

Wānaka Community Board**12 August 2021****Page 1 of 5****Minutes of a meeting of the Wānaka Community Board held in the Armstrong Room, Lake Wanaka Centre, Wanaka on Thursday 12 August 2021 commencing at 10.00am****Present**

Mr Barry Bruce (Chair), Mr Chris Hadfield, Councillor Niamh Shaw, Councillor Quentin Smith and Mr Ed Taylor

In Attendance

Mr Ulrich Glasner (Chief Engineer), Mr Naell Crosby-Roe (Governance & Stakeholder Services Manager), Ms Jessica Garrett (Upper Clutha Liaison Manager) and Ms Jane Robertson (Senior Governance Advisor); three members of the media and three members of the public.

Apologies/ Leave of Absence Applications

Apologies were received from Ms Battson and Councillor MacLeod.

**On the motion of Mr Taylor and Councillor Smith the
Wānaka Community Board resolved to accept the apologies.**

Declarations of Conflicts of Interest

No declarations were made.

Matters Lying on the Table

There were no matters lying on the table.

Public Forum**1. Matt Laming (Quartz Development Group)**

Mr Laming advised that he was one of the owners of Lake Hāwea Holdings, the applicant whose request to stop and dispose of a portion of legal road adjacent to 35 Capell Avenue, Hāwea, was the subject of item 1 on the agenda. His company wished to develop a commercial shopping centre in Lake Hāwea and the land was needed to help achieve this purpose. Accordingly, he sought to stop a portion of the road reserve and acquire land. Alongside this application he was also seeking resource consent for the development and this was quite well advanced. Although the development was not dependent on acquiring this land but put the land to better use and would allow the proposed development footprint to expand.

Confirmation of Agenda

On the motion of Councillor Shaw and Mr Taylor the Wānaka Community Board resolved that the agenda be confirmed without addition or alteration.

Confirmation of Minutes

On the motion of Mr Taylor and Mr Hadfield the Wānaka Community Board resolved that the minutes of the meeting held on 8 July 2021 be confirmed as a true and correct record.

1. Request to stop and dispose of land at 35 Capell Avenue to Lake Hāwea Holdings Ltd

A report from Dan Cruickshank (Property Advisor, APL Property Ltd) assessed an application to stop road adjacent to 35 Capell Avenue, Lake Hāwea and dispose of it to the adjoining owner, Lake Hāwea Holdings Ltd. The report recommended that the Board agree to initiate the proposed road stopping (recommendation to Council) and disposal subject to several recommended conditions.

Mr Glasner presented the report. He noted that based upon feedback received following circulation of the agenda papers he had prepared an amended recommendation which changed the proposed course of action in respect of Section 4. The report now proposed the conditional sale of sections 1, 2 and 3 but that a licence to occupy be issued for the use of section 4. The conditions of the proposed licence to occupy were covered in a new section (7) of the recommendation.

Councillor Smith noted his support for a licence to occupy rather than disposal of section 4, adding that road reserves were valuable assets with many potential uses including roads, other infrastructure, pathways and green space. In the future there may be the option to construct paving and a bike shed on section 4.

Councillor Shaw indicated support for stopping and disposal of sections 1, 2, 3, adding that approval of the recommendation offered both a commercial benefit for the developer but also a good community outcome because of what would be developed. She also expressed support for the proposed licence to occupy. It was noted that this would form part of the resource consent conditions.

On the motion of Mr Taylor and Mr Hadfield it was resolved that the Wānaka Community Board:

- 1. Note the contents of this report;**

- 2. Recommend to Council initiation of the procedures of section 342 and the tenth schedule of the Local Government Act 1974 to stop that portion of legal road shown as Sections 1, 2, and 3 on the attached Southern Land plan No. V4031_E1 revision D dated 15/11/19 with approximate area of 148.2m²; and**
- 3. Recommend to Council the road, when stopped, being disposed of in accordance with section 345 (1)(a) of the Local Government Act 1974 and amalgamated with the adjoining land, subject to confirmation of sales to both Lake Hāwea Holdings Ltd and IWC Holdings Ltd, and forming of the proposed public improvements; and**
- 4. Recommend to Council the conditional sale of the legal road shown as Sections 2 and 3 to be stopped, to Lake Hāwea Holdings Ltd for a purchase price to be set by Council valuation. Council will provide a contribution of \$10,000 (plus GST) towards the applicant's costs in forming the bus stop and pull in area to acknowledge the public benefit created; and**
- 5. Recommend to Council the conditional sale of the legal road shown as Section 1 to be stopped, to IWC Holdings Ltd for a purchase price of \$25,000 (plus GST if any).**
- 6. Recommend to Council that Council's costs in undertaking the Tenth Schedule procedures of the Local Government Act 1974 be billed and paid on a monthly basis by the applicant Lake Hāwea Holdings Ltd with those costs being deducted from the road being sold at settlement; and**
- 7. Recommend to Council to Grant a licence to Lake Hāwea Holdings Ltd to occupy the area shown as Section 4 on Bodkin Street road reserve subject to the following conditions;**
 - a. The licence shall remain at Council's pleasure.**
 - b. All activities within the road reserve are to be undertaken to the specification and approval of Council's Engineers and undertaken in accordance with Worksafe New Zealand's standards for the work environment.**
 - c. Building encroachments must not compromise roading or services maintenance activities.**

- d. Ongoing maintenance of the building encroachments are to be the responsibility of the Licensee.**
 - e. Proposed improvements to be reviewed and approved by Council roading engineers, and subject to any Resource Consent approvals.**
- 8. Recommend to Council that Council's approval to undertake this process, including executing any sale and purchase agreements relating to it, shall be limited to a period of 3 years from the date of the full Council resolution; and**
 - 9. Recommend to Council final terms and conditions, along with any associated agreements and consent notices to facilitate the legalisation and to provide any approvals for the placing or removal of easements, minor alignment, area changes and signing authority, be delegated to the Chief Executive of Council.**

The Board thanked Mr Glasner for his efforts to provide an effective solution when concerns had been raised about aspects of the original report recommendation.

2. Chair's Report

A report from the Chair provided updates on:

- Representation Review;
- Update the Stage Two Wānaka Lakefront Development Plan;
- Activities at the Upper Clutha Library network
- Activities at the Wānaka Recreation Centre.

The Electoral Officer reported on the general content of the representation review submissions, providing some overall statistics and trends emerging from the content.

Mr Hadfield reported on his involvement in a new Arts Trust with plans for future activities and facilities development.

The Albert Town Community Association was keen to see the development of a community centre in the area and a business case was in development.

Some concern was expressed about confusing information circulated about pest control activities and it was suggested that a statement from QLDC would help to clarify matters.

Mr Glasner answered questions about the 3 Waters Capex Programme Report (attachment A). He agreed that many projects were over budget, noting however that there had been increases in costs across all projects and sectors.

On the motion of Councillor Smith and Mr Taylor the Wānaka Community Board resolved to:

- 1. Note the contents of this report.**

The meeting concluded at 11.47am.

Confirmed as a true and correct record:

CHAIRPERSON

DATE