

# Parks and Open Space Acquisition Policy

June 2013

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Issue 1

## INTRODUCTION

Parks and open space play a key role in achieving the vision for Auckland – to be the world’s most liveable city.

Auckland’s parks and open space network has far-reaching social, environmental, economic and cultural benefits. Auckland Council intends to acquire new land for parks and open space to ensure Aucklanders can continue to enjoy these benefits, now and into the future.

This document outlines Auckland Council’s policy about how it will acquire land for parks and open space. It also explains when Auckland Council may consider disposing of existing areas of parks and open space.

Auckland Council acquires parks and open space for a wide variety of reasons and purposes. These can range from large regional parks in remote locations that offer a sense of wilderness and escape, through to bustling urban squares in the heart of the city. Due to the wide spectrum of parks and open space that Auckland Council acquires, this policy aims to set the overarching framework for acquiring new land for parks and open space while recognising the need for detailed planning to identify opportunities to acquire land that meet local community and regional needs.

The Parks and Open Space Acquisition Policy covers:

- Why Auckland Council acquires land for parks and open space
- The policies and legislation that influence Auckland Council acquiring parks and open space
- The methods Auckland Council uses to fund and acquire land for parks and open space
- How Auckland Council will assess whether land should be acquired for new parks and open space
- How opportunities to acquire land for parks and open space are prioritised
- When Auckland Council will consider disposing of parks and open space

## Acquiring land for Parks and Open Space

The vision for Auckland is set out in the Auckland Plan - to become the world's most liveable city. As the world's most liveable city Auckland will be a place that:

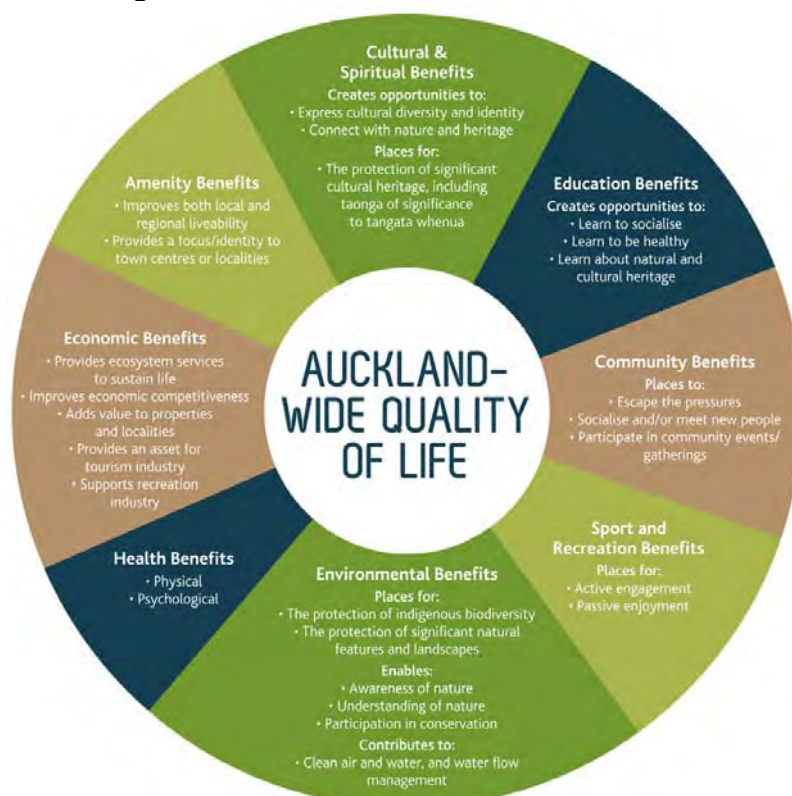
- Aucklanders are proud of
- they want to stay or return to, and
- others want to visit, move to, or invest in

The Auckland Plan sets out a 30-year strategy to achieve this vision. Auckland's parks and open space make a major contribution towards Auckland's quality of life and are integral to making Auckland the world's most liveable city. This is recognised in the Auckland Plan, which includes a target to:

*“maintain and extend an integrated network of quality open space across the region that meet community needs and provide a diverse range of recreational opportunities by 2040”.*

To achieve the vision and strategy of the Auckland Plan, Auckland Council will acquire new land for parks and open space, as well as making better use of the parks we already have.

The benefits of parks and open space, and how they contribute to our quality of life, are summarised in the diagram below:



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People do not need to visit a park or open space to enjoy all of these benefits. While people may rarely visit or ‘use’ a park or open space, they are an important part of what

<sup>1</sup> The Auckland Plan, page 306. The benefits of parks and open space are also discussed in the Auckland Council Parks and Open Space Strategy, pages 26 and 27.

defines the way Auckland looks and feels as a place. Many people also value just knowing that parks and open space exist, and that they are protected for current and future generations to enjoy.

Some of the ways the Auckland Plan anticipates Auckland will change over the next 30 years will influence the types of parks and open space Auckland will need and the land that Auckland Council will need to acquire. These include:

- Population growth, resulting in more people using parks and open space
- An increasingly diverse population, mean parks and open space will need to cater for a wider range of activities and users
- Māori aspirations will become more influential on Auckland's parks and open spaces and may lead to partnership and go-governance opportunities for new open spaces
- Development of greenfield and future urban areas, requiring new networks of parks and open space to be established in these areas
- More Aucklanders living in townhouses, infill housing and apartments, meaning parks and open space will need to cater for the activities that traditionally occurred in private backyards
- Changing leisure trends, such as increasing demand for places for people to meet, be entertained and exercise informally, when it suits their schedule
- Environmental concerns about pollution, climate change and biodiversity and preserving features of Auckland's unique landscape

## Scope of policy

Auckland has an extensive network of parks and open space made up of wide variety of land holdings, such as:

- Local parks
- Regional Parks
- Heritage sites
- Sportsfields and sports facilities
- Streets and civic space
- Riparian and coastal land around harbours, waterways, wetlands and beaches
- Volcanic landscapes
- Wilderness areas and native bush

Auckland Council is not the only provider of parks and open space in the Auckland Region. The Department of Conservation, sports clubs, schools and other private landowners play an important role in providing parks and open space for the public to enjoy. While Auckland Council seeks to support and partner with other providers of open space, this policy focuses on the role of Auckland Council in acquiring and disposing of parks and open space that it will own and manage.

