

Wānaka-Upper Clutha Community Board

19 June 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [1]

Department: Community Services

Title | Taitara: Proposed Reserves to Vest in the Upper Clutha

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to consider recommending to Council the vesting of the following reserves: a Local Purpose Reserve (Public Amenity) at Pembroke Heights; and a Local Purpose Reserve (Access) at Pembroke Terrace.

Recommendation | Kā Tūtohuka

That the Wānaka-Upper Clutha Community Board:

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

WFH Properties Limited – RM220913: Pembroke Heights, Wānaka

Local Purpose Reserve (Public Amenity) – Lot 104 being 4614m² in area

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

- i) Compliance with the conditions of resource consent RM220913 (and any subsequent variations) which include:
 - a. The provision of a water supply to the Local Purpose Reserve;
 - b. The submission of a detailed landscape plan (including design specifications) including the street trees, verges and Local Purpose Reserve (Lot 104 to vest) prepared by a suitably qualified Landscape Architect to be certified by the Queenstown Lakes District Council (QLDC) Parks & Open Spaces Planning Manager;
 - c. The consent holder shall obtain a Full Council decision confirming that all areas of the reserve have been formally agreed to be vested;

- d. The consent holder shall fully implement all road/street landscaping and planting as shown on the detailed landscape plan;
- e. The consent holder shall enter into a maintenance agreement prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserves will be maintained during the three year maintenance period;
- f. Prior to certification under section 224 of the Resource Management Act 1991 (RMA), all new reserve and road reserve asset information shall be submitted electronically with spatial attributes as outlined in Schedule 1D of the QLDC Land Development and Subdivision Code of Practice (LDSC) 2020;
- g. The consent holder shall ensure that a fencing covenant, required under section 6 of the Fencing Act 1978, is registered on all land adjacent to reserves, to ensure that any reserves to vest in QLDC are protected and that Council has no liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land;

Pembroke Terrace Limited – RM230065: Orchard Road, Wānaka

Local Purpose Reserve (Access) – Lot 202 being 1085m² in area

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

- i) Compliance with the conditions of resource consent RM230065 (and any subsequent variations) which include:
 - a. The provision of a water supply to the Local Purpose Reserve;
 - b. Details of lighting of the pedestrian route within Lot 202 that demonstrates compliance with Crime Prevention Through Environmental Design (CPTED) principals and in accordance with Category P4 QLDCs Southern Light Strategy: Part Two – Technical Specifications; and
 - c. The Consent Holder shall ensure that a Fencing Covenant, required under section 6 of the Fencing Act 1978, is registered on all land to ensure that any reserves to vest in QLDC are protected and that Council has no liability to contribute towards any work on a fence between a public reserve vested in or administered by the Council and any adjoining land.

Council Report

Te Rīpoata Kaunihera ā-rohe

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He Wāhi Tūhāhā. He Āmua Whakaohoho.



Prepared by:

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29 May 2025

Reviewed and Authorised by:

A black ink signature of Ken Bailey, written in a cursive style.

Name: Ken Bailey
Title: General Manager Community Services
29 May 2025

Context | Horopaki

1. One Local Purpose Reserve (Public Amenity) and one Local Purpose Reserve (Access) within two separate subdivisions are proposed to be vested in the Upper Clutha.
2. The first proposed reserve, Lot 104, is part of a subdivision named Pembroke Heights which is located between the Northlake development and Peak View Ridge in Wānaka. The land parcel being subdivided is shown outlined blue in Figure 1 below. Lot 104 is to be a Local Purpose Reserve (Public Amenity). It contains a Tree Protection Zone which is a stand of predominantly remnant Kānuka vegetation protected by the District Plan. The vesting of Lot 104 will also provide additional green space for the community.



Figure 1: Aerial image of the land parcel being subdivided for RM220913 (Pembroke Heights)

Source: QMaps.

3. The second proposed reserve, Lot 202 is part of a subdivision named Pembroke Terrace, which is located between Ballantyne Road and Orchard Road in Wānaka. The land parcel being subdivided is shown outlined blue in Figure 2 below. Lot 202 is to be a Local Purpose Reserve (Access) and will contain a pedestrian/cycle path connecting to the recreation reserve located to the south, as well as through to Frederick Street to the east.



Figure 2: Aerial image of the land parcel being subdivided for RM230065 (Pembroke Terrace)
Source: QMaps.

