

Absolutely Positively
Wellington City Council

Me Heke Ki Pōneke

Ordinary Meeting of Mākara/Ōhāriu Community Board Agenda

7:00pm Thursday, 16 March 2023
Ōhāriu Valley Hall
550 Ohariu Valley Road
Wellington



MEMBERSHIP

Christine Grace
Darren Hoskins (Deputy Chair)
Mark Reed (Chair)
Chris Renner
Wayne Rudd
Hamish Todd

Have your say!

You can make a short presentation to the Councillors, Committee members, Subcommittee members or Community Board members at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 04-803-8337, emailing public.participation@wcc.govt.nz or writing to Democracy Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number, and the issue you would like to talk about. All Council and committee meetings are livestreamed on our YouTube page. This includes any public participation at the meeting.

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1. Meeting Conduct

1.1 Karakia

The Chairperson will open the meeting with a karakia.

Whakataka te hau ki te uru,	Cease oh winds of the west
Whakataka te hau ki te tonga.	and of the south
Kia mākinakina ki uta,	Let the bracing breezes flow,
Kia mātaratara ki tai.	over the land and the sea.
E hī ake ana te atākura.	Let the red-tipped dawn come
He tio, he huka, he hauhū.	with a sharpened edge, a touch of frost,
Tihei Mauri Ora!	a promise of a glorious day

At the appropriate time, the following karakia will be read to close the meeting.

Unuhia, unuhia, unuhia ki te uru tapu nui	Draw on, draw on
Kia wātea, kia māmā, te ngākau, te tinana,	Draw on the supreme sacredness
te wairua	To clear, to free the heart, the body
I te ara takatū	and the spirit of mankind
Koia rā e Rongo, whakairia ake ki runga	Oh Rongo, above (symbol of peace)
Kia wātea, kia wātea	Let this all be done in unity
Āe rā, kua wātea!	

1.2 Apologies

The Chairperson invites notice from members of:

1. Leave of absence for future meetings of the Mākara/Ōhāriu Community Board; or
2. Apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

1.3 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

1.4 Confirmation of Minutes

The minutes of the meeting held on 2 February 2023 will be put to the Mākara/Ōhāriu Community Board for confirmation.

1.5 Public Participation

A period of at least 10 minutes shall be set aside near the beginning of Mākara/Ōhāriu Community Board meetings to enable members of the public to make statements about any matter on the Agenda for that meeting. The total time set aside for public participation may be extended with the majority agreement of the Board.

1.6 Items not on the Agenda

A motion relating to any matter not on the Agenda may be made without notice, by the unanimous resolution of the meeting. The Chairperson shall explain to the meeting why the item is not on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

2. Reports

LAND ACQUISITION - OHARIU VALLEY ROAD, OHARIU

Kōrero taunaki | Summary of considerations

Purpose

1. This report to Mākara/Ōhāriu Community Board asks it to endorse the proposal to acquire approximately 2,364m² (subject to survey) of land from the owners of 614 Ohariu Valley Road, Ohariu for road purposes (the Land). The Board's endorsement and comments, if any, will be included in the Council Officers report to have this matter considered at the next Council meeting.
2. See Attachment 1 for Location plan and Attachment 2 for aerial with the Land shown outlined blue.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy
- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☒ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

Relevant Previous decisions

Outline relevant previous decisions that pertain to the decision being considered in this paper.

Significance

The decision is **rated low significance** in accordance with schedule 1 of the Council's Significance and Engagement Policy.

Financial considerations

- | | | |
|------------------------------|--|--|
| <input type="checkbox"/> Nil | <input type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input checked="" type="checkbox"/> Unbudgeted \$X |
|------------------------------|--|--|

3. The acquisition and associated costs will be funded from the Transport Budget Activity 2084 Service Lane and Road Boundary upgrade.

Risk

- | | | | |
|---|---------------------------------|-------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|---|---------------------------------|-------------------------------|----------------------------------|

4. There are currently frontage issues for 609 Ohariu Valley Road with little or no way to mitigate them, other than by purchasing private land. While considered low risk if the owner of 614 Ohariu Valley Road decided to use the subject land themselves then

Council would be forced to pursue acquiring land in order to keep the carriageway where it is or realign it.

