

Wānaka-Upper Clutha Community Board

27 March 2025

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

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 Recreation Reserve at Cardrona Valley; a Recreation Reserve at Albert Town; a Local Purpose Reserve (Access) at Makarora; and a Local Purpose Reserve (Access) at Northlake.

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:

Queenstown Lakes District Council – RM240141: Cardrona Valley

Recreation Reserve – Lot 2 being 16,975m² in area

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

- i) Compliance with the conditions of resource consent RM240141 (and any subsequent variations) which include:
 - a. The provision of a water supply to the recreation reserve in terms of Council's standards and connection policy;
 - b. The existing vehicle crossing shall be upgraded and sealed to the recreation reserve in accordance with Council's standards;
 - c. The formation of the right of way over the recreation reserve in accordance with Council's standards;

- d. All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise permanently stabilised;
- e. The consent holder shall obtain a Full Council decision confirming that all areas of reserve have been formally agreed to be vested;

Queenstown Lakes District Council – RM240413: Albert Town

Recreation Reserve – Lot 2 being 170,005m² in area

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

- i) Compliance with the conditions of resource consent RM240413 (and any subsequent variations) which include:
 - a. The provision of a water supply to the recreation reserve in terms of Council's standards and connection policy;
 - b. The existing three metre wide vehicle crossing from Albert Town-Lake Hāwea Road shall be upgraded to comply with Waka Kotahi New Zealand Transport Agency's (NZTA) Diagram C standards;
 - c. The consent holder shall provide to Council correspondence from NZTA confirming that the vehicle crossing has been upgraded to Diagram C to NZTA satisfaction;
 - d. The provision for a basic access formation within the unformed legal road and right of way easement over the recreation reserve;
 - e. All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise permanently stabilised;
 - f. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to section 221 of the Resource Management Act 1991 (the Act):
 - i. At the time any further development occurs with the reserve area (being Lot 2) the existing access within the unformed legal road and right of way shall be upgraded to comply with Council's

standards at that time. This shall include the provision for stormwater disposal from the carriageway;

- g. The consent holder shall obtain a Full Council decision confirming that all areas of reserve have been formally agreed to be vested;

Aspiring Tourism Holdings Limited – RM230697: Makarora

Local Purpose Reserve (Access) – Lot 101 being 699m² in area

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

- i) Compliance with the conditions of resource consent RM230697 (and any subsequent variations) which include:
 - a. A works archaeologist shall be appointed before works begin and a long term stabilisation plan prepared for the ongoing conservation for the chimney and shall be provided to the Queenstown Lakes District Council (QLDC) Parks and Reserves Team for approval;
 - b. The stone chimney structure must be retained on the site and precautions shall be put in place to avoid it being damaged during tree felling and earthworks;
 - c. The consent holder shall fully implement all of the recommendations of the archaeologist set out in the Stabilisation Plan approved by Council;
 - d. The submission of a detailed landscape plan (including design specifications) covering the street trees and verges within the subdivision and for any new planting within the Local Purpose Reserve (Lot 101 to vest) prepared by a suitably qualified Landscape Architect and in accordance with recommendations in the Morphum Environmental Memo dated 5 June 2024 to be certified by the QLDC Parks and Open Spaces Planning Manager;
 - e. Prior to certification given under section 224(c) of the Act, the consent holder shall fully implement all road/street landscaping and planting and reserve replanting as shown on the approved landscape plans;
 - f. All works undertaken on the reserve are to be in accordance with the QLDC Land Development and Subdivision Code of Practice 2020;

- g. All tree planting works shall be undertaken in accordance with Appendix I – Street Tree Planting Guidelines;
- h. 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;
- i. The consent holder shall obtain a Full Council decision confirming that all areas of reserve have been formally agreed to be vested;

Northlake Investments Limited – RM240663: Northlake

Local Purpose Reserve (Access) – Lot 1000 being 180m² in area.

