

Wānaka Community Board
23 June 2022**Report for Agenda Item | Rīpoata moto e Rāraki take [1]****Department: Community Services****Title | Taitara: Proposed Reserves to Vest in Wānaka****PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO**

- 1 The purpose of this report is to consider recommending to Council, approval for three Local Purpose (Access) Reserves, and one Recreation Reserve (Local Park).
- 2 The reserves are located within three separate subdivision developments, and this report seeks to bundle their consideration. The reserves, their location, and respective development are illustrated in **ATTACHMENTS A, B and C** of this report.

RECOMMENDATION | NGĀ TŪTOHUNGA

That the Wānaka Community Board:

1. **Note** the contents of this report;
2. **Recommend to Council** that the vesting of the following reserves be approved:

GAD Limited: Subdivision Consent RM210405

- a) Local Purpose (Connection) Reserve. Lot 100, being 127m².

Northlake Investments Limited: Subdivision Consent RM210637

- b) Local Purpose (Access & Services) Reserve. Lot 1036, being 175m².

Lake McKay Partnership Limited: Subdivision Consent RM210779

- c) Local Purpose (Connection) Reserve. Lot 901, being 4570m².
- d) Recreation Reserve (Local Park). Lot 905, being 1,200m².

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

- i) Consent being granted (as necessary and subject to any subsequent variations) for any subdivision required to formally create the reserves, and to also level out topography for reserves (if advised necessary by the Parks & Open Spaces Planning Manager);
- ii) Presentation of the reserves in accordance with Council's policies;
- iii) The submission of Landscape Plans to Council by the Developer for certification as appropriate, including subsequent implementation of

landscape and planting for the reserves. The certification and approval of such a plan shall be by the Parks and Open Spaces Planning Manager.

- iv) The formation of sealed pathways on reserves to a minimum two-metre width, and to also meet the Grade 2 standard of the QLDC Cycle Trail and Track Design Standards & Specifications (2016);
 - v) A potable water supply point to be provided at the boundary of the reserve lots;
 - vi) 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 any public reserve vested in or administered by the Council and any adjoining land;
 - vii) The registration of a Consent Notice (or alternative encumbrance) on any land within the development adjoining the reserves, 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;
 - viii) A three-year maintenance period by the current landowner commencing from vesting of the reserves;
 - ix) A maintenance agreement for reserves prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the maintenance period; and
 - x) Vesting of reserves to be undertaken in accordance with the QLDC Vesting of Roads and Reserves Policy.
- 3 **Recommend to Council** that any reserve improvement contributions 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 the Parks & Open Spaces Planning Manager.
 - b. Final approval of any reserve improvement costs to be delegated to the Parks & Open Spaces 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.

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30/05/2022

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CONTEXT | HORPOAKI

- 4 Four reserves are proposed in three separate residential developments, and these have been combined into a single report for consideration by the WCB. Three of the reserves are to facilitate public access/connectivity, and one of the reserves is to accommodate a Local Park to meet the recreational open space needs of that subdivision's resident community.
- 5 The WCB is being asked to recommend to Full Council that the reserves be accepted.
- 6 All the reserves have been identified in approved subdivision consents.
- 7 It is requested that consideration and final approval of any Reserve Improvement Development Contributions is delegated to the Parks and Open Spaces Planning Manager, and this recommendation is standard practice. Noting that landscaping and the formation of pathways are required within reserves and do not qualify for offsets.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

GAD Limited – ATTACHMENT A

- 8 The RM210405 subdivision consent grants approval for 42 residential allotments, one balance lot (1.06ha) and one Local Purpose (connection) reserve. The subdivision is in the Kirimoko area.
- 9 The reserve has been assessed to have the potential to facilitate a useful connection, provided that the formed pathway is to a minimum Grade 2 standard.
- 10 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.

