

Wānaka-Upper Clutha Community Board

20 August 2026

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

Department: Community Services

Title | Taitara: Notification of Right of way Easement Across Reserve at 17 Plantation Road, Wānaka

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to consider approving public notification of a proposed right of way easement across local purpose (beautification) reserve adjoining 17 Plantation Road, Wānaka.

Recommendation | Kā Tūtohuka

That the Wānaka-Upper Clutha Community Board:

1. **Note** the contents of this report;
2. **Approve** public notification of the proposed easement over Lot 18 DP 300804; and
3. **Recommend to Council** to appoint a hearing panel to hear submissions (if required).

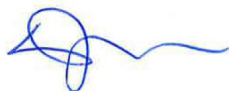
Prepared by:



Name: Matthew Judd
Title: Parks Property Planner

28 July 2026

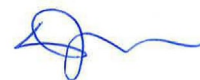
Endorsed by:



Name: Dave Winterburn
Title: Parks Manager

28 July 2026

Reviewed and Authorised by:



Name: Kenneth Bailey
Title: General Manager
Community Services
30 July 2026

Context | Horopaki

1. The property owner of 17 Plantation Road Wānaka has applied to the Queenstown Lakes District Council (QLDC) for a right of way easement over the adjoining local purpose (beautification) reserve. The properties are shown below in Figure 1:



Figure 1 - 17 Plantation Road and proposed easement area

2. The local purpose reserve fronting Plantation Road is legally described as Lot 18, Deposited Plan 300804. The purpose of this beautification reserve is to screen the commercial development from the residential development on the other side of Plantation Road.
3. The applicant has applied for a right of way easement in order to widen the existing vehicle crossing and ensure sightlines are maintained for vehicular traffic.
4. The current vehicle access is five metres wide. Sightlines have been impeded in the past due to vegetation in the local purpose reserve.

5. The current QLDC Land Development and Subdivision Code of Practice requires a minimum of a seven metre wide vehicle crossing. The applicant is wanting to meet these requirements that would allow two vehicles to pass and allow additional width for vegetation control adjacent to the crossing.
6. In accordance with Section 48(1)(f) of the Reserves Act 1977 (Act), and a delegation from the Minister of Conservation, Council has authority to grant right of way and other easements over reserve land.
7. Section 48(2) of the Act requires Council to publicly notify a right of way or other easement over a reserve.
8. The decision to notify a right of way easement is delegated to the Wānaka-Upper Clutha Community Board (WUCCB).
9. If submissions are received during the public notification period, a hearing will be required to hear the submissions in accordance with section 120 of the Act.

Analysis and Advice | Tatāritaka me kā Tohutohu

10. Council generally discourages easements across its reserves as it has a responsibility to protect reserves for current and future use, and not to provide a private benefit. In this situation the existing driveway formation is an insufficient width to provide safe vehicle access and does not meet QLDC's current Code of Practice.
11. The proposed easement would enable the applicant to widen the vehicle crossing and comply with the Code of Practice. This would improve vehicle and pedestrian safety.
12. Granting of the easement would permit the applicant to clear vegetation from the proposed easement area. Any tree removals will be subject to QLDC's Tree Policy 2024.
13. The easement fee would be assessed by valuation in accordance with QLDC's Easement Policy 2008.
14. 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.
15. Option 1: Approve public notification of the proposed right of way easement over the local purpose (beautification) reserve.

Advantages:

- Allows the public and interested parties the opportunity to submit on the proposed easement.

Disadvantages:

- Starts the easement process that could result in the reserve becoming permanently encumbered.

16. Option 2: Decline public notification of the proposed right of way easement over the local purpose (beautification) reserve

Advantages:

- Will preserve the Reserve in its current unencumbered state.

Disadvantages:

- Existing issues with the current vehicle access will not be resolved.

17. This report recommends **Option 1** for addressing the matter because it will enable the public and interested parties the opportunity to submit on the proposal.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

18. This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because it involves the process of potentially permanently encumbering QLDC reserve land.

19. The persons who are affected by or interested in this matter are users of the property at 17 Plantation Road, adjoining businesses and residents and ratepayers of the Queenstown Lakes District.

20. Approval of this item will enable Council to publicly notify this item and allow anyone to submit on the proposed easement.

Māori Consultation | Iwi Rūnaka

21. The Council has not specifically consulted with iwi. The public notification will allow any interested parties to submit.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

22. This matter relates to the Community & Wellbeing risk category. It is associated with RISK10006 Ineffective planning for property and infrastructure within the QLDC Risk Register. This risk has been assessed as having a low residual risk rating.

23. The approval of the recommended option will allow Council to avoid the risk. This will be achieved by allowing public consultation on the proposed easement.

Financial Implications | Kā Riteka ā-Pūtea

24. In accordance with the Easement Policy, the applicant will be responsible for all costs associated with the easement application and potential preparation and registration of any easement instrument.

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

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

- Significance and Engagement Policy 2024;
- QLDC Easement Policy 2008;
- The Reserves Act 1977; and
- QLDC Tree Policy 2024.

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

27. This matter is not included in the Long Term Plan/Annual Plan and will have no effect on it.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

28. Council, as administering body of the local purpose reserve, is required to follow the requirements of the Reserves Act 1977 when granting an easement.

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

29. 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. Allowing public notification will inform the community and assist with democratic decision making. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

30. The recommended option:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- 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.