

QLDC Council  
25 October 2018

## Report for Agenda Item: 14

Department: CEO Office

## Chief Executive's Report

## Purpose

The purpose of this report is to present a summary of items considered at recent Standing Committee and Wanaka Community Board meetings, and to present other updates on various matters.

## Recommendation

That Council:

- 1 **Note** the contents of this report;
- 2 **Note** the items considered during the past meeting round by the Planning and Strategy Committee, Infrastructure Committee, Wanaka Community Board, Community and Services Committee and Appeals Subcommittee.
- 3 Alteration to Rates Resolution from 6 September 2018  
**Amend** the setting of rates for the Queenstown Lakes District Council for the 2018/19 financial year as per section 23 of the Local Government (Rating) Act 2002 by inserting the rates and charges applicable for rating category "11. Country Dwelling plus Flat" and amending the numbering of "12. Other" and "13. Mixed Use Apportioned." (As per Attachment A)
- 4 Frankton Flats Land Exchange  
**Rescind** the following resolution from the Council meeting held on 25 May 2017 in regard to the Frankton Flats Land Exchange report:  
*4. Approve the land being acquired from Remarkables Park Ltd measuring approximately 370 square metres and situated at the Eastern end of the exchange area, being amalgamated with Council freehold land currently held in Computer Freehold Register 507467, subject to resource consent being granted.*  
And replace it with:  
**Approve** the land being acquired from Remarkables Park Ltd measuring approximately 370 square metres and situated at the Eastern end of the exchange area, being taken for local purpose (access way), pursuant to section 20 of the Public Works Act;
- 5 Road Stopping – Unformed Roads in the vicinity of Morven Ferry Road – Approval Amendment  
**Rescind** the following resolution from the Council meeting held on 8 October 2013 in regard to the Road Stopping - Unformed Roads in the vicinity of Morven Ferry Road report:
  - i) Alignments 'ABC', 'BD' and 'FG' amalgamate with C.F.R. OT82/232 and further to ensure that the residual titles retain legal frontage, C.F.R.s

OT18C/655 and 3324 amalgamate with C.F.R. OT84/82, and C.F.R. 3323 amalgamates with C.F.R. OT82/232.;

**Approve** alignments, 'ZD' and 'FG' amalgamate with C.F.R. OT82/232 and further to ensure that the residual titles retain legal frontage, C.F.R.s OT18C/655 and 3324 amalgamate with C.F.R. OT84/82, and C.F.R. 3323 amalgamates with C.F.R. OT82/232, in conjunction with the updated road closure plan [included as Attachment C]; and

**Approve** applying compensation for the trail easements to the purchase value of the land.

6 Community Facility Funding Policy – Appointment of Hearings Panel

**Appoint** three members of the Community and Services Committee as a panel to hear submissions and make a recommendation to Council on the Community Facility Funding Policy.

7 Traffic and Parking Bylaw - Hearings Panel Membership Change

**Note** that Councillors Clark, Forbes and McRobie will participate in a hearing panel to consider and hear submissions on the draft Traffic and Parking Bylaw 2018 and the Traffic and Parking Bylaw 2018 Statement of Proposal and make recommendations on its final form back to Council.

8 Membership of Queenstown Lakes Community Housing Trust

**Endorse** the appointment of Andrew Blair as a Trustee and Chair of the Queenstown Lakes Community Housing Trust.

9 Recommendation from Wanaka Community Board

**Proposal to vest land in Wanaka as two Local Purpose Reserves and to offset Reserve Improvement Contributions as per the Development Contributions Policy**

**Approve** the vesting of the two proposed Local Purpose reserves:

Orchard Road Holdings Ltd – RM171177

a. Lot 997 (0.936 hectares): Local Purpose (Stormwater) Reserve, Ballantyne Road.

b. Lot 998 (2.162 hectares): Local Purpose (Connection) Reserve, Ballantyne Road.

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

- i. Consent being granted (and subject to any variations to RM171177) for the subdivision required to formally create the reserves and to level out topography (if advised necessary by the Parks & Reserves Planning Manager);
- ii. Presentation of the reserve in accordance with Council's standards for reserves;
- iii. Areas of reserve shall exclude areas of road;
- 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 & Reserves Planning Manager;

- v. All areas of mounding shall be mowable, and not have a gradient steeper than 1:5;
- vi. Final locations of all specimen tree planting and the tree planting methodology should be determined on site with the QLDC Arborist Officer prior to planting;
- vii. The formation of sealed pathways within Lot 998 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). Pathways shall connect Ballantyne Road with Lot 1 DP 477622, and Road 2 via pathway linkages between lots 37/38 and 45/46;
- viii. Confirmation that the pathways on Lot 998 will connect and align with any corresponding pathways proposed in association with the potential Special Housing Area on Lot 1 DP 477622. The Parks & Reserves Planning Manager shall approve the location of such connections;
- ix. A potable water supply point to be provided at the boundary of the reserve lots;
- x. 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;
- xi. The registration of a Consent Notice on any land (being Lots created by RM171177) adjoining the reserves, to ensure any fences on land adjoining, or boundaries along the reserve, shall be 50% visually permeable;
- xii. A three year maintenance period by the current landowner commencing from vesting of the reserves;
- xiii. A maintenance agreement being prepared specifying how the reserves will be maintained during the maintenance period; and
- xiv. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.

