

**Mayor and Councillors**  
COUNCIL

29 SEPTEMBER 2016

Meeting Status: **Public**

Purpose of Report: For Decision

**LEASE OF COUNCIL OWNED LAND AT TE ĀTIAWA PARK,  
PARAPARAUMU, KAPITI SOFTBALL CLUB**

**PURPOSE OF REPORT**

- 1 This report seeks approval to enter into a new lease agreement with the Kapiti Softball Club on Council owned land at Te Ātiawa Park, Paraparaumu.

**DELEGATION**

- 2 Council has the authority to consider this matter.

**BACKGROUND**

- 3 The agreement would be for part of the land area known as Te Ātiawa Park and more particularly shown as the hatched area in Appendix 1 and being part of the land comprised and described in PT LOT 5 DP 17327. The land is administered by Kāpiti Coast District Council under the Reserves Act 1977 (the Act).
- 4 The Kapiti Softball Club lease to occupy expired on 01 June 2014 after a thirty three year term.
- 5 The Kapiti Softball Club has advised the Council they would like to enter into a lease for a further ten year term commencing from 01 June 2016, with two ten year rights of renewal. Current rental cost is \$812 per annum, with an annual review. This aligns with charges set out in the Long Term Plan and the current policy on Reserve Land Rentals shown in Appendix 2.

**ISSUES AND OPTIONS**

**Issues**

- 6 There are limitations on activities that are permitted on this site subject to the Act. The activities proposed are consistent with the Act.
- 7 The Kapiti Softball Club has had a lease for land at Te Ātiawa Park since 1981. It is proposed the lease activity will continue to provide a space solely for the purposes associated with the Kapiti Softball Club.
- 8 The building is on two levels: the ground level is owned and maintained by Council as changing rooms and storage, and the upper level is owned and maintained by Kapiti Softball Club as their clubrooms. The lease agreement under consideration is only for the upper level of the building, which is occupied by the Kapiti Softball Club.

## **CONSIDERATIONS**

### Policy considerations

- 9 There are no policy issues arising from this decision.

### Legal considerations

- 10 Section 54 of the Act authorises the Council to enter into a lease for reserves.
- 11 New lease documentation will be drafted and will be reviewed by the Council's legal advisor before being presented to the Kapiti Softball Club for signing.

### Financial considerations

- 12 The lease will include annual rental to be paid at the appropriate rate set annually by the Council in either the Long Term Plan or Annual Plan. Costs associated with a new lease are required to be covered by the Lessee.

### Tāngata whenua considerations

- 13 There are no known issues for consideration relating to iwi or the Treaty of Waitangi.

## **SIGNIFICANCE AND ENGAGEMENT**

### Degree of significance

- 14 This matter has a low level of significance under Council policy.

### Consultation already undertaken

- 15 The Paraparaumu/Raumati Community Board chair has confirmed there are no known concerns associated with this lease. As this is a continuation of an existing occupation since 1995 no other consultation has been undertaken.

### Engagement planning

- 16 An engagement plan is not needed to implement this decision.

### Publicity

- 17 No public notification is required as this concession is being treated as a reissue of permit under the Reserves Act 1977.

## RECOMMENDATIONS

- 18 That the Kāpiti Coast District Council enters into a lease agreement for ten years with two further ten year rights of renewal, commencing 01 June 2016 with the Kapiti Softball Club, for the land at Te Ātiawa Park shown in Appendix 1 to report CS-16-1910 at an annual rental set by the Council in the Long Term Plan or Annual Plan.

<b>Report prepared by</b>	<b>Approved for submission</b>	<b>Approved for submission</b>
Alison Law	Kevin Black	Max Pedersen
<b>Parks &amp; Recreation Manager</b>	<b>Acting Group Manager Strategy &amp; Planning</b>	<b>Group Manager Community Services</b>

## ATTACHMENTS

- Appendix 1: Plan of land area proposed for lease at Te Ātiawa Park  
Appendix 2: Reserve Land Rentals 2016/2017

Appendix 1 - Kapiti Softball Club lease Area



**Appendix 2 - Reserve Land Rentals 2016/2017**

Reserve land rentals	
Clubs with alcohol licences	\$827
Clubs without alcohol licences	\$415
Craft, hobbies and other activities	\$332
Educational (standard)	\$201
Youth and service	\$201