

QLDC Council
1 September 2022

Report for Agenda Item | Rīpoata moto e Rāraki take [6]

Department: Community Services

Title | Taitara Disposal of land - Queenstown Events Centre and Frankton Golf Centre to Waka Kotahi New Zealand Transport Agency

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

- 1 The purpose of this report is to consider the recommendations of the Hearings Panel on the Special Consultation Procedure (SCP) for disposal of land - Queenstown Events Centre (QEC) and Frankton Golf Centre (FGC) to Waka Kotahi New Zealand Transport Agency.
- 2 A hearing was convened on 11 August 2022 to allow submitters and objectors to appear and speak in support of their written submission or objection. Hearing panel deliberations were also held on 11 August. Upon consideration of all submissions and objections, the Hearings Panel of Councillors Lewers, Copland and Shaw has sought revisions and conditions on the proposed disposal and makes the recommendations below.

RECOMMENDATION | NGĀ TŪTOHUNGA

That **Council**

1. **Note** the contents of this report;
2. **Approve** the removal of part of the Queenstown Events Centre from the *Schedule of Assets* as detailed in the QLDC Significance and Engagement Policy 2021, subject (but not limited to) to the following conditions:
 - a) That during construction works public access is continued to be maintained via a pedestrian path between 5-Mile Shopping Centre and the Frankton Bus Hub on SH6a
3. **Approve** the Crown initiating the procedures of section 114 of the Public Works Act 1981 to undertake the proposed State Highway legalisation for those parts of the Queenstown Events Centre and Frankton Golf Centre shown as FF27, FF2, FF1 and FF10 (all subject to final survey) on **Attachments B1, B2 and C**;
4. **Approve** that compensation payable to Council from the disposal of land at the Queenstown Events Centre, will be assessed by Council's valuer, and negotiated with the Crown in accordance with the provisions of Public Works Act 1981;
5. **Agree** that all costs to undertake the process will be paid for by the applicant;
6. **Agree** that where necessitated by the proposed legalisation, reasonable costs associated with reorientating the Frankton Golf Centre and any assets requiring

replacement or relocation within the Queenstown Events Centre shall be paid for by the applicant;

7. **Agree** that Council's approval to undertake the State Highway legalisation, along with any sale and purchase agreements relating to it shall be limited to a period of five years from the date of this resolution;
8. **Approve** the land being declared as surplus land to be sold in accordance with the Property Sale and Acquisition Policy 2014, and publicly notifying this intention;
9. **Approve** under delegation from the Minister of Conservation, the classification of Recreation Reserve pursuant to section 16(1) of the Reserves Act 1977 over Section 5 & 6 Block XXXIII TN of Frankton, and that public notification is not required in accordance with section 16(5) of the Reserves Act 1977;
10. **Delegate** final terms and conditions, along with any associated agreements, compensation, and consent notices to facilitate the legalisation and to provide any approvals for the placing or removal of easements, minor alignment, area changes and signing authority to the Chief Executive of Council.

Prepared by:



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Sport & Recreation Manager

18/08/2022

Reviewed and Authorised by:



Meaghan Miller
Acting GM Community Services

18/08/2022

CONTEXT | HOROPAKI

- 3 Waka Kotahi (WK) has been working with Council for some years to design upgrades along the State Highway 6 corridor to better manage traffic in the area. With the announcement by the Government of a national road funding programme in January 2020 known as the NZUP programme, the agency and the Council have an opportunity to deliver on some of the proposed improvements required.
- 4 QEC shares an intersection opposite Hansen Road. Waka Kotahi proposes to split and offset the traffic at this intersection, creating a new intersection on the northern side of the State Highway, running through the Country Lane Queenstown Ltd property. Both intersections would then be signalised. The upgrades would require approximately 2,493m² of the QEC land to be disposed of to WK, becoming part of the State Highway corridor.
- 5 The Crown, through the Department of Conservation (DOC), owns portions of both the Queenstown Events Centre (**QEC**) and Frankton Golf Centre (**FGC**) affected by this proposal. QEC is listed as a ‘Strategic Asset’ in the QLDC Significance and Engagement Policy 2021, and as such the Council must formally consider any request to dispose or transfer control of part of the site.
- 6 Although the FGC is not listed as a Council strategic asset it is set apart as Recreation Reserve under the Reserves Act 1977. The Council has chosen to treat the FGC potential disposal (8,230m²) and subsequent reorientation as a SCP, to give the community an opportunity to be consulted on the wider effects of the Waka Kotahi proposal.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 7 A Statement of Proposal was adopted by full Council on 2 June. Public consultation was undertaken in June and July 2022.
- 8 A hearings panel comprising Councillors Copland, Shaw, and Lewers was appointed by Council to consider the submissions and objections received to the SCP.
- 9 Council received 23 public submissions via the Let’s Talk consultation platform and four submitters asked to be heard at the hearing.
- 10 Of the submissions to propose disposal of Council-owned land at QEC and Crown-owned land at FGC, the positions and associated breakdown are as follows:

Position	Number of Responses
Neutral	5
Oppose	5
Support	13
Grand Total	23

- 11 The following general themes summarise the submissions and objections:

Neutral

- The need to retain a 9-hole golf course for handicapping purposes

Oppose

- The removal of a 9-hole golf course to an 8-hole course
- No need to dispose of land and requires more planning

Support

- Great opportunity to future-proof golf
- The need for better traffic flow and reduced congestion

12 The Hearings Panel has considered the submissions/objections received and determined the extent to which the submissions/objections may be allowed or accepted, disallowed, or not accepted. The hearings panel has decided to recommend the disposal of part of the Queenstown Events Centre from the *Schedule of Assets* as detailed in the QLDC Significance and Engagement Policy 2021.

