

**Mayor and Councillors**  
COUNCIL

10 AUGUST 2017

Meeting Status: **Public**

Purpose of Report: For Decision

**GOLD COAST WESTERN RIDING CLUB – PROPOSED LEASE  
REIKORANGI RESERVE**

**PURPOSE OF REPORT**

- 1 This report seeks approval to enter into a lease with the Gold Coast Western Riding Club on land at Reikorangi Reserve.

**DELEGATION**

- 2 Council has the authority to consider this matter.

**BACKGROUND**

- 3 A previous report was submitted to the Council meeting on 13 April 2017. The matter was deferred at that meeting to enable the Council to be separately briefed on several matters raised by submitters. A briefing to Council took place on 15 June 2017.
- 4 The Reikorangi Reserve is described as Section 5, 5a and 5b, Block X, Kaitawa Survey District and is owned by the Department of Conservation (DOC). The Council has been appointed to control and manage the Reserve which is classified as Local Purpose (community use). This proposed lease would come under Section 59A(1) of the Reserves Act 1977 (the Act). A map of the Reserve is attached as Appendix 1.
- 5 The Gold Coast Western Riding Club (GCWRC) is an incorporated society. It claims to have a membership of 42 of which 31 are either residents or ratepayers of the Kapiti Coast District.
- 6 The Gold Coast Western Riding Club's (GCWRC) occupancy of the reserve was previously in the form of permit concessions issued by DOC, the last of which expired on 31 December 2014 after a five year term. The concessions, which covered the entire reserve except for the hall and tennis courts, was for "horse riding activities, including maintenance of horse riding tracks, and gathering hay for the purpose of feeding horses on the land".
- 7 DOC requested the Council to take over the granting of concessions for the reserve and accordingly, the Environment and Community Development Committee approved a new lease to the club at the 16 June 2016 meeting under report CS-16-1877. There were errors in the report and procedural irregularities

in the process that was followed at the time. The process was recommenced with public notification being given of the Council's proposal to lease the reserve to GCWRC for a ten year term with two rights of renewal for further ten year terms.

- 8 The public notification period closed on 31 January 2017 and 13 submissions were received. Of the 13 submissions, 12 were opposed to the proposed lease and one was in support. A summary of the submissions is below and the full submissions are attached as Appendix 2.

Submitter	Opposed / in support	Submission key points
Ruth and Julian Blackett	Opposed	Local community hasn't had the opportunity to consider what other activities the land could be used for. Membership of the club does not reflect a local purpose reserve. Local outcomes process requested.
Peter Bollmann	Opposed	Exclusivity of lease restricts the ability for local community use. Ten year term with two rights of renewal is too long. Local community benefit needs to be addressed.
Anna Carter	Opposed	Previous leases have been flawed as there should have been a public auction. The purpose of the lease does not meet the purpose of a local purpose reserve being for community use. Would like a Council initiated Local Outcomes process for the Reikorangi Community.
Mark Gibbin	Opposed	Reserve should be available for local residents to use.
Caroline Girdlestone	Opposed	GCWRC does not represent the local community. The Domain should be available for community use.
Robyn Grundmann	Opposed	Public access not being granted is not in line with the purpose of the Reikorangi Domain as a Local Purpose Reserve (Community Use). GCWRC does not meet the purpose of a Local Purpose Reserve as the club does not represent the Reikorangi Community. Would like a Local Outcome Community Process for Reikorangi to be undertaken.
Lesley McKenzie	Opposed	Public access not being granted is not in line with the purpose of the Reikorangi Domain as a Local Purpose Reserve (Community Use). GCWRC does not meet the purpose of a Local Purpose Reserve as the club does not represent the Reikorangi Community. Would like a Local Outcome Community Process for Reikorangi to be undertaken.
Julia Palmer	Opposed	The GCWRC has a small membership and they are not members of the local community. The club only use the land a few times a year but the land remains inaccessible. The length of the proposed lease is too long.

Submitter	Opposed / in support	Submission key points
Gregg Monk & Trina James	Opposed	The GCWRC has a small membership and they are not members of the local community. The club only use the land a few times a year but the land remains inaccessible. The length of the proposed lease is too long.
Mandy Punnett	Opposed	The GCWRC has a small membership and they are not members of the local community. The club only use the land a few times a year but the land remains inaccessible. The length of the proposed lease is too long.
Debbie Uren	Opposed	The length of the proposed lease is too long. Public access not being granted is not in line with the purpose of the Reikorangi Domain as a Local Purpose Reserve (Community Use). Would like a Local Outcome Community Process for Reikorangi to be undertaken.
Rick Swan	Opposed	The GCWRC has a small membership and they are not members of the local community. The lease doesn't allow any community use. Length of proposed lease is too long.
Gold Coast Western Riding Club	In support	The club built the facilities, is active and continually cares for the grounds. The 26 members are from Kapiti, Wellington, Horowhenua and Manawatu. The club has accommodated locals requiring use of the grounds in the past.

## ISSUES AND OPTIONS

### Issues

9 The key issues raised by submitters are addressed below:

**i) Process issues**

The submission from Anna Carter refers to the Public Bodies Leasing Act (PBLA) and that in her view, previous concessions and this proposed lease do not meet the requirements under that Act.

Section 61 of the Reserves Act specifies the powers of an administering body with respect to local purpose reserve, including leasing powers. However, the leasing powers in section 61(2) and 61(2A) of the Reserves Act, only apply to a local purpose reserve that is vested in the administering body. Whilst in this instance the Council is appointed to control and manage, the Reikorangi Reserve remains vested in DOC, therefore the PBLA does not apply to this reserve.

**ii) Inconsistency with the community use classification**

The submitters consider that the use of the Reserve by the GCWRC does not meet the classification of Local Purpose (community use).

The proposed use of horse riding is a recreational activity that would fit more comfortably with a classification of recreation than community use so there is validity in the issue being raised. In view of the submissions on this issue and subsequent advice received it is proposed to reduce the lease area to that of the arena only. This would mean that the primary use of the Reserve would be for community purposes with the use by GWRC being a secondary use. This proposal would hopefully meet the needs of both the local community and GCWRC and would also be consistent with the classification of the reserve.

**iii) Proposed term is too long**

The submitters consider the proposed length of the lease is too long as it would effectively prevent the community from realising any aspirations that it may develop for the area for thirty years if GCWRC decided to exercise its rights of renewal.

The club's previous DOC concessions were for periods of five years without right of renewal. In view of the submissions received it is now proposed to issue a lease for a five year term without a right of renewal. GCWRC are agreeable to this arrangement

**iv) Request for a community outcomes process**

A number of submitters request the Council to undertake a community outcomes process.

That is outside of the scope of this report. However, in view of these submissions it is proposed that the lease provides for early termination in the event of any future community outcomes identifying the arena being required for an alternative community purpose. GCWRC are agreeable to this arrangement.

- 10 Council officers met with the GCWRC to discuss options available for their use of the grounds. They are agreeable to a shorter term of five years with no right of renewal and a clause allowing earlier termination if required. The club raised concerns about allowing open access to the arena as in the past there has been damage caused to the arena and the surrounding post and rail fence. The club would prefer if the lease area included some of the land around the arena to enable easier and safer access for their members with horse floats and trucks on non-club days.
- 11 The club claims that it holds a rally for members once a month and up to four events per year. Riders from all over the lower North Island come to these events. The full Reserve would be required on rally and event days as there would be multiple horses and floats/trucks. As per standard practice, the Reserve would be booked in advance through Councils usual channels. The dates when the full Reserve isn't available (excluding the tennis courts) would be advertised via a sign at the Reserve.
- 12 The arena was originally built by club members and is owned and maintained by the GCWRC. The club has informed officers that if the lease was not granted, the arena surface and surrounding post and rail fence would be removed. The existing concession provides for structures to be removed with the consent of DOC (which cannot unreasonably be withheld).

## Option 1

- 13 A lease granted solely for the area where the arena is located as shown in Appendix 3. The balance of the Reserve would be available for community use. The GCWRC would be able to have use of the full reserve for an agreed number of days for events and club rallies provided they have followed the necessary process.
- 14 The five year lease would enable early termination by Council with a three month notice period, in the event of any future community outcomes identifying the arena being required for an alternative purpose.
- 15 Council would take over maintenance of the Reikorangi Reserve, excluding the arena, at an additional cost of \$4,000 per annum.

## Option 2

- 16 A lease granted as per the proposal advertised in January 2017, giving exclusive use of the Reikorangi Reserve (excluding the hall and tennis court) to the GCWRC for a ten year term with two ten year rights of renewal.
- 17 In light of submissions received and subsequent legal advice regarding the Local Purpose (community use) classification, this is not considered an appropriate option.

## Option 3

- 18 Council does not issue a lease to the GCWRC and the community is given full access to all of the Reikorangi Reserve. The club will remove the arena and Council will take over the maintenance of the Reserve at an approximate cost of \$4,000 per annum.
- 19 Council could consider issuing an alternative form of concession such as a permit but that would not provide the club with exclusive possession of the arena and also would not be consistent with Council's usual practice which is to enter into leases.
- 20 Option 1 is Officer's preferred option.

## CONSIDERATIONS

### Policy considerations

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

### Legal considerations

- 19 The Council is able to grant a concession, which includes a lease, a permit or licence under section 59A of the Reserves Act, in accordance with Part 3B of the Conservation Act. While section 59A specifically states that the "Minister" may grant a concession, in the present circumstances, the Minister has delegated his power to grant a concession to any territorial authority appointed to control and manage a reserve. Part 3B of the Conservation Act sets out the process to be followed in granting a lease. The Council must publically notify its intention to

grant the lease and allow time for submissions to be received and considered. This has occurred.

