

Report 14.204
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Committee Council
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Gift of land as Reserve - Rimutaka Hill Road

1. Purpose

To declare land gifted by the Royal Forest and Bird Protection Society of New Zealand a Scenic Reserve by Council resolution.

2. Background

In 2001, the Royal Forest and Bird Protection Society of New Zealand (the Society) gifted land near the Rimutaka Hill Road summit to the Greater Wellington Regional Council (Council). Reports 01.290 and minutes 01.315 contain the relevant background. Council accepted the land on the proviso that:

- 1. The land be declared Scenic Reserve under section 19(1)(a) of the Reserves Act 1977;*
- 2. If ever the land is no longer required by Council it is to be offered back to the Society on the same basis, (i.e., as a gift);*
- 3. The Society's part in the acquisition be recognised in literature produced by the Council on the reserve and that the Society, in consultation with the Council, can erect a sign or plaque recognising the gift.*

Land parcels were transferred over a two-year period and the process to declare the land Scenic Reserve started. Council notified its intention to do this by placing notice of the resolution in the Dominion Post, Wairarapa Times Age and the Hutt News in October 2003.

The notice described Council's intent to classify the Scenic Reserve as having a Scenic Reserve 19(1)(b) status. This reflects the area's future significance as re-generating bush, rather than currently having the significant values of a Scenic Reserve 19(1)(a) classification.

One month was provided for people to lodge any objection, which must be considered, prior to passing the resolution. The last day for objections was 18 November 2003 and no objections were received.

However, on 22 November 2003, the NZ Transport Agency (NZTA, at the time Transit) signalled that a small part of the land may be required for a realignment project at 'Muldoon's Corner', along State Highway 2. NZTA requested that the Council delay adopting the resolution until the realignment project was complete. Delaying the reserve process meant that NZTA did not have to undertake a further process of uplifting the reserve status prior to commencing the project. Any delay as a result of the realignment project does not alter the Council's intention to declare the gifted lands Scenic Reserve.

The realignment project is now complete. NZTA has sought certificates of title for any new or altered land parcels. Of the three gifted parcels only one was affected by the realignment project. A new certificate of title has been issued for this parcel. Council may now complete the reserve classification process.

A schedule of the gifted land is provided in **Attachment 1**.

3. Parks Network Plan

The land is managed as part of Pakuratahi Forest and is included in the Parks Network Plan (2011). Appendix 2 of the plan - the list of lands in each park, will require correction to record the new legal description allocated (as shown in **Attachment 1**). This is a minor amendment and will not require any formal process to action.

4. Communication

Once the resolution is adopted a notice will be placed in the New Zealand Gazette. A media release will be sent to the region's media and the Forest and Bird magazine, advising of the land's status and the Society's role in acquiring the land.

As per the conditions of gifting, the Society had erected a sign at the site but this was vandalised. A new information board is being prepared for the Rimutaka Hill Road summit, a site overlooking the gifted land. GWRC officers have offered to acknowledge the Society on this board and this offer has been accepted by the Society. Suggested wording is "In 2003 the Royal Forest and Bird Society gifted 67 Ha of land in the Pakuratahi river catchment for the establishment of a Scenic Reserve."

5. Summary:

The reserve classification proposed by the Council is Scenic Reserve 19(1)(b) that is, a reserve:

for the purpose of providing, in appropriate circumstances, suitable areas which by development and the introduction of flora, whether indigenous or exotic, will become of such scenic interest or beauty that their

development, protection, and preservation are desirable in the public interest.

Officers are satisfied that this Scenic Reserve classification provides appropriate protection to the values within the property.

The classification of the land as Scenic Reserve was a condition of the gifting and by adopting the resolution; Council is fulfilling its obligations to the Society.

6. The decision-making process and significance

The matter requiring decision in this report has been considered by officers against the requirements of Part 6 of the Local Government Act 2002.

6.1 Significance of the decision

Officers have considered the significance of the matter, taking into account the Council's significance policy and decision-making guidelines. Due to the procedural nature of this decision officers recommend that the matter be considered to have low significance.

The decision making process is that prescribed by section 14 of the Reserves Act 1977.

To complete the reserve classification process, Council is required to adopt the resolution to classify the land as Scenic Reserve and then place notice of this resolution in the New Zealand Gazette. This is the step that legally changes the status of the land to Scenic Reserve.

In 2013 the Minister of Conservation revised his Delegation of Powers under the Act, passing the power to gazette a resolution under section 14(4) to the administering body (in this case Greater Wellington Regional Council).

The final step is for the extract from the New Zealand Gazette to be registered against each title.

7. Recommendations

That the Council:

- 1. **Receives** the report.*
- 2. **Notes** the content of the report.*
- 3. **Declares** pursuant to section 14(1) of the Reserves Act 1977 the land vested in the Council and described in the attached Schedule to be Scenic Reserve for the purpose specified in section 19 (1)(b) of the Reserves Act.*
- 4. **Authorises** the gazettal of the declaration of the Scenic Reserve.*
- 5. **Notes** that the declaration takes effect from the time of its gazettal.*
- 6. **Notes** that the gifting of land will be acknowledged on the Pakuratahi Forest information panel erected at the Rimutaka Hill Rd summit.*

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Attachment 1: Schedule of land to be classified as reserve.

Attachment 2: Diagram of land to be classified as reserve.