

## 6. HALSWELL PONY CLUB RELOCATION AND CLUBROOMS

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Corporate Plan Output: Leases and Applications	

The purpose of this report is to grant the Canterbury Agricultural and Pastoral Association's approval to sub-lease 200 square metres of their existing leased area on Canterbury Park to the Halswell Pony Club to allow the Club to relocate to Canterbury Park from Halswell Domain and construct a small clubroom facility and storage area (refer attached maps). The report also contains a recommendation allowing the Club to erect and maintain "jumps" in various locations around the park.

This report is before the Spreydon/Heathcote Community Board for information and comment prior to being considered by the Parks, Gardens and Waterways Committee, who have the delegated authority of the Council to approve the application.

### HALSWELL PONY CLUB HISTORY AND CURRENT MEMBERSHIP

The Halswell Pony Club has been operating for just over 50 years providing horse riding opportunities and tuition to many local children during this time. The Club currently has around 35 junior members ranging from 4 to 20 years, with a further 15 adult members who regularly ride on Club days.

The Club operates every second Sunday of the month all year round, except for the traditional school holiday period during December and January, although a number of their members meet informally during the recess period to ride together and take part in other social activities.

Apart from normal Club days, each year the Club hosts a one day event which attracts around 250 riders from around the region. From time to time the Club also has the opportunity on a rostered basis to host larger rallies such as the Springston Trophy. The Club also plans to host the Collier Trophy this year, which is a cross-country teams event involving over 300 riders. The Club has also had approaches from other clubs to co-host three other one-day events utilising the new grounds and proposed Club facilities

### NEED FOR RELOCATION AND INCREASED RESIDENTIAL DEVELOPMENT

When the Club first established on Halswell Domain, Halswell was essentially a small residential community surrounded by extensive areas of rural land in part of what was the former Paparua County Council's area. In those days many of the children grazed their ponies in the general area and rode their horses or ponies to the grounds on Club days.

Over the years the residential development of the Halswell area has increased significantly. The more recent Aidenfield and "Halswell on the Park" subdivisions will see the Domain totally surrounded by residential development in the very near future, with the rural character and environment no longer evident.

The Club has acknowledged for some time that the character and use of the Domain has changed significantly over the years. The increased residential development along with higher vehicle numbers on our roads has had an impact on the Club and for a number of years all riders have been transporting their horses or ponies to the site on Club days. Trying to operate the Pony Club on a confined site in the middle of what is now a residential area is impractical and not conducive to the long-term future of the Club.

In addition to these factors part of the Club's current leased area is required for the construction of a stormwater retention basin. One of the conditions associated with the subdivisional consent for stage two of "Halswell on the Park" subdivision, requires the developer to construct retention basins within the Club's existing leased area to reduce stormwater discharge peak flows.

Allowing developers of adjacent land to construct retention basins within existing reserves is not uncommon. There are good environmental outcomes from this, while these retention basins also offer additional recreational opportunities to the parks and reserves in which they are situated. There is a significant extension to the Domain as a result of the residential subdivision through reserve contribution. Using part of the Domain for a retention basin has been taken into account in the overall calculation for reserve contribution associated with the subdivision.

## **EXISTING LEASE ON HALSWELL DOMAIN**

The Halswell Pony Club has operated from its current site on Halswell Domain since the late 1950s, although the Club's formal lease of the site only dates back to 1987. The Club's current lease covers approximately 4.2 hectares on the Domain and includes their clubroom facility. The current lease commenced on 1 April 1987 for a period of 33 years and is not due to expire until 31 March 2020. However, the lease has a right of renewal for a further 33 years which would take it out to 2053. The Club will be required to surrender this lease when they are given approval to relocate to Canterbury Park.

They are currently talking with other sports groups who are interested in purchasing their existing concrete block building, which is not relocatable.

## **CANTERBURY PARK SITE**

The Halswell Pony Club has had an association with the Canterbury Park site for at least 15 years, dating back to when the Council previously owned the site. They have used the site regularly during that period for their cross-country events and larger Club days, including the period the area was in A & P ownership. They currently have around 15 permanent jumps erected in various locations around the site.

Shifting the entire Club operation to the site is simply seen as a natural progression for the Club to ensure its survival given the changing circumstances associated with Halswell Domain. The A & P Association has had a good relationship with the Pony Club over the years and welcomes the Club's move to relocate to Canterbury Park.

The move has advantages for both the A & P Association and the Pony Club in terms of jumps and event equipment. Currently there is some duplication with both parties operating and maintaining their own sets of jumps and equipment. There will now be more opportunities to share equipment resulting in a better use of resources and ultimately a reduction in costs to both parties.