Parks and open space often have synergies with the provision of community and network infrastructure. These include facilities such as cemeteries, community and recreation buildings (e.g. halls, public swimming pools), stormwater ponds and commuting cycleways. Acquiring land to primarily accommodate buildings or a non-parks and open space use is not within the scope of this policy. Land for buildings that are ancillary to an open space function (such as clubrooms at a sports park, or public toilets at a neighbourhood park) are within the scope of the policy.

Separate planning process identify future land requirements for other community and network infrastructure<sup>2</sup>, and potential synergies between these functions and public open space will be identified through the development of open space network plans.

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<sup>2</sup> For example, the provision of community buildings will be identified through the development of a Community Facility Network Plan.

# POLICY AND LEGISLATIVE CONTEXT

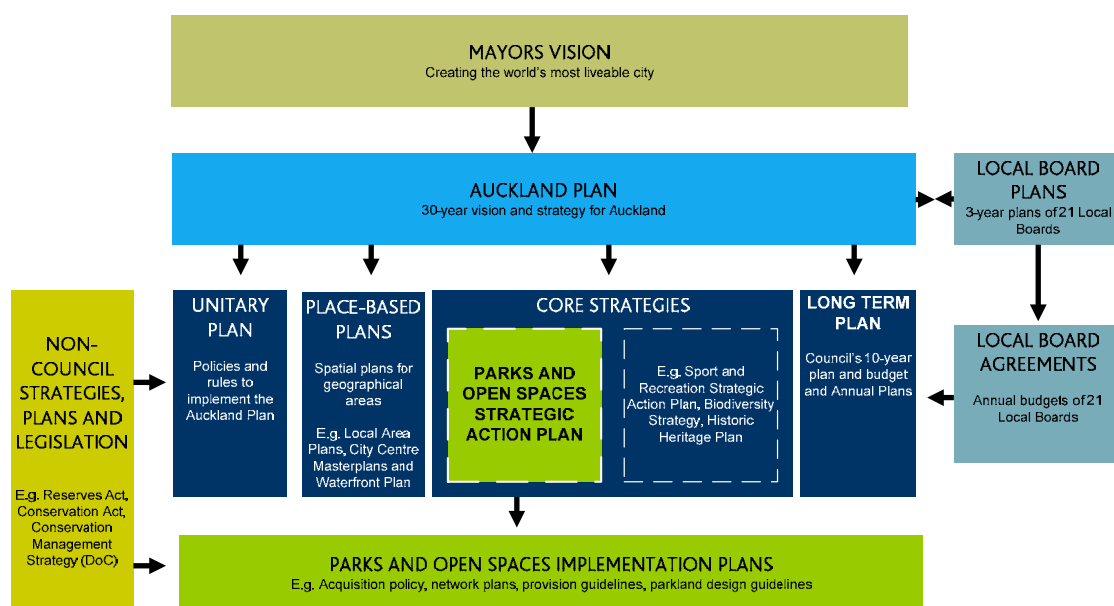
## Auckland Council Parks and Open Space Strategic Action Plan

The Auckland Council Parks and Open Space Strategic Action Plan identifies the priorities and actions for parks and open space that Auckland Council will focus on over the next 10 years.

The strategic action plan recognises that acquiring land to extend the parks and open space network will be required to meet the recreation and social needs of Auckland's growing population. A number of actions relate to land acquisition:

- Develop policy to guide the acquisition of parks and open space
- Planning future requirements for parks and open space by developing open space network plans
- Manage an ongoing land acquisition programme

The parks and open space acquisition policy is one of the key implementation plans that will give effect to the parks and open space strategic action plan. Other policies and plans, such as open space network plans and open space provision guidelines will also play an important role in informing decision making on acquiring new parks and open space. The diagram below shows how all these components fit together:



## Legislative context

A range of legislation determines how Auckland Council must acquire or dispose of parks and open space. These cover a number of important matters including how acquiring new parks and open space is funded, methods of acquisition, consultation and requirements for how parks and open space can be disposed. The table below outlines some of the key legislation and its relevance to Auckland Council's role in acquiring or disposing of parks and open space:

<b>Key legislation relevant to the acquisition and disposal of land for parks and open space</b>	
<b>Local Government Act 2002</b>	<ul style="list-style-type: none"> <li>• Allows Auckland Council to collect development contributions to recover growth related costs of providing parks and open space</li> <li>• Requires Auckland Council to consult on proposals to dispose of parks (not held under the Reserves Act 1977)</li> <li>• Allows Auckland Council to collect a targeted rate to fund activities (including acquisition of parks and open space)</li> <li>• Protects some regional parks from disposal in perpetuity</li> </ul>
<b>Resource Management Act 1991</b>	<ul style="list-style-type: none"> <li>• Allows Auckland Council to designate land for parks and open space to signal their intention to purchase land for a public work</li> <li>• Allows Auckland Council to take esplanade reserves and esplanade strips (generally 20m wide) adjoining the coast of waterways at no cost on subdivision</li> <li>• Allows Auckland Council to collect financial contributions or the vesting of land as park on subdivision</li> </ul>
<b>Public Works Act 1981</b>	<ul style="list-style-type: none"> <li>• Outlines procedures for acquiring and disposing of parks and open space, including compensation procedures and road stopping</li> <li>• Provides Auckland Council with the ability to compulsorily acquire land for parks and open space</li> </ul>
<b>Reserves Act 1971</b>	<ul style="list-style-type: none"> <li>• Provides for parks and open space held by Auckland Council to be declared as reserve and classified for a range of purposes, including recreation, historical, scientific, scenic and local purposes.</li> <li>• Sets out consultation and approval processes when land declared as reserve is proposed to be disposed of or exchanged</li> <li>• Allows Auckland Council to administer Crown land as reserve</li> </ul>
<b>Local Government Official Information and Meetings Act 1987</b>	<ul style="list-style-type: none"> <li>• Controls the public release of information in commercially sensitive situations, such as in negotiations to acquire or dispose of land</li> </ul>
<b>Conservation Act 1987</b>	<ul style="list-style-type: none"> <li>• Provides for the establishment of marginal strips adjoining waterways upon the disposal of land by the Crown, which may be vested in Auckland Council to manage.</li> </ul>



