

STAFF REPORT

TO: Community Services Committee
FROM: Community Services Manager
DATE: 6 July 2010
SUBJECT: Request to Have Garage Access Through a Council Reserve –RCS10-07-04

PURPOSE

D K and T H Wilkes, 213 Ranzau Road, Hope have requested a resource consent application for permission to build a new garage/workshop behind their house which would require access over part of the Hope Reserve. As the property owner affected, Council has been asked whether or not they would give their approval to this request.

BACKGROUND

As can be seen from the attached plan, the entrance to the Hope Reserve from Ranzau Road is part of the reserve land. In the past, both properties adjacent to this have had vehicle access to the back of their properties from this reserve land. However, the property at 207 Ranzau Road was advised when the property undertook major building alterations that this would not be able to continue. These owners then made alternative arrangements to have access directly from Ranzau Road into their property for vehicles. More recently they have received approval to build a new garage located between their house and Ranzau Road.

Mr and Mrs Wilkes have now applied to build their new garage and have made the following comments:

- 1 Since the construction of the house at 213 Ranzau Road, the driveway has always been off the accessway to the reserve.
- 2 A permit was given by the Tasman District Council for a covered-in carport to be built on the existing garage.
- 3 They are second generation owners of this property and both generations have always looked after the reserve access by keeping it clean of rubbish, mowing the grass and planting natives at their own expense.
- 4 When the kerbing and channelling was built on Ranzau Road, there was never any attempt by the Tasman District Council to install a driveway access from Ranzau Road directly onto their property.
- 5 At no time had they ever been consulted about the present driveway to the property that is illegal and if this is the case, they request the appropriate documentation stating this.

- 6 They note that the main entranceway to the Hope Reserve has a property with driveway access to the rear of their house.
- 7 To this day they drive vehicles onto the reserve using the reserve access with no concerns from any members of the public or any users.
- 8 They are not aware of any negative affects on the environment as they are only rebuilding a garage that is in great need of replacing.

Attached are photos of the property and reserve.

DISCUSSION

In June 2005 a letter was sent to Mr Wilkes agreeing to cost share with a new fence on the condition that the only gate to be put in the fence is to be one pedestrian access gate to the reserve or to the entranceway to the reserve but there is to be no vehicular access gate installed.

This would indicate that in 2005 Mr Wilkes was advised that Council was not proposing to continue with vehicle access through the reserve.

As pointed out earlier in the report, the neighbours on the other side of this part of the reserve have already altered their entranceway and are building a new shed at the front of their property which the Wilkes' are entitled to do. Having said that, as pointed out by the applicants, there is a house that has access off the main entrance to the reserve for vehicles. Unfortunately this has been the case for many years and at this point in time we are not in a position to remedy this situation.

OPTIONS

There are two options available in this case, one being the approval of a request to use the reserve as access to a garage and the other is to decline the request which would require the Wilkes' to build on the front of their section.

As the neighbour at 207 Ranzau Road has previously been told by Council that it is necessary to shift their access from the reserve to Ranzau Road, it would be difficult to approve this request.

RECOMMENDATION

THAT the request from Mr and Mrs D Wilkes to use part of the Hope Reserve for access to the proposed new garage be declined by the Community Services Committee, Tasman District Council.

L L Kennedy
Community Services Manager

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