

QLDC Council**27 August 2015****Report for Agenda Item: 10****Department: Operations****Proposal to vest reserve land at a Lake Edge Limited subdivision on Peninsula Road, Kelvin Heights and offset reserve land and improvements against development contributions****Purpose**

To consider the vesting of reserve land and improvements in lieu of cash development contributions as part of a proposed subdivision of Lot 1 Deposited Plan 395546 as contained in Computer Freehold Register 381647 and Lot 3 - 4 Deposited Plan 385775 as contained in Computer Freehold Register 343545 – 343546.

Recommendation

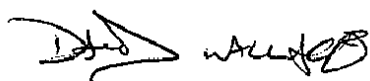
That Council:

- a. **Approve** the vesting of proposed Lot 200 as recreation reserve in lieu of the reserve land cash contributions payable for the proposed subdivision subject to the following conditions being met at the applicant's expense:
 - i. Resource consent being granted for the subdivision of Lot 1 Deposited Plan 395546 as contained in Computer Freehold Register 381647 and Lot 3 - 4 Deposited Plan 385775 as contained in Computer Freehold Register 343545 – 343546;
 - ii. Presentation of the reserve in accordance with Council's standards for reserves;
 - iii. A potable water supply point to be provided at the boundary of the reserve lot;
 - iv. The registrations 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 a public reserve vested in or administered by the Council and any adjoining land;
 - v. A five year maintenance period by the current landowner commencing from practical completion of the reserve;
- b. **Approve** offsetting of Development Contributions cash payable to Council for reserve land improvements to the value of \$57,606.54 subject to:
 - i Resource consent being granted for the subdivision of Lot 1 Deposited Plan 395546 as contained in Computer Freehold Register 381647 and Lot

3 - 4 Deposited Plan 385775 as contained in Computer Freehold Register 343545 – 343546;

- ii The works are completed to the satisfaction of the Manager of Parks Planning and Projects and that all costs to implement the works are met by the applicant.
- iii The applicant provide a report detailing the structural integrity of the protected structures to be located to the site and undertakes any required work to ensure appropriate structural integrity of the structures to the satisfaction of the Manager of Parks Planning and Projects.
- iv Any earthworks required to appropriately contour the proposed reserve are undertaken at the applicants cost.

Prepared by:



David Wallace
Senior Planner - Parks and
Reserves

7/08/2015

Reviewed and Authorised by:



Stephen Quin
Manager - Parks Planning
and Projects (Acting)

7/08/2015

Background

- 1 Resource consent RM140567 was granted by Council to subdivide a site adjoining the Kawarau Falls Hotel into 55 residential allotments, three joint owned access lots and one reserve lot which is the subject of this report.
- 2 That consent approved the vesting of the reserve lot, Lot 200, in Council to be used as recreational reserve.
- 3 The consent is currently under appeal however the applicant, Lake Edge Developments Limited, has requested that in lieu of applicable development contribution land payments the land be vested, as previously approved through resource consent, is confirmed so that vesting can occur should the appeal be resolved. Vesting would only occur if the resource consent appeal is resolved and consent ultimately granted.
- 4 The applicant has proposed reserve land improvements for Lot 200 and is requesting that part of the cost of these improvements is offset against development contributions payable to Council once the subdivision is exercised.
- 5 The reserve improvements proposed include a walking link to the Kelvin Heights track and the relocation of nearby historic buildings from the original official William Rees homestead site. The reserve is part of the original Rees homestead. The structures are proposed to be made structurally sound and interpretation signage installed to inform people of the sites and building heritage.

Comment

- 6 Lot 200 measures 1,244m² in area. The land is proposed to be vested in lieu of cash development contributions for reserve land.
- 7 Due to topography the use of the proposed reserve is limited to passive recreation and a walking track link from the subdivision to the Kelvin Heights walking track.
- 8 Based on Council's Development Contribution Policy 2014/2015 this subdivision would generate a demand for the following:
 - Reserve Land: 0m² (Due to existing reserve land credits on the site)
 - Reserve Land Improvements: \$57,606.54
- 9 The developer seeks to vest 1,244m² of land as recreation reserve.
- 10 The developer has proposed reserve improvements as detailed on the diagram shown in Attachment A to this report. The total cost of reserve improvements proposed for the site is \$103,050. A condition of approval for the vesting of the reserve will ensure that all costs will be borne by the applicant.
- 11 The proposed reserve improvements have been assessed by the Manager of Parks Planning and Projects (Acting) and are considered appropriate and beneficial to the area.

Options

- 12 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:
- 13 Option 1 Accept the proposal for the vesting of the reserves in lieu of development contributions and offset the cost of reserve improvements development contributions to the value of 57,606.54.

14 Advantages:

- 15 Vesting of the proposed reserve will confirm what has been previously approved by a Council resource consent decision.
- 16 The improvements to the reserve will add a high level of amenity value to the area with a significant level of expenditure for this been borne by the applicant (\$44,443.46).

