

Full Council

31 July 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [10]

Department: Property & Infrastructure

Title | Taitara: Wastewater and stormwater easements over recreation reserve adjacent to 633 Frankton Road, Queenstown

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to consider granting two services easements in favour of Queenstown Lakes District Council (QLDC) over Recreation Reserve, legally described as Section 50 Block XXI Shotover SD, Queenstown. The easements are required to enable an 87 unit residential development, approved by resource consent RM240699.

Recommendation | Kā Tūtohuka

That the Council:

1. **Note** the contents of this report;
2. **Approve** a right to drain water easement, over Section 50 Block XXI Shotover SD, being Recreation Reserve in favour of Queenstown Lakes District Council;
3. **Approve** a right to drain sewage easement over Section 50 Block XXI Shotover SD, being Recreation Reserve in favour of Queenstown Lakes District Council;
4. **Agree** that public notification to grant the stormwater and wastewater easement is not required, as the statutory test in Section 48(3) of the Reserves Act 1977 is met for the reasons set out in this report;
5. **Delegate** authority to approve final terms and conditions and execution authority, to the General Manager Community Services, provided all relevant requirements of the Easement Policy 2008 are addressed; and
6. **Agree** to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of the identified easements over Council Reserve Land.

Prepared by:



Name: Christina Hitchcock
Title: Property Advisory
Manager
27 June 2025

Reviewed by:



Name: Roger Davidson
Title: Property Director
27 June 2025

Authorised by:



Name: Tony Avery
Title: GM Property &
Infrastructure
7 July 2025

Context | Horopaki

1. 633 Frankton Limited, who is developing 633 Frankton Road, are seeking two easements over the reserve land, being Section50 Block XXI Shotover SD, in favour of QLDC in accordance with the conditions contained within resource consent 240699. The purpose of these easements are:
- a. The easement for the right to drain water (stormwater) comprises an area of 98m², shown as 'GB' on ATTACHMENT A. The easement will allow construction of an overflow path for stormwater which will then be piped under the Frankton Track prior to reaching its discharge point.
 - b. The underground easement for wastewater, right to drain sewage, comprises an area of 60m², shown as 'GF' on ATTACHMENT A. The applicant will be connecting to an existing wastewater lateral line between 633 Frankton Road and Frankton Track.

