

## 10. BURWOOD PARK BOWLING CLUB

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Transport and Greenspace Manager
<b>Author:</b>	Lewis Burn, Property Consultant

### PURPOSE OF REPORT

1. The purpose of this report is to obtain the Board's approval, under delegated authority of Council, to grant a new lease to the Burwood Park Bowling Club (2004) Incorporated of its existing premises at Burwood Park. The new lease proposed is to be granted with the contemporaneous surrender of the existing lease the initial term having expired 1 October 2006.

### EXECUTIVE SUMMARY

2. The Burwood Bowling Club was established on Burwood Park in 1958. The first formal lease with the Club was entered into in May 1987 with that lease acknowledging the use of the facilities by the Ladies Bowling Club and the Burwood Indoor Bowling Club. This lease was for a term of 21 years from 1 October 1985 and provided for perpetual rights of renewal for further terms of 21 years. The club is located along the New Brighton Road frontage and comprises a large two storeyed clubroom and an extensive bowling green area. This complex brings to the park a strong built-up component. Fortunately, it is located toward an edge of the park and does not intrude significantly into the park's open spaces (see **attachment**).
3. When the lease commenced the Council held the park for Municipal Purposes under the Local Government Act 1974. In 1992 the park was classified as a recreation reserve under the Reserves Act 1977. The Burwood Park Management Plan, which was adopted following the classification, acknowledges and provides for the use by the club facilities.
4. The present lease agreement provides for perpetually renewable terms of 21 years. It is not current practice to grant perpetually renewable leases. Agreement has been reached with the club to grant the club a lease for a further term of 11 years with two rights of renewal of 11 years each (33 years in total) on the Council's standard terms and conditions for sports clubs occupying Council land. The new lease is appropriate to reflect 1992 classification as a reserve and the reconstitution of the amalgamated club in 2004.
5. The club's total membership at June 2007 stands at 148 including 10 life members and 18 social members. The statement of financial position as at 30 April 2007 shows a surplus of \$6,148 income over expenditure with assets exceeding liability by \$143,776 including cash reserves in the order of \$30,000.
6. The club's occupation is the highest priority use of this land and no other sport or recreational use has been identified at this time as taking precedence in the public interest.

### FINANCIAL IMPLICATIONS

7. There are no financial costs for the Council. A rental is being charged in accordance with Council's charging policy for sports club ground leases. The club will be responsible for the costs of putting the new lease in place.

### Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

8. Not applicable.

## **LEGAL CONSIDERATIONS**

9. The Council, as the reserve administering body, has autonomous power under the Reserves Act 1977 to grant leases of a reserve where the lease is contemplated and provided for in a management plan. The Burwood Park Management Plan 1992 acknowledges the occupation of the club as a long established user of the park. The Plan has as a policy which says leases *shall be negotiated in accordance with Section 54 of the Reserves Act 1977 for the use of land and buildings in the park held by sports clubs or other organisations*. The power of Council to grant such leases has been delegated to the Board. Public notification of the new lease is not required in terms of Section 54 2A (a) as the proposal is in conformity with and contemplated by the management plan for the park.

## **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

10. Not applicable.

## **Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

11. Not applicable.

## **ALIGNMENT WITH STRATEGIES**

12. The continued occupation by this club of Burwood Park is generally in line with the Council's Recreation and Sports Strategy.

## **CONSULTATION FULFILMENT**

- 13 Not considered necessary as the activity is a long established existing use and the effects of the use will be the same or similar in character, intensity and scale. The area is not identified as a site of significance to Tangata Whenua in the Christchurch City Plan. Council officers have considered the Department of Conservation's obligations under Section 4 of the Conservation Act 1987 and consider that this issue does not require specific consultation with Te Rūnanga.

## **STAFF RECOMMENDATIONS**

It is recommended that the Board, acting under the delegated authority of the Council:

- (a) Grant a lease pursuant to Section 54 (1) (c) of the Reserves Act 1977 to the Burwood Park Bowling Club 2004 Incorporated of approximately 4,476 square metres for a maximum term of 33 years including renewals on the Council's standard terms and conditions for occupation of reserve land by sporting bodies.
- (b) Accept a surrender of the club's existing lease contemporaneously with the grant of the new lease.