



### 13. BELFAST PONY CLUB RELOCATION

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Corporate Plan Output: Leases, licences and applications	

The purpose of this report is to seek approval for the leasing of approximate 8.365 hectares of Chaney's Plantation to the Belfast Pony Club to allow the club to move from its existing site at the Groynes.

This report is before the Shirley/Papanui Community Board for information and comment prior to being considered by the Parks and Recreation Committee for approval.

#### BACKGROUND

The Belfast Pony Club has operated from its current site at the Groynes since early 1983. The club occupied approximately 2.9 hectares with occasional use of a further 1.21 hectares at the Groynes up until 1999. By mutual agreement with the adjacent landowner it also had occasional use of private land next to the site as an extension when larger cross-country events were held.

In 1999 the club's use of the private land was withdrawn due to the owner wishing to make more intensive use of the land as part of the dairying operation. Recently the Council granted a grazing licence to the same landowner, for part of the undeveloped area at the Groynes. This was beneficial to the Council, in that it enabled an overgrown part of the Groynes to be developed at a much reduced cost to the Council.

Visitor numbers to the Groynes have increased significantly over the past ten years. The area presently occupied by the club will be required in the future to extend the picnic areas etc into. Officers have been keen to find the club an alternative site, which does not have the constraints of the present site and allows for their future needs.

The Groynes site was never envisaged as a permanent location, the club only being granted a five year "Licence to Occupy" from 28 March 1983 with provision to extend the licence agreement for a further five years. Since the end of the second term the licence has been operating on a month to month basis.

#### SITE SELECTION

Parks Unit staff and Belfast Pony Club representatives have been actively looking for potential sites over recent months.

Potential sites needed to meet the following criteria:

1. Be of a large enough area to hold normal club events, which require dressage areas, car park areas, and an area for clubhouse facilities etc.
2. There needs to be an adjacent area to extend into periodically for large events.
3. The site preferably needs to be in a rural or semi rural location given the nature of the sport.
4. The site needs to be in roughly the same geographical area to retain the club's membership and identity.

## **PROPOSED SITE**

Parks Unit staff and the club have identified a suitable location adjacent to Chaney's Plantation on Spencerville Road (see attached plan), of 38.2870 Hectares classified as Local Purpose Reserve (sewage).

The site was previously used for disposal of sewage when the Brooklands and Kainga area was serviced by 'night cart'. The site has not been used for sewage disposal since the early 1980's although trenches in parts of the site are still visible. There are no health hazards associated with this proposed use of the site.

The proposal is to lease the Belfast Pony Club approximately 8.365 hectares of this 38 hectare site.

## **SELWYN PLANTATION BOARD**

The 38 hectare area comprises part of the Selwyn Plantations Board leased area although it has never made formal use of the area that it is proposed to be leased to the Belfast Pony Club. As a result of recent negotiations between the Parks Unit and the Chief Executive Officer of the Selwyn Plantation Board, the Selwyn Plantation Board resolved to relinquish this area from their existing leased area at their meeting on Monday 6 March 2000.

In addition to this they have also agreed to the club utilising part of Chaney's Plantation for days when they hold larger cross-country events. Use of the plantation will be by mutual agreement between the club and the Selwyn Plantation Board, the Selwyn Plantation Board reserving the right to restrict access on certain occasions due to circumstances such as fire risk or logging operations.

In the longer term the Parks Unit proposes wider recreational use of Chaney's plantation similar to that of Bottle Lake. Officers do not anticipate any major difficulties with the public's increased use of this area provided similar management strategies are put in place as those used at Bottle Lake.

As the Council wishes to resume occupation of 8.365 hectares of Chaney's plantation it will be necessary to give notice to the licensee, the Selwyn Plantation Board, in accordance with the terms and conditions set out in the licence agreement. More specifically, the notice must be given in accordance with sections 3.2 (b) and (d) having regard to section 3.3 of the licence agreement which governs the amount of land the Council may resume during the term of the licence.

## **SITE DEVELOPMENT**

The Parks Unit has engaged a Landscape Architect to prepare a concept plan for the proposed leased area which will show the location of club facilities, car parking areas, dressage and eventing areas. The club has approved the preliminary layout plan, the Landscape Architect now drawing up the plan in more detail showing the preferred layout of the site and the location of facilities.

In the longer term the Parks Unit proposes to construct public toilets upon, or close by, the site. These may be attached to the club's facilities, but at the very least, will share the same services. This will provide cost savings to both the club and the Council, whilst providing for the anticipated wider recreational use of the Chaney's area in the future.

Parts of the site as it exists presently will be too dangerous to ride a horse upon in its present state (some trenches not filled to the original ground level). The Parks Unit proposes to undertake some trench filling, levelling work, and resowing of the area this financial year to make the site suitable for the pony club's activities. Any work required after this point will be the responsibility of the club.

