

Wānaka-Upper Clutha Community Board

30 March 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

1. The purpose of this report is to consider recommending to Council, approval for one Local Purpose (Access) Reserve at Hikuwai ; one Local Purpose (Access) Reserve in a residential subdivision adjacent to Orchard Road, and a Recreational Reserve at Meadowstone Alpha Series .

Executive Summary | Whakarāpopototaka Matua

2. The Wānaka-Upper Clutha Community Board is being asked to recommend to Full Council that the reserves be accepted.
3. The two access reserves have been approved via Resource Consent and conditions of consent to enable vesting have been applied.
4. A subdivision consent for the Meadowstone Alpha Series Recreation Reserve has not been lodged and therefore conditions are recommended.

Recommendation | Kā Tūtohuka

5. That Wānaka-Upper Clutha Community Board:
 - a. **Note** the contents of this report and;
 - b. **Recommend to Council** that the vesting of the following reserves, be approved;

Exclusive Development Limited RM220008

- a) Local Purpose (Access) Reserve. Lot 504, being 186m².

Lamerik Partners Limited RM220002

- b) Local Purpose (Access) Reserve. Lot 996, being 63m².

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

- i) Compliance with the conditions of Resource Consents RM220008 and RM220002 (and any subsequent variations) which include:
 - a. 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);
 - b. Provision of a potable water supply point to be provided at the boundary of the reserve lot;
 - c. 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;
 - d. 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;
 - e. A three-year maintenance period by the consent holder commencing from vesting of the reserve; and
 - f. A maintenance agreement for reserve prepared and approved (signed) by the Parks and 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.
- c. **Recommend to Council** that the vesting of the following reserves, be approved;

Willowridge Limited

- a) Meadowstone Alpha Series Stage 4 Recreation Reserve. Lot 201, being 3,030m².

Subject to compliance with the following matters undertaken at the applicant's expense:

- a. Subdivision consent is granted which includes the proposed vesting of the reserve;
- b. Provision of a potable water supply point to be provided at the boundary of the reserve lot;
- c. 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;
- d. 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;
- e. A three-year maintenance period by the consent holder commencing from vesting of the reserve;
- f. A maintenance agreement for reserve prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period.

- g. Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy; and
- h. Presentation of the reserve in accordance with Council's policies.

Prepared by:



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2 March 2023

Reviewed and Authorised by:



Name: Kenneth Bailey
Title: Community Services General Manager
7 March 2023

Context | Horopaki

6. Three reserves in three separate residential subdivisions are proposed, two to facilitate public access / connectivity and one to provide for a stand of protected oak trees.
7. The Wānaka-Upper Clutha Community Board is being asked to recommend to Full Council that the reserves be accepted.
8. The access reserves have been identified in approved subdivision consents. The Meadowstone recreation reserve is proposed to be vested in a future subdivision consent.

Analysis and Advice | Tatāritaka me kā Tohutohu

Exclusive Development Limited

9. Stages 6 and 7 of the Hikuwai subdivision have been approved via Resource Consent RM220008. This stage of the subdivision comprised a total of 51 residential lots, two roads to vest in Council, one Local Purpose (Access) Reserve and a balance lot. The approved subdivision plan is attached as **Attachment A**.
10. The Local Purpose (Access) Reserve is Lot 504 and has an area of 186m². The location of the reserve is shown below in Figure 1 circled in red.



Figure 1: Excerpt of approved subdivision plan RM220008 with proposed reserve circled in red

11. The reserve will provide pedestrian connection between the internal subdivision roading network and an unformed section of Outlet Road just to the north of the formed section of Outlet Road. This pedestrian connection will improve connectivity between Northlake and Hikuwai as shown in Figure 2 below.

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



Figure 2: Aerial view of the proposed subdivision location with the approximate location of the proposed reserve circled in red

13. The expectation is that built form will not extend up to the reserve boundaries and that all fencing along the reserves will not be greater than 1.2m in height and will be at least 50% visually permeable. This is to ensure that the pedestrian/cycle connections are open, visible and not walled in by adjacent development to the extent that they might otherwise become hidden from view and unsafe.

Lamerik Properties Limited

14. Resource consent has been approved for a 32-lot subdivision at 83, 85 and 89 Orchard Road, Wanaka. This subdivision adjoins the Alpine Meadows subdivision.
15. The Local Purpose (Access) Reserve is Lot 996 and has an area of 63m². The location of the reserve is shown below in Figure 3 circled in red.