- 20 A “concession” is defined as a lease, a permit or a licence. A lease grants an interest in the land that provides exclusive possession however a permit provides the right to carry out an activity that does not require an interest in the land. A licence means any other grant that does not provide an exclusive right. The Club has built and maintained its arena complex, and if the arena is left unlocked, there is a risk of damage, which would adversely impact on the activities of the Club and might result in significant repair costs. Section 17U9(5) of the Conservation Act empowers the Council to grant a lease or licence granting an interest in land if the lease or licence relates to one or more fixed structures.
- 21 The recommended lease option satisfies the obligation that the primary use of the Reserve is for community purposes.

### Financial considerations

- 22 The cost for maintaining the full Reserve (excluding the arena) is approximately \$4,000 per annum. This cost has previously not been incurred by Council because of the previous concession with GCWRC.

### Tāngata whenua considerations

- 23 There are no Tāngata whenua considerations.

## **SIGNIFICANCE AND ENGAGEMENT**

### Significance Policy

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

### Consultation already undertaken

- 25 A 40 day public notification was undertaken as required by the Conservation Act.
- 26 A meeting was held with representatives of the Reikorangi Community on 27 June 2017 to discuss issues raised by them. The Council was represented at the meeting by the Mayor, Chief Executive, Group Manager, Community Services and Parks and Recreation Manager. It was acknowledged at that meeting that the community representatives’ main issue was about securing equitable club membership/arena access for local people, rather than opposition to the principle of a lease being granted to the club per se.
- 27 Subsequent attempts to arrange a meeting between Community and Club representatives were frustrated. If Council approves a lease to GCWRC, staff will attempt to facilitate a future meeting or meetings between Community and Club representatives.

### Publicity

- 28 The submitters will be notified of the result of this meeting.

## RECOMMENDATIONS

- 29 That the Council grants a lease for five years with no right of renewal, in general accordance with Option 1 in this report, commencing 1 September 2017 to the Gold Coast Western Riding Club for the area shown in Appendix 3 to this report CS-17-283 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>
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Alison Law

Sean Mallon

Max Pedersen

**Parks and Recreation  
Manager**

**Group Manager  
Infrastructure Services**

**Group Manager  
Community Services**

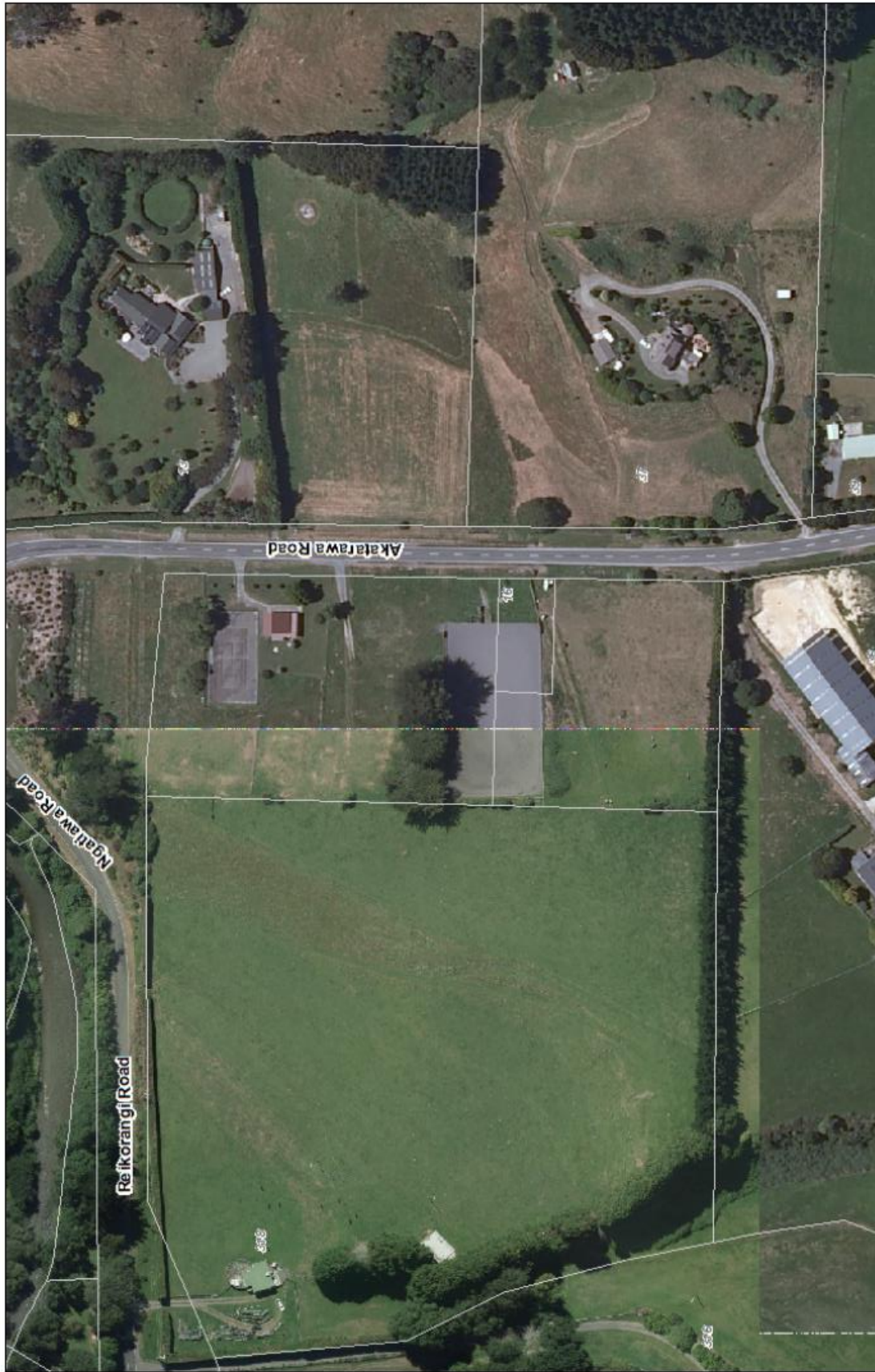
**Approved for submission**

Nicola Tutt  
**Legal Counsel**

## ATTACHMENTS

- |            |   |
|------------|---|
| Appendix 1 | Map of the area and location of the arena |
| Appendix 2 | Submissions                               |
| Appendix 3 | Proposed lease area                       |

# Appendix 1



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## Reikorangi Reserve

SCALE 1: 1,045 @A4  
Date Printed: 30-March-2017



**Saturday 21 January 2017**

## **PUBLIC NOTIFICATION FOR REIKORANGI COMMUNITY RESERVE PROPOSED LEASE**

TO:

Kāpiti Coast District Council,  
175 Rimu Road,  
Private Bag 60601, Paraparaumu 5254

VIA EMAIL: [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.govt.nz).

### **SUBMISSION ON NOTIFICATION OF NOTICE TO LEASE LAND AT REIKORANGI COMMUNITY RESERVE**

The Council notice stated: *“The Kāpiti Coast District Council would like to publically notify its intent to enter into a new lease with the Gold Coast Western Riding Club for part of the land at Reikorangi Community Reserve. This notice is a requirement under Section 49 of the Conservation Act 1987.*

*The proposed lease is for use of part of the land situated at Reikorangi Community Reserve, in Reikorangi and would be for a ten year term, with two ten year rights of renewal.*

*As a Local Purpose Reserve (community use), controlled and managed by the Kāpiti Coast District Council, and vested in the Department of Conservation this proposed lease would come under Section 59A (1) of the Reserves Act 1977.*

*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions.”*

### **SUMMARY OF THIS SUBMISSION**

1. As a local resident of Reikorangi I have a vested interest in what happens on the land identified as the Reikorangi Domain. I have hired the hall many times and regularly use the tennis court with my children. I am not a horse rider or horse owner but my kids may at some point be interested in horse riding
2. I consider the last two leases (issued by KCDC in 2011 and then in 2016) to be flawed. There should have been a public auction calling for the lease of this land.
3. I oppose the lease to the Gold Coast Western Riding Club because the purpose of the lease does not meet the purpose of the local purpose reserve being for community use.
4. I would like the Council to withdraw the public notice and either hold a public auction and call for interested parties to lease the land; or alternatively hold off holding a public auction until such time that the Council has held a Council initiated Local Outcomes process for the Reikorangi Community. The latter being my preference.

### **BACKGROUND**

For the purpose of my submission I would like to set out the history of the lease by the Gold Coast Western Riding Club of the Reikorangi Domain, including under what conditions that lease was issued. Below is a timeline of the lease agreements along with commentary about how I understand the law associated with granting those leases:

- The land that is the subject of this lease was gazetted as the “Reikorangi Domain” and legally described as Section 5 and Section 5A Block X Kaitawa District shown on SO Plan 13529 and being 1.9222ha by gazette notice in the New Zealand Gazette in August 1974 but excluded an area of land around the hall and the tennis courts;
- The Reikorangi Domain was and still is part of the Conservation Estate and is overseen by the Department of Conservation but managed by Kāpiti Coast District Council (KCDC);
- In 1998 the Department of Conservation (DOC) published a notice in the gazette re-classifying the Reikorangi Domain as a “Local Purpose Reserve (Community Use) under the Reserves Act 1977 and vested management control of the reserve with the Kāpiti Coast District Council.

