

1. THE GROYNES – LAND EXCHANGE

Officer responsible Parks & Waterways Manager	Author John Allen – Policy & Leasing Administrator, DDI 941-8699
---	--

The purpose of this report is to seek approval to exchange part of a Recreation Reserve, adjacent to the Otukaikino Stream, for adjoining land. The exchange will reflect the boundary of the newly constructed full sized tennis courts alongside the reserve, which have been built by Clearwater Resort for use by hotel guests.

Section 15 of the Reserves Act 1997 sets out the legal requirements for such a proposal, including a requirement to give public notice calling for submissions and objections in writing. No submissions or objections were received. Accordingly, the Council may resolve to proceed with the exchange and request the Minister of Conservation to authorise the exchange by notice in the New Zealand Gazette.

DESCRIPTION OF THE PROPOSAL

The exchange is being promoted by Clearwater Resort to reflect the land holdings in the area. The two full sized tennis courts (approximately 210 square metres) are built across the boundary of Lot 111 DP 83358. This land is comprised in Certificate of Title 48A/1247 which has a total area of 1.1585 hectares and is vested in the Christchurch City Council as a recreation reserve abutting the Otukaikino Stream. The closest corner of the tennis court fence is situated 12 metres back from the Otukaikino Stream, which is in excess of the 10 metre setback required by the City Plan.

It is proposed to exchange the reserve land for approximately 360 square metres of Lot 15 DP 302828, contained in Certificate of Title 10858 comprising 2,224 square metres held as fee title land by Clearwater Golf Club Limited.

The exchange will regulate the southwest boundary of the reserve, and increase the size of the reserve by approximately 150 square metres.

ISSUES FOR CONSIDERATION

The proposed exchange will enable the boundaries of the reserve to coincide with what is built on the ground, square off the southwest boundary of the reserve and enable the reserve to be increased in size by approximately 150 square metres. This is at no cost to the Council. The applicant has agreed to pay all costs incurred by the Council in effecting this exchange, including GST. No reserve credits are to accrue out of this exchange.

Recommendation: 1. That pursuant to Section 15 of the Reserves Act 1977 the Christchurch City Council resolve to exchange the land described in Schedule A for the land described in schedule B:

Schedule A

Approximately 210 square metres (subject to survey), of Lot 111 DP 83358, comprised and described in Certificate of Title 48A/1247, vested in the Christchurch City Council as a Recreation Reserve, shown as parcel A on the attached plan.

Schedule B

Approximately 360 square metres (subject to survey), of Lot 15 DP 302828 comprised and described in Certificate of Title 10858 held as fee simple land by Clearwater Golf Club Limited shown as parcel B on the attached plan.

Subject to the following conditions:

- (a) No compensation over and above the reserve area being exchanged to be payable by the Council.
 - (b) Clearwater Golf Club Limited to pay all the costs incurred by the Council in processing this application, including any GST payable to give effect to the exchange.
 - (c) No reserve credits are to accrue because of the unequal nature of this exchange to Clearwater Golf Club Limited, or its associated companies.
2. That the Council request the Minister of Conservation to authorise the proposed exchange by notice in the New Zealand Gazette.