

Minutes of a meeting of the Wanaka Community Board held in the Lake Hawea Community Centre, Myra Street, Hawea on Thursday, 27 September 2018 commencing at 10.00am

Present:

Councillor Quentin Smith (Chair), Ms Jude Battson, Ms Rachel Brown, Ms Ruth Harrison and Mr Ed Taylor

In attendance:

Mr Tony Avery (General Manager, Strategy and Development/Acting Chief Executive), Mr Aaron Burt (Senior Planner, Parks and Reserves), Mr Blake Hoger (Property Advisor, APL Property Ltd), Ms Diana Manson (Parks and Reserves Officer) and Ms Jane Robertson (Senior Governance Advisor); two members of the media and five members of the public

Apologies/Leave of Absence Requests

Apologies were received from Councillor MacLeod and Councillor McRobie.

On the motion of Mr Taylor and Ms Battson the Wanaka Community Board resolved that the apologies be accepted.

Confirmation of Agenda

The Chair advised that he had been advised of an item that needed to be added to the agenda that could not be delayed until the next meeting.

On the motion of Ms Harrison and Ms Brown it was resolved that the Wanaka Community Board agree that the agenda be confirmed with the addition of a further item to the agenda, being the appointment of a hearings panel to hear, consider and make recommendations on submissions on the Draft Reserve Management Plan for Lismore Park, Allenby Park, Kelly's Flat, Faulks Terrace, Domini Park and Kennedy Crescent Recreation Reserves as part of the Chair's report; the reason the item cannot be delayed until the next meeting is because a delay will mean the timeframe for completing the project is not fulfilled; the reason it was not included on the agenda is due to an administrative error.

Public Forum

The Chairperson advised that he considered there was value in suspending Standing Orders to allow speakers in the Public Forum to address the Board for longer than the three minutes allowable under Standing Orders.

On the motion of Councillor Smith and Ms Harrison the Wanaka Community Board resolved that Standing Orders be suspended to permit speakers in the Public Forum to address the Board for longer than three minutes.

1. Jackie Brook

Ms Brook spoke on behalf of the residents of Moraine Place who were all concerned about the danger of Sarges Way (formerly known as Moraine Rise) being connected through to Sentinel Park. As a through road there would be a significant increase in traffic, estimated to be at least twice the design specification. Further, it would become the only connecting road if the SHA went ahead, but the roads did not meet the QLDC's width requirements for through roads. Other issues were: many schoolchildren catching the bus at the Lakeview/Moraine corner; parking; the blind corner at Sarges Way and Moraine Place; and a blind rise where Moraine Place came out on to Lakeview Terrace.

Ms Brook asserted that the QLDC had been misleading as residents had assumed that streets with the name 'Place' or 'Way' could not become major thoroughfares. She considered that if this occurred it was an accident waiting to happen.

The Chair undertook to clarify if any improvements were planned in the minor safety works programme. Ms Brown suggested that it had not been designed as a through road because of the corner.

2. Errol Carr

Mr Carr considered that the SHA legislation was flawed because it had been introduced in haste. It enabled rural zoned land to be fast-tracked for housing development and in the case of the Hawea SHA had been used inappropriately. However, the affordable housing problem in the district needed to be resolved to have a properly performing community. He identified three issues that were contributing to the problem: land-banking, greed of property developers and inaction of the Council.

He asked the Board to work with central government to create a new strategy to resolve the problem, including the preparation of new legislation targeted to achieve affordable housing

3. April McKenzie

Ms McKenzie stated that she was currently chair of the Hawea Community Association which was challenging Council on the Hawea SHA. They were due to meet with Council representatives the following day to discuss matters around the SHA and its commercial area, with an emphasis on infrastructure. They would approach the meeting without prejudice but the problem was the SHA legislation which whilst intended to apply nationally, in effect applied in local areas and conflicted with national law, leading to constitutional issues and the burden of proof for local communities. Notwithstanding this, there were ongoing concerns about breaches in administrative law at QLDC and she was still awaiting a reply to her request for the pecuniary interests register.

