

Community & Services Committee
8 April 2021

Report for Agenda Item | Rīpoata moto e Rāraki take 1

Department: Community Services

Title | Taitara Proposal to Vest Land on Queenstown Hill, as a Local Purpose (Connection) Reserve, linking Suburb Street and Wakatipu Heights, Queenstown.

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

- 1 The purpose of this report is to consider recommending to Council, an approval for a Local Purpose (Connection) Reserve, between Suburb Street and Wakatipu Heights, Queenstown.

RECOMMENDATION | NGĀ TŪTOHUNGA

- 2 That the Community & Services Committee:
 1. **Note** the contents of this report.
 2. **Recommend to Council** that the vesting of the Local Purpose (Connection) Reserve, be approved;
Suburb Trust, Queenstown – RM180926
Lot 100: Local Purpose (Connection) Reserve. Area: 129m²
subject to the following works being undertaken at the applicant’s expense:
 - i) Consent being granted (as necessary and subject to any subsequent variations) for any subdivision required to formally create the reserve, and to also level out topography (if advised necessary by the Parks & Open Spaces Planning Manager);
 - ii) Presentation of the reserve in accordance with Council’s standards for reserves;
 - iii) The submission of a Landscape Plan to Council by the developer for certification as appropriate, including subsequent implementation of any landscape and planting for the reserve. The certification of such a plan shall be by the Parks and Open Spaces Planning Manager.
 - iv) The formation of sealed pathways on the reserve to meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2018);

- 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 any public reserve vested in or administered by the Council and any adjoining land;
- vii) The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserve, to ensure any fences on land adjoining, or boundaries along any reserve, shall no greater than 1.2m in height, and be 50% visually permeable;
- viii) A three (3) year maintenance period by the current landowner commencing from vesting of the reserve;
- ix) A maintenance agreement being prepared and signed by the Parks and Open Spaces Planning Manager specifying how the reserve will be maintained during the maintenance period; and
- x) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.

Prepared by:



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15/03/2021

Reviewed and Authorised by:



Thune Cloete
General Manager, Community
and Services

19/03/2021

CONTEXT | HOROPAKI

- 3 This report addresses a Local Purpose (Connection) Reserve proposed within the Suburb Trust (ST) application for subdivision consent (RM180926), located on Suburb Street, Queenstown.
- 4 The location of the development site is illustrated in **ATTACHMENT A**. Plans associated with the proposal are included as **ATTACHMENT B**.
- 5 The connection reserve has been required by Council in response to Council granting access to Suburb Trust, over a strip of Local Purpose (Road). This potential outcome has been negotiated by Council's Roding Team.
- 6 An existing pedestrian right of way easement is in place to allow the public access over Lot 1 DP 502401 (i.e. linking Suburb St and Wakatipu Heights). However, that easement is very narrow and the actual formed path onsite does not follow the pedestrian easement. The proposed reserve is of a greater width, and will also encompass existing Council infrastructure. This is considered to be a benefit to Council.
- 7 Lot 100 (129m²) has been proposed to vest as Local Purpose (Connection) Reserve, to ensure whilst access is maintained in perpetuity, the associated land transfers to Council's ownership and the corridor is widened.
- 8 It is considered that Lot 100 can provide improved pedestrian/cycle connections between Suburb Street and Wakatipu Heights, and incorporate (in ground) infrastructure, provided that any formed pathway is to a minimum Grade 2 standard, and any infrastructure will not interfere with the function of the pathway. All fencing along the reserve should not be greater than 1.2m in height, and be at least 50% visually permeable. This is to ensure that the pedestrian/cycle connections are open, visible and not 'walled in' to the extent that they might otherwise become hidden from view and unsafe.
- 9 Councils reserve acceptance process requires that the Community & Services Committee agrees to any reserves, and the decision to accept reserves falls to Full Council. This process is separate and distinct from any RMA processes, and contains its own conditions that must be fulfilled. It is noted that the subdivision consent (RM180926) is yet to be approved.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 10 The potential Local Purpose (Connection) Reserve will continue easement linkages that will assist with pedestrian and cycle movement, although Council will instead own the land and it will be wider and better suit its purpose. The proposed reserve is consistent with the 'connections' parks and open space typology as identified in the Parks and Open Space Strategy 2017.
- 11 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:
- 12 Option 1 Accept the proposal for the vesting of the reserve.

Advantages:

- 13 The land is proposed to be vested to Council at no cost at the time of vesting, and it will be the developer's responsibility to meet the standards prescribed in the recommended conditions as a pre-requisite to vesting.
- 14 Will better facilitate pedestrian and cycle access between Suburb Street and Wakatipu Heights.

Disadvantages:

- 15 Council will have to maintain or manage the reserve at a cost to the ratepayer, after three (3) years, although this cost will be minimal and is already occurring.
- 16 Option 2 Reject the proposal for the vesting of the reserve.

Advantages:

- 17 None.

Disadvantages:

- 18 Council will refuse areas of land being offered at no cost, which would otherwise be an improvement on the current situation.
- 19 This report recommends Option 1 for addressing the matter.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 20 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 AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 21 This matter relates to the Community & Wellbeing risk category. It is associated with RISK 00009 – Ineffective Management of Community Assets within the [QLDC Risk Register](#). This risk has been assessed as having a high risk rating.
- 22 The approval of the recommended option will support the Council by allowing for improved pedestrian connections.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

- 23 The applicants will be required to maintain the reserve for the first three (3) 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.

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

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

- Significance and Engagement Policy
- Parks and Open Space Strategy 2017
- Development Contributions Policy
- Vesting of Roads and Reserves Policy

25 The recommended option is consistent with the principles set out in the named policies.

26 This matter is not included in the Ten Year Plan/Annual Plan.

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

27 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by provided for an improved pedestrian/cycle connection;
- Can be implemented through current funding under the Ten Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	Location Plan
B	Development Plan