

**QLDC Council
28 September 2017**

Report for Agenda Item: 17a

Department: Property & Infrastructure

RCL Queenstown PTY Ltd/Hanley's Farm, Proposal to Vest Various Lands as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy

Purpose

The purpose of this report is to consider approving to vest five proposed reserves associated with the Hanley's Farm development, and to offset reserve land and reserve improvement development contributions.

Recommendation 1

That Council:

1 **Approve** the vesting of the five identified proposed reserves:

- a. Lot 95 RM161129 Local Purpose Reserve (Drainage)
- b. Lot 96 RM161129 Local Purpose Reserve (Drainage)
- c. Lot 97 RM161129 Recreation Reserve
- d. Lot 98 RM160562 Local Purpose Reserve (Drainage)
- e. Lot 99 RM160562 Recreation Reserve

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

- i. Consent being granted (as necessary) for any subdivision required to formally create the reserve;
- ii. Presentation of the reserve in accordance with Council's standards for reserves and any conditions of the applicable resource consents;
- iii. A potable water supply point to be provided at the boundary of the reserves;
- iv. 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 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 vesting of the reserve;
- vi. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.

- 2 **Agree** that reserve land contributions created through consented stages of subdivision included within the “Area Subject to this Agreement” in the *Hanley Downs – Reserves for Early Stages* plan, 3 March 2016, are offset against Lot 97 RM161129 Recreation Reserve and Lot 99 RM160562 Recreation Reserve in accordance with the Development Contributions Policy current at the time of contributions payment and the Parks and Open Space Strategy 2017, subject to the approval of the reserves in (1) above being vested in Council.

Recommendation 2

That Council:

- 1 **Approve** credit up to the value of \$1,479,000 from reserve improvement contributions created through consented stages of subdivision included within the “Area Subject to this Agreement” in the *Hanley Downs – Reserves for Early Stages* plan dated 3 March 2016;

Subject to the works being undertaken in Recreation Reserve and in accordance with the Landscape Plans approved by consents RM160562 and RM161129, 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 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.

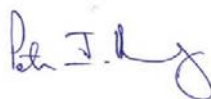
Prepared by:



Aaron Burt
Senior Planner: Parks &
Reserves

7/09/2017

Reviewed and Authorised by:



Peter Hansby
General Manager, Property
and Infrastructure

8/09/2017

Background

- 1 Five proposed reserves associated with RCL Queenstown PTY Ltd (Hanley's Farm) developments are addressed by this report. The following identifies the developments and associated proposed reserves. It is proposed that reserve land and reserve improvement contributions created through consented stages of subdivision included within the “Area Subject to this Agreement” in the *Hanley Downs – Reserves for Early Stages* plan, 3 March 2016 (**Attachment A**) are offset against the proposed Recreations Reserves land and its improvements.

- 2 Resource Consent application RM161129 is currently being considered by Council. The proposed subdivision seeks to create 160 residential sections and three reserves. Lot 95 is 0.06 ha and Lot 96 will have an area of 0.4ha and both are proposed to vest as a Local Purpose Reserve (Drainage). Lot 97 will have an area of 0.9ha and is proposed to vest as a Recreation Reserve. The proposed reserves are illustrated in **Attachment B**.
- 3 Resource Consent RM160562 was granted on 13 September 2016 (reissued on 14/9/17) to subdivide and create 109 residential lots, five balance lots, roads to vest, and two reserves. Proposed Lot 98 RM160562 will have an area of 2.17 hectares and is proposed as a Local Purpose Reserve (Drainage). Proposed Lot 99 RM160652 will have an area of 2.23 hectares and is proposed to vest as a Recreation Reserve. The proposed reserves are illustrated in **Attachment C**. Both of these reserves were approved in principle by Council on 24 March 2016.
- 4 The proposed reserves have been previously identified to Council Officers and their inclusion in the various developments is the result of discussions concerning their suitability. Where appropriate, conditions to ensure the usefulness of the proposed reserves have been (will be) required under the consent process so that the anticipated reserves will not place any undue financial burden upon Council. Such conditions include requiring maintenance periods prior to acceptance, fencing covenants, and meeting Council's standards for reserves.
- 5 Since Council approved in principle to offset development contributions for reserve improvements on 24 March 2016, further details have been provided to enable consideration of Development Contribution offsets (as appropriate).
- 6 The following table identifies the tendered and estimated costs (as yet not awarded) that are associated with the Recreation Reserve included in RM160562 (under construction) and RM161129 (resource consent sought):

