

Wānaka-Upper Clutha Community Board

30 November 2023

Report for Agenda Item | Rīpoata moto e Rāraki take [3]

Department: Community Services

Title | Taitara: Proposed Reserves to Vest in Wānaka

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to consider recommending to Council the approval of one Local Purpose (Access and Services) Reserve in the Northlake subdivision in Wānaka, and one Local Purpose (Access) Reserve in the Koreke Rise subdivision in Lake Hāwea.

Recommendation | Kā Tūtohuka

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) Northlake Investments Limited RM211044 – Local Purpose (Access and Services) Reserve. Lot 1037, being 400m².
 - b) Orchard Road Holdings RM220897 – Local Purpose (Access) Reserve. Lot 101, being 115m².

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

- i) Compliance with the conditions of Resource Consents RM211044 and RM220897 (and any subsequent variations) which include:
 - The formation of a sealed pathway on the 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 alternative encumbrance) on any land within the development adjoining the reserve, 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;
 - 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 & Open Spaces Planning Manager specifying how the reserves 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:



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Title: Parks and Reserves Planner
2 November 2023

Reviewed and Authorised by:



Name: Ken Bailey
Title: GM Community Services
9 November 2023

Context | Horopaki

1. Two reserves in two separate residential subdivisions are proposed, both to facilitate public access / connectivity, one contains underground services.
2. The Wānaka-Upper Clutha Community Board is being asked to recommend to Council that the reserves be accepted.
3. The reserves have been approved via Resource Consent and conditions of consent to enable vesting have been applied.

Analysis and Advice | Tatāritaka me kā Tohutohu

Northlake Investments Limited

4. Stage 17B of the Northlake subdivision has been approved via Resource Consent RM211044. This stage of the subdivision comprised a total of 35 residential lots and one reserve strip for access. The approved subdivision plan is attached as **Attachment A**.
5. The Local Purpose (Access and Services) Reserve is Lot 1037 and has an area of 400m². The location of the reserve is shown below in Figure 1 circled in red.



Figure 1: Excerpt of approved subdivision plan RM211044 with proposed reserve circled in red

6. The reserve will provide access to the adjacent building restriction area.

Orchard Road Holdings

- Resource consent RM220897 has been approved for an 89-lot subdivision, with one road to vest in Council, one Local Purpose (Access) Reserve and one Local Purpose (Drainage) Reserve. The approved subdivision plan is attached as **Attachment B**.
- The Local Purpose (Access) Reserve is Lot 101 and has an area of 115m². The location of the reserve is shown below in Figure 2 circled in red.

