

QLDC Council
13 December 2018

Report for Agenda Item: 7

Department: Community Services

Amendments to Queenstown Lakes District Council Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan 1991

Purpose

The purpose of this report is to consider a minor amendment to the Queenstown Lakes District Council Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan 1991 for adoption.

Recommendation

That Council:

1. **Note** the contents of this report;
2. **Amend** the Queenstown Lakes District Council Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan 1991 to update policy S67 to enable a public jetty within the Frankton Domain, below Boyes Crescent, as part of foreshore reserve improvements and facilitating active transport:

Commercial Activities

Policy S64: that commercial activities along this shore be predominantly restricted to the hire of small sailing boats, sailing craft and water skiing, and public/commercial water transport options

Foreshore Structures

Policy S67: that no further foreshore structures be permitted, with the exception of a public jetty within the Frankton Foreshore East End.

3. **Note** that all submissions and feedback received through this consultation will be fed into the wider Frankton Domain foreshore reserve improvement work and wider transport and parking projects that are currently underway.
4. **Agree** to exercise the Conservation Minister's consent (under delegation from the Minister).

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Reviewed and Authorised by:



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29/11/2018



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Background

- 1 A range of reserve improvements are planned for the Frankton foreshore to encourage active travel and support future alternative transport solutions. The proposed public jetty is part of wider improvements to enable safer access for walkers and cyclists using the Frankton Track, while still catering for short term carparking nearby.
- 2 The proposed jetty could be used for a future ferry service however, this will require a designation within the lake and a resource consent for ferry operations. At this stage the jetty will only be available for public use.
- 3 Additional proposed improvements to the area include:
 - Removal of vehicle access to the reserve south of the public toilets;
 - A new car park formed near the public toilets;
 - Realignment of the Queenstown Trail to separate it safely from the carpark;
 - New pedestrian and cycle connections from Boyes Crescent;
 - New bike stands near the jetty;
 - General reserve improvements including new native planting.
- 4 The car park will have a 4 hour restriction to align with nearby areas within Frankton and other reserves. The car park is intended for reserve users (visitors and locals) and has not been designed for commuter parking.
- 5 The current Queenstown Lakes District Council Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan 1991 (**RMP**) provides objectives and policies for the Lake Wakatipu foreshore adjacent to urban areas. The Queenstown Bay section of the RMP was amended in 2016. The RMP seeks to balance the reserve to conserve the resource with the need to support appropriate development and commercial activity, and sets out the terms within which future options and proposals will be considered.
- 6 The RMP currently restricts commercial activities to the hire of small watercraft through the following policy:

Commercial Activities

Policy S64: that commercial activities along this shore be restricted to the hire of small sailing boats, sailing craft and water skiing.

- 7 The RMP also prevents any additional foreshore structures within the Frankton Foreshore East End through the following policy:

Foreshore Structures

Policy S67: that no further foreshore structures be permitted.

- 8 To enable the jetty to be constructed and to provide for future public ferry services the following minor amendments to the RMP is proposed:

Commercial Activities

Policy S64: that commercial activities along this shore be predominantly restricted to the hire of small sailing boats, sailing craft and water skiing, and public/commercial water transport operations.

Foreshore Structures

Policy S67: that no further foreshore structures be permitted, with the exception of a public jetty within the Frankton Foreshore East End.

- 9 Under s41(9) of the Reserves Act 1977 Council can amend parts of an existing reserve management plan, without using the extensive consultation process for preparing a plan, provided it determines that the review prompting the amendment is not “comprehensive”. A “comprehensive” review is likely to involve a situation where the Council is open to reconsidering much or all of the plan, or where the nature and extent of the proposed amendments are so considerable that there is change to a large part of the content or scope of the reserve management plan. Council has received legal advice that the amendment to Policy s67 is not a comprehensive review.
- 10 Council staff have had earlier discussions with the Frankton Community Association, Remarkables Primary School, Wakatipu Reforestation Trust and The Queenstown Trails Trust.
- 11 Community feedback on the proposal was sought. An online form was opened on 2 November 2018 and closed on 23 November 2018.

