

## 12. PROPOSED LICENCE AGREEMENT – EXTENSION OF URUMAU WALKING AND MOUNTAIN BIKE TRACKS

<b>General Manager responsible:</b>	General Manager, City Environment, DDI 941 8608
<b>Officer responsible:</b>	Transport and Greenspace Unit Manager
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### PURPOSE OF REPORT

1. This report is submitted to the Lyttelton/Mt Herbert Community Board for recommendation to the Council to approve entering into a Licence Agreement over the land contained in Certificates of Title CB42D/30, CB34C/176 and CB42D/28 currently under the ownership of the Lyttelton Port Company (LPC) adjacent to the Council's Urumau Reserve.
2. The proposed five plus five years licence over LPC land will enable the extension of walking and mountain bike tracks currently located within the Council's owned Urumau Reserve in Lyttelton and will significantly improve the recreational facilities for local residents and visitors.

### EXECUTIVE SUMMARY

3. Urumau Reserve is owned and managed by the Christchurch City Council and has a strong link to the community through the Lyttelton Reserve Management Committee which is made up of volunteers from the local community.
4. Recent public consultation seeking comments and ideas on how the local community would like to see the reserve maintained and developed indicates a strong desire to link Urumau Reserve to the adjoining land currently owned by LPC.
5. The LPC land, subject of the proposed licence agreement, is adjoining the northern and eastern boundaries of Urumau Reserve and provides a wide buffer between residential properties and the operations area of the LPC.
6. Christchurch City Council, the Reserve Committee and LPC have discussed the possibility of creating a track network linking Urumau Reserve and the land owned by LPC to expand and improve recreational activities within this area.
7. Following discussions the Council and LPC have reached agreement on the terms and conditions under which the Council will be able to utilise the LPC land to expand the existing recreational network of tracks currently located within Urumau Reserve.
8. The proposed walking and mountain bike tracks will be constructed in its majority by local volunteers in similar fashion as per the existing walking and mountain bike facilities throughout the Port Hills. Materials and ongoing supervision of the works will be provided by the Council.

### FINANCIAL IMPLICATIONS

9. The License fee is to be \$1 per year. Construction of the tracks will be undertaken in its majority by local volunteers therefore the cost to the Council associated with the actual construction will be reduced significantly.
10. Any costs to Council associated with this project, which are expected to be minimal for the reasons outlined in Item 9 above, will be covered from the existing Regional Parks budget.

### Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

11. Yes, funding for this project will be provided through the existing allocation contained within the operational budgets for Regional Parks.

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

12. Yes, the legal implications associated with the occupation of LPC land have been considered and a Licence Agreement has been drafted by the Council's Legal Services Unit.

## **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

13. Yes, the proposed extensions and improvements to the walking and mountain bike tracks are consistent with the Urumau Reserve Management Plan.

### **Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

14. Yes, as above

## **ALIGNMENT WITH STRATEGIES**

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

15. Yes;                   - Physical Recreation and Sport  
                              - Healthy Environment Strategies

## **CONSULTATION FULFILMENT**

16. Not required.

## **STAFF RECOMMENDATION**

It is recommended that the Board recommend to the Council that it enters into a five plus five year licence with the Lyttelton Port Company at a nominal rent of \$1 per annum for the land contained within Certificates of Title CB42D/30, CB34C/176 and CB42D/28.

## **BACKGROUND**

17. The Council, in partnership with local volunteer groups, develops and maintains a wide network of shared use walking and mountain bike tracks. The knowledge and experience gained from building and maintaining these tracks since 1993 ensures that new tracks are built in a sustainable and safe manner.
18. As a result of public consultation and discussions with LPC the potential to improve and expand the Urumau Reserve existing walking and mountain bike tracks was identified.
19. The proposed new track facility would enter and leave Urumau Reserve and the LPC land in various locations. These entry and exit points may require styles, gates or cattle grids to cross fences. The Council has several well proven designs that enable crossing of fences without compromising the efficiency of the actual fence.
20. Following discussions between the Council and LPC a draft Licence Agreement for the subject portion of LPC land was prepared by the Council's solicitor. The five plus five years Licence Agreement is conditional to the Council's approval.
21. The provision of additional walking and mountain bike tracks within LPC land has been made possible by a partnership arrangement between the Council and LPC. The spirit of this partnership is reflected by the LPC land being made available for recreational purposes at a cost to the Council of \$1 per year.

## **THE OPTIONS**

### **Option A:**

22. Do nothing – this option would do nothing to improve and expand the provision of recreational walking and mountain bike tracks in the Lyttelton area.

### **Option B**

23. Enter into a five plus five year licence with LPC to facilitate the provision of additional walking and mountain bike tracks in the Lyttelton area in conjunction with the already existing facilities in Urumau Reserve.

## **THE PREFERRED OPTION**

24. Option B

PLAN SHOWING URUMAU RESERVE (IN RED) AND LPC LAND (IN PURPLE)

