legislation was unethical.

9. Nicky Busst, Arrowtown Promotion and Business Association: Outdoor Dining Fees

The Winery and Patagonia had businesses all over the district and were faced with paying multiple times the market rate for all their outdoor dining locations. A full fee should not be payable for a renewal and the fee should also acknowledge the seasonal nature of outdoor dining and the fact that many businesses only used their outdoor dining areas half the year. There were many positives of outdoor dining and the Council should go back to the drawing board with this policy and develop one that supported businesses.

10. Chris Blackford: Wooden Barrier in Frankton Road

Mr Blackford expressed concern about the way in which traffic continued to crash through a wooden barrier in Frankton Road. This was a hazard for pedestrians and properties and there were at least 600 pedestrian movements in this area over a day. Cars had gone through the barrier in several places and it was clear that the wooden fence was inadequate.

QLDC should take over the management of State Highway 6A from NZTA and these breakages looked particularly bad at the entrance to the town.

It was moved (Councillor Bruce/Councillor White):

That the Council resolve to extend the duration of the public forum beyond 30 minutes.

Motion carried unanimously.

11. Penny Young: Reserve Vesting (item 8 on agenda)

The Council and Remarkables Park Ltd (RPL) had a moral duty to follow the Planning Tribunal's directive with respect to the reserve vesting. RPL need to comply with the instructions and Council needed to enforce the directive. The result would connect the reserves as intended and would be in accordance with Riverside Reserve Management Plan.

12. Alasdair Clifford, Skyline Properties Ltd: Activities in a public place especially lakefront

Mr Clifford was concerned about pop-up businesses operating along the lakefront. The situation was worse than ever before and it was common to see up to ten street vendors in this location when the maximum should be three and they should move each hour. The lack of Council enforcement was encouraging more to move in and although street vendors could add energy

to the CBD, the situation was out of control and contrary to the bylaw. Pop up food outlets were unlikely to meet health standards and the Council needed to take action to enforce the bylaw as the situation would worsen as the summer approached and the longer it was left.

13. Andrew Davis, Friends of Lake Hayes: Fast-track Consent for Coronet Village

Mr Davis spoke about the fast-track consent for Coronet Village and its potential on the health of Lake Hayes. He believed that the development should not occur unless the developer could improve Lake Hayes' water quality.

Confirmation of Agenda

It was moved (The Mayor/Councillor Cocks):

That the Queenstown Lakes District Council resolve that the agenda be confirmed without addition or alteration, but noting that recommendations relating to two items from the Community & Services Committee meeting held on 24 September 2024 that were omitted from the Chief Executive's Report have been added.

Motion carried unanimously.

Confirmation of minutes

19 September 2024 (Ordinary meeting)

The following amendment was made to the draft minutes of the public part of the meeting held on 19 September 2024:

Additional word on page 3 of the draft minutes: *"...the 2024-34 LTP had received an unqualified audit opinion."*

It was moved (The Mayor/Councillor Guy):

That the Queenstown Lakes District Council resolve that the public part of the minutes of the ordinary meeting of the Queenstown Lakes District Council held on 19 September 2024 as amended be confirmed as a true and correct record.

Motion carried unanimously.

1 **101 Ballantyne Road Oxidation Ponds Remediation Agreement**

A report from Simon Battrick (Sport & Recreation Manager) set out a proposal to enter into a commercial agreement with Willowridge Developments Limited (WDL) to remediate and complete earthworks at 101 Ballantyne Road (former Oxidation Ponds) with the intended purpose being the future development of the Ballantyne Road Sports Hub. The report noted that a report on this topic had been presented to the Wānaka-Upper Clutha Community

Board on 10 October 2024 and the Board had recommended that the Council approve this project and agree to bringing forward the funding (as detailed in item 3). The report included a public excluded attachment which provided detail on the proposed development agreement with WDL.

Mr Battrick, Mr Bailey and Mr Davidson presented the report.

Mr Battrick acknowledged the support of various parties who had contributed to bringing the project to this point.

Officers responded to questions from Councillors.

