

Report No:	RCS11-09-07
File No:	
Date:	29 August 2011
Decision Required	

REPORT SUMMARY

Report to: Community Services Committee
Meeting Date: 8 September 2011
Report Author: Manager Property Services
Subject: Hoddy Estuary Park

EXECUTIVE SUMMARY

The Council has an agreement with the Hoddy Estuary Park Trust that the Trust would develop, maintain and invest the park in the Council. This report recommends the acceptance of the transfer of this land to Council and vesting pursuant to the Reserves Act 1977.

RECOMMENDATION/S

That the Council receives this report and adopts the draft resolutions contained in the report.

DRAFT RESOLUTION

THAT the Community Services Committee:

- 1 Receives the Hoddy Estuary Park Report RCS11-09-07; and**
- 2 Confirms that the Estuary Park Trust has met its obligations regarding the development and maintenance of Hoddy Estuary Park being Lot 6 DP 20521 and accepts the transfer of the property to Council for a local purpose (wetland management) reserve subject to the Reserves Act 1977; and**
- 3 Pursuant to Section 16 (2A) of the Reserves Act 1977, classifies Lot 6 DP 20521 as a local purpose (wetland management) reserve.**

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1. PURPOSE

- 1.1 To consider accepting the transfer in vesting of the Hoddy Estuary Park being Lot 6 DP 20521 from the Estuary Park Trust pursuant to the Reserves Act 1977.

2. BACKGROUND

- 2.1 The Council and the Estuary Park Trust entered into an agreement several years ago regarding the Hoddy Estuary Park. The agreement provided that the Trust, as owners of the land, would develop it in accordance with the Council's requirements, maintain it and then transfer ownership to Council. Council staff are satisfied that the property has been developed and maintained in accordance with the agreement.

3. PRESENT SITUATION/MATTERS TO BE CONSIDERED

- 3.1 The Trust have met their part of the agreement and Council staff are satisfied that the property is now ready to be transferred to Council. Any other consideration would either be in breach of the agreement with the Trust or require a variation thereto.

4. FINANCIAL/BUDGETARY CONSIDERATIONS

- 4.1 The property is proposed to transfer to Council at no cost. The Parks and Reserves budget has provision for future maintenance of this proposed reserve.

5. OPTIONS

- 5.1 Because of the way that the agreement is structured and the fact that the Trust have met their obligations under the agreement, the only option available to the Council is to accept the transfer in vesting of the land as reserve.

6. SIGNIFICANCE

- 6.1 This subject is not a significant decision according to the Council's Significance Policy.

7. RECOMMENDATION/S

- 7.1 It is recommended that the Community Services Committee approve the transfer of the Hoddy Estuary Park to Council as a local purpose (wetland management) reserve and resolve to classify the reserve in accordance with clause 16 of the Reserves Act 1977.

8. TIMELINE/NEXT STEPS

- 8.1 Following a decision of the Community Services Committee, the Trust's solicitor will be requested to prepare a transfer and following completion of the transfer, a copy of the Council resolution and title will be forwarded to the Department of Conservation so that the classification of the reserve may be recorded.

9. DRAFT RESOLUTION

THAT the Community Services Committee:

- 1 Receives the Hoddy Estuary Park Report RCS11-09-07; and**
- 2 Confirms that the Estuary Park Trust has met its obligations regarding the development and maintenance of Hoddy Estuary Park being Lot 6 DP 20521 and accepts the transfer of the property to Council for a local purpose (wetland management) reserve subject to the Reserves Act 1977; and**

- 3 Pursuant to Section 16 (2A) of the Reserves Act 1977, classifies Lots 6 DP 20521 as a local purpose (wetland management) reserve.**

Jim Frater
Manager Property Services

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