

22. 4. 98

**PARKS AND RECREATION COMMITTEE
8 APRIL 1998**

**A meeting of the Parks and Recreation Committee
was held on Wednesday 8 April 1998 at 4.00 pm**

PRESENT: Councillor Gordon Freeman (Chairman),
Councillors Carole Anderton, Graham Berry,
David Buist, Graham Condon, David Cox,
Ishwar Ganda and Gail Sheriff (in the chair for
clauses 4, 14, 15 and 16).

IN ATTENDANCE: Councillors Charles Manning and Ron Wright.

Councillor Freeman retired at 5.55 pm and was
present for all clauses except clauses 4, 14, 15 and
16.

The Committee reports that:

PART A - MATTERS REQUIRING A COUNCIL DECISION

1. PROPERTY PURCHASE - SUMNER CROQUET CLUB SITE RR 5503

Officer responsible Parks Manager	Author Property Services Officer, Bill Morgan, Management Planning Officer, Chris Freeman
Corporate Plan Output: New Assets Reserve Purchases	

INTRODUCTION

The following report was submitted to the 9 July 1997 meeting of the Parks and Recreation Committee.

PURPOSE OF THIS REPORT

The purpose of this report is to consider the acquisition of part of the Church Property Trustees property in Wakefield Avenue, Sumner for a recreation ground.

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BACKGROUND

The Council has been approached by the Anglican Parish of Sumner and Redcliffs to determine if it is interested in acquiring part of its property in Wakefield Avenue. At the present time the property contains 1.5687 hectares and houses the Church, Vestry and other buildings. Part of the site contains an area occupied by the Sumner Croquet Club and associated greens.

The parish has recently undertaken a scheme of subdivision of the site which provides for eight sections over the area occupied by the croquet club and adjoining land and if proceeded with would effectively result in the loss of the area as open space. As a consequence of new housing development on the hills and infill housing including a number of high rise developments approved and planned within Sumner it is perceived the demand for open space particularly for recreational activities will increase. There are few, if any, opportunities to acquire vacant sites of this area within Sumner particularly in close proximity to the commercial centre and it is believed the opportunity to secure the site should be taken rather than to see it lost to residential development.

PROPERTY

The property is located on the western side of Wakefield Avenue between its intersection with Wiggins Street to the north and Stoke Street to the south. It is located at the foot of Richmond Hill and is in close proximity to the centre of Sumner.

The area concerned contains an area of 5060m² and is part of the parent title CT 22A/101 owned by the Church Property Trustees. The property is let to Sumner Croquet Club under an expired Deed of Lease which has been allowed to run on, on a month to month basis at an annual rental of \$750 plus GST. The area contains the croquet greens, clubhouse together with a dilapidated pavilion. The greens are approximately 1.5m below the road level and adjoin the Clifton Hill cliffs to the west which are a dominant feature of the area. There is a buffer zone between the greens and the cliff which is subjected to occasional rock falls.

The Sumner Croquet Club has leased its land from the Anglican Church since 1906. The last few years of the Club's lease have been uncertain with the idea of the sale of the Church's land.

The Sumner Croquet Club has five greens and a pavilion on the land. (A run down historic building from the 1906-07 exhibition in Hagley Park is also on the land.) The capital value of the Club's setup is in excess of \$100,000, (excluding land value).

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The club's membership is relatively low, 30-40 members, similar to most other croquet clubs in Christchurch. Concern regarding the permanence of the club's lease in the last two years has however prevented any drive for membership. The large population of elderly in Sumner and the fact that croquet is one of the few outdoor sports where elderly can participate as equals, suggests that membership growth is highly likely, if promoted.

The purchase of the Croquet Clubs Greens, (5060 m²) is important to not only maintain a 91 year old community sports asset, but also provide a flat park area in this rapidly developing part of Christchurch. Whilst Scarborough and St Leonards and Sumnervale Parks exists and recent acquisitions such as Scarborough Farm (220 hectares) are huge recreation assets in the long term, the value of flat land close to the village centre is also significant. Letters of support for the purchase have been received from the Sumner Residents Association and the Sumner Croquet Club.

If acquired the exact lease arrangements for the Sumner Croquet Club will need to be considered together with other passive and active recreation opportunities for the land, as part of the consultative parks planning exercise.

The purchase of the croquet club's land fits the Parks Unit's policy for strategic reserve acquisition for sports parks. The purchase represents a local reinvestment of reserve contribution funds from redevelopment such as the 39 unit Cave Rock Hotel site. (Revenue estimated at \$150,000-\$200,000.)

PARKS ACQUISITION PROGRAMME 1997/98

\$1.6 million is budgeted for city-wide, neighbourhood and strategic reserve purchases in the 1997/98 year. Annual revenue from reserve contributions taken in cash is estimated to be \$1.9 million. It is important that cash taken in lieu of reserve land is spent on land and reinvested locally. While most assets depreciate, land values both capital and recreation appreciate.

The 1997/98 budget for Parks acquisition is as follows:

Strategic Reserve Purchases (sports, conservation, gardens)	\$750,000
Currently contracts are in place for	
- Sumner Croquet Club	\$300,000
- Westminster Park extension, balance to pay	\$100,000
- Westlake Reserve extension, full settlement	\$190,000

Other purchases under negotiation are Halswell Domain extension, Mona Vale car park.

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Sports Parks Purchases

This year's budget has an additional \$250,000 (AMP result) targeted at cheaper rural areas to be bought for future sports parks. Rural land around Halswell Domain has been targeted to date.

Neighbourhood Reserve Purchase (local reserve deficiencies) \$600,000

Negotiations are proceeding for a new local reserve in Merivale reserve. This is expected to use all of this year's allocation for new local reserves in deficient areas.

Waterways and Wetlands \$100,000

A new item this year (AMP result) targets acquisitions necessary to enhance the city's waterways. A joint purchase with Water Services, of a property next to Horseshoe Lake Reserve is planned.