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

- i) Compliance with the conditions of resource consent RM240663 (and any subsequent variations) which include:
 - a. Either provision of an irrigation water supply to Lot 1000 or evidence from the Parks and Reserves Team that no irrigation supply is necessary to the reserve lot;
 - b. The submission of a detailed landscape plan (including design specifications) for all land to vest to be certified by the QLDC Parks and Open Spaces Planning Manager;
 - c. The consent holder shall enter into a maintenance agreement prepared and approved (signed) by the Parks and Open Spaces Planning Manager specifying how the reserve will be maintained during the three-year maintenance period;
 - d. The consent holder shall ensure that a fencing covenant, required under section 6 of the Fencing Act 1978 (FA), is registered on Lots 86, 87, 116, 117, 124, and 125) 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 public reserve vested in or administered by the Council and any adjoining land;

- e. All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise permanently stabilised; and
- f. The consent holder shall obtain a Full Council decision confirming that all areas of reserve have been formally agreed to be vested.

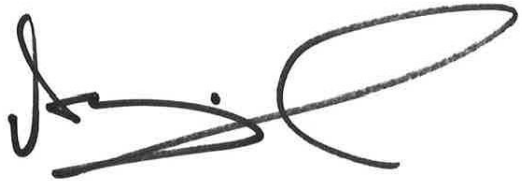
Prepared by:



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5 March 2025

Reviewed and Authorised by:



Name: Ken Bailey
Title: General Manager, Community
Services

5 March 2025

Context | Horopaki

1. Two Recreation Reserves and two Local Purpose Reserves (Access) are proposed to be vested within four separate subdivisions in the Upper Clutha.
2. Lot 2 at Cardrona is proposed to be vested. This is to be a Recreation Reserve which will provide public green space within the Cardrona settlement area.
3. Lot 2 at Albert Town is proposed to be vested. This is to be a Recreation Reserve which will provide additional open/green space adjacent to the Cardrona River.
4. Lot 101 within a subdivision at Rata Road, Makarora, is proposed to be vested. Lot 101 is to be a Local Purpose Reserve (Access) that contains a historic stone chimney and will provide green space as well as pedestrian/cycle access from the development through to Rata Road.
5. Lot 1000 within Stage 18 of Northlake, is proposed to be vested. Lot 1000 is to be a Local Purpose Reserve (Access) that will provide access from the development to the building restriction area contained in the adjoining Lot 2000. This will provide a connection to the pedestrian/cycle trail that will be located in Lot 2000 and constructed as part of Stage 3 of the development.
6. The reserves have been identified through the approved subdivision consents and conditions of consent apply to their development and vesting.

Analysis and Advice | Tatāritaka me kā Tohutohu

Queenstown Lakes District Council – RM240141: Cardona Valley

7. A two-lot subdivision at Cardrona to create Lot 1 that will contain the existing community wastewater infrastructure, and Lot 2 (16,975m²) which will be a Recreation Reserve has been approved under resource consent RM240141 as shown in Figure 1.

