

## 9. COUNCIL FARMS - GRAZING LICENCE TO TUSSOCK HILLS FARM LIMITED

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Transport and Greenspace Manager
<b>Author:</b>	David Rowland, Property Consultant

### PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's approval to ratify an existing arrangement by issuing a Licence to Tussock Hills Farm Limited over those areas of reserve land contained within the Council's farm portfolio for up to five years.

### EXECUTIVE SUMMARY

2. The Council owns substantial areas of farm/rural lands throughout Christchurch that are held for a number of purposes including, but not limited to, the protection of indigenous wildlife, habitat, stormwater retention and ecological restoration.
3. Approximately 267.40 hectares was farmed by the Council by way of grazing cattle and/or making hay as a means of controlling vegetative growth and to allow for the purposes outlined in 2 above. The majority of the land is held by the Council in fee-simple; however there are some pockets of reserve contained within these areas. The subject areas of land are identified in **attachments 1 and 2**.
4. In early 2006 the Council's Greenspace Unit considered that the land would be better managed by a third party through a Licence to Occupy or Lease arrangement, and in June 2006 proceeded to invite Request for Proposals (RFP) from interested parties to occupy the land for the grazing of cattle and/or making hay.
5. As part of the existing farming activity the Council owned a number of livestock, items of plant and produce that would become surplus to requirements in the event that the responsibility for farming the land transferred to another party. The RFP was extended to include the purchase of these assets by the successful registrant.
6. Five proposals were received and a weighted attributes assessment resulted in Tussock Hill Farm being selected as the preferred registrant.
7. A month to month Licence has been issued to Tussock Hill Farm pending the approval by three Community Boards (Hagley/Ferrymead, Burwood/Pegasus and Shirley/Papanui) to the issue of a Lease for a period of five years over the land held by the Council as reserve. The Corporate Support Manager has delegated authority to approve a Lease over the balance land held in fee-simple.
8. Procedural steps have been concluded under the RFP and this report seeks to ratify and formalise an interim monthly tenancy by creating a term tenancy as provided for in the RFP process.
9. The monthly tenancy was entered into following a proper leasing process for expediency to manage the Council's risk and property as it would have been untenable to have left the properties vacant or unmanaged for any extended period especially over the spring and summer periods.

### FINANCIAL IMPLICATIONS

10. The annual licence fee as established through the RFP is \$25,000 plus GST. By disposing of stock and hay Council continued liability is removed.

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

11. Not applicable.

### LEGAL CONSIDERATIONS

#### Have you considered the legal implications of the issue under consideration?

12. The Board has delegated authority to approve the granting of a licence under Sections 54, 56, 58a, 61, 73 and 74 of the Reserves Act 1977. Section 74 is relevant in this case.

13. Section 74 Reserves Act 1977, Licences to Occupy Reserves Temporarily - where it is necessary or desirable for the management of the reserve licences to occupy any recreation, historic, scenic or local purpose reserve for grazing or other similar purposes may be granted.

#### ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

14. Yes - Page 124 of the LTCCP, level of service under parks, open spaces and waterways.

#### ALIGNMENT WITH STRATEGIES

**Do the recommendations align with the Council's strategies?**

15. Not applicable.

#### CONSULTATION FULFILMENT

16. No Required.

#### STAFF RECOMMENDATION

It is recommended that the Board approve the granting of a licence for grazing or other similar purposes over those reserve lands described and marked Ψ in the first schedule, as shown below, for a term of five years less one day effective from 1 October 2006 at a rental as submitted as part of the RPF process comprising both freehold and reserve lands of \$25,000 per annum plus GST.

#### SCHEDULE ONE

Note: The land identified with a "Ψ" symbol indicates land held by the Council as a reserve pursuant to the Reserves Act 1977.

#### SCHEDULE OF PROPERTIES

Name	Plan Reference	Location	Legal Description	CT Reference	Approximate Area (ha)
Bexley	Plan 1	Dyers Road/ Breezes Road Intersection	Lot 2 DP 48246	40A/81 Ψ	83.5
			Lot 4 DP 5306	40A/82	
		Dyers Road/ Breezes Road Intersection	Lot 3 DP 48246	40A/81 Ψ	
			Part Lot 3 DP 5306	40A/82	
		Breezes Road/ Bexley Road Intersection	Part Lot 1 DP 48246	40A/81 Ψ	
			Part Lot 5 DP 48246	40A/81 Ψ	
			Part RS 41458 (SO 14803)	40A/86	
			Part RS 6356 (BM 318)	40A/85	
			Part RS 5839 (BM 318)	40A/83	
			Part RS 5854 (BM 318)		
			Lot 4 DP 48246	40A/81 Ψ	
			Part Lot 1 DP 994	192/211	
		Part Section 1 SO 307757	Gazette 2002 at page 4055		
		Part Lot 1 DP 994	712/11		
Part Lot 1 DP 18712	680/78				
Part Lot 3 DP 2787	12B/958				
Travis Wetland Paddocks	Plan 7		Part Lot 1 DP 75093	42A/516	42
			Part Lot 2 DP 73239	42B/138 Ψ	
			Part Section 3 SO 19465	42B/138 Ψ	
			Part Lot 1 DP 75091	42A/518	
			Lot 1 DP 75092	42A/517	
			Part Lot 2 DP 9176	17B/977	
			Part Lot 1 DP 45936	GNA470289.1 Ψ	
			Part Lot 1 DP 73239	42B/138 Ψ	
Part Section 1 SO 18724	42B/138 Ψ				
				<b>TOTAL AREA</b>	<b>267.4 ha</b>