

12. ACQUISITION OF LAND - SCARBOROUGH

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Corporate Plan Output: Reserve Purchases – New Assets	

The purpose of this report is twofold, being to seek approval to:

1. Acquire Lot 2 DP 72168 containing 921m² and depicted as section 2 on the tabled plan 22891/2 for reservoir purposes.
2. Acquire section 1 containing 1675m² as depicted on the attached plan to secure and protect the heritage trail running between Heberden Avenue and Scarborough Terrace.

BACKGROUND

As Councillors will be aware, in 1997 the Council acquired what is known as Scarborough Farm as a recreation reserve. The reserve contains an area of 221 hectares, is bounded by Evans Pass Road and lies north and south of the Summit Road and adjoins to the east Godley Head reserve.

HERITAGE TRAIL/ACCESS ROAD

Scarborough Hill was once an open farm grazing sheep and allowing public access. Over the years this has been compromised as rural land use has changed and residential subdivision has proceeded. The Onepoto or Heritage Trail, which attempted to formalise public access through the farm in 1990, has now been closed for two years at the farmer's request because of deer grazing, etc. Council officers have had consistent requests by the public over the years to re-establish walking links over the Heritage Trail.

RESERVOIR SITE

Situated within the property is a freehold parcel of land owned by Mr G F Kendall, which contains an area of 921m² and houses the reservoirs which service the residential properties of Scarborough. In terms of the water supply, the original agreement made in 1989 permitted the developer, Mr Kendall, to use temporary tanks to serve the residential development on Scarborough Hill until stage 3 was developed. After this a permanent reservoir was to be built to service both the existing and future stages. The recent city plan decisions have restricted further development on Scarborough Hill and, given that the period for the use of the temporary tanks has already exceeded the time frame originally envisaged, there is a need to replace the existing reservoirs. Provision has been included in the 2000/2001 financial year to provide for this and tenders have recently been called and let to install the new Council owned reservoir.

As indicated above, the land on which the existing reservoirs are sited is owned by Mr Kendall and, given that the Council is funding the replacement of the reservoirs, it is deemed as desirable to acquire the land from the owner to ensure the assets remains in Council ownership. To this end discussions have been held with the owner and agreement has been reached to acquire the area, details of which are reported further in this report.

GENERAL

As a consequence of the recent city plan decision to reinforce the existing rural boundary, further residential development on Scarborough Hill is now limited. Currently the owner is completing the development of a further seven sections and has the potential through a scheme variation to provide a further 11 lots. Following discussions with the owner it has been agreed that in exchange for the reservoir site and the heritage trail site the Council will grant the owner 12 reserve credits to be applied in relation to any subsequent subdivision of the land contained within Certificate of Title 46B/1224 which adjoins the present subdivision and includes the seven lots mentioned above together with the potential 11 further allotments. The reserve credits are to be available for a period of ten years from the date that the properties are transferred to the Council and if not used within this period they will automatically lapse and no compensation will be payable by the Council. With respect to the value of the credits, this matter is reported within the public excluded section of this report.

PROPOSED AGREEMENT

With respect to the reservoir site and the heritage trail, agreement has been reached with the owner subject to Council approval that it will acquire the area subject to:

1. The Council granting 12 reserve credits as indicated above and as advised in the public excluded section of this report, in return for the land concerned.
2. The Council undertaking the necessary survey to secure the land shown as section 1.
3. The Council accepting the liability to fence the boundary of section 1 with a deer fence.

Recommendation: That the Council confirm the agreement reached as indicated above to acquire section 1 and section 2 on the tabled plan, being the areas required for the heritage trail and the reservoir site, on the terms and conditions outlined above.

Chairman's Recommendation: That the above recommendation be adopted.