It was moved (Councillor Cocks/Councillor Bruce):

That the Queenstown Lakes District Council resolve to:

- 1. Note the contents of this report;**
- 2. Note the recommendation of the Wānaka-Upper Clutha Community Board from the meeting held on 10 October 2024;**
- 3. Agree that Council remediate contaminated areas and undertake earthworks to create a flat 20ha grassed site at 101 Ballantyne Road with the future intended purpose being the development of the Ballantyne Road Sports Hub for the Wānaka Upper Clutha community;**
- 4. Delegate the Chief Executive the authority to enter into an agreement/contract with Willowridge Developments Limited to remediate and complete earthworks at 101 Ballantyne Road which is consistent with the terms outlined in the Public Excluded Ballantyne Road Agreement Memo dated 24 October 2024; and**
- 5. Agree that the agreement/contract with Willowridge Developments Limited shall remain confidential until completion of the project but that the Mayor/Chief Executive be delegated authority to make a statement on the nature and timing of the work at an appropriate time.**

Councillor Gladding suggested that part (4) of the resolution needed to be made subject to the Council agreeing the public excluded content. The Mayor asked her to couch this request as an amendment.

It was moved as an amendment (Councillor Gladding/Councillor Bartlett):

That the Council agree to amend part (4) of the resolution:

- 4. Delegate the Chief Executive the authority to enter into an agreement/contract with Willowridge Developments Limited to remediate and complete earthworks at 101 Ballantyne Road which is consistent with the terms outlined in the Public Excluded Ballantyne Road Agreement Memo dated 24 October 2024, noting that this is subject to the Council agreeing the content of the Public Excluded Ballantyne Road Agreement memo;**

The amendment was put and lost (9:2)

Discussion returned to the original resolution which was put and carried unanimously.

2. Stanley Street Carparking Options Assessment

A report from Roger Davidson (Property Director) assessed the options for the Stanley Street Carparking Site (47-49 and 53-61 Stanley Street) and sought Council direction on the optimal configuration of it as a (temporary) carpark, taking into account the known site constraints. The report recommended adopting option 1 as this would maximise the number of parking spaces (116 in total and 73 new) but would require the removal of 17 individual trees. The report noted that funding for this project was contained in the reforecast item (item 3 on the agenda) as funding needed to be brought forward in order to deliver the project.

Mr Davidson, Mr Avery, Mr Carter and Mr Hoddinott presented the report.

There was considerable discussion about the individual value of each tree. Mr Hoddinott advised that he did not favour trying to relocate the trees, as their root systems were intertwined and the chances of success were minimal. Under the Council's tree policy removal of 17 trees would result in the planting of 34 new trees in alternative locations.

Mr Davidson advised that option 2 was not favoured because retention of the trees would result in a parking layout that would have long, dead-end corridors around which it would be difficult to manoeuvre. By contrast, option 1 provided for a more intuitive circulation.

Councillor Bartlett spoke in opposition to option 1. He noted that carparking was only proposed as a temporary solution for this site and paving/sealing was unnecessary as the nearby Ballarat Street/Stanley Street carpark was also unsealed. He also asked why the contractor needed to occupy this other carparking area for a further year when stage 1 of the Arterials was almost complete. Councillor White also expressed support for option 2. The Chief Executive confirmed that a resolution to support Option 2 (amending part 5 of the recommendation) did not represent a direct negative to the recommendation.

It was moved (Councillor White/Councillor Gladding):

- 5. That the Council approve the construction of Option 2 for 47-49/53-61 Stanley Street, establishing 104 carparks and maximising the number of trees retained on the site, while still providing more carparking than currently available.**

Motion lost (3:8).

Discussion returned to the original recommendation in the report.

Councillor Gladding asked for part (5) of the recommendation to be taken separately from the other parts.

It was moved (The Mayor/Councillor Wong):

That the Queenstown Lakes District Council resolve to:

- 1. Note the contents of this report; and**
- 2. Agree that the vacant Council land at 47-49 and 53-61 Stanley Street be constructed and used as a carpark in the short to medium term, subject to obtaining resource consent;**
- 3. Note that funding for physical works on the site is subject to Council agreeing to a proposal in the October reforecast to fund works to complete a carpark;**
- 4. Note that an assessment of all trees on the site has been undertaken and that any proposed removal of trees in order to cater for additional carparks will be assessed in accordance with Council's Tree Policy; and**

Motion carried unanimously.

It was moved (The Mayor/Councillor Wong):

That the Queenstown Lakes District Council resolve to:

- 5. Approve the construction of Option 1, to maximise the number of carparks and to meet the requirements of the Council's Tree Policy to replace any trees removed on a two for one basis.**

Motion carried with Councillors Bartlett, Gladding and White voting against the motion.

