

**Community & Services Committee  
28 February 2019**

**Report for Agenda Item: 1**

**Department: Community Services**

**Proposal to Vest Land as a Recreation Reserve**

**Purpose**

To consider recommending to Council, an approval for a Recreation Reserve.

**Recommendation**

That the Community & Services Committee:

1. **Recommend to Council** that the vesting of the Recreation Reserve be approved:

Shotover Country Ltd – RM181520

- a. Lot 900 (1,645m<sup>2</sup>): Recreation Reserve, Shotover Country.

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

- i. Consent being granted (and subject to any variations) for subdivision required to formally create the reserve and to level out topography (if advised necessary by the Parks & Reserves Planning Manager);
- ii. Such a consent for the Recreation Reserve shall ensure that in any staged development, the creation of a Recreation Reserve is bound to the first stage to seek title, or subject to alternate timing requirements deemed necessary by the Parks & Reserves Planning Manager;
- iii. Presentation of the reserve in accordance with Council's standards for reserves;
- iv. The formation of any sealed pathways to a minimum 2 metre wide width and to a minimum Grade 2 standard, of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
- v. Areas of reserve shall exclude areas of road;
- vi. The submission of a Landscape Plan to Council by the developer for certification as appropriate, including subsequent implementation of landscape and planting for the reserve. The certification of such a plan shall be by the Parks & Reserves Planning Manager;
- vii. All areas of Lot 900 RM181520 shall be mowable, and not have a gradient steeper than 1:5;
- viii. A potable water supply point to be provided at the boundary of the reserve lot;

- ix. 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 the reserve vested in or administered by the Council, and any adjoining land;
- x. The registration of a Consent Notice on any land (being Lots created by RM181520) adjoining the Lot 900 RM181520 reserve, to ensure any fences on land adjoining, or boundaries along the reserve, shall be 50% visually permeable and no higher than 1.2 metres;
- xi. A three year maintenance period by the current landowner commencing from vesting of the reserves;
- xii. A maintenance agreement being prepared and signed by the Parks and Reserves Planning Manager, specifying how the reserve will be maintained during the maintenance period; and
- xiii. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.

2 **Recommend to Council** that any 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 reserve to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager.
- b. Final approval of any 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.

Prepared by:

Reviewed and Authorised by:

Aaron Burt  
Senior Planner:  
Parks & Reserves

13/02/2019

Jeannie Galavazi  
Parks & Reserves  
Planning Manager  
(Acting)

14/02/2019

Thunes Cloete  
General Manager  
Community Services

14/02/2019

## Background

- 1 One proposed Recreation Reserve is addressed by this report. It will have an area of 1,645m<sup>2</sup>, and contain pedestrian and cycle pathways. The proposed reserve plan is illustrated in **ATTACHMENT A**. The reserve land is within the Open Space Transmission Corridor (identified in the District Plan for the Shotover Country 'Outline Development Plan'), the primary purpose of the corridor being to accommodate the electricity pylons that serve Queenstown. A number of service easements traverse the reserve land, and these will carry down to Lot 900, should it be created.
- 2 At the time of writing this report, no subdivision consent has yet been approved to create the Lot 900 Recreation Reserve, and the proposal is being processed by Council Planners (Planning & Development) under the reference RM181520. The RM181520 application is for subdivision consent to create nine lots (including two to dedicate as road, and this recreation reserve). The RM181520 proposal also includes Land Use consent to create 30 residential units, 7 visitor accommodation units, and two commercial tenancies including a restaurant and bar. The RM181520 subdivision is illustrated in **ATTACHMENT B**, although it should be noted that some aspects of the development are on the other side of Stalker Road.
- 3 The proposed reserve will link other areas of open space and will contain pedestrian/cycle linkages that will directly connect with similar trails in the Shotover Country development. As such, the reserve will connect with existing nearby open space and may facilitate active transport. The Shotover Country reserves network is illustrated in **ATTACHMENT C**, with the general area of Lot 900 indicated in red.
- 4 It is considered that standard conditions typically required on connection reserves will be sufficient to ensure that any pedestrian/cycle use of the reserve can be undertaken appropriately.

