

14. APPLICATION BY THE MOUNT PLEASANT COMMUNITY CENTRE & RATEPAYERS ASSOCIATION INC TO ERECT AN ADDITIONAL BUILDING

Officer responsible Parks Manager	Author John Allen – Team Leader Consents
Corporate Plan Output: Leases (9.4.8)	

The purpose of this report is to gain Council approval for the Mount Pleasant Community Centre and Ratepayers Association to erect an additional building within their present lease area at 3 McCormacks Bay Road. This application is made in accordance with clause 4 of their present lease which states “*No building shall be erected nor shall any structural alterations or additions be made to any building without the prior approval of the lessor*”.

REASON FOR APPLICATION:

For some time the Committee have been aware of the need for an extra room to cope with the increasing demand for space at their facility. The room they refer to as the Estuary Lounge is in particular demand and at present has more applicants than can be accommodated. One hirer alone, the Montessori Pre School, currently uses the room for four sessions a week and wishes to expand this to ten sessions. Other long-term hirers at present accommodated are the art class, two sessions per week, Plunket, two sessions per month and casual hirers such as Kiwanis. Other hirers are anticipated, if space was available.

For a number of reasons it is believed that a separate room, primarily intended to accommodate the Montessori Pre School, is the best solution to the problem. Advantages of this concept include the fact that the classroom can be left set up for longer periods, avoiding the need for almost daily dismantling. Because the site chosen is remote from other rooms, fewer clashes of activities should occur. At non-school times (evenings, weekends, school holidays) the room could serve as a crèche, after-school classroom, meeting room, school-holiday activity room, etc, all which are actual or likely activities for this facility.

PROPOSED SITING

It is intended that the building be positioned in the north-east corner of the present leased area, the exact position not yet finalised but that shown on the application is the currently preferred choice. This siting will be well served by the existing car park (and extension anticipated) adjacent to the squash club.

BUILDING USE

The Community Centre intends that the building will be available for a number of groups to use in the Community. The complex will be hired out to these groups by way of a licence to use agreement which will be negotiated on an annual basis where appropriate. There will be a clause incorporated in the agreement insuring use is not exclusive.

Presently the whole of the available complex is hired to a church on a Sunday. It is proposed that this building not be hired to the church, but made available to other users on Sundays. The building will also be available for after-school programmes, holiday programmes etc when not being used by the Montessori Pre School. The applicants intend to have locked storage facilities built into the building that will be available to hirers to use. The Association will build, own and control the building, charging a hire fee to building users.

LEGAL ISSUES

The section of McCormacks Bay Reserve on which the Community Buildings are situated, has recently been re-classified local purpose reserve (community buildings). The leasing of this reserve for community facilities therefore is in accordance with section 61 of the Reserves Act.

Concern has been expressed from some quarters about the Montessori Pre School which is in essence a private school, operating from a building situated upon a reserve. Officers have obtained a legal opinion as to the appropriateness of such an activity as this being sited upon a local purpose reserve. This opinion is that section 61 of the Reserves Act, which concerns the leasing of local purpose reserves, does allow for such an activity to be based upon a reserve by way of lease, which is not the case with this application. Section 61 of the Reserves Act is silent on the issue of leasing part of a reserve to a commercial organisation. The school will continue to hire the facilities on a hourly basis from the Mount Pleasant Community Centre & Ratepayers Association as it does at present, not lease the building. A lot of other interest groups in the community do like wise. The Montessori Pre School education system is approved by the Ministry of Education, who provide bulk funding towards the schools costs which in essence pays for the cost for the two teachers at the school, (who teach 20 children each). A weekly fee is also charged to the children, which covers other running costs of the school. WINZ do assist low-income parents who wish to send their children to the school by providing money towards these costs.

DISCUSSION

Officers have discussed the application with members of the Mount Pleasant Community Centre & Ratepayers Association Committee and report as follows.

The Committee intended at some time in the future to build a further facility for community use upon the north east corner of their present leased site. The implementation of this plan has been able to be brought forward, because of the Montessori Pre School wishing to hire the facility on a regular basis. This will enable the present lounge area, which was originally built to serve as a small function, supper room, to be released for this purpose. The new building will fully comply with Ministry of Education Standards for a pre school facility to serve the community as an education facility. The Association believe that the building will cost in the vicinity of \$77,000 (1999 figures) of which they intend to contribute \$27,000 from reserves and fund raising, financing the balance by mortgage. They believe that the rental income from the building will cover the mortgage and on going maintenance costs. Whilst the Association is hoping to gain a long term commitment from the school (which will be the principal hirer of the building), officers of the association indicated verbally that they believe that if the school did move out, the association could service the proposed mortgage and up keep of the building from present revenue streams. The use of the building by the Montessori Pre School is not in conflict with section 61 of the Reserves Act. The proposed construction of a further building in the Association's present lease area for community use is not in conflict with the McCormacks Bay Management Plan dated April 1999, the plan being silent upon this issue.

Recommendation: That the Board recommend to the Parks & Recreation Committee that they approve the application by the Mount Pleasant Community Centre and Ratepayers Association Inc (MPCCRA) to erect an additional building within their lease boundary at 3 McCormacks Bay Road for "educational" purposes subject to the following conditions: -

1. The MPCCRA are to obtain all necessary Resource and Building Consents before any development commences upon the site.
2. The applicant is to submit a landscape plan to the Parks Manager for approval before commencing work upon the site. The applicant is to complete the work required to implement the plan at their cost.
3. The applicant is to submit plans and elevations of the proposed building, including the colour scheme to the Parks Manager for approval, prior to making application for resource and building consent.
4. The leased area being maintained by MPCCRA in a safe and tidy condition at all times.
5. All costs associated with the development, and subsequent maintenance of the building and associated structures upon the site being paid for by MPCCRA.
6. The MPCCRA is to show proof of having obtained \$1,000,000 public liability to the Area Parks Officer (Consents).

7. A bond of \$2,000 is to be paid by the MPCCRA or successful principal contractor to the Christchurch City Council/Area Parks Officer, Linwood Service Centre before work commences upon the site. The bond less any expenses incurred by the Council will be refunded to the payee upon the completion of the work.
8. That should the MPCCRA find that they are unable to service the mortgage upon the building and the Council at the time decide to assist the MPCCRA by paying the outstanding mortgage, the building will become the property of the Council, at no further cost to the Council.

Chairman's

Recommendation: For discussion