Author	Paul Davidson, Senior Property Advisor
Authoriser	John Vriens, Property Advisory Manager Brad Singh, Transport and Infrastructure Manager Siobhan Procter, Chief Infrastructure Officer

Taunakitanga | Officers' Recommendations

Officers recommend the following motion

That the Mākara/Ōhāriu Community Board:

- 1) Receive the information.
- 2) Endorse the land acquisition proposal to be considered by Council at their next meeting.

Whakarāpopoto | Executive Summary

5. The proposal relates to the acquisition of approximately 2,364m² of land from the owners of 614 Ohariu Valley Road, Ohariu (the Owners) for road purposes.
6. The acquired land would be legalised as Road under the Public Works Act 1981 (PWA).
7. This would resolve an historical situation where public carriageway is built over private land for decades.

Takenga mai | Background

8. In the 1990's Council officers were able to address a number of situations in this stretch of Ohariu Valley Road where formed carriageway was built over private land, and where Council owned legal road land was being privately used.
9. The Land is situated along the frontage of 614 Ohariu Valley Road and is defined by Survey Office plan 31527 (areas F and G). It is generally level and occupied by formed road carriageway.
10. When historical negotiations with the owners of the property at 614 were unsuccessful officers decided "to not progress this matter until the affected property owners showed more interest such as when they wish to carry out development on their properties".
11. The road encroachment was recently re-highlighted by the owners of 609 Ohariu Valley Road, whose property is situated directly opposite 614 Ohariu Valley Road.
12. The owners of 609 Ohariu Valley Road want to undertake a boundary adjustment at their property and Council's Resource Consents team cannot progress this until the 'legal road' encroachment situation at 614 Ohariu Valley Road is resolved as it affects the legal access to 609 Ohariu Valley Road and indeed all through traffic.
13. Proposals like this are usually considered by the Kōrau Tūāpapa Mākara/Ōhāriu Community Board, the Kōrau Tūāpapa Environment and Infrastructure Committee, and then full Council. Given the timing of forthcoming committee and Council meetings, and the proposal not being considered controversial, it is proposed this matter go straight from the Community Board to full Council.

Kōrerorero | Discussion

14. The current owners of 614 Ohariu Valley Road (the Owners) are now willing to sell part of their land which provides Council with an opportunity to address the public road encroachment on their land.
15. The acquisition, by agreement, and road legalisation is provided for under the Public Works Act 1981 (PWA).
16. Council officers and the Owners have obtained and accepted a joint current market valuation of the Land from Darroch Limited.

17. An agreement is expected to be finalised and executed within the coming weeks.
18. In addition to the value of the Land, legal costs will be incurred. The Council would bear its own costs in connection with the preparation, negotiation, and implementation of the agreement. It would also pay the Owners reasonable legal fees up to a maximum of \$1,500.00 (plus GST).
19. In the interests of concluding this acquisition in a timely manner, following this Community Board meeting, officers will seek resolutions to acquire the Land direct from Council at the next available full meeting. The report will be introduced to Council by the chair Kōrau Tūāpapa Environment and Infrastructure Committee.
20. See Attachment 3 for views of the Land at street level outlined blue.

Kōwhiringa | Options

21. Acquiring the Land and declaring it legal road (s114 Public Works Act 1981) by agreement is the simplest and best way for Council to resolve this historic road encroachment.
22. Not acquiring the Land would continue to cause frontage issues for 609 Ohariu Valley Road and prevent through traffic in the unlikely event that 614 Ohariu Valley Road physically re-occupy their land containing the formed public carriageway.
23. If this occurred then Council would have to consider a costly re-alignment while still needing to purchase private land from either from 609 or 614 Ohariu Valley Road.

Whai whakaaro ki ngā whakataunga | Considerations for decision-making

Alignment with Council's strategies and policies

24. The proposed acquisition has no significant impact on the Long-term Plan.

Engagement and Consultation

25. Consultation with relevant Council business units and the Owner have occurred. Otherwise, no external parties have been involved as the proposal is a land purchase from a private party for which there is no specific requirement to consult.

Implications for Māori

26. There do not appear to be any Treaty of Waitangi implications as Council is acquiring land from a private owner for a public/local operational requirement (road).

Financial implications

27. There are cost implications of the proposal acquisition which are discussed in the body of the report. A successful purchase will result in expenditure which will be covered by the Transport Budget 2084 Service Lane and Road Boundary upgrade.

