

## 2. PROPOSAL TO ESTABLISH AN ADVENTURE PARK ON RECREATIONAL RESERVE AT SPENCERVILLE

**Officer responsible**  
Greenspace Manager

**Author**  
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### PURPOSE OF REPORT

1. The purpose of this report is for the Council to consider whether it is appropriate to proceed with a consultation process on a proposal to establish an Adventure Park in Seafield Park, which is Recreation Reserve held under the Reserves Act 1977, being vested with the Christchurch City Council. The title data and location of the land is detailed under Attachment One. Possible alternative sites are in Spencer Park, which are detailed under Options Two and Three in this report.

### EXECUTIVE SUMMARY

2. A proposal has been received from Mr Jean Caillabet on behalf of Adventure Park, who as a first option wishes to utilise approximately five (5) hectares of a predominantly wooded parcel of twenty four (24) hectares of land in Seafield Park to run an adventure park modelled on a modern French business concept. An overhead photograph detailing the site is provided under Attachment Two.
3. The applicant, through "Deputations by Appointment" at the 23 September 2004 meeting of the previous Parks, Gardens and Waterways Committee, presented the concept of an adventure park that could be adapted to New Zealand conditions.
4. On behalf of Adventure Park, the applicant seeks to create a commercial opportunity by siting a business on recreation reserve, with a buffer of at least one hundred (100) metres wide between the activity and the Brooklands Lagoon.
5. The applicant will be responsible for all costs involved in establishing the business upon the site, including the expenses of obtaining resource and building consents.
6. It is necessary for the Council to consider whether this or any other commercial use is appropriate for this reserve, and if so, to ensure that any such business opportunity is dealt with in a transparent manner. It is also necessary for the Council to test the appropriateness of the use in the context of the relevant legislation (i.e. the Reserves Act and the Local Government Act), and existing and future Council policy and plans.
7. The applicant's proposal is in concept form only at this stage. Should the Council consider the activity indicated under Option One as being suitable for the site, and the public consultation process supports this, then a successful applicant can be chosen through the "Request for Proposals" (RFP) process.

### FINANCIAL AND LEGAL CONSIDERATIONS

8. The applicant has indicated broadly the expected financial return that an average park size of around 50 games can generate, depending on trading hours, location and marketing, rent ability depending on the location and investment, and the expected years to provide a return on investment.
9. In accordance with Council policy and practice, any approved commercial use should be offered by public tender or Request for Proposals.
10. The Council policy states that the sale of Council property should be by public tender unless there is a clear reason for doing otherwise. The Council's legal opinion on this policy advises that the disposition of land through an exclusive lease or licence should be treated similarly.
11. Under Section 54 of the Reserves Act 1977 public notice is required to be given when a lease is proposed to be granted on reserve. Section 119 of the Act, requires a public notice be placed in the newspaper. Section 54 (2) also requires consideration be given to all objections and submissions received in accordance with Section 120 of the Act.

12. The intended site sits within a Conservation Zone as detailed under the operative City Plan. The City Plan under Section 5. Conservation Zones, under subsection 4. entitled Reasons for Rules, 4.1 General, states:
 

*“Some land within the conservation zones has potential for uses such as low impact recreation, education, research and ecotourism activities. Any activities which require the erection of buildings, tracks, planting, vegetation or rock removal to a greater extent than provided for by the rules will be subject to the resource consent process. The intention of the Plan is to ensure that anything other than low impact developments are controlled in terms of their effect on visual, natural, habitat and ecological values”.*
13. The proposal does not appear to be inconsistent with the City Plan requirements, although it is likely because of the high structures intended, to require an application for resource consent to be made under the requirements of the Operative City Plan.
14. Should the applicant’s proposal be successful after testing against the Community consultation and Request for Proposals processes, and resource consent is obtained for the proposal, then the applicant will be required to obtain building consent under the provisions of the Building Act 1991.
15. Because the intended site is currently held as Recreation Reserve the consent of the Minister of Conservation will be required under the provisions of the Reserves Act 1977.