## **COUNCIL APPROVAL REQUIRED TO SUB-LEASE**

The proposed site for the Halswell Pony Club building is within the area currently leased to the A & P Association. The term of the leased area is for a period of 19 years 364 days as from 1 July 2001. The A & P Association has the right to sub-lease all or parts of their leased area under Clause 12.3 of their lease, subject to prior approval from the Council.

Clause 12.3 of the A & P Association's lease with the Council states:

*"The lessee may assign the whole of this lease or sub-let part of the Land with the prior written consent of the lessor, which the lessor shall not unreasonably withhold, to a respectable, responsible, solvent and suitable assignee or sub-lessee ("Transferee")."*

The A & P Association is currently in the process of drawing up a draft sub-lease agreement between the Association and the Halswell Pony Club in anticipation of the Council's approval of the sub-lease. The Parks and Waterways Unit has indicated to the A & P Association that there are a number of standard conditions in a "typical" park lease agreement that the Council will want to ensure are reflected in the sub-lease agreement. The Parks and Waterways Unit will liaise with the A & P Association to ensure this occurs.

## **PROPOSED BUILDING SITE**

The proposal is for the Pony Club to construct a small clubroom and storage area attached to the southern end of the existing stables, which is within the area currently leased to the A & P Association. Apart from using the facilities on normal Club days, the clubroom will also be used for giving classroom tuition to their younger members about riding skills and animal handling.

The Parks and Waterways Unit, A & P Association and the Pony Club have had discussions about the proposal over recent months, all parties supporting the current proposal. The A & P Association also have the Pony Club's agreement that they will have access to the facilities and equipment during the "show".

There is further potential for multi-use of the facility, with the Club recently being approached by an outside organisation interested in using their facility mid-week to undertake classroom based theoretical equestrian training.

## **GROUND ALLOCATION WITH RIGHT TO CONSTRUCT AND MAINTAIN JUMPS**

The intention is to grant the Pony Club a sub-lease over the area occupied by their building and storage area with the use of the riding area being covered through a ground allocation, which is the same arrangement for most of the organised sports clubs using our parks like soccer and rugby etc. The Club will also be given the right to erect and maintain jumps in their allocated area in consultation with and approval of the Parks and Waterways Manager which is the same process for erecting goal posts on sports grounds.

There are advantages to both the Club and the Council in allowing the use of the area through a ground allocation. This allows the Council or public to use the area for other activities when it is not in use by the Pony Club, which cannot occur as of right if a lease is granted over the area. It also gives Council the flexibility, if necessary, to temporarily move the Pony Club activities around from time to time to facilitate a major event or activity on the site.

The main advantage to the Club is that they are absolved from any maintenance liability for the grounds apart from their building and permanent or temporary jumps. This has been a major issue for them over the years at Halswell Domain where the Club's financial resources have been severely stretched at times trying to maintain the grass at an acceptable height. The Parks and Waterways Unit has assisted the Club on occasions in the past by undertaking "one-off" cuts of their leased area to get the area back to an acceptable and safe riding standard.

The proposed area that the Halswell Pony Club will use is currently maintained through grazing and this maintenance practice will not change in the short term. The Halswell Pony Club have no desire or requirement to graze any horses on the site. The use of the area by the Halswell Pony Club will not result in any additional costs to the Council in terms of maintaining the area they will be using.

## **SUB-LEASE AGREEMENT**

The Parks and Waterways Unit supports the current proposal and believes that the A & P Association should be granted approval to sub-lease approximately 200 square metres of their current leased area at Canterbury Park to the Halswell Pony Club, subject to the following conditions:

1. The term of the sub-lease not exceeding or going beyond the term of the Canterbury Agricultural and Pastoral Association's lease period.
2. The Parks and Waterways Manager or her designate approving the terms and conditions of the sub-lease prior to the sub-lease being formalised.
3. The design, appearance and construction of the Halswell Pony Club building being approved by the Parks and Waterways Manager or her designate prior to construction commencing on the site.
4. The Club obtaining all necessary Resource and Building consents before commencing building on the site.
5. The Club being responsible for any landscaping that is required by the Parks and Waterways Manager around the building at the Club's cost.
6. The sub-leased area being maintained in a safe and tidy condition at all times by the Halswell Pony Club.
7. The Halswell Pony Club not erecting any permanent jumps or structures on the site without prior consultation with and approval of the Parks and Waterways Manager, or her designate.
8. The Club may erect temporary jumps or structures (that do not require a Building Consent) on the site without the prior approval of the Parks and Waterways Manager as part of their normal club activities, providing the jumps or structures are removed at the end of the day or event and the area is restored to its former condition.
9. The Club maintaining all permanent or temporary jumps and structures in a safe and tidy condition at all times.
10. The Halswell Pony Club showing to the Parks and Waterways Policy and Leasing Administrator a copy of the policy obtained with \$1,000,000 public liability insurance, which is to be kept current during the lease period.

