

# **Policy and Strategy Committee**

**Thursday, 6 August 2009  
Commencing at 9.30 am**

**Item 2: Urgent Business**

**Item 2A: Proposed Land Exchange –  
76 Royal Road And Part Of  
Royal Reserve**

**AGENDA SUPPLEMENT TO A MEETING OF THE POLICY AND STRATEGY COMMITTEE  
TO BE HELD AT WAITAKERE CENTRAL, 6 HENDERSON VALLEY ROAD, HENDERSON,  
WAITAKERE, ON THURSDAY, 6 AUGUST 2009, COMMENCING AT 9.30 AM**

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**2 URGENT BUSINESS**

That the matter of Proposed Land Exchange – 76 Royal Road And Part Of Royal Reserve be considered as Urgent Business because approval of the Planning and Regulatory Committee for Plan Change 34 (relating to the land proposed to be exchanged) has been delayed to September 2009 to enable approval of the Policy and Strategy Committee to be sought this month. Approval for the land exchange had been obtained from the Infrastructure and Works Committee on 1 April 2009 but due to an amendment to the delegations to Committees this delegation has now been transferred to the Policy and Strategy Committee.



**2A PROPOSED LAND EXCHANGE – 76 ROYAL ROAD AND PART OF ROYAL RESERVE**

**GLOSSARY**

Policy and Strategy Committee	(the Committee)
Royal Reserve	(the Reserve)
Reserves Act 1977	(the Act)

**EXECUTIVE SUMMARY**

The purpose of this report is for the Policy and Strategy Committee (the Committee) to approve the proposed exchange of 1.8 hectares of Royal Reserve (the Reserve) with adjoining privately owned property at 76 Royal Road, Massey.

This report recommends that the proposed land exchange is approved on the basis that the exchange provides an opportunity for the Council to exchange 1.8 hectares of land to upgrade and develop the Reserve to a Citywide standard and in accordance with the strategic planning for Massey North. The Reserve is currently under-used and under-developed.

The Infrastructure and Works Committee previously had delegated authority to approve the Council's powers and functions under the Reserves Act 1977 (the Act) including land exchanges. Resolutions approving this land exchange were made by the Infrastructure and Works Committee on 3 September 2008, 4 March 2008 and finally on 1 April 2009.

*S1-S2*

At a meeting of the Infrastructure and Works Committee held on 1 April 2009, approval was given for the land exchange following public notification and consultation as well as undertaking a site visit to the Reserve. These resolutions are attached at pages S1 to S2.

This Committee now has the delegation to exercise all of the Council's powers and functions under the Act in respect of Citywide parks and reserves following an amendment to the delegations to Committees on 18 March 2009. The delegation to this Committee is under delegation number 11. The Reserve is a Citywide reserve and therefore delegation 11 applies in respect of the proposed land exchange under section 15 of the Act.

## RECOMMENDATIONS

It is recommended that the Policy and Strategy Committee resolve to:

1. **Receive** the Proposed Land Exchange – 76 Royal Road And Part Of Royal Reserve report.
- S3* 2. **Approve** that subject to resolution 3 below, the exchange of reserve land under section 15 Reserves Act 1977 of approximately 1.8 hectares of Royal Reserve (being more or less the area marked A1) on the plan attached at page S3 with approximately 1.8 hectares of 76 Royal Road, Massey (being more or less the area marked A2) on the plan attached at page S3.
3. **Agree** that for the Proposed Land Exchange – 76 Royal Road And Part Of Royal Reserve, resolution 2 above be subject to approval by the Auckland Transition Agency.