John Taylor, Treasurer, Hawea Community Association ('HCA')

Mr Taylor expressed the community's appreciation for the annual community grant of \$5000 that it received from the Council. He noted that there were already a number of projects that were earmarked for this funding in the coming year. The projects included a portoloo at Isthmus Creek track, a contribution to the Armistice Day commemorations in November, stone walling on Anzac Peninsula and a contribution to the cavalcade. Other big expenses were anticipated over the coming year.

It was noted that the HCA could make a submission to the Annual Plan for funding to cover specific costs. The Board also commended the HCA for the way in which they managed to 'stretch' the \$5,000 it was granted.

**On the motion of Councillor Smith and Ms Battson
the Wanaka Community Board resolved that
Standing Orders be reinstated.**

Declarations of Conflicts of Interest

No declarations were made.

Matters Lying on the Table

There were no matters lying on the table.

Confirmation of minutes

1. Wanaka Tennis Club Inc – Notification of New Lease

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) advised that the Wanaka Tennis Club Incorporated (the Tennis Club) had a lease from Council for the land they occupied between Upton and Warren Streets. The lease was due to expire on 31 January 2019 and a new lease was now required to allow the Tennis Club to continue their occupation and use of the land. The report noted that the process of granting a new lease required an intention to grant a lease to be publicly notified calling for submissions. Accordingly, the report recommended that the Board approve notification of the lease and nominate a hearings panel, should there be submitters who wished to be heard.

The report was presented by Mr Hoger and Mr Burt.

A question was raised about the relatively short term recommended (an initial term of three years, with two renewals by agreement of both parties). Mr Burt noted that this was to ensure consistency with Council's community pricing policy matrix which stipulated that nine years was as long as possible for this sort of group.

**On the motion of Councillor Smith and Ms Brown it
was resolved that the Wanaka Community Board:**

1. Note the contents of this report;
2. Approve notification under section 119 of the Reserves Act 1977, of an intention to grant a new lease to the Wanaka Tennis Club Incorporated, under sections 54(1)(b) and (c) of the Reserves Act. The proposed lease is upon land legally described as Sections 1, 2, 5, 6 and 7 Block XXXV Town of Wanaka, and Section 1 SO 24567. The proposed lease is subject to the following conditions:

Commencement	1 February 2019
Term	3 Years
Renewal	Two further terms of 3 years by agreement of both parties
Rent	Pursuant to Community Facility Funding Policy (\$1 per annum at commencement)
Reviews	5 yearly, or when the Funding Policy is reviewed
Use	Tennis and activities directly related to tennis club activity
Operational costs	All rates and charges associated with the land to be paid for by lessee
Assignment/Sublease	With Council approval
Liability Insurance	\$2 million
Expiry Conditions	Lessee can elect to remove improvements and make good, or improvements to revert to Council ownership with no compensation payable
Break Clause	Council can give a one-year cancellation notice, if the land is required for

the 'provision of core infrastructure services'

Maintenance

All maintenance of the building and property, including gardening to be paid for by lessee

- 3. Appoint Ms Battson, Ms Harrison and Mr Taylor (any two of whom can form a hearing panel) to hear any submissions and make a recommendation to Council**

2. Proposal to Vest Land in Wanaka as Two Local Purpose Reserves and to Offset Reserve Improvement Contributions as per the Development Contributions Policy

A report from Aaron Burt (Senior Planner, Parks and Reserves assessed a proposal from Orchard Road Holdings Ltd (a developer) for two proposed Local Purpose reserves to be recommended to Council for approval, and for reserve improvement development contributions also to be recommended for approval.

The report was presented by Mr Burt. He confirmed that neither proposed reserve would be a recreation reserve with Lot 997 being a Local Purpose (Stormwater) Reserve and Lot 998 a Local Purpose (Connection) Reserve. It was noted that Lot 998 would contain pedestrian/cycle ways and the report recommended that any pathway should connect with that on the adjacent Bright Sky SHA.

