

**Mayor and Councillors**  
COUNCIL

2 MARCH 2017

Meeting Status: **Public**

Purpose of Report: For Decision

**LEASE FOR ELIZABETH STREET RESERVE, WAIKANAĒ  
MONTESSORI PRE SCHOOL**

**PURPOSE OF REPORT**

- 1 This report seeks Council's approval to enter into a lease agreement with the Waikanae Montessori Pre School, for land at the Elizabeth Street Reserve, Waikanae.

**DELEGATION**

- 2 Council has the authority to consider this matter.

**BACKGROUND**

- 3 This agreement would be for part of the land area known as Elizabeth Street Reserve and more particularly shown as the area in red in Appendix 1 and being part of the land comprised and described in LOTS 8 9 DP 1031. The land is classified as local purpose and is owned by the Kāpiti Coast District Council under the Reserves Act 1977 (the Act).
- 4 Waikanae Montessori Pre School has previously occupied this site by way of a lease since 1997. This current lease expires on 31 March 2017, and subsequently the Club have requested a new lease be entered into.
- 5 The reserve is classified as local purpose reserve under Section 61 of the Act. As this lease is for a kindergarten, Section 61(2A) of the Act applies and empowers Council to grant a lease for up to 33 years without public auction or public tender.

**ISSUES AND OPTIONS**

**Issues**

- 6 There are limitations on activities that are permitted on this site subject to the Reserves Act 1977. The activities proposed are consistent with the Act.
- 7 It is proposed the lease activity will continue to provide a space solely for the purposes associated with the pre-school.
- 8 The proposed term of the lease is twenty years. This is consistent with other leases that have been granted for kindergartens.

## CONSIDERATIONS

### Policy considerations

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

### Legal considerations

- 10 The Act empowers Council to grant a lease for up to 33 years for the purpose of a kindergarten, play centre etc or farming and grazing. A lease granted for these purposes does not need to be publicly notified or auctioned.
- 11 New lease documentation will be drafted and will be reviewed by the Council's legal advisor before being presented to Waikanae Montessori Pre School 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 as shown in Appendix 2. Costs associated with a new lease are required to be covered by the Lessee.

### Tāngata whenua considerations

- 13 There are no known tāngata whenua considerations.

## SIGNIFICANCE AND ENGAGEMENT

### Degree of significance

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

### Consultation already undertaken

- 15 The Waikanae Community Board Chair has been advised of this proposed lease and has raised no concerns.

### Engagement planning

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

### Publicity

- 17 Public notification in this instance is not required.

## RECOMMENDATIONS

- 18 That the Kāpiti Coast District Council authorises the Chief Executive to enter into a lease for twenty years, commencing 10 April 2017 with Waikanae Montessori Pre School, for the land at Elizabeth Street Reserve shown in Appendix 1 to report CS-17-124 at an annual rental set by the Council in the Long Term Plan or Annual Plan

**Report prepared by**

**Approved for  
submission**

**Approved for  
submission**

Mark Hammond

**Parks and Recreation  
Planner**

Sean Mallon

**Group Manager  
Infrastructure Services**

Max Pedersen

**Group Manager  
Community Services**

**ATTACHMENTS**

Appendix 1: Plan of land area proposed for lease at Elizabeth Street Reserve.

Appendix 2: Reserve Land Rentals 2016-17

Appendix 1: Plan of land area proposed for lease at Elizabeth Street Reserve.



**Appendix 2: Reserve Land Rentals 2016-17**

<b>Reserve Land Rentals 2016/17</b>	
Clubs with alcohol licences	<b>\$827</b>
Clubs without alcohol licences	<b>\$415</b>
Craft, hobbies and other activities	<b>\$332</b>
Educational (standard)	<b>\$201</b>
Youth and service	<b>\$201</b>