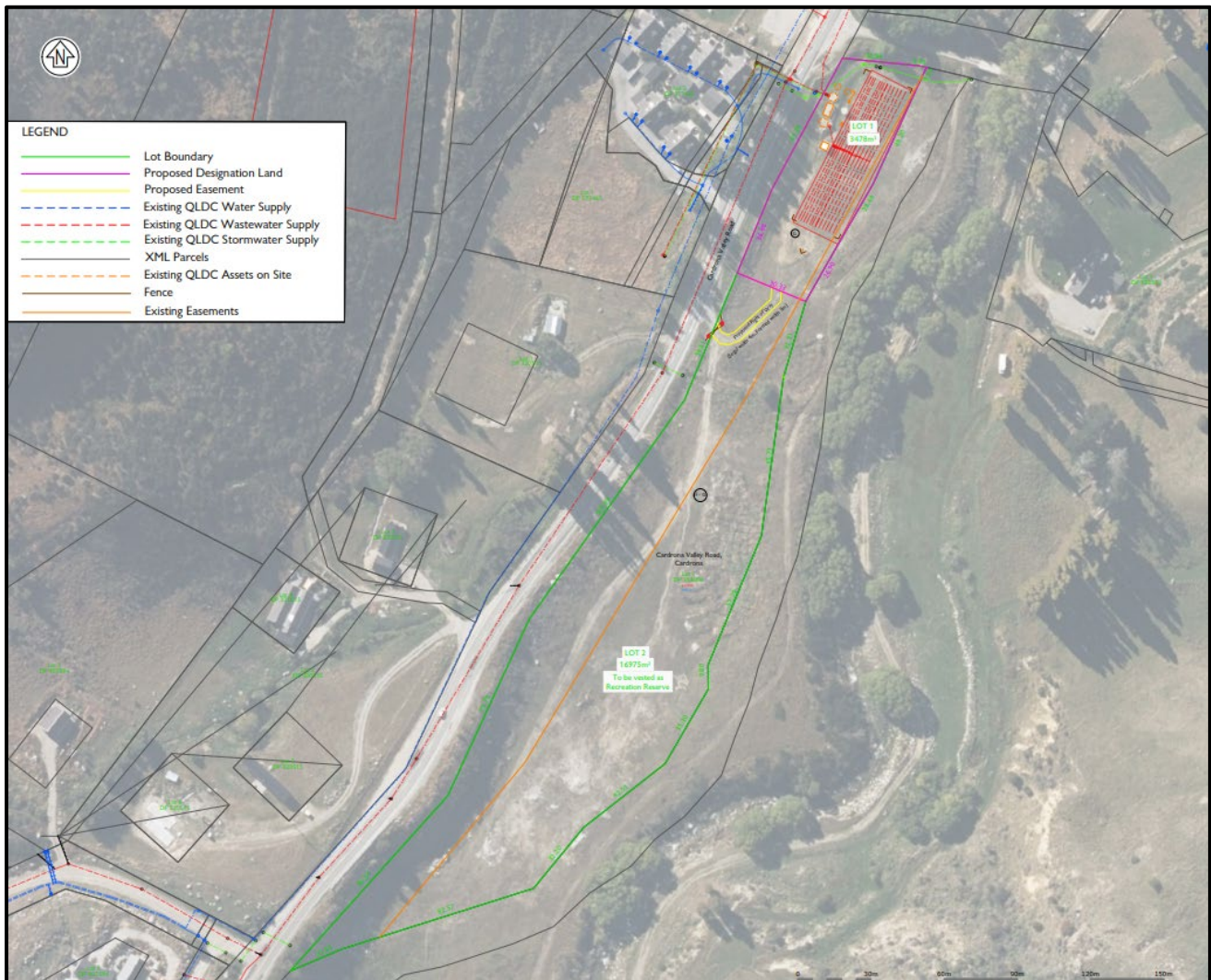


Figure 1: Scheme plan of RM240141. Lot 1, wastewater infrastructure, outlined in pink and Lot 2, Recreation Reserve, outlined in green.

8. The land was initially sought to be subdivided as part of Project Bob in response to the Water Entities Bill (now repealed). The subdivision and subsequent vesting of Lot 2 was intended to ensure it remained in QLDC ownership to utilise the area for recreation purposes whilst the wastewater infrastructure area (Lot 1) would have been passed to the new water services entity.
9. Although the Water Entities Bill has been repealed, the delivery of Lot 2 (16,975m²) as Recreation Reserve will benefit the local community. The Recreation Reserve provides opportunities for the community, who have expressed their interest, to enhance the recreation values of this piece of land.
10. The Cardona settlement is a growing urban area with currently insufficient recreation land available to current and future residents. Lot 2 provides an opportunity for valuable recreation land to be utilised by residents in an accessible and central location.

11. A right of way (ROW) easement in favour of Lot 1 will exist over Lot 2 in order to provide physical and legal access to Lot 1. This is outlined in yellow in Figure 1 and is not considered to detract from the recreation purpose of the reserve.
12. As QLDC is already the owner of the land, by vesting the Recreation Reserve as shown in Figure 1, no additional land will need to be maintained by Council, but rather it is being protected under the for Recreation purposes. Council can manage this land at its discretion so long as it is in line with the Recreation purpose.

Queenstown Lakes District Council – RM240413: Albert Town

13. A two-lot subdivision at Albert Town to create Lot 1 that will contain existing wastewater infrastructure, and Lot 2 (170,005m²) that will be a Recreation Reserve has been approved under resource consent RM240141 as shown in Figure 2.