The wording of the Gazette Notice is important. The wording is that, “...*the Department of Conservation, hereby classifies the reserve, described in the Schedule hereto, as a local purpose reserve (**community use**) and further appoints the Kāpiti Coast District Council to control and manage the reserve, subject to the provisions of the said Act [the Reserves Act 1977] to be known as the **Reikorangi Community Reserve...**”*

Unfortunately, from the communities perspective, when DOC vested the reserve in KCDC it did not direct the Council to prepare a Management Plan for the reserve which would have required the Council to consult with the community over the future management of the reserve (section 41(16) of the Reserves Act 1977 states that local authorities do not need to prepare management plans for local purpose reserves unless specified in the gazette notice). Therefore no management plan for the Reikorangi Domain exists. Max Pederson in his letter to Debbie Uren when sending the OIA information did provide a list of assets connected with the land and the value of those assets (total value of all assets being around \$85,000) and presumably Council manages those assets in some organised way.

However, the Reserves Act is clear that reserves must be managed for the purpose they were classified – in this case for the community. The relevant sections of the Reserves Act are as follows:

### **S23 Local Purpose Reserves**

*“1. It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as local purpose reserves for the **purpose of providing and retaining areas for such local purpose or purposes as are specified in any classification of the reserve.**”*

### **S.26 Vesting of Reserves**

*“1. For the better carrying out of the purposes of any reserve (not being a government purpose reserve) vested in the Crown, the Minister may, by notice in the Gazette, vest the reserve in any local authority or in any trustees empowered by or under any Act or any other lawful authority, as the case may be, **to hold and administer the land and expend money thereon for the particular purpose for which the reserve is classified...***

*2. All land so vested shall be **held in trust for such purposes** as aforesaid and subject to such special conditions and restrictions as may be specified in the said notice...”*

### **S.60 Function of administering body**

*1. The administering body shall be charged with the duty of administering, managing and controlling the reserves under its control and management in accordance with the appropriate provisions of this Act [Reserves Act 1977] and in terms of its appointment and the means at its disposal, **so as to ensure the***

**use, enjoyment, development, maintenance, protection and preservation, as the case may require, of the reserve for the purpose for which it is classified.**

...”

#### **S.61 Powers (including leasing) in respect of local purpose reserve**

1. *The administering body of a local purpose reserve may in the exercise of its functions under section 40, do such things as it may from time to time consider necessary or desirable for the proper and beneficial management, administration and control of the reserve **and for the use of the reserve for the purpose specified in its classification ...***

2. *The administering body in the case of a local purpose reserve that is vested in the administering body, is hereby declared to be a leasing authority of that reserve for the purposes of the Public Bodies Leases Act 1969 ....”*

The Public Bodies Leases Act 1969 states that before a leasing authority can lease a local purpose reserve (where that lease is for 5 years or more) **the authority is required to call for public applications for leasing the land** and that at any time the leasing authority can withdraw its public request to lease the land if there are no suitable applicants.

It appears that leases of less than five years can be entered into via a private contract provided they are not renewable and only on the basis that the lease gives effect to the purpose of the reserve as classified. There would have to be clear community benefit from any lease granted.

The relevant sections of Public Bodies Leases Act 1969 are quoted below:

#### **8. Leases may be sold by public auction or public tender**

(1) *Except so far as this Act otherwise provides, every lease granted under this Part shall be sold by the leasing authority by **public auction** or public tender, **of which public notice has been given.***

(2) *Every such notice shall be so published not less than 21 days before the day appointed for the auction, or before the last day appointed for making a tender, as the case may be, and twice after that notice and before the day so appointed.*

(3) *Every such notice shall contain particulars as to the material provisions of the lease proposed to be sold, but, in relation to the provisions of Schedule 1 or Schedule 2, it shall be sufficient in the notice to refer to that schedule.*

(4) *It shall not be necessary in any such sale by auction or tender for the leasing authority to accept the highest or any bid or tender, but no bid or tender other than the highest shall be accepted, except pursuant to subsection (5).*

(5) *Notwithstanding anything in this section, a lease that has been offered for sale as aforesaid and not sold may at any time within 12 months after the day of the auction, or after the last day appointed for making a tender, as the case may be, be sold by private contract at a rent not less than the upset rent at which the lease was so offered.*

(6) *Nothing in this section shall prevent a leasing authority from leasing any land by private contract for a tenancy at will, or for any term not exceeding 5 years, or for a term determinable at any time by the leasing authority by 6 months’ notice or any shorter notice.”*

### **S.17 Public Applications for Lease**

Where under this Act land is to be leased after calling for public applications, the following provisions shall apply:

- (a) The leasing authority shall by public notice call for applications to lease the land:
- (b) the notice shall specify the rent at which the land will be leased, the price at which any improvements thereon to be purchased by the lessee shall be purchased, and the date and time of closing of applications and place for making applications, being not less than 21 days from the date when the land is first notified as open for leasing:
- (c) If no application to lease the land has been received from a suitable applicant on or before the day specified in the notice, the land shall remain open for leasing on the terms advertised:
- (d) The leasing authority may at any time withdraw the land from leasing, notwithstanding that application to lease the land may have been made:
- (e) The leasing authority shall, in such manner as it thinks fit, inquire into all matters affecting an applicant's suitability, and may reject any application where the applicant refuses or fails to answer any such inquiries to the satisfaction of the leasing authority:
- (f) Where more than 1 application is made within the time specified, the leasing authority shall determine which applicant is the most suitable applicant for the land, and shall lease the land to him: provided that nothing in this paragraph shall compel the leasing authority to lease the land where in its opinion there is no suitable applicant:
- (g) In determining **which applicant is the most suitable**, the leasing authority shall take into account all relevant matters, including, but without limiting the generality of the foregoing provisions of this paragraph, the following matters:
  - (i) the purpose for which the land is suited or intended to be used:
  - (ii) the ability, having regard to his financial resources and other relevant matters of any kind whatsoever, of each applicant to use the land for the purpose for which it is suited or intended to be used:
  - (iii) In the case of farm land, the farming experience of each applicant:
- (h) Where in the opinion of the leasing authority there are 2 or more applicants equally suitable to take a lease of the land, the applicant entitled to the lease shall be determined by ballot held in such manner as the leasing authority decides:
  - (i) the leasing authority shall give not less than 7 days' public notice of the time and place at which any such ballot is to be held, and any person, whether an applicant or not, shall be entitled to be present at the holding of the ballot:
- (j) Subject to the foregoing provisions of this section, the decision of the leasing authority on any question arising under this section shall be final."

Duncan Laing a respected lawyer with Simpson Grierson wrote a paper on leasing local purpose reserves back in 2007 (see <http://www.lapa.co.nz/wp-content/uploads/2016/07/localpurposereservessep07dlaing.pdf>) and stated that although section 303 of the Local Government Act 2002 stated that territorial authorities were no longer leasing authorities for the purpose of the Public Bodies Leases Act, that there is still a need to comply with section 61(2) of the Reserves Act. Mr Laing's specific comments were, "this conflict causes

an issue about the leasing authority status of local authorities, although the specific nature of section 61(2) of the Reserves Act suggests that when leasing a public reserve **the local authority will still need to comply with the PBLA.**” Mr Laing in his paper also notes that section 10 of the Local Government Act conferred a general power to “promote the social, economic, environmental and cultural well-being of communities.”

- A concession granted by DOC and KCDC for the Gold Coast Western Riding Club **was issued on 5 August 2005 commencing on 1 January 2005 for five years with no right of renewal for all land excluding the land where the hall and tennis courts are.** It entitled the Club to use the land for, “horse riding activities, the maintenance of horse riding tracks, and gathering hay for the purpose of feeding horses on the land.” The concession fee was \$300 per annum.

The 2005 Concession specifically prohibited the Club from ‘grazing the land,’ and using the hay for any other purpose than feeding horses on the land or from selling the hay for “gain or reward” (see Special conditions 2 and 3). Specifically the Concessionaire was not allowed to assign, sub-lease etc. any of the land (see condition 7.1). The Concession at clause 20.1 states that the “land is [to be] open to the public for access.” There were other conditions specifying the Club’s health and safety responsibilities.

I am aware that at this time there were a number of locals are were members of the Gold Coast Western Riding Club and it was perhaps on this basis that DOC and KCDC granted this lease. As it was for less than five years there was no requirement for a public auction of the land first.

- On 28 April 2011, KCDC’s Environmental and Community Development Committee held in its report (reference CS-11.141) that a **retrospective lease** needed to be approved for the Gold Coast Western Riding Club. According to this report the Council would grant a second lease commencing 1 January 2010 for a “further 5 years” at a rental of \$362 per year. According to the Council report there was no reason to call for submissions on this lease.

I note that the OIA request sent to Debbie Uren **did not contain either a copy of the application for a new lease by the GCWRC or a signed concession document documenting the terms and conditions of the lease which was to be signed between all three parties.** As such I am not sure a signed concession document was ever created for this lease.

Because this lease followed immediately the previous five year lease and was to the same organisation, it was a renewal and not a new lease and therefore should not have been approved through this process. At this point the Council and DOC should have held a public auction and called for other interested parties. It may have been at this point that there were still members of the Reikorangi Community involved in the Club and so the purpose of the lease may have met the purpose of the reserve as classified but the process was flawed as it did not give other people in the community the opportunity to put forward an alternative use of the land.

- On 16 June 2016, the same KCDC Committee held in its report (refer CS-16-1877) that the Gold Coast Western Riding Club had requested a new lease for 10 years (note the increased length) but with two rights of renewal of 10 years each. The Club had effectively asked for a 30 year lease of the land. While the council officer writing this report noted and included objections from community members in his appendix to the report and commented on those objections, the lease was not publicly notified and the concerns of the community were ignored.

According to this Council report, the Council approved this lease and approved it **retrospectively** commencing 1 January 2015. An annual rent of \$407 would apply. Like with the previous lease I note that

the OIA information received by Debbie Uren did not contain either an application for a new lease or the concession document outlining the terms and conditions of the lease signed by all parties.