Legal considerations

28. The legal work required will be undertaken and managed by Council's Legal Services team.

Risks and mitigations

29. While the status quo exists, there are frontage issues for 609 Ohariu Valley Road with little or no way to mitigate them. While considered low risk if the owner of 614 Ohariu Valley Road decided to use the subject land themselves then Council would be forced to pursue acquiring land in order to keep the carriageway where it is or realign it.

Disability and accessibility impact

30. There are no known disability or accessibility impacts. The proposed acquisition is to ensure the existing carriageway (Ohariu Valley Road) is retained in its current position.

Climate Change impact and considerations

31. There are no significant climate change implications arising from this proposed land acquisition.

Communications Plan

32. No communication plan is required.

Health and Safety Impact considered

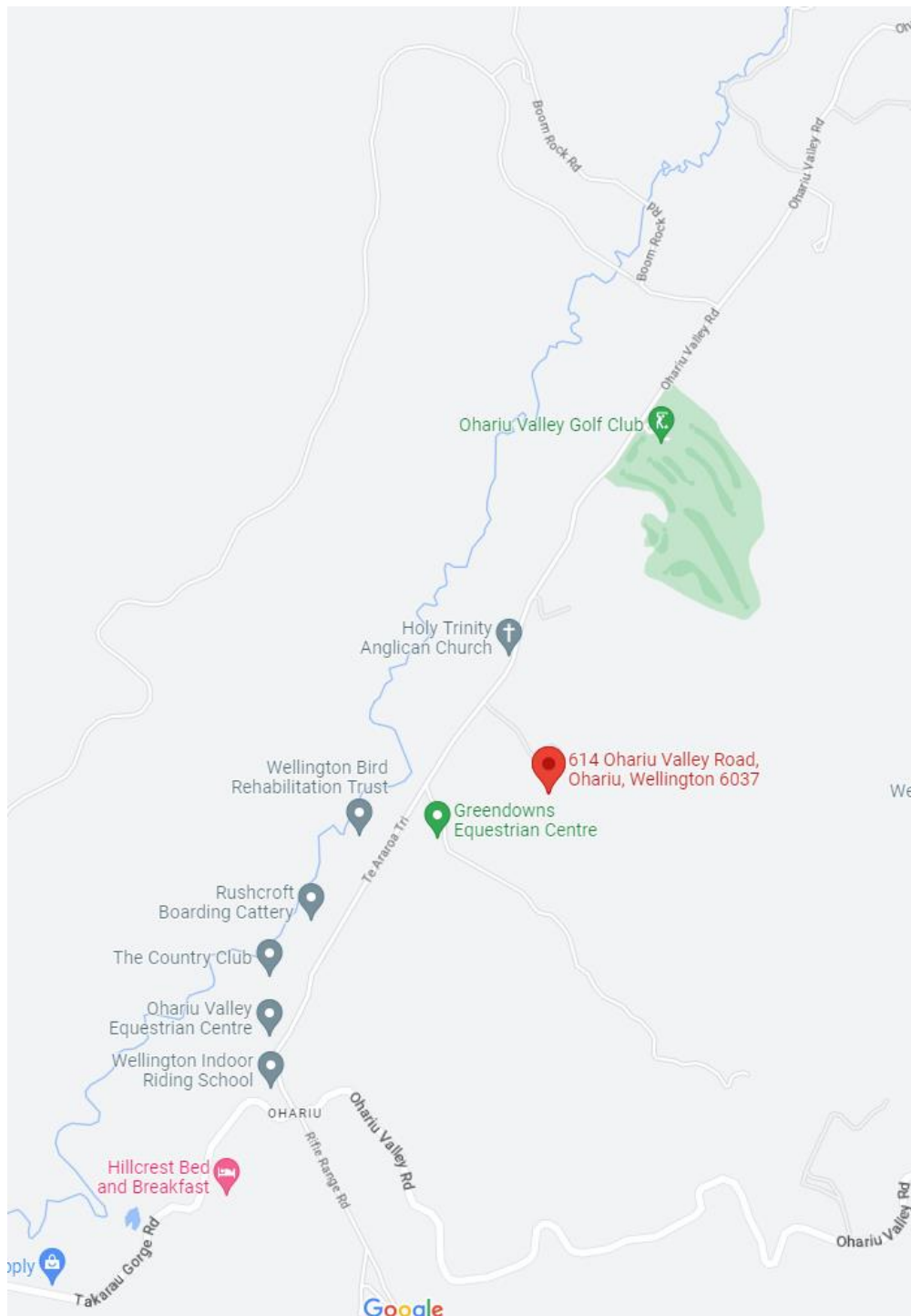
33. The work is predominantly administrative, if any further survey field work was required it will not occur in a hazardous environment.

