

**Wānaka Community Board
3 December 2020**

Report for Agenda Item | Rīpoata moto e Rāraki take 5

Department: Planning & Development

Title | Taitara Road Naming Application: 'Horseshoe Bend Drive'

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

The purpose of this report is to consider an application from Alan and Suzanne Stewart who wish to name one existing, private right of way *Horseshoe Bend Drive*.

RECOMMENDATION | NGĀ TŪTOHUNGA

That Wānaka Community Board:

1. **Note** the contents of this report;
2. **Approve** the application for the following new road name:
 - a. Horseshoe Bend Drive

Prepared by:



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12/11/2020

Reviewed and Authorised by:



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Manager - Resource
Management Engineering,
Subdivision and DCs
18/11/2020

CONTEXT | HOROPAKI

- 1 An application (Attachment A) has been received to name an existing private right of way Horseshoe Bend Drive contained in lots 1 DP 526448, lot 1 DP 451773 & lot 1 DP 331899, Lake Hawea-Albert Town Road, Albert Town 9382.
- 2 Attachment B contains the location of the existing road to be named – coloured in red.
- 3 The option put forward for by the applicant for the road name is outside the provisions of the Council’s Road Naming Policy and the Council has not received Affected Party Approval from all residents affected by this road naming application.
- 4 The applicant has attempted to contact all nine applicants affected by this road naming application. Six parties have approved. Two parties, being the owners of Lot 2 DP 526447 and Lot 2 DP 526448 were unable to be contacted. The applicant has noted *“We consider that all reasonable steps have been taken to contact the affected parties resulting in 6 of the 9 giving approval, two not responding and one refusal. The two non responders have now had 24 working days to reply and can therefore be considered to be not affected and happy to continue with the existing road name of Horseshoe Bend Drive. The Applicants’, Sue and Allan Stewart, are very keen to progress the subdivision to enable the sale of the new Lot and the road naming process is now seriously holding the subdivision up.”*
- 5 Attachment C shows that one party, the owner of Lot 1 & 2 DP 331899, opposes the road name request and has asked for a different name to be chosen. The applicant has noted *“The Bradleys, owners of Lots 1 & 2 DP 331899 have declined to sign and responded to this effect by email, copy attached. We understand they originally named the road Horseshoe Bend Drive however have other issues with the subdivisions that have occurred since the original 3 lots that were accessed by this road (created in 1992).”*
- 6 This report puts this road name to the Wānaka Community Board for a decision as to whether to approve the name request without approval from all parties.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 7 The applicant has put forward the following road name choice:

Horseshoe Bend Drive

Alternative choices – The applicant has declined to provide any alternative names at this time. This is due to the fact that the road has always been known by ‘Horseshoe Bend Drive’ and if this is not acceptable, there will be a lot of work required to get other alternatives approved by all parties.

Road Naming Policy

- 8 We have considered the name against the road naming policy ([Attachment D](#)) and note the following:
- a) The name is not used elsewhere in the district, nor is it considered in poor taste or likely to cause offence.
 - b) From the information provided, it is not clear that the name choice 'Horseshoe Bend Drive' meets with any of the policy points from section 5.3 of the Road Naming Policy. However, the applicant notes *"'Horseshoe Bend Drive' is a good quality sealed private access road that was constructed in 1992 to access three properties located adjacent to the Horseshoe Bend area of the Hawea River. The road has been named Horseshoe Bend Drive since this time and the general locality has always been known as Horseshoe Bend. A large wooden carved road name sign [with the proposed road name] is located at the intersection with the State Highway and has been in place for some 25 years."*

The applicant provided background information for the first name choice (see [Attachment A](#)) *"Given the history and that the road has always been known as 'Horseshoe Bend Drive' since its inception, we now apply to have this formally accepted."*

Two alternative road names have not been provided as there are no similar road names in the District and this application is to formalise the existing long standing name."

Additional Information

- 9 Council has written to the owners of Lot 1 & 2 DP 331899 to advise this report has been written and allowing them the opportunity to speak at the Wānaka Community Board meeting.
- 10 Council has also written to the residents of Lot 2 DP 526448 & Lot 2 DP 526447 to advise this report has been written, following Brian Weedon attempting to contact them on behalf of the applicant.
- 11 The applicant has supplied additional information in regard to the subdivision – *"The following needs to be taken into consideration. The land accessed by 'Horseshoe Bend Drive' originally comprised 3 lots, created in 1992 – Lots 1, 2 & 3 DP 23017 (refer DP 23017 & plan showing Lots currently accessed by Horseshoe Bend Drive). Over the past 28 years these have been subdivided as follows: Lot 1 DP 23017 into two Lots (Lots 1 & 2 DP 526448), Lot 2 DP 23017 into four Lots (Lots 1 & 2 DP 451773, Lots 1 & 2 DP 526447), Lot 3 DP 23017 into four Lots (Lots 1 to 4 DP 331899). Of note is that Lot 3 DP 23017 was owned and subdivided by the Bradleys who continue to own Lots 1 & 2 of this subdivision (Lots 1 & 2 DP 331899).*

Since the original subdivision in 1992, the private access road has been called 'Horseshoe Bend Drive'. A large wooden sign with this name carved on it was erected at the SH6 /

‘Horseshoe Bend Drive’ intersection at some time early in this history. The residents and the District generally have always known this road as ‘Horseshoe Bend Drive’. There have been no objections to this from any source until now, with the Bradleys withholding their APA for formalising the only name the road has ever been known by. This is surprising given they have owned the land since 1993 and have had no issue with the name ‘Horseshoe Bend Drive’ for the past 27 years.