According to section 17 of the Public Bodies Leases Act 1969 the Council had an obligation at this point to hold a public auction for the lease over this land. Instead, on the 11 November 2016 Debbie Uren received a phone call from Max Pederson, the Divisional Manager at KDC for Community Services informing her that there was a procedural defect in that they did not publicly notify the request by the GCWRC and as such the third lease granted in the Council report (reference CS16-1877) was being withdrawn and that instead a public notice would be placed in the local papers notifying the community of the application by the Club and calling for submissions. I have not sighted a Council report on this decision

- On 30 November 2016, the same day that Debbie Uren sent a letter to Pat Dougherty (see attached) calling for a moratorium on processing any leases for the Reikorangi Domain, a public notice was placed in the local paper calling for submissions on the proposal for a new lease of up to 30 years requested by the Gold Coast Western Riding Club.

It is my view that this latest public notice is also flawed as section 17 of the Public Bodies Leases Act 1969 applies which requires a **public auction for leasing the land where that lease is for a local purpose reserve and where the lease is for longer than five years.**

## SUBMISSION POINTS

5. **This submission opposes the lease of the Reikorangi Domain to the Gold Coast Western Riding Club (“the Club”).**
6. **I oppose the application by the Club** for a lease of the Reikorangi Domain on the basis that the Reikorangi community has not had the opportunity to consider what other activities the land could be used for. A thirty year lease would effectively take that community land away from a generation of people (my generation and my children) who haven’t been given an opportunity to consider what else it could be used for.
7. **I am opposed to the Club, which is not a local Reikorangi club or even a Kāpiti Coast club** occupying this land and making money out of the lease of this land. The club now has less than a handful of local residents as members. The majority of its members live outside the Kāpiti Coast and for this reason the lease does not reflect the purpose for which the land was classified as a local purpose reserve.
8. Although the club says that the neighbour grazes the land on behalf of the club, the neighbour is actually paying the club \$2,000 a year for this grazing (both grazing the land and sub-leasing the land is prohibited according to the first lease issued by DOC in 2005). That money does not come back to our community to benefit the domain and the hall but rather is considered profit for the Club. This does not promote our community’s social, economic and cultural wellbeing and does not ensure that this land is for our community’s “use, enjoyment, development, protection and preservation.”
9. **I am particularly concerned at the processes employed by the Department of Conservation and then later the Kāpiti Coast District Council in previously granting leases of this land and believe them to be issued in error.** Specifically I am concerned about the following procedural defects that have become evident reading the three documents associated with the three leases:
  - i. Any local purpose reserve that is the subject of an application for a lease for longer than five years should be subject to a public auction. This has never occurred. The Reikorangi Community would be very interested in putting forward their own lease application.

- ii. While at some point there were members of the Reikorangi Community that were part of the Gold Coast Western Riding Club there are now only a handful of locals that are paid up members. The majority of members live outside the Kāpiti Coast. The padlocked gate and cost of membership to a Club from outside our District does not reflect a local purpose reserve that is for the “community’s use and enjoyment.”
- iii. The first lease specifically stated that there was no right of renewal and yet two further leases were issued retrospectively which were effectively renewals. At paragraph 10 of the Council document on the 2010 lease the officer notes that the lease was not, “**publicly notified as it is being treated as a reissue.** The second two leases (including the one that has been publicly notified and that is the subject of this submission) are not new leases but a renewal of the first lease increasing the total lease of this land by the Gold Coast Western Riding Club to 40 years;
- iv. There are no signed concession documents outlining the terms and conditions of the lease for the last two leases (albeit the last lease being withdrawn). Technically without a signed lease, there is “no lease.”
- v. There is no documentation that the Department of Conservation approved the last two leases despite DOC being the owner of the land; and
- vi. The Concessionaire has been operating outside the terms and conditions of their lease and this has not been followed up on by either the Council and DOC. The Concessionaire was operating in contravention to its lease conditions by (1) grazing the land; and (2) obtaining payment for grazing the land; and (3) by locking the community out of the land by having a padlock on the gate and thereby preventing public access to the land.

10. **I would like the Council to decline this lease until such time that our community has had an opportunity to be consulted.**

11. **Alternatively, I would support a private contract lease (as allowed by the Public Bodies Lease Act 1969 for a 12-24month lease to graze the land** (to reduce fire hazards and maintain the land) provided the full market rental (at \$2,000 per annum) comes back to the Council for maintenance of the reserve and until such time that a public auction and a local outcomes process has been completed.

I also would not object to the Council issuing a private contract lease to the Gold Coast Western Riding Club to utilise the arena a couple of times a year for its annual jamboree or event and for a lease agreement to recognise that relationship with the arena and land for a couple of specific events a couple of times a year at the current lease rental of \$406 per annum provided that private lease was for no more than 12 – 24 months and that they did not benefit financially from the grazing of the land.

12. **In addition to this submission on the lease, I would like the Council to fund and run a Local Outcome Community process for the Reikorangi community.** A delegation of community members asked for Council to fund and run a Local Outcomes process for Reikorangi at the Waikanae Community Board back in 2011 following a similar request to Council previous Divisional Manager (Gail Ferguson) who advised us to first approach our local community board. We were advised by the Board that Waikanae Beach would be the first to receive a Local Outcomes process but that we could follow that. I understand that Waikanae Beach have now been through that process and our community would like the opportunity to have the same process

supported by Council. In addition to notifying the Board of our desire for a Community Outcomes process, in this submission, we will be preparing submissions on the Annual Plan.

13. The Council will be in a better position to know what is the best use of the Reikorangi Domain land following a proper consultation process with the Reikorangi Community. I would encourage the Council to fund and initiate a local outcomes process for Reikorangi.

I WISH TO BE HEARD AT THE HEARING. MY CONTACT DETAILS ARE:

Anna Carter, 518 Mangaone South Road, RD 1, WAIKANAЕ  
Email: Annacartermail@gmail.com

Submission sent to the following people and organisations:

1. KCDC's Divisional Manager for Strategy – Sarah Stevenson via [sarah.stevenson@kapiticoast.govt.nz](mailto:sarah.stevenson@kapiticoast.govt.nz)
2. Ward Councillor for Waikanae [Councillor Michael Scott](#), Email: [michael.scott@kapiticoast.govt.nz](mailto:michael.scott@kapiticoast.govt.nz)
3. Waikanae Community Board Chair Jocelyn Prvanov via [jocelyn.prvanov@kapiticoast.govt.nz](mailto:jocelyn.prvanov@kapiticoast.govt.nz)
4. Waikanae Community Board Deputy Chair - James Westbury via  
Email: [james.westbury@kapiticoast.govt.nz](mailto:james.westbury@kapiticoast.govt.nz)
5. Waikanae Community Board Member Tonchi Begovich Email: [tonchi.begovich@kapiticoast.govt.nz](mailto:tonchi.begovich@kapiticoast.govt.nz)
6. Waikanae Community Board Member Jeremy Seamark via Email: [jeremy.seamark@kapiticoast.govt.nz](mailto:jeremy.seamark@kapiticoast.govt.nz)
7. Department of Conservation Partnerships Manager Wellington Kāpiti Office – Rob Stone via Email:  
[rstone@doc.govt.nz](mailto:rstone@doc.govt.nz)

**Closing date for submissions is by 4pm, Tuesday 31<sup>st</sup> of January 2017**



## **PUBLIC NOTIFICATION FOR REIKORANGI COMMUNITY RESERVE PROPOSED LEASE**

TO:

Kāpiti Coast District Council,  
175 Rimu Road,  
Private Bag 60601,  
Paraparaumu 5254

VIA EMAIL: [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.govt.nz).

### **SUBMISSION ON NOTIFICATION OF NOTICE TO LEASE LAND AT REIKORANGI COMMUNITY RESERVE**

The Council notice stated: *"The Kāpiti Coast District Council would like to publically notify its intent to enter into a new lease with the Gold Coast Western Riding Club for part of the land at Reikorangi Community Reserve. This notice is a requirement under Section 49 of the Conservation Act 1987.*

*The proposed lease is for use of part of the land situated at Reikorangi Community Reserve, in Reikorangi and would be for a ten year term, with two ten year rights of renewal. As a Local Purpose Reserve (community use), controlled and managed by the Kāpiti Coast District Council, and vested in the Department of Conservation this proposed lease would come under Section 59A (1) of the Reserves Act 1977.*

*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions."*

This submission opposes the lease of the Reikorangi Domain (Reikorangi Community Reserve) to the Gold Coast Western Riding Club (GCWRC).

I oppose the renewal of the lease as the GCWRC does not represent the local Reikorangi community and the current situation has removed any access, control or spontaneity of the land use from the local residents.

I have lived in Reikorangi for 37 years (since 1979). Originally I leased Sir Jack Marshall's farm cottage for a decade before purchasing the Boys' Institute Camp and adjacent farm with my husband James Delaney.

As a rate payer I have a vested interest in the Reikorangi Domain and how this land is used. In the long association I have had with the Reikorangi area I have seen the community grow from isolated homesteads to a more modern and collective approach to life and families. I would like to see the land of the Reikorangi Domain used in such a way that reflects and benefits our changing community.

I can remember having community cricket matches and picnics on the domain with families, kids and dogs. I believe that these sorts of activities are much more in line with the legal description of the domain as a Local Purpose Reserve and would like the community to have the opportunity to return to such land use.

The lease to the GCWRC has removed access to the domain. I have had requests to use the arena made so difficult and expensive that it negated the interest. This directly goes against the purpose of a Local Purpose Reserve.