**Agree** that reserve improvement contributions for the Local Purpose (Connection) Reserve (Lot 998) 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 Parks & Reserves Planning Manager.
- b. Final approval of reserve improvement costs to be delegated to the Parks & 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.

Recommendation from Community and Services Committee

### **Proposal to Vest Two Local Purpose Reserves**

**Approve** the vesting of the two proposed Local Purpose Reserves:

Moreteon Investments Ltd – RM170870

- a. Lot 300 (7,250m<sup>2</sup>): Local Purpose (Stormwater) Reserve, Kent St, Kingston.

RCL Henley Downs Ltd - RM180631

- b. Lot 94 (223m<sup>2</sup>): Local Purpose (Utility) Reserve, Jack Hanley Drive, Hanley Farm.

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

- i. Consent being granted (and subject to any variations) for subdivision required to formally create the reserves and to level out topography (if advised necessary by the Parks & Reserves Planning Manager);
- ii. Presentation of the reserve in accordance with Council's standards for reserves;
- iii. Areas of reserve shall exclude areas of road;
- 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 & Reserves Planning Manager;
- v. All areas of Lot 94 RM180631 shall be mowable, and not have a gradient steeper than 1:5;
- 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 the reserve vested in or administered by the Council, and any adjoining land;
- viii. The registration of a Consent Notice on any land (being Lots created by RM180631) adjoining the Lot 94 RM180631 reserve, to ensure any fences on land adjoining, or boundaries along the reserve, shall be 50% visually permeable and no higher than 1.2 metres;
- ix. A three year maintenance period by the current landowner commencing from vesting of the reserves;
- x. A maintenance agreement being prepared 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.

Prepared by:



Name: Mike Theelen  
Title Chief Executive  
18/10/2018

## **Alteration to Rates Resolution from 6 September 2018**

- 1 The original rates resolution adopted by Council on 6 September, 2018 omitted the rates and charges for the rating category 11. Country Dwelling plus Flat. The attached schedule of rates and charges amends the original resolution by inserting the rates and charges applicable for rating category '11. Country Dwelling plus Flat' and amending the numbering of '12. Other' and '13. Mixed Use Apportioned.' (See **Attachment A**).

## **Frankton Flats Land Exchange**

- 2 Council approved a Frankton Flats exchange with Remarkables Park at the meeting held on 25 May 2017.
- 3 Council officers are progressing the matter and consider that it will be more timely and less costly to progress the acquisition of two small parcels transferring to Council via the Public Works Act, instead of as originally proposed through a resource consenting process.
- 4 It is therefore proposed to rescind resolution 4 of the original approval and to seek approval to take the land under the Public Works Act as Local Purpose (Access way) reserve. The necessary resolutions are detailed above. Maps and plans showing the size and location of the proposed land exchange are attached. (**Attachment B**)

## **Road Stopping – Unformed Roads in the vicinity of Morven Ferry Road – Approval Amendment**

- 5 Council approved a Morven Ferry Road stopping request at a meeting held on 8 October 2013 at which the following resolution was passed:
  - i. **That in accordance with Section 319(h) and Section 342 of the Local Government Act 1974:**
    - a. **The portions of road to be stopped, shown on the attached map [Appendix 1], be considered not to be of any practical use for physical access now or in the future and when stopped will be disposed of in accordance with the requirements of Section 345(1)(a) of the Local Government Act 1974 subject to the following amalgamations:**
      - i) **Alignments 'ABC', 'BD' and 'FG' amalgamate with C.F.R. OT82/232 and further to ensure that the residual titles retain legal frontage, C.F.R.s OT18C/655 and 3324 amalgamate with C.F.R. OT84/82, and C.F.R. 3323 amalgamates with C.F.R. OT82/232.**
      - ii) **Alignment 'EF' and Section 1 to amalgamate with C.F.R. 441856.**
      - iii) **Section 2 to amalgamate with C.F.R. 389550.**
      - iv) **Section 3 to amalgamate with C.F.R. 603350.**

**b. The Council's costs incurred in undertaking the Local Government Act procedures shall be billed and paid on a monthly basis by the applicants with those costs being deducted from the value of the land.**

- 6 Council officers are progressing the final transfer of the stopped parcels of road to adjoining owners, but it has been identified that not all of the road approved to be stopped has been completed, mainly due to a lack of adjoining owner interest by one of the purchasers.
- 7 It is further noted that negotiation of a trail easement offset was discussed with adjoining owners on behalf of the Council, but was not specifically provided for in the resolution. The proposed compensation equates to a total value of \$30,610+GST (if any), decreasing 3 of the 4 transfers down to effectively nil consideration transfers.
- 8 This resolution is to vary the original road stopping request, rescinding the approval to stop the portion of road next to the Hamilton property, and to provide approval to apply compensation for the trail easement to the other owners (where relevant).
- 9 With these approvals in place it is expected that final approvals will be in place to complete the transfers by the end of 2018. (See **Attachment C** for updated road stopping plan).

