



Make/Shift Spaces Inc.

Guide for property owners and managers (“Hosts”)

What is Make/Shift Spaces Incorporated?

We are a not-for-profit incorporated society that aims to fill the “missing teeth” in the Nelson CBD, by brokering creative enterprise in vacant commercial buildings. We reinvent these buildings as “Make/Shift Spaces”, which host creative and cultural projects and ventures from local artists, creatives and community groups. Through this process, we can respond to unmet needs for accessible venues within the CBD. Hosts also benefit, by increasing exposure to their space and raising its profile within the business and wider communities.

Our organisation is part of an international movement towards community driven urban revitalisation. In our development, we drew on the experiences of similar initiatives around the world. Those communities saw increased engagement with under-utilised urban areas, leading to greater business activity and increased tenancy rates.

Taking cues from the success of those initiatives, founder Anne Rush realised an opportunity to bring this concept to Nelson. We believe this is a unique opportunity to grow community wellbeing and to redefine our city as an incubator of new thinking, ideas and actions. We have developed a network of experts in property, business, law and creative industries that have contributed to our business model.

How do Property Owners benefit?

- **The commercial potential of the building is proven:**
Properties that have been under-utilised for long periods can become unappealing to prospective tenants. Becoming a Host is an opportunity to draw attention to a building and

demonstrate its potential. It is also a way to break out of the usual pool of prospective tenants and access new parts of the community.

- **Activity increases the security of buildings:**
Trespass, vandalism and graffiti are less frequent in occupied buildings. By bringing community enterprise and activity into a space, Property Owners and Managers can avoid the unwanted attention that empty buildings attract. Hosts can also ensure that spaces are cleaned and taken care of between tenancies.
- **Buildings demonstrate purpose and value:**
Commercial buildings find new uses based on the emerging needs of the community. By becoming a Make/Shift Space, buildings attract new activity, attention and vibrancy. This naturally increases a building's profile and exposure. The building is transformed from an empty shell to a space with a purpose. Increased foot traffic stimulates participation and business confidence in the CBD.
- **Windows attract interest while hiding interior building activity:**
Renovations and earthquake strengthening may take many months, during which time the shopfront is often left untended. Make/Shift Spaces can provide full window features of historic or artistic images, with an accompanying story. This hides interior activity while adding an interesting aspect to the street frontage for the passing public.

Is my property suitable to be a Make/Shift Space?

We are interested in buildings and spaces of all kinds, large or small. We receive applications for projects on a variety of scales, with some looking simply for window space to display in. We do however, require that all spaces are safe and habitable, so that we can ensure public safety. We also have a particular interest in spaces within the CBD and main walking routes.

The following criteria are helpful in assessing whether a property will be suitable as a Make/Shift Space:

- **Is the property vacant, disused or awaiting redevelopment?**
Make/Shift Spaces projects are not designed to act as tenancies or long-term occupancy solutions. Instead, they bring activity and visibility to unused spaces to increase the likelihood of finding long-term tenancies.
- **Does the property offer storefront space or well-positioned signage?**
We seek to maximise community visibility for our projects. Spaces that are visible or readily accessible from main pedestrian routes have the most impact.
- **Is the property code compliant and safe for immediate use?**
We need to ensure that the spaces are safe for public use and conform to our Health and Safety Management Plan. Properties must also conform to relevant building, fire and safety regulations. Some superficial repairs may be undertaken by Make/Shift Spaces (such as repainting and removing vandalism), but properties which require major maintenance or construction are not suitable.

- **Does the property have functioning utilities?**

It is necessary that properties have functioning water and electricity. It is, however, not necessary for Property Owners to bear the cost of utility use, which will be met by Make/Shift Spaces and the Programme Participant.

- **Can the property be available for at least 30 days?**

Make/Shift Spaces respects that Property Owners and Managers need to retain control over their spaces. Hosts are free to negotiate a licence term that they feel comfortable with. The Licence to Occupy also preserves the Host's right to terminate the licence if a tenancy is secured or if it simply no longer suits. We do however, generally require a 30-day minimum term to allow participants to accomplish their programme's goals.

Legal Framework

We have worked closely with local lawyers and property managers to develop a sound contractual framework for our projects. We ensure that all parties enter the relationship with a clear understanding of their respective rights and obligations.

