

**Wānaka-Upper Clutha Community Board**

**8 February 2024**

**Report for Agenda Item | Rīpoata moto e Rāraki take [4]**

**Department: Community Services**

**Title | Taitara: Proposed Reserves to Vest in Wānaka**

**Purpose of the Report | Te Take mō te Pūroko**

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The purpose of this report is to assess one Recreation Reserve in the Orchard Road Holdings subdivision (Alpine Meadows) in Wānaka and one Local Purpose (Connection) Reserve in the Mt Iron Junction subdivision and for the Board to consider recommending to Council that they be approved.

**Recommendation | Kā Tūtohuka**

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That Wānaka-Upper Clutha Community Board:

1. **Note** the contents of this report; and
2. **Recommend to Council** that vesting of the following reserves be approved:
  - a) Orchard Road Holdings RM230716 as a variation to RM200259 – Recreation Reserve. Lot 132, being 2.21 hectares.

Subject to the following works being undertaken at the applicant's expense.

- i) Compliance with the conditions of Resource Consent RM200259 as varied by RM230716 (and any subsequent variations) which include:
  - The formation of a sealed pathway on the Lot 132 reserve to meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
  - Provision of a potable water supply point to be provided at the boundary of the reserve lot;
  - The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve 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;
  - The registration of a Consent Notice (or alterative encumbrance) on any land within the development adjoining the reserve, to ensure any fences on land adjoining, or boundaries along any reserve, shall be no greater than 1.2m in height, and be 50% visually permeable;

- A two-year maintenance period by the consent holder commencing from vesting of the reserve; and
  - A maintenance agreement for reserve prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserve will be maintained during the maintenance period.
- ii) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy; and
- iii) Presentation of the reserve in accordance with Council's policies.
- b) Mount Iron Junction RM230506 – Local Purpose (Connection) Reserve. Lot 5 being 60m<sup>2</sup>.

Subject to the following works being undertaken at the applicant's expense.

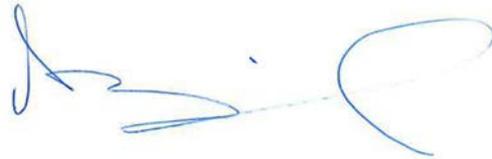
- i) Compliance with the conditions of Resource Consent RM200259 as varied by RM230716 (and any subsequent variations) which include:
- The formation of a sealed pathway within Lot 5 to meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2018);
  - Provision of a potable water supply point to be provided at the boundary of the reserve lot;
  - The registration of a fencing covenant under s6 of the Fencing Act 1978 on the reserve 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;
  - The registration of a Consent Notice (or alterative encumbrance) on any land within the development adjoining the reserve, to ensure any fences on land adjoining, or boundaries along any reserve, shall be no greater than 1.2m in height, and be 50% visually permeable;
  - A three-year maintenance period by the consent holder commencing from vesting of the reserve; and
  - A maintenance agreement for reserve prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserve will be maintained during the maintenance period.
- ii) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy; and
- iii) Presentation of the reserve in accordance with Council's policies.

**Prepared by:**



**Name:** Jeannie Galavazi  
**Title:** Principal Parks and Reserves Planner  
21 December 2023

**Reviewed and Authorised by:**



**Name:** Ken Bailey  
**Title:** General Manager Community Services  
18 January 2024

### Context | Horopaki

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1. The Wānaka-Upper Clutha Community Board recommended approval of the vesting of Lot 901 within the Orchard Road Holdings subdivision at Ballantyne Road for the purpose of a Local Purpose Reserve (Access) at a meeting on 17 February 2022. Since this time, the Developer has applied to vary the subdivision consent to incorporate an additional reserve (Lot 132) into the subdivision. It is this additional reserve that is the subject of this report.
2. Mt Iron Junction Limited have received subdivision consent RM230506 for a three lot subdivision. One lot is proposed to be vested in Council as a Local Purpose (Connection) Reserve.
3. The Wānaka-Upper Clutha Community Board is being asked to recommend to Full Council that the reserves be accepted.
4. The additional reserves have been approved via Resource Consent and conditions of consent to enable vesting have been applied.

