

9. PROPOSED LEASE – HORNBY HOCKEY CLUB INCORPORATED AT WYCOLA PARK

General Manager responsible:	General Manager, City Environment Group, DDI 941 8608
Officer responsible:	Unit Manager, Transport and Greenspace
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Riccarton/Wigram Community Board's approval to grant a new lease to the Hornby Hockey Club Incorporated over their existing leased area at Wycola Park, within which they have built a hockey pitch and pavilion (**Attachment 1**).

EXECUTIVE SUMMARY

2. The lease previously granted to the Hornby Hockey Club Incorporated has expired.
3. The Club has requested a new lease over their existing leased site, on which their pavilion and artificial surface in their fenced off area is built.
4. The Club's sports ground appears to have come through undamaged after the earthquakes.
5. Council officers from the Network Planning Unit support a new lease being entered into for a period of up to 33 years, broken into three eleven year periods with rights of renewal at the end of the first two periods subject to complying with the conditions amplified in section 11 below.

FINANCIAL IMPLICATIONS

6. The Club has three subscription types; open and senior, high school, and primary school. The Club indicates that the installation of the artificial surface within the lease area has been the catalyst for the growth of hockey in the area. The Club fields 30 teams in the Canterbury Hockey competition. The surface is also used by local primary and high schools, Lincoln University, and the New Zealand Army as preparation for tournaments. Canterbury Hockey also runs a competition for 7-8 year olds every Saturday morning during the hockey season.
7. The Club has submitted copies of its audited financial accounts dating back the last five years. Officers have formed the view that the Club is financially sound having sufficient funds to undertake the maintenance and development of their club assets, and maintain their membership.

Do the Recommendations of this Report Align with 2009-19 Long Term Plan (LTCCP) budgets?

8. The proposal will not impinge on LTCCP budgets, staff time etc required to put a new Sports Club lease in place being budgeted for in existing budgets. The cost of placing the advertisement in the paper will be on-charged to the Club.
9. The current rent assessed in accordance with the Council's new Sports Club Leases Charging Policy has no adverse financial implications for the Council. The current annual lease rental being paid by the Club to the Council is \$ 322.71 including GST in accordance with this policy.

LEGAL CONSIDERATIONS

10. The Board has delegated authority from the Council to authorise the granting of the proposed new lease, (refer page 3 of the Christchurch City Council Register of Delegations as at 24 November 2011, which refers to Community Boards, Section 5.7, delegating Community Boards to approve or decline the granting of leases or licence on reserves which are subject to the Reserves Act 1977.) because the subject Land is held as Public Reserve (1933 1988 New Zealand Gazette Notices).
11. There is an obligation on the Council when granting a new lease to grant it only if it considers there is sufficient need to continue to provide the facilities for hockey, and that there is not a greater demand for some other sport or recreational activity and that in the public interest some other sport, game, or recreational activity should not have priority that will provide a greater public benefit. Current Club membership numbers justify a new lease being put in place. Staff

in the Council's Recreation and Sports Unit and Network Planning Units have been consulted on the application and they support a new lease being granted

12. Territorial authorities have been delegated by the Minister of Conservation, pursuant to section 10 of the Reserves Act 1977, authority to grant or decline a lease of land under section 54(1)(a), (b), (c), and (d) where the effects of the proposed use will be the same or similar in character, intensity and scale. There will be no changes to these effects by granting the proposed lease, and therefore the Minister of Conservation's delegation can be exercised.
13. As part of that delegation it is necessary for the Council to fulfil the requirements of section 4 of the Conservation Act 1987, that being to consider its obligations to give effect to the Treaty of Waitangi. There are no cultural materials, or fresh water fisheries of importance to Ngai Tahu within the area of Wycola Park to be leased to the Hornby Hockey Club Incorporated and the area is not identified as a site of significance to Tangata Whenua in the Christchurch City Plan. Council officers have therefore considered the Council's obligations under section 4 of the Conservation Act 1987 determining that this issue does not require specific consultation with Te Runanga o Ngai Tahu.

Have you considered the legal implications of the issue under consideration?

14. Yes. Refer paragraphs 10 – 13 above.

ALIGNMENT WITH LONG TERM PLAN (LTCCP)

15. The LTCCP's Council Activities and Services Section promotes the provision of safe, accessible and attractive multi sports parks in order to:
 - (a) Provide leisure and recreation activities opportunities, including spaces for organised sport
 - (b) Usefully locate sports parks across the city
 - (c) Provide green spaces for the city
 - (d) Support community health and well being
 - (e) Provide leased space for clubs to develop sports facilities

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

16. Yes. Refer to paragraph 15 above.

ALIGNMENT WITH STRATEGIES

17. This application is aligned with the Christchurch Active Living Strategy, by supporting member's mental stimulation, physical exercise, and enabling the general public to gain another experience in life by playing hockey.
18. This application also supports the Christchurch Visitor Strategy by maintaining an attraction that visitors both to Christchurch and the park can experience.
19. The approval of this application is in alignment with the Council's Strategic Direction to support Strong Communities. It encourages residents to enjoy living in the city and to have fun, thereby supporting Christchurch as being a good place to live.

Do the recommendations align with the Council's strategies?

20. Yes. Refer to paragraphs 17-19 above.

CONSULTATION FULFILMENT

21. The Council does not need to publicly advertise the proposal or enter in to a formal consultation process because the present sports club has occupied the site continuously for a considerable period of time.

STAFF RECOMMENDATION

That the Riccarton/Wigram Community Board under delegated authority from the Council and Minister of Conservation:

- (a) Approve the granting of a new lease to the Hornby Hockey Club Incorporated over the part of Wycola Park on which the existing building and artificial surface is located, within their existing fences, being approximately 1850 square metres of Wycola Park, a recreation reserve vested in the Christchurch City Council as detailed in Gazette Notice 1983/1385 for a period of up to 33 years broken into three eleven year periods with rights of renewal at the end of the first two periods of 11 years. These rights of renewal being subject to the Council being satisfied that the terms and conditions of the lease have been complied with, and that there is sufficient need for the sports, games, or other recreational activity specified in the lease, and that in the public interest some other sport, game, or recreational activity should not have priority.
- (b) Authorise the Corporate Support Manager in association with the Policy & Leasing Administrator (Network Planning Unit) to conclude and administer the terms of the lease.
- (c) Resolve that the Council's obligations under section 4 of the Conservation Act 1987, have been considered, and determine that this issue does not require specific consultation with Te Runanga o Ngai Tahu, for the reasons set out in section 13 above.