Footpaths	\$ 5,937.04
Cycle paths	\$ 31,647.36
Playground, toilet, fitness equipment and BBQ area installation	\$ 426,114.63
Pump track	\$ 155,375.00
Shelter supply	\$ 6,181.00
BBQ supply	\$ 11,102.00
Toilet supply	\$ 35,635.00
Planting in the recreation reserve area	\$ 288,543.00
Supply of playground and fitness equipment	\$ 383,965.00
Sub Total	\$ 1,344,500.03
10% contingency	\$ 134,450.00
Total excluding GST	\$ 1,478,950.03

Table 1: RCL Queenstown PTY Limited - Reserve Improvements.

- 7 RCL Queenstown PTY Limited seek an offset of reserve improvements for the works identified above, for a total (excluding GST) of \$1,479,000 (as rounded). The figures have been provided by RCL Queenstown PTY Limited and their contractor quotes.
- 8 RCL Queenstown PTY Limited advise that the amount of reserve land and reserve improvement contributions they seek to credit would exceed the first two stages of the development as included in consents RM160562 and RM161129, and that they envisage the ability to keep drawing on that credit for remaining stages included in the “Area Subject to this Agreement” in **Attachment A**, noting that there will be additional reserves and associated improvements in future stages within Hanley’s Farm also.

RM160562 and RM161129

- 9 Local Purpose Reserves Lots 95, 96 RM161129 and Lot 98 RM160562 will perform the principal function of stormwater management. No reserve land or reserve improvement contributions offset will be provided for these reserve areas, in accordance with the Development Contributions Policy and the Parks and Open Space Strategy 2017.
- 10 Recreation Reserves Lot 97 RM161129 and Lot 99 RM160562 are usable for recreation and its development is consistent with the ‘Community Park’ typology in the Parks and Open Space Strategy 2017. The playground will be located on high ground and will be unaffected by areas set aside for drainage and retention.
- 11 Reserve land and reserve improvement contributions will 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.
- 12 As discussed above, approval is sought to offset reserve improvement contributions as identified in Table 1.

Options – Recommendation 1

- 13 Option 1 Accept the proposal for the vesting of the reserves as per the Parks and Open Space Strategy 2017.

Advantages:

- 14 The land is proposed to be vested in Council at no cost.
- 15 The vesting of the reserves will confirm what is envisaged and in accordance with the Resource Consents and applicable applications for the developments.

Disadvantages:

- 16 Council will have to maintain or manage the reserves at a cost to the ratepayer after five years.

- 17 Option 2 Reject or modify the proposal for the vesting of the reserves as per the Parks and Open Space Strategy 2017.

Advantages:

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

Disadvantages:

- 19 Council will refuse areas of land being offered at no cost.
- 20 The areas of reserve have been identified through the respective consent process and not vesting them could create conflicts with any associated grant of Resource Consent.
- 21 This report recommends **Option 1** for addressing the matter.

Options – Recommendation 2

- 22 Option 1 Accept the proposals to offset reserve improvement contributions as per the Development Contributions Policy.

Advantages:

- 23 The improvements described in Table 1 will be undertaken.

Disadvantages:

- 24 Council will ultimately have to maintain or manage the improvements.
- 25 Option 2 Reject or modify the proposals to offset reserve improvement contributions as per the Development Contributions Policy.

Advantages:

- 26 Council will not have to maintain/manage the improvements.

Disadvantages:

- 27 The improvements might not be undertaken as otherwise anticipated.
- 28 This report recommends **Option 1** for addressing the matter.

Significance and Engagement

- 29 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

- 30 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 moderate.