The community of Reikorangi has grown tremendously over the last 15 years. Long-time residents have all raised our children and are now looking ahead to the next generation of Reikorangi children. As a community we want to re-inherit the domain that belongs to us. We want to re-boot the social activities that the domain can accommodate.

Returning the Reikorangi Domain to the residents of Reikorangi would allow our community to use the land in ways that reflect the purpose of the Reserve. Access to the land would enable us to teach our grandchildren to ride, provide an area for a playground to be built, and the opportunity to develop the special facility that has been designated to us.

On these grounds, I oppose the renewal of the lease to the GCWRC and submit that the land be returned to the Reikorangi community.

I do not wish to be heard at the hearing. My contact details are:

Caroline Girdlestone, 301 Reikorangi Road, RD1, Waikanae  
E-mail: caroline@heroanimals.com

**Please confirm that you have received this submission.**

**Closing date for submissions is by 4pm, Tuesday 31<sup>st</sup> of January 2017**

Gold Coast Western Riding Club  
Submission to KCDC  
25<sup>th</sup> January 2017

To Kapiti Coast District Council  
175 Rimu Road  
Paraparaumu  
*Submitted via Email: kapiti.council@kapiticoast.govt.nz*

## **SUBMISSION ON NOTIFICATION OF NOTICE TO LEASE LAND AT REIKORANGI**

Council notice stated: *The Kapiti Coast District Council would like to publically notify its intent to enter into a new lease with the Gold Coast Western Riding Club for part of the land at Reikorangi Community Reserve. This notice is a requirement under section 49 of the conservation act 1987.*

Purpose of this document is to seek approval to have this lease approved to GCWRC. (Note: Lease was approved by KCDC 16<sup>th</sup> June 2016 however GCWRC has been advised further process is required)

*The proposed lease is for use of part of the land situated at Reikorangi Community Reserve in Reikorangi and would be for a ten year term, with two ten year rights of renewal.*

The Gold Coast Western Riding Club is a not profit organisation that intends to use the land for western riding, training and competitions.

### **History of the Gold Coast Western Riding Club:**

Gold Coast Western Riding Club has leased the abovementioned land for approx 19 Years. A solid club with many members/families being involved for many years, the club remaining active and continually caring for the grounds. The Club region covers Wellington to Palmerston North. GCWRC built the facilities – a purpose built arena and yards.

Annual events include a two day ribbon day and a 3 day show which attract competitors from throughout NZ. Success of members – GCWRC has provided a platform for western riders to excel in their sport. Over the past 12 years the GCWRC has been proud to have had 7 of its youth represent New Zealand (a Team of 5 are selected) at the American Quarter Horse World Cup, these events are held every 2 years in countries like the USA, Canada, Germany and recently in Australia and are the highest competition that is obtainable on a global event. In addition the Trans-Tasman series which is held bi annually for the last 14 years, GCWRC has had representation at Youth and Amateur level. The GCWRC has been used as a training venue for build ups to all these events.

**Arena:** GCWRC owns the purpose built arena and yards - they were funded and built by Club members from throughout the region approx 1998, and have been used and maintained on an ongoing basis.  
(Note the hall and the tennis courts are not included in this lease)

### **Membership:**

Members are currently from throughout Kapiti, Wellington, Horowhenua and the Manawatu - numbers are 26 with the majority western riders. Local residents included. Kapiti residents included. Many members have supported this club for many years. Club membership for western riders is \$35, with family Membership for western riders \$50.

**Membership offered for non western riders:** This is classed as Associate membership set at \$50 per year. These members have use of the arena and agree to Club rules but must help out and maintain the facilities, be available at

shows and training weekends if needed. Also available and taken up by 3 locals a casual user fee of \$50 per month. This allows use of the facilities with no commitment of membership

**Club happenings:**

Club days are held over winter if weather permits. GCWRC seeks to hold Monthly events, Club days, Ribbon Days, working bees, Over Seas Training, AQHA NZ Youth World Cup and Trans-Tasman Trainings.

Pics from the most recent show 13/14/15 January 2017:



Show sponsors include: Pony Tales, Fox Plan, Ace High Appaloosas, AJ Quarter Horses, Farmlands, RD1, Tracy and Garg , Guy Family, Drake Family, Chris and Carolyn Elliot, NZ Reining Horse Association. GCWRC is a non-profit organisation and sponsorship is key.

**Maintenance / Upkeep of grounds:**

Members upkeep the facilities and the grounds of 2.5 acres. This includes repairs and maintenance, spraying weeds, weeding, repairing, cutting up and removing fallen trees/storm damage etc. Working in with the neighbours includes allowing grazing of horses as part of managing the grounds. In return the neighbour supports the club including making water supply available and sponsoring the club/shows. Use of the hall is not generally required as the club is self sufficient having installed a separate toilet/shower.

**Other users of grounds:** GCWRC seeks to accommodate locals requiring use of the grounds and has permitted local residents on several occasions to use the grounds for parking when events have been held by groups hiring the hall.

GCWRC has allowed the facilities to be hired out for weekends with the local Adult riding club on several occasions.

There are opportunities a plenty for locals to have options to also use/hire the grounds under the GCWRC lease.

*Members would like to speak to this submission and ask that KCDC please keep GCWRC fully informed as to the process and timetabling of relevant meeting. Please contact:*

Dave Gant - President  
[dw-jm.gant@inspire.net.nz](mailto:dw-jm.gant@inspire.net.nz)  
021 078 5859

Lisa Guy -Secretary  
[Lisa.guy@bellgully.com](mailto:Lisa.guy@bellgully.com)

Thank you

Gold Coast Western Riding Club

President: Dave Gant. Committee: Lisa Guy, Peter Drake, Debbie Drake, Jackie Gilmore, Jean Gant, Sarah Malone

Copy

## PUBLIC NOTIFICATION FOR REIKORANGI COMMUNITY RESERVE PROPOSED LEASE

TO:

Kāpiti Coast District Council,  
175 Rimu Road,  
Private Bag 60601,  
Paraparaumu 5254

VIA EMAIL: [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.govt.nz).

### SUBMISSION ON NOTIFICATION OF NOTICE TO LEASE LAND AT REIKORANGI COMMUNITY RESERVE

The Council notice stated: *"The Kāpiti Coast District Council would like to publically notify its intent to enter into a new lease with the Gold Coast Western Riding Club for part of the land at Reikorangi Community Reserve. This notice is a requirement under Section 49 of the Conservation Act 1987.*

*The proposed lease is for use of part of the land situated at Reikorangi Community Reserve, in Reikorangi and would be for a ten year term, with two ten year rights of renewal. As a Local Purpose Reserve (community use), controlled and managed by the Kāpiti Coast District Council, and vested in the Department of Conservation this proposed lease would come under Section 59A (1) of the Reserves Act 1977.*

*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions."*

### SUMMARY

1. I am a local resident of Reikorangi and my family has been living in Reikorangi for 27 years now. As such, I have a vested interest in what happens on the land identified as the Reikorangi Domain. I hope this land can be enhanced and deveopled into an area where familes can meet and enjoy the beauty of the Reikorangi Valley. I am very willing to help with fundraising, planting and participating in Community works for the development of this area. The Reikorangi area is growing and at recent Community Meetings I have realised how little we as a Community know or share with each other. I am a very family orientated person and my dream is that we can meet other members of our community in an organised way with our own Community based area such as the "Reserve" in question.
2. I consider the previous leases (issued by Kāpiti Coast District Council (KCDC) in 2011 and then in 2016) to be flawed due to a lack of dialogue with the local Reikorangi community.
3. I oppose the lease to the Gold Coast Western Riding Club because the purpose of the lease does not meet the purpose of the Local Purpose Reserve (Community Use) as per Section 23 of the Reserves Act (1977). Simply a profit it being made from this land.
4. I submit that the Kāpiti Coast District Council (KCDC) delay the granting of any lease over the Reikorangi Domain, or part thereof, until the Council has engaged in discussion with the Reikorangi community over how the land should be utilised.

### SUBMISSION POINTS

- i. This submission opposes the lease of the Reikorangi Domain to the Gold Coast Western Riding Club. I feel a Lease Term of 10 years with two rights of Renewal

- ii. In "A Guide for Reserve Administering Bodies" published by the Department of Conservation 2006 it states that *it is good administrative practice for the administering body to ensure that there is on-going dialogue with the affected parties*. I argue that considering the classification of the Reikorangi Domain is a Local Purposes Reserve (Community Use) that the local community are the primary affected party and that without dialogue with local residents no lease should be granted.

The same document also states that all decisions made by Reserve Administering Bodies must be consistent with the purposes of the Reserves Act 1977 as set out in Section 3, two of which are particularly relevant in this case:

- *Providing for the preservation and management of areas for the benefit and enjoyment of the public*
- *Ensuring, as far as possible, the preservation of access for the public*

I argue that the padlocked gate combined with membership costs prevent public access and as such the lease is not in line with the purpose of the Reikorangi Domain which is listed as a Local Purpose Reserve (Community Use)

- iii. I oppose the application by the Gold Coast Western Riding Club for a lease of the Reikorangi Domain on the basis that it does not meet the purpose of the Local Purpose Reserve. That this club only intend to use these grounds solely for their two annual shows per year and have an agreement with the neighbour to graze the land for a large fee giving them a profit for their club.

iv.

As per the 2006 Department of Conservation (DOC) publication "A Guide for Reserve Administering Bodies" the purpose of a Local Purpose Reserve is defined as:

*"An area of land (or land and water) suitable for specified local educational or community purpose(s) which does not duplicate any other reserve purpose(s)."*

I argue that a lease to the Gold Coast Western Riding Club does not meet this purpose as this club does not represent the Reikorangi community. It is not a local Reikorangi club, or even a Kāpiti Coast club. Currently the club has less than a handful of members who mostly reside outside the Borough with only two financial members living within the valley. Therefore, the land is being leased for activities that serve neither an educational nor community purpose for the local Reikorangi community and as such, the lease should not be renewed.