It is noted that the two most recent subdivisions accessed by Horseshoe Bend Drive have not been required to address the road naming, yet they have added two further Lots that are accessed by the road. These consents are:

- *RM180214, subdivision of Lot 3 DP 451773 into two Lots, issued 23 May 2018, resulting in Lots 1 & 2 DP 526447. This subdivision has been completed with new titles issued on 29 March 2019.*
- *RM180323, subdivision of Lot 1 DP 23017 into two Lots, issued 29 May 2018, resulting in Lots 1 & 2 DP 526448, completed with new titles issued on 25 January 2019.*

The Stewarts’ consent RM161167 was issued on 6 October 2017 and we question why Council’s road naming policy has not been applied to these subdivisions as well. The Stewarts have no issue with the requirement to name the road, however with the number of properties involved, this is proving to be a very time consuming and expensive process. Reasonable steps have been made to contact the various property owners with the majority replying in a timely manner with their approvals. The two that have not responded own properties from the recent subdivisions above (RM180214 & RM180323) and therefore clearly know the existing road name to be ‘Horseshoe Bend Drive’. It can reasonably be considered they are not adversely affected.

We consider that reasonable steps have been taken to notify the properties accessed by the Horseshoe Bend Drive with the majority of Owners giving approval and therefore ask that Council approve the road name ‘Horseshoe Bend Drive’”.

- 12 It is considered prudent for the Wānaka Community Board to make a decision regarding this road name as the applicant has been unable to obtain consent from all parties that will be affected by the official naming of this private right of way.

Options

- 13 Option 1 – Approve the application.

Advantages:

14. The newly approved road name can be formalised immediately post meeting and staff can proceed with updating the Council records and other outside parties with new addressing and signs. The applicant can also proceed with the subdivision at lot 1 DP 329183.
15. The new road name is approved by the majority of neighbours affected by the name change.

16. The name does not appear to be in poor taste or cause undue offence.

Disadvantages:

17. We have one declination from a resident on the road. As previously noted this neighbour initiated the name 'Horseshoe Bend Drive' in 1992. However, the board could consider asking the applicant to submit a name all parties are in favour of.

Option 2 – Decline the application as applied for.

18. If the application is declined, the developer will need to submit new road names before continuing with development. This could be considered an advantage if the applicant returns to Council with revised road names which comply with the Policy and all parties are in agreement.

Recommendation

14 This report recommends **Option 1** for addressing the matter, namely, that Horseshoe Bend Drive is accepted as a new private right of way. The name offered is not in use or likely to cause poor taste or offence. The discretion for approval of road names in the Wānaka area outside of the Policy sits with the Wānaka Community Board. As we do not have approval from all parties that will be affected by this road name, the application has been brought to the Wānaka Community Board for consideration.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

15 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy, because:

- The naming of this existing road will not have a large impact on the environment, culture and people of the district.
- The background offered for the road names is outside existing policy and the application has been brought to the Wānaka Community Board for consideration.
- There is no impact on the Council's capability and capacity in respect to the objectives set out in the Financial Strategy, Ten Year Plan and the Annual Plan.
- The decision does not relate to the sale or transfer of shareholding of any of the Council's strategic assets.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

16 This matter related to the operational risk OR011A, as documented in the Council's risk register. The risk is classed as moderate. This matter relates to this risk as it refers to the Council's need to deal with Land Information Memorandum and requests for service using Council records. These rely on location address information being available on our system, TechOne, which is also used for reporting and performance monitoring of our contractors and for dealing with requests from ratepayers.

17 The recommended option considered above mitigates the risk OR011A by -Treating the risk - putting measures in place which directly impact the risk.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

18 There are no operational and capital expenditure requirements or other budget or cost implications resulting from the decision.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

19 The Council’s Road Naming Policy 2016 was considered in association with this application. The Policy objective notes that:

“The Queenstown Lakes District Council is responsible for naming roads within its boundaries. Roads are named to reflect the identity of the local area and to ensure ease of identification for the Council, the public and key services such as emergency, postal and courier services.”

20 Road name applications in the Wānaka Area that fall outside the Council’s Road Naming Policy are considered by the Wānaka Community Board.

21 This matter is included in the 10-Year Plan/Annual Plan. Road naming is a regulatory function which relates to Section 319 A of the Local Government Act 1974.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

22 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 providing addresses for the properties along this private right of way;
- 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

Attachment A - Road Naming Application Form

Attachment B - Road Plan

Attachment C - Declined APA Bradley Lot 1 & 2 DP 331899

Attachment D - QLDC Road Naming Policy 2016