Ngā mahinga e whai ake nei | Next actions

34. Approval for acquisition by Council.
35. Publish gazette notice declaring the Land as Road (s114 PWA).
36. Settlement of the transaction.

Attachments

Attachment 1.	Location Plan ↓ 	Page 12
Attachment 2.	Aerial ↓ 	Page 13
Attachment 3.	Views at street level ↓ 	Page 14







ORAL UPDATES

Kōrero taunaki | Summary of considerations

Purpose

1. This report to Mākara/Ōhāriu Community Board provides an opportunity to Council officers, external organisations and Mākara/Ōhāriu Community Board members to share progress on relevant issues.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- Strategic alignment with priority objective areas from Long-term Plan 2021–2031

☒ Sustainable, natural eco city

☒ People friendly, compact, safe and accessible capital city

☒ Innovative, inclusive and creative city

☒ Dynamic and sustainable economy

☒ Functioning, resilient and reliable three waters infrastructure

☒ Affordable, resilient and safe place to live

☒ Safe, resilient and reliable core transport infrastructure network

☒ Fit-for-purpose community, creative and cultural spaces

☒ Accelerating zero-carbon and waste-free transition

☒ Strong partnerships with mana whenua

Relevant Previous decisions

Financial considerations

- ☒ Nil

☐ Budgetary provision in Annual Plan / Long-term Plan

☐ Unbudgeted \$X

2. There are no financial considerations associated with this report.

Risk

- ☒ Low

☐ Medium

☐ High

☐ Extreme

Author	Emily Deans, Democracy Advisor
Authoriser	Sean Johnson, Democracy Team Leader

Taunakitanga | Officers' Recommendations

Officers recommend the following motion

That the Mākara/Ōhāriu Community Board:

1. Receive the information.

Whakarāpopoto | Executive Summary

3. The following oral updates are scheduled to be delivered at this meeting:

- a) Open Spaces and Recreation Strategy – Shona McCahon
- b) Transport Update – Steve Wright
- c) Chairperson's Update – Mark Reed
- d) Members' Updates – all Mākara/Ōhāriu Community Board members

Attachments

Nil

RESOURCE CONSENT APPLICATIONS AND APPROVALS FOR 17 JANUARY 2023 TO 2 MARCH 2023

Kōrero taunaki | Summary of considerations

Purpose

1. This report to Mākara/Ōhāriu Community Board is to advise the Board of resource consents lodged and decisions on Land Use and Subdivision resource consent applications in Mākara and Ōhāriu.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- | | |
|--|---|
| Strategic alignment with priority objective areas from Long-term Plan 2021–2031 | <input type="checkbox"/> Sustainable, natural eco city |
| | <input type="checkbox"/> People friendly, compact, safe and accessible capital city |
| | <input type="checkbox"/> Innovative, inclusive and creative city |
| | <input type="checkbox"/> Dynamic and sustainable economy |
| | <input type="checkbox"/> Functioning, resilient and reliable three waters infrastructure |
| | <input type="checkbox"/> Affordable, resilient and safe place to live |
| | <input type="checkbox"/> Safe, resilient and reliable core transport infrastructure network |
| | <input type="checkbox"/> Fit-for-purpose community, creative and cultural spaces |
| | <input type="checkbox"/> Accelerating zero-carbon and waste-free transition |
| | <input type="checkbox"/> Strong partnerships with mana whenua |

Relevant Previous decisions

Financial considerations

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Nil | <input type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|---|--|---|

Risk

- | | | | |
|---|---------------------------------|-------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|---|---------------------------------|-------------------------------|----------------------------------|

Author	Nicole Tydda, Manager Customer Service and Business Support
Authoriser	Liam Hodgetts, Chief Planning Officer

Taunakitanga | Officers' Recommendations

Officers recommend the following motion

That the Mākara/Ōhāriu Community Board:

1. Receive the information.

Takenga mai | Background

2. In accordance with an agreement reached with the Mākara/Ōhāriu Community Board, the purpose of this report is to advise the Board of all resource consents lodged, along with decisions made by Officers acting under Delegated Authority, on Land Use and Subdivision resource consent applications.
3. This report advises the Community Board of resource consent applications received and approved during the period 17 January 2023 to 2 March 2023.