- 31 This matter relates to this risk because accepting the land may 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

- 32 The applicants 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 dependent on the facilities in the reserves and the level of service they will be maintained to.

Council Policies, Strategies and Bylaws

- 33 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

- 34 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.

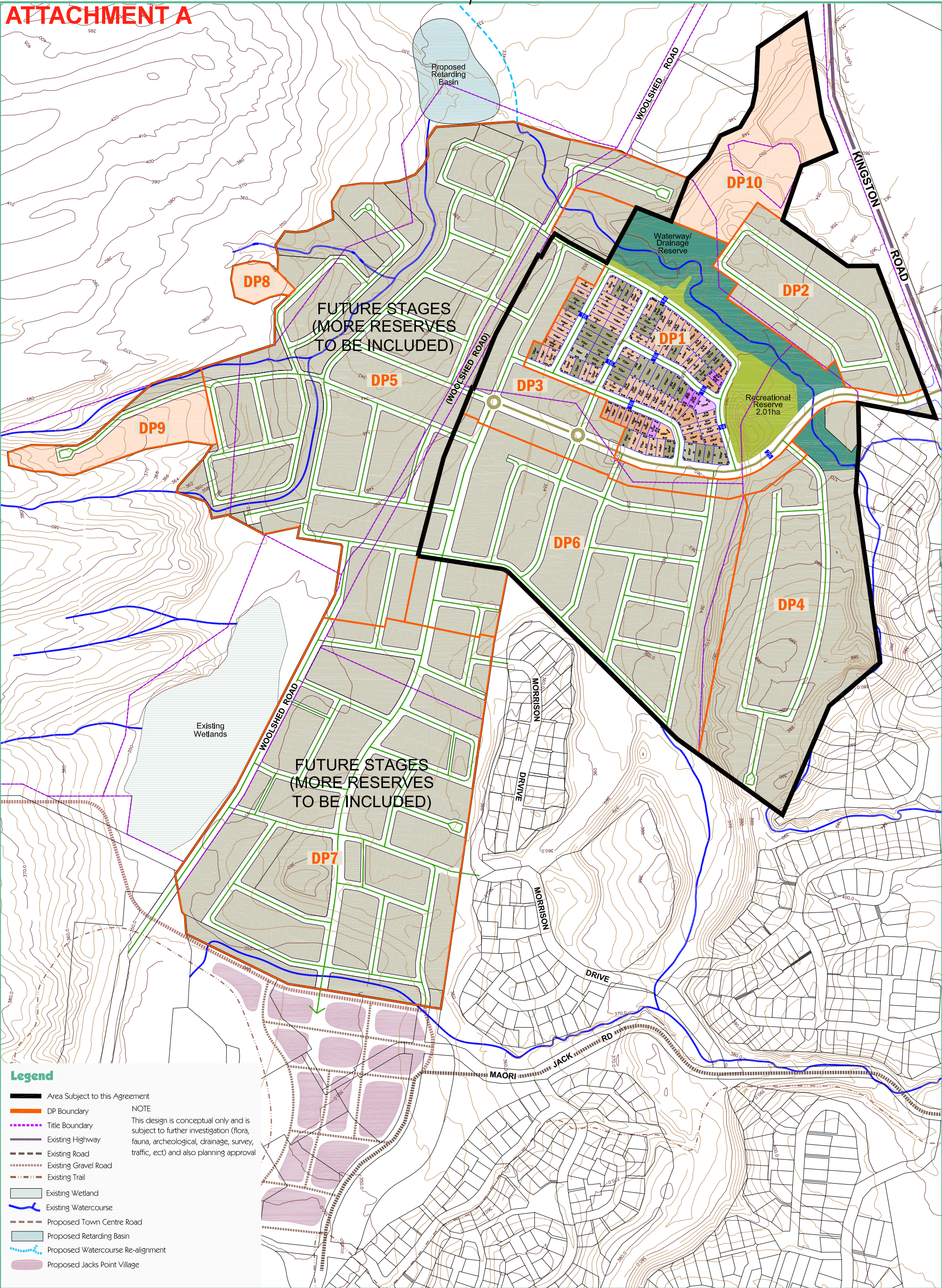
Consultation: Community Views and Preferences

- 35 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes District community.
- 36 No specific media statement or public communication is considered necessary.

