

**Community & Services Committee
10 August 2017**

Report for Agenda Item 3

Department: Property & Infrastructure

Shotover Country No.2 Ltd/Shotover Country Ltd, Proposal to Vest Various Lands as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy

Purpose

- 1 The purpose of this report is to consider recommending to Council the approval to vest five proposed reserves, and to offset reserve land and reserve improvement development contributions as appropriate.

Recommendation

That the Community & Services Committee:

- 1 **Recommend to Council** the vesting of the five identified proposed reserves be approved;
 - a. Lot 1002 SH160139 Recreation Reserve, Shotover Country.
 - b. Lot 1003 SH160139 Local Purpose Reserve (water supply, pedestrian and cycle access), Shotover Country.
 - c. Lot 1004 SH160139 Recreation Reserve, Shotover Country.
 - d. Lot 803 RM161023 Recreation Reserve, Shotover Country.
 - e. Lot 804 RM161023 Local Purpose Reserve, Shotover Country.

subject to the following works being undertaken at the applicant's expense:

- i. Presentation of the reserve in accordance with Council's standards for reserves;
- ii. A potable water supply point to be provided at the boundary of the reserve lot;
- iii. The registration of a fencing covenant under s6 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 vested in or administered by the Council and any adjoining land;
- iv. A five year maintenance period by the current landowner commencing from vesting of the reserve in accordance with the relevant consent;

- v. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.

2 **Recommend to Council** that a credit from reserve improvement contributions be approved provided the amount becomes available through the future development of consented stages of Shotover Country - Shotover Country No.2 Ltd/Shotover Country Ltd: \$209,455.90 (excl GST) subject to the following works being spent in accordance with the associated costs, and in the following order of development/offsets:

- a. Sports field in future reserve adjacent to Lower Shotover - \$72,768.95 (additional to the \$138,231.05 agreed by Council on 24 February 2016 for this purpose)
- b. Bike pump track in Richmond Park - \$35,000
- c. Cycleway through future reserve adjacent to Lower Shotover to trail - \$35,000
- d. Play space in Merton Park - \$66,455.90

and subject to:

- i. Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager.
- ii. 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.
- iii. 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.

Prepared by:



Aaron Burt
Senior Planner: Parks
and Reserves

25/07/2017

Reviewed and Authorised by:



Stephen Quin
Parks and Reserves Planning
Manager

25/07/2017

Background

Recommendation 1

- 2 Five proposed reserves associated with Shotover Country No.2 Ltd/Shotover Country Ltd are addressed by this report. The following identifies the developments and associated proposed reserves.
- 3 Shotover Country Limited. Special Housing Area Consent SH160139 granted subdivision and land use consent on 4 May 2017 to develop land to create 101 residential allotments, roads to vest, and balance reserve land. The consent decision anticipates the creation of three adjoining reserves. Lot 1002 SH160139, being 7,155m² to vest as recreation reserve. Lot 1004 SH160139, being 1.43ha to vest as recreation reserve. Lot 1003 SH160139, being 7,305m² to vest as local purpose reserve (water supply, pedestrian and cycle access, and amenity). However, it is now proposed to include an option to increase the area of Lot 1003 for a higher water bore spacing. The reserves are illustrated in ATTACHMENT A.
- 4 Shotover Country No.2 Limited. Resource Consent RM161023 granted on 23 December 2016 for a subdivision to create 61 residential allotments. The consent anticipates the creation of two pedestrian linkages identified as reserves. Lot 803 (Local Purpose Reserve) will have an area of 119m² and will link Tudor Ave with George Drive. Lot 804 (Recreation Reserve) will have an area of 145m² and will link Silver Street with the Richmond Park Recreation Reserve). The proposed reserves are illustrated in ATTACHMENT B.
- 5 The above reserves proposed have been previously identified to Council Officers and their inclusion in the various developments is the result of discussions concerning their suitability. Where appropriate, conditions to ensure the usefulness of the proposed reserves have been (will be) required under the consent process so that the anticipated reserves will not place any undue financial burden upon Council. Such conditions include requiring maintenance periods prior to acceptance, fencing covenants, and meeting Council's standards for reserves.