### Analysis and Advice | Tatāritaka me kā Tohutohu

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#### Orchard Road Holdings Limited

5. Resource consent RM200259 has been approved for a 93-lot subdivision at Ballantyne Road, Wānaka. The approved subdivision included one Local Purpose (Access) Reserve (Lot 901) and one Local Purpose (Drainage) Reserve (Lot 902).
6. A variation to RM200259 has been lodged to incorporate Lot 132 into the subdivision. Lot 132 is to be vested as a Recreation Reserve and is 2.21 hectares in size.
7. The use and vesting of Lot 132 as open space was approved in a Stakeholder Deed between the Developer and Council signed 6 March 2012. The Stakeholder Deed requires the following (summarised):
  - a. The treatment and specifications of the open space, including stormwater drainage and a footpath/cycleway, be submitted to Council for approval;
  - b. The implementation of the approved plans and maintenance of the open space area by the Developer for a minimum of two years;
  - c. The offering of the land to Council as a reserve;
  - d. The Developer may seek to offset up to 50% of the land as contributions by applying to the Council for the reserves and improvements to form part of the development contribution.



Figure 1: Excerpt of approved subdivision plan RM200259 as varied by RM230716 with proposed reserve circled in red

- 8. Landscaped mounds have been formed and some tree planting is in place (see Figure 2 below). It is noted from the condition of the surface that it does not appear that the mounding has been finished with topsoil and therefore top-soiling and re-sowing of grass will be required at a minimum.



Figure 2: Existing condition of proposed Reserve Lot 132

9. A pedestrian/cycle trail is also proposed within Lot 132 as shown in Figure 1 above. This will provide an active travel connection between the Pembroke Terrace subdivision to the northwest, two connections to the industrial area to the north, as well as Ballantyne Road to the northeast as indicated below in Figure 3.



*Figure 3: Aerial view of the proposed lot (outlined in red) and showing the pedestrian / cycle connections that will be enabled*

10. As a condition of consent, a path is required to be formed within the reserve that meets Council's Grade 2 standard (minimum).

#### Mount Iron Junction Limited

11. Mt Iron Junction Limited has received subdivision consent RM230506 for a three lot subdivision. One lot is proposed to be vested in Council as a Local Purpose (Connection) Reserve.
12. The proposed connection reserve will provide access to the adjoining Department of Conservation (DoC) land at the base of Mt Iron (Pt Closed road Block IV, Lower Wānaka Survey District). The DoC land includes an existing informal trail which provides a link to the existing trail within Mt Iron.

