

**Wanaka Community Board
3 August 2017**

Report for Agenda Item: 4

Department: Property & Infrastructure

Proposal to Vest Lands as Reserve and to Offset Reserve Land and Reserve Improvements Contributions as per the Development Contributions Policy

Purpose

The purpose of this report is to consider recommending to Council the approval to vest two proposed reserves identified within a development, and to offset reserve land and reserve improvement development contributions for those reserves.

Recommendation

That the Wanaka Community Board:

- 1 **Recommend to Council** the vesting of the two identified proposed reserves be approved;
 - a. Lots 200 and 201, Kirimoko Limited Partnership, 'Kirimoko Heights' development, Kirimoko Crescent.

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 three year maintenance period by the current landowner commencing from vesting of the reserve;
 - v. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
- 2 **Recommend to Council** that reserve land contributions are offset in accordance with the Development Contributions Policy current at the time of contributions payment and the Parks and Open Space Strategy 2017, subject to recommendation three above.

- 3 **Recommend to Council** that reserve improvement contributions are offset against those payable in accordance with the Development Contributions Policy current at the time of contributions payment, subject to:
- a. Detailed design plans for the reserves to be submitted and the approval of these to be delegated to the Parks and Reserves Planning Manager.
 - b. 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.
 - c. 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.

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14/07/2017

Reviewed and Authorised by:



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17/07/2017

Background

- 1 Two proposed reserves within the same development are addressed by this report.
- 2 Developer: Kirimoko Limited Partnership for the 'Kirimoko Heights' development. Resource Consent RM160560 granted on 5 August 2016 (and varied under RM170266 & RM170482) for subdivision to create 33 residential allotments, one balance lot, and two local purpose reserves. The location of the development is described as Kirimoko Crescent, Wanaka. The two reserves include Lot 200 (172m²) Local Purpose Reserve (access), to provide a pedestrian/cycle linkage between two roads. Lot 201 (130m²) is similarly proposed as a Local Purpose Reserve (access) to provide a pedestrian/cycle linkage between two roads. The reserves are illustrated in **Attachment A**. Both reserves have been identified in the approved resource consent.

Comment

- 3 The potential reserves in the Kirimoko Partnerships development will provide linkages that will assist with pedestrian and cycle movement. The proposed reserves are consistent with the 'connections' parks and open space typology as identified in the Parks and Open Space Strategy 2017.

- 4 Reserve land and reserve improvement contributions will be offset in accordance with the Development Contributions Policy current at the time of contributions payment. The recommended option ensures that reserve improvement contributions will only be offset against improvements agreed by the Parks and Reserves Planning Manager, 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 contributions required.

Options

- 5 Option 1 Accept the proposal for the vesting of the reserves and to offset reserve land and reserve improvement contributions as per the Development Contributions Policy and the Parks and Open Space Strategy 2017.

Advantages:

- 6 The land is proposed to be vested in Council at no cost.
- 7 The vesting of the reserves will confirm what is envisaged and in accordance with the Resource Consent and applicable applications for the developments.

Disadvantages:

- 8 Council will have to maintain or manage the reserves at a cost to the ratepayer after three years.
- 9 Option 2 Reject or modify the proposal for the vesting of the reserves and to offset reserve land and reserve improvement contributions as per the Development Contributions Policy and the Parks and Open Space Strategy 2017.

Advantages:

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

Disadvantages:

- 11 Council will refuse areas of land being offered at no cost.
- 12 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.
- 13 This report recommends **Option 1** for addressing the matter.

Significance and Engagement

- 14 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

- 15 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.
- 16 This matter relates to this risk because accepting the land will 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

- 17 The applicants will be required to maintain the reserves for the first three 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 to which they will be maintained.

Council Policies, Strategies and Bylaws

- 18 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

- 19 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

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

Attachments

- A Kirimoko Limited Partnership: Kirimoko Heights reserves

Attachment A: Kirimoko Heights reserves

