

Report 14.420  
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Committee Council  
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## Land exchange – Belmont Regional Park

### 1. Purpose

To seek approval for a proposed exchange of land with Hutt City Council (HCC) within Belmont Regional Park (BRP). The exchange will enable Greater Wellington Regional Council (GWRC) to put into effect a compensation agreement with the New Zealand Transport Agency (NZTA) to construct a new farm hub on the HCC exchange land which is the optimum location for the new farm hub.

### 2. Background

GWRC has recently concluded an agreement with NZTA which provides compensation for the GWRC land required from BRP for the Transmission Gully Motorway (TGM) project.

Part of the compensation package includes the requirement for NZTA to reinstate a viable farming operation on BRP. NZTA has agreed that in order to achieve this, they will fund construction of a new farm hub on the eastern part of the park. A site at the top end of Hill Road has been identified as the optimum location for the new farm hub. While this site is part of BRP, it is contained within land owned by HCC rather than GWRC.

The new farm hub represents a very significant long term investment in the sustainable management of BRP; it is the Officers' view that compensation arising from the taking of GWRC land should be reinvested on land owned by GWRC. Hence in order to meet this requirement and still provide the optimum long term farming and recreational solution for BRP, GWRC has proposed a land exchange with HCC.

### 3. The exchange land

The HCC land proposed for exchange is Part Section 334 Hutt District being comprised within part Computer Freehold Register WN16A/1270. The land is held in fee simple by HCC, classified as Recreation Reserve pursuant to the Reserves Act 1977 and administered by GWRC as part of BRP under the

GWRC/HCC Section 17 (Local Government Act 2002) agreement dated 22 November 2004. The HCC land has an area of approximately 28 hectares and is shaded green on the attached plan (refer **Attachment 1**).

The GWRC land proposed for exchange is Part Section 8 SO 36637 being comprised within part Computer Freehold Register 510286. The land is held in fee simple by GWRC, classified as Recreation Reserve pursuant to the Reserves Act 1977 and administered by GWRC as part of BRP. The exchange land has an area of approximately 25 hectares and is shaded yellow on the attached plan (refer **Attachment 1**).

#### **4. The proposed agreement**

It is proposed that the parties enter into a formal agreement to exchange land. The principal terms agreed by the Officers of both Councils (subject to Council approvals) are:

- The exchange shall be undertaken under Sections 20 and 50 of the Public Works Act 1981. This provides a mechanism for land held for an existing public work to be transferred between local authorities. The change of ownership of any land pursuant to Section 50 may take effect by declaration under Section 20, subject to their existing reserves status. This means that no requirement for any action under the Reserves Act 1977 will arise.
- GWRC and HCC shall process a variation to the existing Section 17 Agreement whereby the HCC land to be transferred to GWRC shall be removed from the schedule of land subject to the transfer of administrative responsibilities and conversely the GWRC land to be transferred to HCC shall be added to the schedule of land subject to the transfer of administrative responsibilities.
- GWRC will be responsible for the provision of a draft agreement for consideration and finalisation by the parties.
- GWRC to meet legal and survey costs including the reasonable costs of HCC.
- As the exchange parcels are of similar area no further consideration is required to be paid by either Council.

#### **5. Outcome**

GWRC secures ownership of the optimum site for the new farm hub on a cost neutral basis.

#### **6. Communication**

Hutt City Council has advised the Friends of Belmont Regional Park and the Belmont Ratepayers Association of the proposed exchange and construction of the new farm hub at Hill Road. The Friends have no objection in principle to this proposed arrangement. Over time they have fundraised to enable the fencing of almost all the land to be passed to Hutt City Council and retire it

from grazing. Ultimately they would like to see it re-vegetated, with a new recreational track alongside the stream to minimise conflicts between park users and farm traffic.

No other communications are required at present in relation to this proposal.

## 7. Significance of the decision

Part 6 requires Council to consider the significance of the decision. The term ‘significance’ has a statutory definition set out in the Act.

Officers have considered the significance of the matter, taking the Council's significance policy and decision-making guidelines into account. Officers recommend that the matter be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

## 8. Recommendations

*That the Council:*

1. ***Receives*** the report.
2. ***Notes*** the content of the report.
3. ***Approves*** the proposed exchange of land within Belmont Regional Park between Wellington Regional Council and Hutt City Council on the terms and conditions outlined in this report.
4. ***Delegates*** to the Chief Executive the power to sign a formal agreement to exchange land with HCC.

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**Attachment 1: Plan – Hill Road Exchange Land**