VALUATION

The Council engaged the services of Ford Baker, Registered Public Valuers, to assess the property's current market value while the Church Property Trustees appoint Fright Aubrey. Both valuers adopted a hypothetical subdivision approach to the valuations and assessed a gross realisation of \$480,000 and \$520,000 respectively. After the deduction of development and building costs a net realisation of \$280,000 and \$320,000 was arrived at.

SETTLEMENT

Following negotiations with the trustees agreement, subject to formal Council approval, has been arrived at to purchase the area at a price of \$305,000 inclusive of GST, subject to the Trustees meeting the cost of the survey and legal work which is to be undertaken on their behalf by the Council.

CONCLUSION

While considerable competition for reserve contribution funds exists across the city the rarity of flat land in Sumner, the existence of a club and its existing capital improvements, all suggest the land's acquisition is desirable to preserve and enhance recreational opportunities for Sumner residents in the future and is a logical reinvestment of reserve contribution capital received from infill developments such as the Cave Rock redevelopment.

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The Parks Manager recommended that the Sumner Croquet Club's land be purchased from the Anglican Church as outlined above.

The proposal to purchase the property was considered and supported by the Hagley/Ferrymead Community Board at its meeting on 2 July 1997.

The staff recommendation was not adopted by the Committee. Instead a sub-committee comprising the Chairman, Councillors Anderton, Cox, Manning and Sheriff was appointed to investigate the proposal and report back to the Committee.

The sub-committee met on site on 29 October. In considering the land purchase proposal the sub-committee noted that Sumner is not well served in terms of flat park areas with St Leonards Park being the only such reserve in this suburb. Sumner continues to attract new residential infill developments, not only increasing the demand for recreation reserves, but also the value of residential land. The combination of rising property values and the scarcity of suitable land led the majority of the sub-committee to the conclusion that the present proposal represented a good opportunity to secure for reserve purposes what is virtually the last area of green open space in Sumner.

The sub-committee agreed, however, that if the Council is to purchase the land it could not be held solely for the sport of croquet. Given current participation levels the club could not expect to lease the entire site.

While the site is not large enough to accommodate a full sports playing field it could be used for training purposes which would go some way to relieving the shortage of such areas in this part of the city.

The sub-committee requested the Parks Manager to prepare, in conjunction with the ward Councillors, options for the recreational use of the land for community comment, with the results of the consultation to be reported back to the Parks and Recreation Committee.

PUBLIC CONSULTATION

In late January 1998 a leaflet was delivered to about 700 residences in the vicinity of the Wakefield Avenue property in Sumner, requesting comment on whether the property should be purchased at all, and if so, what uses it should be put to. The closing date for submissions was Friday 20 February, by which time 50 submissions had been received including a petition with 20 signatures. The results of the public consultation were reported to the March meeting of the Committee and can be summarised as follows:

- The overwhelming majority of submissions (48 for, 2 against) were in favour of purchasing the reserve.

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- Of those who mentioned croquet's use of the reserve, 15 submission were in favour of the croquet club retaining at least a portion of the reserve, and one submission thought they could be shifted to Redcliffs or could lease land off a local school. Many of the other submissions seemed to assume that if the reserve were purchased, then croquet would stay on.
- The two submissions opposing the purchase both indicated that Sumner still needs more reserve areas, but this site was perceived to be unsuitable due mainly to rock falls, traffic flows and shading. The issue of rock falls was argued both ways in the submissions, ie. that the area should be used for reserve rather than housing to lessen the likelihood of damage to people or property caused by falling rocks.
- Half of the submissions (25 including a 20 signature petition) mentioned the need for a reserve area in Sumner, and supported this by mentioning the increase in population (especially due to high density residential developments), the ageing population, and the retention of the amenity of the cliff face.
- Ideas for the use of the reserve, once purchased, were many and varied, and showed a considerable degree of creativity and thoughtfulness. However, the use of the proposed reserve will be dealt with in another report assuming permission is granted to purchase this area.

In the event of the Council agreeing to purchase the property, the Parks Unit will prepare a design for the area based on submissions already received. This proposal would then be circulated to the same distribution area as the initial leaflet for comment. Once submissions from this second leaflet have been analysed the decision will be made whether to arrange a hearing where respondents may be heard in favour of their submission. A further report will then be presented to the Committee on the design and use of the new reserve.

In receiving the results of the survey at its March 1998 meeting, the Committee requested the Parks Manager to provide information relating to the cost of filling the site to the standard necessary for year round use, together with an indication of the likely level of use of the proposed reserve.

This additional information is set out below:

COST OF FILL

The Parks Unit has received a quotation (tabled) from a local excavating and cartage contractor, Keith Beardsley, for filling of the site, which states:

“We undertake to fill the low lying area to any given height at no cost to the Christchurch City Council. Any clearing or additional machine hire will be charged to the Council at agreed rates.”

Therefore the cost of filling the reserve would not be an issue.

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LIKELY LEVEL OF USE OF THE PROPOSED RESERVE

The level of use of the proposed reserve would in part be dependent on what facilities are provided, and this would be the subject of a design plan circulated to the community for further consultation, as was mentioned in the March report. However, we do have some indication of the preferences of local residents as this was one of the questions in the letterbox-drop delivered to the community. According to these results, it seems the croquet club could retain two greens and the club house, thereby taking up about half of the proposed reserve area. The club's lease tenure could be reviewed after say five years following the development of the remaining area.

Other popular uses for the proposed reserve included a garden/passive area, picnic area, seating, children's play area, petanque court, volleyball/basketball/netball court (all could be provided on the same surface). Since these were all popular options requested by the local community, it seems reasonable to assume that if these items were provided the reserve's level of use would be very high. All these options could be accommodated on land not used by the croquet club with a good landscape design.

