

Community & Services Committee
19 May 2022**Report for Agenda Item | Rīpoata moto e Rāraki take 1****Department: Community Services**

Title | Taitara Proposal to vest twenty (20) reserves located at various locations throughout Arrowtown, Hanley Downs, Jacks Point and Kawarau Heights, Queenstown; and to offset Reserve Improvement Contributions if appropriate, per the Development Contributions Policy.

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

- 1 The purpose of this report is to consider recommending to Council, approval for four (4) Recreation Reserves, five (5) Local Purpose (Access) Reserves, and eleven (11) Local Purpose (Access and Services) Reserves. The subdivisions are located in Arrowtown, Hanley Downs, Jacks Point and Kawarau Heights.
- 2 The reserves are proposed in developments which have been approved by way of resource consent, with the exception of RM200615 which is yet to be issued.
- 3 Given the number of reserves for approval, it is considered appropriate to include these reserves within an omnibus report.

RECOMMENDATION | NGĀ TŪTOHUNGA

That the Community & Services Committee:

1. **Note** the contents of this report;
2. **Recommend to Council** that the vesting of the following reserves, be approved:

FCL Willow Pond Limited – RM191391

- a) Lot 803, Local Purpose (Access and Services) Reserve – 65m²
- b) Lot 804, Local Purpose (Access and Services) Reserve – 70m²

Henley Downs Farm Holdings Limited, Hanley Downs – RM200615

- c) Lot 302, Recreation Reserve – 6,145m²
- d) Lot 303, Local Purpose (Access and Services) Reserve – 513m²
- e) Lot 304, Local Purpose (Access and Services) Reserve – 518m²
- f) Lot 305, Local Purpose (Access and Services) Reserve – 520m²
- g) Lot 306, Local Purpose (Access and Services) Reserve – 513m²

h) Lot 307, Local Purpose (Access and Services) Reserve – 510m²

Queenstown Lakes Community Housing Trust (QLCHT), Arrowtown – RM210219

i) Lot 202, Recreation Reserve – 3,000m²

j) Lot 203, Local Purpose (Access and Services) Reserve – 686m²

k) Lot 204, Local Purpose (Access and Services) Reserve – 409m²

l) Lot 205, Local Purpose (Access and Services) Reserve – 303m²

Queenstown Commercial Limited, Kawarau Heights – RM210243 (as varied by RM211116)

m) Lot 210, Local Purpose (Access) Reserve – 299m²

n) Lot 211, Local Purpose (Access) Reserve – 322m²

o) Lot 212, Local Purpose (Access) Reserve – 132m²

RCL Henley Downs Limited, Hanley Downs – RM210531

p) Lot 80: Local Purpose (Access) Reserve. Area 518m²

q) Lot 81: Local Purpose (Access and Services) Reserve. Area 220m²

RCL Henley Downs Limited, Hanley Downs – RM210606

r) Lot 85: Local Purpose (Access) Reserve. Area 153m²

RCL Henley Downs Limited, Jacks Point – RM211262

s) Lot 2: Recreation Reserve. Area 1,363m²

t) Lot 3: Recreation Reserve. Area 660m²

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

i) Consent being granted (as necessary and subject to any subsequent variations) for any subdivision required to formally create the reserves, and to also level out topography (if advised necessary by the Parks & Open Spaces Planning Manager);

ii) All wastewater infrastructure on the reserves shall be in ground, and have no impact whatsoever on the recreation function and values of the flat grassed land above. That flat land shall be able to accommodate recreational and connection uses year round, and the ground standards shall be the same as for any Recreation Reserve not otherwise containing stormwater infrastructure.

- iii) Presentation of the reserve in accordance with Council's standards for reserves;
 - iv) The submission of a Landscape Plan to Council by the developer for certification as appropriate, including subsequent implementation of landscape and planting for the reserves. The certification of such a plan shall be by the Parks and Open Spaces Planning Manager.
 - v) The formation of sealed pathways on the reserves to a minimum 2 metre wide width, and to also meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
 - vi) A potable water supply point to be provided at the boundary of the reserve lots;
 - vii) The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserves 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;
 - viii) The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserves, 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;
 - ix) A three (3) year maintenance period by the current landowner commencing from vesting of the reserves;
 - x) A maintenance agreement being prepared and signed by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period; and
 - xi) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
3. **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 reserves to be submitted and the approval of these to be delegated to the the Parks & Open Spaces Planning Manager.
 - b) Final approval of any reserve improvement costs to be delegated to the the Parks & Open Spaces 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:



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20/04/2022

Reviewed and Authorised by:



Thunes Cloete
General Manager, Community
Services

28/04/2022

CONTEXT | HOROPAKI

- 4 This report addresses a number of reserves proposed by various developers and approved by subdivision consents located within Queenstown. These are outlined in detail below.
- 5 All reserves have been agreed to in principle by Council's Parks and Reserves Department in response to the subdivision consent applications made by the developer.