Recommendation 2

- 6 Recent negotiations with Shotover Country has developed the following proposals for consideration in association with reserve improvement offset contributions that are to be created from future consented stages, as identified in the below table.

Total RI's - SCL consented stages	\$ 1,021,742.00		
Allocated	\$ 674,286.10		
RI's remaining/Proposed works	\$ 347,455.90	\$ 211,000.00	<i>Sports field</i>
		\$ 35,000.00	<i>Pump Track</i>
		\$ 35,000.00	<i>Cycleway</i>
		\$ 66,455.90	<i>Play space</i>

- 7 Shotover Country No.2 Ltd/Shotover Country Ltd seek an offset of reserve improvements for the works identified above, for a total (excluding GST) of \$347,455.90.

Comment

Recommendation 1

- 8 The potential Shotover Country reserves Lot 1002, 1003 and 1004 created by the granting of consent SH160139 will result in two Recreation Reserves and one Local Purpose Reserve, which join together. The reserves will link between the future recreation reserve adjacent to the Lower Shotover River and an existing cycle trail connection on unformed legal road into Shotover Country. The reserves will batter down from the raised level of earthworks created for the housing area and will contain erosion protection rip rap. The contiguous recreation reserve has been broken by a local purpose reserve (Lot 1003) to enable the use and operation of a water bore. The exact delineation between reserves Lots 1003 and 1004 is to be determined, but an indicative line is shown in plans included in Attachment A. The proposed reserves are consistent with the 'Connections' parks and open space typology as identified in the Parks and Open Space Strategy 2017.
- 9 The Shotover Country No.2 Limited potential reserves Lot 803 and 804 will provide linkages that will assist with pedestrian and cycle movement. Lot 803 will link into Richmond Park, a recreation reserve created by a previous stage of Shotover Country. The proposed reserves are consistent with the 'Connections' parks and open space typology as identified in the Parks and Open Space Strategy 2017.

Recommendation 2

- 10 Council officers have negotiated with Shotover Country Limited several development proposals to offset reserve improvement contributions that will be created by consented stages of development.
- 11 \$72,768.95 of this proposed credit is for the development of a sports field in the future recreation reserve adjacent to the Lower Shotover River. This is in addition to the \$138,231.05 Council previously agreed to be credited for this purpose at its meeting on 24 February 2016. Since then, costs have been revised as the developer has received a contractors cost, whereas the previous cost was based on the surveyor's estimate. The revised cost also allows for additional items not included in the original estimate such as on-street car parking, a formed pedestrian ramp connection and an extended gravel subsurface to future proof for field expansion, for example, to facilitate a future athletics track.
- 12 Richmond Park is a local park opposite Shotover Primary School. When this stage of Shotover Country developed it was intended that a play space be provided for in the park. Since then, however, the school has developed its own play space, which is available for local community use outside of school hours. Two other local connection parks nearby have also included play elements for

pre-school and early primary school age children. A bike pump track proposal has been developed for Richmond Park to provide a facility that is aligned with the intent of a creating a play space, and is complimentary to the play space within the school. Officers have agreed in principle that half the costs of the track (\$35,000) be provided from reserve improvement development contributions, whilst Shotover Country secure the other half from community trusts and private interests. Some of this funding has been secured.

- 13 Merton Park is another local park on the lower terrace of Shotover Country that is approximately 700m from Richmond Park in a direct line but is closer to 1km in actual walking distance. The proposal to develop a play space in this park will ensure that all residents in Shotover Country will have a play space within easy walking distance of generally 600m or less and will ensure all residents will be able to access a play space within the subdivision at all times, including school hours. It also proposed that approximately half the costs (\$66,455.90) for 'Stage 1' of the play space be provided through reserve improvement development contributions, whilst the remainder of funding be sourced from elsewhere.
- 14 A cycleway connection linking Shotover Country through the future recreation reserve to the Queenstown Trail along the Lower Shotover River is proposed. It is proposed to offset the cost of this connection (\$35,000) from reserve improvement contributions.
- 15 The recommended option ensures 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 reserve improvement development contributions required from the consented stages of development.