Comment

- 12 37 submissions were received within the advertised feedback period. 4 submissions were in opposition to the proposal, 4 were neutral, and 20 submissions were in support. 9 submissions were incomplete.
- 13 A summary of the feedback is attached as **Attachment B**.
- 14 In response to feedback, the following changes to the reserve improvements are proposed:

- A raised pedestrian crossing will be formed on Allen Crescent near the intersection with Boyes Crescent;
 - A bollard near the car park will be removed to retain vehicle access towards the KJet jetty (in the short term);
 - There will be additional revegetation and improvement of picnicking areas.
- 15 Several submitters have queried the 4-hour parking limit. The car park is intended for reserve users (locals and visitors) and is not intended to be a commuter car park. At this stage, casual short or longer-term parking will remain available along road reserves on Boyes Crescent and Allen Crescent; however, submitter concerns about these streets becoming informal park and ride areas are noted. The time limit would ensure that it is potentially available for school users. The Remarkables Primary School has been consulted and is supportive of the car park and proposed one-way vehicle use of Allen Crescent.
- 16 One submitter raised a lake safety concern in regard to marking the channel if more public boats will be using the area. This will be followed up with the Harbourmaster.
- 17 Submitters have voiced both support and opposition to a future commercial ferry service, The RMP amendment and reserve improvements enable, but do not permit, a commercial ferry service, as this will be subject to a separate resource consent process.
- 18 The proposal does not address some of the wider parking and transport matters raised by submitters, for example, park and ride or commuter parking for a ferry service, e-bike charging facilities, bike lock-up facilities, sealing Frankton Track or removing all parking from the reserve. These matters will be addressed by ongoing transport planning currently being undertaken by Council staff, and may be addressed by a future resource consent application for a commercial ferry service.
- 19 The development plans (**Attachment C**) are conceptual with indicative linkages. The development plans will be refined during the detailed design process and in conjunction with Council's transport staff.
- 20 In the short term it is proposed to leave the informal boat ramp near the public toilets available for public use, and to retain vehicle access to the KJet jetty. The informal boat ramp is not addressed by the RMP. It is proposed to close both the vehicle access and informal boat ramp within two years. Both of these features conflict with the underlying purpose of the reserve and compromise the safety and enjoyment of the Queenstown Trail. KJet has provided feedback seeking that their vehicle access be retained, and the Frankton Community Association has requested that vehicle access for Wakatipu Reforestation Trust be retained. Council staff will continue discussions with KJet and other parties on these details.
- 21 The amendment to the RMP has been prepared in accordance with the Reserves Act 1977. The next step is for Council to adopt the amendment under delegation from the Minister of Conservation.

Options

22 Option 1 Adopt the change to the RMP.

Advantages:

- 23 Adopting the amended RMP will facilitate and enable reserve improvements and encourage active travel.
- 24 It will support a future ferry service as an alternative transport solution.
- 25 Public access to the foreshore and public enjoyment of the reserve will be enhanced.
- 26 Safety along the Queenstown Trail will be improved.

Disadvantages:

- 27 Some submitters do not support the jetty or proposed changes to this area.
- 28 There will be less casual car parking available and the proposed parking area will have a time restriction.

29 Option 2 Do not adopt the change to the RMP.

Advantages:

- 30 The foreshore will remain free from additional structures.

Disadvantages:

- 31 The reserve improvements may be more limited and less enabling of active travel.
- 32 A future ferry service will not be able to use this location.
- 33 This report recommends **Option 1** for addressing these matters.

Significance and Engagement

34 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because of the potentially high level of community interest against the 'low' assessments against the other factors.

Risk

35 This matter relates to the operational risk OR11 decision making as documented in the Council's risk register. The risk is classed as low. This matter relates to this risk because the options highlighted require the Council to follow an approval process that amends current activities on land and reserves.

Financial Implications

36 There is some operational expenditure related to reserve improvements which can be covered by existing operational budgets. Capital expenditure is required to construct the jetty, this is provided for in the Long Term Plan 2018-2028.

Council Policies, Strategies and Bylaws

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

- Queenstown Lakes District Council Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan 1991

38 The recommended option is consistent with the principles set out in the named policy.

39 This matter is included in the 10-Year Plan/Annual Plan.

Local Government Act 2002 Purpose Provisions

40 The recommended option:

- Will help meet the current and future needs of communities for reserve improvements and access, encouraging active travel, and supporting future alternative transport solutions.
- Can be implemented through current funding under the 10-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.

Consultation: Community Views and Preferences

41 The persons who are affected by or interested in this matter are the residents, ratepayers and visitors to the Queenstown Lakes District.

42 The Council has publicly notified the change to the RMP and considered the feedback received. No hearing is required for a minor amendment to the RMP.

Legal Considerations and Statutory Responsibilities

43 The amendment to the RMP is in accordance with the Reserves Act 1977.

44 The Conservation Minister has delegated decision making powers for reserve management plans to local administering bodies.

Attachments

- A Amended Queenstown Lakes District Council Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan 1991
- B Summary of public feedback
- C Conceptual Development Plans