- v. I would like the KCDC to decline this lease until such time that our community has had an opportunity to be consulted and get our Reikorangi Community Group up and running through the proper channels(which is currently underway)
- vi. In addition to this submission on the lease I would like the Council to run a Local Outcome Community Process for the Reikorangi community. Following a proper consultation process with the Reikorangi community KCDC will then be in a better position to decide what is the best use of the Reikorangi Domain land in accordance with its classification under the Reserves Act 1977.

I do wish to be heard at the hearing. My contact details are:

Debbie Uren, 53 Mangone Road, Reikorangi, RD 1, WAIKANAE  
E-mail: urenfamily&xtra.co.nz

**Please confirm that you have received this submission.**

**Closing date for submissions is by 4pm, Tuesday 31<sup>st</sup> of January 2017**

## PUBLIC NOTIFICATION FOR REIKORANGI COMMUNITY RESERVE PROPOSED LEASE

TO:

Kāpiti Coast District Council,  
175 Rimu Road,  
Private Bag 60601,  
Paraparaumu 5254

VIA EMAIL: [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.govt.nz).

### SUBMISSION ON NOTIFICATION OF NOTICE TO LEASE LAND AT REIKORANGI COMMUNITY RESERVE

The Council notice stated: *"The Kāpiti Coast District Council would like to publically notify its intent to enter into a new lease with the Gold Coast Western Riding Club for part of the land at Reikorangi Community Reserve. This notice is a requirement under Section 49 of the Conservation Act 1987.*

*The proposed lease is for use of part of the land situated at Reikorangi Community Reserve, in Reikorangi and would be for a ten year term, with two ten year rights of renewal. As a Local Purpose Reserve (community use), controlled and managed by the Kāpiti Coast District Council, and vested in the Department of Conservation this proposed lease would come under Section 59A (1) of the Reserves Act 1977.*

*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions."*

**I submit that the granting of any lease over the Reikorangi Community Reserve, or part of, be delayed or be reduced to a year by year tenancy, to enable discussion how the land should be utilised for the Reikorangi community. The population of Reikorangi community wish to retain their domain land, which is of historical and social significance to them, to develop for community use.**

**we oppose this lease being granted also, on the following grounds:**

- that the G C W R Club has a membership of only 5 families none of whom are members of the local community.
- They do not allow access over the leased land for the local community use
- only utilise the land a twice a year for shows, therefore the land is unused and inaccessible to the community for the rest of the year.
- A lease of 10 years with 2 x rights of renewal to such a club with such a small membership is stupid, given that it may be defunct in a short time, and negligent of any forward planning for the local community.

**We propose that**

- The signing of a lease be delayed or the term shortened to a year by year arrangement and that the Council meet with the community to develop a plan for our local community and the resources that will be required over the next 10 – 20 years, including use of the domain land.
- And that any club wishing to use the domain land for things like riding shows, arrange with the council to do so just as they would for hiring the Reikorangi hall.

We WISH TO BE HEARD AT THE HEARING. Our CONTACT DETAILS ARE:

**Gregg Monk & Trina James**  
210 Mangaone South Road, Reikorangi  
[Trina.james@harcourts.co.nz](mailto:Trina.james@harcourts.co.nz)





## **PUBLIC NOTIFICATION FOR REIKORANGI COMMUNITY RESERVE PROPOSED LEASE**

TO:

Kāpiti Coast District Council,  
175 Rimu Road,  
Private Bag 60601,  
Paraparaumu 5254

VIA EMAIL: [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.govt.nz).

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*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions.”*

**I submit that the granting of any lease over the Reikorangi Community Reserve, or part thereof, be delayed or at the absolute minimum, reduced to a year by year tenancy, to enable discussion with the council over how the land should be utilised for the Reikorangi community. This may be in the form of the development of a community outcomes statement for the Reikorangi Community. The population of Reikorangi is growing year by year and the community wish to retain their domain land, which is of historical and social significance to them, to develop facilities for community use.**

**I strongly oppose this lease being granted also, on the following grounds:**

- **that the Gold Coast Western Riding Club (GCWRC) has a membership (full members) of only 5 families none of whom are members of the local community, or in fact the Kapiti District.**
- **The GCWRC will not allow access/egress over the leased land for the local community use**
- **GCWRC only utilise the land a few times a year for shows, meaning the land is unused and inaccessible to the community for the rest of the year.**
- **A lease of 10 years with 2 x rights of renewal to such a club with such a small membership is unwise, given that it may be defunct in a short time, and negligent of any forward planning for the local community.**

**I propose that**

- **The signing of a lease be delayed or the term shortened to a year by year arrangement**
- **Council meet with the community to develop a plan for our local community and the resources that will be required over the next 10 – 20 years, including use of the domain land.**
- **Any club wishing to use the domain land for things like riding shows, arrange with the council to do so just as they would for hiring the Reikorangi hall.**

I WISH TO BE HEARD AT THE HEARING. MY CONTACT DETAILS ARE:

**Julia Palmer**  
**101 Ratadale Road, Reikorangi**  
**awarua@ihug.co.nz**

**Closing date for submissions is by 4pm, Tuesday 31<sup>st</sup> of January 2017**

Delivered by hand

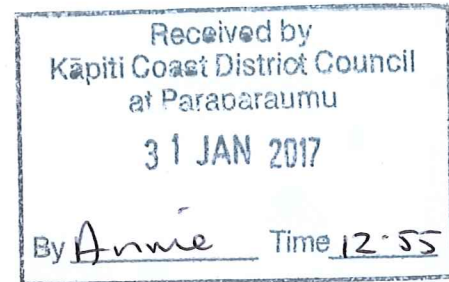


## PUBLIC NOTIFICATION FOR REIKORANGI COMMUNITY RESERVE PROPOSED LEASE

TO:

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VIA EMAIL: [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.govt.nz).



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*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions."*

### SUMMARY

1. I am a local resident of Reikorangi and my family has been living in Reikorangi for 15 years now. As such, I have a vested interest in what happens on the land identified as the Reikorangi Domain. I am a current member of the Gold Coast Western Riding Club but have been frustrated with the fact that they have agreed to sub-lease the land to the new neighbour. The club call this an "agreement". The Gold Coast Western Riding Club have no interest in the History or Community of this area. I hope this area can be enhanced through Community involvement. I am very willing to participate and work with a Community Group to fund raise money to enable the Local Community to enhance, develop and utilise this Domain for the benefit of the Reikorangi Community.

2. I consider that previous leases (issued by Kāpiti Coast District Council (KCDC) in 2011 and then in 2016) should have been discussed with the local Reikorangi community to see if there was any interest for a Group to be formed to use this facility.

3. I oppose the lease to the Gold Coast Western Riding Club because the purpose of the lease does not meet the purpose of the Local Purpose Reserve (Community Use) as per Section 23 of the Reserves Act (1977). Simply a profit is being made from this land and the Gold Coast Western Riding Club only use this land for their two annual Show dates.

4. I submit that the Kāpiti Coast District Council (KCDC) delay the granting of any lease over the Reikorangi Domain, or part thereof, until the Council has engaged in discussion with the Reikorangi community over how the land should be utilised.

### SUBMISSION POINTS

- i. This submission opposes the lease of the Reikorangi Domain to the Gold Coast Western Riding Club.

- ii. In "A Guide for Reserve Administering Bodies" published by the Department of Conservation 2006 it states that *it is good administrative practice for the administering body to ensure that there is on-going dialogue with the affected parties*. I argue that considering the classification of the Reikorangi Domain it is a Local Purposes Reserve (Community Use) and that the local community are the primary affected party and that without dialogue with local residents no lease should be granted.

The same document also states that all decisions made by Reserve Administering Bodies must be consistent with the purposes of the Reserves Act 1977 as set out in Section 3, two of which are particularly relevant in this case:

- *Providing for the preservation and management of areas for the benefit and enjoyment of the public*
- *Ensuring, as far as possible, the preservation of access for the public*

I argue that the padlocked gate combined with membership costs prevent public access and as such the lease is not in line with the purpose of the Reikorangi Domain which is listed as a Local Purpose Reserve (Community Use)

- iii. I oppose the application by the Gold Coast Western Riding Club for a lease of the Reikorangi Domain on the basis that it does not meet the purpose of the Local Purpose Reserve. That this club only intend to use these grounds solely for their two annual shows per year and have an agreement with the neighbour to graze the land for a large fee giving them a profit for their club.

- iv. As per the 2006 Department of Conservation (DOC) publication "A Guide for Reserve Administering Bodies" the purpose of a Local Purpose Reserve is defined as:

*"An area of land (or land and water) suitable for specified local educational or community purpose(s) which does not duplicate any other reserve purpose(s)."*

I argue that a lease to the Gold Coast Western Riding Club does not meet this purpose as this club does not represent the Reikorangi community. It is not a local Reikorangi club, or even a Kāpiti Coast club. Currently the club has less than a handful of members who mostly reside outside the Borough with only two financial members living within the valley.

- v. I would like the KCDC to decline this lease until such time that our community has had an opportunity to be consulted and together form a proactive Community Group (which is currently in development).
- vi. In addition to this submission on the lease I would like the Council to run a Local Outcome Community Process for the Reikorangi community. Following a proper consultation process with the Reikorangi community KCDC will then be in a better position to decide what is the best use of the Reikorangi Domain land in accordance with its classification under the Reserves Act 1977.