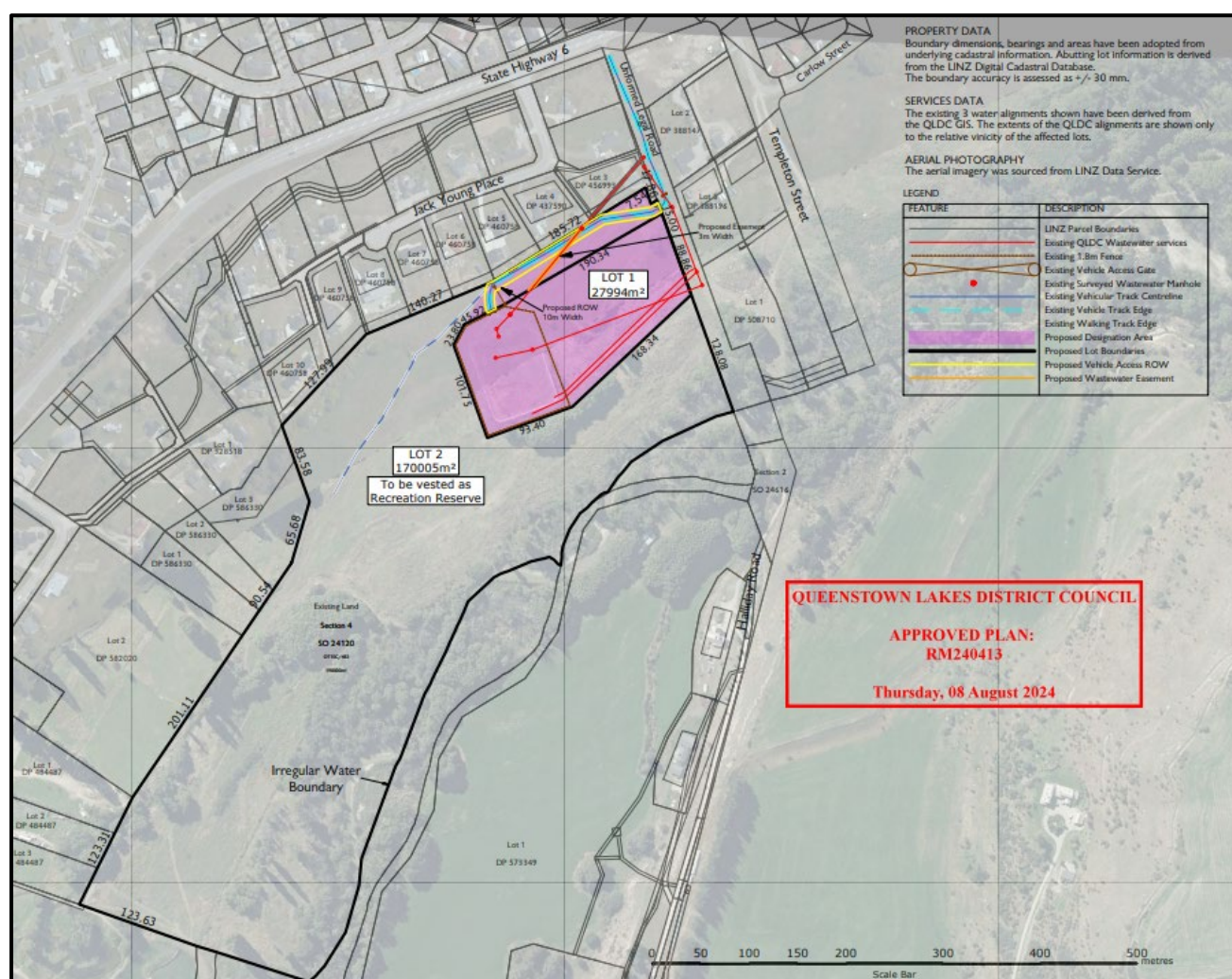


Figure 2: Scheme plan of RM240413. Lot 1, wastewater infrastructure, and Lot 2, Recreation Reserve, boundaries outlined in black.