## Decision making roles

Auckland Council's decision making responsibility is shared between the governing body and local boards. The governing body focuses on issues, decisions and strategies affecting the whole region while local boards represent their communities and make decisions on local issues. Both the governing body and local boards are involved in acquiring or disposing of parks and open space. The table below summarises the roles of the governing body and local boards in making decisions on acquiring new land for parks and open space:

	Governing Body	Local Boards
Policy	<ul style="list-style-type: none"> <li>Acquisition Policy</li> <li>Acquisition Budget (LTP / Annual Plan)</li> <li>Levels of provision (Unitary Plan / performance measures)</li> </ul>	<ul style="list-style-type: none"> <li>Consulted on policy development, budget setting and levels of provision</li> <li>Advocate for budget for local park acquisition</li> </ul>
Planning	<ul style="list-style-type: none"> <li>Unitary Plan (Structure Plans)</li> <li>Regional open space network plan</li> <li>Regional park acquisition planning</li> </ul>	<ul style="list-style-type: none"> <li>Local board open space network plans</li> <li>Local park acquisition planning</li> <li>Consulted on regional plans</li> </ul>
Specific acquisition	<ul style="list-style-type: none"> <li>Decision making (including relative priorities and phasing) for all open space acquisitions</li> </ul>	<ul style="list-style-type: none"> <li>Recommends to governing body for local park acquisitions</li> <li>Consulted on regional park acquisitions</li> </ul>

Through the Parks and Open Space Acquisition Policy, the governing body determines the general direction and priorities for acquiring all new land for parks and open space across Auckland. The parks and open space regional provision guidelines will also inform this process by providing analysis of the need for new parks and open space across Auckland<sup>3</sup>.

Local boards consider opportunities to acquire land for new local parks that align with the acquisition criteria, and prioritise acquisition opportunities in terms of what best meets their local needs. The development of local parks and open space network plans for each local board area will assist with identifying local priorities. Local Boards have an important role in advocating local views to the governing body on opportunities to acquire new parks. Local boards are consulted on opportunities to acquire new regional parks in their area.

The governing body approves specific acquisition proposals across Auckland in accordance with region-wide priorities and budget. Only the governing body has legal authority to acquire, hold or dispose of property<sup>4</sup>.

<sup>3</sup> The regional provision guidelines set out level of service performance measures and assessment tools to analyse the provision of parks and open space consistently across Auckland.

<sup>4</sup> See section 12 of the Local Government (Auckland Council) Act 2009

## **Consultation and confidentiality**

Planning for new parks and open space generally includes public engagement, through the preparation of open space network plans and needs assessments. These processes seek to identify general requirements and priorities for land acquisition at a non-property specific level of detail.

Auckland Council generally considers and negotiates the acquisition of specific properties for parks and open space confidentially. Acquiring land typically involves negotiation between private landowners and Auckland Council. In order to protect the privacy of private landowners and to ensure the negotiation process occurs according to fair commercial practices, this process is undertaken confidentially within parameters agreed to by the relevant elected members.

Where appropriate, Auckland Council may consult tangata whenua and selected stakeholders on a land acquisition opportunity on a confidential basis.

Auckland Council will only release information relating to the acquisition or disposal of specific properties for parks and open space when it is no longer confidential in terms of the Local Government Official Information and Meetings Act 1987.

# METHODS AND FUNDING TO ACQUIRE LAND FOR PARKS AND OPEN SPACE

## Acquisition methods

Auckland Council can use a variety of methods to acquire land for parks and open space depending on the specific situation. These are summarised in the table below:

<b>Methods of acquiring land for parks and open space</b>	
<b>Willing seller – willing buyer</b>	Direct negotiation occurs between Auckland Council and the landowner. Terms of the sale, including the price paid for the land is determined through the negotiation process.
<b>Compulsory acquisition</b>	The Public Works Act 1981 provides Auckland Council with the ability to compulsorily acquire land for parks and open space (which are a form of public work), with or without the agreement of the landowner. The landowner is compensated in accordance with the requirements of the Public Works Act.
<b>Gifting and Bequeathing</b>	Landowners approach Auckland Council to gift or bequeath land for parks and open space. When deciding whether to accept a proposal to gift or bequeath land, council must consider the need for the land, how much it will cost to develop and the ongoing maintenance costs.
<b>Vesting</b>	Land is vested in Auckland Council as a park or open space due to a requirement in planning rules, such as those relating to esplanade reserves or subdivision. In some cases, Auckland Council pays for the land to be vested and in other examples it must be vested at no cost (e.g. esplanade reserves).
<b>Land exchange and transfer between public uses</b>	Opportunities can arise for the mutually beneficial exchange of land between neighbouring landowners, through boundary adjustments of outright 'swapping' of land.  Auckland Council, and its Council Controlled Organisations (CCOs) own land for a wide variety of purposes, such as libraries, roads and community centres as well as parks and open space. At the end of the life of an asset, or due to changing needs, land may become available for an alternative public use, such as a park.
<b>First right of purchase agreement</b>	Auckland Council and the landowner enter into an agreement that Auckland Council has the option to purchase the property prior to it being offered for sale on the open market. The agreement outlines the terms and conditions under which the property will be offered to Auckland Council to purchase. An encumbrance is recorded on the property title to acknowledge the first right of purchase agreement.

Prior to acquiring land, Auckland Council may use its ability under the Resource Management Act 1991 to designate land for parks and open space. A designation signals Auckland Council has a requirement for an area of land for a public work<sup>5</sup>. A designation restricts the ability of a landowner to develop land without the permission of the requiring authority, such as Auckland Council.

In addition to the outright acquisition of land, Auckland Council may use other means of protecting or obtaining public access to land, such as obtaining easements or covenants. The acquisition of easements or covenants for open space purposes will be assessed against this policy.