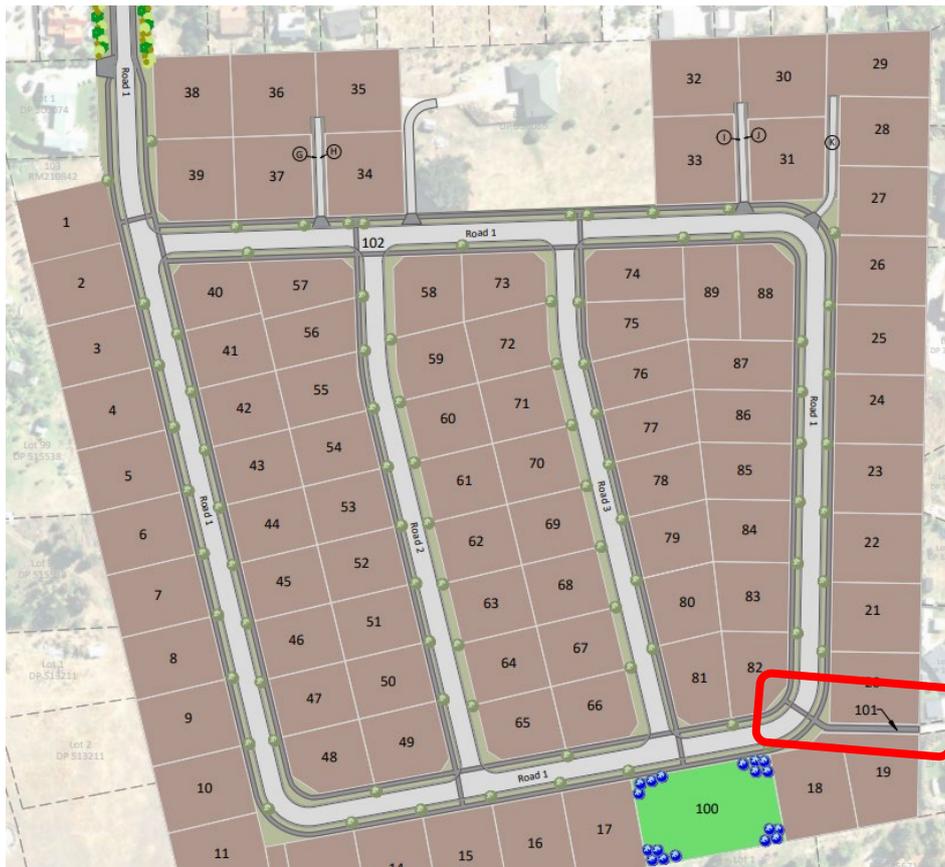


Figure 2: Excerpt of approved subdivision plan RM220897 with proposed reserve circled in red

- The reserve will comprise a walkway connection between the southeast corner of the proposed subdivision through to land owned by Council at 58 Charles Court (Lot 30 DP 327385).
- As a condition of consent, a path is required to be provided within the reserve that meets Council's Grade 2 standard (minimum).
- 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.
- 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 Local Purpose (Access) Reserves will provide important pedestrian/cycle connections and provide a recreational benefit.
- The Local Purpose (Access) 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 three years, albeit this is an accepted outcome, and any disadvantage is minimal given Council seeks to attain quality reserves to benefit the community.

11. 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 protected 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.

12. This report recommends **Option 1** for addressing the matter because it increases connectivity within community and meets the vision and objectives within the Parks & Open Spaces Strategy 2021.

[Consultation Process | Hātepe Matapaki](#)

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

13. 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.

14. The persons who are affected by or interested in this matter are the subdivision developers and residents/ratepayers of the District.
15. The Council has not taken any consultation in relation to the proposal.

Māori Consultation | Iwi Rūnaka

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

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

17. 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.
18. The approval of the recommended option will support the Council by allowing the risk to be avoided. 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 Parks and Open Spaces Strategy 2021.

Financial Implications | Kā Riteka ā-Pūtea

19. The developer 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 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

20. 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
- Refer to online documents here: <http://www.qldc.govt.nz/policies>

21. The recommended option is consistent with the principles set out in the named policies.
22. This matter 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

23. 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 Local Purpose (Access) Reserves 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.