FCL Willow Pond Limited – RM191391

- 6 RM191391 approved two (2) local purpose (access and services) reserves, Lots 803 and 804. These reserves provide pedestrian links from the roads proposed in the development to Willow Pond. It is considered these reserves can provide adequate pedestrian/cycle connections while incorporating (in ground) infrastructure, provided any infrastructure will not interfere with the function of the pathway.
- 7 It is noted Lot 805 of RM191391 was proposed to be vested as local purpose (access and services) reserve, given this reserve was to contain stormwater infrastructure and a boardwalk to the edge of Willow Pond. The applicant has now removed the boardwalk from this reserve, and therefore the reserve purpose is solely for stormwater infrastructure. As such, this reserve is not required to be accepted by Full Council.
- 8 Plans associated with the proposed reserves are included as **ATTACHMENT A**.

Henley Downs Farm Holdings Limited, Hanley Downs – RM200615

- 9 RM200615 proposes one (1) recreation reserve, and five (5) local purpose (access and services) reserves. This subdivision is known as the 'EIC' subdivision, located directly north of Hanley Downs.
- 10 Lot 302 (6,145m²) is a proposed recreation reserve, which will provide amenity and recreational benefit to areas of future residential development. The recreation reserve is anticipated to meet the purpose of a local park in the Parks and Open Spaces Strategy. The reserve contains a 30 metre x 30 metre kickaround space, in addition to a playground, various walking trails and open space. The reserve contains a variety of landscaping which will provide amenity, shade and shelter for users. Mounding is utilised around the playground which will assist in providing natural play spaces and areas to enjoy.
- 11 Lots 303, 304, 305, 306 and 307 are proposed down the spine of the subdivision, in order to enable the efficient movement of pedestrians to and from the proposed recreation reserve. It is considered these reserves can provide adequate pedestrian/cycle connections while incorporating (in ground) infrastructure, provided that any formed pathway is to a minimum Grade 2 standard, and any infrastructure will not interfere with the function of the pathway.
- 12 All fencing along the reserve boundaries is required to not exceed 1.2 metres in height, and be at least 50% visually permeable. This is to ensure that the pedestrian/cycle connections are open, visible and not 'walled in' to the extent that they might otherwise become hidden from view and unsafe.

13 Plans associated with the proposed reserves are included as **ATTACHMENT B**.

Queenstown Lakes Community Housing Trust (QLCHT), Arrowtown – RM210219

14 RM210219 approved the QLCHT subdivision at Jopp Street, Arrowtown. The subdivision contains one (1) recreation reserve, and three (3) local purpose (access and services) reserves.

15 The recreation reserve (Lot 202 – 3,000m²) is anticipated to meet the needs of the community, and will create usable open space which is accessible to nearby residents. This will further be facilitated by a future community nursery and garden, which is proposed in the southern corner of the reserve. A number of the existing trees and vegetation on this site will be retained, ensuring visual amenity will not be lost.

16 The connection reserves (Lots 203, 204 and 205) will facilitate sufficient pedestrian and cycle linkages within the subdivision and into the wider network and existing reserves (including the Arrow River reserve), in addition to providing additional amenity planting and fruit trees.

17 Plans associated with the proposed reserves are included as **ATTACHMENT C**.

Queenstown Commercial Limited, Kawarau Heights – RM210243 (as varied by RM211116)

18 RM210243 (as varied by RM211116) approved the development known as ‘Kawarau Heights’. Three (3) local purpose (access) reserves were proposed as part of this subdivision.

19 The connection reserves (Lots 210, 211 and 212) will facilitate good pedestrian and cycle linkages within the subdivision, as required by the structure plan which was approved under the District Plan appeal process. As noted above, the requirement will be that any unsealed walkway is formed to a Grade 2 formation, and that any fencing along the boundary of the reserves meets the standard requirements.

20 Plans associated with the proposed reserves are included as **ATTACHMENT D**.

RCL Henley Downs Limited, Hanley Downs – RM210531

21 RM210531 approved ‘DP9’ of the Henley Downs development. Two (2) access reserves were approved as part of this subdivision, one (1) which includes in-ground services.

22 Both Lot 80 and Lot 81 will provide suitable pedestrian and cycle linkages within the subdivision. Any unsealed path and fencing will be required to comply with the standard requirements.

23 Lot 81 ensures a connection is made to Willow Pond to the south, which links into the existing public access easement in this location. The intention is that a trail will be formed within the easement, to connect into the wider trail network and to enable recreation opportunities for residents and visitors.

24 Plans associated with the proposed reserves are included as **ATTACHMENT E**.

RCL Henley Downs Limited, Hanley Downs – RM210606

- 25 RM210606 approved 'DP10' of the Henley Downs development. This consent approved a connection reserve as part of this subdivision, linking into the recreation reserve (Lot 86) of DP5B located to the south.
- 26 Lot 85 will provide a valuable connection from DP10 to the recreation reserve within DP5B, enabling residents to easily access this reserve and the facilities.
- 27 Plans associated with the proposed reserves are included as **ATTACHMENT F**.

