

Report 08.407
Date 11 June 2008
File PK/11/01/08

Committee Parks, Forests and Utilities Committee
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Proposal for Greater Wellington Regional Council to enter into an exchange of land

1. Purpose

For Greater Wellington Regional Council (GWRC) to enter into an exchange of land, whereby:

- GWRC land will transfer to Porirua City Council (PCC) as a utility reserve for the purpose of a water reservoir and, in exchange
- Part of the owner's land will transfer to GWRC for a pumping station site and
- Part of the owner's land will transfer to GWRC as addition to and as a new entry to Belmont Regional Park

2. Significance of the decision

The matters for decision in this report **do not** trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the *Local Government Act 2002*.

3. Background

In October 2006, as part of a study into the future delivery of wholesale water throughout the Region, GWRC investigated the feasibility of developing a number of booster pumping stations along the Kaitoke water pipeline. Owners of the potential sites were contacted to test if site purchase was available. One site nominated was owned by EQM Farming Ltd (EQM).

EQM responded positively and also declared that it was about to develop and subdivide its land. By July 2007 EQM confirmed it would be undertaking a rural-residential subdivision and PCC was requiring that the subdivision provide a reticulated water supply.

The nearest high point for a reservoir site was on the adjoining Waitangirua Farm, which GWRC had recently purchased from Landcorp Farming Ltd for addition to the Belmont Regional Park.

Discussions with PCC confirmed that PCC would like a reservoir site to cater for the EQM subdivision and all other future subdivisions that were envisaged to take place in the area. As GWRC was undertaking survey work to create lots to be acquired for the park, it was decided to define a reservoir site and to hold it as a utility reserve, as distinct from the balance of the park that is to be held as another type of reserve. Therefore, the utility reserve is already created and defined. The utility reserve is of a size and shape to allow for the development of a reservoir, pipes leading to and from it and for access from Belmont Road.

GWRC officers confirmed, in principle, that EQM could purchase the reservoir site provided that the land transferred to PCC. Council approval was given in 2005 allowing for minor boundary adjustments as part of purchasing Waitangirua Farm. EQM asked to acquire the reservoir site by way of an exchange for the pumping station site, with no equality of exchange payable. GWRC deemed this to be inequitable and EQM responded by, in addition, offering a further area which immediately adjoined the park and which would provide a new point of public access to the park.

4. The proposal

- GWRC to transfer section 2 SO 37880, being 2.1207 hectares, to PCC as a utility reserve for the purpose of a water reservoir.
- In exchange EQM to transfer to GWRC:
 - (1) Part of Lot 1 DP 312987, being approximately 0.0300 hectares, for the purpose of a future booster pumping station site and
 - (2) Part of Lot 5 DP 86077, being approximately 5.4000 hectares, for the purpose of addition to as a new entry to Belmont Regional Park.

5. The proposed agreement

- An agreement to exchange land has been drafted. The agreement has been executed by EQM.
- The agreement provides for the exchange as set out under “The Proposal”.
- The exchange is considered to be equitable and there is no requirement for money to be paid by either party as equality of exchange.
- EQM is responsible for all costs to have the two areas it is transferring to GWRC surveyed and subdivided.
- EQM will grant access and legal frontage to the two areas it will transfer to GWRC by either creation of public road or by grant of a registered right-of-way.
- If a right-of-way is granted, it will be for the benefit of both GWRC and the public.

- If a right-of-way is granted, GWRC will have no responsibility for the cost of development or maintenance.
- Any reservoir developed on the utility reserve (transferred to PCC) shall be constructed into the hillside and kept below the skyline to minimise the visual impact on the environment.
- EQM is responsible for the cost of fencing the utility reserve from Belmont Regional Park.

6. Funding provision

Not applicable.

7. Communication

Direct communications with the community on this report are not appropriate. The community is aware of the creation of the utility reserve as part of the communications over the acquisition of Waitangirua Farm for addition to Belmont Regional Park. The community is aware of the EQM subdivision through a publicly notified application for a plan change to create a new zone called the *Judgeford Hill Zone*. The plan conditions imposed have been appealed by the Applicant.

8. Recommendations

That the Committee:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Endorses the proposal to exchange land as set out in the attached Agreement to Exchange Land.*
4. *Endorses the application of the Council Seal and/or authorised signatory to give effect to the attached Agreement to Exchange Land.*

Report prepared by: Report prepared by: Report prepared by: Report approved by:

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Attachments:

- 1 Agreement to exchange land
- 2 Drawing No. C916, Drawing Exchange Plan