

**Chairperson and Committee Members**

ENVIRONMENT AND COMMUNITY DEVELOPMENT COMMITTEE

26 MAY 2016

Meeting Status: **Public**

Purpose of Report: For Decision

**LEASE TO OCCUPY COUNCIL ADMINISTERED LAND AT  
MAZENGARB RESERVE, PARAPARAUMU, KAPITI  
GYMNASTICS CLUB**

**PURPOSE OF REPORT**

- 1 This report seeks approval to renew the lease agreement with the Kapiti Gymnastics Club on Council administered land at Mazengarb Reserve, Paraparaumu.

**DELEGATION**

- 2 The Environment and Community Development Committee (ECD) has delegated authority to make a decision on this matter under Part B, Paragraph 7.3 of the Kāpiti Coast District Council Governance Structure and Delegations 2013-16 Triennium:

*“Authority to exercise the functions, powers and duties of the Council under the Reserves Act 1977 including those delegated from the Minister of Conservation, or any other statute, regulation or bylaw relating to the management and control, maintenance and operation of parks and reserves, except as delegated to Community Boards or officers. This authority encompasses the power to: ...grant leases for reserve land”*

**BACKGROUND**

- 3 The agreement would be for part of the land area known as Mazengarb Reserve and more particularly shown as the hatched area in Appendix 2 and being part of the land comprised and described in LOT 1 DP 59080.
- 4 The land is owned and administered by Kāpiti Coast District Council under the Reserves Act 1977 (the Act). The Council's role under this section is to provide areas for recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment. Under the Act the land described is classified Recreation Reserve.
- 5 The Kapiti Gymnastics Club lease to occupy expired on 31 July 2015 after a 19 year and 364 day term.
- 6 The Kapiti Gymnastics Club has advised The Council they would like a new lease for a further 10 year term commencing from 01 August 2015, with two 10 year rights of renewal. Rental cost is \$407 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 1.

## ISSUES AND OPTIONS

### Issues

- 7 There are limitations on activities that are permitted on this site subject to the Act. The activities proposed are consistent with the Act's land classification which is designated Recreation Reserve.
- 8 The Kapiti Gymnastics Club has had a lease to occupy land at Mazengarb Reserve since 1995. It is proposed the concession activity will continue to provide a space solely for the purposes associated with the Kapiti Gymnastics Club.
- 9 The Kapiti Gymnastics Club is seeking to expand the building to further facilitate use of their building and to better comply with gymnastics standards. In consideration of this the proposed lease area has been expanded to include the indicated future footprint of the building. This expansion moves into an unused area of the park between the gym and the hockey turf. The expanded area is shown shaded red on the aerial plan in Appendix 2. This does not imply Council approval to build the extension, but only for use of the land. All the usual regulatory process requirements for building will need to be met before approval is granted to extend the building.

## CONSIDERATIONS

### Policy considerations

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

### Legal considerations

- 11 Section 54(1) of the Act authorises the Council to enter into a lease for recreation reserves.
- 12 New lease documentation will be drafted and will be reviewed by the Council's legal advisor before being presented to the Kapiti Gymnastics Club for signing.

### Financial considerations

- 13 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

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

## SIGNIFICANCE AND ENGAGEMENT

### Degree of significance

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

## Consultation already undertaken

- 16 As this is a renewal of an existing occupation since 1995 neither Community Boards, community or other agencies have been consulted in this matter.

## Engagement planning

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

## Publicity

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

## RECOMMENDATIONS

- 19 That the Environment and Community Development Committee approves the Kāpiti Coast District Council entering into a lease agreement for 10 years with two further 10 year rights of renewal, commencing 01 August 2015 with the Kapiti Gymnastics Club, for the land at Mazengarb Reserve shown in Appendix 2 to report CS-16-1857 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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## ATTACHMENTS

- Appendix 1: Reserve Land Rentals 2015/16  
Appendix 2: Plan of land area proposed for lease at Mazengarb Reserve

## Appendix 1

<b>Reserve Land Rentals 2015/16</b>	
Clubs with alcohol licences	\$812
Clubs without alcohol licences	\$407
Craft, hobbies and other activities	\$326
Educational (standard)	\$197
Youth and service	\$197

Appendix 2 - Proposed lease area at Mazengarb Reserve

