

QLDC Council
30 July 2015

Report for Agenda Item: 5

Department: Operations

Proposal to Vest Reserve Land at Kirimoko Crescent

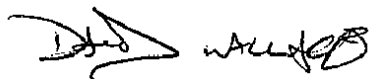
Purpose

- 1 To consider the vesting of reserves in lieu of cash development contributions as part of a proposed subdivision of Lots 4 and 5 DP 300734 at Kirimoko Crescent.

Recommendation

- 2 That Council:
 - a. **Approve** the vesting of proposed Lot 27 as recreation reserve in lieu of the reserve land cash contributions payable for the proposed subdivision subject to the following conditions being met at the applicant's expense:
 - i Resource consent being granted for the subdivision of Lot 4 and Lot 5 DP 300734 into 26 residential lots, one lot for reserve purposes and one balance lot;
 - ii Presentation of the reserve in accordance with Council's standards for reserves;
 - iii A potable water supply point to be provided at the boundary of the reserve lot;
 - iv The registrations of a fencing covenant under section 6 of the Fencing Act 1978 on the reserves to vest in QLDC to protect the Council from liability to contribute towards any work on a fence between a public reserve and any adjoining land;
 - v A five year maintenance period by the current landowner commencing from practical completion of the reserve;

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7/07/2015

Reviewed and Authorised by:



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8/07/2015

Background

- 3 The Kirimoko structure plan (provided in Attachment A) which forms part of the District Plan, requires the creation of a walkway in the location shown as Lot 27 on the scheme plan of subdivision (provided as Attachment B).
- 4 This land links Kirimoko Crescent with the existing Council walkway easement located in the elevated land along the eastern side of both sites.

Comment

- 5 Tuatara Trust have proposed that Lot 27 as shown on the attached scheme plan is vested in Council as recreation reserve to facilitate the creation of a walkway.
- 6 Lot 27 is 1,539m² in area. The land is proposed to be vested in lieu of cash development contributions for reserve land.
- 7 The use of the proposed reserve is limited to a walkway as agreed in the approved structure plan relating to the Kirimoko development.
- 8 Based on Council's Development Contribution Policy 2014/2015 this stage of the development would generate a demand for the following:
 - Reserve Land: 715m²
- 9 The developer seeks the following offset:
 - Reserve Land: 715m²
- 10 The remainder of the land required (824m²) to make up the 1,539m² walkway reserve will be supplied from an adjoining land parcel owned by a different landowner. That area of reserve from the adjoining parcel will be credited against future reserve land development contributions relating to that land parcel.
- 11 Note figures were supplied by Paterson Pitts Group on behalf of the applicant.
- 12 No reserve improvements are proposed at this time as these have to be costed by the landowner prior to an improvements proposal being put forward for consideration.
- 13 Any potential future reserve improvement development contribution offsets will be proposed in a separate report when more detail is available.
- 14 A delegation has been established to allow the Chief Executive to consider and decide on land vesting proposals such as this however that process has not been implemented as yet hence the requirement for Council to confirm the proposed land vesting.

Options

- 15 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:

16 Option 1 Accept the proposal for the vesting of the reserves.

Advantages:

17 Vesting of the proposed reserve will confirm part of what was envisaged by the Kirimoko Structure Plan previously approved by Council.

18 The walkway will provide a useful link from Kirimoko Crescent to an existing Council walkway easement located in the elevated land along the eastern side of the land being subdivided

Disadvantages:

19 Council will have to maintain the reserve at a cost to the ratepayer after five years.

20 Option 2 Reject or modify the proposal for the vesting of the reserves.

Advantages:

21 Council would be able to transfer some costs to maintain the reserve to the existing land owners.

Disadvantages:

22 What is approved in the Structure Plan that forms part of the District Plan may not materialise.

23 A connection to an existing walkway from Kirimoko Crescent will not be provided.

24 This report recommends Option 1 for addressing the matter.

Significance and Engagement

25 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 Councils function if the recommended option is taken and a publicly accessible walkway is envisaged in this location by the Kirimoko Structure Plan.

Risk

26 This matter related to the operational risk OR002, 'Increase in Expenditure' as documented in the Council's risk register. The risk is classed as moderate.

27 This matter relates to this risk because accepting the land will increase Councils 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 Strategy further reducing risk of judicial review of any decision to accept the land.

Financial Implications

- 28 The applicant will be required to maintain the reserves for the first five years. Following this point provision will need to be made available within Council's maintenance budgets.

Council Policies, Strategies and Bylaws

- 29 The following Council policies were considered:
- Policy on Significance, this decision is not considered significant.
 - Risk Management Schedule.
 - Property Sale and Acquisition Policy 2014.
 - Parks Strategy 2002.
- 30 The vesting of the proposed reserves will contribute to the provision of a range of recreational opportunities and the development of the trail network. Therefore, contributing to the vision expressed in the Strategy.

