

18. LEASE OF PART OF SOCKBURN DEPOT TO CIVIL DEFENCE TRAINING SCHOOL

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The purpose of this report is to seek approval to lease part of the Sockburn Depot to the Civil Defence Office (Environment Canterbury) for the relocation of the Civil Defence Training School from QEII.

INTRODUCTION

The Civil Defence Act 1983 requires territorial authorities to plan for civil defence. However, Section 31 of the Act allows the regional council to undertake civil defence on behalf of the territorial authority. The Christchurch City Council has entered into an agreement with the regional council for this work to be undertaken on the Council's behalf. As part of this agreement the Christchurch City Council has provided funding as well as the provision of accommodation for the Civil Defence Rescue Training School.

Over the last 25 years Civil Defence Rescue Training School has operated from the old New Brighton Trotting Club grandstand, which is situated at the QEII Sports Complex, Travis Road, New Brighton.

Christchurch has the only Civil Defence Organisation in New Zealand to have such a school, which has enabled them to play a leading role in basic rescue training in New Zealand.

The Leisure Unit has advised that Civil Defence can no longer be located in the present accommodation due to the redevelopment of the QEII facility.

Negotiations have taken place with Civil Defence (Environment Canterbury) to find alternative accommodation so that they could be relocated from the QEII facility, to facilities that enabled them to continue to perform their functions. An inspection of the Sockburn site has been carried out, and Civil Defence have confirmed their agreement to be relocated to this site.

SITE DETAILS SOCKBURN DEPOT

The Sockburn Depot site is owned by the Council in fee simple as a Local Purpose (County Buildings) Reserve. The site comprises some 2.7 hectares of land between Main South Road and Blenheim Road which transferred from the former Papanui County Council following amalgamation. There are a number of buildings and sheds located on the site including the Sockburn Service Centre and amenities building.

The site is presently under-utilised and a number of buildings have been identified that would be acceptable for the relocation of Civil Defence from QEII.

On previous occasions the Council has been approached to lease the land for commercial purposes but the present reserve classification has meant that these commercial activities would not be a compatible use under the present reserve classification. The Civil Defence use is considered to be a use that would be permitted under the present classification.

AVAILABILITY OF SOCKBURN SITE

The Property Unit has identified a number of depot sites that need to be reviewed to enable utilisation and rationalisation reports to be prepared. This review is expected to take some time to complete and is why only a short term lease to Civil Defence is being considered.

It is considered that the initial lease term will not adversely affect any decision made as a result of this review. If a decision was made to dispose of the site prior to this timeframe, it is anticipated that the Council would be obliged to find alternative accommodation for Civil Defence as is the present case with their relocation from QEII.

LEASE AGREEMENT

It is proposed that a lease agreement be entered into between the Council and the Civil Defence Office to lease them part of the Sockburn Depot Site for a period of three years with a further option of two, 1 year terms with the Council having the right to terminate such lease during the option period with six months notification.

It is proposed to charge the Corporate Office – Operations Section, Emergency Management, Civil Defence Output, a commercial gross rent for the premises in line with the Council Rental Policy. However, it should be noted that this is to make the transaction transparent similar to other internal rent charges for Council occupied space. Environment Canterbury will be responsible for outgoings and maintenance charges.

The lease of the facilities needs to be approved by the Council as it is a lease of a reserve and no delegation exists to allow the Property Manager to lease the premises under delegated authority.

Section 61 (2A) of the Reserves Act is the appropriate section that allows for the lease of the facility to Civil Defence. Section 61 (2A) provides as follows:

“In addition to the powers of leasing conferred by subsection (2) of this section, the administering body, in the case of a local purpose reserve that is vested in the administering body, may lease all or any part of the reserve to any person, body voluntary organisation, or society (whether incorporated or not) for any of the following purposes:

- (a) Community building, playcentre, kindergarten, plunket room or other like purpose:*
- (b) Farming, grazing, cultivation, cropping, or other like purpose.”*

It should also be noted that when the Council entered into a lease arrangement for the lease of the Testing Station, which forms part of the site, the Council’s legal advisers considered that use to be within the reserve classification of County Building as it is being utilised for providing services to the public, which could be provided by the Council. As such it is considered that the Civil Defence use could also be construed as a community building or other like purpose.

NEGOTIATIONS

Negotiations are continuing between all the affected parties to ensure that the arrangements put in place do not affect the operation of the site from a Council perspective. It is anticipated that the lease will be concluded on the following terms.

Term	Three years from 1 June 2001 to 31 May 2004
Options	Two further 1 year options
Termination	Six months notice (during the options period, guaranteed for first years) to terminate.
Rental	Internal Gross Rental to be charged at current market rates. (To Corporate Office – Operations Section , Emergency Management, Civil Defence Output)
Outgoings	Civil Defence will be responsible for normal tenant maintenance and outgoings.
Property to be Leased	As shown hatched on the attached plan and includes the Amenities building to the rear of the Service Centre, the old pump house building, the HPW Store, part of the new pump house building together with a right to utilise other facilities on site for training exercises.
Lease Document	Standard Auckland Law Society Deed of Lease.
Recommendation:	<ol style="list-style-type: none">1. That, pursuant to Section 61(2A) of the Reserves Act, approval be granted to lease to Environment Canterbury the area of land shown hatched on the attached plan for an initial term of three years plus two, 1 year options commencing on the 1 June 2001.2. That the Property Manager be authorised to conclude and administer the lease.
Chairman’s Recommendation:	That the above recommendation be adopted.