## Comment

- 5 The potential Recreation Reserve will provide a connection that will assist with pedestrian and cycle movement. The proposed reserve aligns with the 'connections' parks and open space typology as identified in the Parks and Open Space Strategy 2017.
- 6 Reserve land and reserve improvement contributions may be offset in accordance with the Development Contributions Policy current at the time of contributions payment. The recommended option ensures that reserve improvement contributions will only be offset against improvements agreed by the Parks and Reserves Planning Manager, that the offsets will reflect the actual cost of the works and that Council will not meet any costs of work that exceed the value of contributions required.

## Options

- 7 Option 1 Accept the proposal for the vesting of the reserves and to offset reserve improvement contributions as per the Development Contributions Policy.

*Advantages:*

- 8 The land is proposed to be vested to Council at no cost at the time of vesting, and it will be the developer's responsibility to meet the standards prescribed in the recommended conditions as a pre-requisite to vesting.

*Disadvantages:*

- 9 Council will have to maintain or manage the respective reserves at a cost to the ratepayer, after three years.
- 10 Option 2 Reject or modify the proposal for the vesting of the reserves and to offset reserve improvement contributions as per the Development Contributions Policy.

*Advantages:*

- 11 Council will not have to maintain/manage the reserves at a cost to the ratepayer.

*Disadvantages:*

- 12 Council will refuse areas of land being offered at no cost.
- 13 This report recommends **Option 1** for addressing the matter.

***Significance and Engagement***

- 14 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because there will be little impact on Council's function if the recommended option is taken.

***Risk***

- 15 This matter related to the operational risk OR002 and OR010b. OR002 relates to an Increase in Expenditure and OR010b relates to Damage or loss to third party asset or property as documented in the Council's risk register. The risks are classed as low.
- 16 This matter relates to this risk because accepting the land will increase Council's expenditure on maintenance after the initial land owner maintenance period. The recommended option ensures conditions are required to be met in terms of reserve specifications prior to handover to Council which should ensure expenditure on maintenance is at anticipated levels. The vesting is also in accordance with the Parks and Open Space Strategy 2017, further reducing risk of judicial review of any decision to accept the land.

**Financial Implications**

- 17 The applicants will be required to maintain the reserves for the first three years. Following this point provision will need to be made available within Council's maintenance budgets dependent on the facilities in the reserves and the level of service they will be maintained to.

**Council Policies, Strategies and Bylaws**

- 18 The following Council policies were considered:

- Significance and Engagement Policy
- Parks and Open Space Strategy 2017
- Development Contributions Policy
- Vesting of Roads and Reserves Policy

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

19 In relation to section 10(1)(b) of the Local Government Act 2002 the proposed activity involves meeting the current and future needs of the community for good quality local public services in a way that is most cost effective for households and businesses.

