



Report 09.667
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Committee Council
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Kapiti Pony Club licence to use land in Queen Elizabeth Park

1. Purpose

To consider granting a licence to Kapiti Pony Club Inc. to use the “Transit land” in Queen Elizabeth Park.

2. Consideration by Committee

The matters raised in this report were considered by the Regional Sustainability Committee at its meeting on 15 October 2009 (Report No. 09.620 refers). The recommendations contained in this report have been endorsed by the Committee for the Council’s consideration and decision.

3. Significance of the decision

The matters for decision in this report do not trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the *Local Government Act 2002*.

4. Background

Greater Wellington Regional Council (GWRC) was approached by Kapiti Pony Club Inc. for a licence to use 21 ha of the park for grazing and running Pony Club events. The Pony Club is currently located in an area where the currently proposed Western Link Road alignment is planned.

The proposal concerns land (previously known as “Transit land”) at the Poplar Avenue end of the park that is currently being used for grazing horses (see Attachment 1). This land was recently transferred to the Crown as part of a land swap between the Crown and Transit New Zealand (now New Zealand Transport Agency) for land required to build the MacKays Crossing overbridge on State Highway 1. The land has been reserved as Recreation Reserve and the Crown has appointed GWRC to “control and manage” the area as part of Queen Elizabeth Park.

In 2008 public consultation was undertaken by GWRC to seek any objections to the granting of this licence to the pony club (advertisements were placed in the local newspapers and information provided on the GWRC website).

In the *Queen Elizabeth Park Management Plan*, the “Transit land” is zoned as “future recreation”, though the land was not part of the park at the time the plan was produced. While there was no legal requirement to consult with the public on this matter, it was felt that it was prudent to check with the public about how they wished that end of the park to be used.

Ten submissions were received and two submitters were heard. All submissions supported the proposal but one submitter was concerned about the impact of the use of part of the licence area on the Poplar Avenue wetland. This concern was regarding the spread of weeds into the wetland from grazing in the upper catchment. Two other submitters requested public access through the area, with one submitter asking that the current lessees of the area be accommodated by the pony club.

The Parks, Forests and Utilities Committee considered the submissions in July 2008 (Report 08.526) but did not make any decision on the lease at that time because of concerns about the cost of boundary fencing and water supply (\$25,000 to \$30,000 for fencing and \$12,000 for water reticulation). Since then officers have been working to resolve those issues.

5. Recent events

Since July 2008 there have been a number of developments at the proposed lease site. ONTRACK has used the area to spread surplus fill generated while double-tracking the train lines from MacKays Crossing to Paraparaumu. A second ONTRACK fill operation is currently under way in the area. This has meant that more areas have become available for grazing (as they were previously covered in gorse). Some fencing of the block has been completed as part of the ONTRACK fill proposal.

A fence has also been replaced on the ridge above the wetland as part of a restoration plan that had been produced to provide protection for the wetland values. The Raumati South Residents’ Group has received a grant through the Department of Conservation Community Conservation Fund to pay for expenses associated with planting up the area.

Kapiti Pony Club Inc. has agreed to provide the water supply, as well as weed and pest control of pasture areas, soil fertilisation, fencing maintenance and good land husbandry as part of its licence conditions.

6. Issues

6.1 Part 1 - Should a licence be granted to the Pony Club?

The proposed licence area is currently used for grazing by local horse owners. The Kapiti Pony Club has asked to move to the park because they must move from their current location. The Pony Club is a recreational use, while grazing

is a private use, so the former activity is more in keeping with the purpose of the park. As a community club, there will be opportunities for anyone to join and participate in horse riding. The location of the pony club in the park will give the club more opportunities to use the park, through improved access for their riders.

The owners of horses currently grazing there have requested that they be allowed to stay but that decision will need to be made by the pony club if they are granted a licence for the area.

The area where the pony club wishes to place structures in the future is a proposed future entrance area for the park. One submitter has suggested that a draft concept plan for the future of the park at the Raumati South end be prepared. While it is not envisaged that any Council developments (such as a carpark) will occur at that entrance over the next ten years, it is appropriate to develop a concept plan of the area and consult with the public about the Raumati South entrance during the coming management planning process. If granted, the licence will be for 10 years (five years, with a right of renewal for a further five year term). Any structures erected by the pony club will need to be removable, as part of the conditions of the licence.

The licence area is designated a “future development zone” in the current management plan. If the licence is to be granted for a term longer than 10 years, the public would effectively be excluded from this area until the licence expires. Given the public interest in recreational activity at this future entrance to the park, it would be prudent to be able to reassess the use of this area at regular intervals. Every 10 years would be an appropriate time period to do so. Currently there is no funding to develop public access in that area of the park in the LTCCP.

5.1.1 Option 1:

Grant a licence for five years, with five year right of renewal to the Kapiti Pony Club Inc.

5.1.2 Option 2:

Grant the licence for a period longer than 10 years.

6.2 Part 2 - Should the original licence area offered be amended?

A submitter had raised concerns about the effect of horse grazing around the Poplar Avenue wetland, as the biodiversity values of the wetland will be threatened by the presence of weed seeds from horse droppings in the wetland catchment. Fencing off the wetland at the top of the ridge and taking stock off the area would prevent weed invasion but would mean that 2.5 ha would be removed from the Kapiti Pony Club grazing area. As the pony club now has extra usable land because of the fill being spread over gorse in the proposed lease area, the club is happy for the licence area to be reduced.

5.2.1 Option 1

Grant the licence for 21 ha as per the original agreement. The problem with the wetland remains.

5.2.2 Option 2

Reduce the land area available to the licence by 2.7 ha to 18.4 ha. The area of available grazing land within the original 21 ha proposed lease area has increased by 5.5 ha because of the fill operations.

7. Next steps

The power to grant the licence is held with the Minister of Conservation, as Queen Elizabeth Park is owned by the Department of Conservation. Recommendations will be made by this Committee to Council for its recommendation to the Minister.

8. Communication

Formal replies will be sent to all submitters soon after Council has made its recommendation.

9. Recommendations

That Council:

1. ***Receives the report.***
2. ***Notes the content of the report.***
3. ***Approves a licence being granted to Kapiti Pony Club on a five year, plus five year right of renewal term (Part 1, Option 1)***
4. ***Approves the Kapiti Pony Club being licensed to use the reduced area of 18.4 ha (Part 2, Option 2).***

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Attachment

- 1 Kapiti Pony Club lease areas