

Mayor and Councillors
COUNCIL

15 DECEMBER 2016

Meeting Status: **Public**

Purpose of Report: For Decision

LEASE FOR COUNCIL ADMINISTERED LAND AT TE ĀTIAWA PARK, PARAPARAUMU, TE ATIWA COURTS CENTRE INC.

PURPOSE OF REPORT

- 1 This report seeks approval to renew the lease agreement with the Te Atiawa Courts Centre Inc on Council owned land at Te Ātiawa Park, Paraparaumu.

DELEGATION

- 2 Only Council has the authority to consider this matter.

BACKGROUND

- 3 The agreement would be for part of the land area known as Te Ātiawa Park. More particularly shown as the hatched area in Appendix 1 and being part of the land comprised and described in 4 PT 5 DP 17327 126; DP 14010 42; DP 1433322; DP 20480; 16 DP 22545; 21 DP 22839; 22 DP 23270; 40 DP 23764; 23 DP 24399; LOT 23 DP 24736; 34 DP 27130; 22 DP 28056; LOT 49 DP 28971; 56 DP 29843; 15 DP 34357; LOT 19DP 35027; LOT 59 DP 71303; LOT 3 DP 44594. The land is owned and administered by Kāpiti Coast District Council under the Reserves Act 1977 (the Act).
- 4 The previous Te Atiawa Courts Centre Inc lease expired on 30 November 2014 after a thirty three year term. The terms of the expired lease have continued to apply with the consent of both parties. The Te Atiawa Courts Centre Inc owns the building, and is currently the base of Netball Kapiti and Paraparaumu Beach Tennis Club. A process is now in place to ensure expired leases are dealt with in an appropriate timeframe.
- 5 The Te Atiawa Courts Centre Inc has advised Council that they would like to enter into a new lease for a further ten year term with two ten year rights of renewal. Current rental cost is \$415 per annum, with an annual review. This aligns with charges set out in the Long Term Plan and the current policy on Reserve Land Rentals shown in Appendix 2.
- 6 The courts were rebuilt in 2015/2016, and a multi-use sports surface is currently being installed.

ISSUES AND OPTIONS

Issues

- 7 The Te Atiawa Courts Centre Inc has had a lease for Council land at Te Ātiawa Park since 1981. It is proposed the lease activity will continue to provide a space for the purposes associated with the Te Atiawa Courts Centre Inc (tennis and netball).

- 8 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.

CONSIDERATIONS

Policy considerations

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

Legal considerations

- 10 New lease documentation will be drafted and will be reviewed by the Council's legal advisor before being presented to the Te Atiawa Courts Centre Inc for signing.
- 11 Section 54(2) of the Act requires that Council give public notice of the new lease proposed to be granted in accordance with section 119 of the Act. A period of not less than one calendar month must be provided by the Council for objections or submissions to be received. Under section 120 of the Act, Council must consider any submissions received and review its recommendation in light of the submissions. Any submissions received will be considered at the Council meeting of 02 March 2017.

Financial considerations

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

Tāngata whenua considerations

- 13 There are no known tāngata whenua considerations.

DEGREE OF SIGNIFICANCE

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

Consultation already undertaken

- 15 The Paraparaumu-Raumati Community Board Chair has been advised of this proposed lease, and no concerns were raised.

Engagement planning

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

Publicity

- 17 As this is a new lease on Reserve land, one month public notification is required. The requirements of the Act which define public notice to be: publishing the notice once in a newspaper circulating in the area in which the reserve is situated and in such other newspapers (if any) as the administering body decides. The appropriate Council communication channels will be used to ensure key stakeholders and audiences are aware of the process and outcome.

RECOMMENDATIONS

- 18 That the Kāpiti Coast District Council authorises the Chief Executive to undertake the required public notification process for the lease proposal as outlined in this report (CS-16-1918) for the land at Te Ātiawa Park, Paraparaumu, shown in Appendix 1, to the Te Atiawa Courts Centre Inc.
- 19 If any submissions or objections are made, that these be considered at the Council meeting of 02 March 2017.
- 20 If no submissions or objections are received, that the Kāpiti Coast District Council enters into a lease for ten years with two further ten year rights of renewal with the Te Ātiawa Courts Centre from 1 March 2017, for the land at Te Ātiawa Park shown in Appendix 1 to report CS-16-1918 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

Alison Law

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Manager**

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ATTACHMENTS

- Appendix 1: Plan of land area proposed for lease at Te Ātiawa Park
Appendix 2: Reserve Land Rentals 2016/17

Appendix 1 - Te Atiawa Courts Centre Inc Lease Area



Appendix 2 - Reserve Land Rentals 2016/17

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