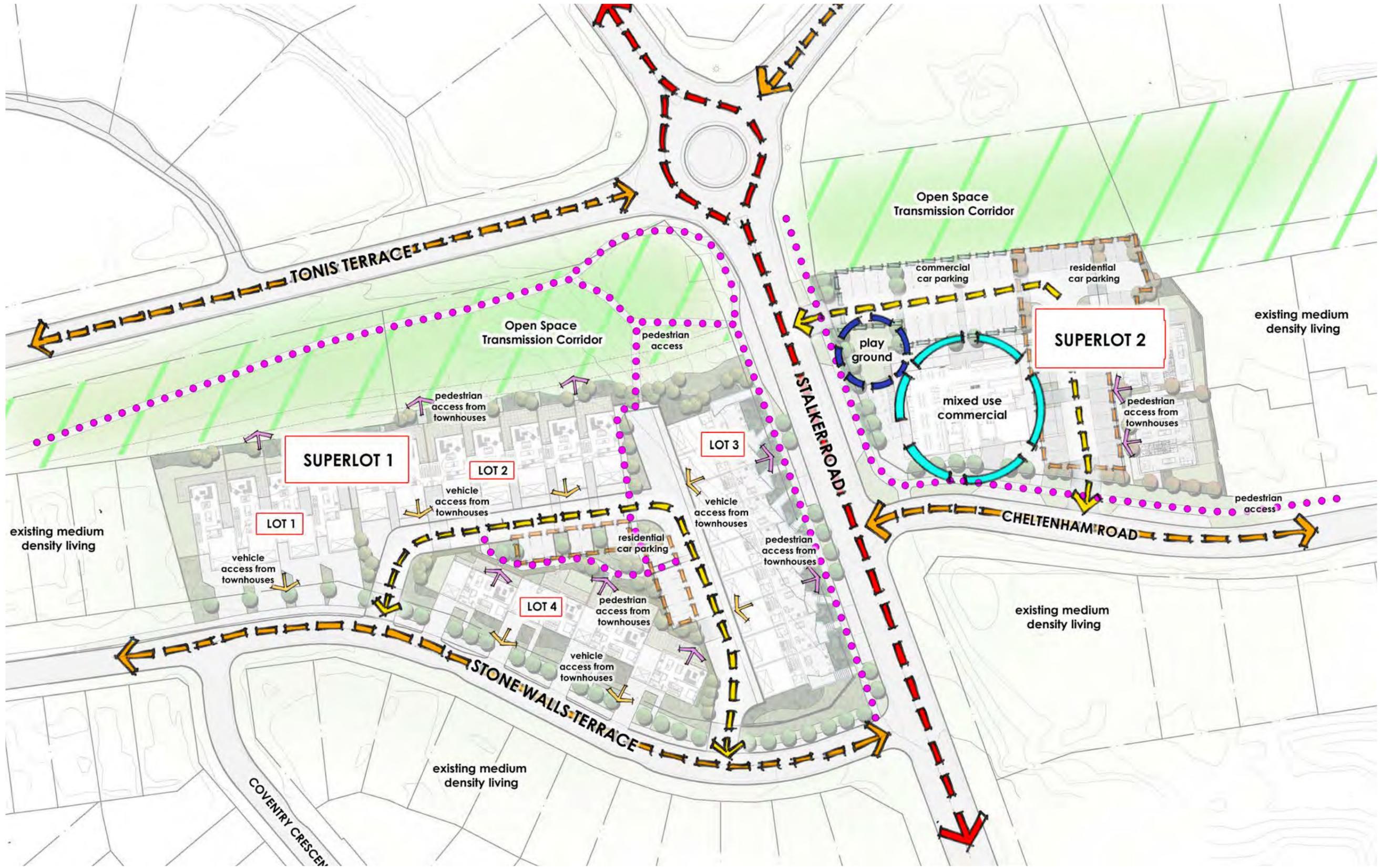
### **Consultation: Community Views and Preferences**

20 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes District community.

