

## 21. PORRITT PARK - LEASE APPLICATION BY CANTERBURY HOCKEY FOUNDATION TRUST

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Corporate Plan Output: Stadia Leased - Porritt Park	

The purpose of this report is to allow the Board to make recommendations to the Parks and Recreation Committee on the proposal to lease a further 8,600 square metres of Porritt Park to the Canterbury Hockey Foundation Trust on which to construct a second artificial turf at Porritt Park. The formalisation of a lease of this area is required before construction of the new turf can proceed.

Canterbury Hockey have engaged Arrow International to manage the construction of the new turf, which is programmed to commence on 15 January 2001 and be completed before the coming winter season.

### PROPOSAL

An application has been received from the Canterbury Hockey Foundation Trust to lease a further 8600 square metres of Porritt Park on which to construct a second artificial turf. The proposed location of the artificial turf will encroach upon the existing car-park area, reducing the number of car parks by 35, and will reduce the number of grass hockey pitches and cricket pitches that are available upon Porritt Park. The Canterbury Cricket Association has agreed to relinquish one wicket upon the park, which the proposed artificial turf will encroach upon. There are no other formal users of this area of the park.

### CANTERBURY HOCKEY FOUNDATION TRUST

The Canterbury Hockey Association and the Waimairi Artificial Surface Project (WASP) have formed a new Trust to administer the management, maintenance and operation of the two existing artificial hockey turfs in Christchurch (Porritt and Nunweek Parks). The Trust will fund the construction of the proposed new turf and future replacements. The Trust's formation was as a result of meetings between the Association and the Parks and Recreation Committee, being a condition of the Council's Annual Grant of \$80,000 made to the Canterbury Hockey Association, by the Council in last year's Annual Plan. The Council recently appointed Mr Ray Ganda as the Council Representative on the Trust. As part of the process of the Trust taking over control of the WASP's hockey facilities at Nunweek Park, a formal application to reassign the WASP lease to the Canterbury Hockey Foundation Trust has been received. The Canterbury Hockey Foundation Trust will also take over the lease of the existing hockey facilities at Porritt Park. A new grant will be made because of the necessity to include the area upon which the new artificial turf will be located. It is not legally possible to reassign a lease where the area being leased is changed.

### AREA TO BE LEASED/LICENCED

Attached is a plan of the area showing the site of the new artificial turf to be included in the new deed of lease.

It will be noted that the development, although on land within Porritt Park, takes in part of an unformed legal road and encroaches upon land legally defined as river bed. These legal issues are currently being addressed.

### SPECIFIC ISSUES RELATING TO THE APPLICATION

The following issues have been identified, as requiring determination by the Council before the lease can be granted. These are:

- (a) Car parking
- (b) Lighting
- (c) Landscaping and fencing
- (d) Terms of the new lease/licence

## **Car parking**

The proposed siting of the new pitch will result in the loss of 35 existing car-parks, these car-parks being a City Plan requirement. It will therefore be necessary for the car-parks to be replaced elsewhere upon the Park. On reviewing the overall site it has been identified that these car parks can now be provided by adding to the existing carpark, which is situated upon the western boundary of the park neighbouring the rowing clubs area (see attached plans). An area by the rowing facilities has recently been redeveloped, so as to improve car-parking and the landscaping. The proposed new car parks will provide additional benefit to the overall site as they can be used by both hockey and rowing. Canterbury Hockey are proposing to alter their entranceway into the park to the western boundary rather than using their existing entranceway beside the Grandstand. The existing cycleway will need to be relocated to avoid the car-park and ensure the safety of cyclists.

The new plans provide for the construction of 40 car parks. It is a relatively cheap option as it only requires the enlargement of the existing sealed area by a further 2 metres, alteration of the entrance and exit ways into the car-parking area and relocation of the existing cycleway. The existing landscaping immediately west of the leased area will need to be replaced to ensure the landscape 'framework' of the park is not lost. There are two options available to achieve this:

1. Replace the adjacent wooden lease boundary fence with a mesh fence and replace the existing plantings by planting inside the fence.
2. Replace the adjacent wooden lease boundary fence with a mesh fence relocated 2 to 3 metres inside the existing lease boundary fence-line, and provide the planting between the carpark and the fence.

The removal of this wooden lease boundary fence over a period of time will enhance the visual aspect of the park, whilst removing opportunities for graffiti placement.

## **Lighting**

The City Plan allows the provision of lighting towers upon Porritt Park to the height of 20 metres. The consent application is for the erection of four 19 metre high lighting towers to provide lighting for night matches and training. This is within the resource consent limits and can be installed, subject to the delegated authority of the Parks Manager in consultation with the Burwood/Pegasus Community Board, as delegated from Council.