Kōrerorero | Discussion

4. For the period from 17 January 2023 to 2 March 2023, there were two applications received by Council under delegated authority.

<i>Service Request</i>	<i>Address</i>	<i>Applicant</i>
529230	441 Makara Road, Makara	Rachel Jervis
Land use consent to construct a dwelling in rural area.		
529325	415 Makara Road, Makara	Jayden Hamilton
Land use consent for a new dwelling and associated earthworks.		

5. For the period from 17 January 2023 to 2 March 2023, there were three applications approved under delegated authority.

<i>Service Request</i>	<i>Address</i>	<i>Applicant</i>
522826	74 Te Wai Komaru Way, Makara	Patrick Bloodworth
Land use consent for a new dwelling.		
525272	415 MAKARA ROAD, Makara	Shellie Hamilton
Land use consent for an existing farm drive to be widened.		
524827	311 Boom Rock Road, Ohariu	Tom Eastwick
Subdivision consent for two lot fee simple subdivision.		

Attachments

Nil

CURRENT AND UPCOMING CONSULTATIONS AND ENGAGEMENTS

Kōrero taunaki | Summary of considerations

Purpose

1. This report to Mākara/Ōhāriu Community Board provides an update on the current items Council is seeking public feedback on and to advise the Board on upcoming consultations or surveys the Council is undertaking.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
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- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

Relevant Previous decisions

Decisions to undertake the referenced consultation.

Financial considerations

- ☒ Nil ☐ Budgetary provision in Annual Plan / Long-term Plan ☐ Unbudgeted \$X

Risk

- ☒ Low ☐ Medium ☐ High ☐ Extreme

Author	Emily Deans, Democracy Advisor
Authoriser	Sean Johnson, Democracy Team Leader

Taunakitanga | Officers' Recommendations

Officers recommend the following motion

That the Mākara/Ōhāriu Community Board:

1. Receive the information.

Whakarāpopoto | Executive Summary

2. The upcoming consultations and engagements are as follows:

Te Whai Oranga Pōneke - Open Space and Recreation Strategy

Consultation on the Draft Te Whai Oranga Pōneke – Open Space and Recreation Strategy will be running from mid-March to mid-April. It follows a review of the previous open space and recreation strategy, Our Capital Spaces 2013. Consultation will be available on <https://www.letstalk.wellington.govt.nz/>.

1. It will provide an overarching framework and strategic direction for the Council to manage its public open space, recreation facilities and recreation programmes and services over the next 30 years. It includes guiding principles, five focus areas and a programme of priority actions.

Draft Annual Plan 2023/24

Our engagement on the Annual Plan 2023/24 will begin on the Monday 27th March and end on the 30th April 2023. The engagement will be available on <https://www.letstalk.wellington.govt.nz/>.

There you will have the opportunity to review our plan for rates and upcoming projects and provide your feedback. Alternatively, hard copies of the information and submission forms will be in our libraries and community centres.

Attachments

Nil

FORWARD PROGRAMME

Kōrero taunaki | Summary of considerations

Purpose

1. The purpose of this report is to provide the Mākara/Ōhāriu Community Board with an update on proposed discussion items for upcoming board meetings.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Sustainable, natural eco city
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- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

Relevant Previous decisions

Financial considerations

- ☐ Nil ☐ Budgetary provision in Annual Plan / Long-term Plan ☐ Unbudgeted \$X

Risk

- ☐ Low ☐ Medium ☐ High ☐ Extreme

Author	Emily Deans, Democracy Advisor
Authoriser	Sean Johnson, Democracy Team Leader

Taunakitanga | Officers' Recommendations

Officers recommend the following motion

That the Mākara/Ōhāriu Community Board:

1. Receive the information.
2. Approve the current work programme, subject to any required changes.

Whakarāpopoto | Executive Summary

27 April 2023
<ol style="list-style-type: none">1. Oral Updates<ul style="list-style-type: none">• Transport Update• Chairperson's report• Board Members' reports2. Resource Consents3. Current and Upcoming Consultations and Engagements4. Forward Programme

Attachments

Nil