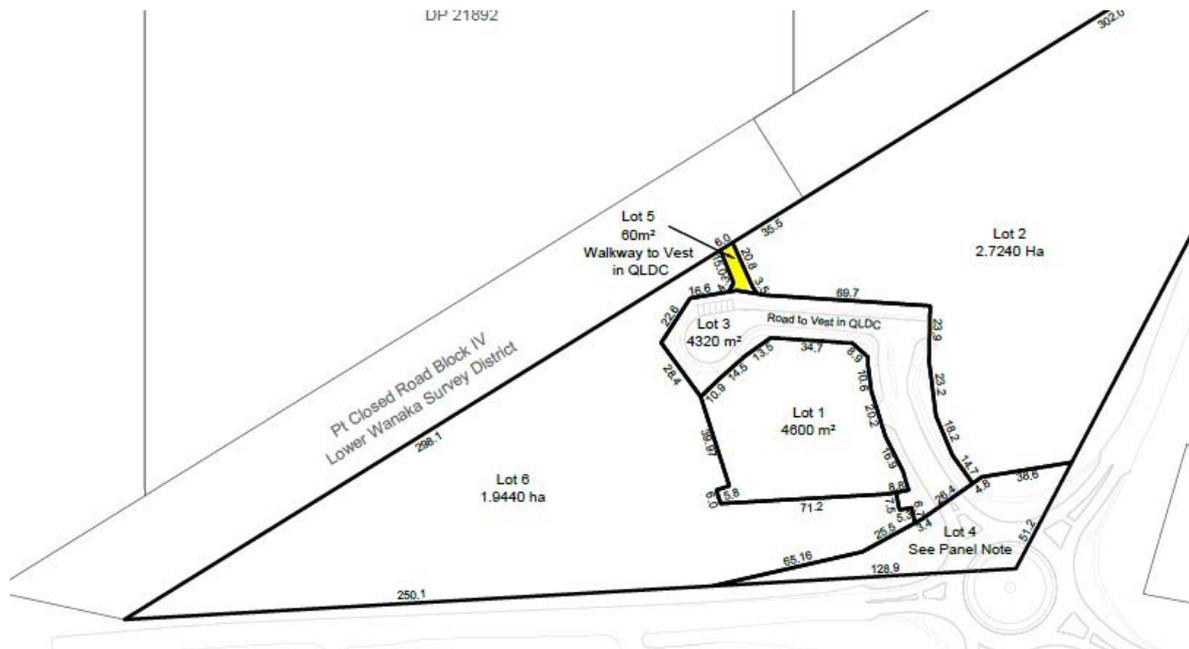


Figure 4: Location of proposed connection reserve highlighted in yellow

13. 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.

14. Option 1 Accept the proposal to vest the reserves.

*Advantages:*

- The land is proposed to be vested to Council at no cost at the time of vesting, and it will be the respective developer’s responsibility to meet the standards prescribed in the recommended conditions as a pre-requisite to vesting.
- The reserves will provide an important pedestrian/cycle connection and provide amenity and some recreational benefit.
- The reserves are identified in approved subdivision consents and accepting the reserves will facilitate the s224(c) process to advance the subdivision and allow for the creation of residential allotments.

*Disadvantages:*

- Council will have to maintain or manage the reserves at a cost to the ratepayer after two years.

15. 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:*

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

*Disadvantages:*

- Useful pedestrian/cycle connections might be lost and therefore people will have to travel a longer distance to access their destination. This may increase traffic generation which has both greenhouse gas and health implications.
- The consented subdivisions will need to be formally varied and this could create issues and delays in creating titles to accommodate residential dwellings.
- Council will refuse reserve land being offered to the community at no cost.

16. This report recommends **Option 1** for addressing the matter because the proposed reserves increase connectivity within the community and meet the requirements of the Ballantyne Road Industrial Stakeholders Deed signed on 6 March 2012.

### **Consultation Process | Hātepe Matapaki**

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#### **Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka**

17. 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, and it is accepted that the creation of a reserve that can meet community needs is a good outcome.

18. The persons who are affected by or interested in this matter are the subdivision developers and residents/ratepayers of the district.

19. The Council has not undertaken any consultation in relation to the proposal.

#### **Māori Consultation | Iwi Rūnaka**

20. The Council has not taken any consultation with Iwi on the matter relating to vesting of land to the Council.

### **Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka**

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21. This matter relates to the Community & Wellbeing risk category. It is associated with RISK10005 'ineffective planning for community services or facilities' within the QLDC Risk Register. This risk has been assessed as having a high residual risk rating.

22. The approval of the recommended option will support the Council by allowing us to avoid the risk. This shall be achieved by ensuring 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 policy and meets the requirements of the Ballantyne Road Industrial Stakeholders Deed signed 6 March 2012.

### **Financial Implications | Kā Riteka ā-Pūtea**

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23. The Orchard Road Holdings Limited developer will be required to maintain the reserves for the first two years and the Mount Iron Junction developer will have to maintain the reserve for the first three years. Following this point, provision will need to be made available within Council's future maintenance budgets dependent on the facilities in the reserves and the level of service they will be maintained to.