Options – Recommendation 1

- 16 Option 1 Accept the proposal for the vesting of the reserves as per the Parks and Open Space Strategy 2017.

Advantages:

- 17 The land is proposed to be vested in Council at no cost.
- 18 The vesting of the reserves will confirm what is envisaged and in accordance with the Resource Consents for the developments.

Disadvantages:

- 19 Council will have to maintain or manage the reserves at a cost to the ratepayer after the maintenance periods.

- 20 Option 2 Reject or modify the proposal for the vesting of the reserves as per the Parks and Open Space Strategy 2017.

Advantages:

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

Disadvantages:

22 Council will refuse areas of land being offered at no cost.

23 The areas of reserve have been identified through the respective consent process and not vesting them could create conflicts with any associated grant of Resource Consent.

24 This report recommends Option 1 for addressing the matter.

Options – Recommendation 2

25 Option 1 Accept the proposals to offset reserve improvement contributions as per the Development Contributions Policy.

Advantages:

26 The improvements described in the recommendation will be undertaken.

Disadvantages:

27 Council will ultimately have to maintain or manage the improvements.

28 Option 2 Reject or modify the proposals to offset reserve improvement contributions as per the Development Contributions Policy.

Advantages:

29 Council will not have to maintain/manage the improvements.

Disadvantages:

30 The improvements might not be undertaken as otherwise anticipated.

31 This report recommends Option 1 for addressing the matter.

Significance and Engagement

32 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

33 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.

34 This matter relates to this risk because accepting the land may 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

- 35 The applicants will be required to maintain the reserves for the first 5 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

- 36 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

- 37 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.

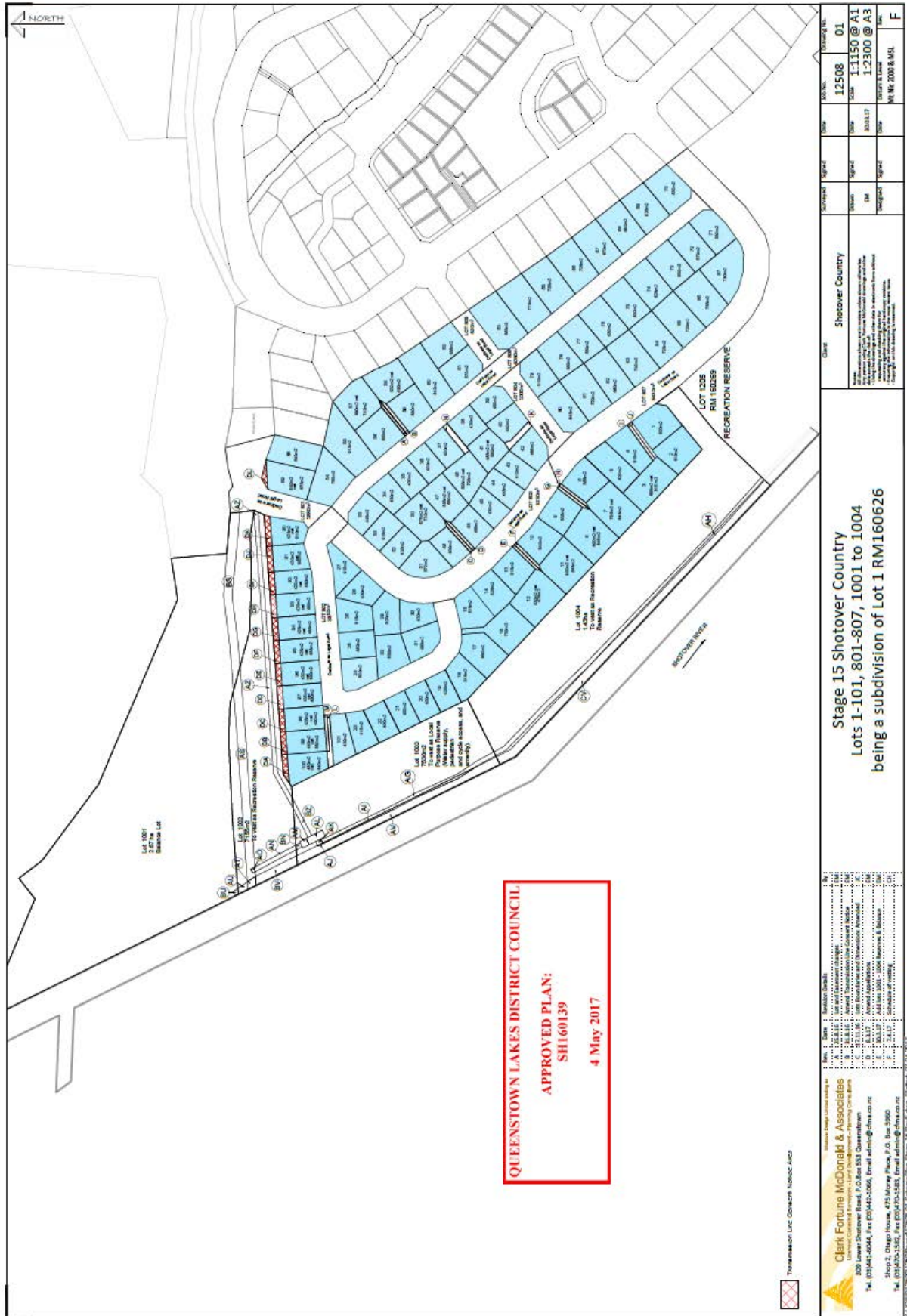
Consultation: Community Views and Preferences