Attachments

- A 'Hanley Downs – Reserves for Early Stages' plan, 3 March 2016
- B RCL Queenstown PTY Limited (Hanley's Farm): RM161129 Reserves
- C RCL Queenstown PTY Limited (Hanley's Farm): RM160562 Reserves

ATTACHMENT A



HANLEY DOWNS - Reserves for Early Stages



Date: 03 March 2016
Ref: 31890050
Dwg: 3189005AA
Scale @ A3 1:6000

Bosco Jonson Pty Ltd
16 Eastern Road
South Melbourne Vic 3205 Australia
P.O. Box 5075 South Melbourne
DX20524 Emerald Hill
Tel (03) 9699 1400 Fax (03) 9699 5992



GENERAL DEVELOPMENT NOTES:

1. Refer to existing CFRs (titles) for existing registered interests.
2. Proposed easements are to be determined. Boundaries and easements will follow as-built infrastructure. Easements are to be granted or reserved on deposit of the survey plan.
3. Lots 3110 - 3113 and 3117 shown will require road to be stopped (Part Woolshed Road) before they can be created.
4. Crossover locations have been modified on sheet 6 from the original source data for Lots 3046 and 3048. - as requested by QLDC via JEA.

SUBDIVISION NOTES:

VEST AS ROAD
Lots 7 - 17 hereon are to vest in Queenstown Lakes District Council as Legal Road.

VEST AS RESERVE
Lots 95 and 96 hereon are to vest in Queenstown Lakes District Council as Local Purpose Reserve (Drainage). Lot 97 hereon is to vest in Queenstown Lakes District Council as Recreation Reserve.

AMALGAMATION CONDITIONS
Lots 1001 and 1003-1006 (sheet 3) hereon shall be held in the same computer freehold register.