RCL Henley Downs Limited, Jacks Point – RM211262

- 28 RM211262 approved subdivision consent for two (2) lots to be vested as recreation reserve at Jack Tewa Park. These lots measure 1,363m² (Lot 2) and 660m² (Lot 3) in area respectively.
- 29 The reserves do not meet the requirements under the Parks and Open Spaces Strategy alone, however these are considered to be appropriate exceptions. It is apparent that the infrastructure of Jack Tewa Park has encroached outside the legal boundaries of the reserve, and the developer and Council is wanting to resolve this. The encroachments include the existing tennis courts, car parking, landscaping and recreating area.
- 30 In order to address the encroachments, two (2) areas of reserve is proposed to be vested as recreation reserve. Both Lots 2 and 3 will be added to the balance of Jack Tewa Park, totalling the area of the reserve to 56,193m² (5.6 hectares).
- 31 The addition of 2,023m² will ensure the existing facilities at Jack Tewa Park are able to be accommodated solely within the site, and will provide for future development and recreation opportunities.
- 32 Plans associated with the proposed reserves are included as **ATTACHMENT G**.
- 33 Councils reserve acceptance process requires that the Community & Services Committee agrees to any reserves, and the decision to accept reserves falls to Full Council. This process is separate and distinct from any RMA processes, and contains its own conditions that must be fulfilled.
- 34 The developments outlined above propose a number of improvements, primarily associated with the establishment of the recreation reserves (including playground equipment, BBQ facilities, courts etc). It is therefore recommended any delegation for approving improvements associated with these reserves is given to the Parks and Open Spaces Planning Manager.
- 35 Reserve land and reserve improvement contributions may be offset in accordance with the Development Contributions Policy current at the time of contributions payment. Reserve improvement contributions will only be offset against improvements agreed by the Parks and the Parks & Open Spaces Planning Manager, and 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. Landscaping and the formation of pathways do not qualify for offsets, and are required regardless for reserves such as those proposed.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

36 The proposed recreation reserves are anticipated to provide recreational benefit and amenity within the wider Queenstown area.

37 The five (5) Local Purpose (Access) Reserves, and eleven (11) Local Purpose (Access and Services) Reserves will provide linkages that will assist with pedestrian and cycle movement within the subdivisions, as well as the wider environment. The proposed reserves are considered to be consistent with the 'connections' parks and open space typology as identified in the Parks and Open Space Strategy 2017.

38 Option 1 Accept the proposal for the vesting of the reserves.

Advantages:

39 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.

40 The recreation reserves will provide amenity values and great recreational benefit to areas of future residential development, in addition to existing populated areas.

41 The local purpose (access) and local purpose (access and services) reserves will facilitate pedestrian and cycle access within the proposed developments, in addition to established neighbourhoods where connectivity is considered necessary.

Disadvantages:

42 Council will have to maintain or manage the reserves at a cost to the ratepayer, after the three (3) year maintenance agreement term, although this cost will be minimal and is already occurring.

43 Option 2 Reject or modify the proposal for the vesting of the reserves.

Advantages:

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

Disadvantages:

45 Council will refuse areas of land being offered at no cost, which would otherwise be an improvement on the current situation.

46 There will be limited land identified for pedestrian and cycle access through the development.

47 There will not be land to fulfil a recreation purpose.

48 This report recommends **Option 1** for addressing the matter, as the subdivisions will ensure additional reserve land is acquired which meets the requirements of the Parks and Open Spaces Strategy.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

49 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 AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

50 This matter relates to the Community & Wellbeing risk category. It is associated with RISK 00009 – Ineffective Management of Community Assets within the QLDC Risk Register. This risk has been assessed as having a high inherent risk rating.

51 The approval of the recommended option will support the Council by allowing for additional reserve land and improved pedestrian connections within existing and proposed residential areas.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

52 The developer will be required to maintain the reserve for the first three (3) 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.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

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

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

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

55 This matter is not included in the Ten Year Plan/Annual Plan.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

56 The recommended option:

- a. Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by provided for an improved pedestrian/cycle connection;
- b. Can be implemented through current funding under the Ten Year Plan and Annual Plan;
- c. Is consistent with the Council's plans and policies; and
- d. Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	RM191391 Plans – FCL Willow Pond Limited
B	RM200615 Plans - Henley Downs Farm Holdings Limited
C	RM210219 Stamped Plans - Queenstown Lakes Community Housing Trust (QLCHT)
D	RM210243 (as varied by RM211116) Stamped Plans - Queenstown Commercial Limited
E	RM210531 Stamped Plans - RCL Henley Downs Limited
F	RM210606 Stamped Plans - RCL Henley Downs Limited
G	RM211262 Stamped Plans - RCL Henley Downs Limited