Given the fact that there would be no costs associated with filling the area to any desired height and the obvious potential for intensive use of the reserve, the Parks Unit believes that the purchase should proceed.

The owners of the property have been most co-operative throughout the negotiations by allowing the Council extensions of time for further investigation and public consultation on this issue. As nine months have now elapsed since the proposal was first considered by the Committee, the Church Property Trustees would like the Council's decision on the property purchase by 30 April.

The Parks Manager recommended:

1. That the Wakefield Avenue land be purchased from the Church Property trustees for reserve purposes at the price of \$305,000 (GST inclusive) subject to the trustees meeting the costs of the survey and legal work to be undertaken on their behalf by the Council.
2. That a design be prepared for the area, utilising existing public submissions, and comments on the design be invited via a further leaflet to local residents and interested groups.

Recommendation: That the Wakefield Avenue land be purchased from the Church Property trustees for reserve purposes at the price of \$305,000 (GST inclusive) subject to:

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1. The trustees meeting the costs of the survey and legal work to be undertaken on their behalf by the Council.
2. The filling of the site to the standard specified by the Parks Manager being at no cost to the Council.
3. The reserve design plan providing for full utilisation of the reserve for a range of recreation purposes.

2. TAYLORS MISTAKE - CAR PARK

RR 7231

Officer responsible Parks Manager	Author Chris Freeman, Parks Planning Team Leader
Corporate Plan Output: Parks Plans and Policy Statements	

The purpose of this report is to address a number of concerns relating to the Taylors Mistake car park.

The report was originally submitted to the March meeting of the Committee. At that meeting, representatives of the Taylors Mistake Association and the Save the Bay Group addressed the Committee regarding the access track across Taylors Mistake Reserve and the proposed improvements to the Taylors Mistake car park. The Committee appointed a sub-committee comprising the Chairman, Councillors Cox, Manning, Sheriff and the Ferrymead members of the Hagley/Ferrymead Community Board to meet on site with representatives of the two groups. The meeting took place on Tuesday 7 April 1998.

BACKGROUND

In August 1997 the Taylors Mistake Association Inc (bach owners) raised concerns over the state of the access road to the overflow car park (and their baches). An inspection by Council staff in September found the access road to be in very poor condition. Large pot holes and major erosion had made the accessway largely unusable and vehicles had deviated from the track and formed another route beside the old eroded track. The whole area was an unsightly mess and made use of the car park and bach access route very difficult. With the onset of summer it was decided to clean up the area and shingle the access road to ensure a reasonable standard of access was available for summer vehicle use.

The access road and overflow car park area was also being used by 'hoons' doing 'wheelies' on the access road and overflow car park area and it was obvious that vehicle access to the area would need to be addressed more comprehensively later.

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A clean up and filling of the eroded access road was undertaken in October 1997, following which support was received from the Taylors Mistake Association and disapproval from the Save the Bay group (residents and beach users).

The staff concern to keep the access road and overflow car park usable for summer for all beach goers had once more started a controversy. The access road issue had been an issue four years before and following some deliberations at that time, the Council had decided to remove the shingle placed at that time by bach owners but to do nothing else. This had resulted in further erosion of the road to a point where an alternative access route was being used and considerable damage to the grass reserve area.

DEPUTATION TO THE HAGLEY FERRYMEAD COMMUNITY BOARD

The Hagley/Ferrymead Community Board at its 25 November meeting in 1997 received a deputation and considered correspondence from Mr Jonathan Gillard, representing Save the Bay Group.

Mr Gillard objected to the recent re-metalling and upgrading of the track across reserve land which provides access to the baches on Rotten Row. Mr Gillard requested that the shingle be removed, the road be dug up and the track grassed and allowed to revert to its natural state.

The Board, after discussion on the matter, decided to recommend to this Committee:

1. That as the upgrading of the track was contrary to the Council's previous decision, the base course and shingle be removed.
2. That the gate be reinstated to its original position.
3. That \$5,000 from the Taylors Mistake beach park budget be used for the installation of the gate and bollard type fencing.
4. That the material cleared off the track be used to upgrade the existing car park and the road up to the proposed gate.
5. That the proposed improvements to the car park be endorsed and that the works be implemented as soon as is practicable.

At a subsequent meeting the Board had received a deputation from Mr Jim Turpin of the Taylors Mistake Association supporting the action taken by Coast Care and criticising the Board for making a decision without hearing both points of view.

TAYLORS MISTAKE CAR PARK

The present Taylors Mistake Beach Park car park is years old and is poorly designed to cope with the current use. Its shape reflects the old legal road and ignores the existence of a large reserve acquired up the valley floor.

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The poor design gives rise to a number of problems:

- (a) unsuitable surface - dust nuisance to people;
- (b) dust covers plants, unsightly/affects growth;
- (c) lack of pedestrian access/direction to beach;
- (d) lack of shade and shelter;
- (e) lack of picnic areas;
- (f) invites antisocial behaviour - graffiti
 - broken structures/post and rails
 - cut fencing wire
 - damage to vegetation
 - nuisance to residents
 - late night car activities
- (g) high maintenance cost;
- (h) complaints from residents and visitors.



1 Uncontrolled traffic flow



2 Broken posts and rails



3 Vehicle damage in reserve



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The 1992 Christchurch Beaches and Coastal Parks Management Plan included policies relating to the need to redevelop the shingle car park and grassed overflow area. Coast Care have proceeded with design work and costings for the redevelopment and on 19 November 1997 reached general agreement with 36 members of Taylors Mistake Coast Care group as to the form the redeveloped car park should take, a draft concept is tabled. This design plan will still need to be advertised for wider public debate through submission and hearing processes. The car park will also need to be approved by the Department of Conservation as a viable use of reserve land.

At the on site meeting on 7 April the need to upgrade the car park was acknowledged and all present endorsed the Chairman's suggestion that the funding provided in 1999/2000 for the project be brought forward to 1998/99.

