

## 14. BOTTLE LAKE - LEASE APPLICATION BY NELSON/MARLBOROUGH INSTITUTE OF TECHNOLOGY

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Corporate Plan Output: Consents - Leases	

The purpose of this report is to consider an application by the Nelson/Marlborough Institute of Technology to lease approximately 1,225 square metres of Bottle Lake Forest Park upon which to establish a Forestry Training School.

### THE SITE

It is proposed to locate the Forestry Training School behind the existing garages at the Bottle Lake Forest Park headquarters in a position clear of the normal and emergency fire operational areas (see attached plan). The Institute proposes to establish the school with relocatable buildings. They will be painted and landscaping will be done to integrate them into the forest headquarters site.

It is intended that there will be three buildings, the largest building being located on the road 'frontage' of the site. It will contain two classrooms, common room, toilet and locker room, being of approximately 200 square metres in area. There will be a smaller office/resources building approximately 30 square metres in area in the centre of the site. A garage situated on the eastern boundary of the leased area will be of approximately 120 square metres in area.

Six car parks for staff and other visitors will be located behind the existing garages, on the northern boundary of the proposed lease area. A sealed area will be located between the car park and garage area to allow for manoeuvring of vehicles servicing the complex.

The complex will be connected to the existing forestry roading network by the forestry headquarters by a driveway allowing vehicles to pass.

### HISTORY

A licence agreement was signed between the Christchurch City Council (Property Manager) and the Nelson/Marlborough Institute of Technology to use the present mill office for the initial establishment of the training school at Bottle Lake Forest Park for the period from 1 February 2000 until 31 December 2000.

The establishment of the school has proved successful. Courses have been set up to train workers for forestry contract work with training provided to National Certificate level. Courses have also been run under the TOPS Training Scheme to give prerequisite training to students, enabling them to undertake further training in forestry contract work. Attached is a breakdown of programmes/courses currently running or due to commence within the next six months. The present licensed accommodation space is limiting the courses able to be offered by the Institute to prospective students, hence the application to establish a larger school upon the site.

Officers have worked with staff from the Institute for a number of months culminating in this proposal being placed before the Council for consideration. Various issues have been discussed in depth. The size of the proposed school was considered to ensure that it could be adequately integrated into the site and not interfere with other operational and recreational activities in the area. The Institute has stated that this is the maximum size required for the school for the ten year lease period that has been applied for.

Discussions have also been held with the Selwyn Plantation Board, the owners of the trees in the forest. The Board is granting permission to use the trees in the forest for training purposes by staff teaching students.

The Christchurch Polytechnic and the Institute have discussed the proposal to ensure that the scheme being offered by the institute does not replicate plans the Polytechnic may have to offer a similar course in the Christchurch area. Attached is a letter of support for the training school from the Christchurch Polytechnic who do not intend to duplicate the training being offered by the Institute.

## LEGAL ISSUES

It is proposed to lease part of RS 26529 being of 16.1874 hectares SO 2688, which has a title reference of 348/274 (owned by the Christchurch City Council as fee simple land). The land will be leased under Section 572(3) of the Local Government Act 1974 as a commercial lease. This section is not subject to Section 230 of the Local Government Act, which requires public notification of the proposal to lease the site to the Institute.

A Management Plan under the Reserves Act 1977 is in force for the management of Bottle Lake Forest Park. This area of the park is not legally bound by the provisions of the plan, because the land is not held under the provisions of the Reserves Act. The plan is silent on the issue of leasing part of the park to commercial operators such as the Institute for educational purposes. Officers are of the view that this use is of benefit to the citizens of Christchurch, and can be adequately accommodated at the park without conflicting with the other values and uses that the park is administered for.

For clarification Bottle Lake Forest Park is a metropolitan park; this report is placed before the Community Board to make comment to the Parks and Recreation Committee, which is responsible for making a recommendation to the Council upon whether or not to grant a lease of the site.

**Recommendation:** That the Community Board support the application by the Nelson/Marlborough Institute of Technology to lease approximately 1,225 square metres of Bottle Lake Forest Park behind the present garages on which to establish a training school for a period of ten years in accordance with the commercial lease provisions of section 572(3) of the Local Government Act 1974, subject to the following conditions:

- (a) The Nelson/Marlborough Institute of Technology is to obtain Resource and Building Consents before any development commences upon the site.
- (b) The applicant is to submit a landscape plan to the Parks and Waterways Manager for approval before commencing work upon the site. The applicant is to complete the work required to implement the plan at its cost.
- (c) The applicant is to submit a colour scheme for the buildings for the Parks and Waterways Manager's approval, prior to commencing work upon the site.
- (d) The commercial lease terms being negotiated by the Property Manager in consultation with the Parks and Waterways Policy and Leasing Administrator, taking into account the commercial nature of the applicants' proposal and the education benefits to the community.
- (e) The lease/construction area is to be maintained by the Nelson/Marlborough Institute of Technology 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 are to be paid for by the Nelson/Marlborough Institute of Technology.
- (g) The Nelson/Marlborough Institute of Technology is to show proof of having an Occupational Safety and Health Hazard Plan in place, before commencing operations upon the site, to the Parks and Waterways Policy and Leasing Administrator.
- (h) Before any tenders are let or work commences upon the site, discussions are to be held with the Parks and Waterways Manager's designate, the Bottle Lake Forest Park Ranger, to ascertain the Council's requirements through the development phase of the construction of the facility.

- (i) A bond of \$2,000 is to be paid by the Nelson/Marlborough Institute of Technology or successful principal contractor to the Bottle Lake Forest Park Ranger, Christchurch City Council, before work commences upon the site. The bond less any expenses incurred by the Council are to be refunded to the payee upon completion of the work.
- (j) The lease is to be for a period of ten years with an initial term of five years.
- (k) At the end of the lease period or if the lease should be terminated for any reason whatsoever, the lessee is responsible for removing all structures from the site and restoring the site to grass. If any structures are left upon the site, they are to become the property of the Council, with no compensation payable to the Nelson/Marlborough Institute of Technology.

**Chairperson's  
Recommendation:**

That the abovementioned resolution be adopted.