

2. LAND EXCHANGE FOR DRAINAGE AND RECREATIONAL RESERVE ON HEATHCOTE VALLEY FLOODPLAIN (TRUSCOTTS ROAD)

Officer responsible
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The purpose of this report is to recommend an exchange of an equal area of land presently owned by Heathcote Recreational Holdings, situated at 62 Truscotts Road, in the Heathcote Valley Floodplain for adjacent Council owned land.

BACKGROUND

In 2002 the Council approved the purchase of 1.25 hectares of land, zoned SP (Ferrymead), from Heathcote Recreational Holdings, the land when transferred to the Council, being classified as Local Purpose (Utilities) Reserve. The corridor of land to be purchased is to be subdivided off a larger block Pt RS 19 CT CB9K/541 (see attached plan 24328/2). This land corridor, which runs along the parent block's southern and western boundary, bordering Truscotts Road, varies in width from 25 metres to 35 metres. The land is to be purchased for the purpose of creating a new waterway and recreational corridor along Truscotts Road and will allow the diversion of Munnings Drain and Truscotts Drain into one enhanced waterway. At the time of property negotiations, Council staff sought to acquire a wider corridor so as to better facilitate the waterway proposal. However, Heathcote Recreational Holdings were reluctant to sell more land, because they wished to retain land for horse grazing. Accordingly, Council staff investigated with Heathcote Recreational Holdings the option of adding to the corridor by exchanging an equivalent area from Council owned land to the north, namely Section 1 Survey Office Plan 303513 CT 104004, (held as recreation ground, pursuant to section 601 of the Local Government Act 1974 for stormwater drainage management and wetland enhancement). Subject to Council approval, it is anticipated that exchange can be achieved with Heathcote Recreational Holdings. Subdivision of the original purchase has been deliberately delayed in the hope of reaching such an agreement.

DESCRIPTION OF THE PROPOSAL

With Council approval it is proposed to subdivide off a further 3,180m² (approximately) from 61 Truscotts Road in addition to the 1.25 hectares of land already purchased (see attached plan 24328/2). Acquisition of the additional 3,180m², yet to be purchased, will be achieved by exchanging the equivalent area of land from the southern boundary of the adjacent Council owned land to the north, described as Section 1 Survey Office Plan 303513 CT 104004, this land being added to Heathcote Recreational Holdings land by amalgamation. The additional area of land acquired by the Council will be vested in the Council as Local Purpose (Utility) Reserve. The two land parcels that it is proposed to exchange will be identical in size. The Council will meet all the costs associated with the subdivision (including GST, if payable) and movement/replacement of existing fence lines.

ISSUES FOR CONSIDERATION

The Council land to be exchanged was originally purchased under the Public Works Act 1981 from Mr Maynard MacDonald for the purposes of waterway and recreational use. The 3,180m² involved in the exchange can be dealt with under section 105 of this Act. This in effect means the Council does not have any offer back obligations to the previous owner. Mr MacDonald is however, still resident in the Valley and supportive of the Council's efforts in creating the new waterway/park areas. He will be kept fully informed about the proposed exchange.

The subdivision process will be no more complicated or costly than was associated with the original purchase. It is estimated that 200 metres of post and wire fencing will be required.

The wider transition corridor width into the downstream Council land will give a greater useable flood storage and planting area than would have been achieved with the original purchase. The proposal also still leaves Heathcote Recreational Holdings with the same useable area for horse grazing. The proposal therefore has a mutually beneficial outcome to both parties.

CONCLUSION

- The waterway corridor able to be purchased from Heathcote Recreational Holdings in 2002 did not meet the Council's full width requirements at that time, because Heathcote Recreational Holdings were reluctant to lose further horse grazing land.

- An alternative to outright purchase is proposed by an exchange of an equal area of adjoining Council owned land to the north for the wider corridor sought; essentially a boundary adjustment.
- The cost of this exchange will be limited to the cost of about 200m of new fencing, as the survey and legal work can be carried out as part of the proposed original subdivision, There will also be a requirement to pay for the independent valuation of the two parcels of land to be exchanged, and the payment of GST if any, as assessed by the valuation of the two parcels of land.

Committee

Recommendation:

1. That the Council approve the exchange of the Council owned in fee simple land described in Schedule A for the Heathcote Recreational Holdings in fee simple owned land described in Schedule B.

Schedule A

Approximately 3,180m² of Section 1 Survey Office Plan 303513 CT 104004, having an area of 16.9230 hectares, land owned by the Council in fee simple for Recreation Ground, pursuant to section 601 of the Local Government Act 1974.

Schedule B

Approximately 3,180m² of Pt RS 19 CT CB9K/541 having an area of 5.1800 hectares, owned by Heathcote Recreational Holdings in fee simple land.

2. That the exchange be subject to the following conditions.
 1. The Council to meet the cost of independent valuations of the two parcels of land.
 2. The Council to meet any GST that is payable.
 3. The Council to meet all survey, legal, and fencing costs associated with the exchange.