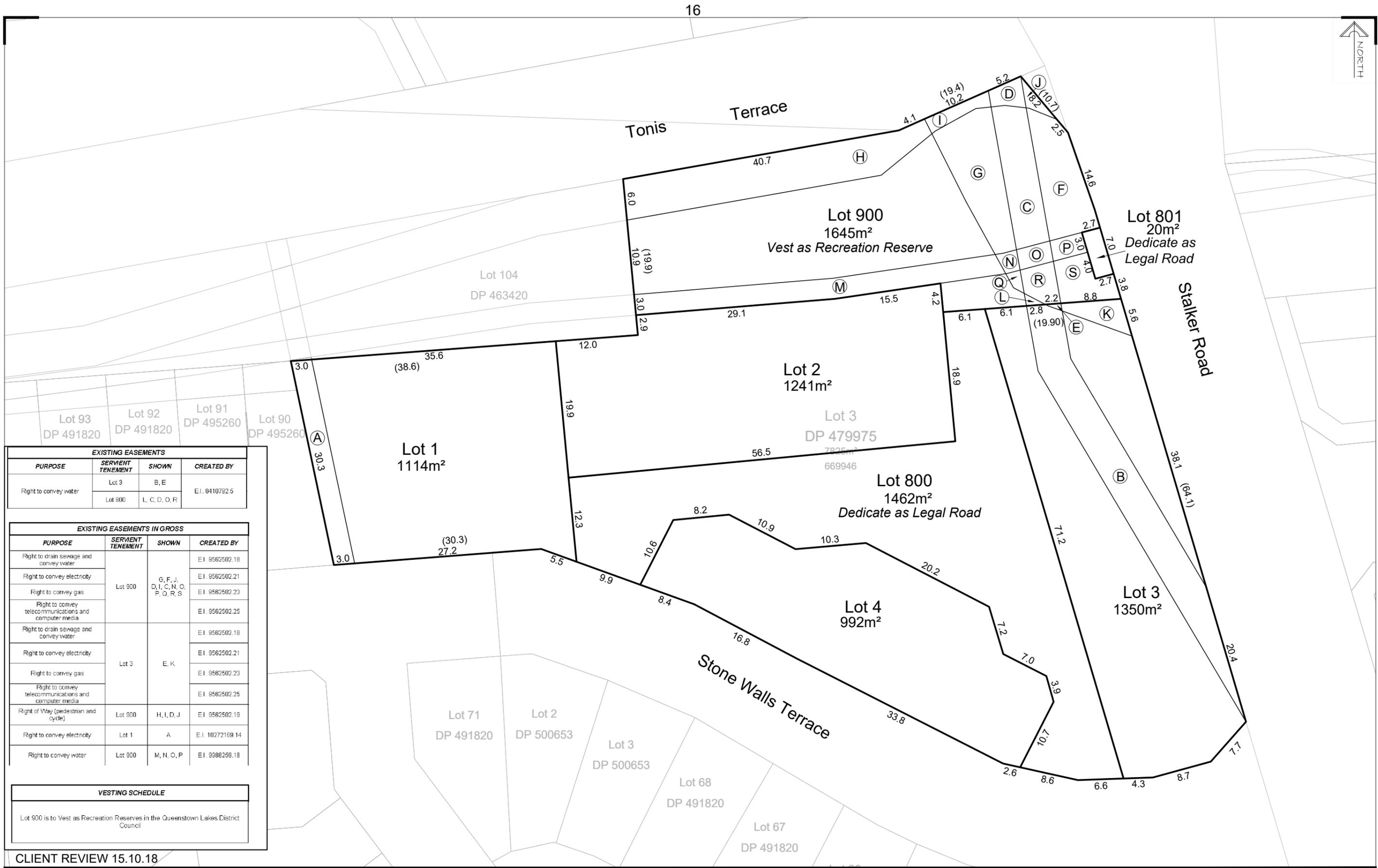
21 No specific media statement or public communication is considered necessary.

### **ATTACHMENTS**

- A Proposed Reserve Plan
- B Proposed RM181520 Subdivision
- C Shotover Country Reserves Network







EXISTING EASEMENTS			
PURPOSE	SERVIENT TENEMENT	SHOWN	CREATED BY
Right to convey water	Lot 3	B, E	E.I. 0410792.5
	Lot 900	L, C, D, O, R	

EXISTING EASEMENTS IN GROSS			
PURPOSE	SERVIENT TENEMENT	SHOWN	CREATED BY
Right to drain sewage and convey water	Lot 900	G, F, J, D, I, C, N, O, P, Q, R, S	E.I. 9562502.18
Right to convey electricity			E.I. 9562502.21
Right to convey gas			E.I. 9562502.23
Right to convey telecommunications and computer media	Lot 3	E, K	E.I. 9562502.25
Right to drain sewage and convey water			E.I. 9562502.18
Right to convey electricity			E.I. 9562502.21
Right to convey gas	Lot 1	A	E.I. 10272168.14
Right to convey telecommunications and computer media			E.I. 9562502.25
Right of Way (pedestrian and cycle)	Lot 900	H, I, D, J	E.I. 9562502.19
Right to convey electricity	Lot 1	A	E.I. 10272168.14
Right to convey water	Lot 900	M, N, O, P	E.I. 9588259.18

