

Wānaka Community Board
14 May 2020

Report for Agenda Item | Rīpoata mot e Rāraki take 2

Department: Community Services

Title | Taitara Proposal to Vest Land in Wānaka associated with the Northlake Development, as two Local Purpose (Services and Access) reserves, one Local Purpose (Stormwater) Reserve, and to Offset Reserve Improvement Contributions if Appropriate, per the Development Contributions Policy

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

The purpose of this report is to consider recommending to Council, an approval for two Local Purpose (Services & Access) Reserves, one Local Purpose (Stormwater) Reserve, and to offset reserve improvement development contributions as applicable.

RECOMMENDATION | NGĀ TŪTOHUNGA

That the Wānaka Community Board:

1. **Note** the contents of this report;
2. **Recommend to Council** that the vesting of the three Local Purpose Reserves, be approved;

Northlake Investments Ltd, Wānaka – RM190951

- a) Reserve 1: Local Purpose (Stormwater) Reserve. Area 4,470m².
- b) Reserve 2: Local Purpose (Services & Access) Reserve. Area 180m².
- c) Reserve 3: Local Purpose (Services & Access) Reserve. Area 140m².

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

- i) Consent being granted (as necessary and subject to any subsequent variations) for any subdivision required to formally create the reserves, and to also level out topography for reserves 2 & 3 (if advised necessary by the Parks & Open Spaces Planning Manager);
- ii) Presentation of the reserves in accordance with Council's standards for reserves;
- iii) The submission of Landscape Plans to Council by the developer for certification as appropriate, including subsequent implementation of landscape and planting for the reserves. The certification of such a plan shall be by the Parks and Open Spaces Planning Manager.

- iv) The formation of sealed pathways on reserves 2 & 3 to a minimum two-metre wide width, and to also meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
 - v) A potable water supply point to be provided at the boundary of the reserve lots;
 - vi) 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 any public reserve vested in or administered by the Council and any adjoining land;
 - vii) The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserves, to ensure any fences on land adjoining, or boundaries along any reserve, shall no greater than 1.2m in height, and be 50% visually permeable;
 - viii) A three-year maintenance period by the current landowner commencing from vesting of the reserves 2 & 3;
 - ix) A maintenance agreement for reserves 2 & 3 being prepared and signed by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period; and
 - x) A maintenance period for Reserve 1, as identified in any associated resource consent to create the Local Purpose (Stormwater) Reserve, with any agreement being with Council's Property & Infrastructure department;
 - xi) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
- 3 **Recommend to Council** that any 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 the Parks & Open Spaces Planning Manager.
 - b. Final approval of any reserve improvement costs to be delegated to the the Parks & Open Spaces Planning Manager, and is subject to the applicant demonstrating the actual costs of the improvements.
3. 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:

Reviewed and Authorised by:

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10/03/2020

Thunes Cloete
General Manager Community Services
13/03/2020

CONTEXT | HORPOAKI

- 1 The location of the development site is illustrated in **ATTACHMENT A**. Plans associated with the proposal are included as **ATTACHMENT B**.
- 2 The reserves are not identified in an application for an actual subdivision, but instead in an Outline Development Plan approved on 18 November 2019. An approved subdivision consent will be ultimately required to formally create the reserves.
- 3 Consideration of the proposed Local Purpose (Stormwater) Reserve is in the context of an identified extent of land to ultimately transfer to Council for stormwater purposes. The design and function of the land and associated infrastructure, to meet that purpose is aside from this report.
- 4 It is considered that reserves 2 and 3 can provide adequate pedestrian/cycle connections, and incorporate (in ground) infrastructure, provided that any formed pathway is to a minimum Grade 2 standard, and any infrastructure will not interfere with the function of the pathway. All fencing along the reserves should not be greater than 1.2m in height, and be at least 50% visually permeable. This is to ensure that the pedestrian/cycle connections are open, visible and not 'walled in' to the extent that they might otherwise become hidden from view and unsafe.
- 5 At this time, there is no commitment to any improvements from Council's Parks team, and it is noted that a request for improvements would be unlikely.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 6 The potential Local Purpose (Services & Access) Reserves will provide linkages that will assist with pedestrian and cycle movement to areas of potential future development. The proposed reserves are consistent with the 'connections' parks and open space typology as identified in the Parks and Open Space Strategy 2017.
- 7 Reserve land and reserve improvement contributions may 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 the Parks & Open Spaces 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. It is noted that it is very unlikely that the reserves will be improved, given their limited size and dedicated function. Landscaping and the formation of pathways do not qualify for offsets, and are required regardless for reserves such as those proposed.

- 8 Option 1 Accept the proposal for the vesting of the reserves and to offset reserve improvement contributions (if applicable) as per the Development Contributions Policy.

Advantages:

- 9 The land is proposed to be vested to Council at no cost at the time of vesting, and it will be the developer's responsibility to meet the standards prescribed in the recommended conditions as a pre-requisite to vesting.
- 10 The services/access reserves will facilitate pedestrian and cycle access through the proposed development, to areas of potential future development.
- 11 The area of land identified to fulfil stormwater purposes can be set aside for such, and accommodate this function.

Disadvantages:

- 12 Council will have to maintain or manage the respective reserves at a cost to the ratepayer, after three years, although the maintenance period for the stormwater reserve could differ.

- 13 Option 2 Reject or modify the proposal for the vesting of the reserves and to offset reserve improvement contributions (if applicable) as per the Development Contributions Policy.

Advantages:

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

Disadvantages:

- 15 There will be limited land identified for pedestrian and cycle access through the development.
- 16 There will not be land to fulfil a stormwater purpose.
- 17 This report recommends **Option 1** for addressing the matter.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 18 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 AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 19 This matter related to the operational risk 00009 Ineffective management of community assets, which is identified as a high risk.
- 20 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, and the land is managed effectively. 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 | NGĀ RITENGA Ā-PŪTEA

- 21 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 they will be maintained to.

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

- 22 The following Council policies, strategies and bylaws were considered:
- Significance and Engagement Policy
 - Parks and Open Space Strategy 2017
 - Development Contributions Policy
 - Vesting of Roads and Reserves Policy
- 23 The recommended option is consistent with the principles set out in the named policies.

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

- 24 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 improving pedestrian connectivity;

- 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	LOCATION PLAN
B	DEVELOPMENT PLANS