

9. WOOLSTON PARK BOWLING CLUB INCORPORATED - WOOLSTON PARK - PROPOSED NEW LEASE IN PLACE OF EXPIRED LEASE

General Manager responsible:	General Manager City Environment, DDI 941 8608
Officer responsible:	Acting Greenspace Manager
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Hagley/Ferrymead Community Board's approval to grant a new lease to the Woolston Park Bowling Club Incorporated over their existing leased area at Woolston Park, within which they have built buildings, and developed their bowling greens.

EXECUTIVE SUMMARY

2. The lease previously granted to the Woolston Park Bowling Club Incorporated (the Club) has expired.
3. The Club has requested a new lease over their existing leased site, on which their pavilion, storage shed and greens and the surrounding area within their fenced off area is built.
4. The Club's sports ground has come through undamaged after the earthquakes. The Club indicates that there was very minor damage to the floor and walls of the pavilion not requiring an engineer's report. The Club has indicated this work has been attended to after approval by the Club's insurance assessor.
5. Council officers from the Network Planning Unit support a new lease being entered into for a period of up to 33 years, broken into three 11 year periods with rights of renewal at the end of the first two periods, subject to complying with the conditions amplified in paragraph 11 below.

FINANCIAL IMPLICATIONS

6. The total Club membership as at 23 June 2011 stood at 116, which includes one junior bowler, 85 senior bowlers, and 25 social members. Officers are of the view that the membership is of sufficient numbers to adequately support the maintenance of their present facilities, and meaningful club competition.
7. The Club has submitted copies of its audited financial accounts dating back the last five years. Officers have formed the view that the Club is financially sound having sufficient funds to undertake the maintenance and development of their club assets, and maintain their membership.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

8. The proposal will not impinge on LTCCP budgets, staff time required to put a new sports club lease in place being budgeted for in existing budgets. The cost of placing the advertisement in the paper will be on-charged to the Club.
9. The current rent assessed in accordance with the Council's new Sports Club Leases Charging Policy has no adverse financial implications for the Council. The current annual lease rental being paid by the Club to the Council is \$685.78 plus GST in accordance with this policy.

LEGAL CONSIDERATIONS

10. The Board has delegated authority from the Council to authorise the granting of the proposed new lease, (as detailed under Parks, Section 9 of the Christchurch City Council Delegations Register last updated 18 November 2010) because the subject Land is held as Public Reserve (1933 1988 New Zealand Gazette Notices).

11. There is an obligation on the Council when granting a new lease, to grant it only if it considers there is sufficient need to continue to provide the facilities for bowls, and that there is not a greater demand for some other sport or recreational activity and that in the public interest some other sport, game, or recreational activity should not have priority that will provide a greater public benefit. Current Club membership numbers justify a new lease being put in place.
12. Territorial authorities have been delegated by the Minister of Conservation, pursuant to section 10 of the Reserves Act 1977, authority to grant or decline a lease of land under section 54(1)(a), (b), (c), and (d) where the effects of the proposed use will be the same or similar in character, intensity and scale. There will be no changes to these effects by granting the proposed lease, and therefore the Minister of Conservation's delegation can be exercised.
13. As part of that delegation it is necessary for the Council to fulfil the requirements of Section 4 of the Conservation Act 1987, that being to consider its obligations to give effect to the Treaty of Waitangi. There are no cultural materials, or fresh water fisheries of importance to Ngai Tahu within the area of Woolston Park to be leased to the Woolston Park Bowling Club Incorporated and the area is not identified as a site of significance to Tangata Whenua in the Christchurch City Plan. Council officers have therefore considered the Council's obligations under Section 4 of the Conservation Act 1987 determining that this issue does not require specific consultation with Te Runanga.

Have you considered the legal implications of the issue under consideration?

14. Yes. Refer paragraphs 10 to 13 above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

15. The LTCCP's Strong Communities strategic directions section prioritises: Providing accessible and welcoming public buildings, spaces and facilities; providing parks, public buildings, and other facilities that are accessible, safe, welcoming and enjoyable to use; working with partners to reduce crime, help people avoid injury and help people feel safer; providing and supporting a range of arts, festivals and events; and protecting and promoting the heritage character and history of the city. The fulfilment of the Club's ambitions by approving this application will maintain the enjoyment and experience club members and the general public can obtain at the park.
16. The LTCCP's Healthy Environment strategic directions section prioritises: Providing a variety of safe, accessible and welcoming local parks, open spaces and waterways; providing street landscapes and open spaces that enhance the character of the city; and protecting and enhancing significant areas of open spaces within the metropolitan area. The approval of this application and the resulting development will ensure the continuance of the character of the park/open space for people's enjoyment.
17. The LTCCP's Liveable City strategic directions section prioritises: improving the way in which public and private spaces work together. The approval of this application will maintain the private infrastructure on the park thereby maintaining the way it inter-relates with the public park it is situated upon, which in turn will add to the value of the experiences both club members and the public can have at the park.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

18. Yes. Refer to paragraphs 13 to 15 above.

ALIGNMENT WITH STRATEGIES

19. This application is aligned with the Christchurch Active Living Strategy, by supporting members' mental stimulation, physical exercise, and enabling the general public to gain another experience in life by playing bowls.

20. This application also supports the Christchurch Visitor Strategy by maintaining an attraction that visitors both to Christchurch and the park can experience.
21. The approval of this application is in alignment with the Council's Strategic Direction to support Strong Communities. It encourages residents to enjoy living in the city and to have fun, thereby supporting Christchurch as being a good place to live.

Do the recommendations align with the Council's strategies?

22. Yes. Refer to paragraphs 19 to 21 above.

CONSULTATION FULFILMENT

23. The Council does not need to publicly advertise the proposal or enter into a formal consultation process because the present sports club has occupied the site continuously for a considerable period of time.

STAFF RECOMMENDATION

That the Hagley/Ferrymead Community Board under delegated authority from the Council and Minister of Conservation:

- (a) Approve the granting of a new lease to the Woolston Park Bowling Club Incorporated over the part of Woolston Park on which the existing buildings and greens are located, within their existing fences, being approximately 2,895 square metres of Lots 24 and 25 of DP 2287, a public reserve vested in the Christchurch City Council contained in certificate of title CB 347/131 for a period of up to 33 years broken into three 11 year periods with rights of renewal at the end of the first two periods of 11 years. These rights of renewal being subject to the Council being satisfied that the terms and conditions of the lease have been complied with, and that there is sufficient need for the sports, games, or other recreational activity specified in the lease, and that in the public interest some other sport, game, or recreational activity should not have priority.
- (b) Authorise the Corporate Support Manager in association with the Policy and Leasing Administrator (Network Planning Unit) to conclude and administer the terms of the lease.
- (c) Resolve that the Council's obligations under Section 4 of the Conservation Act 1987, have been considered, and determine that this issue does not require specific consultation with Te Runanga, for the reasons set out in paragraph 13 above.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.