Northlake Investments Limited – ATTACHMENT B

- 11 The RM210637 subdivision consent grants approval for 55 residential lots in Stage 16 of the greater Northlake development. One dedicated connection is proposed under this subdivision consent, being Lot 1036, Local Purpose (Access & Services) Reserve.
- 12 It is considered that Lot 1036 can facilitate a useful connection purpose, and incorporate in-ground infrastructure (if necessary), provided that any formed pathway is to a minimum Grade 2 standard, and any infrastructure will not interfere with the function of the pathway. Lot 1036 will connect to an existing approved connection reserve, agreed under an earlier subdivision consent for Stage 12.
- 13 As with all such reserves, the requirement is that all fencing along the reserve must not be greater than 1.2m in height, and will be at least 50% visually permeable.

Lake McKay Partnership Limited – ATTACHMENT C

- 14 The RM210779 subdivision consent grants approval for 83 residential allotments, two reserve lots, three balance lots, and a road lot. The development is located in Luggate.
- 15 The Local Purpose (connection) reserve, is Lot 901. Lot 901 will facilitate good pedestrian and cycle linkages within the subdivision, and into the wider environment, specifically the Luggate township. The trail within this reserve will ensure the upper terraces of the subdivision link to the lower terraces, as well as the proposed recreation reserve and Luggate Creek. Landscaping will be established within the connection reserve, to utilise steep sections of land and add amenity and visual interest to these areas.
- 16 The recreation reserve (Lot 905) is proposed on land adjacent to Luggate Creek and the Department of Conservation (DOC) marginal strip. The reserve will be maintained as primarily flat open space, with a number of specimen trees for amenity, shade and shelter. The reserve will integrate well into the existing riparian area, by keeping the natural values and increasing the recreation land available to the public.
- 17 The reserve would be classified as Local Park and a Natural Park under the Parks and Open Spaces Strategy 2021. Part of the reserve will be Local Park which is defined as:
- ‘...an area of open space that is easily accessible for the immediate community, within easy walking distance to residents in the area. It provides a basic informal recreation experience for nearby residents, including play opportunities, flat, kick-around space and areas for respite and relaxation’*
18. The local park will meet the needs of the community, and create a reserve which will make the marginal strip by the creek more accessible to nearby residents. The reserve will also provide a number of benefits which align with a natural reserve – as defined by the Parks and Open Spaces Strategy 2021. Given the close proximity of this reserve to the creek, riparian values will be enhanced.
19. The remainder of the reserve would be a Natural Reserve which is defined in the Strategy as:
- ‘...a reserve or open space that might only partly be developed but contains a natural feature/s such as native bush, a lake edge, river or mountain view. It is usually a large reserve or open space that provides for informal recreation. These areas may have high Kāi Tahu values as they are adjacent to lakes and rivers, or offer views towards significant mauka, may have ecological values and/or provide access to our unique landscapes. They offer diverse recreation opportunities such as biking, walking, water activities and providing connections with nature.*
- These reserves can include recreational facilities such as boat launching areas, campgrounds, but might also have ecological values, protecting waterways, and providing wildlife corridors.*
- Many of the partners and volunteer groups that work with QLDC use Natural Reserves. Many events are also held on Natural Reserves”*

20. The recreation reserve will be required to vest as part of the first stage of the development, and this is a recommended condition of consent.
21. The expectation is that built form will not extend up to the reserve boundaries, and that all fencing along the reserve lots will not be greater than 1.2 metres in height, and will be at least 50% visually permeable. Conditions are recommended to this effect. Given the topography of Lot 905 and the adjacent residential lots, it is unlikely built form will extend up to the reserve boundaries. However this will 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.
22. At this time, there is no commitment to any improvements from Council's Parks team, as it is appropriate to facilitate mixed use, and the needs of the community need to be established prior to committing to any specific reserve improvements. The nature of any subsequent reserve improvements can be ascertained at a later date, and at this stage the reserve is being considered as an identified extent of land. However, it is expected that Local Park reserves are designed to accommodate improvements (such as playgrounds, furniture, BBQ areas etc.).
- 18 Option 1 Accept the proposal for the vesting of the reserves and to offset reserve improvement contributions (if applicable) as per the Development Contributions Policy.