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<sup>5</sup> Public works include parks and open space

## Funding options

Auckland Council obtains funding to acquire land for parks and open space from a variety of sources. These are summarised in the table below:

<b>Funding sources for acquiring land for parks and open space</b>	
<b>Rates</b>	Auckland Council can fund the acquisition of land for parks and open space from rates levied on property across the region. Rates funding has few restrictions on how it can be spent to acquire land for parks and open space.
<b>Targeted rates</b>	Auckland Council has the ability to levy a targeted rate on a group of properties for a defined purpose, such as acquiring parks and open space. A targeted rate must be spent on the purpose for which it is collected.
<b>Financial contributions</b>	The Resource Management Act 1991 allows councils to collect financial contributions when land is developed to mitigate the effects of growth. Auckland Council does not currently collect financial contributions to acquire parks and open space.
<b>Development contributions</b>	The Local Government Act 2002 allows councils to require a contribution from new developments to provide infrastructure required due to growth, such as land for new parks or development of park infrastructure. Development contributions can only be spent on growth related infrastructure, in accordance with Auckland Council's development contribution policy.
<b>Proceeds from the disposal of parks and open space</b>	If Auckland Council disposes of an area of park or open space it may choose, or be required under the Reserves Act 1977, to utilise the proceeds from any such sale towards acquiring new land for parks and open space.

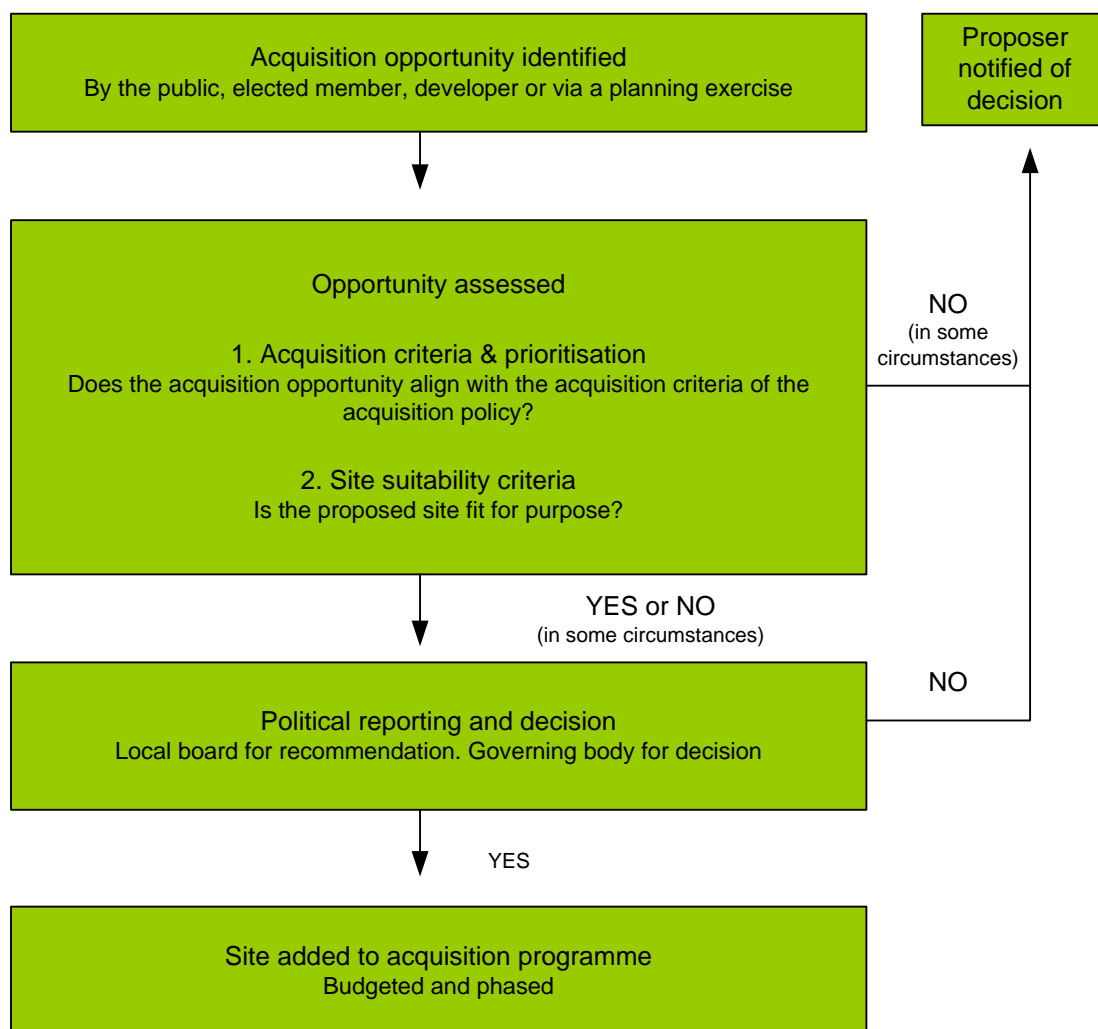
The majority of Auckland Council's funding for acquiring land for parks and open space comes from development contributions. The Local Government Act allows Auckland Council to collect development contributions to fund planned infrastructure required to accommodate growth, including parks and open space. Any land acquired for parks and open space funded from development contributions must therefore directly relate to meeting increased needs and pressure from growth. The proportion of the cost of acquiring a new park or open space that may be funded by development contributions is determined by the cost allocation methodology within Auckland Council's Development Contribution Policy.

## ACQUISITION OPPORTUNITY ASSESSMENT PROCESS

Auckland Council receives numerous requests to acquire land for parks and open space from the public, community groups and elected members. Additionally, the need to acquire land for parks and open space is identified when areas of the region are being planned and developed.

