

## 5. AURORA CENTRE - APPROVAL OF LICENCE TERMS



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Corporate Plan Output: Legal Advice	

The purpose of this report is to propose a course of action to expedite the approval of the legal documentation for the Aurora Centre.

Councillors will recall that there is in the current Annual Plan \$500,000 to be provided as a grant by the Council to the construction of the Aurora Centre for the Performing Arts to be situated on the grounds at Burnside High School. Additional sums have also been committed by the Waimairi District Council and the Fendalton/Waimairi Community Board so that the total sum is approximately \$720,000.

In March 1998 the Council resolved to appoint three trustees onto the Aurora Trust Board following consultation with the Fendalton/Waimairi Community Board and that one of those trustees be a City Councillor.

It is my understanding that the Council has provided its sum of \$500,000 in its Annual Plan towards the construction of the Aurora Centre on the basis that there is ongoing community use of the centre when built.

At the present time the legal documentation for the centre's occupation of the school land is still being finalised between the Ministry of Education, the Burnside High School Board of Trustees and solicitors acting on behalf of the Aurora Centre Trust. That documentation would also include reference to the community use of the centre.

Solicitors acting for the Trust have advised that there is to be a registered lease for a term of 50 years between the Board of Trustees and the Trust itself, and included in that lease will be car parking and access rights. There will also be a licence from the Trust to the school detailing the trust the school's right to use the centre.

Council officers have made it clear to the trust that the funding from City Council sources will not be paid over to the trust until the signed copies of those documents have been sighted by Council officers and the Council is satisfied as to the rights reserved for community use of the building.

To expedite the Council's approval of the legal documentation, authority is now sought from the Council for the Director of Finance and the Legal Services Manager to approve the legal documents on behalf of the Council as to provisions for ongoing community use and that upon that approval being given, the officers be authorised to make the payment of the grant.

**Recommendation:** That the Director of Finance and the Legal Services Manager be authorised to approve the legal documentation in relation to the Aurora Centre Trust Board and upon their approval being given, to authorise payment of the grant to the Board.