Advantages:

- 19 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.
- 20 The access reserves will facilitate pedestrian and cycle movement through the proposed developments, to areas of potential future development and provide recreational benefit to the residential developments and the wider community.
- 21 The Recreation Reserve to accommodate a Local Park will provide for the recreation and open space needs of the community that will reside in the development.
- 22 The reserves are identified in approved subdivision consents, and accepting the reserves will facilitate the 224(c) process to advance the subdivisions, and allow for the creation of residential allotments.

Disadvantages:

- 23 Council will have to maintain or manage the respective reserves at a cost to the ratepayer, after three years, albeit this is an accepted outcome and any disadvantage is minimal.
- 24 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:

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

Disadvantages:

- 26 Useful connections might be lost and Council might only get one opportunity to seek their creation.
- 27 The consented subdivisions will need to be formally varied, and this could create issues and delays in creating titles to accommodate residential dwellings.
- 28 Council will refuse areas of land being offered to the community at no cost.
- 29 This report recommends **Option 1** for addressing the matter.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 30 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 reserves that can meet community needs, are a good outcome.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 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 2017 and 2021.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

- 32 The developers 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 | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA 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 is 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-KĀIKA

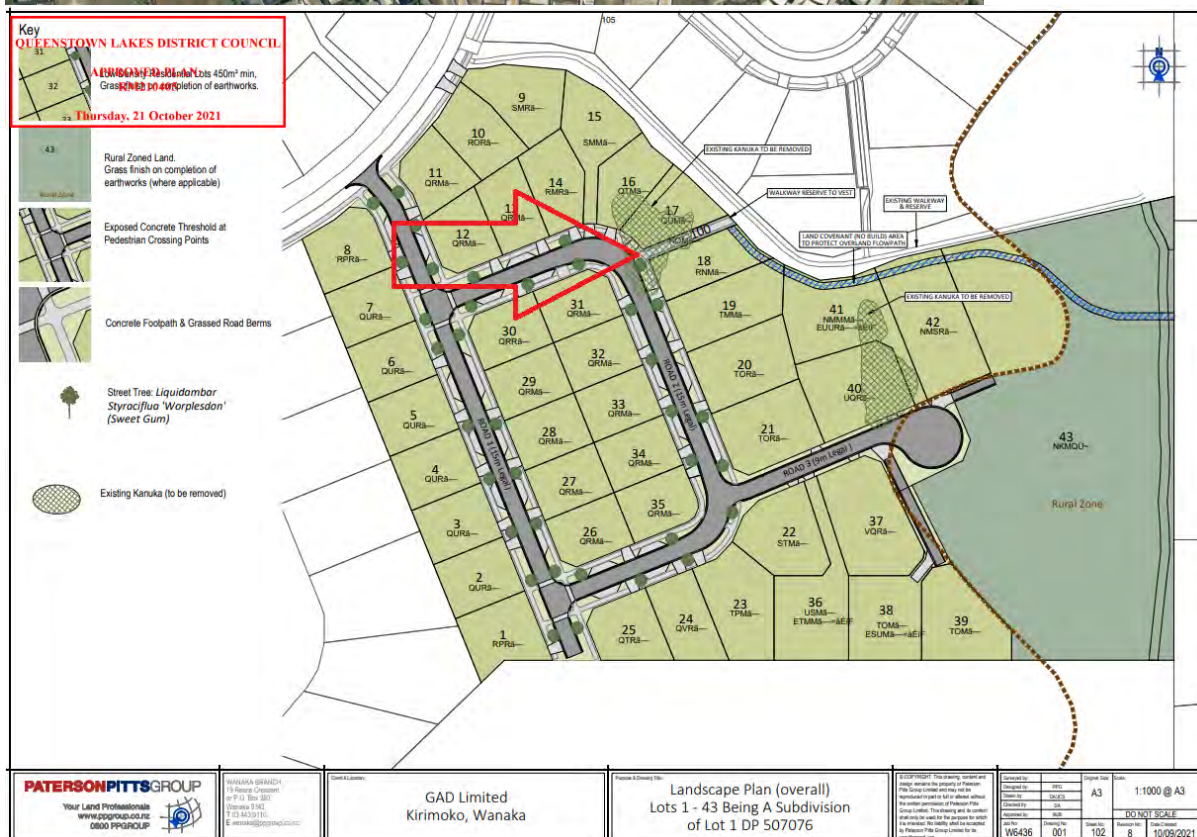
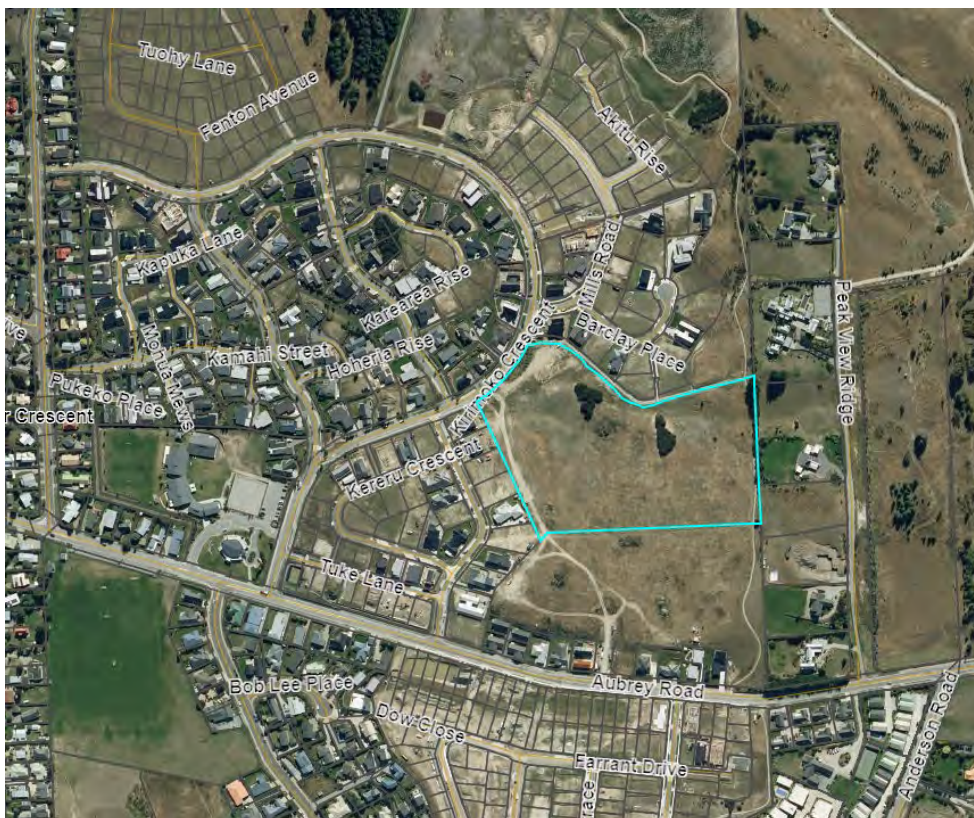
36 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by improving pedestrian connectivity and providing for Recreation Reserves to meet open space needs;
- Can be implemented through current funding under the Ten Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly 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.