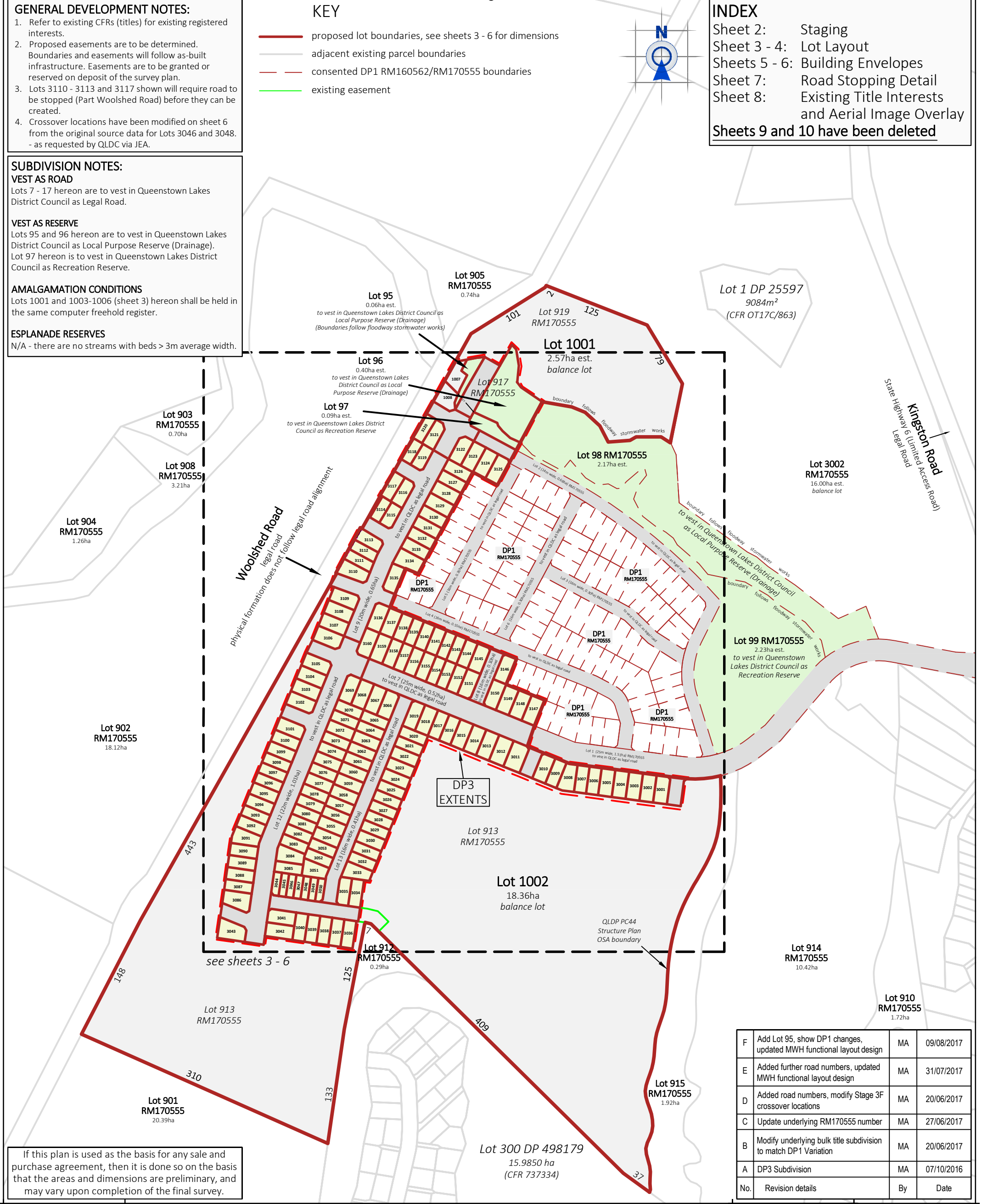
ESPLANADE RESERVES
N/A - there are no streams with beds > 3m average width.

- KEY**
- proposed lot boundaries, see sheets 3 - 6 for dimensions
 - adjacent existing parcel boundaries
 - consented DP1 RM160562/RM170555 boundaries
 - existing easement



INDEX

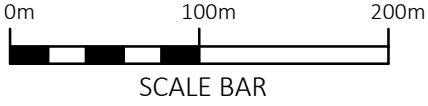
Sheet 2:	Staging
Sheet 3 - 4:	Lot Layout
Sheets 5 - 6:	Building Envelopes
Sheet 7:	Road Stopping Detail
Sheet 8:	Existing Title Interests and Aerial Image Overlay
Sheets 9 and 10 have been deleted	



F	Add Lot 95, show DP1 changes, updated MWH functional layout design	MA	09/08/2017
E	Added further road numbers, updated MWH functional layout design	MA	31/07/2017
D	Added road numbers, modify Stage 3F crossover locations	MA	20/06/2017
C	Update underlying RM170555 number	MA	27/06/2017
B	Modify underlying bulk title subdivision to match DP1 Variation	MA	20/06/2017
A	DP3 Subdivision	MA	07/10/2016
No.	Revision details	By	Date

QUEENSTOWN:
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1092 Frankton Road.
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T 03 441 4715
E queenstown@ppgroup.co.nz

Notes:



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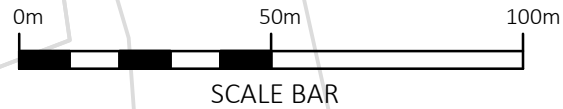
Client/Location:
RCL Henley Downs Limited
Hanley's Farm
Kingston Road, Queenstown

Purpose/Drawing Title:
Subdivision Plan - DP3
Lots 7 - 17, 95 - 97, 1001 - 1008 and 3001 - 3160 being a Proposed Subdivision of Lots 913, 917 and 919 RM170555 and part road to be stopped (Part Woolshed Road)

Surveyed by:	MA	Original Size:	Scale:
Designed by:	RCL/BJ	A3	1:4000
Drawn by:	MA		
Checked by:	HS, SW		
Approved by:	SW	DO NOT SCALE	
Job Ref:	Q6205 - 32	Sheet No:	Revision No:
		1	F
			Date Created:
			09/08/2017

If this plan is used as the basis for any sale and purchase agreement, then it is done so on the basis that the areas and dimensions are preliminary, and may vary upon completion of the final survey.