- 38 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes District community.
- 39 No specific media statement or public communication is considered necessary.

Attachments

- A Shotover Country Limited: SH160139 Reserves
- B Shotover Country No.2 Limited: RM161023 Reserves
- C Areas of proposed reserve improvements

ATTACHMENT A





QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN;
SH160139
4 May 2017

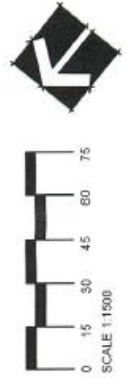


PLANT LEGEND

cordyline australis - cabbage tree (*)	HEBE MIX:
	Hebe cupressioides
	Hebe odora
TREES:	GRASS MIX:
nothofagus solandri var cliffortioides	astelia nervosa
- mountain beech (x\$)	coriaderia richardi - tot tot (*)
sophora microphylla - Kowhai	phormium cookianum - mountain flax
LARGE SHRUB / SMALL TREE MIX:	phormium tenax - swamp flax (*)
leptospermum scoparium - manuka (*)	TUSSOCK MIX:
olearia alba - tree daisy	chionochloa rigida - snow tussock
olearia hectori - Hector's tree daisy	chionochloa rubra - red tussock
olearia linearis - narrow leaf tree daisy	poa alba - silver tussock
GREY MIX:	poa colensoi - blue tussock
aristotelia fruticosa - mountain wineberry	
coprosma propinqua - mingimingi	
coprosma rugosa - coprosma	
coprosma viridescens - coprosma	
corokia cotoneaster	

* do not plant species on the edge of lawns
+ do not plant species on embankments
\$ do not plant species in transmission corridor

QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
SH160139
4 May 2017



Registered
N Z I L A
Landscape
Architect

Project: SHOTOVER COUNTRY - SHA

Title: PLANTING CONCEPT PLAN

Location: SHOTOVER COUNTRY, QUEENSTOWN

Rev# Description By Date

A Issued for comment JD 25.01.16

B Approved for construction JD 05.02.16

C Approved for construction JD 30.03.17

NOT FOR CONSTRUCTION

Scale: 1:1500 @ A3

Drawn / Checked: JD / RL

Job No: 2913

Date: 25.01.16

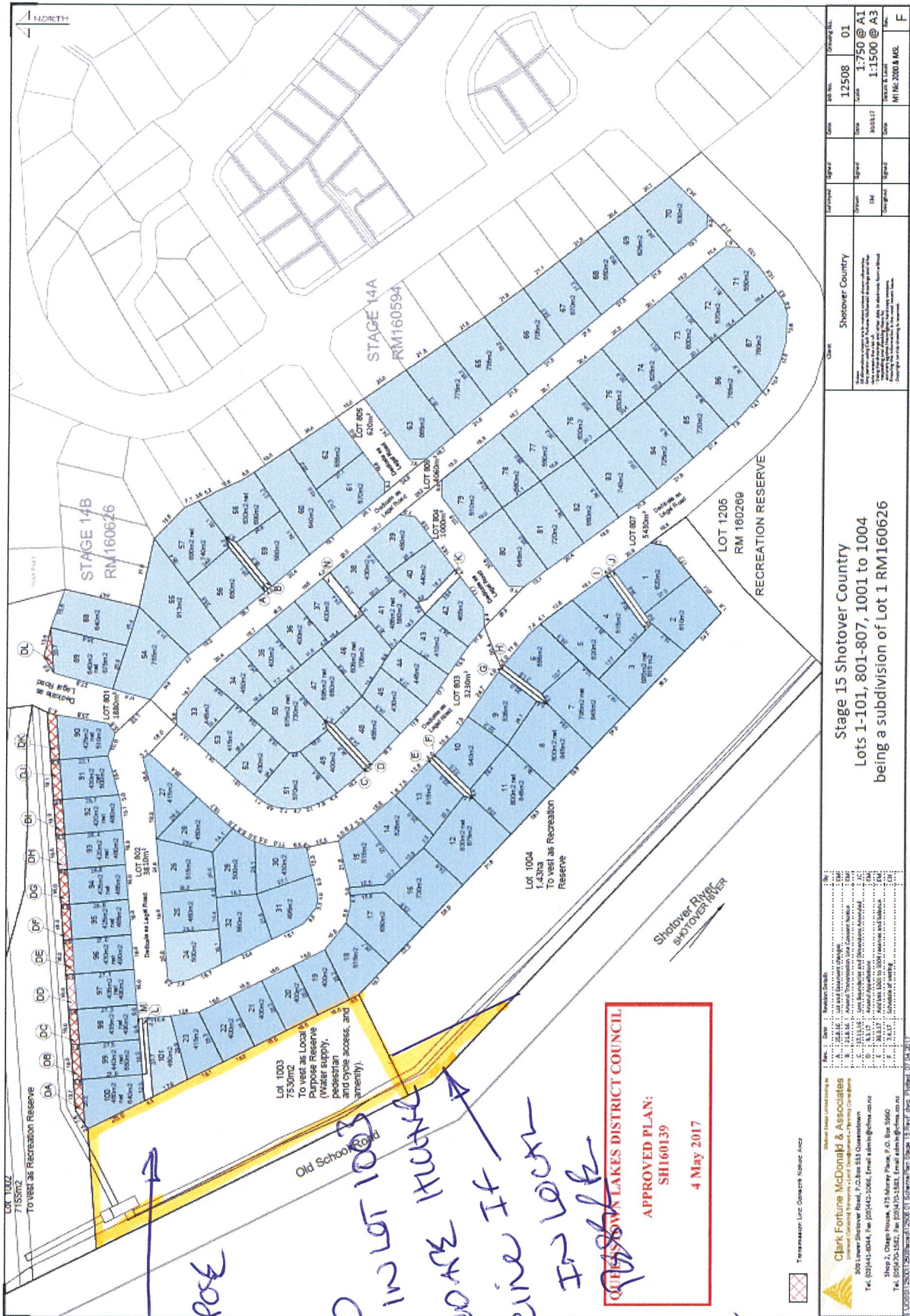
Drawing No: L1C

This drawing is prepared on the basis of information provided by the client and is not to be used for any other purpose without the written consent of LAND.