PRIVATE VEHICLE ACCESS

The use of reserve land for private vehicle access to the rural valley land and/or the baches on unformed legal road requires right of way easement is approved under Section 48 of the Reserves Act 1977. The necessity for such an easement is unclear until road stopping and City Plan issues have been finally resolved at the Environmental Court.

Most of the shingle road currently serves an access function for park users using the overflow car park and needs to remain until an alternative is developed. Bach owners access was once limited to walking, but as the use of the overflow car park developed with its vesting as reserve their use of the reserve has increased. The installation of a gate in about 1990 further encouraged use. The sub-committee believes that this access should be discontinued and the shingle road removed in conjunction with the car park upgrade.

CONCLUSION

The existing car park at Taylors Mistake is one of the worst in any city park, and needs to be comprehensively redesigned to provide reasonable standard car park for this important beach park. The design plan provides for wheelchair access across the reserve to the beach.

The shingle placed on the access road to the overflow car park was a short term measure which has improved access for this summer, but does not conform to the new car park design being promoted.

Access for private vehicles through the reserve for rural land owners or bach owners, is not permitted without an easement, and any need for an easement depends on road stopping and the fate of the baches.

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The planning and construction of a new layout for the Taylors Mistake car park needs to be addressed prior to summer 1998.

Budget provision has been made in the 1997/98 Annual Plan with \$10,000 being available to start the project. A further \$40,000 will be provided in 1998/99. We believe this will be sufficient to start the project and complete most of the car park formation for the summer of 1998. Further provision of \$20,000 will be required to complete the car park in February/March 1999 and this will be available from the capital programme by either reallocation of projects or additional drawdown from the cash in lieu account.

All gates, fences and shingle roads need to be redeveloped/relocated in accordance to an approved car park/reserve design plan.

The gate on the reserve/private rural land boundary, should be locked and access through the reserve controlled by normal parks approvals for occasional access by neighbours, ie bonded and regulated by staff.

LEGAL OPINION

A legal opinion from the Legal Services Manager on the access road and car park issues was circulated to Councillors with the March agenda.

- Recommendation:**
1. That the proposed improvements to the Taylors Mistake car park be endorsed and following a notified planning process the new design be implemented prior to summer 1998.
 2. That the Parks Unit proceed with obtaining the Department of Conservation's approval for the overflow car park and proceed with construction once approval has been granted.
 3. That all fences, cattle stops and the shingle road be removed or relocated as part of the Taylors Mistake car park/reserve plan's implementation.

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3. APPLICATION FOR EASEMENT OVER CORFE RESERVE

RR 7263

Officer responsible Parks Manager	Author Property Services Officer, Bill Morgan 3/8/179
Corporate Plan Output: Neighbourhood Reserves - Parks Unit	

PURPOSE OF REPORT

An application has been received from the owner of 70B Avonhead Road for a stormwater and sewer easement through Corfe Reserve to service a five lot subdivision being undertaken on his property. As the land is subject to the Reserves Act 1977 it will be necessary to obtain the Council's consent in accordance with Section 48 of the Act to the proposed easement.

PROPOSAL

As indicated above, the Council has been approached by the owner of the property situated at 70B Avonhead Road to acquire easements over Corfe Reserve and these are depicted on the attached plan as parcels "N" and "P" which will service the five lots of the proposed subdivision. At the present time an existing stormwater easement runs along the western boundary to the reserve and the application is to connect the subdivision to the stormwater outfall across the area as depicted as parcel "N". In addition, consent is sought to run the sanitary sewer along the southern boundary of the reserve to connect with the outfall in Tripp Place. This is shown as parcel "P" on the plan. While the sanitary sewer line will service a private subdivision, it should be noted that because the pipe exceeds 150mm diameter the Council will accept responsibility for its maintenance up to the property boundary and as such an easement will not be required over the line although the Council's approval is required to allow it to be installed across the reserve.

In considering the application the developer was asked to consider alternative proposals but none of these are viable given that the agreement of seven private owners would be required to locate the pipelines through their properties. Tripp Place and the reserve run along the southern side of the Avon River, the reserve being on the northern side of Tripp Place and Corfe Street. The proposed sanitary sewer is located to the southern side of the reserve and along the northern boundary of the property located at 6 Tripp Place. The reserve along this boundary is currently unplanted, is level in contour and can easily be reinstated to its present condition following the completion of the works. This matter has been discussed with the adjoining owner who has no objections to the proposal.

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Given that the proposed easements present the developer with the least line of resistance and are a cheaper option, the Council engaged the services of Ford Baker, Registered Public Valuers, to assess the compensation payable for the easement. A sum of \$9,500 including GST has been assessed and accepted by the owners. In addition the applicants are to meet all survey and legal costs associated with the granting of the easement and will be required to restore the ground to its original condition following completion of the works.

As the proposal will not materially alter or permanently damage the reserve it is not necessary to publicly advertise the intention and given that the Council will assume responsibility for the future maintenance of the pipeline through parcel "P" once it has been laid the advertising requirements of the Reserves Act can be dispensed with. The Department of Conservation's consent will still, however, be required and is currently being applied for, subject of course, to the Council's agreement being obtained.

This report has been referred to the Riccarton/Wigram Community Board for information.

- Recommendation:**
1. That the Council consent to the granting of an easement to drain stormwater over parcel "N" depicted on the attached plan.
 2. That approval be given for the laying of the sanitary sewer pipeline across parcel "P" on the attached plan.
 3. That all work be undertaken under the supervision of the Parks Unit and that the ground be restored to its original condition following completion of the works.
 4. That the developers pay the sum of \$9,500 including GST for the easement as well as meeting all legal and survey costs associated with its creation.
 5. That the Department of Conservation's consent be obtained to the easement.

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4. ASCOT GOLF COURSE DRIVING RANGE

RR 7243

Officer responsible LACSU Manager	Author Property Services Officer, Lewis Burn
Corporate Plan Output: Golf Courses - leased, QEII Golf Parking	

The purpose of this report is to put before the Council an application to assign the lease of the Ascot Golf Course and Driving Range, QEII Park.