17 Disadvantages:

- 18 Council will have to maintain the reserve at a cost to the ratepayer after five years.
- 19 Option 2 Reject or modify the proposal for the vesting of the reserves.

20 Advantages:

21 Council will not have to maintain the reserve at a cost to the ratepayer.

22 Disadvantages:

23 The reserve as proposed and associated community benefit will not materialise.

24 The benefits of the applicant's additional expenditure on the reserve will not be realised.

25 A useful connection to the existing Kelvin Heights walkway to the subdivision will not be provided.

26 Recommended Option

27 This report recommends Option 1 for addressing the matter.

Significance and Engagement

28 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 a publicly accessible reserve is envisaged in this location by the resource consent previously granted by the Council.

Risk

29 This matter related to the operational risk OR002, Increase in Expenditure as documented in the Council's risk register. The risk is classed as moderate.

30 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 Strategy further reducing risk of judicial review of any decision to accept the land.

Financial Implications

31 The applicant will be required to maintain the reserves for the first five years. Following this point provision will need to be made available within Council's maintenance budgets.

Council Policies, Strategies and Bylaws

32 The following Council policies were considered:

- Policy on Significance, this decision is not considered significant.
- Risk Management Schedule.
- Parks Strategy 2002.

The vesting of the proposed reserves will contribute to the provision of a range of recreational opportunities and the development of the trail network. Therefore, contributing to the vision expressed in the Strategy.

Local Government Act 2002 Purpose Provisions

33 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 Queenstown community for good quality local public services in a way that is most cost effective for households and businesses.

Consultation: Community Views and Preferences

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

35 No specific consultation has been undertaken or is considered to be required.

36 No specific media statement or public communication is considered necessary

Attachments

A Proposed Reserve for vesting with improvements identified



100mm topsoil and grass to all areas not shown. Any disturbance to soil under tree to be approved by licensed arborist.

Steel hospital is situated side of ramp at 500mm above ramp level following path of ramp, refer to WD201 - Hospital to comply with IBCDC - C1 - Section 6

Adjusted contour design around ramp. Make a solid steel wall. Refer to T.O.W. section. All walls are to be level. Ground to be graded smoothly between contours.

Ground stabilising piling to steeper slopes

Gravel path to CLDC truck specifications with clear width of 1.2m. Ramp to be 1.2m wide from paving at top with 1.2m long level landing at 750mm vertical intervals.

Existing heritage tree to be retained. Existing heritage tree to be retained. Existing heritage tree to be retained. Existing heritage tree to be retained. Existing heritage tree to be retained.

Non listed heritage building to be relocated. Relocate building to be relocated. Relocate building to be relocated. Relocate building to be relocated. Relocate building to be relocated.

Interpretive signage location. Interpretive signage location. Interpretive signage location. Interpretive signage location. Interpretive signage location.

Note: level of paving to be retained. Note: level of paving to be retained. Note: level of paving to be retained. Note: level of paving to be retained. Note: level of paving to be retained.

Existing heritage building to be retained. Existing heritage building to be retained. Existing heritage building to be retained. Existing heritage building to be retained. Existing heritage building to be retained.

Position of CLDC. Position of CLDC. Position of CLDC. Position of CLDC. Position of CLDC.

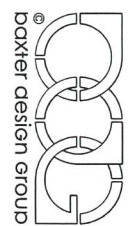
Timber bollards at pedestrian entrance. Timber bollards at pedestrian entrance. Timber bollards at pedestrian entrance. Timber bollards at pedestrian entrance. Timber bollards at pedestrian entrance.

Step construction. Step construction. Step construction. Step construction. Step construction.

Refer to WD203 - Levels - Sheet 3. Refer to WD203 - Levels - Sheet 3. Refer to WD203 - Levels - Sheet 3. Refer to WD203 - Levels - Sheet 3. Refer to WD203 - Levels - Sheet 3.

Timber bollards at pedestrian entrance. Timber bollards at pedestrian entrance. Timber bollards at pedestrian entrance. Timber bollards at pedestrian entrance. Timber bollards at pedestrian entrance.

Road B



Lake's Edge Peninsula Road 2424-WD106 Reserve Lot 200

CONSULTANTS
Project Managers
Holmes
CFM

JEK
GeoSolv

Rev	Date	Description
A	14 Jul 2014	Issue 200 median road
B	14 Jul 2014	Issue 200 median road
C	14 Jul 2014	Issue 200 median road
D	14 Jul 2014	Issue 200 median road
E	14 Jul 2014	Issue 200 median road
F	14 Jul 2014	Issue 200 median road
G	14 Jul 2014	Issue 200 median road
H	14 Jul 2014	Issue 200 median road
I	14 Jul 2014	Issue 200 median road

Drawing Title	Reserve Lot 200
Scale	As shown
Date	Jun 2014
Sheet Number	WD106
Job Number	2424
Designed	PRG GNV
Drawn	GNV
Checked	PRG