Analysis and Advice | Tatāritaka me kā Tohutohu

WFH Properties Limited – RM220913: Pembroke Heights, Wānaka

4. A subdivision consent application RM220913 by WFH Properties Limited has been granted to create 74 residential lots, one Local Purpose Reserve (Public amenity), one Local Purpose Reserve (Stormwater), and a balance lot intended for future development, as shown in Figure 3 below. This represents stages 1 and 2 of the Allenby Farms development.
5. Lot 104 will provide increased protection of the Tree Protection Area ensuring the retention of the remnant Kānuka vegetation that plays an important role in maintaining and enhancing biodiversity values within the district; whilst also allowing for the integrated use of this space by the community for passive and active recreation.
6. Conditions of consent require a detailed landscape be submitted and approved for all areas of reserve to be vested. This will ensure appropriate design of the reserve is implemented that increases the public's ability to use the reserve as well as that the species, location, and density of any proposed planting is appropriate for this locality and does not lead to overly onerous ongoing maintenance. Conditions of consent will also require a three-year maintenance

agreement is entered into for all reserve areas to be vested. This will ensure the reserves are well presented and any plantings are well established prior to QLDC taking over the maintenance of these assets.

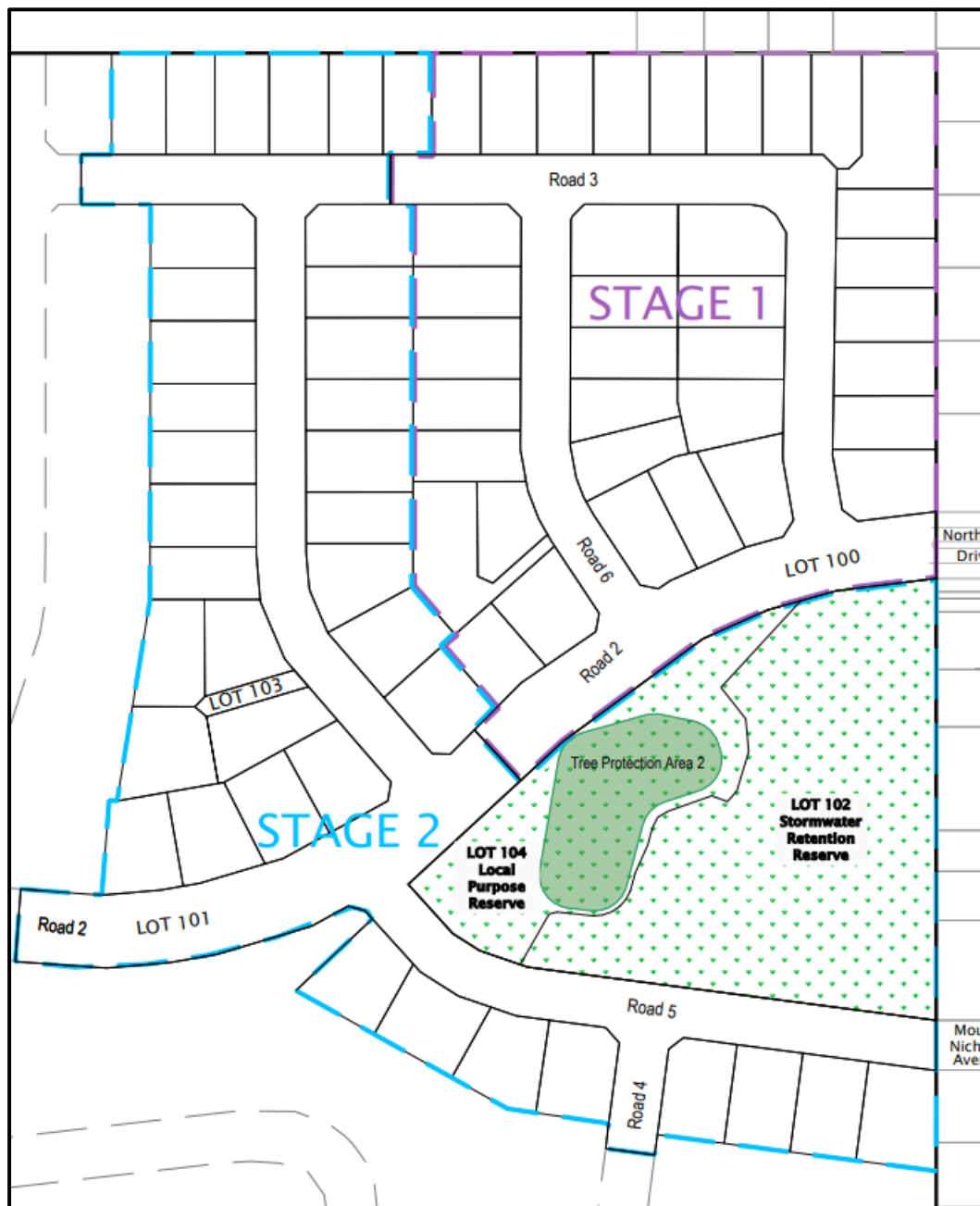


Figure 3: Subdivision scheme plan. Source: Application.

Pembroke Terrace Limited – RM230065: Orchard Road, Wānaka

7. Subdivision consent RM230065 by Pembroke Terrace Limited has been granted to create eight residential lots, one access lot and one Local Purpose Reserve (Access) as shown in Figure 4 below. This represents Stage 5 of the wider Pembroke Terrace development.