Please refer to sheet 1 for plan notes



- KEY
- 32 proposed lot boundaries, dimensioned (m)
 - adjacent existing parcel boundaries
 - consented DP1 RM160562/RM170555 boundaries



Lot 902
RM170555
18.12ha

Lot 95
0.06ha est.
to vest in Queenstown Lakes District Council as Local Purpose Reserve (Drainage)
(Boundaries follow floodway stormwater works)

Lot 97
0.09ha est.
to vest in Queenstown Lakes District Council as Recreation Reserve

Lot 1007
0.05ha est.
balance lot

Lot 1008
0.06ha est.
balance lot

Lot 11 (width varies, 0.18ha)
to vest in QLDC as legal road

Lot 1003
9m²
balance land

Lot 1004
23m²
balance land

Lot 1005
4m²
balance land

Lot 1006
58m²
balance land

Lot 1001
2.57ha est.
balance lot

Lot 96
0.40ha est.
to vest in Queenstown Lakes District Council as Local Purpose Reserve (Drainage)
Boundaries follow floodway stormwater works

to vest in Queenstown Lakes District Council as Local Purpose Reserve (Drainage)

Lot 98
RM170555
2.17ha est.

Lot 3002
RM170555
16.00ha est.
balance lot

DP1
RM170555

DP1
RM170555

DP1
RM170555

Lot 99
RM170555
2.23ha est.
to vest in Queenstown Lakes District Council as Recreation Reserve



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Client/Location:
RCL Henley Downs Limited
Hanley's Farm
Kingston Road, Queenstown

Purpose/Drawing Title:
Subdivision Plan - DP3
Proposed Lot Layout

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Surveyed by:	MA	Original Size:	Scale:
Designed by:	RCLBJ	A3	1:1500
Drawn by:	MA		
Checked by:	HS, SW		
Approved by:	SW		
Job Ref:	Q6205 - 32	Sheet No:	3
		Revision No:	F
		Date Created:	09/08/2017

KEY

- 32 proposed lot boundaries, dimensioned (m)
- adjacent existing parcel boundaries
- CT underlying parcel boundary (from DP1 Stage 1)



If this plan is used as the basis for any sale and purchase agreement, then it is done so on the basis that the areas and dimensions are preliminary, and may vary upon completion of the final survey.

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Client/Location:

RCL Henley Downs Ltd
Hanley's Farm
Kingston Road, Queenstown

Purpose/Drawing Title:

Annex 1
Hanley's Farm
Reserves to Vest

Surveyed by:	MA	Original Size:	Scale:
Designed by:	RCL/BJ	A3	1:2000
Drawn by:	MA		
Checked by:	SW		
Approved by:	SW	DO NOT SCALE	
Job Ref:	Q6205 - 12	Sheet No:	Revision No:
		6	D
			Date Created:
			04/08/2017

RESERVE NOTES (DP1 and DP3):
VEST AS RESERVE

Lots 97 and 99 is to vest in Queenstown Lakes District Council as Recreation Reserve.
Lot 96 and 98 is to vest in Queenstown Lakes District Council as Local Purpose Reserve (Drainage).

ESPLANADE RESERVES

N/A - there are no streams with beds > 3m average width.

GENERAL DEVELOPMENT NOTES:

- All parcel areas and dimensions shown are subject to survey, Council and LINZ approvals and may vary on final survey.
- Refer to existing CFRs (titles) for existing registered interests.
- Proposed easements are to be determined
- Boundaries and easements will follow as-built infrastructure. Easements are to be granted or reserved on deposit of the survey plan.
- Aerial imagery is sourced from QLDC GIS, imagery date is 14 March 2013.