3. **Capital Works October 2024 Reforecast**

A report from Jeremy Payze (Senior Management Accountant) presented proposed amendments to Queenstown Lakes District Council's capital works programme budgets as set out in the 2024-34 Long Term Plan (LTP), being the first capital reforecast of 2024/25 to deal with required adjustments and to consider other options arising from LTP submissions.

Ms Harbrow and Mr Payze presented the report.

It was noted that NZTA had asked for its funding to be removed from the budget and the December reforecast report would consider the impact of removing the NZTA funding.

Members commended staff for the way in which some of the reforecast items responded positively to submissions made to the 2024-34 Long Term Plan.

It was moved (Councillor Tucker/Councillor Cocks):

That the Queenstown Lakes District Council resolve to:

- 1. Note the contents of this report;**
- 2. Approve all proposed budget changes in accordance with Attachment A of the 'Capital Works – October 20245**

Motion carried unanimously.

The meeting adjourned at 3.00pm and reconvened at 3.11pm.

4. **Class 4 Gambling and TAB Venue Policy Review**

A report from Sian Swinney (Alcohol Licensing Inspector Manager) noted that under Section 101 of the Gambling Act 2003 (GA) and section 96 of the Racing Industry Act 2020 (RA) a territorial authority was required to adopt a class 4 venue and TAB (Totalisator Agency Board) venue policy and once adopted, review this policy every three years. Two rounds of consultation had occurred during 2023 (the second to correct a minor error) and all submissions received had been in response to the first round of consultation. A hearing of submissions had been held on 1 February 2024 and the hearing panel had reconvened to deliberate on 7 June 2024. The panel consisting of Councillors Ferguson, Gladding and White (Chair of hearing panel) recommended that the updated policy be adopted with several minor amendments.

Ms Swinney, Ms Williams and Ms Harbrow presented the report.

Ms Swinney noted that there was a natural attrition with gambling machines but problem gambling did not seem to be a major problem in this district. There were fewer machines now without having a sinking lid policy but New Zealand gambling legislation needed to catch up with the fact that on-line gambling was available and growing.

It was moved (Councillor White/Councillor Bruce):

That the Queenstown Lakes District Council resolve to:

- 1. Note the contents of the report;**
- 2. Adopt the Class 4 Gambling and TAB Venue Policy 2024;
and**
- 3. Resolve that the Class 4 Gambling and TAB Venue Policy 2024 will come into effect on 25 October 2024 and that the Class 4 and TAB Gambling Venue Policy 2018 shall be revoked on 25 October 2024.**

Motion carried unanimously.

5. Elderly Housing Portfolio Management

A report from Paul Carter (Property Projects Manager) detailed the consultation process undertaken to remove the elderly housing units from the Schedule of Assets and transfer the portfolio to the Queenstown Lakes Community Trust. The report noted that a hearing of submissions had been held on 26 August 2024 and the panel (Councillor Cocks – Chair, Councillor Guy and Councillor Wong) had recommended that the portfolio be transferred as proposed.

Mr Carter, Mr Avery and Mr Davidson presented the report.

It was moved (Councillor Wong/Councillor Guy):

That the Queenstown Lakes District Council resolve to:

- 1. Note the contents of this report;**
- 2. Note that the proposal to remove the elderly housing units from the Schedule of Assets and to transfer the elderly housing portfolio to the Queenstown Lakes Community Trust was consulted on in conjunction with the Long Term Plan 2024-2034;**
- 3. Agree the recommendation of the Elderly Housing Hearing Panel (26 August 2024) to remove the Elderly Housing units from the Schedule of Assets;**
- 4. Approve the removal of all of the elderly housing units from the Schedule of Assets as detailed in the QLDC Significance and Engagement Policy 2024;**

5. **Approve the transfer of the elderly housing portfolio to the Queenstown Lakes Community Housing Trust; and**
6. **Delegate the authorisation to undertake the transfer of the elderly housing portfolio to the Chief Executive.**

Motion carried unanimously.

6. Te Putahi Ladies Mile Streamline Planning Process Delegation

A report from Alyson Hutton (Manager, Planning Policy) detailed the process followed to introduce the Te Putahi Ladies Mile Variation to the Proposed District Plan as a new Special Purpose Zone, noting that because the Streamlined Planning Process had been used, the Council's Delegations Register did not have any delegations for officers after this step to send the recommendation report to the Minister for the Environment. Accordingly, the report recommended that the Chief Executive be delegated the power to respond to the Minister and recommend the changes suggested.