## **Landscaping and Fencing**

Discussions about the landscaping and fencing of the area have been held with Canterbury Hockey during the initial stages of their funding applications last year. It is proposed that there will be mesh fencing, which will allow views both from inside and outside of the turf area. Low mounding will be constructed around the outside of the new artificial surface, being constructed to natural contours, and planted in such a way so that the mounding is naturally integrated into the site.

## **Terms of the New Lease/Licence**

The existing term of the lease expires on 30 June 2012 with a seven year option of renewal in 2005. The current rental has been discounted since 1996 to \$4,522 per annum (originally \$10,772).

It is proposed that the new Lease Term be ten years plus a further right of renewal for a further term of ten years less one day.

Although the leased area is expanded to include the new artificial area, it is not proposed to increase the amount of rent proportionately. It is proposed that a rent of \$5,000 per annum be charged, to be reviewed at five yearly intervals. Conditions to be considered during the review process will be:

1. The continual use of the facility for the purpose of hockey and ensuring the level of access to all players.
2. The availability of the Park for use by other sports when not required for hockey.
3. The financial position of the Canterbury Hockey Foundation Trust and Canterbury Hockey Association at the time of review is to be taken into consideration.
4. The improvements and development undertaken by the Trust and the Council to the facilities during the previous period.

A further condition that will be included in the new lease document will be the requirement by the Trust to provide monthly statistics on the utilisation of all the facilities.

## **COUNCIL GUARANTEE TAGGED TO EXISTING LEASE**

As part of the Canterbury Hockey Association's funding for the existing water based artificial-turf, a Council Guarantee was provided for the loans obtained from the Westpac Trust Bank and the Community Trust. Final payments of these loans was scheduled in September 2000 (Westpac Trust) and November 2000 (Community Trust). Prior to surrendering the existing lease document notification is required from the lenders that the loans have been repaid, which will mean that the Council's Guarantees have been released.

## **PUBLIC CONSULTATION**

It will be necessary to consult with the public about this proposed development, so as to comply with the Council's Seeking Community Views Policy.

- Recommendations:**
1. That the Board recommend to the Parks and Recreation Committee that the Council lease approximately 24,800 square metres of Porritt Park to the Canterbury Hockey Foundation Trust, upon which the existing facilities are established and on which to construct a further artificial hockey turf, in accordance with section 45 of the Public Works Act 1974 and pursuant to section 601 of the Local Government Act 1981 for a period of 20 years less 1 day, subject to the following conditions:
    - (a) Upon surrender of the existing deed of lease by the Canterbury Hockey Association on or before 1 April 2001, the Council authorise the granting of the new lease to the Canterbury Hockey Foundation Trust.
    - (b) The Canterbury Hockey Foundation Trust is to obtain all necessary Resource and Building Consents before any development commences upon the site.
    - (c) The applicant is to submit a landscape plan and fencing plan to the Parks Manager for approval before commencing work upon the site. The applicant is to complete the work required to complete the implementation of the plan at their cost.
    - (d) The lease terms is to be negotiated by the Property Manager in consultation with the Area Parks Officer (Consents) and Leisure Manager.
    - (e) The construction area is to be maintained by the Canterbury Hockey Foundation Trust in a safe and tidy condition at all times.
    - (f) All costs associated with the development, and subsequent maintenance of the associated buildings and structures upon the site is to be paid for by the Canterbury Hockey Foundation Trust.
    - (g) Before any tenders are let or work commences upon the site, discussions are to be held with the Parks Manager's designate, the Area Parks Officer - Linwood Service Centre and the Leisure Manager's designate to ascertain the Council's requirement through the development phase of the construction of the facility.
    - (h) A bond of \$3,000 is to be paid by the Canterbury Hockey Foundation Trust or successful principle contractor to the Council's 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.
    - (i) The Canterbury Hockey Foundation Trust is to provide at their cost a further 35 onsite car parks (replacing those lost by the development) in the area specified in the approval. Any designated cycle-ways lost due to carpark and roading realignments, are to be constructed at the applicant's cost.

- (j) The Council's Legal Services Manager is to be satisfied that the deed of trust for the Canterbury Hockey Foundation Trust provides for a proper and binding lease between the Council and the Trust on conditions satisfactory to the Council.
  - (k) The issues and ramifications for rationalising the Council Titles for Porritt Park and redefining the banks of the Avon River and stopping of the existing legal road are to be investigated by officers.
  - (l) The lease rental is to be \$5,000 per annum with a review every five years. Conditions of the review process are to be identified in the new lease document.
  - (m) All external legal costs associated with the preparation and execution of the Lease and Licence documents are to be at the applicant's cost.
2. That the residents be notified of the proposed development, and be invited to make comment upon the proposals to fulfil the requirements of the Council's Seeking Community Views Policy.

**Chairperson's  
Recommendation:**

That the aforementioned recommendations be adopted.