Local Government Act 2002 Purpose Provisions

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

Consultation: Community Views and Preferences

- 32 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes District community.
- 33 No specific consultation has been undertaken however the plan change that established the requirement for the walkway that this vesting will facilitate was publicly notified giving the community the opportunity to submit on the proposal.
- 34 No specific media statement or public communication is considered necessary

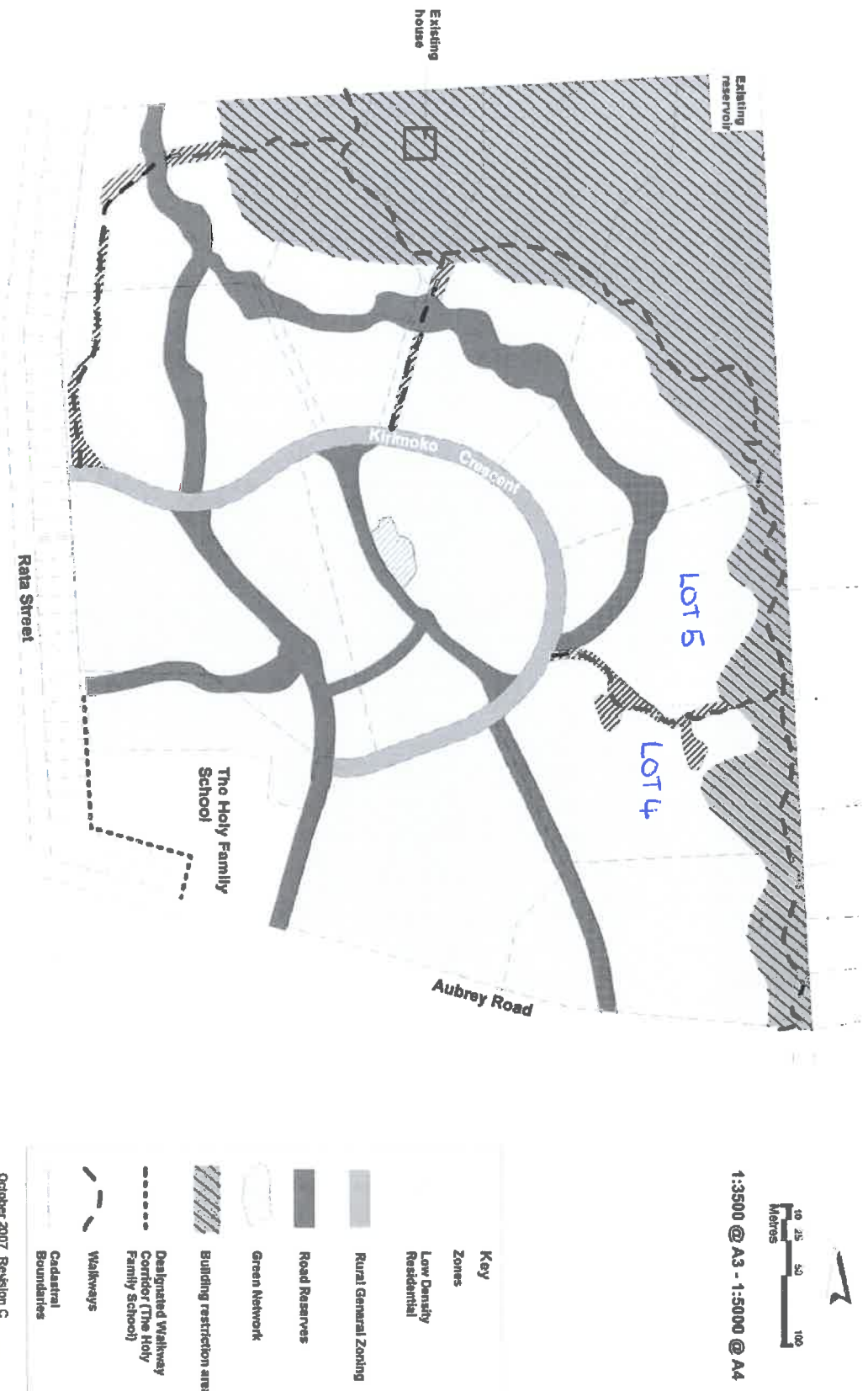
Attachments

- A Kirimoko Structure Plan showing walkway facilitated by this land vesting
- B Scheme Plan showing proposed subdivision and land to be vested

RESIDENTIAL AREAS - RULES

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Kirimoko Block – Wanaka – Structure Plan



October 2007 Revision C
(Following submissions to ALDC)