On the motion of Mr Taylor and Ms Brown the Wanaka Community Board resolved that it recommend to Council that the vesting of the two proposed Local Purpose reserves be approved:

- 1. Orchard Road Holdings Ltd – RM171177**
 - a. Lot 997 (0.936 hectares): Local Purpose (Stormwater) Reserve, Ballantyne Road.**
 - b. Lot 998 (2.162 hectares): Local Purpose (Connection) Reserve, Ballantyne Road.**

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

- i. Consent being granted (and subject to any variations to RM171177) for the subdivision required to formally create the reserves and to level out topography (if advised necessary by the Parks & Reserves Planning Manager);**
- ii. Presentation of the reserve in accordance with Council's standards for reserves;**

- iii. Areas of reserve shall exclude areas of road;**
- iv. The submission of a Landscape Plan 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 & Reserves Planning Manager.**
- v. All areas of mounding shall be mowable, and not have a gradient steeper than 1:5;**
- vi. Final locations of all specimen tree planting and the tree planting methodology should be determined on site with the QLDC Arborist Officer prior to planting;**
- vii. The formation of sealed pathways within Lot 998 to a minimum 2 metre wide width, and to also meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016). Pathways shall connect Ballantyne Road with Lot 1 DP 477622, and Road 2 via pathway linkages between lots 37/38 and 45/46;**
- viii. Confirmation that the pathways on Lot 998 will connect and align with any corresponding pathways proposed in association with the potential Special Housing Area on Lot 1 DP 477622. The Parks & Reserves Planning Manager shall approve the location of such connections.**
- ix. A potable water supply point to be provided at the boundary of the reserve lots;**
- x. 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;**
- xi. The registration of a Consent Notice on any land (being Lots created by RM171177) adjoining the reserves, to ensure any fences on land adjoining, or boundaries along the reserve, shall be 50% visually permeable;**
- xii. A three year maintenance period by the current landowner commencing from vesting of the reserves;**

- xiii. **A maintenance agreement being prepared specifying how the reserves will be maintained during the maintenance period; and**
 - xiv. **Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.**
- 4. Recommend to Council that reserve improvement contributions for the Local Purpose (Connection) Reserve (Lot 998) 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 & Reserves Planning Manager.**
 - b. Final approval of reserve improvement costs to be delegated to the Parks & 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.**

3. Licence to Occupy Road Reserve – 22 Lismore Street, Wanaka

A report from Blake Hoger (Property Advisor, APL Property Ltd) assessed the appropriateness of the Board granting a Licence to Occupy Road Reserve to enable the owners of 22 Lismore Street to install concrete block retaining walls and a concrete driveway with retained fill and a walkway with timber decking on a piece of road reserve. The report recommended that a Licence to Occupy should be granted subject to conditions.

The report was presented by Mr Hoger and Mr Burt.

Ms Brown asked why the development could not be done without going onto road. Mr Hoger noted that this was because of the sloping nature of the terrain. Further, it was not uncommon for driveways to cover road reserve. He agreed that the applicant could form a different entry way through the garage but what was proposed was more aesthetically pleasing. In addition, the proposal had been largely directed by the slope of the land and other similar applications had been previously approved.

A 12-18 month build was anticipated which it was agreed could impact on parking. It was noted however, that any agreement to grant a licence was subject to approval of a Traffic Management Plan.

On the motion of Councillor Smith and Mr Taylor it was resolved that the Wanaka Community Board:

1. Note the contents of this report;
2. Grant a Licence to Occupy to enable the owners of 22 Lismore Street to install concrete block retaining walls, a concrete driveway with retained fill and a walkway with timber decking subject to the following conditions:
 - a. Building and Resource Consent to be obtained prior to works commencing if required.
 - b. Approval of a Traffic Management Plan (TMP) and Connection to Council Services (CCS) by Council Engineers before work commences.
 - c. All activities are to be undertaken in accordance with Worksafe New Zealand's standards for the work environment.
 - d. Any works within the road reserve to be undertaken to the specification and approval of Council's Engineers.
 - e. All services including phone, power and gas within the road reserve and any water, sewer and storm water services must be identified and catered for and no compromise shall be made to Council Infrastructure or access to same.
 - f. The existing walkway / footpath along Lismore Street not to be compromised.
 - g. Structures must not compromise roading or services maintenance activities.
 - h. Ongoing maintenance of the structures are to be the responsibility of the Licensee.
 - i. The applicant consents to the Licence being encumbered against the title of Lot 3 DP 21105 to ensure the recommended terms and conditions continue in perpetuity for all future owners of the property.
 - j. The licence shall remain at Council's pleasure