Ms Hutton and Mr Wallace presented the report.

It was moved (Councillor Cocks/Councillor Wong):

That the Queenstown Lakes District Council resolve to:

1. **Note the contents of the Joint Housing Action Plan Monitoring Report;**
2. **Delegate to the Chief Executive the power to recommend amendments to the Te Putahi Ladies Mile Special Zone under Clause 86 of the First Schedule of the Resource Management Act 1991.**

Motion carried with Councillor Gladding recording her vote against the motion.

7. Consultation on Draft Easter Sunday Shop Trading Policy 2025

A report from Carrie Williams (Policy Manager) presented the draft Easter Sunday Shop Trading Policy 2025 and sought the Council's adoption of the Statement of Proposal in order to commence public consultation. The report advised that councils had been able to adopt a local 'Easter Sunday Trading' policy since a change to legislation in 2016 and an Easter Sunday Shop Trading Policy had been adopted on 9 March 2017. However, the Shop Trading Hours Act 1990 required councils to review the policy no later than seven years after adoption and the QLDC policy had therefore lapsed on 9 March 2024. The legislation had not changed and accordingly, a new policy needed to be put in place before Easter 2025.

The report sought a hearing panel of four (with three needed to form a quorum) to hear and consider submissions and make recommendations to Council on adoption of the draft policy.

Ms Williams stressed that the policy could only apply to Easter Sunday and could not also apply to Good Friday.

It was moved (Councillor Tucker/Councillor Gladding):

That the Queenstown Lakes District Council resolve to:

- 1. Note the contents of this report;**
- 2. Agree to consult on the draft Easter Sunday Shop Trading Policy 2025;**
- 3. Adopt the statement of proposal for consultation in accordance with the special consultative procedure outlined in sections 83 and 86 of the Local Government Act 2002, from 8.00am October 31 2024 to 5.00pm 30 November 2024;**
- 4. Appoint Councillors Cocks, Gladding, Guy and Wong. of whom three are required to form a hearings panel to hear and consider the submissions on the proposal and make recommendations to Council on adoption of the draft policy.**

Motion carried unanimously.

8. Proposed Reserve to vest in Remarkables Park, Frankton

A report from Dom Harrison (Parks & Reserves Planner) assessed a proposal for Remarkables Park Ltd (RPL) to vest a Local Purpose Reserve (tree planting). This was a strip of land to the north of Riverside Road (Frankton) and was a requirement of a Planning Tribunal decision.

Mr Harrison and Mrs Galavazi presented the report. It was confirmed that although the Youngs had a history with this piece of land, this outcome had been agreed with RPL.

It was moved (Councillor Gladding/Councillor Bruce):

That the Queenstown Lakes District Council resolve to:

- 1. Note the contents of this report;**
- 2. Approve the vesting of the following reserve:**

Remarkables Park Limited RM240026

- i. **Local Purpose Reserve (Tree Planting) – Lot 301 being 1851m² in area.**

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

- 1. Compliance with the conditions of resource consent RM240026 (and any subsequent variations) which include:**
 - a. All new reserve asset information shall be submitted electronically with spatial attributes as outlined in Schedule 1D of the QLDC LDSC 2020.**
 - b. An updated Developers Agreement (original dated 19 January 2016) that requires the vesting of the remaining 1,786m² of the reserve land, once the construction of the wastewater infrastructure proposed on this land is complete.**
 - c. The registration of a consent notice to ensure all boundary fences along or adjoining any areas of reserve shall be no greater than 1.2m in height and be no less than 50% visually permeable. This does not apply to construction fences during construction work.**
 - d. The registration of a fencing covenant on all lots adjoining a reserve to ensure that Council has no liability to contribute toward any work on a fence between a public reserve vested in or administered by Council and any adjoining land.**
- ii) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy; and**
- iii) Presentation of the reserve in accordance with Council's policies**

Motion carried unanimously.