### **Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera**

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24. The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy, 2021
- Parks and Open Spaces Strategy 2021
- Development Contributions Policy
- Vesting of Roads and Reserves Policy

25. The recommended option is consistent with the principles set out in the named policies.

26. This matter is not included in the Long Term Plan/Annual Plan, but has no effect upon it.

### **Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka**

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27. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The connectivity provided by the Reserve will promote social and environmental well-being. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

28. The recommended option:

- Is consistent with the Council's plans and policies; and
- Would not significantly alter 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 | Kā Tāpirihaka**

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A	Orchard Road Holdings RM200259 (as varied by RM230716) Subdivision Plan
B	Mount Iron Junction (RM230506) Subdivision Plan

Attachment A: Orchard Road Subdivision Plan RM 200259 (as varied by RM230716)



Stage 1 - 92 Lots  
 Stage 2 - 51 Lots  
 Balance - 231 Lots  
 TOTAL - 374 Lots

Reserve A - 2.212 Ha  
 Reserve B - 0.40 Ha  
 Walkways (x5) - 0.172 Ha  
 TOTAL - 2.784 Ha

Roading Schedule		
Name	Legal Width	Carriageway Width
Road 1	20.00m	8.40m
Road 2A	18.00m	5.70m
Road 2B	18.00m	5.70m
Road 3	15.00m	5.70m
Road 4A	20.00m	8.40m
Road 4B	20.00m	8.40m
Road 5	20.00m	5.70m
Road 6A	18.00m	5.70m
Road 6B	18.00m	5.70m
Road 7	18.00m	5.70m
Road 8	18.00m	5.70m
Road 9A	18.00m	5.70m
Road 9B	18.00m	5.70m
Road 10	18.00m	5.70m
Road 11	15.00m	5.70m
Road 12	15.00m	5.70m
Road 13	20.00m	8.40m