13 In discussion with the Department of Conservation, it is also proposed to formally classify the DOC owned parcels as Recreation Reserve, using section 16(1) of the Reserves Act 1977, as currently these parcels are set aside as Recreation Reserve. The action is essentially administrative and does not require public notification as it is in line with the purpose that the land has been set aside for previously.

14 Option 1 **Approve** the removal of part of the Queenstown Events Centre from the *Schedule of Assets* as detailed in the QLDC Significance and Engagement Policy 2021

Advantages:

- 15 Enables Waka Kotahi to construct works in accordance with the NZUP programme
- 16 Provides better traffic flow and reduced congestion for the community

Disadvantages:

- 17 Removes holes 1 and 9 on the Frankton Golf Course and reduces the size of the putting green.
- 18 Removes the current accessway to the Frankton Golf Club

19 Option 2 **Not to approve** the removal of part of the Queenstown Events Centre from the *Schedule of Assets* as detailed in the QLDC Significance and Engagement Policy 2021 (status quo).

Advantages:

- 20 Retains holes No 1 and 9 at the Frankton Golf Course and continues to provide an introductory level 9 hole golf course in the Wakatipu Basin.

- 21 Retains Queenstown Events Centre land for further sporting and recreation activities
- Disadvantages:*
- 22 Delays the construction of the NZUP programme in Frankton
 - 23 Continues to increase the level of traffic congestion across the network
- 24 This report recommends **Option 1** for addressing the matter because it will help enable Waka Kotahi to continue construction of key strategic transport infrastructure as part of the NZUP programme.
- 25 It is noted that the proposed land disposal area includes several trees that Waka Kotahi may need to remove in the future. Further assessment of these trees will need to be undertaken.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 26 This matter is of high significance, as determined by reference to the Council's Significance and Engagement Policy because the Queenstown Events Centre is listed as a strategic asset. Any decision relating to the sale or transfer or sale of shareholding of any strategic asset is assessed as a matter of high impact and will trigger a Special Consultative Procedure.
- 27 The persons who are affected by, or interested in this matter, are the residents/ratepayers of the Queenstown Lakes District and Waka Kotahi.
- 28 The proposal has been prepared in accordance with section 83 of the Local Government Act 2002 (LGA).

> MĀORI CONSULTATION | IWI RŪNANGA

- 29 The Council has notified the Special Consultative Procedure process to the following iwi;
- a. Te Rūnanga o Ngāi Tahu
 - b. Oraka Aparima
 - c. Awarua
 - d. Waihopai
 - e. Hokonui
 - f. Moeraki
 - g. Puketeraki
 - h. Otakou

No objections or submissions were received.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

30 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 a high inherent risk rating, because it is associated with the management of community assets. The approval of the recommended option will support the Council by allowing the risk to be retained at its current level.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

31 There are some immediate financial implications with the disposal of the land from the *Schedule of Assets* as detailed in the QLDC Significance & Engagement Policy 2021. The disposal of the land does present the opportunity for revenue through the land sale and the injurious payment for the loss of service at Frankton Golf Club. Further capital investment will be required to re-modify the Frankton Golf Course due the loss of land and this will be required to be undertaken in the 22/23 year prior to any construction works by WK.

32 Indicative funding for the impact on the Frankton Golf Course was signalled in the 2021/31 Ten Year Plan with \$3M allocated in years 25/26 and 26/27 with a further \$193k in 2030/31.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

33 The following Council policies, strategies and bylaws were considered:

- Vision Beyond 2050, supporting Thriving People through provision of effective roading assets.
- Significance & Engagement Policy 2021
- Property Sale and Acquisition Policy 2014
- Local Government Act 2002.

34 This matter is not included in the Ten-Year Plan/Annual Plan

LEGAL CONSIDERATIONS AND STATUTORY RESPONSIBILITIES | KA TURE WHAIWHAKAARO, ME KĀ TAKOHAKA WAETURE

35 The consideration process follows that required by section 83 of the Local Government Act 2002 (LGA).

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

34 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. As such, the recommendation in this report is appropriate and within the ambit of Section 10 as it will enhance the

transportation network across the Wakatipu Basin. The recommended option does significantly impact the intended level of service provision for the Frankton Golf Course by removing the full range of golf services at this facility.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	Public Submissions
B1&2	Queenstown Events Centre - Land Requirement/Disposal Plans
C	Frankton Golf Course - Land Requirement/Disposal Plan