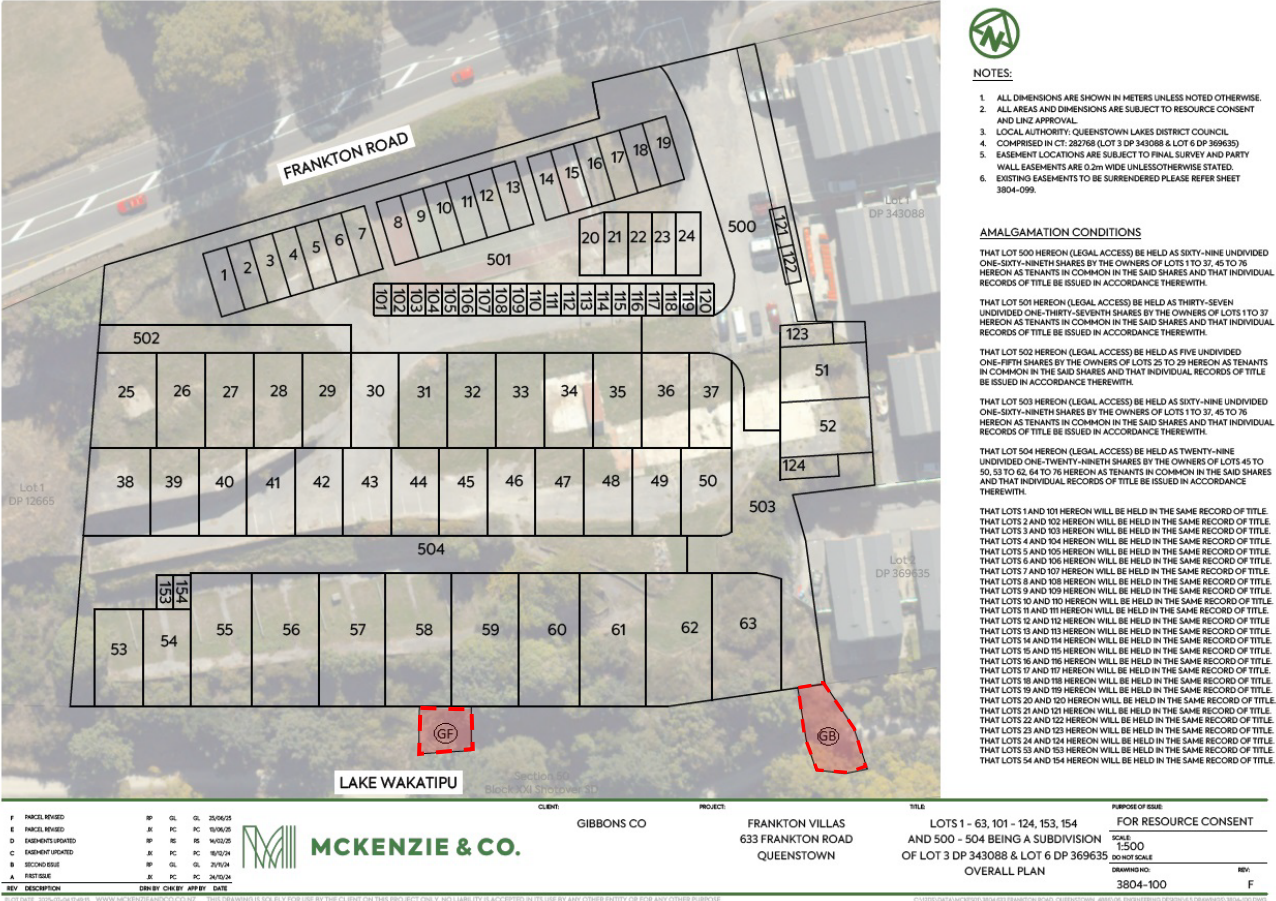


Figure 1: Aerial Plan of Proposed Development and Easement Areas GF and GB

2. The new stormwater and wastewater service connections will support a new development at 633 Frankton Road, Queenstown, contained within resource consent RM240699.
3. RM240699 was granted on 25 March 2025 for construction of 87 residential units, for use as residential visitor accommodation for up to 365 nights per annum, with associated breaches to building standards, earthworks, transport and noise standards. Engineering Acceptance is in progress and has not been granted yet.



Figure 2: Aerial View of Development Site

4. The easement routes are in accordance with the easements shown on the RM240699 plans. As part of the consent process alternative routes were considered, however the land gradient and location of the development made the proposed easement route the most appropriate as it has a downhill gradient more suitable for gravity drainage.
5. The applicant has submitted a detailed landscaping plan for the Reserve area. This includes removal of exotic and wilding tree species and invasive pest vegetation and replanting to create an informal natural layout.

Analysis and Advice | Tatāritaka me kā Tohutohu

6. The Reserves Act 1977 requires that easements be notified unless it can be shown that the easements will not have permanent effect on the reserve or the public's ability to enjoy the reserve.
7. The easements are for new underground wastewater and stormwater services and will not affect the public's rights in respect of the reserves, or materially damage or permanently alter the reserves. Any associated works will be temporary, and thereafter the reserve land will function as before, according to its recreation purpose.
8. Council will charge easement fees for all easements, set in accordance with the Easement Policy 2008. Calculations are as follows:

- a. Application Fee \$600 plus GST, and
- b. Estimated Underground Services Easement Fee \$605.14 plus GST (subject to final measurement). Breakdown as follows:

Land Value	\$620,000
Property Area	48,562.00m ²
Easement Area GB	98.00m ²
Easement Area GF	60.00m ²

Easement GB (stormwater)
 $\$620,000 / 48,562.00 = \12.77
30% of \$12.67 = \$3.83
 $\$3.83 \times 98.00\text{m}^2 = \375.34 plus GST

Easement GF (wastewater)
 $\$620,000 / 48,562.00 = \12.77
30% of \$12.67 = \$3.83
 $\$3.83 \times 60.00\text{m}^2 = \229.80 plus GST

9. 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.

10. Option 1 Grant the underground wastewater and stormwater easements:

Advantages:

- Granting this easement will enable the applicants to progress with the development and deal with wastewater and stormwater appropriately.
- Council officers support the easements now sought, as impact on the reserve will be minimal and new planting will benefit the Reserve.

Disadvantages:

- An additional area of the reserve will be encumbered by easements restricting future potential use of the reserve.

11. Option 2 Reject the underground wastewater and stormwater easement:

Advantages:

- The reserve will not be encumbered by an easement.

Disadvantages:

- New locations for the infrastructure and associated easements would need to be determined and reassessed.
- Council would not receive easement fees.

12. This report recommends **Option 1** for addressing the matter because the proposed infrastructure and easement will not affect the practical use and function of the reserve.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

13. This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because it involves Council Reserve.
14. The persons who are affected by or interested in this matter are residents, ratepayers and visitors in the Queenstown Lakes District.
15. The Council has not notified the intention to grant the easement.