INTRODUCTION/BACKGROUND

NZ Premier Golf Ranges Limited, an Auckland based company, hold the lease of the Ascot Golf Course and adjacent driving range. The lease commenced on 1 November 1993 and runs until 31 October 2012. The rental for the golf course and driving range facility is turnover based with the base rent paid to 31 March 1998. The restaurant (Trundlers Café) in the administration building is sub-leased, this agreement providing for, with the consent of the Council, the operation of a function centre which is open Sunday to Wednesday to 12.00 midnight and Thursday to Saturday to 3.00 am.

The lessee has applied to the Council to transfer its leasehold interest to S W Jang Investments Limited, a company incorporated in Christchurch. It is understood that the sale of the business is part of a general commercial consolidation by New Zealand Premier Golf Ranges Limited for the purposes of further investment and not in any way related to the performance of the QEII golfing facility. The lease provides for an assignment with the prior written consent of the Council, provided conditions relating to character, financial resources, business experience, guarantees, costs and performance of lease covenants are fulfilled.

PROPOSED ASSIGNEE

The proposed transferee company, S W Jang Investments Limited, was incorporated under the Companies Act 1993 on 2 July 1997, having its registered office in Christchurch. A company search is held. Mr Seung Woo Jang is the sole shareholder and governing director. The company is to part finance the purchase of the lease by borrowing against presently unencumbered freehold properties in Christchurch. Although Mr Jang has substantial business investments in Korea, the New Zealand investments (including purchase of the lease) are to be treated on a stand alone basis financed independent of the Korean investments. It is understood Mr Jang is to make further investment in New Zealand with a genuine desire to become a permanent resident.

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Mr Jang has appointed Mr David Cho, a Korean who has permanent residence in New Zealand, as his General Manager who will personally oversee the operation of the golf course and driving range.

Personal Profiles

Mr Seung Woo Jang is 35 years of age married with a young family and currently resides in Seoul. He holds a Bachelors Degree in Engineering from the University of Yonsei Seoul and a Masters Degree in Management Information Systems from the Academy of the University of Southern California, USA. Mr Jang is a regular visitor to Christchurch and apparently intends to eventually settle with his family in Christchurch as soon as transitional business arrangements allow.

Mr D K Cho, a resident with family in Christchurch, is a retired Korean Air Force Officer, who moved to New Zealand in 1994. Mr Cho is a keen golfer and during his time as base Commander at the Seoul Air Force he designed and oversaw the construction of a nine hole golf course at the base which he personally managed. This facility it is understood has been very successful and has become highly sought after by both the base personnel and residents of Seoul. Mr Cho holds a degree of Master of Administration from the Yun Sei University in Seoul and at one time was the personal pilot for the President of Korea.

Creditworthiness/Character

Statements are held from Archer Polson Rattray, Solicitors, and Clifford Chan & Co, chartered accountants, testifying to the character and financial position of Mr Jang. It is evident that Mr Jang has substantial and successful business interests in Korea as well as commercial and residential property in Christchurch and that the company is well placed financially to purchase the business and meet the financial obligations of the lease. References from his bank and Whittle Knight, real estate agents, speak highly of Mr Jang's integrity, honesty, business acumen and financial standing. Full financial details of the transaction along with detail of Mr Jang's investments are held and while not disclosed in this report for reasons of confidentiality can be made available to Councillors on request. The Leisure and Community Services Manager, Alistair Graham, and the Property Services Officer, Lewis Burn, have met with Mr Cho and his solicitor, Mr Polson, and have emphasised the special provisions of the lease that require a close working relationship between the Council and tenant. The solicitor has indicated that his client fully understands these provisions and he will continue to co-operate with Council to explore new opportunities to enhance and improve various aspects of the operation. It is understood that the current staffing will remain in place and that Mr Jang will on confirmation of all consents chair a meeting of the company, staff employees and if required appropriate Council officers to ensure a smooth transition.

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Overseas Investment Commission

The approval of the OIC is required and as at the date of writing this report the advice from the purchaser's solicitor is that the application is proceeding favourably. A deed of assignment incorporating a covenant and the personal guarantee of Mr Jang to perform the terms and conditions of the lease is to be delivered to the Council on confirmation that the consent of the OIC has been granted.

CONCLUSION

As the assignment conditions of the lease will be fulfilled on receipt of the Deed of Assignment it is recommended that the transfer of the lease be approved.

Recommendation: That the Council approve an assignment of the lease of the Ascot Golf Course and Driving Range from New Zealand Premier Golf Ranges Limited to S W Jang Investments Limited subject to:

1. The consent of the Overseas Investment Commission being granted.
2. A deed of assignment being executed by the parties and delivered to the Council to incorporate a covenant and the personal guarantee of Mr Jang as governing director of the transferee company to perform the terms and conditions of the lease.
3. All costs associated with the application being met between vendor/purchaser.

**5. SPENCER PARK APPLICATION TO RELOCATE
ADDITIONAL BUILDING**

RR 7425

Officer responsible Leisure & Community Services Manager	Author Lyll Matchett
Corporate Plan Output: Camping Grounds: Leased Spencer Park	

The purpose of this report is to seek Council's approval for the lessee, Mr T Inwood, to place an additional building at Spencer Park Camping Ground.

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In accordance with clause 20.1 of the lease agreement, Mr Inwood is required to obtain the landlord's written consent to place additional building or structures on the premises.

An application has been received to place a modern aluminium clad building on the camping ground near the main amenity block. This building is 13.5 metres long and 4.5 metres wide and will be used for additional self contained accommodation.

Photos have been provided of the building and will be tabled at the meeting. A copy of the site plan for the building is tabled. No trees are affected by the siting of the building.