#### **RESERVE CLASSIFICATION**

The reserve is currently classified as Local Purpose Reserve (Sewage). Advice received from the Legal Services Manager is that there is no need to reclassify the reserve to accommodate this current proposal.

#### **WASTE MANAGEMENT UNIT'S USE OF SITE**

The Waste Water Manager has indicated that the Unit will not be requiring use of this particular the site again in the future. However sludging operations are occurring throughout Chaney's Plantation as part of the wastewater disposal process. During these times parts of the plantation will not be available for the public to use for a period of up to 12 months. The Pony Club is aware of this, the cross country course will be re-routed into an area of forest not closed, if the area being sludged coincides with the area proposed by the club for their cross country course.

#### **LEASE/LICENCE AGREEMENT**

The Property Unit will negotiate a lease agreement with the Belfast Pony Club on behalf of the Parks Unit. The Parks Unit proposes that the area around any buildings and permanent dressage areas constructed by the club will be covered under a lease while the balance of the area will be covered under a licence to the club. The term of the lease and licence will be the same (20 years less one day). The lease/licence offered by the Council will be subject to the following conditions:

1. The design, appearance and construction of the Belfast Pony Club building/s are to be approved by the Parks Manager prior to construction commencing upon the site.
2. The Club is to obtain all necessary Resource and Building consents before commencing building upon the site.
3. The Club to be responsible for the implementation of the landscape plan as approved by the Parks Manager at the Club's cost.

4. The Belfast Pony Club is to remove all structures and buildings from the Groynes within 2 years of approval being granted to relocate to the new site. If the Club moves to Chaney's earlier than 2 years, the Groynes site is to be cleared 2 months after the move has been completed.
5. The lease/licence terms and conditions are to be negotiated by the Property Manager in consultation with the Area Parks Officer Consents.
6. The leased area to be maintained in a safe and tidy condition at all times by the Belfast Pony Club.
7. The Belfast Pony Club is to show a copy of the policy of having obtained \$1,000,000 public liability insurance to the Area Parks Officer Consents.
8. The Belfast Pony Club is to liaise with the Parks Unit representative (Area Parks Officer, Fendalton) to ascertain site requirements prior to letting any tenders for the construction phase of the new facilities at Chaney's, or removal of the old ones at the Groynes.
9. The successful contractor is to pay a \$2,000 bond to cover access to the site(s) during the construction or removal period. The bond less any expenses incurred by the Council will be refunded to the contractor upon vacating the site.
10. The Belfast Pony Club is to submit to the Chief Executive Officer of the Selwyn Plantation Board a plan of Chaney's Plantation, showing the proposed cross-country routes for his ratification prior to commencing any development work upon the site. The club is to send a calendar, which sets out the times when the cross country course in the forest will be used.
11. All jumps and associated structures built upon the cross-country route outside the Club's lease area are to be of a temporary nature to enable them to be moved to take account of forestry, or sludging operations occurring in the plantation.
12. The cross-country route outside the Belfast Pony Club's lease area is to be closed and not used when the forest is closed to public entry because of extreme fire danger.
13. Smoking is prohibited on the cross-country route outside the Belfast Pony Club's leased area at all times.
14. The Council reserves the right to alter the area covered under the licence from time to time to recognise changes in recreational needs and use of the area.
15. This approval is to lapse if the Club has not relocated and made substantial progress upon the development of the Chaney's site within two years of approval being granted.

## CONCLUSION

The Belfast Pony Club has acknowledged for a number of years that they have outgrown their existing location at the Groynes. The proposed site meets all the club's requirements, the club seeing long term benefits for their future by establishing at Chaney's.

The shift will allow Council to redevelop the club's present site at the Groynes to extend facilities for use by the general public. Accordingly the Parks Unit recommends that the Belfast Pony Club's application to relocate to the Chaney's site be approved subject to the above conditions.

**Recommendation:** That the Parks and Recreation Committee approve the following resolution:

1. That Council grant a lease to the Belfast Pony Club, as allowed by section 61 (2A)(a) of the Reserves Act 1977, in accordance with the requirements of the Public Bodies Leases Act 1969, over approximately 8.365 hectares of Chaney's Plantation, for a period of one day less than 20 years (non-registered lease period) subject to compliance with conditions 1 to 14 outlined in the report above.
2. That the Council give notice to the Selwyn Plantation Board in accordance with sections 3.2 (b) and (d) of the licence agreement with the Christchurch City Council of its wish to resume occupation of approximately 8.365 hectares of Chaney's plantation.

**Chairperson's**

**Recommendation:** That the officer's recommendation be adopted.