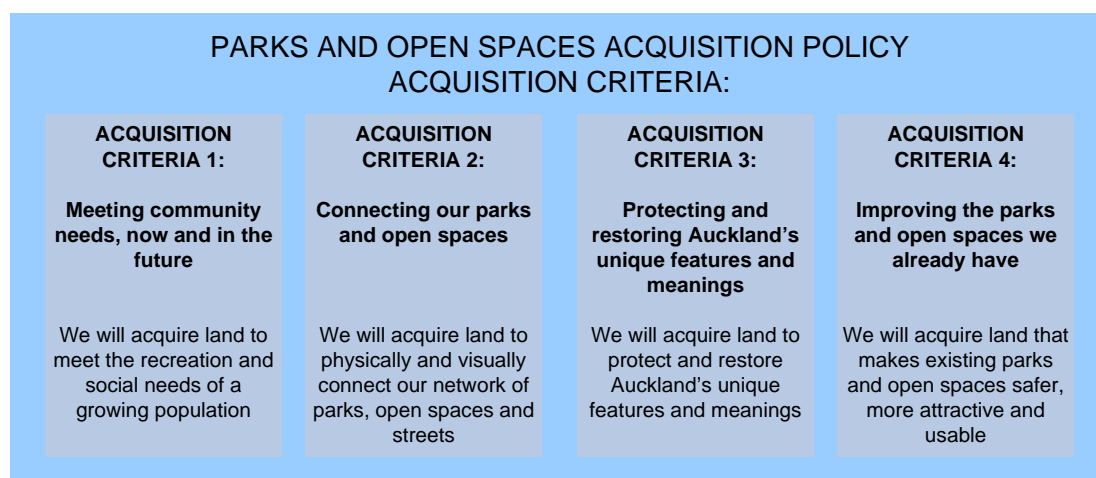
Auckland Council has a limited budget with which to acquire land for parks and open space. As responsible stewards of public funding, Auckland Council must make decisions on which land to acquire that will best achieve the vision and strategy set out in the Auckland Plan and the priorities of the Parks and Open Space Strategic Action Plan.

This policy sets out the steps that Auckland Council will use to assist with the process of assessing acquisition opportunities, selecting sites and weighing up priorities. The process is summarised in the following diagram and the criteria used to assess acquisition opportunities are explained in further throughout the remainder of this document.



## ACQUISITION CRITERIA

Acquisition criteria assess if an opportunity to acquire land for parks and open space contributes towards achieving the vision and strategy of the Auckland Plan and the focus and priorities of the Parks and Open Space Strategic Action Plan. The diagram below outlines how the acquisition criteria relate to the four areas of focus of the Parks and Open Space Strategic Action Plan:



The acquisition criteria state how Auckland Council will prioritise opportunities to acquire land by identifying when an opportunity will be considered of high, medium or not a priority.

The acquisition criteria are not a quantitative scoring mechanism. Acquisition opportunities will be prioritised according to the highest priority achieved across any of the four acquisition criteria.

Auckland Council has a limited budget to acquire land for new parks and open space. Not all acquisition proposals that align with the acquisition criteria, or are considered to be high or medium priority will be able to be purchased.

## Acquisition criteria 1: Meeting community needs, now and in the future

Changes in Aucklanders' needs and preferences will influence the location and amount of land Auckland Council will need to acquire for parks and open space.

To assist with identifying current and future needs for parks and open space, Auckland Council is developing tools to assess the provision of parks and open space<sup>6</sup>. These will help to identify where the capacity and accessibility of the parks and open space network will need to be improved to meet community needs and provide access to a diverse range of recreational opportunities.

Parks and open space are core infrastructure required to support the growth of Auckland. The Auckland Plan development strategy aims to accommodate most of Auckland's growth within the existing urban area, concentrating growth around town centres and transportation routes<sup>7</sup>. Some growth will also be accommodated in identified greenfield and future urban areas<sup>8</sup>. Acquiring land where growth is expected to occur is essential to meet the needs of current and future residents of these areas.

Access to recreational and social opportunities provided by the parks and open space network varies across Auckland. Land may need to be acquired to expand or improve the parks and open space network so that all areas of Auckland have equitable access to parks and open space.

New activities and participation in established sports will change over time due to population growth and changes in people's recreation preferences. In response to this, the parks and open space network will need to adapt and develop. While existing parks and open space will be able to accommodate many new activities and uses, sometimes Auckland Council will need to acquire new land to accommodate these.

### Prioritisation: meeting community needs, now and in the future

#### High priority

- Land that will meet open space needs of communities of future urban and greenfield development areas identified through an endorsed spatial planning process (e.g. area plan, precinct plan or structure plan)
- Land to increase the accessibility or capacity of the parks and open space network that serve areas identified as most change and significant change in the Auckland Development Strategy<sup>9</sup>
- Land to meet a significant current and future need identified in a council endorsed needs assessment or parks and open space network plan.

<sup>6</sup> These tools are being developed as part of the Auckland Councils parks and open space levels of provision project and open space network planning

<sup>7</sup> These are those areas identified as 'most change and significant change' in the Auckland Plan Development Strategy. The precise location where growth is projected to occur will be determined through the application of zoning via the Auckland Unitary Plan

<sup>8</sup> These areas are identified as 'future urban' and 'greenfield areas for investigation' in the Auckland Plan Development Strategy

<sup>9</sup> The precise location of areas of 'most change' and 'significant change' will be determined by application of the terraced housing and apartments, mixed use, town centre, metropolitan centre and city centre zones in the Auckland Unitary Plan