Recommendation: That approval be granted for the lessee, Mr T Inwood, to place the additional building, as detailed in the application, at Spencer Park Camping Ground in accordance with clause 20.1 of the lease agreement, subject to appropriate consents being obtained.

6. EVENTS FUNDING POLICY

RR 6955

Officer responsible Communications and Promotions Manager	Authors Susan Selway and Julie Battersby
Corporate Plan Output: Events and Festivals: Vol II pp 7.5 text 4	

The purpose of this report is to recommend an amendment to the Council's policy for funding of Festivals and Events. At the March meeting of the Council the policy was referred back to the Committee for amendment to allow flexibility in evaluation of the core funded festivals to ensure we continue to meet the needs of the community. The guidelines for implementation were discussed by the Committee at its March 1998 meeting.

BACKGROUND

A number of recommendations relating to festival and event funding were adopted by Council in June 1997, including a policy for festivals and events funding.

In addition, the Council also agreed the following:

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- (i) *That festivals receiving core funding in the 1997/98 Annual Plan are given funding on a three year rolling basis subject to satisfactorily meeting Council objectives, as defined in its evaluation and monitoring strategy.*
- (ii) *That the first formal evaluation after twelve months be used to assess festivals funding for the next three year period and applied annually thereafter.*
- (iii) *That the Communications and Promotions Unit consult with the events industry in relation to the strategy for monitoring and evaluation of festivals and events.*

CONSULTATION

Consultation has taken place with members of the industry and issues raised relating to the implementation strategy have been addressed.

FESTIVALS AND EVENTS FUNDING POLICY

The amendments to the policy are presented in bold italics below.

**CHRISTCHURCH CITY COUNCIL
FESTIVALS AND EVENTS POLICY**

The Christchurch City Council is committed to a lively and dynamic city which is enhanced by a range of events and festivals that:

- increase the well-being of residents
- attract economic benefits through growth in the number and length of stay of visitors
- promote the establishment of industry related business activity and employment opportunities for residents
- ***maintain Christchurch's position as a leader in events***

The outcomes of this policy will be to:

- meet the needs of residents and visitors for enjoyment, sport, recreation, art and culture
- promote healthy lifestyles of residents through participation in events;
- provide a great place to live where residents are provided with both free and paid entertainment of a standard that meets or exceeds their expectations
- improve residents and visitors understanding of the cultural diversity of the city

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- enhance the Unique Identity (as described in the Council's strategic objectives of Christchurch, both nationally and internationally)
- grow business in the city in related industries
- provide employment opportunities for technical, artistic and sports related residents
- provide related Christchurch businesses with the opportunity to expand their products and/or services into other parts of New Zealand and internationally
- increase the number and length of stay of visitors to the city; and
- improve the understanding and respect for Christchurch both nationally and internationally
- ***maintain a vibrant and dynamic calendar which encourages cutting edge events***

The roles the Council will have in this policy are:

- provider: directly organising and funding festivals and events
- funder: providing financial resources to external events providers
- advocate: representing the interests of the local events industry
- evaluation: measuring the success of Council funded events and festivals
- monitoring: observing quality and delivery of Council funded events and festivals
- resource facilitation and provision: providing an events advisory service ***and co-ordination of*** the events industry
- promoter: generically promoting the Christchurch calendar of events and festivals
- ***encouraging: creativity, spontaneity, innovation and fun in events management***

The guidelines for implementation of the policy have been developed and are tabled for information.

- Recommendation:**
1. That the report be received.
 2. That the Council adopt the amendments to the Festivals and Events Funding Policy identified in this report.
 3. That in the evaluation and monitoring of events and festivals, the system developed by KPMG be used as a guideline only.

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PART B - REPORTS FOR INFORMATION

7. DEPUTATIONS BY APPOINTMENT

(a) PROPOSED INTRODUCTION OF CARP TO VICTORIA LAKE, ALBERT LAKE AND KIOSK LAKE - HAGLEY PARK

Ms Eugenie Sage and Ms Shelley McMurtrie of the Royal Forest and Bird Protection Society made submissions strongly opposing the proposal to release grass carp into the Hagley Park lakes for the following reasons:

- Grass carp are highly adaptive and may be able to breed in New Zealand.
- If grass carp became established in the wild they could be a major threat to native aquatic plants, invertebrates, fish and aquatic eco-systems.
- Containment of the fish in the lakes could not be guaranteed as both Victoria and Kiosk Lakes have outflows into the Avon River.
- Release of the species in Christchurch would be ecologically irresponsible in terms of putting other waterways in the region and the rest of the South Island at risk.

The deputation urged a cautionary approach because of the lack of information about grass carp's effects on indigenous eco-systems and advocated the use of other well established and less risky options to reduce weed growth including:

- Planting more riparian vegetation to reduce light and water temperature and trap and filter nutrient enriched run-off from duck and dog faeces, and fertilisers used on the golf course and grass areas.
- Mechanical or hand removal of weed. It was advised that weed problems in Lake Rotorua had been significantly reduced by six monthly manual removal of weeds.
- Reducing fertiliser use on golf course and grass to reduce nutrient inflows.

(b) MINI GOLF COURSE PROPOSAL, HAGLEY PARK

Mr Stephen Godfrey presented a proposal for the development and operation a miniature golf course in Hagley Park adjacent to Lake Victoria.

The Committee referred the proposal to the Parks Manager for investigation and report back to an early meeting of the Committee.

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(c) **SUMNER CROQUET CLUB LAND**

Mr John Freeman addressed the Committee in support of the proposal to purchase the above land for recreation purposes.

8. PROPOSAL TO RELEASE GRASS CARP AND SILVER CARP INTO VICTORIA LAKE, ALBERT LAKE AND KIOSK LAKE - HAGLEY PARK

RR 7466

The Parks Manager submitted a report backgrounding the application which had been made to the Department of Conservation for consent to release grass carp and silver carp into the above lakes.