## **BACKGROUND**

1. A report was presented to the Infrastructure and Works Committee at its meeting on 3 September 2008 for consideration of the proposed exchange where it was resolved, among other things, that notification of the proposal could be carried out and that any objections to be reported back to the Infrastructure and Works Committee.
- S14* 2. A further report was presented to the Infrastructure and Works Committee on 4 March 2009 to hear objections to the proposal. The Infrastructure and Works Committee resolved to undertake a site visit to the Reserve prior to making a final decision on the proposed land exchange. A copy of the minutes of that meeting is attached at page S14.
- S1-S2* 3. A site visit was carried out by Members of the Infrastructure and Works Committee and it was resolved at it's meeting on 1 April 2009 to, among other things, approve the proposed land exchange. A copy of the minutes of that meeting is attached at page S1 to S2.
- S4-S14* 4. The full background to the land exchange proposal including the strategic context and resources are set out in the report presented to the Infrastructure and Works Committee on 4 March 2009, a copy of which is attached to this report at pages S4 to S14.
- S15-S16* 5. Briefly, in 2004 the Council approved through the outcomes of the Westgate and Massey North Design Workshop a strategic plan for the re-development of the Massey North area. The strategic plan provides for the exchange of part of the Reserve and the development of the Reserve and is attached at page S15. Council officers have advised that there have been no changes to the strategic plan since its approval in 2004. The proposed design for the Reserve is therefore based on the plan approved in 2004 – and is attached at page S16.
6. Overall, the exchange will enable the Reserve to be re-designed and up-graded to better integrate the Reserve with the surrounding environment including residential areas and connections through to Rush Creek and Westgate. The exchange will enable the sports fields to be upgraded to full size multi-use fields and will provide increased recreational facilities and amenity consistent with the citywide status of the Reserve.

## DECISION MAKING

7. Given the changes to the delegations to Committees approved by Council on 18 March 2009 (resolution no. 374/2009), the Committee now has delegated authority to approve the proposed land exchange under delegation number 11.

## STRATEGIC CONTEXT

8. Under the draft Parks and Open Spaces Strategy 2005 provision is made for exchanges of land in circumstances where there is benefit to the public (in this case as a Citywide reserve - to residents of Waitakere as a whole) subject to undergoing a public consultation process. The benefits of the proposed exchange are set out above in the attached report.
9. There is an existing Reserve Management Plan adopted in 1993 for the Reserve – but at the time it was adopted the development at Westgate / Massey had not been considered. The Reserve Management Plan has been programmed for renewal – and this can be addressed earlier than planned as a separate report to the Committee if the land exchange is approved. This can be carried out following approval of the exchange by the Committee - and is not required to occur prior to approval being provided.
10. As referred to above a strategic plan was prepared as a result of the Westgate and Massey North Design Workshop in March 2004. The strategic plan provided for future residential town centre development that included the exchange of areas A1 and A2 and development of the Reserve as provided in this report.

## CONSULTATION

11. Consultation has been undertaken with relevant Council staff including Parks and Open Space Assets and Strategic Planning in terms of information regarding the Westgate and Massey North Design Workshop Outcomes March 2004.
12. Public notification was undertaken prior to 1 April 2009.
13. Council officers have undertaken iwi consultation with each of representatives of Te Kawarau A Maki and Ngati Whatua. Both iwi are supportive of the land exchange and are interested in having further input in to the design for the Reserve.

## RESOURCES

- S3
14. The land areas proposed to be swapped are more or less 1.8 hectares each. On the basis that the land areas are the same it is proposed that the areas marked A1 and A2 on the plan attached at page S3 will be exchanged as equivalent land areas and the legal fees will be met by the Royal Road owner.
  15. No resources are required other than staff time in respect of the proposed exchange if the land exchange is approved.

## IMPLEMENTATION ISSUES

16. If a decision is made to approve the proposed land exchange the process required to complete these projects involves:
  - (a) drafting a memorandum to the Minister of Conservation to authorise the exchange the land by notice in the New Zealand Gazette; and

- (b) preparing a draft Gazette notice to attach to the memorandum together with copies of the Council's resolutions and objections through the public consultation process.

### AUCKLAND COUNCIL TRANSITION ISSUES

17. The decision making proposed in this report may be constrained by section 31 of the Local Government (Tamaki Makaurau Reorganisation) Act 2009 on the basis that it may have a significant negative impact on the assets or liabilities that are transferred to the Auckland Council as a result of the reorganisation.

**Report prepared by:** Huia Kingi, Parks Consent Planner, Parks Planning and Renee Davies, Service Manager Parks Planning.