8. Lot 202 will provide important connectivity between the Pembroke Terrace development to Frederick Street to the east, which then connects through to Ballantyne Road. It will also create easier access to the adjoining reserve to the south for residents located in the north and west of the development. Additionally, it provides the opportunity for connections to be made in future if the adjoining land to the east at Connell Terrace (as can be seen in Figure 2 above) is developed. Lot 202 is a logical connection reserve that will provide for active recreation as well as serve as an important link for active transport.
9. Lot 303 is not to be vested as reserve, however, a Right of Way (ROW) in favour of QLDC will exist over this piece of land providing access from the road to Lot 202 (reserve lot). This will ensure Lot 202 is connected back to the roading network.
10. The Pembroke Terrace development currently has six consented stages in total. The recreation reserve to the south of Lot 202 was created and vested as part of a previous stage. The Local Purpose Reserve, Lot 202, was created and proposed to be vested as part of Stage 5. A detailed landscape plan has been provided and approved for all reserve lots within the Pembroke Terrace development.
11. A single Maintenance Agreement for all stages (1-6) of the Pembroke Terrace development will be entered into. This will be a three-year maintenance period commencing from when section 224(c) (RMA) is issued for the final stage of the development, as agreed to by the developer. This approach will result in a single Landscape Plan and a single Maintenance Agreement instead of multiple documents for each stage/consent of the development.
12. The conditions of the relevant consents will ensure appropriate landscaping is implemented on Lot 202 and maintained for a sufficient (3 year) period to ensure the planting becomes well established and does not become financially onerous for Council.



Figure 4: Subdivision scheme plan for RM230065, Stage 5 of the Pembroke Terrace development.

Source: Application.

Options

13. 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 (LGA).
14. Option 1 Accept the proposal to vest the reserves and to offset reserve improvement contributions (if applicable) as per the QLDC Finance and Development Contributions Policy (DC Policy).

Advantages:

- The reserves are 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 conditions of resource consent as a pre-requisite to vesting.
- The Local Purpose Reserve (Public Amenity) at Pembroke Heights, will provide increased passive and active recreation opportunities as well as increased green space for the local community, enhancing the amenity values of the area. The vesting of this lot as a reserve will also provide greater protection for the remnant Kānuka vegetation contained in the Tree Protection Area.
- The Local Purpose Reserve (Access) at Pembroke Terrace will provide increased connectivity for residents for both recreation purposes, accessing the adjoining reserve, and for active transport to adjoining residential and commercial areas.
- The reserves are identified in the approved subdivision consents and accepting the reserves will facilitate the section 224(c) (RMA) process to advance the subdivisions 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 reserves to benefit the community.

15. Option 2 Reject or modify the proposal for the vesting of the reserves and to offset reserve improvement contributions (if applicable) as per the DC Policy.

Advantages:

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

Disadvantages:

- The two local purpose reserves that would provide valuable green space in increasingly urbanising areas as well as valuable connections, may be lost. The adjoining communities will have to travel further to access passive and active recreation areas and live in a less connected community for pedestrians and cyclists.
- The consented subdivisions will need to be formally varied, and this could create issues and delays in creating titles to accommodate residential dwellings.

16. This report recommends **Option 1** for addressing the matter because it will result in valuable reserve land vesting in Council at the respective developer's responsibility and cost. The

recreation opportunities will benefit the surrounding communities as well as enhancing the off-road walking and cycling network.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi i kā Whakaaro Hiraka

17. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because there will be little impact on Council's function if the recommended option is taken. It is also accepted that the creation of reserves that meet the community needs (providing recreation opportunities) is a good outcome.
18. The persons who are affected by or interested in this matter are the respective developer's and the residents/ratepayers of the Queenstown Lakes District.
19. The Council has not undertaken any consultation in relation to the proposal.

Māori Consultation | Iwi Rūnaka

20. 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

21. This matter relates to the Community & Wellbeing risk category. It is associated with RISK10009 Strategy for growth fails to meet objectives within the QLDC Risk Register. This risk has been assessed as having a high residual risk rating.
22. The approval of the recommended option will allow Council to implement additional controls for this risk. This will be achieved by providing the communities with recreation opportunities and enhanced access to open space areas. Furthermore, the vesting is in accordance with the Parks and Open Space Strategy 2021 which ensures that the land is protected and managed as part of the open space network.

Financial Implications | Kā Riteka ā-Pūtea

23. The developers are required to maintain the reserves for the first three years. Following this time, provision will be made available from within Council's future maintenance budgets to maintain the reserves.

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

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

- Significance and Engagement Policy 2024

- Parks and Open Space Strategy 2021
- Development Contributions Policy
- Vesting of Roads and Reserves Policy
- QLDC Tracks and Trails Specifications

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

26. This matter is not included in the Long Term Plan/Annual Plan and has no effect upon it.

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

27. Section 10 of the LGA 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 vesting of the reserves will provide increased recreational opportunities and access that will facilitate social and environmental well-being for the communities in which they are located. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

28. 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.