However, in view of the risks associated with using this form of weed control identified in the Royal Forest and Bird Protection Society's submission, the Committee agreed that the weed problem should be managed by using the existing control method and trialing the additional techniques suggested by the deputation and outlined in clause 7(a) above.

The Committee **decided** that the application lodged with the Department of Conservation for consent to release grass carp and silver carp into the Hagley Park lakes be withdrawn.

9. CHRISTCHURCH KART CLUB

RR 7428

The Parks Manager reported, recommending that an application from the Christchurch Kart Club to extend its raceway at Carrs Road be approved. The report also recommended that the Carrs Road Raceway Sub-Committee be reconstituted to facilitate discussions with representatives from the local Residents' Association, the Kart Club and Fulton Hogan to consider a relocation strategy for the Christchurch Kart Club.

The Committee **decided** that the Carrs Road Raceway Sub-Committee be reconstituted to consider the application to extend and upgrade the raceway at Carrs Road and to reconsider the relocation strategy.

10. PERFORMANCE OF ASSOCIATIONS RENTING LEASED FACILITIES

RR 7424

The Leisure and Community Services Manager submitted a report updating the Committee on the financial performance of the three Associations which lease Council facilities at Cuthberts Green, Porritt Park and English Park.

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The report was prepared in response to a request from the Committee following the September 1997 Council decision to reduce rentals for two years.

The Committee **received** the report and **decided** that the matter be again reported to the Committee in March 1999.

11. ITEM RECEIVED

**11.1 International Paralympic World Swimming Championships,
QEII Sport and Leisure Complex - 12-17 October 1998** RR 7426

The Committee **received** a report from the Leisure and Community Services Manager on progress to date on the organisation of the International Paralympic World Swimming Championships which will be held at Queen Elizabeth II Park from 12 to 17 October 1998.

This event, which was last held in Malta in 1998, drew 500 competitors from 45 nations. The Christchurch event promises to be even more successful as, to date, over 900 athletes and officials have expressed their intention to participate in the championships.

12. ITEM DEFERRED

12.1 Showtime Canterbury Economic Impact Study RR 7422

The Committee **deferred** consideration of the above report. The report was presented to a special meeting of the Committee held on 21 April.

**PART C - REPORT ON DELEGATED DECISIONS
TAKEN BY THE COMMITTEE**

**13. SUPPLEMENTARY ITEM
TAYLORS MISTAKE - CAR PARK** RR 7231

The Chairman sought approval to introduce a supplementary report on the above topic at the present meeting. The reasons why the report was not on the main agenda and why the matter could not wait for the next meeting of the Committee were set out in the report.

It was **resolved** that the report be received for consideration at the present meeting.

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14. RESOLUTION TO EXCLUDE THE PUBLIC

The Committee **resolved:**

1. That the draft resolution to exclude the public set out on page 24 of the agenda be adopted.
2. That clause 9 relating to the Ascot Golf Course Driving Range and the associated deputation be considered while the public is excluded from the meeting pursuant to section 7(2)(b)(ii) of the Local Government Official Information and Meetings Act 1987.
3. That Mr James Draper, New Zealand Premier Golf Ranges Limited, Mr Ivan Polson of Archer Polson and Rattray, Solicitors, and Mr Gill Knight be permitted to remain at the meeting while the public is excluded to assist the Committee in their deliberations on the application from New Zealand Premier Golf Ranges Limited to assign the Ascot Golf Course and Driving Range lease to S W Jang Investments Limited.

CONSIDERED THIS 22ND DAY OF APRIL 1998

MAYOR

22. 4. 98

**PARKS AND RECREATION COMMITTEE
8 APRIL 1998**

PUBLIC EXCLUDED

**A meeting of the Parks and Recreation Committee
was held on Wednesday 8 April 1998 at 4.00 pm**

PRESENT: Councillor Gail Sheriff (in the chair),
Councillors Carole Anderton, Graham Berry,
David Buist, Graham Condon, David Cox, and
Ishwar Ganda.

IN ATTENDANCE: Councillor Ron Wright.

Note: Councillor Freeman retired from the meeting
at 5.55 pm, prior to the exclusion of the public.

The Committee reports that:

PART A - MATTERS REQUIRING A COUNCIL DECISION (Cont'd)

15. QEII FUN PARK - LEASING ISSUES

Section 7(2)(i)
RR 7436

Officer responsible Leisure and Community Services Manager	Author Alan Direen, Manager QEII Lewis Burn Property Services Officer
Corporate Plan Output: QEII Fun Park	

BACKGROUND

The Leisure and Community Services Manager reported to the February meeting of the Committee seeking confirmation of the leasing arrangements for the QEII Fun Park.

At that meeting the Committee deferred consideration of the report and requested that the Manager, QEII Park, report back on alternative uses for the land area occupied by the Fun Park. This report was submitted to the March meeting of the Parks and Recreation Committee.

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LEGAL OPINION

The Legal Services Unit has confirmed that binding lease arrangements are in place, as per the table set out below:

Tenant	Attraction	Lease Comm.	Term Expiry	Renewal	Current Review Date	Final Expiry
Drivetime Raceway Limited	Vintage Cars	1/6/85	31/5/95	3 x 3 yrs	(2 yr review) 1/6/97	31/5/2004
	Grand Prix	1/6/85	31/5/95	3 x 3 yrs	1/6/97	31/5/2004
	Supa (Dry) Slide	1/6/95	31/5/98	2 x 3 yrs	1/6/98	31/5/2004
	Jiggers	1/6/95	31/5/98	2 x 3 yrs	1/6/98	31/5/2004
I G Hoskin & Y M Van Grinsven	Maze	15/12/83	14/12/94	2 x 4 + 2	15/12/97	14/12/2004
Driveworld Enterprises Limited	Cars/trucks/ aeroballs/ bikes Dodgems	15/12/83 Monthly lease	14/12/94	2 x 4 + 2	15/12/98	14/12/2004
Gold 'N' Sails Limited	Mini Golf	15/12/83	14/12/97	1 x 7 yrs	15/12/97	14/12/2004
	Fun boats Food Kiosk	15/12/83 Monthly lease	14/12/97	1 x 7 yrs	15/12/97	14/12/2004
I D Sandford *	Big Little Railway	1/8/97	31/7/2000	1 x 4 yrs + five months	N/A	31/12/2004

* Note: The tenant has requested a surrender of this lease, so that the lease terminates on 31 January 1998

In the case of the Dodgems and the Food Kiosk, these leases may be terminated by either the Council or the Operator giving one month's notice.