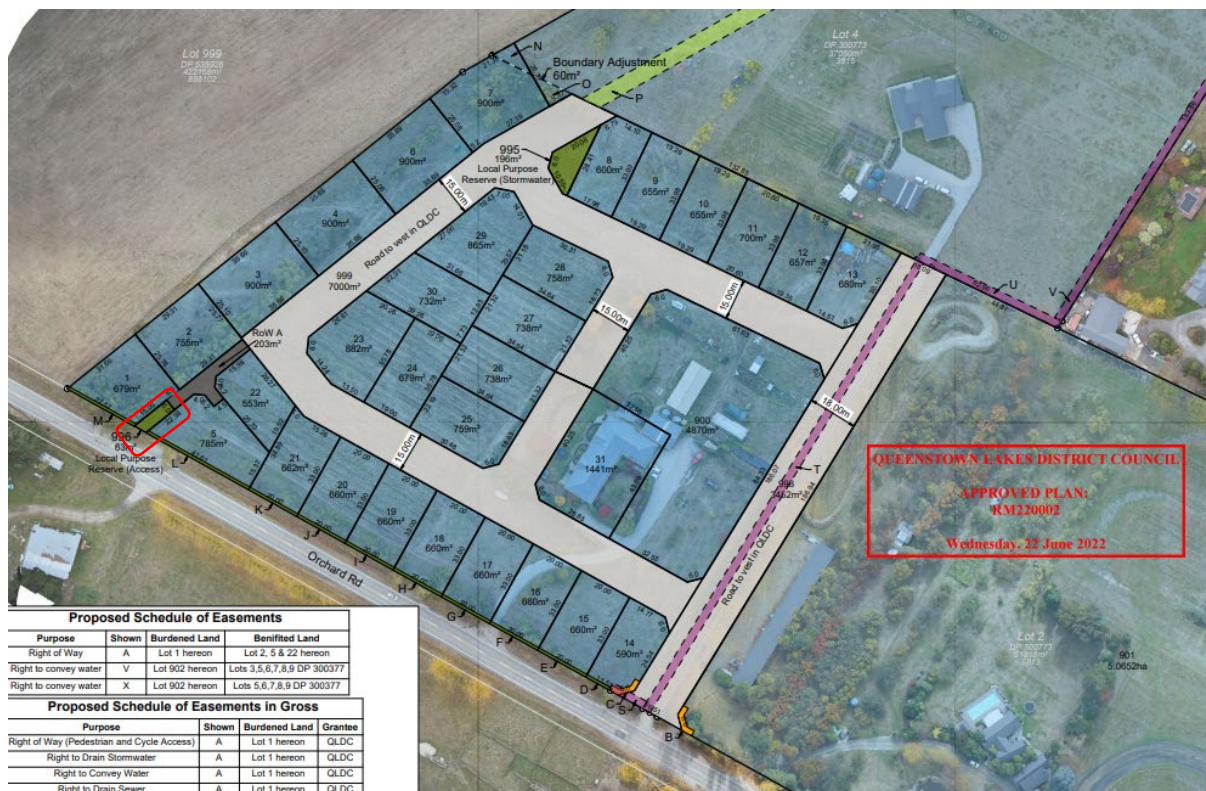


Figure 3: Excerpt of approved subdivision plan RM220002 with proposed reserve circled in red

16. The reserve will provide pedestrian connection between the internal subdivision roading network and Orchard Road, reducing the length of travel for pedestrians walking in a southerly or westerly direction.
17. As a condition of consent, a path is required to be provided within the reserve that meets the Council's Grade 2 standard (minimum).
18. The expectation is that built form will not extend up to the reserve boundaries and that all fencing along the reserves will not be greater than 1.2m in height and will be at least 50% visually permeable. This is to ensure that the pedestrian/cycle connections are open, visible and not walled in by adjacent development to the extent that they might otherwise become hidden from view and unsafe.

Willowridge Limited

19. Resource consent for Stage 4 of the Meadowstone Alpha Series subdivision is due to be submitted in the next few weeks. Stage 4 of the subdivision comprises a total of 20 residential lots, one Recreation Reserve, one Local Purpose (Stormwater) Reserve and one road to vest in council. The proposed subdivision landscape plan is attached as **Attachment C**.
20. The Recreation Reserve is Lot 201 and has an area of 3,030m². There is no recreation infrastructure proposed on the reserve – it will be trees (existing) and grass. The 17 trees within the proposed reserve are Protected Trees under Chapter 32 of the Proposed District Plan, all being Quercus Robur (Oak) trees.
21. The location of the reserve is shown below in Figure 4 circled in red.
22. A Local Purpose (Stormwater) Reserve (Lot 200) will also be vested – this will have an area of 2,380m² and is to be adjacent to the proposed Recreation Reserve.

