

## 10. HAREWOOD RADIO CONTROL CAR CLUB

<b>Officer responsible</b> Parks and Waterways Manager	<b>Author</b> Lewis Burn, DDI 941-8522
---	---

The purpose of this report is to seek the Board's recommendation to Council to approve the formal classification as Recreation Reserve of part of a Local Purpose Reserve and to subsequently grant a lease over this area to the existing and established occupant.

### BACKGROUND

The Harewood Radio Control Car Club have, for a good number of years, occupied approximately 8000 m<sup>2</sup> on part of the former Waimairi Tip at Sawyers Arms Road. This site is held by the Council in trust for the purposes of a Public Reserve for abattoirs, public pounds, sewage, cattle yards and plantations (the former Waimairi County Council having acquired this land by exchange in 1965) subject to the provisions of the Reserves Act 1977. Up until now the authority for the Club to occupy this part of the reserve has been on a month to month basis by a Heads of Agreement. This agreement was put in place as a holding measure with the intention being that, once capping of the former tip site had been completed to a stage to allow further development for recreational use, this land together with the Bitumix Lakes area would be held as a recreation reserve known as Roto Kohatu Reserve. At the moment the majority of the former tip site has not been capped to a stage appropriate to allow public recreation use to be opened up for this area. The completion of this work is some way off yet, as recently reported by Parks and Waterways Unit, however there is no reason not to proceed with the formal granting of a lease to the Harewood Radio Control Car Club over the small portion of the area that they occupy. In order to do this it is necessary to formally reclassify the land occupied by the Club to Recreation Reserve.

### SCOPE

This report has been referred to the Board for support of a staff recommendation to the Council. Although the Board has delegated authority to grant a lease pursuant to Section 54 of the Reserves Act 1977 it does not have delegated authority to classify a reserve which in this case is a prerequisite to the granting of a lease.

### EXECUTIVE SUMMARY

The existing Heads of Agreement to lease was conditional on a successful reclassification of the land occupied as Recreation Reserve. To date this classification has not been carried out and there is currently no formal lease documentation in place. Discussions have been held with the Club which has confirmed that it wishes to formally lease this property. A formal lease would give the Club security of tenure in order to plan future development of the land for the purposes and objectives of its organisation. The Club has occupied this site since the late 1980s; the first agreement being with the former Waimairi District Council. It has always been the intention that at the appropriate time all the land making up the Roto Kohatu Reserve, including the site occupied by the Club, would be gazetted as Recreation Reserve. The Club has always understood from the Council that when this gazettal took place they would be favoured with a lease of their premises. This proposal will allow that lease to be put in place without compromising the Council's ability to deal with the balance of the former tip site in a timely and orderly manner.

### DESCRIPTION OF PROPOSAL

#### Classification

A Scheme Plan (copy attached as drawing 25418/1) has been prepared to show an area of 8664 m<sup>2</sup> as proposed for classification as Recreation Reserve. While this classification is effectively a different purpose to the present legal status, the land is currently being used (and has been for some time) for the different purpose i.e. recreation. As this land has not previously been classified the process will be a new classification under Section 16 of Reserves Act 1977 as opposed to a change of classification under section 24 of that Act. This area is part of an allotment which contains a total area of 20.0524 hectares. Until such time as the capping operation for the balance of the site is completed and it is appropriate to formally open this up for public recreation use, classification of the balance of the reserve will be withheld. It is marginal if public notification is exempt under the Reserves Act, so public notice of the intention to classify this part of the reserve from its present Local Purpose status to Recreation Reserve will be given. The consent of the Minister of Conservation is not required.

## Grant of Lease

It is proposed that on gazettal of the classification a lease, pursuant to Section 54(1)(c) of the Reserve Act 1977, will be granted to the Harewood Radio Control Car Club for a term of five years with a right of renewal for a further period of five years. The lease would follow the format of the standard Sports Generic lease and take in the total area of the subject of the classification notice, being 8664 m<sup>2</sup> subject to survey. Sited on this parcel of land is the former tip site toilet and a corrugated iron storage shed. The Club uses both these buildings which are listed on the Council's asset register as having a book value of \$500. The Club's improvements comprise an open stand from which members control the cars and two adjacent off-road tracks; one is sealed and the other is in clay. The Club's existing facility is well set out and maintained to a good standard. It is well used and attracts enthusiasts from around New Zealand. The radio controlled cars are gas powered, as opposed to the only other facility of this nature in Christchurch at Ruapuna where the cars are electric powered. As the proposed lease is documenting an existing use and the effects of the use will be the same or similar in character, intensity and scale the Council has delegated authority from the Minister of Conservation to grant the lease. The intention to grant the lease will be notified with the classification notice.

## CONCLUSION

There is no reason or impediment seen to granting the Harewood Radio Control Club a formal lease of this site which it has had a long association with. This is a well organised Club with a membership of about 80, including 30 adults and 50 children. It is not possible to grant the Club a lease for this type of activity while the site they occupy remains held by the Council as a Local Purpose Reserve. The classification of this parcel of land, which is zoned 02 and 03 in the City Plan, to allow formal recreation use is consistent with the City Plan provisions and the long term intention for the classification of the total former tip site. The survey plan that defines the area for classification will also need to define the balance of the reserve so that gazettal of the balance area as Recreation Reserve can take place when capping development of this site is complete.

## Staff

- Recommendation:**
1. That, pursuant to Section 16 (2A ) of the Reserves Act 1977, the Board recommend to Council the classification as Recreation Reserve within the meaning of Section 17 of the Act, all that parcel of land described as part Lot 1 DP 23093 and part of Reserve 946 comprised in part CT 4B/1415 shown as Section 1 on Drawing 25418/1 containing 8664 m<sup>2</sup> (subject to survey).
  2. That the proposal to classify set out in 1 be publicly notified.
  3. Subject to 1 and no sustainable objections being received following public notification, the Council approve the lease of Section 1, Drawing 25418/1 to the Harewood Radio Control Car Club Incorporated for a term of five years with a right of renewal for one further term of five years.
  4. That the Harewood Radio Control Car Club be responsible for obtaining any statutory consents required in relation to its use of the land.
  5. That the Harewood Radio Control Car Club meet all costs (excluding classification costs) associated with preparing and executing the lease.
  6. That the Property Manager be authorised to administer the terms and conditions of the lease.

## Chairperson's

**Recommendation:** That the staff recommendations be adopted.