

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Hearing Submissions and Further Submissions on the Proposed Waikato District
Plan (Stage 1)

**MEMORANDUM BY COUNCIL TO HEARING COMMISSIONERS RELATING TO
THE INDICATIVE ROAD OFF REDWOOD GROVE, TAMAHERE
15 December 2021**

May it please the Hearing Commissioners:

1. The Council section 42A report titled *Infrastructure; D12A 14.12A Indicative roads and Trails* dated 14 September 2020 addressed submissions on the Proposed Waikato District Plan (PWDP) relating to Indicative Roads.
2. A multi-party submission (representing 15 landowners) was received opposing the inclusion of an indicative road off Redwood Grove, Tamahere. This submission was supported by one further submission and opposed by two further submissions.
3. In short, the purpose of this indicative road annotation on the planning maps is to show the preferred access route into the undeveloped lots at 286A-C Newell Road. The submission suggested removing the indicative road annotation and pursuing alternative access to these undeveloped properties.
4. Paragraphs 126 to 132 of the section 42A report discuss the matter, including as follows:

[131] Resolution of the need for the indicative road from Redwood Grove into future subdivisions appears to depend on all or part of Elmwood Lane becoming public road, or some other alternative form of access. I could support the removal of the indicative road off Redwood Grove ... if the matter can be resolved by Council accepting vesting of Elmwood Lane as public road, with all properties enabled access ... The owners of properties accessed via Elmwood Lane own individual rights-of-way easements to access their properties, and those easements would need to be acquired or surrendered to create a public road. If Elmwood Lane is upgraded and vested/acquired as public road in future, I would expect the indicative road will not need to be provided through future subdivision processes. If the road and future access can be determined then the indicative roads can be removed from the planning maps.

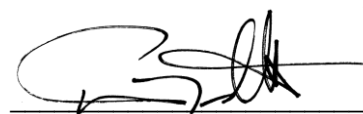
5. The author then concluded in paragraph 131 that “The Panel may wish to provide a direction to the Council that a solution to the road access must be confirmed by a specified date ... before the release of the decision on the PWDP, to allow an alternative decision to the indicative roads remaining on the planning maps.”
6. The section 42 author, at paragraph 132, recommended the Panel reject the submission from Brendhan Greaney on behalf of Multi-Party Submission [694.1] and the further submission from Sue Robertson on behalf of Tamahere Community Committee [FS1151.1]; and accept the further submissions from Chantelle Berry [FS1013.1] and Mong Oon Yeow [FS1011.1].

Alternative access

7. Since the section 42A author’s recommendation to the Panel and since the hearing, Council has continued to investigate resolution to both the issues surrounding the Redwood Grove indicative road as well as options for access to 286A-C Newell Road.

8. Council's Strategic Property Team has prepared a memo on this matter dated 15 December 2021 and it is attached to this memorandum.
9. The Strategic Property memo concludes that, other than through utilising the indicative road alignment which has an existing acquisition agreement for part of it, there are no other options that Council can undertake without landowner agreement. All other options require some form of landowner agreement.
10. The multi-party submission proposed utilising Elmwood Lane as the alternative. Council, with assistance from a property consultancy, put considerable effort into seeking landowner agreement for this option. The in-principle agreement from all required landowners was unable to be obtained to progress an Elmwood option.
11. It may also be useful for this memorandum to highlight the existence of the signed agreement between WDC and the owner of 6 Davren Way which enables the acquisition of land in a manner consistent with the indicative road alignment shown on the planning maps. Further, the Development Contribution catchment, which exists to repay the Council loan used to construct Redwood Grove (a local road which, in all other circumstances, would not be council-led), includes the properties at 286A-C Newell Road. These properties are included in the Development Contribution catchment because the development contribution policy and district plan were intended to work hand-in-hand to provide access to these properties through from Redwood Grove.
12. As no alternative exists at the time of preparing this memorandum, it is the view of Council staff that the section 42A author's recommendation to reject submission [694.1] remains the most appropriate.
13. If alternative access is obtained to 286A-C Newell Road in the future, the indicative road off Redwood Grove could be removed from the planning maps by way of a variation or plan change.

Dated at Ngaruawahia this 15th day of December 2021



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