9. **Chief Executive's Report**

A report from the Chief Executive:

- a. Proposed appointing the Mayor as a proxy in order to vote at the Queenstown Airport Corporation Annual General Meeting;
- b. Proposed the appointment of the Mayor as the Queenstown Lakes District Council representative on the Three Lakes Trust (as a Trustee);
- c. Presented recommendations from the Community & Services Committee:
 - i. Rippled Earth application for a five year lease and five year extension;
 - ii. Approval of a minor amendment to the Queenstown Gardens Reserve Management Plan to take account of specific needs of LUMA event.

It was moved (Councillor Gladding/Councillor Ferguson):

That the Queenstown Lakes District Council resolve to:

1. **Note the contents of this report;**
2. **Direct the Chief Executive to complete the instrument appointing the Mayor as a proxy to exercise the Council's voting rights, noting the Mayor may only vote as directed by the Council, at the 2024 QAC Annual General Meeting to be held on Wednesday, 30 October 2024; and**
3. **Appoint the Mayor as the Queenstown Lakes District Council representative on the Three Lakes Cultural Trust.**

Recommendations from Community & Services Committee

Rippled Earth Application for Licence to Occupy Scenic Reserve

4. **Approve a new licence and exercise Minister's consent for a licence to occupy Pigeon and Pig Island Scenic Reserves, legally described as Section 2-3 Block X Glenorchy Survey District, to the applicant under section 56(1)(b) of the Reserves Act 1977 on the following terms and conditions:**

| | |
|---------------------|-----------------------------------------------------------------------------|
| Commencement | 1 December 2023 |
| Term | Five (5) years |
| Annual Rent | The greater of \$2,500 + GST or 7.5% of the Licensee's Gross Revenue |

| | |
|--------------|--------------------------------------------|
| Renewal | One (1) right of renewal of five (5) years |
| Renewal Date | 1 December 2028 |
| Final Expiry | 30 November 2033 |
| Rent Review | On renewal |

5. Delegate signing authority to the General Manager Community Services.

Queenstown Gardens Reserve Management Plan Amendment

6. Recommend to Council to adopt the following minor amendment under section 41 of the Reserves Act 1977, that the Queenstown Gardens Reserve Management Plan 2011 include a new policy that permits the LUMA Light Festival event within the Queenstown Gardens, specifically the inclusion of the following clauses:

8.8 Permit the LUMA Light Festival Trust to run a light festival event for up to 5 consecutive days each year. The festival may occupy part of the reserve for up to 20 total consecutive days to facilitate festival operations. Disruption to other users of the Reserve must be minimised during occupation. Subject to implementation conditions below.

Explanation

The Luma light festival is an established event operating in the Queenstown Gardens since 2016. It is recognised that this annual event benefits the community and the district. The event shall be permitted recognising the need to minimise the impact on the gardens and on other users of the Reserve.

Implementation

LUMA Light Festival: Ensure recognised stakeholder groups are consulted during the licence process whenever a new licence is considered for this event. Ensure QLDC and Friends of the Wakatipu Gardens and Reserves (or successors) have the opportunity to review and consult on the festival plan annually.

Motion carried unanimously.

Resolution to Exclude the Public

It was moved (The Mayor/Councillor Bruce):

That the Queenstown Lakes District Council resolve 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 7A: Update to the Longview Hāwea Special Housing Area Deed (Infrastructure and Affordability) between Council and Universal Developments: (a) Parts of covering report
- Item 8E Mooney Road Stopping and Sale (Xray Trust) Attachment E: Valuation of Mooney Road (413 Speargrass Flat Road), Speargrass Flat, Queenstown
- Item 10: Recommendation to Appoint Queenstown Airport Corporation (QAC) Board of Directors
- Item 11: Chief Executive’s Performance Review

| General subject to be considered. | Reason for passing this resolution. | Grounds under Section 7 for the passing of this resolution. |
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| 7a. Update to the Longview Hāwea Special Housing Area Deed (Infrastructure and Affordability) between Council and Universal Developments (officer report) | <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><i>Section and Grounds</i> (g) project legal professional privilege</p> <p><i>Reason for this recommendation</i> This report contains legal advice. Keeping this advice confidential is necessary to protect the Council from strategic disadvantage.</p> | Section 7(2)(g) |

| General subject to be considered. | Reason for passing this resolution. | Grounds under Section 7 for the passing of this resolution. |
|-----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| <p>8[E].Valuation of Mooney Road 1413 Speargrass Flat Road)</p> | <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><i>Section and Grounds</i></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><i>Reason for this recommendation</i></p> <p>To enable the vendor and purchaser to complete contract negotiations in a private and confidential environment, without undue influence from other parties.</p> | <p>Section 7(2)(i)</p> |