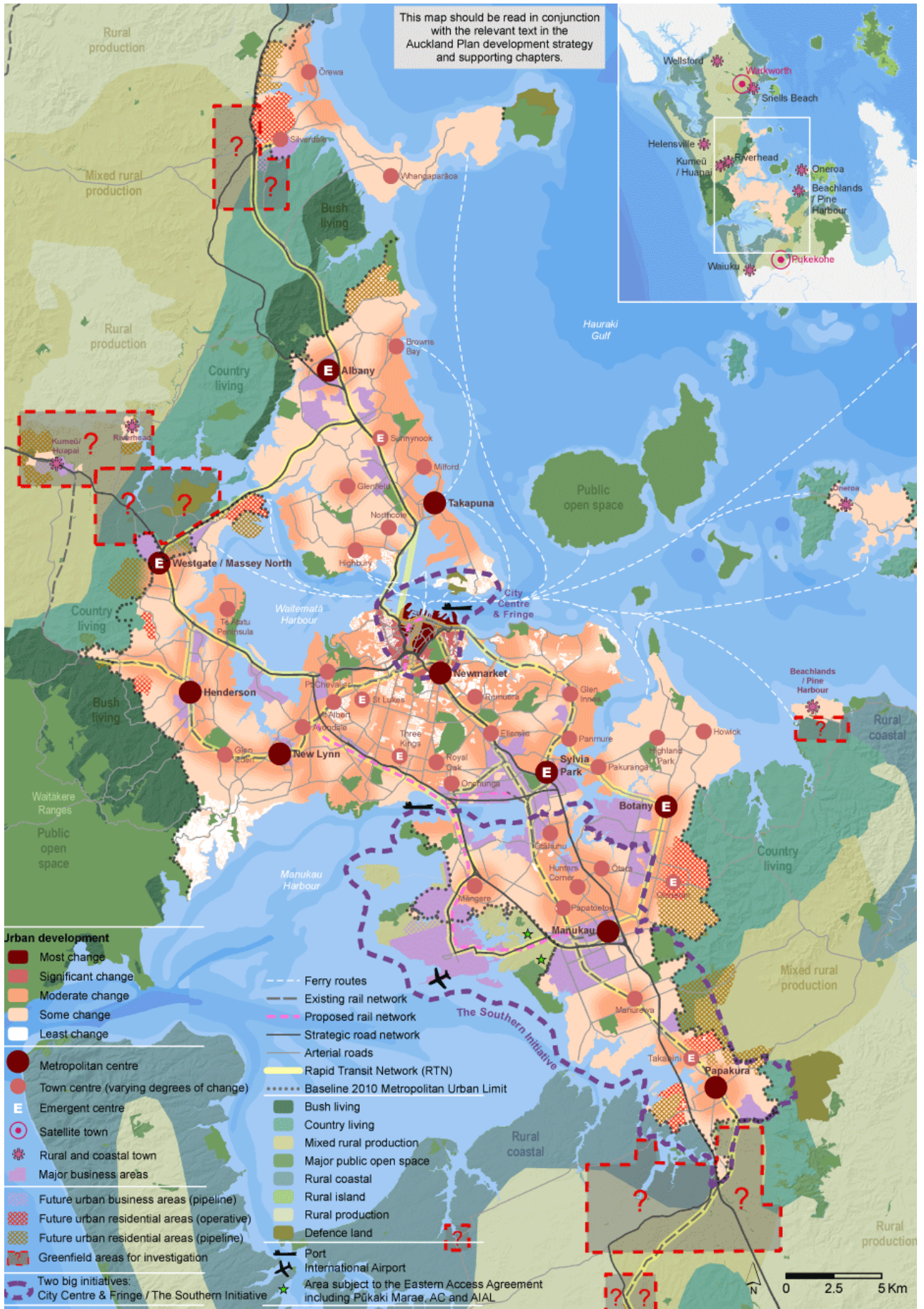
<b>Medium priority</b>	<ul style="list-style-type: none"> <li>• Land to increase the accessibility and capacity of the parks and open space network that serves areas identified as moderate change in the Auckland Development Strategy<sup>10</sup></li> <li>• Land to meet a future recreational need for which there are multiple opportunities to provide for the need (e.g. alternative sites exist that could be purchased now or in the future)</li> <li>• Land to meet a moderate current or future need identified in a endorsed council needs assessment or parks and open space network plan.</li> </ul>
<b>Not a priority</b>	<ul style="list-style-type: none"> <li>• Land in areas identified as low and some change in the Auckland Development Strategy that have adequate access and capacity of parks and open space<sup>11</sup>.</li> </ul>

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<sup>10</sup> The precise location of areas of “mmoderate change” are determined by the application of the mixed housing zone in the Auckland Unitary Plan

<sup>11</sup> The precise location of areas of “low change” and “some change” are determined by the application of the single house and large lot zones in the Auckland Unitary Plan

# Auckland Development Strategy (Urban Core)



## Acquisition criteria 2: Connecting our parks and open space

Creating a physically and visually connected open space network is an important part of achieving Auckland's vision – to be the world's most liveable city. A connected parks and open space network, including associated trails and walkways, contributes to Auckland's unique identity, quality of life, healthy lifestyle, tourism potential and economic well-being<sup>12</sup>. A connected open space network also has environmental benefits.

Parks and open space, including streets and greenways, provide opportunities to move around the region for both leisure and commuting purposes. Creating attractive and safe routes for walking or cycling, linking main destinations will assist with reducing dependency on travel by private vehicle. A connected network of parks and open space improves recreation opportunities and active travel options, assisting Aucklanders to have healthy lifestyles. Cycling, walking and running are amongst Aucklanders' most popular leisure activities. Other activities such as kayaking, mountain biking and horse riding all benefit from having connected networks of parks and reserves.

Aucklanders also value being able to access the coast, islands, beaches and harbours. Establishing a connected network of parks and open space along Auckland's coastline will enhance opportunities for recreation while protecting and enhancing ecological and landscape values.

A connected network of parks and open space delivers ecological benefits. Acquiring land that connects existing patches of habitat or ecosystems allow for the movement and natural life cycles of species, helping to protect and enhance Auckland's natural heritage.

<b>Prioritisation: connecting our parks and open space</b>	
<b>High priority</b>	<ul style="list-style-type: none"> <li>• Land that will establish a significant area of contiguous park or open space that enhances recreation, ecological or landscape values</li> <li>• Land required to establish regional or sub-regional recreation connections (walkways, bike trails) identified in a endorsed council plan (e.g. greenways plans, parks and open space network plan)</li> <li>• Riparian land (such as esplanade reserves) that provides access to or along the coast or waterways</li> <li>• Land that connects areas of habitat of significant ecological value.</li> </ul>
<b>Medium priority</b>	<ul style="list-style-type: none"> <li>• Land to create local connections that enhance recreation opportunities</li> <li>• Land that connects areas of habitat of representative ecological value</li> </ul>
<b>Not a priority</b>	<ul style="list-style-type: none"> <li>• Land that does not connect existing parks or open space</li> </ul>

<sup>12</sup> The Auckland Plan, Page 305.

### Acquisition criteria 3: Protecting and restoring Auckland's unique features and meanings

Auckland has a unique and diverse natural environment made up of islands, harbours, volcanoes, ranges, lakes and streams that support a variety of marine, freshwater and terrestrial ecosystems. Auckland's network of parks and open space plays a vital role in protecting, enhancing and providing access to the features that make Auckland special. Acquiring land for new parks and open space is one way of conserving and restoring Auckland's unique natural features.

Places of significant cultural or historic heritage value enhance Auckland's sense of place and unique identity. Acquiring land with cultural and historic heritage value for parks and open space allows Aucklanders and visitors to learn about these places and values. It also provides opportunities for people to express their culture and traditions. Bringing these areas into public ownership can ensure the cultural and historic heritage values of Auckland are protected and appropriately managed for current and future generations to enjoy.

<b>Prioritisation: protecting and restoring Auckland's unique features and meanings</b>	
<b>High priority</b>	<ul style="list-style-type: none"> <li>• Land containing or protecting rare or threatened indigenous ecological values</li> <li>• Land containing historic heritage or cultural value, including taonga of significance to Mana Whenua, of regional significance or greater and that has public open space values<sup>13</sup></li> <li>• Land of geological or landscape value of regional significance or greater and that has public open space values</li> </ul>
<b>Medium priority</b>	<ul style="list-style-type: none"> <li>• Land containing representative ecological values</li> <li>• Land with historic heritage or cultural value of sub-regional or local significance that has public open space values</li> <li>• Land of geological or landscape value of sub-regional or local significance that has public open space values</li> <li>• Land identified in a council endorsed ecological restoration plan, or open space network plan, to enhance and restore ecological values.</li> </ul>
<b>Not a priority</b>	<ul style="list-style-type: none"> <li>• Land with low, common or no ecological, historic heritage, landscape, geological or cultural values</li> <li>• Land with heritage value that does not have public open space values (e.g. buildings)</li> </ul>

Alternative methods to protect Auckland's unique features and meanings, such as planning regulations and partnerships with private landowners, should be considered alongside land acquisition. The benefits and costs of public ownership and management of a feature should be considered alongside alternative methods when the primary reason to acquire land for open space is to protect and restore Auckland's unique features and meanings.

<sup>13</sup> Sites with public open space values typically include sites predominately free of buildings and that will benefit from providing public access

## Acquisition criteria 4: Improving the parks and open space we already have

Acquiring new land to expand an existing park is an efficient and effective way of increasing a park's potential and value to the community. Auckland has many parks and open space that could perform better by improving their configuration or size by acquiring neighbouring land. Small, incremental improvements can create a more flexible and adaptive network of parks and open space that will better meet the needs of Auckland as the region grows.

Acquiring adjacent land can create safer, more attractive and usable parks and open space. Some parks in Auckland are hidden from the street, located at the rear of housing and only accessible from narrow entranceways. Acquiring land to widen entrances and create additional street frontage can release the potential of these parks - making them safer and more pleasant for the community to enjoy.

Acquiring land neighbouring an existing park or open space can increase the activities and facilities it can accommodate. As acquiring sizeable new parks becomes more difficult in urban areas, increasing the capacity of the existing park network to accommodate more use and diverse range of activities will be important for meeting community needs.

Land acquisition can improve the conservation values of existing parks and open space. Acquiring land to expand an existing park may buffer or bring the entire extent of a significant feature into public ownership and management. This can provide opportunities to protect and interpret a feature in its entirety.

Prioritisation: improving the parks and open space we already have	
<b>High priority</b>	<ul style="list-style-type: none"> <li>Land that will improve the accessibility and functionality of an existing park or open space that serves an area of most and significant change identified in the Auckland Development Strategy</li> <li>Land that provides access to an existing park from an area with poor access to parks and open space</li> <li>Land that improves the functionality and capacity of parks and open space serving a regional or sub-regional function</li> </ul>
<b>Medium priority</b>	<ul style="list-style-type: none"> <li>Land that will improve the accessibility or functionality of existing parks in areas identified as moderate change in the Auckland Development Strategy<sup>14</sup></li> <li>Land that protects the existing landscape and amenity values of significant parks and open spaces</li> </ul>
<b>Not a priority</b>	<ul style="list-style-type: none"> <li>Land in areas identified as low and some change in the Auckland Development Strategy that has adequate access and capacity of parks and open space<sup>15</sup>.</li> </ul>

<sup>14</sup> The precise location of areas of "moderate change" are determined by the application of the mixed housing zone in the Auckland Unitary Plan

<sup>15</sup> The precise location of areas of "low change" and "some change" are determined by the application of the single house and large lot zones in the Auckland Unitary Plan

## **SITE SUITABILITY ASSESSMENT**

If an acquisition opportunity is of high or medium priority, the suitability of specific sites for a proposed park or open space purpose will be assessed in detail. Where a acquisition opportunity involves alternative sites, a site suitability assessment will assist with selecting a preferred option. Assessing the suitability of a site requires consideration of the following factors:

- Location and physical characteristics
- Financial aspects
- Community support
- Amenity
- Planning and legal restrictions

### **Location and physical characteristics**

The intended purpose of a park will influence whether the physical characteristics of a site are suitable. Some activities and park functions have specific physical requirements, for example to accommodate a sports field, a site must be of a specific size, configuration and topography while also having enough room to provide for spectators, car parking and changing rooms.

The environment surrounding the site is also important. Well located parks and open space can become the focal point of a suburb or town centre. Ensuring there is adequate infrastructure capacity to cater for the scale of the park, proposed activities (including events) and the expected level of visitation also needs consideration.

Some sites may also be subject to hazards (e.g. contamination, flooding) that will determine their suitability as public open space or for particular functions.

### **Financial aspects**

Auckland Council has limited funding with which to acquire land for parks and open space. It is important that the cost of acquiring a site represents good value for money in order to achieve the maximum benefit from the available funding. Opportunities to acquire vacant or underdeveloped land are especially desirable as council does not incur the cost of acquiring and removing buildings on the site.

