
ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTE ITEM ATTACHMENTS

Time: 9.30am
Date: Wednesday, 22 February 2017
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

Business

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4.1 Acquisition of reserve land in Tawa

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ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

PUBLIC EXCLUDED MINUTES

Time: 9.30am
Date: Wednesday, 22 February 2017
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

PRESENT

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Eagle
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Young

COUNCIL
22 FEBRUARY 2017

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4. Public Excluded

4.1 Acquisition of reserve land in Tawa

Moved Councillor Gilberd, seconded Councillor Pannett

Recommendations

That the Council:

1. receive the information.
2. agree not to submit a tender for acquisition of 36.8292 hectares of rural land at 56C Kiwi Crescent, Tawa for addition to the outer green belt.
3. instruct officers to work with the new owners of the land to negotiate a shared walking and cycling connection through the land between Kiwi Crescent and Spicer Forest.

Moved Mayor Lester, seconded Councillor Eagle, the following amendment:

Resolved

That the Council:

1. Remove the officers recommendation 2.

Carried

Moved Councillor Sparrow, seconded Councillor Day, the following amendments:

That the Council:

2. authorise a tender be placed to acquire The Forest of Tane comprising 36.8292 hectares of land at 56C Kiwi Crescent, Tawa comprising all of Lot 1 DP 67858, Pt Lot 1 DP 9786, Pt Lot 35 DP 24478, Pt Lot 1 DP 24716 in title CFR WN42A/297 (The **Land**).
3. authorise the Chief Executive Officer to submit a tender up to a maximum of \$1,220,000 plus GST (if any) for acquisition and logging of the land plus reasonable transaction costs.
4. agree to an overspend of up to \$1,300,000 plus GST (if any) to project CX033 Property Purchases – Reserves for the purchase of the Land, development and associated legal, transfer and settlement costs.
5. approve that if acquired the Land be added to the Outer Green Belt.
6. instruct officers to investigate options for generating income including logging from the land, subject to maintaining its landscape, recreational, ecological and water-management values “
7. note that any net benefit received from logging the land will be used to reduce the level of borrowings drawn down to pay for the land.
8. delegate to the Chief Executive Officer the power to conclude all matters in relation to the above, including all legislative matters, issuing any relevant public notices, negotiating the terms of sale or exchange, imposing any reasonable covenants, and anything else necessary.

The Council adjourned at 10:28 am to allow officers to discuss the foreshadowed amendments with Councilors.

The Council meeting reconvened at 10:32 am.

Moved Councillor Foster, seconded Councillor Lee the following foreshadow amendments by way of addition:

That the Council:

5. approves that if acquired the Land be added to the Outer Green Belt **subject to investigations undertaken as a result of recommendation 6 and 7.**
6. instruct officers to investigate options for generating income including logging from the land, **and limited housing development**, subject to maintaining its landscape, recreational, ecological and water-management values
7. note that any net benefit received from logging and **any income generated from** the land will be used to reduce the level of borrowings drawn down to pay for the land.

Secretariat Note: With leave of the meeting the Council unanimously agreed to merge Councillor Sparrow/Councillor Day and Councillor Foster/Councillor Lee amendments together as the substantive motion.

That the original motion be withdrawn and replaced by the amendments as the substituted motion:

Moved Councillor Gilbert, seconded Councillor Pannett

Resolved

Moved Councillor Gilbert, seconded Councillor Pannett the following substantive motion:

Resolved

That the Council:

1. receive the information.
2. authorise a tender be placed to acquire The Forest of Tane comprising 36.8292 hectares of land at 56C Kiwi Crescent, Tawa comprising all of Lot 1 DP 67858, Pt Lot 1 DP 9786, Pt Lot 35 DP 24478, Pt Lot 1 DP 24716 in title CFR WN42A/297 (The Land).
3. authorise the Chief Executive Officer to submit a tender up to a maximum of \$1,220,000 plus GST (if any) for acquisition and logging of the land plus reasonable transaction costs.
4. agree to an overspend of up to \$1,300,000 plus GST (if any) to project CX033 Property Purchases – Reserves for the purchase of the Land, development and associated legal, transfer and settlement costs.
5. approve that if acquired the Land be added to the Outer Green Belt subject to investigations undertaken as a result of recommendation 6 and 7.
6. instruct officers to investigate options for generating income including logging from the

land, and limited housing development, subject to maintaining its landscape, recreational, ecological and water-management values.

7. note that any net benefit received from logging and any income generated from the land will be used to reduce the level of borrowings drawn down to pay for the land.
8. delegate to the Chief Executive Officer the power to conclude all matters in relation to the above, including all legislative matters, issuing any relevant public notices, negotiating the terms of sale or exchange, imposing any reasonable covenants, and anything else necessary.

Carried

The Public Excluded Session concluded at 10:56 am.

Confirmed: _____
Chair

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ACQUISITION OF RESERVE LAND IN TAWA

PUBLIC EXCLUDED

Grounds: Section s48(1)(a) - That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.