14. The land is being subdivided for the same purpose as RM240141 above.

15. A ROW easement in favour of Lot 1 will exist over Lot 2 in order to provide physical and legal vehicle access to Lot 1 (this is outlined in yellow in Figure 2). The easement and access are not considered to detract from the recreation purpose of the reserve as it will be used infrequently to access the wastewater infrastructure on Lot 1.
16. When considering the vesting of land to Council, it is important to assess any encumbrances the land may have. As part of the subdivision consent, a consent notice is to be registered on Lot 2, that requires at the time of any further development of Lot 2 that the access and ROW are upgraded as per Council's standards. As the land is to be Recreation Reserve, development is not anticipated and therefore the encumbrance is considered to have a negligible impact on Council.
17. The Recreation Reserve will provide additional open space adjacent to the Cardrona River, allowing for the maintenance and enhancement of public access and recreation in this area. As the land is already owned by QLDC, the vesting of the reserve will not result in increased land that Council needs to maintain.

Aspiring Tourism Holdings Limited – RM230697: Makarora

18. A subdivision in Makarora to create 29 residential lots, one Local Purpose Reserve (access) and one Local Purpose Reserve (Wastewater) has been approved under resource consent RM230697 as shown in Figure 3.

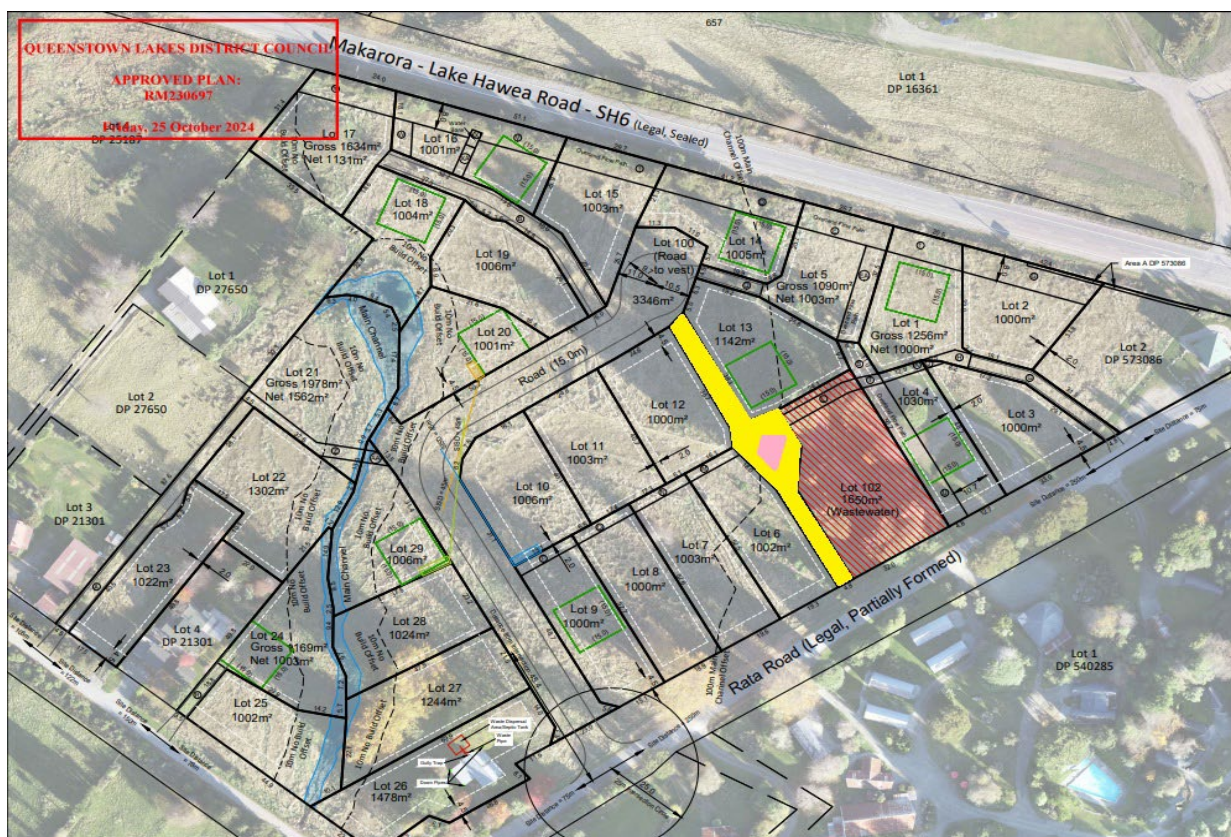


Figure 3: The Local Purpose Reserve (Access), pictured yellow is adjacent to the wastewater reserve connecting the cul de sac to Rata Rd. The approximate location of the Historic Site is shown in pink.