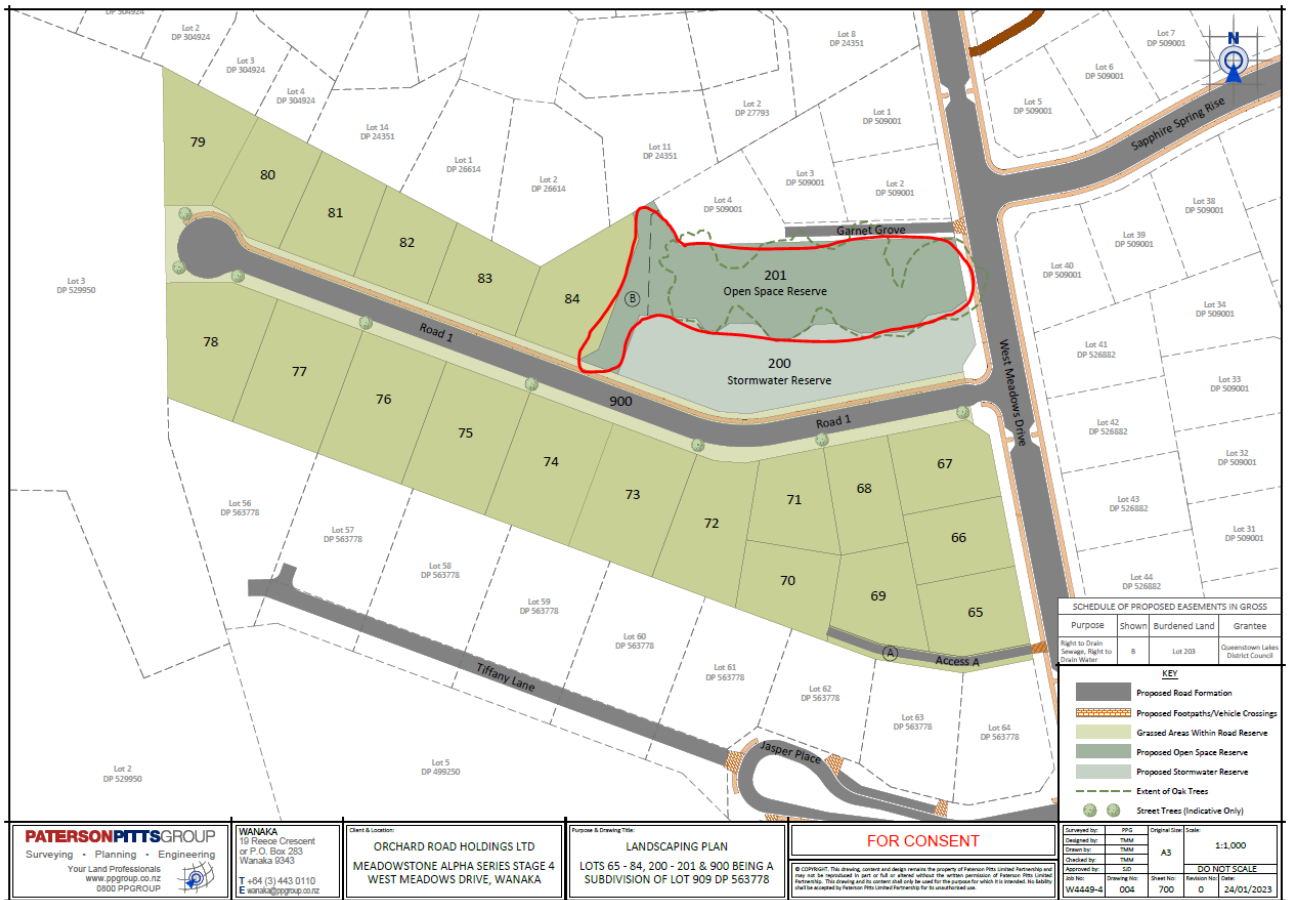


Figure 4: Excerpt of proposed subdivision plan for Stage 4 with proposed recreation reserve circled in red

23. 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.

24. Option 1 Accept the proposal to vest the reserve and to offset reserve improvement contributions (if applicable) as per the Development Contributions Policy.

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 an 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.
- The Recreation Reserve proposed by Willowridge Limited contains several mature protected oak trees protected under the Proposed District Plan. The creation of a reserve will provide an

additional layer of protection for these trees, which provide important amenity for the wider community.

Disadvantages:

- Council will have to maintain or manage the reserves and trees 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.

25. 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.

26. This report recommends Option 1 for addressing the matter, as it increases the quality of open space in the community and meets the vision and objectives within the Open Spaces Strategy 2021.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

27. 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.
28. The persons who are affected by or interested in this matter are the subdivision developer and residents/ratepayers of the District.
29. The Council has not undertaken any consultant in relation to the proposal.

Māori Consultation | Iwi Rūnaka

30. The Council has not undertaken any consultation with iwi due to the matter relating to the vesting of land to Council.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

31. This matter relates to the Community & Wellbeing risk category. It is associated with RISK00009 within the [QLDC Risk Register](#). This risk has been assessed as having a high inherent risk rating. 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 2021.

Financial Implications | Kā Riteka ā-Pūtea

32. 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

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

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

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

35. This matter not included in the Ten Year Plan/Annual Plan, but has no effect upon it.

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

36. The recommended option:

- 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;
- 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

A	Exclusive Developments RM220008 Subdivision Plan
B	Lamerik Properties RM220002 Subdivision Plan
C	Proposed Subdivision Plan for Stage 4 of the Meadowstone Alpha Series subdivision
