

**Property Sub-Committee**  
**28 August 2014**

**Report for Agenda Item 1**

**Operations**

**Proposed New Trail – Hansen Road, Queenstown**

**Purpose**

- 1 That the Property Sub-committee approve the formation of a new cycle trail on the unformed section of Hansen Road through to Tucker Beach Road.

**Recommendation**

1. *That the Property Sub-Committee:*
  - a. **Recommend** to Council the opening of the unformed section of Hansen Road for a new cycle trail, adjacent to Pt Section 47 Blk II Shotover SD and Section 48 Blk II Shotover SD through to Tucker Beach Road, Queenstown.
  - b. **Note** that Council will not be required to maintain the trail once it is formed.
  - c. **Authorise** this report and resolution to be made available to the public as part of the next Mayor's report to Council.

Advice Prepared by:	Report Advice Reviewed and Recommended by:	Reviewed and Authorised by:
		
Property Manager	Commercial Manager	General Manager, Operations
17/07/2014	27/08/2014	27/08/2014

**Background**

- 2 The Queenstown Trails Trust (QTT) has received donations over a number of years from David Broomfield for the formation of a trail on the unformed legal road and DOC reserve that connects Hansen Road through to Tucker Beach Road in Queenstown.
- 3 The route of the trail would approximately follow the currently unformed legal road and also pass over part of the DOC reserve.
- 4 The two landowners affected, Mrs Hansen and Mr Sperrer, have both been written to by APL on behalf of Council informing them that Council is considering opening the unformed legal road.
- 5 The QTT is seeking the approval of Council for the trail to be formed on Council's land, which will require Council to open the unformed legal road.

**Comment**

- 6 The trail will be formed by Mr Broomfield, at his cost. The trail will be maintained either solely by Mr Broomfield, or with support from the local community, through the QTT.
- 7 If the trail is not used and maintained, it will become overgrown, returning the land to its current levels of vegetation.

**Financial Implications**

- 8 The QTT does not require funding from Council for the forming or the maintaining of the proposed trail.

**Local Government Act 2002 Purpose Provisions**

- 9 The LGA purpose provisions (ss10, 11, 11A) have been considered and are relevant to this decision under the classification of Activity, local public services. This decision involves the proposal to use Council land for the purposes of serving the needs of ratepayers, through the opening of an unformed road to facilitate the creation of a trail, which will be available for the general public.
- 10 Because the paper road exists, Council has the powers under Local Government Act 1974, Section 332 to form a cycle trail on that road without formal process. However in this case, Council has consulted with the neighbouring property owners.

**Attachments**

- A Report from Property Manager, APL
- B Map of the proposed trail



Property, Project, Resource Management, Valuation

**APL Property Queenstown Ltd**

Level 1, 50 Stanley Street

P O Box 1586

Queenstown 9348

New Zealand

**t:** + 64 (3) 442 7133

**f:** + 64 (3) 442 7863

**e:** queenstown@aplproperty.co.nz

**www.aplproperty.co.nz**

**Queenstown Trails Trust – Request for New Cycle Trail – Hansen Road**

**Report to: Myles Lind**

**From: Jo Conroy, APL Property**

**Date: 17 July 2014**

**Background**

The Queenstown Trails Trust has received donations over the past three years from David Broomfield tagged to forming a trail on the unformed legal road and DoC reserve that runs from Tucker Beach Road through to Hansens Road. The Trust accepted the funds gratefully on the basis that we could use them to receive matching funds for the Queenstown Trail development and on the basis that the Trust is not required to use any of its funds to progress this excellent public access way.

Further, the Trust advised that it is unable to help to maintain such a trail and that thought it unlikely Council would agree to maintain it. They recommended it would need the commitment of locals such as is provided by the Kelvin Peninsula Association.

Earlier this year Mr Broomfield advised the Trust that he had a digger driver able to put in the trail for \$10,000. Aurum Survey has placed stakes on key boundary corners at Mr Broomfield's request and Mr Broomfield has produced an indicative route plan. The route would form a rough trail on the unformed legal road and over part of the DoC reserve.

The two landowners affected, Mrs Hansen and Mr Sperrer, have both been written to by APL on behalf of Council informing them that Council is considering opening the unformed legal road. Mrs Hansen was advised that there could be approximately 1010 metres of fencing required to be installed to keep cattle contained. The Trust understands that it is the owner's responsibility to fund and fence the unformed legal road. Mr Broomfield has advised the Trust he can assist with the installation of fencing. Mrs Hansen has not responded to the letter. The Trust and Mr Broomfield met with Mr Sperrer on his property and he was happy with the proposal.

The Trust are seeking the approval of Council for the new trail request that Council undertake the formal process required to open the unformed legal road. If council agree to this request, the Trust is simply facilitating this process and takes no responsibility for forming the trail or maintaining it. Mr Broomfield will take full responsibility. The Trust will refund him the \$10,000 tagged in our Trust accounts for this purpose.

**Discussion**

The Trust has stressed that this trail will be formed by Mr Broomfield and maintained either by him or with support of the local community. If it is not maintained, it will simply grow over and cease to be usable. The trust is not seeking funds for forming or maintaining the trail from Council.



The process of opening an unformed road simply requires Council to notify the affected owners, which has been done. However, Mrs Hansen has not responded and there is an impact on her because she will have to relocate or build fences. Note that she leases the land to a farmer but the fencing requirement sits with Mrs Hansen. We will continue trying to contact Mrs Hansen so that the impact of the proposal can be discussed with her in detail and a solution agreed.

### **Options**

1. To approve a new trail being formed through Council's unformed road between Hansen Road and Tucker Beach Road as detailed above; or
2. Not to approve the proposed new trail.

### **Recommendation**

That the Property Sub-Committee approve the formation of a new cycle trail on the Council unformed road between Tucker beach Road and Hansen Road by Mr Broomfield, noting that Council will not be required to maintain the trail once it is formed.



A	4 feb 14	Initial release	BM
REV.	DATE:	REVISION DETAILS:	BY:

**NOTE:**  
This plan has been prepared for the client from field survey and existing records. It is to read in conjunction with our terms of engagement. It should not be used by the client company for any other purpose. The plan is not to be relied on by any other person for any purpose what so ever. The background aerial photograph is sourced from Google maps and is approximate only. Its accuracy should not be relied upon.

**TITLE:**  
  
**Proposed Trail  
Hansen Road  
for Wakatipu Trails Trust**

DATE: 4 Feb 2014	Scale <b>1:2500</b>	DRAWING & ISSUE No.
BY: B McLeod	Original Plan A3	<b>2937.2R.1A</b>

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PO Box 2493  
Wakatipu 9349  
Ph 03 442 3466  
Fax 03 442 3469  
Email [admin@ascl.co.nz](mailto:admin@ascl.co.nz)