VESTING SCHEDULE	
Lot 900 is to Vest as Recreation Reserves in the Queenstown Lakes District Council	

CLIENT REVIEW 15.10.18

Shotover Design Limited trading as  
**Clark Fortune McDonald & Associates**  
 Licensed Cadastral Surveyors - Land Development - Planning Consultants  
 309 Lower Shotover Road, P.O. Box 553 Queenstown  
 Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz  
 Shop 2, Otago House, 475 Moray Place, P.O. Box 5960  
 Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

**Lots 1 - 4, 800 - 801 & 900  
 being a Proposed Subdivision of Lot 3 DP 479975**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
SHOTOVER COUNTRY	-	-	-	12244	01
Drawn	Signed	Date	Scale	Sheet 01	
EM	-	15.06.18	1:250 @ A1 1:500 @ A3		
Designed	Signed	Date	Datum & Level	Rev.	
-	-	-	MTNIC2000 /MSL	-	

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Proposed Reserves - Approved / Consented		
Legal Description	Purpose	Area (m2)
Lot 1205 RM 160269		38600
Lot 803 RM 161023	Recreation Reserve	148
Lot 1002 SH 160139		7155
Lot 1004 SH 160139		14300
Lot 1206 RM 160269		29200
Lot 804 RM 161023	Local Purpose Reserve	119
Lot 1003 SH 160139		7530
Lot 1207 RM 160269	Senic Reserve	66400
	<b>Total</b>	<b>163452</b>

Reserves - Vested in QLD			
Legal Description	Purpose	Area (m2)	Date Vested
Lot 206 DP 471696	Recreation Reserve	6776	Mar-14
Lot 603 DP 488075		5626	Aug-15
Lot 205 DP 471696		10053	Mar-14
Lot 204 DP 463420		1436	Oct-13
Lot 104 DP 463420		2015	Oct-14
Lot 105 DP 463420		1320	Oct-13
Lot 6 DP 479975		898	Nov-14
Lot 600 DP 485096		3996	May-15
Lot 606 DP 480834		200	Feb-15
Lot 607 DP 480834		196	Feb-15
Lot 621 DP 491188		6768	Dec-15
Lot 7 DP 479975		8	Feb-15
Lot 701 DP 496374		115	Apr-16
Lot 702 DP 496374		2130	Apr-16
Lot 703 DP 496374		1310	Apr-16
Lot 621 DP 491188	6768	Nov-17	
Lot 2000 DP 510123	3976	Nov-17	
Lot 202 DP 486079	578	Feb-15	
Lot 201 DP 486079	587	Feb-15	
Lot 203 DP 486079	312	Feb-15	
Lot 620 DP 491188	473	Dec-15	
Lot 1101 DP 501112	3929	Nov-17	
Lot 1102 DP 501112	3063	Nov-17	
Lot 1103 DP 501112	355	Nov-17	
Lot 2001 DP 510123	421	Nov-17	
	<b>Total</b>	<b>63309</b>	

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Rev.	Date	Revision Details	By
A	11.01.16	update boundaries	RB
B	27.01.16	Add Lot 1002	CH
C	22.02.16	Update post stage 9 & add dates	RB
D	19.04.16	Update post stage 10	RB
E	30.08.17	Update post stage 15	JC
F	22.11.17	Update post stage 8D & reserve areas	ZC