I do wish to be heard at the hearing. My contact details are:

Lesley McKenzie, 128 Akatarawa Road, Reikorangi, RD 1, WAIKANAE  
E-mail: malcyles@xtra.co.nz

**Please confirm that you have received this submission.**

**Closing date for submissions is by 4pm, Tuesday 31<sup>st</sup> of January 2017**

# PUBLIC NOTIFICATION FOR REIKORANGI COMMUNITY RESERVE PROPOSED LEASE

TO:

Kāpiti Coast District Council,  
175 Rimu Road,  
Private Bag 60601,  
Paraparaumu 5254

VIA EMAIL: [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.govt.nz).

## SUBMISSION ON NOTIFICATION OF NOTICE TO LEASE LAND AT REIKORANGI COMMUNITY RESERVE

The Council notice stated: *"The Kāpiti Coast District Council would like to publically notify its intent to enter into a new lease with the Gold Coast Western Riding Club for part of the land at Reikorangi Community Reserve. This notice is a requirement under Section 49 of the Conservation Act 1987.*

*The proposed lease is for use of part of the land situated at Reikorangi Community Reserve, in Reikorangi and would be for a ten year term, with two ten year rights of renewal. As a Local Purpose Reserve (community use), controlled and managed by the Kāpiti Coast District Council, and vested in the Department of Conservation this proposed lease would come under Section 59A (1) of the Reserves Act 1977.*

*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions."*

**I'm opposed to the renewal of the lease to the above club as it restricts access to the reserve for the local community. This reserve is a community asset and use by local residents (who pay rates for its upkeep) are prevented from using it by the riding club rules. This reserve should be available for local residents to use in order to foster a closer community, but the renewal of the lease to the Western Riding club prevents this.**

**I DO NOT WISH TO BE HEARD AT THE HEARING.**

**MY CONTACT DETAILS ARE:**

**Mark Gibbin  
115 Reikorangi Road  
RD1  
Waikanae  
5391  
[mark\\_gibbin@xtra.co.nz](mailto:mark_gibbin@xtra.co.nz)**

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*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions.”*

**I submit that the granting of any lease over the Reikorangi Community Reserve, or part thereof, be halted forthwith, to enable discussion with the council over how the land should be utilised for the Reikorangi community. This may be in the form of the development of a community outcomes statement for the Reikorangi Community. The population of Reikorangi is growing year by year and the community wish to retain their domain land, which is of historical and social significance to them, to develop facilities for community use.**

**I strongly oppose this lease being granted also, on the following grounds:**

- **that the Gold Coast Western Riding Club is not a locally supported group - it has a membership (full members) of only 5 families none of whom are members of the local community, or in fact the Kapiti District.**
- **the GCWRC will not allow access/egress over the leased land for the local community use as the whole area is subleased to a neighbouring business for \$2000.00 per annum.**
- **the GCWRC only utilise the land twice a year for shows, meaning the land is unused by and inaccessible to the community for the rest of the year.**
- **A lease of 10 years with 2 x rights of renewal to such a club with such a small membership is an unwise precedent, and certainly negligent of any forward planning for the local community.**

**I propose that**

- **The signing of a lease be halted forthwith.**
- **Council meet with the community to develop a plan for our local community and the resources that will be required over the next 10 – 20 years, including use of the domain land.**

- **The community have full and free access to the Domain land and that any club or group wishing to use the domain land, for things like markets or shows, arrange with the council to do so just as they would for hiring the Reikorangi hall.**

**I WISH TO BE HEARD AT THE HEARING. MY CONTACT DETAILS ARE:**

**Mandy Joy Punnett  
219 Mangaone South Road  
Reikorangi  
042933846**

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*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions.”*

**I object to the proposal to lease the Reikorangi Community Reserve to the Gold Coast Western Riding Club.**

**I wish to start by acknowledging the Gold Coast Western Riding Club has been operating at the Reserve for many years, with little or no negative impact on the local community.**

**However, I also wish to point out that as a member of the local community for the past nine years, I have been concerned at the lack of local amenity and the lack of a focal point for the community. I do use the Hall on occasion as a member of the local branch of the Deerstalkers association. The Hall and the associated reserve is a key asset that should be developed and utilised for the benefit of the local community.**

**I have three main grounds for objection:**

**Firstly a lease provides exclusive use of the Community Reserve, and effectively restricts the ability of the local community to utilise the reserve for local community purposes. Any use by the community will be at the discretion and on such terms and conditions as the lessee sees fit to impose.**

**The predominant use of the reserve should be for community use, with the local community having the discretion and ability impose the terms and conditions on other users in order to protect the reserve for local purposes. Members of the local community are keen to formalise themselves into an appropriate body to manage the day to day use of the Reserve for the local community.**

**On that basis, the Gold Coast Western Riding Club would be welcomed as a local group that is able to use the reserve as and when required.**



**Secondly, the lease proposed is for a 10 year term, with two rights of renewal, effectively alienating the reserve from the local community for a further thirty years. The Reserves Act restricts the leasing of Reserves to 33 years. The current proposal appears to ignore the fact that the Reserve has already been leased for a considerable number of years already to the same lessee, and this new lease will extend the period of alienation to well beyond that contemplated by the Reserves Act.**

**It is time that the use of the reserve was focussed on the needs of the local community, which can accommodate the needs of the Gold Coast Western Riding Club, as part of a local community development plan.**

**Thirdly, I am unsure how the lessee has performed in complying with the terms of the previous lease, and what benefit has accrued to the local community of that lease arrangement. I am particularly concerned to ensure that the lease, past and future, accrues benefit to the local community and supports the upkeep of the reserve, rather than being used to the simple benefit of the lessee.**

**Any decision to agree to extend the previous lease, or enter into a new lease, would be premature until the previous tenure has been properly assessed and evaluated.**

**In summary I do not support the Council entering into a new lease of the Reikorangi Community Reserve to the Gold Coast Western Riding Club.**

I WISH TO BE HEARD AT THE HEARING. MY CONTACT DETAILS ARE:

**Peter Bollmann  
294 Reikorangi Road  
RD1  
Waikanae**

**[bollmann@xtra.co.nz](mailto:bollmann@xtra.co.nz)  
0274573079**

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*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions.”*

### SUMMARY

1. I am a local resident of Reikorangi and our family has been living in Reikorangi for over 30 years now. As such, I have a vested interest in what happens on the land identified as the Reikorangi Domain.
2. I consider the previous leases (issued by Kāpiti Coast District Council (KCDC) in 2011 and then in 2016) to be flawed due to a lack of dialogue with the local Reikorangi community.
3. I oppose the lease to the Gold Coast Western Riding Club because the purpose of the lease does not meet the purpose of the Local Purpose Reserve (Community Use) as per Section 23 of the Reserves Act (1977).
4. I submit that the Kāpiti Coast District Council (KCDC) delay the granting of any lease over the Reikorangi Domain, or part thereof, until the Council has engaged in discussion with the Reikorangi community over how the land should be utilised.

### SUBMISSION POINTS

- i. This submission opposes the lease of the Reikorangi Domain to the Gold Coast Western Riding Club.
- ii. In “A Guide for Reserve Administering Bodies” published by the Department of Conservation 2006 it states that *it is good administrative practice for the administering body to ensure that there is on-going dialogue with the affected parties*. I argue that considering the classification of the Reikorangi Domain is a Local Purposes Reserve (Community Use) that the local community are the primary affected party and that without dialogue with local residents no lease should be granted.

The same document also states that all decisions made by Reserve Administering Bodies must be consistent with the purposes of the Reserves Act 1977 as set out in Section 3, two of which are particularly relevant in this case:

- *Providing for the preservation and management of areas for the benefit and enjoyment of the public*
- *Ensuring, as far as possible, the preservation of access for the public*

I argue that the padlocked gate combined with membership costs prevent public access and as such the lease is not in line with the purpose of the Reikorangi Domain which is listed as a Local Purpose Reserve (Community Use)

- iii. I oppose the application by the Gold Coast Western Riding Club for a lease of the Reikorangi Domain on the basis that it does not meet the purpose of the Local Purpose Reserve. As per the 2006 Department of Conservation (DOC) publication "A Guide for Reserve Administering Bodies" the purpose of a Local Purpose Reserve is defined as:

*"An area of land (or land and water) suitable for specified local educational or community purpose(s) which does not duplicate any other reserve purpose(s)."*

I argue that a lease to the Gold Coast Western Riding Club does not meet this purpose as this club does not represent the Reikorangi community. It is not a local Reikorangi club, or even a Kāpiti Coast club. Currently the club has less than a handful of local residents as members and the majority of the members live outside the Kāpiti region. Therefore, the land is being leased for activities that serve neither an educational nor community purpose for the local Reikorangi community and as such, the lease should not be renewed.

- iv. I would like the KCDC to decline this lease until such time that our community has had an opportunity to be consulted.
- v. In addition to this submission on the lease I would like the Council to fund and run a Local Outcome Community Process for the Reikorangi community. Following a proper consultation process with the Reikorangi community KCDC will then be in a better position to decide what is the best use of the Reikorangi Domain land in accordance with its classification under the Reserves Act 1977.

