

QLDC Council
2 June 2022**Report for Agenda Item | Rīpoata moto e Rāraki take : [1]****Department: Property & Infrastructure****Title | Taitara Hansen Road Intersection Legalisation****PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO**

The purpose of this report is to consider a land exchange and road stopping request at Hansen Road, Frankton by Waka Kotahi / New Zealand Transport Agency.

RECOMMENDATION | NGĀ TŪTOHUNGA

That Council:

1. **Note** the contents of this report;
2. **Approve** initiation of the procedures of sections 114, 116, 117 & 120 of the Public Works Act 1981 to undertake the proposed land exchange and road stopping as shown on the attached Ka Huanui a Tahuna plan KHT-NZU-DES-PL-DG-PL1100B-E shown as **Attachment B**, summarised as:
 - a. Green area FF5: 1450m² (subject to survey) being part of Hansen Road, to be stopped and vested in RT 1027396 (or successors).
 - b. Green area FF6: 580m² (subject to survey) being part of Hansen Road, to be stopped and vested in RT OT18B/992 (or successors).
 - c. Blue area FF7: 960m² (subject to survey) of Country Lane Queenstown Ltd (or successors) to be purchased by the Crown and vested in Council.
 - d. Blue area FF8: 580m² (subject to survey) of Staff Accommodation at Hansen Road Ltd (or successors) to be purchased by the Crown and vested in Council.
3. **Approve** that any compensation payable to Council from an inequity of exchange as a result of the land exchange and road stopping, will be assessed by Council's valuer, and negotiated with the Crown in accordance with the provisions within Public Works Act 1981; and
4. **Agree** that all costs to undertake the process will be paid for by the applicant; and
5. **Agree** that Council's approval to undertake the road realignment process, along with any sale and purchase agreements relating to it shall be limited to a period of 5 years from the date of this resolution; and

6. **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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Transport Strategy Manager

12/05/2022

Reviewed and Authorised by:



Peter Hansby
GM Property & Infrastructure

12/05/2022

CONTEXT | HOROPAKI

- 1 Waka Kotahi / the New Zealand Transport Agency (WK) New Zealand's roading agency is in the detailed design phase of a \$115 million upgrade of the state highways running through Queenstown and Frankton.
- 2 The stated aim of this is to increase the roads' capacity and enabling alternative transport options within the Wakatipu Basin.
- 3 Within the Frankton area between the BP roundabout and Hardware Lane, it is proposed that traffic signals be installed at the Joe O'Connell Dr (Queenstown Events Centre) intersection and at a relocated Hansen Rd intersection. Roundabouts at the Grant Rd and Hawthorne Dr intersections are also proposed to be replaced with traffic signals.
- 4 Two properties directly adjoin the proposed Hansen Road realignment. These property owners are being negotiated with directly by WK representatives.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 5 Waka Kotahi 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.
- 6 The currently formed legal road at Hansen Road, shares an intersection opposite the Queenstown Events Centre. WK 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 become signalised.
- 7 The adjoining two properties to the Hansen Road legalisation have both been negotiated with by WK representatives and we understand are supportive of the proposal to stop and relocate the road. Both parties as directly adjoining the road stopping both need to provide their consent to WK for the proposal formally in order to be able to realign the road.
- 8 The process of stopping and relocating a road can be completed by WK through the Crown using sections 114, 116, 117 & 120 of the Public Works Act 1981. This process can be carried out without public notification but requires the consent of adjoining parties and any interest holders, in addition to receiving the consent of the Minister for Land Information.
- 9 It has been identified that the proposed road exchange may create an inequity of exchange for the Council, as the road being created is smaller than the road area to be stopped. WK and Council are currently in the process of sourcing their own respective valuations to assess any inequity. Any agreement will require a fair market price to be paid to the Council by WK, in accordance with processes under the Public Works Act.

10 Option 1 Agree to initiate the proposed land exchange and road stopping, as described in this report.

Advantages:

- 11 It provides a pragmatic and beneficial realignment of legal roads as designed by WK, enabling best use of the land available.
- 12 Will provide a timely and efficient resolution to the area within the NZUP programme and the associated adjoining development area.
- 13 Council and ratepayers would benefit from any consideration associated with inequity of exchange.

Disadvantages:

- 14 Would stop and relocate an existing road as currently positioned.

15 Option 2 To decline the request.

Advantages:

- 16 Would not stop and relocate an existing paper road as currently positioned.

Disadvantages:

- 17 Would not provide a pragmatic and beneficial realignment of legal roads as designed by WK, enabling best use of the land available.
- 18 Would not provide a timely and efficient resolution to the area within the NZUP programme and the associated adjoining development area.
- 19 Council and ratepayers would not benefit from any consideration associated with inequity of exchange.

20 This report recommends **Option 1** for addressing the matter because it relocates existing legal road, to a more beneficial location for the benefit of residents or ratepayers.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 21 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it involves the stopping and disposal (through exchange) of Council legal road.
- 22 The persons who are affected by or interested in this matter are the residents and ratepayers of the Queenstown Lakes District.

23 The Council has carried out initial consultation with both the Queenstown Trail Trust and Walking Access Commission. They have stressed the need for safe pedestrian and cycle lane crossing points in the final design, which has been relayed to the design team.

24 Consultation has been carried out directly with affected adjoining property owners. No further consultation is required under the Public Works Act processes.

> MĀORI CONSULTATION | IWI RŪNANGA

25 The Council has not consulted with Iwi in this instance, as the exchange involves land of particular interest to the owner and adjoining owners only.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

26 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. This matter relates to this risk because the Council seeks to dispose of a perpetual property right through the disposal of legal road (through exchange), and this risk needs to be highlighted when considering approving any roading action.

27 The approval of the recommended option will support the Council by allowing it to implement additional controls for this risk. This shall be achieved by the Public Works Act process requiring the consent of adjoining property owners and the Minister of Lands.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

28 All costs associated with the exchange will be met by the applicant, Waka Kotahi. The Council will also potentially receive income from any inequity of exchange, as assessed through the valuation processes of the Public Works Act.

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

29 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

30 The recommended option is consistent with the principles set out in the named policy/policies.

31 This matter is not included in the Ten Year Plan/Annual Plan, but has no effect upon it.

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

32 To carry out the road exchange the Crown must follow the procedures of section 114, 116 117 & 120 of the Public Works Act 1981, receiving all necessary consents to the Exchange.

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

33 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 ensuring Council has roading assets in locations most beneficial to the community and rate payers;
- 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	Overview Plan
B	Road Realignment Plan