

**23 March 2017**

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**Report no: PRC2017/2/112**

## **Future of Molesworth Street Reserve Pomare**

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### **Purpose of Report**

1. The purpose of this report is to consider the future of this reserve in Pomare.

### **Recommendations**

That the Committee recommends that Council:

- (i) notes that as a result of the Valley Floor Review officers were directed to undertake a review of the reserve property at 132A Molesworth Street for the purpose of considering its future;
- (ii) notes that an independent assessment of reserve values has been undertaken which considers that the property has a low reserves value;
- (iii) notes that an application has been received from Empower Management Limited seeking to use the property to establish an Early Childhood Education (ECE) centre;
- (iv) either requests officers to
  - (a) undertake general consultation with the community about the future of the property and report back options; OR
  - (b) undertake consultation in accordance with the Reserves Act 1977 on a specific proposal to revoke the reserve status of the property and make available for sale, for the following reasons:
    - the property has been rated as having low reserve value;
    - there is sufficient open space/reserves within the immediate area to meet community need;
    - the proceeds of the sale of the property will be able to be used to enhance other reserve assets.

- (v) notes that a decision on an alternative use of the property would be a matter for further consideration should Council decide, following due process, to revoke the reserve status of the property.

### **Background**

2. The property situated at 132A Molesworth Street in Pomare is a Local Purpose Reserve (Community Use), 2691 square metres in size and comprised of two separate titles being Lots 1 and 2 on DP 75169. The property is zoned General Residential and is situated at the rear and south of Pomare School and enclosed by housing on its other boundaries. The property has only one legal road access off Molesworth Street. An aerial plan of the property is attached as Appendix 1.
3. The property has previously housed a community resource centre run by Te Taura Here O Te Awakairangi, an incorporated society, which was established to cater for local Maori who did not have links with a Hutt Valley Marae.
4. The resource centre building was removed from the property about five years ago having not operated for its intended purpose for some time. The building had fallen into disrepair and had been subject to vandalism.
5. Since that time the property has not been used for any other formal purpose.

### **Valley Floor Review**

6. Council resolved at its meeting on 15 March 2016, when considering the Valley Floor Review “to undertake a review of the reserve property at 132A Molesworth Street, Pomare, including an assessment of reserve values, for the purpose of considering its future.”
7. The strategic review of Council reserve properties on the floor of the Hutt Valley, extending from Pomare to Petone, identified this as one of only two properties (Bell Park was the other), which required further consideration as to their future as part of the reserve network. Decisions have been made on all other reserve properties.

### **Assessment of Reserve Values**

8. An independent assessment of the reserve values of the property has been undertaken by PAOS. A copy of the assessment is attached as Appendix 2.
9. The assessment concludes that the property has an overall low level of reserve significance. The reserve has poor visibility, drainage issues, little evidence of use and has other more developed reserve spaces within the immediate vicinity.
10. Open space provision in the wider Pomare area, includes new reserves in the nearby Riverside Gardens development, the Farmer Crescent reserve and playground within 200 metres, the Pomare school grounds immediately adjacent and the river corridor, with the Hutt River Trail, 300 metres to the west.

11. Council policy is to consider revoking the reserve status of properties that have been assessed as having a low reserve value.

### **Proposal for Early Childhood Education use of Property**

12. An application has been made by Empower Management Limited, trading as Pomare Early Learning Centre, to establish an early childhood education (ECE) facility on the property, targeting Pacifica and Maori families. The application is attached as Appendix 3.
13. The proposal is to either lease or acquire the Council reserve property in order to relocate a building previously used as an ECE facility at Pomare School.
14. In 2016, the Ministry of Education discontinued the licence of the previous ECE operator and required that the building be removed from the Pomare School site or handed over to the Ministry in order for a new approved ECE operator to be established.
15. The former owners/operators of the ECE facility decided to sell the building to Empower Management Limited, which put the building into storage and has been looking to find a suitable site on which to re-establish the ECE operation.
16. In order to operate from the site the ECE facility would need to gain a licence from the Ministry of Education and obtain resource consent.

### **Discussion**

17. Council needs to decide whether the reserve property at 132A Molesworth Street should be retained for community use as per its current reserve classification or, due to its low reserve rating, should be considered as being no longer required for this purpose.
18. The application from Empower Management Limited would suggest that there is a community use for the site, though there are issues relating to how this request has come about. An ECE facility was available to the local community up until last year, appropriately sited on Ministry of Education land, but due to a lack of agreement between the parties was removed. If there is a need for an ECE facility in Pomare and this has approval from the Ministry of Education then officers consider that it would be more appropriate for the building to be re-established on the school site.
19. This raises a policy issue as to whether Council should re-consider the practice of making available Council owned reserve land for educational purposes. In the past Council has made Council reserve land available for ECE type facilities, such as kindergartens. This policy issue is one that will be considered as part of a wider review later this year of Council's policy on "Private Use of Hutt City Council Land."
20. The property itself does not lend itself well for a community use such as that proposed for an ECE facility. Access is extremely limited with a

single 2.5 metre access strip off Molesworth Street. The rear nature of the property with lack of street frontage means that security has been an issue in the past.

21. Taking these matters into account, officers consider that the revocation of the reserve status of the property should be the subject of a proposal for public consultation. Officers have included an alternative recommendation to consult generally on the future of the reserve, following the recent Council decision to consult on the future of Bell Park.

### **Options**

22. There are three main options for Council to consider.
- a. Publicly notify a proposal to lease the land to Pomare Early Learning Centre for the purposes of running an early childhood education centre targeted towards Pasifika and Maori families.
  - b. Undertake general consultation on the future of the reserve before making a decision on its future; or
  - c. Publicly notify a proposal to revoke the reserve status and make the land available for other purposes.

### **Consultation**

23. The ECE proposal has been discussed with Community Services officers who have expressed some concerns with the proposal and the events leading up to the removal of the ECE building from Pomare School.
24. Formal consultation as required by the Reserves Act 1977 will need to be undertaken should Council decide to lease the property or revoke its reserve status.

### **Legal Considerations**

25. Should Council decide to consider a proposal to revoke the reserve status of the property, the following process as required by the Reserves Act 1977 will need to occur.
- a. Council initiating a proposal on the possibility of revoking the reserve status and disposing of reserve land.
  - b. Placing a public notice inviting objections/submissions.
  - c. Collating objections/submissions and reporting results of these back to Council with officer recommendations.
  - d. Council hearing submissions and further considering the proposal.
  - e. Council's decision sent to DOC for approval by the Minister or her delegate.
  - f. The decision to revoke if approved by DOC is published in the New Zealand Gazette.

### Financial Considerations

26. There are no financial considerations at this stage.

### Other Considerations

27. In making this recommendation, officers have given careful consideration to the purpose of local government in section 10 of the Local Government Act 2002. Officers believe that this recommendation falls within the purpose of the local government in that it considers the future of a Council owned community asset.

### Appendices

No.	Title	Page
1	Plan of Molesworth Street Reserve <i>(Under Separate Cover)</i>	
2	Molesworth Street Reserve_Assessment of Reserve Values_03March2017 <i>(Under Separate Cover)</i>	
3	Pomare Empower Management Proposal <i>(Under Separate Cover)</i>	
4	Hutt Valley Samoan Church Support Letter <i>(Under Separate Cover)</i>	

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