

MINUTES

TITLE: Hearing for Exchange of Land – Waimea West Recreation Reserve
DATE: Monday 17 December 2007
TIME: 9.00 am
VENUE: Council Chamber, 189 Queen Street, Richmond

PRESENT: Crs M J Higgins (Chair) and B W Ensor

IN ATTENDANCE: Manager Property Services (J K Frater),
Administration Officer (B D Moore)

1 PROPOSED CHANGE OF LAND – WAIMEA WEST RECREATION RESERVE

1.1 Proposal

The proposal was for an exchange of land at Waimea West Road, Waimea West between the recreation reserve owned by Tasman District Council and the adjacent property owned by D M Mellor. The recreation reserve is legally described in CT NL107/125 and the Mellor property is legally described in CT NL107/124. Plans of the proposal are in accordance with Tasman District Council resource consent RM070030 for subdivision and Tasman District Council resource consent RM070229 for land use consent to relocate an existing dwelling on the Mellor property.

1.2 Officer's Report

Manager Property Services, J K Frater, spoke to his report of 6 December 2007 contained within the agenda. He said that Council has to go through the Reserves Act process. He said that the subject land was originally a Crown school site and that should the Committee wish to make a positive recommendation, this is required to be a recommendation to the Minister of Conservation.

Mr Frater said that Department of Conservation officers have drawn to Council's approval the two tests of Chapter 11 of the Reserves Act guide. These tests require that reserves can only be exchange for land which is suitable for the same purpose (recreation) and that the land being required must be more suitable for the purpose than the reserve portion being exchanged.

Mr Frater referred in his report to the five submissions received. He noted that the Wakatu Incorporation objects to this proposal proceeding without Treaty of Waitangi Claim WAI56 being settled and its status under the Treaty confirmed.

1.3 Submission

Neighbouring property owner, Karen Bailey, spoke to her opposing submission. She noted that the proposed house site would be less than 30 metres from the boundary of her rural 1 zone land which could inhibit spraying activity. She also questioned what action Council is likely to take about the ditch on the side of Waimea West Road. She asked why the front part of the Recreation Reserve site could not be used for car parking. Cr Higgins said that rural landowners are required to follow a protocol when spraying. He said that the spraying effect already exists and the situation is unchanged.

Mr Frater said that the parking on the road frontage would be required to be removed and suggested that a recommendation for road upgrading could be forwarded to the Annual Plan/LTCCP process.

Mr Dennis Turner spoke in support of the proposal and said that vehicles presently crossed the tennis courts for access to the hall. He said that tennis courts located at the rear of the hall building would not be so cramped. He said the existing Mellor house is too close to the road and is affected by road noise. Mr Turner said that the proposed land exchange would provide an improvement to both the recreation reserve and Mellor property.

Mr Turner advised that submitter Gary Hall was unable to attend the hearing.

Moved Crs Higgins/Ensor

**THAT the apology from Mr G Hall for absence be sustained.
CARRIED**

Diana Mellor said that the original proposal for the land exchange came from the Tennis Club and although she was not originally in favour of the proposal, she saw the benefits in relocating the existing house to the rear of the site and that a land use consent had been obtained for that purpose. In addition, a consent had been obtained for the proposed boundary relocation subdivision/land swap.

1.4 Receipt of Submission

Moved Crs Higgins/Ensor

**THAT the submissions regarding the Waimea West Recreation Reserve land exchange from K Bailey, Wakatu Inc, G Hall, J and M McConway and D Turner, be received.
CARRIED**

1.5 Decision

Moved Crs Ensor/Higgins

THAT:

- 1 It be a recommendation to the Minister of Conservation that the proposal to exchange part of the recreation reserve contained in Section 170 Waimea West District for part of the land contained in Part Section 133 Waimea West District, be approved;**
- 2 It is drawn to the Community Services Manager's attention to pipe the ditch in front of the Waimea West Recreation Reserve.**

CARRIED

Mr G Hall arrived at the meeting at this time and he did not speak to his submission as Cr Higgins advised that the hearing had concluded.

Cr Higgins thanked the participants for their attendance and closed the hearing at 9.33 am.

Date Confirmed:

Chair: