

11. CHILDREN'S BAY WALKWAY PLAN

General Manager responsible:	General Manager City Environment Group Jane Parfitt, DDI 941-8656
Officer responsible:	Transport and Greenspace Manager, Michael Aitken
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PURPOSE OF REPORT

1. The purpose of this report is to approve the formation and development of a walkway around part of Childrens Bay in Akaroa.

EXECUTIVE SUMMARY

2. Board members will recall that the concept plan for the Childrens Bay Walkway was presented to Akaroa Wairewa Community Board at a seminar on Wednesday 25 July 2007. (See attached plan)
3. The Childrens Bay Walkway proposal was identified as a high priority Community Board initiative shortly after the amalgamation of Banks Peninsula District Council and the Christchurch City Council. Staff of the Transport and Greenspace Unit were requested to undertake investigation and design work as part of the Schedule F projects within the Boards area.
4. The proposed walkway has an advantage in that it can be developed as a "Disability accessible" walkway. The opportunity to provide fully accessible walking routes on the Peninsula is very limited due to the general nature of the terrain and topography. This walkway has been designed to stay within the maximum gradient of one in twelve, making it suitable for users with some form of mobility impairment, and will allow the use of push chairs, strollers etc.
5. Akaroa is well recognised as a major tourist and visitor destination attracting a significant number of visitors annually. The proposed walkway will provide additional recreational opportunities to the widest possible range of potential users out to enjoy the picturesque environment and surrounds.
6. The current proposal has the walkway starting on the grassed area next to the boat compound (Jubilee Park) and going around the shore line before leading back up onto Childrens Bay Road approximately 150 metres from the Childrens Bay parking and picnic area.
7. The original proposal had the walkway going along the top of the rock seawall on the seaward side of the boat compound. However closer investigation has identified a number of areas in this section of seawall that require additional remedial maintenance before this is achievable. Therefore at this stage, access to the walkway will initially be developed on the other side of the boat compound. Ultimately a secondary path may be developed along the seawall route at some point in the future.
8. The proposed walkway provides two points to access to the beach directly off the walkway. The first point is near the boat compound at the start of the track via a set of steps. This access point would be suitable for able bodied users only. The second point is about halfway along the walkway and this access point would be suitable for all users, including those with disabilities.

FINANCIAL IMPLICATIONS

9. The funding for the project is being provided from the Transport and Greenspace Capital Programme. Specifically through the allocation of the Akaroa Wairewa Schedule F funds.

2007/08 \$215,000 Children's Bay Walkway

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

10. Yes. Funding is provided from within the Transport and Greenspace Capital Programme in the 2006-16 LTCCP.

LEGAL CONSIDERATIONS

11. The current proposal has the walkway being constructed partially within legal road and partially in a section of “naturally” formed land which lies between the seaward side of the legal road boundary and the current line of mean high water springs (MHWS). The latter parcel of land has no current legal title (see attached plan).
12. The portion of land between the line of MHWS and the legal road has in all likelihood been created by accretion to the land since its original definition in the nineteenth century. An alternative, but difficult to prove explanation, could be that the original, nineteenth century boundary definition was in error.
13. From a legalisation perspective, accretion can be relatively easily dealt with. Pursuant to S 315 (4) Local Government Act 1974, accretion to road becomes road. A Survey Office plan defining the present seaward boundary of the road needs to be prepared by a Licensed Cadastral Surveyor and approved by Land Information New Zealand (LINZ).
 - (a) On approval of the plan the Surveyor General’s record will be updated accordingly.
 - (b) It is important that this statutory action be taken to ensure that the proposed Council asset is constructed on land indisputably in Council ownership.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. LTCCP 2006-2016

Parks, Open Spaces and Waterways – Page 123

Recreation – By offering a range of active and passive recreation and leisure opportunities

Health – By providing areas for people to engage in healthy activities

Recreation and Leisure – Page 131

Recreation – By encouraging more people to participate in leisure, physical and sporting activities

Parks and Open Spaces Activity Management Plan

ALIGNMENT WITH STRATEGIES

15. Social Wellbeing and Youth Strategy and Safer Parks Policy
16. Parks and Waterways Access Policy

CONSULTATION FULFILMENT

17. Staff are aware of the cultural importance of the general area and have taken the plan and discussed the proposal with representatives of the Onuku Runanga. Representatives of the Onuku Runanga are supportive and comfortable with the current proposal. Their only request was that the standard “Accidental Discovery” protocol be put in place around any excavation or digging work associated with the project. We are very happy to undertake the construction and associated work within their requirements.
18. Staff have also spoken with the Historic Places Trust. Staff from the Historic Places Trust advised that the proposed work site was outside the Akaroa Historic area and therefore was of lower significance to them. Their only comment was related to referring the proposal to the Onuku Runanga for comment and a reminder about the protocols around the accidental discovery of artefacts. Both groups are comfortable with the current proposal.
19. At the time of preparing this report, staff have arranged to meet with Akaroa District Promotions and the Akaroa Civic Trust to discuss the proposal. A verbal update of those meetings will be provided at the meeting.

20. Staff are not proposing any further consultation on this project for the following reasons.
- (a) This is a commonly walked route and construction of the walkway is effectively formalising an existing use of this area.
 - (b) Because of the restricted nature of the site and disability gradient parameters. This predetermines and dictates the alignment of the walkway and consequently there is little opportunity for the community to have any real input into the proposal, apart from rejecting it outright. All indications at this point are that total rejection is very unlikely.
 - (c) A broad range of key stakeholders have been consulted over the proposal. Apart from the Historic Places Trust, all other stakeholders are also local residents and any additional consultation is unlikely to highlight any issues that have not already been identified.
21. While no further community consultation is proposed for the reasons outlined in point 20 above, staff propose to erect an information board near the work site. The notice board will be put in place a few weeks prior to starting the construction and will have a copy of the plan outlining details of the proposed work, along with details of a staff contact. Staff will also look at highlighting the project through an information editorial in the local paper.

STAFF RECOMMENDATION

It is recommended that the Akaroa Wairewa Community Board approve the attached plan to construct a walkway around part of Childrens Bay in Akaroa, and that the Capital Programme Group undertake the necessary legal survey and documentation to add the accreted land to the existing legal road.