I do not wish to be heard at the hearing. My contact details are:

Robyn Grundmann, 400 Ngatiawa Road, RD 1, WAIKANAE  
E-mail: [robyngrundmann@gmail.com](mailto:robyngrundmann@gmail.com)

**Please confirm that you have received this submission.**

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## **PUBLIC NOTIFICATION FOR REIKORANGI COMMUNITY RESERVE PROPOSED LEASE**

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*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions."*

**As local residents of Reikorangi we have a vested interest in what happens to the land identified as the Reikorangi Domain. We believe the last two leases to the Gold Coast Western Riding Club are flawed, and do not ensure our community's use, enjoyment, development, protection, and preservation.**

**As previous members of the Gold Coast Western Riding Club we were part of the committee that organised and constructed the riding arena at the Reikorangi Domain. At no point in this process did we ever envisage exclusive use of this facility for Riding Club members. Unfortunately this has been the case and a whole generation of our community's children have missed out on the use of their domain. We are very concerned that the club has in effect sub-leased the domain land for a considerable profit, which has not been reinvested into the domain, but rather considered profit for the club.**

**We oppose the application by the club for lease of the Reikorangi Domain on the basis that the local community has not had the opportunity to consider what other activities the land could be used for. Activities that could benefit our whole community. Any local purpose reserve that is the subject of an application for a lease longer than 5 years should be subject to a public auction, and our community would be very interested in putting forward their own lease application.**

**With only 1 paid member of the club living in our local community and the other club members outside the Kapiti Coast district, we believe the padlocked gate and cost of membership to a club from outside our district does not reflect a local purpose reserve that is for the community's use and enjoyment.**

**We would encourage the council to fund and initiate a local outcomes process for Reikorangi.**

OUR CONTACT DETAILS ARE:

**Ruth and Julian Blackett**  
**235 Akatarawa Road**  
**RD1**  
**Waikanae**  
**Email : [kilkarna@xtra.co.nz](mailto:kilkarna@xtra.co.nz)**

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*The Gold Coast Western Riding Club is a not-for-profit organisation that intends to use the land for western riding, training and competitions."*

**I have been a Reikorangi resident and ratepayer for two properties in the Reikorangi Valley for 20 years. I share the properties with some of my family members. I have used the Reikorangi Hall many times for community events, and also the land around it.**

**I request that the granting of a 3 x 10 year lease over the Reikorangi Community Reserve ( or Reikorangi Domain ), or part thereof, to the Gold Coast Western Horse Riding Club ( GCWHRC ) be withdrawn immediately. I further submit that any such proposal to do so never had any true legal basis to begin with.**

**In addition, I request that the Reikorangi Community should have first options on any new lease. The discussion around that matter could be a part of the Community Outcomes Statement procedure that the council initiated a few years ago. This will enable discussions between Reikorangi Community residents and the council. The population of Reikorangi has been growing and attracting new residents. Both the more recent and longer term residents wish to retain their domain land, which is of historical and social significance. They wish to utilise that land and develop facilities for community use.**

**I own horses in Reikorangi while NOT being a member of the ( GCWHRC ).It should not be necessary for me and other Reikorangi horse owners to have to join the GCWHRC to access the equine resources at the Reikorangi Domain / Reikorangi Community Reserve. The same applies to all the other resources at that locality. My existence as a resident and ratepayer should suffice for that, as is the case for all those owners and ratepayers.**

**I support the submissions of Anna Carter, Julia Palmer and any others from Reikorangi, particularly ratepayers / property owners, who share similar perspectives in their submissions to mine.**

**I strongly oppose the lease being granted to the Gold Coast Western Horse Riding Club on other grounds, namely :**

**(1) The Gold Coast Western Horse Riding Club ( GCWHRC ) has a very small membership. I have heard that the membership is on the scale of about 4 people or maybe 5 families. These people are not members of our local community, and they do not even live in the Kapiti District.**

**(2) The proposed lease with the GCWHRC will not allow access/egress over the leased land for local community use. My understanding is that this applies even when the GCWHRC is not even using the land for one of their events.**

**(3) The GCWHRC use the land about twice a year for shows, and as such, the land is unused, inaccessible and unavailable to our Reikorangi community for the rest of the year.**

**(4) As it stands, the proposed lease to the GCWHRC is of 10 years duration, with 2 x 10 year rights of renewal. This is an absurd length of time, beyond the future lifespan of many of our residents. To give this valuable, local, community resource to a club with very few members, who are not citizens of our community, is a potential travesty of justice. It also deprives your rate-paying residents of our Reikorangi Community of the means of forward planning this community resource. It goes against the intended spirit of a community outcomes statement.**

**I propose that :**

**(1) The intended 3 x 10 year lease to the GCWHRC be immediately withdrawn.**

**(2) That the first ones to benefit and have first, and at times exclusive rights to the use of the land be the Reikorangi Community itself. The possibility that we would need to form an association has been discussed, and there is general support for that, if such a structure is needed by our community to achieve such goals.**

**(3) Any intermediate lease to replace the existing one be either delayed or reduced to a year by year lease with no guaranteed extensions of time being provided.**

**(4) For the council to meet with the Reikorangi Community starting this quarter. Together we will develop a community plan to benefit our local community and giving it rights and resources to plan and utilise those resources, including the Reikorangi domain land.**

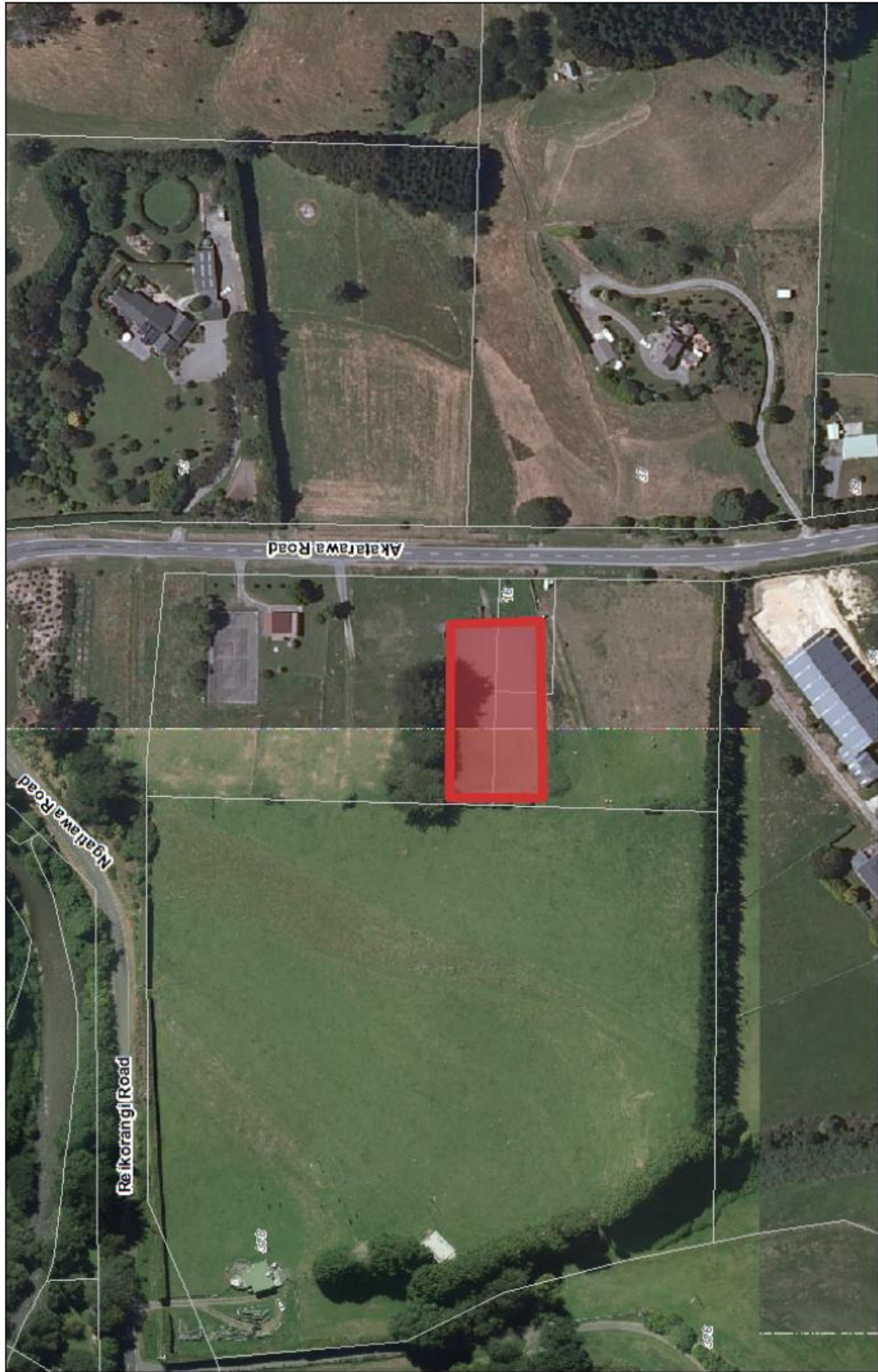
**(5) Any club, including the GCWHRC, wishing to use the domain land may liase with suitable administrative bodies, with the proviso that the Reikorangi Community have first option. At the moment the council performs such a task, so good liason between council and Reikorangi residents, the GCWHRC, etc, should help eliminate any timetable clashes. My understanding is that GCWHRC book ( some ? ) of the land once or twice a year, at fairly regular times. If that is correct, this should not be complicated.**

**I WISH TO BE HEARD AT THE HEARING. MY CONTACT DETAILS ARE:**

**Mr Rick Swan : 3 Mangaone South Road, Reikorangi, Waikanae RD1, 5391.  
Email : rick.swan.nz@gmail.com**

**Closing date for submissions is by 4pm, Tuesday 31<sup>st</sup> of January 2017**

# Appendix 3



SCALE 1: 1,045 @A4  
Date Printed: 30-March-2017

**Proposed Lease Area**

**Kapiti Coast DISTRICT COUNCIL**  
ESTABLISHED 1974

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