Māori Consultation | Iwi Rūnaka

16. The Council has not consulted with iwi in this instance.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

17. This matter relates to the Financial risk category. It is associated with RISK10006 Ineffective planning for property and infrastructure within the QLDC Risk Register. This risk has been assessed as having a high residual risk rating.
18. Approval of the recommended option will allow Council to avoid the risk. This will be achieved by enabling new stormwater and wastewater services to be installed.

Financial Implications | Kā Riteka ā-Pūtea

19. There are no operational and capital expenditure requirements or other budget or cost implications resulting from the decision.
20. Council will receive an easement fee, and associated costs relating to this easement, including but not limited to notification, survey and registration.



Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

21. The following Council policies, strategies and bylaws were considered:
- Council’s Easement Policy 2008
 - Significance & Engagement Policy 2024
 - Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Reserve Management Plan 1991
 - Reserves Act 1977
22. The recommended option is consistent with the principles set out in the named policies.
23. This matter is not included in the Long Term Plan/Annual Plan.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

24. Granting of an easement on reserve land must be undertaken pursuant to sections 48, 119 and 120 of the Reserves Act 1977.

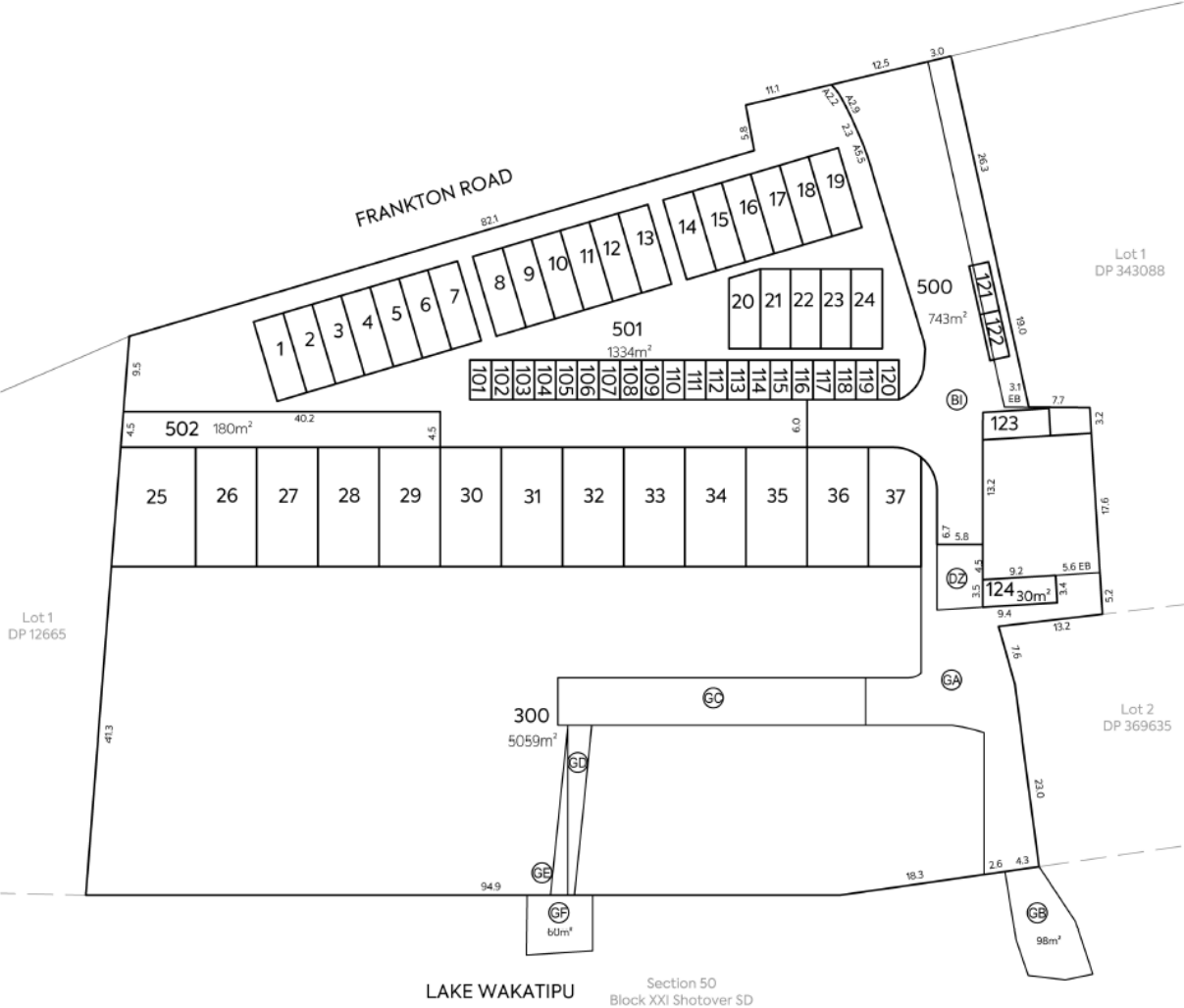
Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