#### **STAFF RECOMMENDATIONS**

It is recommended that:

- (a) The Council initiate a public consultation process in accordance with the requirements of the Local Government Act 2002 for the purpose of assessing the community views on the establishment of a commercial use on the land RS 40231 PTR 1617 held as recreational reserve. This public consultation may be part of, or parallel, the public consultation proposed by the Greenspace Unit for mid to later in 2005 for the wider planning for the Spencer Park, Brooklands Lagoon and Lower Styx River area, (the Council was last updated on the status of this planning project in July 2004). The consultation is to be held in the context of the intended consultation on the wider planning for the area and, at the least, support and not contradict the latter.
- (b) The results of the consultation be reported back to the Council with a recommendation on the future use of the site.
- (c) Should the Council resolve in favour of allowing a commercial adventure park to be located on the one of the three areas detailed as options in the report, that Council enter in to a Request for Proposals process. This public advertising process is also to comply with the requirements of the public advertising requirements of Section 52 (2) of the Reserves Act 1977.
- (d) As part of any occupation arrangement the successful applicant is to ensure at least a one hundred (100) metres buffer strip is provided between Brooklands Lagoon and the intended Adventure Park should naturalisation be intended at any future date.

#### **BACKGROUND**

16. The Council currently administers the land sought under Option One, which straddles Brooklands Lagoon. There are a number of large pine trees on the site. At the present time the Christchurch City Council does not use the area for any specific purpose.
17. The site is contained in RS 40231 PT R1617, an area of approximately twenty four (24) hectares of land as shown on plan **Attachment Two**. The site adjoins a formed parking area, which is accessed off Heyders Road.
18. The preferred site of the applicant, Option One, is located in Seafield Park, a recreation reserve held under the Reserves Act 1977, which, along with the nearby Spencer Park, also a recreation reserve, is part of a wider area encompassing these parks, Brooklands Lagoon and Brooklands Spit, an area that is bound by the sea to the east, the Styx River to the west, Bottle Lake Forest to the south and the Waimakariri River to the north, and for which planning is underway to produce a concept/management plan for the area.

19. The intention is for wide public consultation to be undertaken in the mid to later part of 2005, on the proposed Spencer Park/Brooklands Lagoon/Lower Styx River Concept / Management plan, with public comment to be called for at that time on a range of concepts and on a draft planning document. It is expected that the consultation will include a number of public meetings.
20. There is an existing management plan for Spencer Park only, which is well over-due for review. This has been a catalyst for the current planning project for the area.
21. In order to provide a resource of user information to assist with the planning, a user survey of the whole area was undertaken over the 2003/2004 summer and a report prepared.
22. At the 8 September 2004 Parks, Gardens and Waterways Committee meeting Mr Jean Caillabet, on behalf of "Adventure Park", made a presentation on the adventure park concept to the meeting. Subsequent to this presentation Mr Caillabet has sought a suitable Council wooded site to lease to implement the concept.
23. Mr Caillabet has identified three sites, Option One at Seafield Park, and Options Two and Three within Spencer Park. Option One is preferred by the applicant because of the existing tree plantings, an adequate area of 3-5 hectares to implement the concept, and the suitable car parking area adjoining the site. The preferred option locations are detailed under Attachment Three.
24. The concept will involve an adventure and playing field in the heart of tree plantings, catering for family or group entertainment. A description of the intended activities is detailed under **Attachments Four (i) and (ii)**.
25. The park will have several levels of difficulty, *"allowing for a different experience of pleasures, emotions, and challenges."*
26. The applicant has indicated the concept was created in France in 1995, with at least 300 adventure parks now in existence, many being located in the mountains but also near the main cities. The applicant intends that during the hours of operation at the site obtained a minimum of four (4) employees will be placed in charge of the assistance and safety of the clients on the course with one (1) employee in charge of information and equipment assistance, and one (1) employee responsible for reception and ticketing.