In the case of all other attractions, the position is essentially that the leases will run to 2004 unless:

- (a) the tenant elects not to exercise its right(s) of renewal; or
- (b) the tenant and the Council both agree to an earlier lease termination date; or
- (c) the Council terminates the lease upon the grounds that there is a significant breach of the lease by the tenant (eg failure to pay rent for a significant period of time).

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The Council cannot unilaterally convert the above leasing arrangements to a monthly tenancy, nor can it refuse to grant renewals where the lease document gives the tenant the right to a renewal and the tenant has complied with all conditions associated with that renewal.

With the exception of the Big Little Railway, the Legal Services Unit has advised that it is not aware of any outstanding breaches that would:

- (a) give the Council sufficient grounds to terminate the leases at this time;
- (b) be sufficient for the Council to refuse renewals of leases.

BIG LITTLE RAILWAY

The operator gave notice on January 6 1998 of his intention to withdraw from QEII. This attraction was closed down on 2 February 1998 and the site has been vacated. For the purposes of closing the rent account it is proposed that the lease be formally surrendered as at 31 January 1998.

PRESENT SITUATION

Substantial improvement has been made in recent times to the overall appearance and presentation of the Fun Park both by the Council and the lessee/operators.

Health and safety matters have been addressed and remedied. The lessees have a right to a renewal of their contracts and renewal action needs to be completed to tidy up the documentation until the contracts run out in 2004. The new lease agreements will put the operators on common performance conditions while reflecting the operational requirements of Council during the remaining term that the lessees are legally entitled to occupation.

FUTURE DEVELOPMENT

As requested, the QEII Park Manager has looked at alternative uses for the area presently occupied by the Fun Park. The report identified a number of possible opportunities for alternative uses of this area including sealed car parking, sports training, accommodation, aquatic facility, sports grounds, all weather athletic track, velodrome, indoor training centre and tennis courts. However, none of these options can be implemented until the expiry or earlier termination of the leases.

RECOMMENDATION

Accordingly, it is recommended:

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1. That Council authorise the Property Manager in consultation with the Leisure and Community Services Manager to negotiate and finalise with the existing operators, lease/tenancies at fixed rentals on the following basis:
 - (a) Drivetime Raceway Limited (Vintage Cars, Grand Prix, Jiggers and Supa Slide).

A lease to commence from 1 January 1998 and terminating on 1 June 2004.
 - (b) Golf 'N' Sails Limited (Mini Golf and Bumper Boats).
 - (i) A lease to commence from 1 January 1998 and terminating on 15 December 2004.
 - (ii) A month to month tenancy of the food kiosk to commence from 1 January 1998.
 - (c) I G Hoskin and Y M van Grinsven (Maze).

A lease to commence 1 January 1998 and terminating on 15 December 2004.
 - (d) Driveworld Enterprises Limited (Bumper Boats, Trucks, Aeroball, Bikes and Dodgems).
 - (i) A lease to commence from 1 January 1998 and terminating on 15 December 2004.
 - (ii) A month to month tenancy of the dodgems (as the operator under a management agreement from the owner, Mahon) to commence from 1 January 1998.
2. That subject to 1. the Council accept a surrender of existing lease arrangements as at 31 December 1997. The lease of the Big Little Railway being surrendered as at 31/1/98.
3. That the operators of the food kiosk and dodgems meet the Council's legal costs in preparing and issuing the tenancy.
4. That where new leases are to be issued in place of existing leasing arrangements the legal costs associated with issuing the new leases and Deeds of Surrender be shared equally between the Council and the lessees.

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LEGAL COMMENTS

In considering the above report, the Committee sought advice from Karilyn Shutt of the Legal Services Unit regarding the options available to the Council for terminating the leases. The Committee endorsed the course of action recommended by Karilyn Shutt, ie that the Property Unit should renew the leases which the Council is legally obliged to renew anyway and, **at the same time**, endeavour to renegotiate the terms and conditions of the leases so that they are more favourable to the Council. It was recommended that Council staff carry out negotiations to have new leases put in place which are for a shorter term than the existing lease arrangements, include wider termination clauses and contain common performance conditions.

- Recommendation:**
1. That the leases which the Council is legally obliged to renew be formally renewed.
 2. That the Leisure and Community Services Manager report back to the Committee on the appropriate timing for giving notice to terminate the monthly tenancies for the Food Kiosk and the Dodgems.
 3. The lease of the Big Little Railway be surrendered as at 31 January 1998.

PART B - REPORTS FOR INFORMATION (Cont'd)

16. DEPUTATIONS BY APPOINTMENT

QEII PARK - GOLF DRIVING RANGE AND ASCOT GOLF PARK RR 7243

Mr James Draper, New Zealand Premier Golf Ranges Limited, Mr Ivan Polson of Archer Polson and Rattray, Solicitors, and Mr Gill Knight addressed the Committee in support of the application from New Zealand Premier Golf Ranges Limited to assign the above lease to S W Jang Investments Limited.

Mr Draper advised that the company had decided to sell the business to release funds to finance the further development of their Auckland golf driving ranges.

The meeting concluded at 6.50 pm

CONSIDERED THIS 22ND DAY OF APRIL 1998

22. 4. 98

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MAYOR