4. Chair's Report

A report from the Chair:

- Advised of a variation to plans by CCR Ltd to undertake a development at the Glendhu Bay Motor Camp to which the Board had previously given

Affected Persons' Approval ('APA'). The new development was largely consistent with the previous approval and the report sought revocation of the previous APA and replacement with a delegation to issue APA by the Chair;

- Provided an update on progress with the Wanaka Masterplan;
- Detailed the Stage 3 design concept for the Wanaka Skate Park development;
- Provided an update on recent activities at the Wanaka Recreation Centre;
- Detailed the submissions made to the New Zealand Geographic Board on the proposal to change the name of Gladstone to John Creek and Johns Creek to John Creek;
- Provided an update on the Representation Review; and
- Summarised the actions from the previous meeting.

The Chair advised that procedurally it was cleaner to rescind the previous APA so that the new APA would stand alone. The proposed delegation would allow the matter to progress before the next meeting and once staff had provided the necessary information, he would circulate it to the rest of the Board for informal feedback before providing a final response.

In relation to the approval of the Wanaka Lakefront Development Plan: Eely Point Recreational Reserve, it was noted that staff were currently progressing a lease area for the Wanaka Coastguard.

Consideration was given to the appointment of a hearings panel to hear, consider and make recommendations on submissions on the Draft Reserve Management Plan for Lismore Park, Allenby Park, Kelly's Flat, Faulks Terrace, Domini Park and Kennedy Crescent Recreation Reserves. It was agreed that the membership of the hearings panel would be Ms Battson, Ms Harrison and Mr Taylor.

The following general updates of note were made:

- The funding for the Wanaka Alcohol Group's coordinator from the Health Promotion Agency had finished and new funding applications had been made so that the group's work could continue. The group was particularly pleased to observe the bylaw change to ensure a ban on Crate Day activities across the district.
- The Upper Clutha Tracks Trust had received consent to construct an accessible ramp to the bridge over the Hawea River at Albert Town, the tender had been awarded and it was hoped that construction would be finished by the end of the year.
- The Chair had agreed to become a trustee of Upper Clutha Sports Community.
- Ms Battson reported that there were divergent views in Makarora about the future of the unformed legal road from Cemetery Creek. In addition, the community continued to be challenged by the amount of freedom camping and further toilets were awaited. The community was also keen to take part in the proposed review of speed limits in the district.

- The flashing warning lights at Ballantyne/Riverbank road intersection were now operational and the Mt Barker Residents' Association was very appreciative of the Council's prompt response to this request.
- The tender had been let for the Aspiring Road toilets with the project commencing the following Monday.
- A Domain Board had been formed for the Hawea Domain and was working on a grazing lease and other improvements to the reserve including the development of Reserve Management Plan. A Memorandum of Understanding with this group was planned.

On the motion of Mr Taylor and Ms Brown it was resolved that the Wanaka Community Board:

- 1. Note the contents of this report;**
- 2. Rescind the following resolution from the Wanaka Community Board meeting held on 10 August 2016:**
 - 1. Note the contents of this report;***
 - 2. Approve and affected person's approval for resource consent application RM160608 dated 7 July 2016 at Sec 1-3 Block XV Lower Wanaka SD for the purpose of constructing 14 buildings;***
 - 3. Delegate execution of the affected person's approval to the QLDC Property Manager;***
- 3. Delegate authority to the Chair to seek feedback on the CCR Ltd Affected Persons Approval request at Glendhu Bay Motor Camp for a revised development plan at the Park, and confirm acceptance or refusal of signing authority to the General Manager, Community Services;**
- 4. Support in principle the Wanaka Skate Park Stage 3 Design Concept, subject to confirmation of full funding;**
- 5. Agree to write a letter of support for the Wanaka Skate Park Stage 3 development, if required; and**
- 6. Appoint Ms Battson, Ms Harrison and Mr Taylor to hear, consider submissions and make recommendations on the Draft Reserve Management Plan for Lismore Park, Allenby Park, Kelly's Flat, Faulks Terrace, Domini Park and Kennedy Crescent Recreation Reserves.**

The meeting concluded at 11.20am.

Confirmed as a true and correct record:

Chairperson

D A T E