

## Community & Services Committee

16 May 2023

### Report for Agenda Item | Rīpoata moto e Rāraki take [1]

**Department: Community Services**

**Title | Taitara : Proposed Reserve to Vest in Queenstown**

#### Purpose of the Report | Te Take mō te Pūroko

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1. The purpose of this report is to consider recommending to Council, approval of one Local Purpose (Access) Reserve and one Recreation Reserve within Stage 7B of the Hanley's Farm subdivision.

#### Executive Summary | Whakarāpopototaka Matua

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2. The Community and Services Committee is being asked to recommend to Full Council that the reserves be accepted.
3. The two reserves have been approved via resource consent and conditions of consent to enable their vesting has been applied.
4. It is requested that consideration and final approval of any Reserve Improvement Development Contributions is delegated to the Parks and Open Spaces Planning Manager, and this recommendation is standard practice.

#### Recommendation | Kā Tūtohuka

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5. That Community & Services Committee:
  1. **Note** the contents of this report and;
  2. **Recommend to Council** that the vesting of the following reserves be approved:  
RCL Henley Downs Limited RM220406
    - a) Local Purpose (Access) Reserve – Lot 79 being 258m<sup>2</sup> in area.
    - b) Recreation Reserve – Lot 80 being 1.042 hectares in area for a Local Park.

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

- i) Compliance with the conditions of resource consent RM220406 (and any subsequent variations) which include:
  - a. The submission of landscape plans to Council for certification by the Parks and Open Spaces Planning Manager;
  - b. The formation of a sealed pathway on the reserves to meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
  - c. Provision of a potable water supply point to be provided at the boundary of the reserve lots;
  - d. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between any public reserve vested in or administered by the Council and any adjoining land;
  - e. The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserve, to ensure any fences on land adjoining, or boundaries along any reserve, shall be no greater than 1.2m in height, and be 50% visually permeable;
  - f. A three-year maintenance period by the consent holder commencing from vesting of the reserve; and
  - g. A maintenance agreement for reserve prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period.
- 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.

3. **Recommend to Council** that any reserve improvement contributions are offset against those payable in accordance with the Developments Contributions Policy current at the time of contributions payment, subject to:

- i) Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks & Open Spaces Planning Manager.
- ii) Final approval of any reserve improvement costs to be delegated to the Parks & Open Spaces Planning Manager and to be subject to the applicant demonstrating the actual costs of the improvements.
- iii) 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:**



**Name:** Jeannie Galavazi  
**Title:** Senior Parks and Reserve Planner  
 5 April 2023

**Reviewed and Authorised by:**



**Name:** Ken Bailey  
**Title:** General Manager Community Services  
 26 April 2023

6. Two reserves within Stage 7B of the Hanley's Farm subdivision are proposed to be vested. One is to provide public access / connectivity and one is to be a recreation reserve (local park).
7. The Community & Services Committee is being asked to recommend to Full Council that the reserves be accepted.
8. The reserves have been identified through the approved subdivision consent and conditions of consent apply to their development and vesting.

Analysis and Advice | Tatāritaka me kā Tohutohu

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9. Stage 7B of the Hanley's Farm subdivision is located between the new primary school Te Kura o Whakatipu o Kawarau and the Jacks Point Village area that is currently under construction. The location of the subdivision can be seen in Figure 1 below. Earthworks for the installation of services and roading is currently underway on the site.



Figure 1: Location of Stage 7B of the Hanley's Farm subdivision



detailed design of the reserve be submitted for approval prior to works commencing. Parking is proposed to be partially located within the Recreation Reserve and is to be for users of the reserve only.

14. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

15. Option 1 Accept the proposal to vest the reserves and to offset reserve improvement contributions (if applicable) as per the Development Contributions Policy.

*Advantages:*

- The land is proposed to be vested to Council at no cost at the time of vesting, and it will be the respective developer's responsibility to meet the standards prescribed in the recommended conditions as a pre-requisite to vesting.
- The Local Purpose (Access) Reserve will provide an important pedestrian/cycle connection and provide a recreational benefit.
- The Recreation Reserve will provide a recreational and amenity benefit for the surrounding residents of Hanley's Farm and Jacks Point.
- The Local Purpose (Access) Reserve and Recreation Reserve are identified in the approved subdivision consent and accepting the reserves will facilitate the s224(c) process to advance the subdivision and allow for the creation of residential allotments.

*Disadvantages:*

- Council will have to maintain or manage the reserves at a cost to the ratepayer, after three years, albeit this is an accepted outcome and any disadvantage is minimal given Council seeks to attain quality reserves to benefit the community.

16. Option 2 Reject or modify the proposal for the vesting of the reserves and to offset reserve improvement contributions (if applicable) as per the Development Contributions Policy.

*Advantages:*

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

*Disadvantages:*

- This useful pedestrian/cycle connection might be lost and therefore people will have to travel a longer distance to access their destination, including children travelling to school. This may increase traffic generation which has both greenhouse gas and health implications.
- The consented subdivision will need to be formally varied and this could create issues and delays in creating titles to accommodate residential dwellings.

- Council will refuse reserve land being offered to the community at no cost.

17. This report recommends Option 1 for addressing the matter as it will enable the delivery of a Local Park and connection reserves that will provide important recreational and amenity benefits for the surrounding residents of Hanley’s Farm and Jacks Point.

## Consultation Process | Hātepe Matapaki

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### Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

18. 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, and it is accepted that the creation of a reserve that can meet community needs, is a good outcome.
19. The persons who are affected by or interested in this matter are the subdivision developer and residents/ratepayers of the District.
20. The Council has not undertaken any consultation in relation to the proposal.

### Māori Consultation | Iwi Rūnaka

21. The Council has not undertaken any consultation with iwi due to the matter relating to the vesting of land to Council.

## Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

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22. This matter relates to the Community & Wellbeing risk category. It is associated with RISK00009 within the [QLDC Risk Register](#). This risk has been assessed as having high inherent risk rating. The recommended option includes conditions that 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, and the land is managed effectively. The vesting is also in accordance with the Parks and Open Space Strategy 2021.

## Financial Implications | Kā Riteka ā-Pūtea

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23. The developer 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 future maintenance budgets dependent on the facilities in the reserves and the level of service they will be maintained to.

## Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

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24. The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy 2021
- Parks and Open Space Strategy 2021
- Development Contributions Policy
- Vesting of Roads and Reserves Policy

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

26. This matter is not included in the Ten-Year Plan or Annual Plan, but has no effect upon them.

## Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

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27. The recommended option:

- Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The connectivity being provided by the Local Purpose (Access) Reserve and Recreation Reserve will promote social and environmental wellbeing. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act;
- Is consistent with the Council's plans and policies; and
- Would not significantly alter 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 | Kā Tāpirihaka

A	Approved subdivision plans RM220406
B	Recreation reserve concept design