11. The Halswell Pony Club liaising with the Parks and Waterways Unit representative (Parks and Waterways Area Advocate, Sockburn) to ascertain site requirements prior to letting any tenders for the construction of the new facilities at Canterbury Park.
12. The Halswell Pony Club, or successful contractor, paying a \$2,000 bond to the Christchurch City Council via the Parks & Waterways Area Advocate – Sockburn, prior to obtaining access to the site(s) to construct the clubrooms. The bond less any expenses incurred by the Council will be refunded to the contractor after completion of the contract, and leaving the site clean and tidy.
13. The Halswell Pony Club's sub-lease agreement containing a clause that indemnifies the Council and its servants from all claims or demands of any kind and from all liability in respect to any damage or injury occurring to any person or property as a result of their activities on the site.
14. The Council reserving the right to alter the ground area allocated to the Halswell Pony Club from time to time to recognise changes in recreational needs and use of the area.
15. This approval lapsing if the Club has not relocated, and made substantial progress on the development at the site, within two years of approval being granted.

## CONCLUSION

The Halswell Pony Club has acknowledged for a number of years that they have outgrown their existing location at Halswell Domain. The proposed site meets all the Club's requirements and is supported by the Parks and Waterways Unit and the A & P Association.

The Club believes that relocating to Canterbury Park is in the best interest for the long-term future of the Club. The Club's use of the site is in keeping with other equestrian activities that already take place on the site and does not compromise any potential development opportunities for the park.

The shift will allow the Council to redevelop the Club's present site at Halswell Domain. This will provide an opportunity to develop this part of the Domain with a more passive recreation focus, as the Domain is almost entirely dominated by active sports at present. Developing this area with a more passive character will provide additional recreational opportunities for local residents.

Accordingly, officers recommend that the Canterbury Agricultural and Pastoral Association's application to sub-lease approximately 200 square metres of their existing leased area on Canterbury Park to the Halswell Pony Club be approved subject to the conditions outlined in the report.

## SUSTAINABILITY ASSESSMENT

#	CONDITION:	Meets condition ✓✓-*	HOW IT HELPS MEET CONDITION:
<b>The Natural Step</b>			
N1	Reduce non-renewable resource use	✓✓	Promotes a recreational activity that does not use fossil fuels.
N2	Eliminate emission of harmful substances	✓✓	There are no emissions of harmful substances and promotes a natural form of transport
N3	Protect and restore biodiversity and ecosystems	✓✓	The relocation of the Pony Club will provide additional recreational opportunities on the park and increase the communities awareness and appreciation of our natural environment.
N4	People needs met fairly and efficiently	NA	NA - See People Step+Economic Step
<b>The People Step</b>			
P1	Basic needs met	✓✓	The facility will enhance recreation opportunities for local children and residents.
P2	Full potential developed	✓✓	Increased access to open space and riding facilities has the potential to enhance people's physical and mental health.
P3	Social capital enhanced	✓✓	The facility plays an active role in creating inclusive communities and provide opportunities for volunteer input.
P4	Culture and identity protected	✓✓	Promotes and enhances the operation of a long established local club.
P5	Governance and participatory democracy strengthened	N/A	

The Economic Step			
E1	Effective and efficient use of all resources	✓✓	Multi use facility will maximise the buildings use and provide opportunities for other user groups reducing the need for additional buildings.
E2	Job rich local economy	✓✓	Potential use of building for equestrian training supports local employment opportunities.
E3	Financial sustainability	✓✓	The relocation has no adverse impact on existing operational budgets.

**Recommendation:** That the Spreydon/Heathcote Community Board recommend to the Parks Gardens and Waterways Committee that approval be given for the Canterbury Agricultural and Pastoral Association's application to sub-lease approximately 200 square metres of their existing leased area at Canterbury Park to the Halswell Pony Club, on which to build a clubroom, and storage facilities subject to the conditions 1 to 15 outlined in the report above.

**Chairperson's Recommendation:** I support this recommendation to the Parks, Gardens and Waterways Committee, which has delegated authority to approve this application.