**Community Facility Funding Policy – Appointment of Hearings Panel**

- 10 The Community Facility Funding Policy 2011 (CFFP) was adopted by Council in accordance with Section 102(4)(a) of the Local Government Act 2002 and provides specific detail concerning the fees and charges for reserves and community facilities under Council's General Revenue Policy. In setting the revenue policy Council is required to act in a manner that promotes the current and future interests of the community. The CFFP contains information on the fees and charges for QLDC's community facilities, grounds and reserves, in addition to fees for leases and licences. The policy was last adopted in 2011, with a recommendation that it be reviewed every 3 years. This policy has never been reviewed. Staff undertook a consultation process from 31 August to 28 September 2018 and the consultation methods used within the Community Facility Funding Policy review were designed to ensure the views, concerns and ideas of the community were heard and captured.
- 11 The following opportunities were devised and implemented to allow people to present their views in person or online:
  1. Online Survey on QLDC website
  2. Individual consultative meetings with sports clubs explaining policy changes and financial implications
  3. Conversations with regular hirers
- 12 15 responses were received and 11 submitters wished to be heard. Accordingly, a hearings panel now needs to be convened with a hearing to be undertaken in November 2018 before final report to Council for a decision in December 2018. The hearings panel requires a minimum of three Councillors to be appointed. It is suggested that these Councillors come from the Community and Services Committee.

## **Traffic and Parking Bylaw 2018/Traffic and Parking Statement of Proposal 2018 Hearings Panel**

- 13 At the Council meeting on 6 September 2018, a hearings panel comprising Councillors Forbes, McRobie and Stevens was established to consider and hear submissions on the draft Traffic and Parking Bylaw 2018 and the Traffic and Parking Bylaw 2018 Statement of Proposal and make recommendations on its final form back to Council.
- 14 Councillor Stevens has since advised that he will be unavailable on the dates proposed for the hearing (31 October and 1 November). So that the timeframes for this project can be maintained, it is suggested that Councillor Stevens be replaced on the panel.
- 15 Councillors have been canvassed and Councillor Clark has indicated that she would be available to take Councillor Stevens' place.
- 16 The resolution of 6 September delegated authority to the Infrastructure Committee Chair to make replacement appointments to the panel if a member of the panel was unavailable. Councillor Forbes confirmed via email on 1 October 2018 that she approved replacing Councillor Stevens with Councillor Clark on the hearings panel.

## **Membership of Queenstown Lakes Community Housing Trust**

- 17 At a meeting of the Queenstown Lakes Community Housing Trust on 18 September, a Trustee/Chair selection committee unanimously resolved to appoint Andrew Blair as a Trustee and to take the Chair role following the resignation of Martin Hawes.
- 18 Clause 3.4 of the Memorandum of Understanding requires the Council to endorse the appointment of new Trustees on the Queenstown Lakes Community Housing Trust. Accordingly, an appropriate recommendation is presented above.

## **Committee Meetings of Previous Round**

### Wanaka Community Board – Councillor Smith (27 September 2018)

#### Information:

- 1 Wanaka Tennis Club Incorporated – Notification of New Lease
- 3 Licence to Occupy Road Reserve – 22 Lismore Street, Wanaka
- 4 Chair's report

#### Ratification:

- 2 Proposal to vest land in Wanaka as two Local Purpose Reserves and to offset Reserve Improvement Contributions as per the Development Contributions Policy

### Audit, Finance and Risk – Councillor McRobie (4 October 2018)

#### Information:

- 1 2017/18 Full Year Actual to Budget and Full Year Actual to Re-forecast Financial Overview
- 2 Sensitive Expenditure
- 4 Organisational Health, Safety and Wellbeing Performance

- 5 Infrastructure Earthquake Loss Modelling and Insurance Report
- 6 Treasury Update – September 2018
- 7 Audit of Annual Report for 2017/18
- 8 Legal Update

Ratification:

- 3 Risk Management Update (Updated risk framework to be presented to Council in early 2019)

Note that items 6-8 were considered with the public excluded.

Appeals Subcommittee - Councillor Hill (4 October 2018)

Information:

- 1 Request to mediate in relation to the appeal by Peak View Ridge lot owners against the grant of Resource Consent RM171015
- 2 Update on appeals relating to Council's resource consent and plan change functions under the Resource Management Act
- 3 Update on Appeals to Council's Decisions on the Proposed District Plan under the Resource Management Act

Note that this meeting was held with the public excluded.

Community and Services Committee - Councillor Stevens (11 October 2018)

Ratification:

- 1 Proposal to vest land as two local purpose reserves