Reason: Section 7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Purpose

1. To recommend that the Council do not place a tender to acquire this land for addition to the Outer Green Belt.

Summary

2. The Forest of Tane at 56C Kiwi Crescent Tawa comprises 32 hectares of rural zoned land on the western hills above Tawa. The land contains 20 hectares of managed pine forest ready for harvest, with the balance in regenerating native forest.
3. The land plus forestry rights are offered through a tender closing on Monday 27 February. The guide price is between \$1.25 and \$1.5 million (for both land and forestry)
4. The paper outlines the open space values of this land and its strategic fit as an addition to the Outer Green Belt. Officers assessment is that it is a medium priority for acquisition. Open space values of the site (apart from connectivity) are likely to be retained through future resource consents required for either logging and/or rural residential development.
5. Officers are recommending that the Council do not submit a tender for acquisition of this land.

Recommendation/s

That the Council:

1. Receive the information.
2. Agree not to submit a tender for acquisition of 36.8292 hectares of rural land at 56C Kiwi Crescent, Tawa for addition to the outer green belt.
3. Instruct officers to work with the new owners of the land to negotiate a shared walking and cycling connection through the land between Kiwi Crescent and Spicer Forest.

Background

6. The Forest of Tane comprises 36.8292 hectares of rural zoned land on the western hills above Tawa. The land at 56C Kiwi Crescent has the following legal description:

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Lot 1 DP 67858, Pt Lot 1 DP 9786, Pt Lot 35 DP 24478, Pt Lot 1 DP 24716 in title WN42A/297.

7. The land is contiguous with Spicer Forest, at the northern end of part of the Outer Green Belt (Attachment 1).
8. The land is zoned Rural under the District Plan and is covered by the ridgelines and hilltops overlay, with the exception of a small piece of land. Permitted activities within the Plan include forestry and farming. There is a 30ha minimum lot size requirement and the ridgeline and hilltop overlay which could be an impediment to such subdivision. Due to the ridgeline and hilltops overlay resource consent would be required for any buildings and structures and an upgrade to the entrance for any residential development.
9. The land contains 20 hectares of managed pine forest ready for harvest, with the balance in regenerating native forest. Legal access is off a formed access way from Kiwi Crescent. The public use the area informally to access Spicer Forest and the Te Araroa Walkway. There are no dwellings on the property.
10. The land plus forestry rights are offered through a tender closing on Monday 27 February. The guide price is between \$1.25 and \$1.5 million (for both land and forestry). Officers have not yet received a land valuation but have obtained a formal forestry appraisal. This forecasts net revenue from the logging of between \$500k and \$700k (subject to logging prices).

Discussion

Strategic fit under existing policies and plans

11. Our Capital Spaces (Open Space and Recreation Framework) 2013 – The land is not identified as a specific priority for acquisition under Priority 2.4 *Promote and facilitate the protection of open space*. Acquisition would help achieve several of the other priorities within this framework.
12. The Outer Green Belt Management Plan 2004 (under review). The land is not listed as a specific acquisition or priority for protection in the current plan. Possible acquisitions for the next 10 years will be assessed as part of this review.
13. The Biodiversity Strategy (Policy 1.4.1) states that sites identified of ecological significance should be protected through a review of conservation sites in the District Plan, voluntary agreements and/or acquisition.
14. The Open Space Access Plan (2016) identifies a possible future track connection through this land.

Open Space values

- The land is contiguous with Spicer Forest and the Outer Green Belt so integrated management of these lands would enable long term restoration of a large ridgeline and stream catchment above Tawa (Part of the headwaters of the Porirua catchment). See Attachment 2.
- Would provide walking and cycling access from Tawa to the Outer Green Belt, Te Araroa National Walkway and onto the Rangituhi Adventure Park in Porirua.
- Provides part of the prominent green backdrop to Tawa.
- Contains identified ecological sites. In particular primary forest remnants of tawa, rewarewa, totara, matai, hinau and mapou surrounded by a regenerating secondary forest. A known breeding location for kakariki (which is an 'at risk' species).

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- The land has been managed as a commercial pine plantation with some regeneration under the trees. Any logging will cause loss of this understorey.
- Community interest in acquiring the land. The area is already well used by walkers and runners.