Our Licence to Occupy provides peace of mind for Property Owners and Managers. This comprehensive agreement is entered by Make/Shift Spaces and potential Hosts. The licence clearly apportions responsibility for outgoings, insurance and maintenance as well as specifying permitted uses of the property. It also provides remedies for hosts in case any unwanted consequences result from the its use as a Make/Shift Space.

We then enter a Sub-Licence with the Programme Participant, granting rights to use the space for the approved activity. This Sub-Licence places obligations relating to the use and care of the property on Programme Participants. The Sub-Licence does not affect the obligations that Make/Shift Spaces already owes to Hosts under the Licence to Occupy.

How are outgoings apportioned?

Make/Shift Spaces will negotiate responsibility for outgoings and other expenses directly with potential Hosts. The costs associated with each project will vary greatly. For this reason, each agreement is tailored to meet the needs of both the Host and the Programme Participant. Make/Shift Spaces will compensate Hosts directly for the outgoings and any other costs agreed under the Licence.

Do I need insurance?

Make/Shift Spaces maintains public liability insurance to cover potential liabilities arising out of their activities. We also encourage Programme Participants to take out their own insurance prior to commencing their projects. Property Owners are responsible for maintaining their own insurance policies at their discretion.

How long will the licence last?

The duration of licences will vary, depending on the nature of the activities and the availability of the space. Hosts are free to request a fixed term or a 'run on' licence that is renewed automatically while

the building remains available. In either case, the licence may be terminated by providing written notice in accordance with a pre-agreed notice period.

Who will maintain the property?

Under the Licence to Occupy, Make/Shift Spaces is responsible for maintaining the property throughout the licence period. This means ensuring the space is kept in a tidy and tenable condition. Make/Shift Spaces is also responsible for ensuring the property is returned to its original condition, or better, at the expiration of the licence.

How do I become a Host?

Submit an expression of interest form on our website by providing contact information and basic details on your space. Our Property Committee will then get in touch to gather further information and to answer any questions you may have. A property walk through will then be arranged to get a better sense of the space and to take photos for the Selection Panel. Your property will then be added to our database to be matched with a suitable project. As part of the selection process, Host consultation will occur to ensure the project will be the right fit for their space. Once approved by the Selection Panel and the Host, we will sign the licence and sub-licence agreements and activate the space.

How are projects selected?

We have a robust selection process that ensures the projects are of a high quality and appropriate for each location. Our Selection Panel carefully reviews applications against our selection criteria and approves suitable projects. The Selection Panel then matches the projects to an appropriate space. Hosts will be informed of the intended use of the property and can object to projects that they do not feel are appropriate for their space. Pre-agreed 'permitted uses' for the property are included in both the Licence to Occupy and the Sub-Licence.

Project selection criteria

In assessing whether a project would be a good fit for a space, Make/Shift Spaces may consider several criteria, including:

- **Would the project compete with existing businesses in the area?**

We aim to reinvigorate disused area in the Nelson CBD, without harming any existing enterprises. As part of the selection process, the panel will assess how the project might impact local businesses.

- **Is the Programme Participant comfortable with the terms of the licence?**

Programme Participants must be comfortable with a short-term, terminable licence. We emphasise that we are not brokering commercial leases, but activating spaces while they remain unused. Programme Participants must be willing to trade-off the low cost of the space against the lack of security of their occupancy.

- **Is the project a creative, cultural or community enterprise that will inject vitality into the area?**

Projects should be unique and original, with the power to draw people back to the city centre. We also require that projects provide a community benefit beyond commerce.

- **Does the project show a high degree of professionalism and a clear vision?**

There will be a limited number of spaces available for projects. Accordingly, candidates will be eligible only if they are serious about what they are doing and have a clear idea of what they are trying to accomplish. In addition, projects should be finalised and ready to implement. We will not approve projects that require months of development before they can launch.

- **Does the project have the support of the Property Owners/Managers?**

Hosts have the ultimate right to decide what uses the Make/Shift Spaces and Programme Participants may make of their property.

- **Does the project conform to local government and legislative requirements?**

Some projects, in particular in the area of performing arts, may not be possible to implement because of legal restrictions related to places of public entertainment. It is also important that applicants are aware of safety regulations and the Building Act 2004.

Interpretation:

Host: a property owner or manager who has signed a Licence to Occupy with our organisation, enabling a programme participant to utilise their space.

Programme Participant: a community member or organisation whose project proposal has been approved.

Make/Shift Space: a building or space licenced for use as a venue for an approved project.