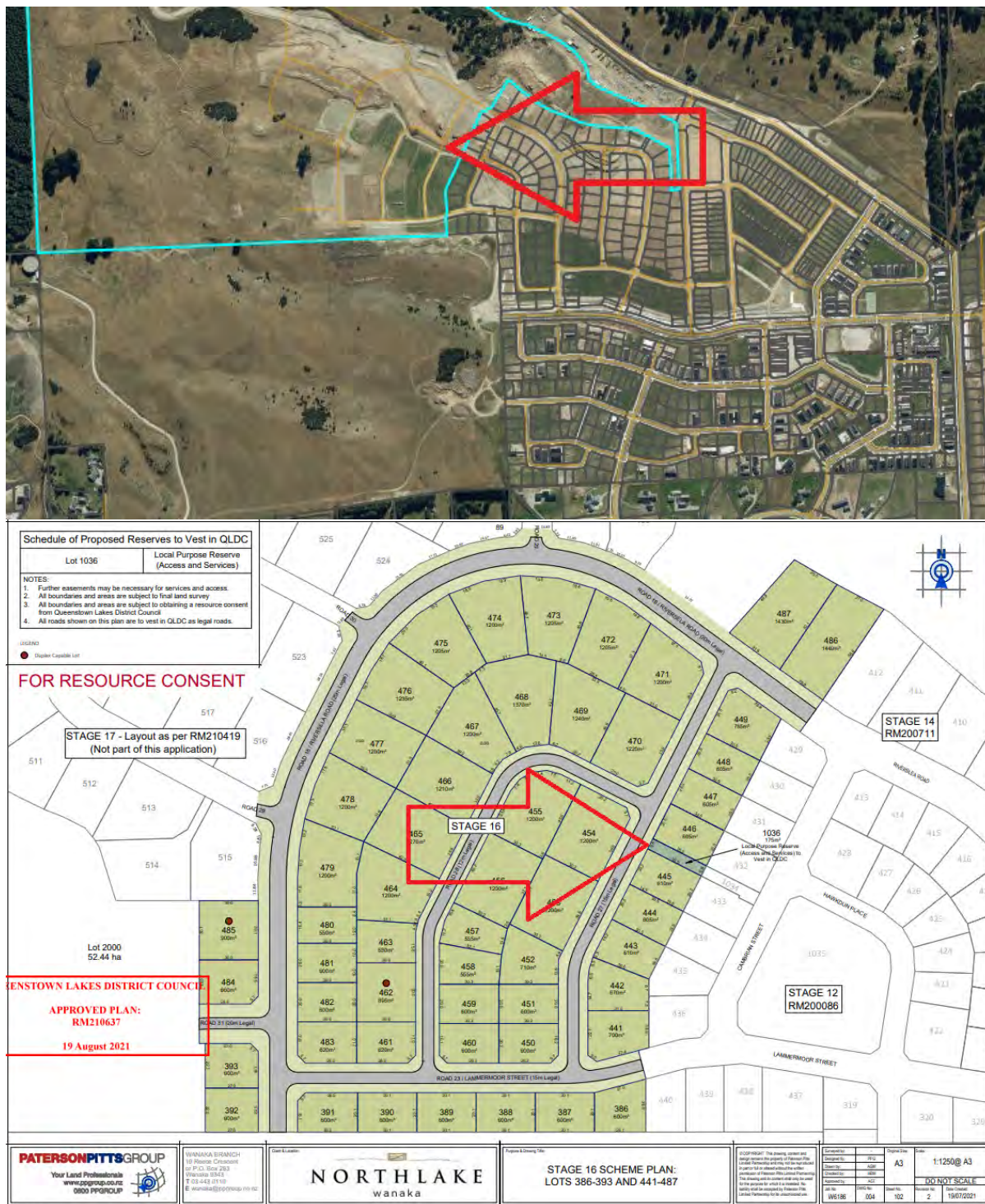
ATTACHMENTS | NGĀ TĀPIRIHANGA

A	GAD Limited
B	Northlake Investments Limited
C	Lake McKay Partnership Limited

ATTACHMENT A - GAD Limited: Subdivision Consent RM210405



ATTACHMENT B - Northlake Investments Limited: Subdivision Consent RM210637



ATTACHMENT C - Lake McKay Partnership Limited: Subdivision Consent RM210779