19. Lot 101, Local Purpose Reserve (Access) being 699m² will provide access from within the subdivision to Rata Road. Additionally, it will contain a heritage feature (stone chimney) showcasing some of the history of the area for the enjoyment of the community.
20. The Local Purpose Reserve (Access) will improve connectivity within the development for future residents, providing important green linkages and protection of a heritage feature.
21. Conditions of consent will also ensure a detailed landscape plan is submitted and approved that includes Lot 101. Additionally, the developer is required to enter into a 3-year Maintenance Agreement (MA) that will ensure the sufficient establishment of any planting in order to reduce costs to Council.

Northlake Investments Limited – RM240663: Northlake

22. A subdivision in the north-west corner of Northlake (Stage 18) to create 125 residential lots, one Local Purpose Reserve (Access), one Local Purpose Reserve (Services), and one Local Purpose Reserve (Stormwater) has been approved under resource consent RM240663 as shown in Figure 4.

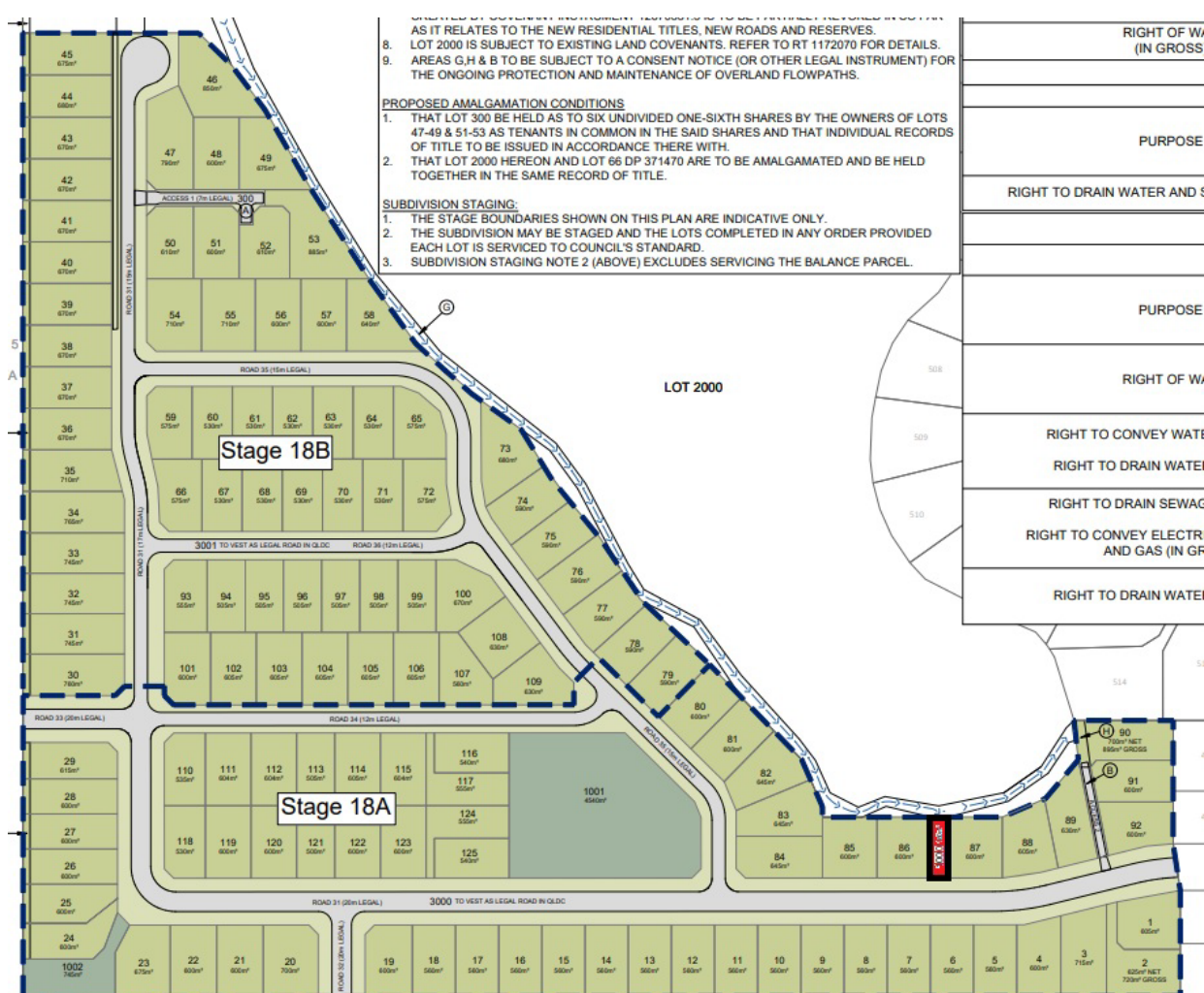


Figure 4: Scheme plan for RM240663 with Local Purpose Reserve (Access) Lot 1000 shown red.

23. Lot 1000, Local Purpose Reserve (Access) being 180m² will provide a logical connection from the development to the adjoining balance lot, Lot 2000, where the future pedestrian/cycle trail will be located as shown in Figure 5.
24. Lot 1000, whilst small in area, will provide enhanced access to adjoining recreational areas for the benefit of the community.



Figure 5: Scheme plan for RM240663 including the pedestrian/cycle trail, that is to be constructed prior to s224c of the final stage of the development.

25. Conditions of consent require a detailed landscape plan is submitted and approved for all areas to be vested. This will ensure appropriate species, location, and densities of any proposed planting is appropriate and will not result in onerous ongoing maintenance for Council. A 3-year maintenance agreement is also required by conditions of consent that includes the reserve areas to be vested.

Options

26. 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).

27. Option 1 Accept the proposal to vest the reserves and to offset reserve improvement contributions (if applicable) as per the QLDC Development Contribution 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 two recreation reserves at Cardona and Albert Town will provide increased recreational opportunities for their respective communities and the possibility for local communities to enhance these areas. As these parcels of land are already in QLDC ownership, the vesting will provide greater protection of them under the Reserves Act 1977 (RA).
- The two access way reserves at Makarora and Northlake will provide important pedestrian/cycle connections, improving the connectivity of these developments to adjoining spaces and to larger recreational areas.