**R S RV R S**

Client: **SHOTOVER COUNTRY LTD**

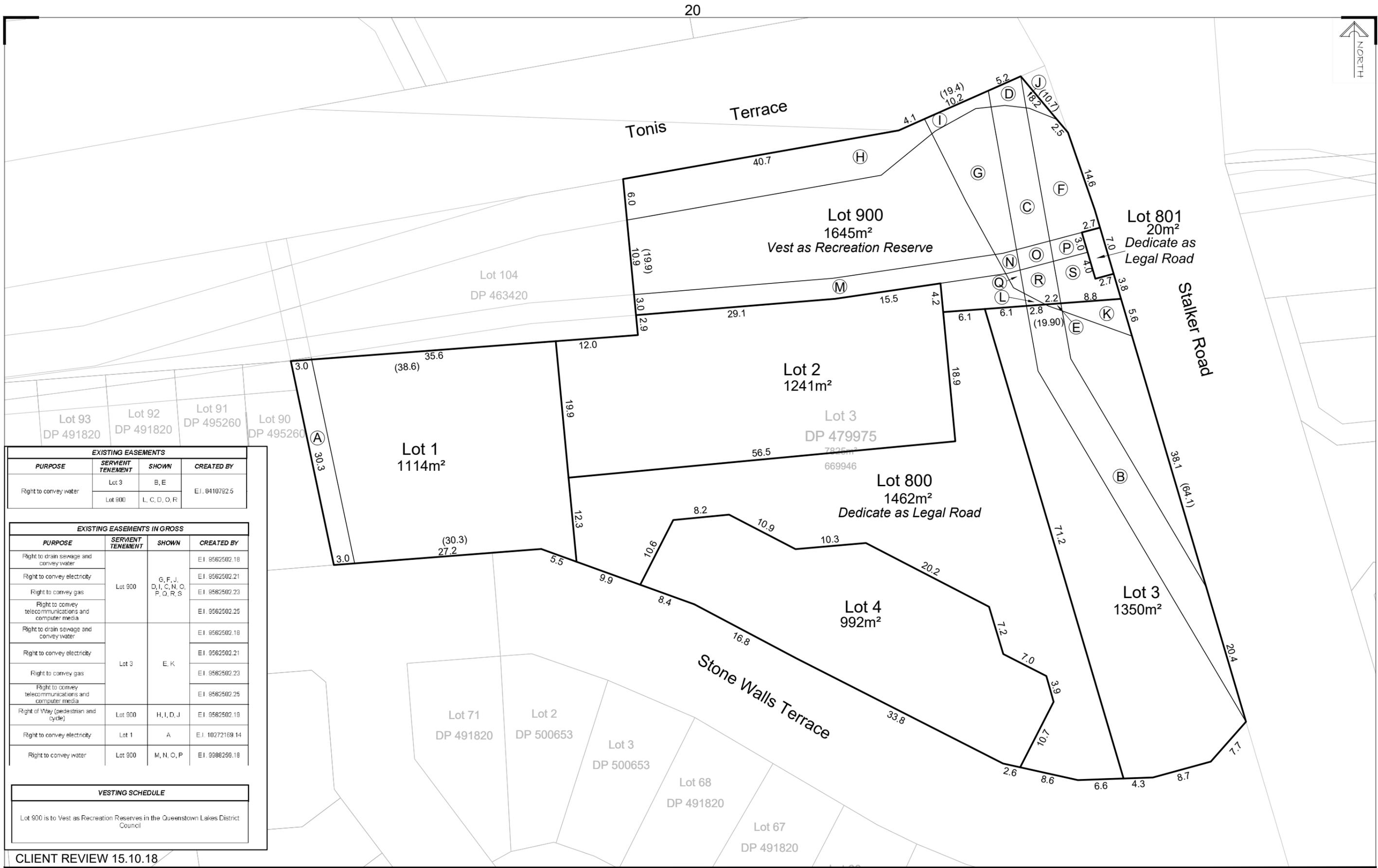
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Mt Nic 2000 & MSL







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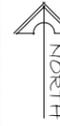
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