

Mayor and Councillors
COUNCIL

29 SEPTEMBER 2016

Meeting Status: **Public**

Purpose of Report: For Decision

LEASE OF COUNCIL OWNED LAND AT HARUATAI PARK, OTAKI PLAYGROUP

PURPOSE OF REPORT

- 1 This report seeks approval to enter into a lease agreement with the Otaki Playgroup on Council owned land at Haruatai Park, Ōtaki.

DELEGATION

- 2 Council has the authority to consider this matter.

BACKGROUND

- 3 The agreement would be for part of the land area known as Haruatai Park and more particularly shown as the hatched area in Appendix 1 and being part of the land comprised and described in APPORTIONMENT GAZ 84-47 PART SEC 82 88 94 95 BLK IX WAITOHU SD LOT 2 DP 24442. The land is administered by Kāpiti Coast District Council under the Reserves Act 1977 (the Act).
- 4 The Otaki Playgroup lease expired on 30 September 2015 after a twenty year term which was comprised of one ten year term and one ten year right of renewal.
- 5 The Otaki Playgroup has advised the Council they would like to enter into a new lease for a further ten year term commencing 01 October 2016, with two ten year rights of renewal. Current rental cost is \$197 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.

ISSUES AND OPTIONS

Issues

- 6 There are limitations on activities that are permitted on this site subject to the Act. The activities proposed are consistent with the Act.
- 7 The Otaki Playgroup has had a lease for land at Haruatai Park since 1995. It is proposed the lease activity will continue to provide a space solely for the purposes associated with the Otaki Playgroup.

CONSIDERATIONS

Policy considerations

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

Legal considerations

- 9 Section 54 of the Act authorises the Council to enter into a lease for reserves.
- 10 New lease documentation will be drafted and will be reviewed by the Council's legal advisor before being presented to the Otaki Playgroup for signing.

Financial considerations

- 11 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

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

SIGNIFICANCE AND ENGAGEMENT

Degree of significance

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

Consultation already undertaken

- 14 The Ōtaki Community Board chair has confirmed there are no known concerns associated with this lease. As this is a continuation of an existing occupation since 1995 no other consultation has been undertaken.

Engagement planning

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

Publicity

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

RECOMMENDATIONS

- 17 That the Kāpiti Coast District Council enters into a lease agreement for ten years with two further ten year rights of renewal, commencing 01 October 2016 with the Otaki Playgroup, for the land at Haruatai Park shown in Appendix 1 to report CS-16-1915 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 Parks & Recreation Manager	Sean Mallon Group Manager Infrastructure Services	Max Pedersen Group Manager Community Services

ATTACHMENTS

- Appendix 1: Plan of land area proposed for lease at Haruatai Park
Appendix 2: Reserve Land Rentals 2016-2017

Appendix 1 - Otaki Playgroup Lease Area



Appendix 2 - Reserve Land Rentals 2016-2017

Reserve land rentals	
Clubs with alcohol licences	\$827
Clubs without alcohol licences	\$415
Craft, hobbies and other activities	\$332
Educational (standard)	\$201
Youth and service	\$201