

**Wanaka Community Board
12 April 2018**

Report for Agenda Item: 3

Department: Community Services

Proposal to Vest Land in Wanaka as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy

Purpose

- 1 To consider recommending to Council, the approval for two proposed reserves identified within the Universal Developments subdivision development known as 'The Heights', and to offset reserve land and reserve improvement development contributions for the reserves.

Recommendation

- 2 That the Wanaka Community Board:
- 3 **Recommend to Council** that the vesting of the two proposed Local Purpose Reserves (access) be approved;
 - a. Lot 404 (543m²), Universal Developments, Aubrey Road
 - b. Lot 405 (130m²), Universal Developments, Aubrey Road

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 and to level out undulations (as agreed necessary by the Parks Planning Manager);
- ii. Presentation of the reserve in accordance with Council's standards for reserves;
- iii. The submission to Council by the developer, certification as appropriate by Council, and subsequent implementation of a landscape and planting plan for the reserve.
- iv. The formation of any sealed pathways to a minimum 2 metre wide width;
- v. A potable water supply point to be provided at the boundary of the reserve lot;
- vi. The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve 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;

- vii. The registration of a Consent Notice on any land adjoining the reserve to ensure any fences on land adjoining the reserve are no more than 1.2 metres in height;
 - viii. A five year maintenance period by the current landowner commencing from vesting of the reserve
 - ix. A maintenance agreement being prepared specifying how the reserves will be maintained during the maintenance period; and
 - x. Vesting of reserve to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
- 4 **Recommend to Council** that reserve land contributions are offset in accordance with the Development Contributions Policy current at the time of contributions payment, subject to recommendation three above.
- 5 **Recommend to Council** that reserve improvement contributions 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 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.

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Reviewed and Authorised by:



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26/03/2018



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Background

- 6 Two proposed reserves within the same development are addressed by this report.
- 7 Developer: Universal Developments Ltd for the 'The Heights' development. Resource Consent RM161226 was granted on 28 July 2017 (re-issued on 19 September 2017) for subdivision to create 133 residential lots, three balance lots, three lots to vest as road, and two Local Purpose (access) Reserves.
- 8 The two reserves include Lot 404 (543m²) Local Purpose Reserve (access), to provide a pedestrian/cycle linkage between a subdivision road and Aubrey Road. Lot 405 (130m²) is similarly proposed as a Local Purpose Reserve (access) to provide a pedestrian/cycle linkage between two roads. The reserves are illustrated in **ATTACHMENT A**.
- 9 Both reserves have been identified in the approved resource consent, which was publically notified and subsequently granted by Independent Commissioners at a formal hearing.

Comment

- 10 The potential reserves will provide linkages that will assist with pedestrian and cycle movement. The proposed reserves are consistent with the 'connections' parks and open space typology as identified in the Parks and Open Space Strategy 2017.
- 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.

Options

- 12 Option 1 Accept the proposal for the vesting of the reserves and to offset reserve land and reserve improvement contributions as per the Development Contributions Policy.

Advantages:

- 13 The land is proposed to be vested in Council at no cost.

Disadvantages:

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

- 15 Option 2 Reject or modify the proposal for the vesting of the reserve and to offset reserve land and reserve improvement contributions as per the Development Contributions Policy.

Advantages:

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

Disadvantages:

- 17 Council will refuse areas of land being offered at no cost.
- 18 This report recommends **Option 1** for addressing the matter.

Significance and Engagement

- 19 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

- 20 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.
- 21 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 and Open Space Strategy 2017 further reducing risk of judicial review of any decision to accept the land.

Financial Implications

- 22 The applicants will be required to maintain the reserves for the first three 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

- 23 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

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

Consultation: Community Views and Preferences

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

26 No specific media statement or public communication is considered necessary.

Attachments

- A Reserve Plans
- B Site Location