- The reserves are identified in the approved subdivision consents and accepting the reserves will facilitate the process under section 224(c) of the Act 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.
- Council will accept encumbered land as reserve (Albert Town), although as the land is not intended to be developed further, the encumbrance is immaterial.

28. 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.
- Council will not accept encumbered land.

Disadvantages:

- The large recreation reserves and useful pedestrian/cycle connections might be lost and therefore people will have to travel a longer distance to access their destination or recreation areas. The Cardrona and Albert Town communities may lose the opportunity to have continual access to recreation reserves.
- The consented subdivisions will need to be formally varied, and this could create issues and delays in creating titles to accommodate residential dwellings.
- Council will refuse reserve land being offered to the community at no cost.

29. 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 and will result in increased recreation reserve land. Walking and cycling connections will enhance public access to recreation opportunities.

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 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 (recreation opportunities and protecting important community infrastructure) is a good outcome.

31. The persons who are affected by or interested in this matter are the subdivision developer and the residents/ratepayers of the Queenstown Lakes District.

32. The Council has not undertaken any consultation in relation to the proposal.

Māori Consultation | Iwi Rūnaka

33. 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

34. 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. The approval of the recommended option will reduce the risk as it will provide 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

35. The developers are required to maintain the reserves for the first three years (this does not apply to the two recreation reserves as they are already owned by QLDC). Following this time, provision will be made available from within Council's future maintenance budgets to maintain the reserves.
36. QLDC, as the developer for the two recreation reserves, will be responsible for the cost of the subdivision works required by the conditions of consent.

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

37. 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

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

39. 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

40. Section 10 of the LGA 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. 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 LGA.

41. 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.