25. 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.
26. 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 resolving an existing building issue affecting multiple residents and ratepayers of the district;
 - Is consistent with the Council's plans and policies; and
 - Would not significantly alter 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 | Kā Tāpirihaka

A	Easement Plan
B	Easement Areas GF and GB

Attachment A: Easement Plan



NOTES:

1. ALL DIMENSIONS ARE SHOWN IN METERS UNLESS NOTED OTHERWISE.
2. ALL AREAS AND DIMENSIONS ARE SUBJECT TO RESOURCE CONSENT AND LINZ APPROVAL.
3. LOCAL AUTHORITY: QUEENSTOWN LAKES DISTRICT COUNCIL.
4. COMPRISED IN CT: 282768 (LOT 3 DP 343088 & LOT 6 DP 369635)
5. EASEMENTS LOCATIONS ARE SUBJECT TO FINAL SURVEY AND PARTY WALL EASEMENTS ARE 0.2 M WIDE OTHERWISE STATED.
6. STAGE 1 EASEMENTS SHCHEDULES ARE ON SHEET 104.
7. EXISTING EASEMENTS TO BE SURRENDERED PLEASE REFER SHEET 3804-099.

AMALGAMATION CONDITIONS

THAT LOT 500 HEREON (LEGAL ACCESS) BE HELD AS SIXTY-NINE UNDIVIDED ONE-SIXTY-NINTH SHARES BY THE OWNERS OF LOTS 1 TO 37 HEREON AND ONE UNDIVIDED THIRTY-TWO-SIXTY-NINTH SHARES BY THE OWNERS OF LOT 300 HERE ON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL RECORDS OF TITLE BE ISSUED IN ACCORDANCE THEREWITH.

THAT LOT 501 HEREON (LEGAL ACCESS) BE HELD AS THIRTY-SEVEN UNDIVIDED ONE-THIRTY-SEVENTH SHARES BY THE OWNERS OF LOTS 1 TO 37, 51 & 52 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL RECORDS OF TITLE BE ISSUED IN ACCORDANCE THEREWITH.

THAT LOT 502 HEREON (LEGAL ACCESS) BE HELD AS FIVE UNDIVIDED ONE-FIFTH SHARES BY THE OWNERS OF LOTS 25 TO 29 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL RECORDS OF TITLE BE ISSUED IN ACCORDANCE THEREWITH.

THAT LOTS 1 AND 101 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 2 AND 102 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 3 AND 103 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 4 AND 104 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 5 AND 105 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 6 AND 106 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 7 AND 107 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 8 AND 108 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 9 AND 109 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 10 AND 110 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 11 AND 111 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 12 AND 112 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 13 AND 113 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 14 AND 114 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 15 AND 115 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 16 AND 116 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 17 AND 117 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 18 AND 118 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 19 AND 119 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 20 AND 120 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 21 AND 121 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 22 AND 122 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 23 AND 123 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.
THAT LOTS 24 AND 124 HEREON WILL BE HELD IN THE SAME RECORD OF TITLE.

F	PARCEL REVISED	RP	GL	GL	25/06/25
E	PARCEL REVISED	JK	PC	PC	18/06/25
D	EASEMENT UPDATED	RP	RS	RS	14/02/25
C	EASEMENT UPDATED	JK	PC	PC	18/02/24
B	SECOND ISSUE	RP	GL	GL	20/01/24
A	FIRST ISSUE	JK	PC	PC	24/02/24



MCKENZIE & CO.

GIBBONS CO

FRANKTON VILLAS
633 FRANKTON ROAD
QUEENSTOWN

TITLE:
LOTS 1 TO 37, 101 TO 124, 500 TO 502
AND 300 BEING A SUBDIVISION OF
LOT 3 DP 343088 & LOT 6 DP 369635
STAGE 1

PURPOSE OF ISSUE:
FOR RESOURCE CONSENT
SCALE:
1:500
DO NOT SCALE
DRAWING NO:
3804-1-101
REV:
F

NOT DATE: 2025-06-26 10:51:17 WWW.MCKENZIEANDCO.CO.NZ THIS DRAWING IS SOLELY FOR USE BY THE CLIENT ON THIS PROJECT ONLY. NO LIABILITY IS ACCEPTED IN ITS USE BY ANY OTHER ENTITY OR FOR ANY OTHER PURPOSE

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Attachment B: Easement Areas GF and GB

