

13. BURNSIDE PARK – BURNSIDE BOWLING CLUB – LEASE UPGRADE, AND BUILDING EXTENSION

The Board considered a report from the Policy and Leasing Administrator setting out details of an application from the Burnside Bowling Club Inc (BBC) for a new lease over its present leased area at Burnside Park along with a submission to sub-lease an area within their present lease area to Bowls Canterbury.

The accompanying report described the proposal in detail and highlighted the issues for consideration together with a number of suggested conditions should the application be approved.

The Board **resolved**:

1. That the Council grant to the Burnside Bowling Club Inc a lease over approximately 1.0260 hectares of Burnside Park, the area presently leased to BBC, being part of Lots 23 DP 19118, and 30 DP 24410, held as a recreation reserve, pursuant to section 54(1)(c) of the Reserves Act 1977 for a total period of one day less than twenty years subject to conditions (a) to (i) as detailed below:
 - (a) Public notification.
 - (b) Approval by the Minister of Conservation.
 - (c) The terms of the lease being negotiated by the Property Manager in consultation with the Parks & Waterways Policy & Leasing Administrator.
 - (d) That BBC is to take out and maintain at its own cost, at all times during the term of the lease Public Liability Insurance of not less than \$1,000,000. All such insurance shall be on terms and with such insurers as the Council may reasonably require. Proof of obtaining this insurance is to be shown to the Parks & Waterways Policy & Leasing Administrator.
 - (e) All costs associated with any development, and maintenance of all areas within the leased area are to be the responsibility of the BBC.
 - (f) That the BBC surrender its present lease once all the issues concerning the granting of a new lease have been worked through, prior to the signing of the new lease.
 - (g) That BBC at its option to have the right to apply for an extension to the non-registered lease period up to a maximum of 33 years, should the Resource Management Act 1991 be amended in the future to allow for longer unregistered lease periods.
 - (h) That should the BBC decide that it wishes to register the lease, and pay all the costs involved in this process, including the preparation of the lease in a registered form, the Council agree to the lease being registered.
 - (i) Council permission must first be obtained prior to the registering of any mortgage or other deed or instrument against the title to the land.
2. That the Council approve a sub-lease of approximately 422 square metres of the Burnside Bowling Club's leased area, as requested by the Club to Bowls Canterbury upon which to erect their administrative offices and training centre for the Canterbury Region subject to conditions (a) to (g) as detailed below:
 - (a) The sublease agreement being in the format prescribed by the Council (Council will provide a generic base document). The signatories to the agreement being BC, BBC, and the Council.
 - (b) The term of the sub-lease agreement being aligned to that of the head lease.
 - (c) BC is to obtain all necessary resource and building consents before any development commences on the site.
 - (d) The applicant is to submit a colour scheme for the proposed extension to the Parks & Waterways Manager or their designate for approval, prior to commencing work on the site.

- (e) The sublease area being maintained by BC or its contractors in a safe and tidy condition at all times.
 - (f) Before any tenders are let, or work commences on the site, discussions are to be held with the Parks and Waterways Manager's designate, the Parks & Waterways Area Advocate, Fendalton Service Centre, to ascertain the Council's requirements through the development phase of construction of the facility.
 - (g) BC is to be responsible for ensuring a minimum bond of \$2000 is paid to BBC before work commences on the site. The Bond is to be held in trust for the duration of the construction work. The bond less any expenses paid by BBC, or the Council will be refunded to the payee upon the completion of the work. The Parks & Waterways Area Advocate, is to be present at the final inspection of the completed work, and is to be in agreement with the bond being returned, before it is returned.
 - (h) BBC is to ensure that BC takes out and maintains at its own cost at all times during the term of the sub-lease public liability insurance for an amount of not less than \$1,000,000. All such insurance shall be on such terms and with such insurers as the Council may reasonably require. Proof of obtaining this insurance is to be forwarded to the Parks & Waterways Policy & Leasing Administrator.
 - (i) The sublease document is to contain all the clauses that are contained in the head lease document. For clarification the permission of the Council must first be obtained prior to a mortgage, or other deed or instrument being registered against the title of the land.
3. That the Works, Traffic and Environment Committee arrange a visit to the site for discussions with BBC regarding short and long term aspirations for their activity.

(Note: Cheryl Colley declared an interest and withdrew from the meeting during the consideration and voting on this item.)