SCHEDULE 1 - SCHEMES PART 2.

SUGGESTED
INCREASE
TO ACCOMMODATE
BOLT SKELINE IF
NUTCRACKS ARE
DUNLOCK

16/11/2019





ATTACHMENT B

LAND COVENANT AREAS

Areas marked AA-AZ, BA-BZ, CA-CI hereon are subject to a Building Platform Consent Notice.

SCHEDULE OF VESTING


To vest as Legal Road in the Queenstown Lakes District Council	Lot 800, Lot 801, Lot 802
To vest as Recreation Reserve in the Queenstown Lakes District Council	Lot 803
To vest as Local Purpose Reserve in the Queenstown Lakes District Council	Lot 804

MEMORANDUM OF EASEMENTS IN GROSS		
PURPOSE	SHOWN	SERVIENT TENEMENT
Right to Drain Sewage Right to Drain Stormwater	A	Lot 350
	B	Lot 351
	C	Lot 352
	D	Lot 353
	E	Lot 354
	F	Lot 352
	G	Lot 353
	H	Lot 351
	I	Lot 355
Right to convey Telecommunications and Computer Media File	A	Lot 350
	B	Lot 351
	C	Lot 352
	D	Lot 353
	E	Lot 354
	H	Lot 351
	I	Lot 355
Right to convey Gas	A	Lot 350
	B	Lot 351
	C	Lot 352
	D	Lot 353
	E	Lot 354
	H	Lot 351
	I	Lot 355
Right to convey Electricity	A	Lot 350
	B	Lot 351
	C	Lot 352
	D	Lot 353
	E	Lot 354
	H	Lot 351
	I	Lot 355

MEMORANDUM OF EASEMENTS		
PURPOSE	SHOWN	SERVIENT TENEMENT
Right of Way Right to convey water Right to convey electricity Right to convey telecommunications and computer media file Right to convey gas Right to drain sewage and stormwater	A	Lot 350
	B	Lot 351
	C	Lot 352
	D	Lot 353
	E	Lot 354
	H	Lot 351
	I	Lot 355
Right of Way	A	Lot 350
	B	Lot 351
	C	Lot 352
	D	Lot 353
	E	Lot 354

QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM161023
Friday, 23 December 2016

Scheme Plan



Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors - Land Development - Planning Consultants
309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz

Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	29.11.16	Lot 356 added to Right of Way	EM
B	7.12.16	Memorandum	EM