Management of the land

15. If the Council acquired the land its objectives would be to eventually restore the whole area to native forest in line with the policies in the Outer Green Belt Management Plan. There are two options for management:
16. *Option 1 - Retain the pine trees:* This would enable long term management of the forest and the adjacent Spicer Forest with occasional tree removal due to wind throw. It would also prevent damage to the native understorey that would occur during logging operations and reduce wind throw in the adjacent Spicer Forest. There is already a 2 to 3 metre native understorey throughout the forest.
17. The Council would forgo between \$500 and \$750k in revenue already factored into the purchase price. This is not a favoured option.
18. *Option 2- Log the pine trees and replant in pines:* This would enable one more commercial crop off the land over the next 30 years and recoup between \$500k to \$700k of the original purchase price. Replanting may occur over less than the current 20 hectares to enable managed regeneration over the wider site. Logging would cause major landscape change in the short term (regardless of owner). This would require a clean-up of the site and then replanting with pine trees immediately.
19. Clean up costs prior to replanting would be around \$30,000. Costs to replant and maintain (as a commercial crop) for the first 10 years will be around \$4500/ha.
20. Note the costs of replanting in natives is so high that over 10 years it would cost as much or more than the income received from the logging operation. Not recommended as an option.
21. *Option 2 (a)* could involve strategic management and logging of the wider Council pine tree plantations in the area (including Spicer Forest and 944 Ohariu Valley Road) by extraction of the high value logs over the next ten years.

Ongoing costs

22. Support for community pest control is already occurring on the site. Cost to construct a km of track to walking track standard and install signage would be up to \$50,000.

Alternatives to acquisition

23. If the Council did not acquire the land it is likely to be logged and replanted in pines or developed for rural lifestyle blocks noting that there is a 30ha minimum lot size requirement and the ridgeline and hilltop overlay could be an impediment to such subdivision. The land is zoned rural and subject to the Ridgelines and Hilltops overlay. While the rural area rules do not support lifestyle development it is not without precedent (e.g. Rossaveel Heights) and such a subdivision may yield several building sites. As part of the consent conditions, Council could require building design consent notices and vegetation protection covenants. A future access track could be negotiated during subdivision but this is far from certain.
24. In conclusion if the site were sold privately it is likely that:
 - Future connections to the Outer Green Belt from this location could be lost. Note that there is a potential connection to the Outer Green Belt from Redwood Bush

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a kilometre south of this access when residential development occurs in upper Stebbings Valley.

- Landscape values are unlikely to be impacted greatly given the site is only suitable for lifestyle blocks or replanting. Short term visual change caused by logging would occur regardless of future owners.
- Catchment management issues could be managed under any resource consents given for earthworks or replanting in terms of logging or during a rural lifestyle development.
- There is likely to be some damage to the ecological values of the site during logging and/or rural lifestyle development.

Priority for acquisition

25. The land is a medium priority for acquisition.
- The land is not specifically identified in any strategies and plans as a priority for acquisition but does have ecological, landscape and connectivity values.
 - If not acquired ecological and landscape values would be considered during any resource consent applications for logging and/or rural lifestyle development by new owners.
 - Future logging of this land will need to occur through Spicer Forest and out through the Porirua landfill. This requires Council approval and may provide an opportunity to negotiate access rights as part of any agreement.
 - The land is primarily a commercial pine plantation and will be logged regardless of future owners. Future management of logging and replanting another commercial crop would become a complex activity if the area was in public ownership as the area would need to be closed from time to time.
26. Officers assessment is that it is a medium priority for acquisition. Open space values of the site (apart from connectivity) are likely to be retained through future resource consents required for either logging and/or rural residential development. Connectivity could be negotiated during any approval for extraction of logs over Council land.
27. Officers are recommending that the Council do not submit a tender for acquisition of this land.

Funding:

28. There are no available funds for the acquisition in the Reserves Purchase and Development fund (RPDF) . Acquisition of the land and any development such as track building would need to be funded through increased borrowing.

Attachments

- Attachment 1. Forest of Tane context
Attachment 2. Forest of Tane Open Space Values

Author	Michael Oates, Open Space and Recreation Planning Manager
Authoriser	Paul Andrews, Manager Parks, Sport and Recreation Jane Hill, Acting Chief Operating Officer

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SUPPORTING INFORMATION

Engagement and Consultation

No formal consultation. The Friends of Tawa Bush have been very active in advocating for public acquisition of this land.

Treaty of Waitangi considerations

There are no known sites of significance on this land.

Financial implications

Acquisition guide of between \$1.25 million and \$1.5 million (for land and forestry rights). Development costs for track build of up to \$50,000. If the land is logged the net surplus from logging is forecast to be between \$500,000 and \$700,000. Replanting in exotic forestry will involve clean up costs prior to replanting of \$30,000. Costs to replant and maintain (as a commercial crop) for first 10 years of \$4500/ha.

Policy and legislative implications

Already considered in the paper.

Risks / legal

<insert text here>

Climate Change impact and considerations

The exotic forest (*Pinus radiata*) on this property was growing on what was deemed to be 'pre-1990' forest land. This land has been granted an 'exemption' from this obligation as reflected on the Certificate of Title – 'Notice pursuant to Section 195(2) Climate Change Response Act 2002' (CCRA). Accordingly, this land is able to have the exotic forest extracted and land use changed without any CCRA penalties applying. Greater Wellington Regional Council may require some of the property to be re-established in forest or allowed to revert in vegetation.

Communications Plan

<insert text here>

Health and Safety Impact considered

Not relevant



