

20. LEASE TO CHURCH CORNER TOY LIBRARY INC. AT SIR J MACKENZIE LIBRARY

General Manager responsible:	General Manager Community Services, DDI 8607
Officer responsible:	Manager Community Facilities
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PURPOSE OF REPORT

1. The purpose of this report is to seek the approval of the Riccarton Wigram Community Board to issue a new lease to Church Corner Toy Library Inc. to occupy the Sir John McKenzie Memorial Library at 393 Riccarton Road (Reserve 4884) for the purposes of providing toy lending services.

EXECUTIVE SUMMARY

2. The Sir John McKenzie Memorial Library was gazetted in 2005 as a local purpose (memorial library site in trust) reserve located at 393 Riccarton Road.
3. The lease between the Council and the Church Corner Toy Library Inc. expired on 28 February 2011 and has rolled over on a monthly basis since that date. The Toy Library has now requested a new lease. The attached plan shows the location of the leased premises.
4. The proposed lease is for a term of five years with two further rights of renewal of five years making a total term of 15 years if the rights of renewal are exercised.
5. The proposed annual rent is \$2,000 plus GST.

FINANCIAL IMPLICATIONS

6. The Council's Sporting Bodies Leases Charging Policy does not apply to sports clubs and not-for-profit organisations that occupy Council owned buildings on reserve land.

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

7. Yes.

LEGAL CONSIDERATIONS

8. The Community Board has delegated authority to approve the granting of a lease under Section 61(2A)a of the Reserves Act 1977. A new lease is not able to be issued until such time as the requirements of the Reserves Act have been met.
9. Section 61(2A)a of the Reserves Act 1977 - this section of the Act empowers the Council to grant a Lease to any person, body, voluntary organisation or society for the following purposes – community building, playcentre, kindergarten, plunket room, or other like purposes. Such a lease may be granted for a term of up to 33 years.

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

10. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

11. Christchurch City Council is committed to promoting the healthy, happy development of children to their full potential, both as children now and for the future well-being of our community.

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

12. Yes – Activity 2.2 Strengthening Communities.

ALIGNMENT WITH STRATEGIES

13. This lease is aligned with the Children's Strategy, by providing facilities to ensure that Christchurch will be known as the city that is good for children, young people and their families.

Do the recommendations align with the Council's strategies?

14. Yes.

CONSULTATION FULFILMENT

15. A formal notification process under the Reserves Act 1977 is not required as the intended lease use is consistent with the classification for local purpose (library) use. Consultation is not required under the Reserves Act 1977.

STAFF RECOMMENDATION

That the Riccarton/Wigram Community Board under delegated authority from the Council:

- (a) Approve the granting of a new lease to Church Corner Toy Library Inc over Reserve 4884 located at 393 Riccarton Road, a local purpose (memorial library site in trust) reserve of 185 square metres, for a total period of up to 15 years, comprised of a five year initial term with two rights of renewal of five years. The right 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 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 Unit Manager to conclude and administer the terms and conditions of the lease.

BACKGROUND

16. Church Corner Toy Library Inc became an incorporated society in 1993 and was formerly known as The Addington Toy Library. It is a member of the Toy Library Federation of New Zealand established to operate a toy library service for the use of families in the Riccarton area. They provide a service for children aged 0 to 7 which provides good quality, safe and educational toys, enhancing the physical, social, emotional and intellectual development of children and respects the cultures of all families/whanau.
17. The Toy Library's current membership includes 93 families.
18. The Toy Library operates two sessions per week on Fridays and Saturdays.