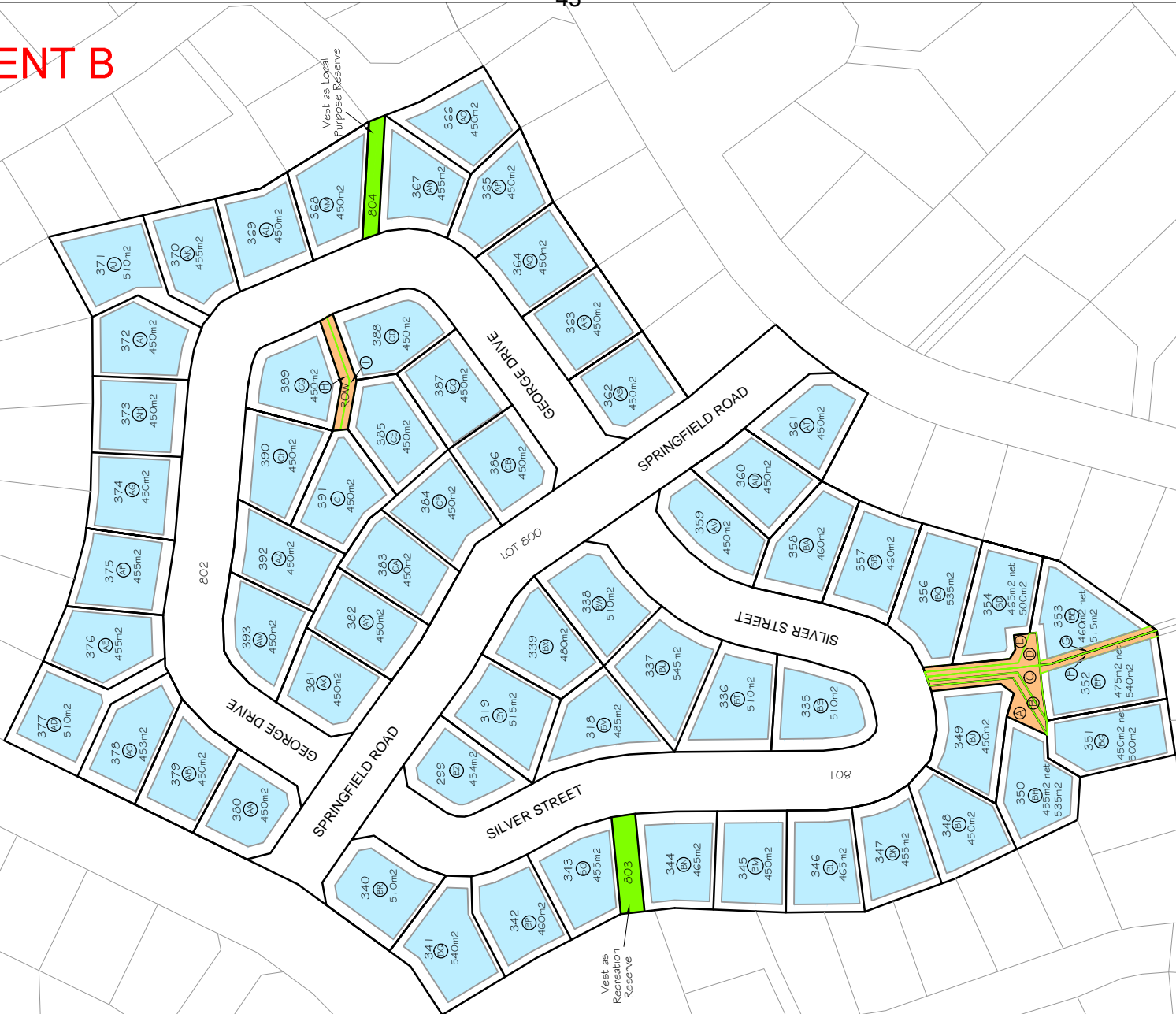
Lots 299, 318-319, 335-393 and 800-802 being a proposed subdivision of Lot 700 DP 491187

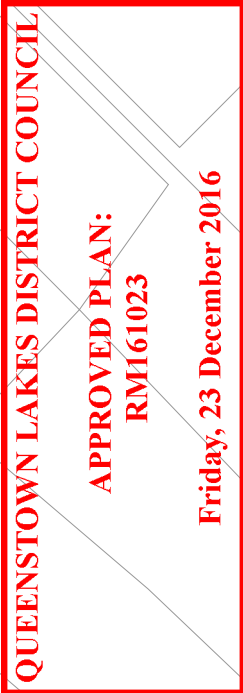
Client


Shotover Country

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Drawn	Signed	x.x.16	12163	04
ZC		Date	Scale	1:750 @ A1
Designed	Signed	24.11.16	Date	1:1500 @ A3
NM		Date	Datum & Level	Rev.
		20.09.16	Mt Nic 2000 & MSL	B







Clark Fortune McDonald & Associates
 Licensed Cadastral Surveyors - Land Development - Planning Consultants
 309 Lower Shotover Road, P.O.Box 553 Queenstown
 Tel. (03)441 6044, Fax (03)442-1066, Email admin@cfma.co.nz

Shotover Design Limited trading as

Lots 299, 318-319, 335-393 and 800-802 being a proposed subdivision of Lot 700 DP 491187

Revision Details		Rev.	Date	By

Shotover Country

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Client	Shotover Country
Surveyed	Signed
Date	x.x.x.16
Job No.	12163
Drawing No.	04