#### **OBJECTIVES**

27. The objectives of the application is for "Adventure Park" to install an adventure park on Council recreation reserve at Spencer Park and to profit from a commercial activity whilst providing entertainment to families, groups of people and individuals.

#### **OPTIONS**

28. Staff within the Greenspace Unit have had meetings at Spencer Park with the applicant following his presentation to the Parks, Gardens and Waterways Committee in September 2004.
29. Three sites have been identified and considered by the applicant. These are detailed under **Attachment Three**, as Location 1 (the preferred option) and locations 2 and 3.

#### **PREFERRED OPTION**

30. The preferred option, Location One (1), has been made on the basis of the density and number of trees present on the site enabling the construction of the adventure course, the available land (3-5 hectares), and the existing sealed area available for car parking.
31. Location Two (2) was considered, but because it is in close proximity to the existing Spencer Park play structures, which are dated and intended to be replaced. with car parking space. The applicant has indicated there is an insufficient area on which to locate the course, and any customers using a course in this location would at times be witness to activities taking place in the adjoining motor camp.
32. Location Three (3) was considered by the applicant but considered unsuitable because of insufficient trees to accommodate the intended activities.

## ASSESSMENT OF OPTIONS

### The Preferred Option (Location One)

	Benefits (current and future)	Costs (current and future)
<b>Social</b>	Enhance team building skills through entertainment	Nil to Council
<b>Cultural</b>	N/A	N/A
<b>Environmental</b>	Enhancement and care of existing stand of exotic trees.	Maintenance/trimming costs to be borne by applicant.
<b>Economic</b>	Employment of local labour	N/A
<p><b>Extent to which community outcomes are achieved:</b> Does not conflict with but enhances community outcomes.</p> <p><b>Impact on Council's capacity and responsibilities:</b> Minimal effect on Council's capacity and responsibilities. The activity should be self-regulatory.</p> <p><b>Effects on Maori:</b> There are no effects foreseen initially with any Maori views being reported back to Council after the community consultation process.</p> <p><b>Consistency with existing Council policies:</b> Council has previously permitted a similar activity on recreational reserve land at South Brighton.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b> Will be achieved through the community consultation process.</p> <p><b>Other relevant matters:</b></p>		

### Maintain The Status Quo (If Not Preferred Option)

	Benefits (current and future)	Costs (current and future)
<b>Social</b>	Nil	Nil
<b>Cultural</b>	Nil	Nil
<b>Environmental</b>	Nil	Nil
<b>Economic</b>	Negative	Council to bear costs of maintaining trees and land.
<p><b>Extent to which community outcomes are achieved:</b> Will not alter any community outcomes.</p> <p><b>Impact on Council's capacity and responsibilities:</b> Nil</p> <p><b>Effects on Maori:</b> Nil</p> <p><b>Consistency with existing Council policies:</b> Will not provide any change.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b> N/A</p> <p><b>Other relevant matters:</b> N/A</p>		

### Option 2 and 3 (Locations Two and Three)

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Enhance team building skills through entertainment.	Nil to Council.
<b>Cultural</b>	N/A	N/a
<b>Environmental</b>	No benefits through unsuitability of sites.	Nil
<b>Economic</b>	Would have employed local labour.	Nil

**Extent to which community outcomes are achieved:**  
Does not conflict with but will enhance community outcomes.

**Impact on Council's capacity and responsibilities:**  
Minimal effect on Council's capacity and responsibilities. The activities would have been self-regulatory.

**Effects on Maori:**  
There would have been no foreseen effects. In any case the views of Maori would have been reported back to Council through the community consultation process.

**Consistency with existing Council policies:**  
Council has previously permitted a similar activity on recreational reserve at South Brighton.

**Views and preferences of persons affected or likely to have an interest:**  
Would have been achieved through the community consultation process.

**Other relevant matters:**

#### **BOARD RECOMMENDATION:**

1. That the project be supported in principle.
2. That staff convene a seminar involving the Greenspace and Transport and City Streets Units to provide the Board with an holistic picture of the impact of all developments occurring in the Spencerville area.