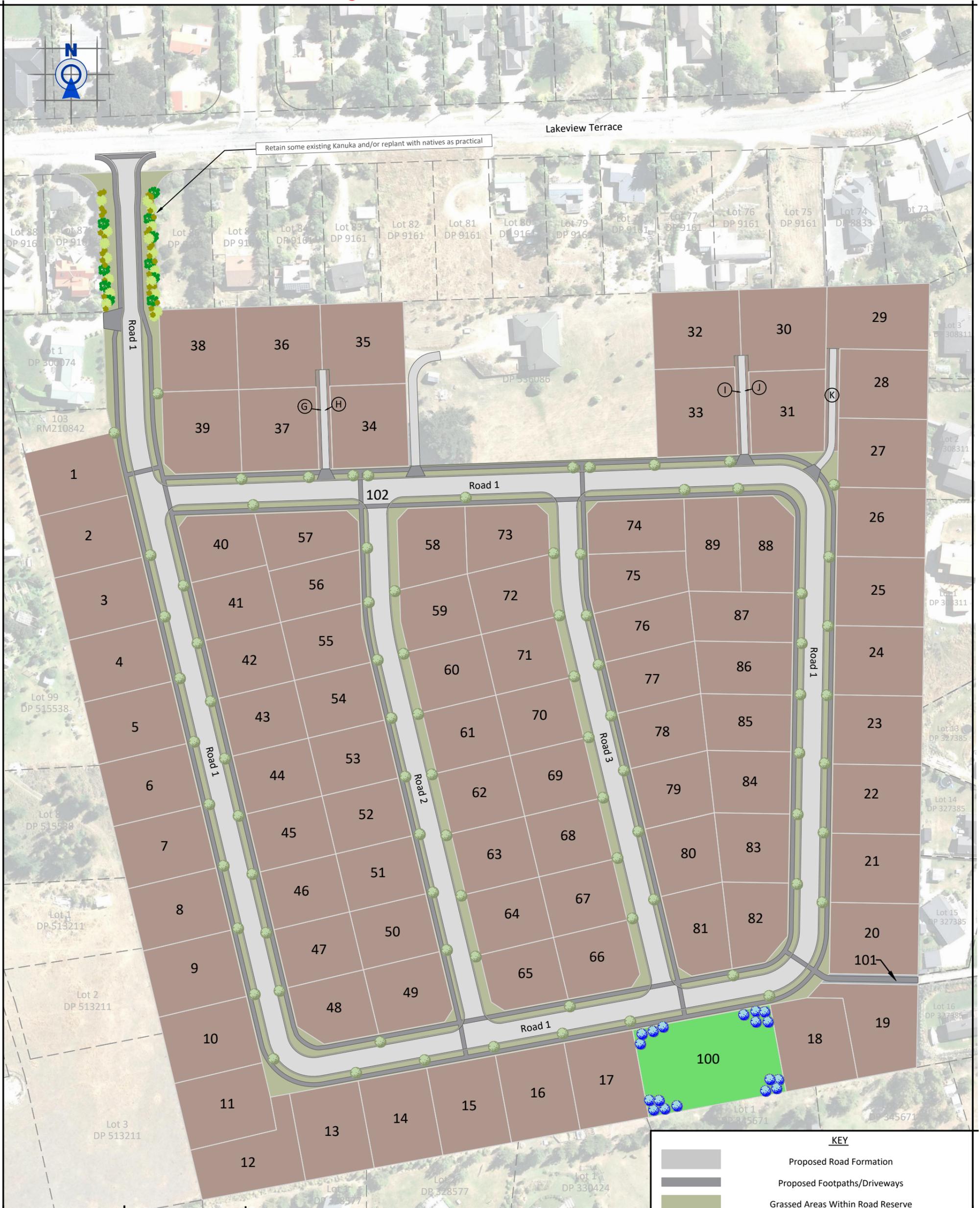
24. The recommended option:

- 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 | Northlake Investments Limited RM211044 Subdivision Plan |
| B | Orchard Road Holdings RM220897 Subdivision Plan |

Attachment B: Orchard Road Holdings RM220897 Subdivision Plan



KEY

- Proposed Road Formation
- Proposed Footpaths/Driveways
- Grassed Areas Within Road Reserve
- Proposed Reserve Areas
- Street Trees - Plagianthus Regius (Ribbonwood) - Indicative only
- Reserve Trees - Podocarpus Totara - Indicative only

ROADING SCHEDULE

| Name | Legal Width | Carriageway Width |
|--------|-------------|-------------------|
| Road 1 | 15-20m | 7.40m |
| Road 2 | 14m | 7.40m |
| Road 3 | 14m | 7.40m |

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Client & Location:
Orchard Road Holdings Limited
 Koreke Rise
 Lakeview Terrace, Lake Hawea

Purpose & Drawing Title:
Landscaping Plan

| | | | |
|--------------|-------|---------------------|-------------|
| Surveyed by: | - | Original Size: | Scale: |
| Designed by: | MJB | A3 | 1:1250 @ A3 |
| Drawn by: | NW | | |
| Checked by: | TM | | |
| Approved by: | MJB | DO NOT SCALE | |
| Job No: | W6000 | DWG No: | 003 |
| Sheet No: | 700 | Revision No: | F |
| | | Date Created: | 10/08/2022 |