| General subject to be considered. | Reason for passing this resolution. | Grounds under Section 7 for the passing of this resolution. |
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| <p>10. Recommendation to Appoint Queenstown Airport Corporation (QAC) Board of Directors</p> | <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><i>Section and Grounds</i></p> <p>(a) Enable Council to protect the privacy of natural persons, including that of deceased natural persons</p> <p><i>Reason for this recommendation</i></p> <p>To ensure the best possible recruitment outcome, candidates must be able to apply confidentially particularly in the case of candidates that are not successful. Whilst there is public interest in appointments to the Board the countervailing need to ensure high quality candidates who can deliver the best outcomes for the airport, its shareholders and community will apply in confidence outweighs such interest.</p> | <p>Section 7(2)(a)</p> |

| General subject to be considered. | Reason for passing this resolution. | Grounds under Section 7 for the passing of this resolution. |
|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| <p>11. Chief Executive's Salary Review</p> | <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><i>Section and Grounds</i></p> <p>(a) Enable Council to protect the privacy of natural persons, including that of deceased natural persons</p> <p><i>Reason for this recommendation</i></p> <p>The report deals with information regarding the Chief Executive's performance review and salary and it is therefore personal to the Chief Executive and Council only.</p> | <p>Section 7(2)(a)</p> |

Agenda items

Item 1A: 101 Ballantyne Road Development Agreement 2024

Item 10 Term of Solid Waste Services Contract

Item 11 Appointment of Director and Reappointment of Existing Director for the Queenstown Airport Corporation Board of Directors

Item 12 Adoption of Chief Executive’s KPIs

| General subject to be considered. | Reason for passing this resolution. | Grounds under Section 7 for the passing of this resolution. |
|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| <p>1a. 101 Ballantyne Road Development Agreement</p> | <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><i>Section and Grounds</i></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><i>Reason for this recommendation</i></p> <p>Premature release of this information would likely reveal Council’s negotiating position and create a potential disadvantage, whilst also inhibiting the other party in the negotiation. It is also likely to detrimentally affect the relationship between negotiating parties. Whilst there is public interest in this matter and the use of public funds, the countervailing benefit of achieving the best outcome financially and for ratepayer facilities outweighs that interest.</p> | <p>Section 7(2)(i)</p> |

| General subject to be considered. | Reason for passing this resolution. | Grounds under Section 7 for the passing of this resolution. |
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| <p>10. Term of Solid Waste Contract</p> | <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><i>Section and Grounds</i> (i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> <p><i>Reason for this recommendation</i> Council’s negotiations with WM New Zealand are commercially sensitive and disclosing these negotiations could compromise Council’s position in negotiating a longer-term contract extension or procuring a new contract for services ahead of the existing contract expiring.</p> | <p>Section 7(2)(i)</p> |

| General subject to be considered. | Reason for passing this resolution. | Grounds under Section 7 for the passing of this resolution. |
|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| <p>11. Appointment of Director and Reappointment of Existing Director for the Queenstown Airport Corporation Board of Directors</p> | <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><i>Section and Grounds</i></p> <p>(a) Enable Council to protect the privacy of natural persons, including that of deceased natural persons</p> <p><i>Reason for this recommendation</i></p> <p>To ensure the best possible recruitment outcome, candidates must be able to apply confidentially particularly in the case of candidates that are not successful. Whilst there is public interest in appointments to the Board the countervailing need to ensure high quality candidates who can deliver the best outcomes for the airport, its shareholders and community will apply in confidence outweighs such interest.</p> | <p>Section 7(2)(a)</p> |

| General subject to be considered. | Reason for passing this resolution. | Grounds under Section 7 for the passing of this resolution. |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| 12. Adoption of Chief Executive's KPIs | <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><i>Section and Grounds</i></p> <p>(a) Enable Council to protect the privacy of natural persons, including that of deceased natural persons</p> <p><i>Reason for this recommendation</i></p> <p>The report deals with information regarding the Chief Executive's performance and it is therefore personal to the Chief Executive and Council only.</p> | 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.

Motion carried unanimously.

The meeting went into public excluded at 4.09pm.

The meeting came out of public excluded and concluded at 5.00pm.

MAYOR

DATE