For Resource Consent

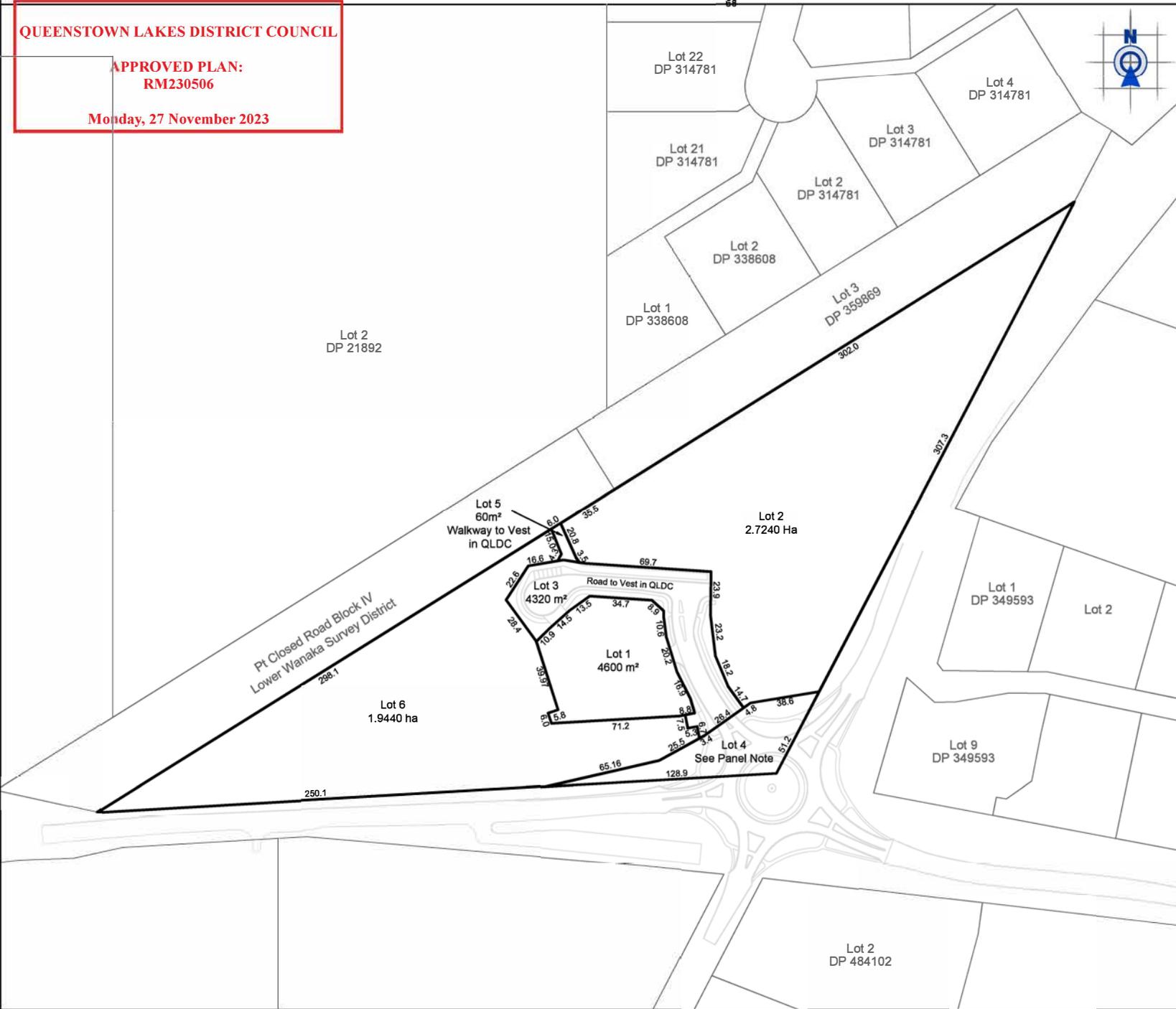
<b>PATERSONPITTS</b> GROUP Your Land Professionals www.ppgroup.co.nz 0800 PPGROUP	WANAKA BRANCH 19 Reese Crescent or P.O. Box 283 Wanaka 9343 T 03 443 0110 E wanaka@ppgroup.co.nz	ORCHARD ROAD HOLDINGS LTD Alpine Meadows Stage 1 Wanaka	Scheme Plan Lots 31-43, 59-138, 900-905 Being a Subdivision of Lot 999 DP 535926	SURVEYED BY: TMM DESIGNED BY: TMM DRAWN BY: SJD CHECKED BY: SJD APPROVED BY: SJD JOB NO: W5620 DWG NO: 002	ORIGINAL SIZE: A3 SCALE: 1:4000 @ A3 DO NOT SCALE REVISION NO: F DATE CREATED: 17/04/2023

# Attachment B: Mount Iron Junction (RM230506) Subdivision Plan

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:**  
**RM230506**

**Monday, 27 November 2023**



Lot 4, 2669m². This area is currently subject to Public Works Act compensation certificate for the acquisition of road by Waka Kotahi.

At the time of 223/224c if the acquisition process has not been completed the applicant shall either

- 1) Show a right of way over Lot 4 in favour of QLDC and amalgamate Lot 4 with Lot 2 or
- 2) Provide written agreement from Waka Kotahi that Lot 4 shall vest in His Majesty the King.

Lots 2 and 6 shall be held together as one Record of title see, CSN to be advised.

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**WANAKA**  
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 or P.O. Box 283  
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**T** +64 (3) 443 0110  
**E** wanaka@ppgroup.co.nz

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Client & Location:  
**Mount Iron Junction Limited**  
**Wanaka**

Purpose & Drawing Title:  
 Lots 1 - 6 being proposed subdivison of  
 Lot 5 DP15016

**For Consent**

Surveyed by:	***	Original Size:	Scale:
Designed by:	PHJ	A3	1:2000
Drawn by:	PHJ		
Checked by:	KMB	DO NOT SCALE	
Approved by:	DJW	Job No:	Revision No/ Date:
		W6870	REV 3 / 24/08/2023