

6. BOTTLE LAKE - LEASE APPLICATION BY NELSON/MARLBOROUGH INSTITUTE OF TECHNOLOGY

Officer responsible Parks and Waterways Manager	Author John Allen - Policy and Leasing Administrator, DDI 371-1699
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The purpose of this report is to consider an application by the Nelson/Marlborough Institute of Technology to lease approximately 1,225 square metres of Bottle Lake Forest Park for a Forestry Training School.

THE SITE

It is proposed to locate the school behind the existing garages at the Bottle Lake Forest Park headquarters, in a position clear of the normal and emergency fire operational areas (refer attached plan). The Institute proposes to locate three buildings on the site. The buildings will be painted and the surrounding site will be landscaped to integrate the development into the forest headquarters site.

The largest building (approximately 200m²) will be located on the road frontage of the site. It will contain two classrooms, common room, toilet and locker room. There will be a smaller office/resources building, approximately 30m² in area, in the centre of the site. A garage (approximately 120m² in area) will be situated on the eastern boundary of the leased area.

Six car parks for staff and other visitors will be located behind the existing garages, on the northern boundary of the proposed lease area. A sealed area will be located between the car park and garage area to allow for manoeuvring of vehicles servicing the complex.

HISTORY

A licence agreement was signed between the Christchurch City Council (Property Manager) and the Nelson/Marlborough Institute of Technology to use the present mill office for the initial establishment of the training school at Bottle Lake Forest Park for the period from 1 February 2000 until 31 December 2000.

Since its establishment, the school has proved successful. Courses have been set up to train workers for forestry contract work to National Certificate level. Courses have also been run under the TOPS Training Scheme to give prerequisite training to students, enabling them to undertake further training in forestry contract work. A breakdown of programmes/courses currently running or due to commence within the next six months will be tabled. At present, space constraints limit the courses able to be offered by the Institute to prospective students, hence the application to establish a larger school on the site.

This proposal is the culmination of several months' work by Council and Institute staff. Various issues have been discussed in depth. The size of the proposed school was considered to ensure that it could be adequately integrated into the site and not interfere with other operational and recreational activities in the area. The Institute has stated that this is the maximum size required for the school for the ten-year lease period that has been applied for.

Discussions have also been held with the Selwyn Plantation Board, the owners of the trees in the forest. The Board has granted permission to use the trees in the forest for training purposes by staff teaching students.

The Christchurch Polytechnic and the Institute have discussed the proposal to ensure that the scheme being offered by the institute does not replicate plans the Polytechnic may have to offer a similar course in the Christchurch area. A letter has been received from the Christchurch Polytechnic, confirming support for the training courses and advising it does not intend to duplicate the training being offered by the Institute.

LEGAL ISSUES

It is proposed to lease part of RS 26529 being of 16.1874 hectares SO 2688, which has a title reference of 348/274 (owned by the Christchurch City Council as fee simple land). The land will be leased under Section 572(3) of the Local Government Act 1974 as a commercial lease. This section is not subject to Section 230 of the Local Government Act, which requires public notification of the proposal to lease the site to the Institute.

A Management Plan under the Reserves Act 1977 is in force for the management of Bottle Lake Forest Park. This area of the park is not legally bound by the provisions of the plan, because the land is not held under the provisions of the Reserves Act. The plan is silent on the issue of leasing part of the park to commercial operators such as the Institute for educational purposes. Given this use is of benefit to the citizens of Christchurch, and can be adequately accommodated at the park without conflicting with the other values and uses that the park is administered for, officers consider the application is worthy of support.

The above proposal was considered and endorsed by the Burwood/Pegasus Community Board at its meeting on 3 September 2001.

Recommendation: That, pursuant to Section 572(3) of the Local Government Act 1974, the Council grant the Nelson/Marlborough Institute of Technology a lease over approximately 1,225 square metres of Bottle Lake Forest Park for a period of five years, with one right of renewal, for the purpose of establishing a forestry training school, subject to the following conditions:

- (a) The applicant obtaining resource and building consents before any development commences on the site.
- (b) The applicant submitting a landscape plan to the Parks and Waterways Manager for approval prior to work commencing on the site.
- (c) The applicant submitting a colour scheme for the buildings for the Parks and Waterways Manager's approval, prior to commencing work on the site.
- (d) The commercial lease terms being negotiated by the Property Manager in consultation with the Parks and Waterways Policy and Leasing Administrator, taking into account the commercial nature of the applicant's proposal and the education benefits to the community.
- (e) The applicant maintaining the lease/construction area in a safe and tidy condition at all times.
- (f) All development costs, including landscaping and subsequent maintenance of the buildings, structures and associated landscaping, being the responsibility of the applicant.
- (g) Before commencing operations, the applicant producing to the Parks and Waterways Manager proof of having in place a complying Occupational Safety and Health Hazard Plan.
- (h) Before any tenders are let or work commences on the site, discussions being held with the Bottle Lake Forest Park Ranger to ascertain the Council's requirements through the development phase of the construction of the facility.
- (i) A bond of \$2,000 being paid by the applicant or successful principal contractor to the Bottle Lake Forest Park Ranger, Christchurch City Council, before work commences on the site. The bond, less any expenses incurred by the Council, to be refunded to the payee upon completion of the work.
- (j) At the end of the lease period or on termination of the lease for any reason whatsoever, the lessee being responsible for removing all structures from the site and restoring the site. Any structures left on the site are to become the property of the Christchurch City Council, with no compensation payable to the Nelson/Marlborough Institute of Technology.

(Note: The Chairman and Councillor Buist abstained from the discussion and voting on this clause. Councillor Ganda chaired this part of the meeting.)