

Mayor and Councillors
COUNCIL

26 APRIL 2018

Meeting Status: **Public**

Purpose of Report: For Decision

LEASE FOR COMBINED LIONS OF KAPITI, WAIKANAЕ DOMAIN

PURPOSE OF REPORT

- 1 This report seeks Council's approval to enter into a lease agreement with the Combined Lions of Kapiti (the Lions Club), for land at the Waikanae Domain (Rangihiroa Street), Waikanae.

DELEGATION

- 2 Council has the authority to consider this matter.

BACKGROUND

- 3 On 16 April 2015, Council via the Waikanae Community Board granted a lease to the Lions Club to occupy part of Waikanae Domain. The proposal was that the Lions Club would share an area of an existing building owned and managed by the Kāpiti Menzshed who already occupied Waikanae Domain by way of a lease.
- 4 Since 2015, no lease documentation has been prepared due to on-going discussions and the fact that the arrangement between the Lions Club and the Menzshed has changed. The Menzshed operation has grown in size, meaning there is no longer available space within the existing building to accommodate the Lions Club.
- 5 It is now proposed that the Lions Club erect a new building adjacent to the Menzshed building, and in view of this change the lease process needs to recommence. There is a resource consent for the works.
- 6 It is proposed that a new agreement be made for part of the land area known as Waikanae Domain and more particularly shown as the area in red in Appendix 1 and being part of the land comprised and described in Pt Sec 1 Blk V Kaitawa SD. The land is classified as local purpose and is vested in the Kāpiti Coast District Council under the Reserves Act 1977 (the Act). The land was once used as the Waikanae Depot by Council.
- 7 The Club does not currently occupy the land and will be constructing a building for the purposes of storing books for their annual book fair fundraiser.
- 8 The Menzshed also occupy part of the land. Originally, space was to be made available for the Lions Club in the Menzshed building. The Menzshed operation has grown over the past years and it has been agreed that a new building will be built, funded and managed by the Lions Club.
- 9 The reserve was classified as public purposes reserve which became local purpose under Section 61 of the Act. As this lease is for a community building,

Section 61(2A) of the Act applies and enables a lease to be granted for up to 33 years without public auction or public notification.

ISSUES AND OPTIONS

Issues

- 10 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.
- 11 It is proposed the lease activity will be to provide a space for the purposes of community fundraising such as the storage of books.
- 12 The proposed term of the lease is twenty years. This is consistent with other leases that have been granted on local purpose reserves in the District under this section of the Act.
- 13 The Lions Club need to fundraise in order to undertake the construction of the new building. The granting of a lease will enable them to seek the necessary funding.

CONSIDERATIONS

Policy considerations

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

Legal considerations

- 15 The Act empowers Council to grant a lease for up to 33 years for the purpose of a community building, kindergarten, play centre etc or farming and grazing. A lease granted for these purposes does not need to be publicly notified or auctioned.
- 16 If approved, new lease documentation will be drafted and will be reviewed by the Council's legal advisor before being presented to the Club for signing.

Financial considerations

- 17 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

- 18 There are no known tāngata whenua considerations.

SIGNIFICANCE AND ENGAGEMENT

Degree of significance

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

Consultation already undertaken

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

Engagement planning

21 An engagement plan is not needed to implement this decision.

Publicity

22 Public notification in this instance is not required.

RECOMMENDATIONS

23 That the Kāpiti Coast District Council authorises the Chief Executive to enter into a lease for twenty years, commencing 01 June 2018 with Combined Lions of Kapiti, for the land at Waikanae Domain shown in Appendix 1 to report CS-18-478 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 Waikanae Domain.

Appendix 1:

