

## 15. HEATHCOTE CRICKET CLUB LEASE APPLICATION

<b>Officer responsible</b> Parks Manager	<b>Author</b> Area Parks Officer Consents, K John Allen
Corporate Plan Output: Consents p9.4.8	

The purpose of this report is to gain Council approval for the granting of a lease to the Heathcote Cricket Club Inc (the Club), over their existing buildings and adjacent areas upon Heathcote Domain. The area it is proposed to lease to the Club includes their club rooms, which includes changing and toilet facilities, their terrace which overlooks the sports field, practice wickets (2), and their groundsman's storage shed, an area of approximately 350 square metres. The report is being placed before the Board to enable the Board to make comments upon the proposal, which will be forwarded on to the Parks and Recreation Committee.

### BACKGROUND

The cricket club building, which is owned by the Club, is situated on part of the Heathcote Domain which has frontage on to Bridle Path Road. Attached to the club building and separated by a fire wall is the Heathcote Community Centre, which is licensed to the Playcentre Association Inc and has separate services, Scouts storage room, and public toilets..

The Club has operated on the Domain since 1929, occupying their present building since the early 1970's. The Club extended their premises in the late 1980's.

They have 85 playing members and 30 social members (partners, ex players, etc). They operate from the third week in September to the first week in April. Practices are held on Thursdays, some Fridays, the main games being held on a Saturday. Some friendly games are played on Sunday along with family BBQ's and working bees.

Their premises are hired out infrequently to members and local organisations such as Rotary.

The Club does not have a lease, and from a search of files the Club does not appear to have had a lease in the past. It is a requirement of the Reserves Act 1977, that a lease is put in place pursuant to the Act. Once a lease is in place, this will give the Club a secure tenure of the site. It will be necessary to publicly advertise the Council's intention to lease the 350 square metres to the Club, and after taking any submissions received into account, to finally gain the approval of the Minister of Conservation. Officers have discussed the public advertising requirement of the Reserves Act of the intention to lease, with officers of the Department of Conservation, in this case, because what the Council is undertaking is the tidying up of an administrative oversight when the club originally gained approval to lease the site, which was before amalgamation. Department of Conservation Officers advise that even although the club's facilities are already upon the site, the advertising requirements of the act must still be adhered to.

## LEGAL AND PLANNING ISSUES

Heathcote Domain, ( PT . RS 41625, Res 4946, and RS 41631 ) is a Gazetted recreation reserve, (NZ Gazette 1985, p.2166 and 1989 p.2836) comprising a total of 3.5119 ha. The Club's facilities situated upon the park are consistent with the Reserves Act status (recreation reserve) of the land, the zoning of Public Reserve in the Transitional City Plan (Heathcote Section), and Open Space 2 zoning in the Proposed City Plan. The area to be leased, (marked as "21") is shown on the attached plan S2894/1.

Officers are recommending to the Parks and Recreation Committee:

That pursuant to Sect. 54 (1)(b) of the Reserves Act 1977, the Parks and Recreation Committee recommend to Council that a lease be granted to the Heathcote Cricket Club (Inc) over approximately 350m2 of Heathcote Domain as shown in plan S 2894/1 for a period of 1 day less than 20 years subject to the following conditions:

1. Public notification of the Council's intention to lease the area, and subsequent approval by the Minister of Conservation.
2. The leased area and improvements thereon being maintained in a safe and tidy condition at all times by the Heathcote Cricket Club Inc.
3. The Club being responsible for the ongoing maintenance and upkeep of the building.
4. The Club producing evidence of having \$1,000,000 public liability insurance.
5. The lease terms and conditions being negotiated by the Property Manager in consultation with the Area Parks Officer, Consents.
6. The costs associated with the preparation and issue of the lease being the responsibility of the Club.
7. The lease being revoked in the event of the Club ceasing to use Heathcote Domain and/or pavilion.

**Recommendation:** That the Board make comment to the Parks and Recreation Committee, upon the proposal to lease approximately 350 square metres of Heathcote Domain to the Heathcote Cricket Club.

### Chairman's

**Recommendation:** That the Board advise the Parks and Recreation Committee that it supports the proposed lease to the Heathcote Cricket Club Inc.