The cost of developing a site and its ongoing maintenance once acquired also requires consideration. Acquiring new parks and open space commit Auckland Council to ongoing financial costs to ensure that assets are appropriately maintained and renewed.

### **Community aspirations and partnerships**

The community are the ultimate benefactors of acquiring land for parks and open space. Acquiring land for parks and open space is generally undertaken confidentially, however if there is known community interest in an acquisition opportunity or particular site then this should be considered when assessing an acquisition opportunity. Discussions with local board and governing body members may assist in understanding community aspirations for parks and open spaces and inform consideration of acquisition opportunities.

Opportunities may exist for partnership with between Auckland Council, iwi and other organisations to secure new open space and the ongoing involvement in the management of new open spaces. Partnership opportunities need to meet the acquisition criteria to ensure that new open space align with Auckland Council's strategic direction.

Acquiring a new park or open space can also create opportunities for the community to work together on a project. This may involve participating in activities such as providing input into the design of the park, volunteering at a planting day or establishing a community garden. Parks and open space can also provide opportunities to learn about the natural world, Auckland's heritage and our own abilities. Parks can accommodate ecological restoration programmes, interpretive information and courses. Opportunities for community involvement and education are important outcomes that should be considered when assessing the suitability of a site.

## **Amenity**

A core value of parks and open space is to provide opportunities for rest and relaxation. Parks provide pleasant areas to escape the hustle and bustle of city life. They also provide "green" visual relief in urban areas. The environment surrounding a site will influence the amenity of a park and what type of uses it is suitable for. A pleasant outlook can contribute to the quality of a park. The degree to which the amenity of a site will influence its suitability depends on its purpose. For example, when acquiring land for an intensive sporting use, such as an artificial turf sports field, the amenity of the site will be somewhat less important than when acquiring land for a local informal recreation park.

## **Planning and legal restrictions**

Planning restrictions (such as zoning or designations) or encumbrances on the property title (covenants, easements) will influence what type of activities can occur on a site and how easy it will be to develop. Some sites may be owned by trusts that are restricted in how they can dispose of assets or if the land was previously acquired for a public work, a Public Works Act process may need to be followed. Consideration of Mana Whenua interests and Treaty of Waitangi settlement outcomes is required when assessing acquisition opportunities.

Many undeveloped sites in urban areas that may be suitable for parks and open space are often undeveloped because of complex legal and planning restrictions. These can influence the value of land, how long it may take to acquire and how it may be used. A thorough investigation of planning and legal restrictions is required as part of the site assessment process.

## ACQUISITION PLAN AND PROGRAMME

Auckland Council will prepare an acquisition plan that identifies opportunities to acquire land that align with the acquisition criteria of the Parks and Open Space Acquisition Policy. Legacy council acquisition plans and policies, parks and open space network plans and the parks and open space provision guidelines will inform the development of an Auckland wide acquisition plan.

Auckland Council undertakes an on-going, phased programme of potential and committed land acquisition projects. When the governing body endorses an acquisition proposal it is added to Auckland Council's parks and open space acquisition programme and progressed according to its relative priority, available budget and purchasing strategy.

Auckland Council's budget to acquire land for parks and open space is determined through the Long-term Plan and Annual Plan processes. Adjustments in growth projections and development affect the timing of when new parks and open space are required.. Funding from rates to acquire land for parks and open space must compete with Auckland Council's other priorities and projects, such as transport initiatives, community programmes or new public facilities. Changes in the amount of funding available to acquire land for parks and open space may mean that Auckland Council will periodically review priorities.

The timing of when land is acquired can be difficult to predict. Where land is available to purchase on the open market, Auckland Council may be able to secure it relatively quickly. On other occasions, negotiations can be unsuccessful, or be a protracted process over a number of years if the vendor is unwilling to sell their land. The length of time it may take to secure a site will influence the prioritisation of an acquisition project in relation to the available budget.

Auckland Council may decide not to attempt to acquire a site straight away, even if the acquisition proposal is identified as being a high-priority. Due to a range of factors, such as fluctuations in the property market or the situation of the vendor, Auckland Council may decide it is beneficial to wait and attempt to secure the site in the future.



## **POST PURCHASE**

After Auckland Council has acquired land for parks and open space public access will be provided as soon as practicable so the community can enjoy the new park or open space.

Developing a park or open space involves a number of steps that need to be worked through. Before work can begin on constructing park facilities, a budget needs to be allocated, the design and management of the park or open space needs to be agreed with the community, resource consents obtained, contractors engaged and equipment and materials ordered.

In the interim period between acquiring land and developing a new park or open space, Auckland Council will undertake minor works so the public can safely access and use the site. This may involve removing buildings from the site, addressing any hazards to public safety and installing basic assets such as fences and signs.

Auckland Council will rezone land acquired as parks and open space to the appropriate open space zone in the Auckland Unitary Plan.

## DISPOSAL OF PARKS AND OPEN SPACE

Auckland Council will consider proposals to dispose of parks and open space that do not have the ability to meet current needs and do not have the potential to do so in the future.

Disposing of public open space must be treated cautiously as parks and open space can be difficult and expensive to replace, and future demands difficult to predict.

There are a range of issues for Auckland Council to consider when disposing of parks and open space, including:

- Whether the site contributes towards achieving the vision and strategy of the Auckland Plan and priorities and actions of the Parks and Open Space Strategic Action Plan
- The acquisition criteria of the Parks and Open Space Acquisition Policy
- The future development of the area and what demand there may be for parks and open space in the future
- Opportunities to secure alternative land for parks and open space in the surrounding area
- Community views and preferences
- The financial benefit of disposing of the land, including the cost of the disposal process

Auckland Council must comply with the requirements of various legislation when disposing of parks and open space<sup>16</sup>. These determine the public consultation process, who obtains the proceeds from disposing of land, rights to purchase land once council indicates it is surplus and how the proceeds from disposal can be spent.

Proposals to develop buildings on a park or open space that are not ancillary to the purpose of a park or open space will be considered as a disposal and assessed against this policy.

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<sup>16</sup> Such as the Reserves Act 1977 and Local Government Act 2002