

QLDC Council  
26 January 2017

Report for Agenda Item: 3

Department: Property & Infrastructure

Proposed new lease for Wanaka Croquet Club to replace the previous lease

Purpose

The purpose of this report is to consider a new lease to the Wanaka Croquet Club.

Recommendation

That Council:

1. **Note** the contents of this report;
2. **Approve** a new lease to the Wanaka Croquet Club over Sections 3 and 4 and Part Sections 2 and 5 Block XXXV Town of Wanaka subject to the following terms:

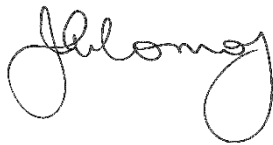
Commencement	1 February 2017
Term	10 Years
Rent	Pursuant to Community Facility Pricing Policy
Renewals	2 of 10 years each by agreement of both parties
Reviews	5 yearly or when the pricing policy is reviewed
Early Termination Notice	2 years for core infrastructure purposes (but not in the first 2 years)
Use	Croquet Courts and Sports Pavilion
Other	For any proposed new buildings, neighbours to be notified and submissions sought prior to Lessor consent being considered.

At expiry, improvements to be removed and land reinstated or revert to Council ownership (Licensee's choice, compensation payable if lease terminated early)

Public liability Insurance required  
Health and Safety plan to be provided for  
approval

3. **Approve** a variation of the lease to Wanaka Tennis Club surrendering the area shown highlighted in green on the attached aerial photograph.
4. **Approve** an Affected Person's Approval as part of the Resource Consent application, subject to officers' review of application.
5. **Agree** to the exercise of the Minister's consent (under delegation from the Minister of Conservation) to the granting of a lease to Wanaka Croquet Club over Sections 3 and 4 and Part Sections 2 and 5 Block XXXV Town of Wanaka.
6. **Delegate** signing authority to the General Manager, Property and Infrastructure.

Prepared by:



Joanne Conroy  
Property Advisor - APL

16/12/2016

Reviewed and Authorised by:



Peter Hansby  
General Manager, Property  
and Infrastructure

9/01/2017

## Background

- 1 The Wanaka Croquet Club occupies part of an area of Council recreation reserve known as Sections 3 and 4 and Part Sections 2 and 5 Block XXXV Town of Wanaka. It was granted a lease from 1 November 1997 for 19 years. The lease expired 31 October 2016, with no renewals available. The Club is seeking a new lease.
- 2 The Club has 48 active members, with numbers having grown over the past five years. It has developed playing courts, fencing, clubrooms, parking and a storage shed on the site. The storage shed is reaching the end of its economic life and the Club has also sought Lessor's consent to build a new 18 square metre Skyline Garage to replace the shed if a new lease is approved. It will be used to store the club mower and various landscaping equipment.
- 3 The Wanaka Community Board considered the new lease and proposed shed at its meeting on 21 September 2016. The Board approved notification of the new lease along with Lessor's consent and Affected Person's Approval for the new shed. Councillor Lawton noted that this area of recreation reserve would be tied up for up to thirty years and Councillor Cocks suggested the value in having a

discussion with the Club about its plans for the future and how the Board could best support it. This discussion is yet to be actioned.

- 4 The intention to grant the lease was notified with submissions closing 30 October 2016. One submission was received from a neighbour, not concerned with the lease, but concerned with the proposed location of the new shed which he felt would block his lake view. The Croquet Club addressed his concerns by relocating the shed to the new location shown on the plan outlined in blue, and we have included a proposed lease term that for any future new buildings, the club notify its neighbours and seek submissions. If submissions are received, a hearing will be required prior to Council granting Lessor's approval for the building.
- 5 The neighbour who submitted subsequently withdrew his submission but because the location of the new shed had changed, the proposed new location was notified calling for submissions on or before 6 January 2016. No submissions were received.
- 6 That part of the area upon which the shed will be located is within the Tennis Club lease area. The Tennis Club has agreed to surrender this part of its lease so that it can now be included in the Croquet Club lease area. It is shown on the attached aerial highlighted green.

## Comment

- 7 The recommended terms of the proposed new lease reflect the recently adopted policy for Community Lease and Licence terms as follows:

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Reviews	5 yearly or when the pricing policy is reviewed
Early Termination Notice 2 years for core infrastructure purposes (but not in the first 2 years)	
Use	Croquet Courts and Sports Pavilion
Other	For any proposed new buildings, neighbours to be notified and submissions sought prior to Lessor consent being considered.
	At expiry, improvements to be removed or revert to Council ownership (Licensee's choice, compensation payable if lease terminated early)
	Public liability Insurance required
	Health and Safety plan to be provided for approval

- 9 The Club will need to fundraise for the shed and it will need the new lease in place to do that. The shed will not be built for some months.

## **Options**

- 10 Option 1 Approve a lease and affected person's consent to the Wanaka Croquet Club over Sections 3 and 4 and Part Sections 2 and 5 Block XXXV Town of Wanaka subject to the terms outlined above.

### *Advantages:*

- 11 Will enable the Croquet Club to continue to operate and to improve their facilities.

### *Disadvantages:*

- 12 This recreation reserve is not freed up for general public use.

- 13 Option 2 Approve a lease and affected person's consent to the Wanaka Croquet Club over Sections 3 and 4 and Part Sections 2 and 5 Block XXXV Town of Wanaka subject to different terms.

### *Advantages:*

- 14 Will enable to the club to continue to operate and develop new facilities.

### *Disadvantages:*

- 15 The reserve is not freed up for general public use.

- 16 Option 3 Not to approve a new lease or affected person's consent to the Wanaka Croquet Club.

### *Advantages:*

- 17 The reserve will be freed up for general public use.

### *Disadvantages:*

- 18 The club will not be able to continue to operate.

- 19 Option 4 To approve Wanaka Tennis Club surrendering the part of its lease (shown highlighted in green on the attached plan).

### *Advantages:*

- 20 This will facilitate the new Croquet Club shed being located in this area thus addressing the concerns of the neighbour.

### *Disadvantages:*

- 21 None identified.

- 22 Option 5 Not to approve Wanaka Tennis Club surrendering the part of its lease (shown highlighted in green on the attached plan).

*Advantages:*

23 None identified.

*Disadvantages:*

24 This will facilitate the new Croquet Club shed being located in this area thus addressing the concerns of the neighbour.

- 25 This report recommends Options 1 and 4 for addressing the matter because they will enable this popular community recreation group to continue to operate and develop.

***Significance and Engagement***

- 26 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because the proposed lease is over a recreation reserve.

***Risk***

- 27 This matter relates to operation risk OR011A Decision Making. The risk is classed as moderate.
- 28 The recommended option considered above mitigates the risk by ensuring the process of granting a new lease is commenced in a timely and legally compliant manner.

**Financial Implications**

- 29 There are no financial implications from this report. All costs incurred in granting this lease will be met by the applicant.

**Council Policies, Strategies and Bylaws**

- 30 The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy
- Community Facility Pricing Policy
- Community Lease and Licence Terms

- 31 The recommended option is consistent with the principles set out in the named policy/policies.
- 32 This matter is not included in the 10-Year Plan/Annual Plan and does not have any impact on the plan.

## **Local Government Act 2002 Purpose Provisions**

33 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by ensuring a community recreation club can continue to operate and develop;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

## **Consultation: Community Views and Preferences**

34 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes District community. The intention to grant a new lease was publicly notified twice, calling for submissions, so the public has had the opportunity to participate in this process.

## **Attachments**

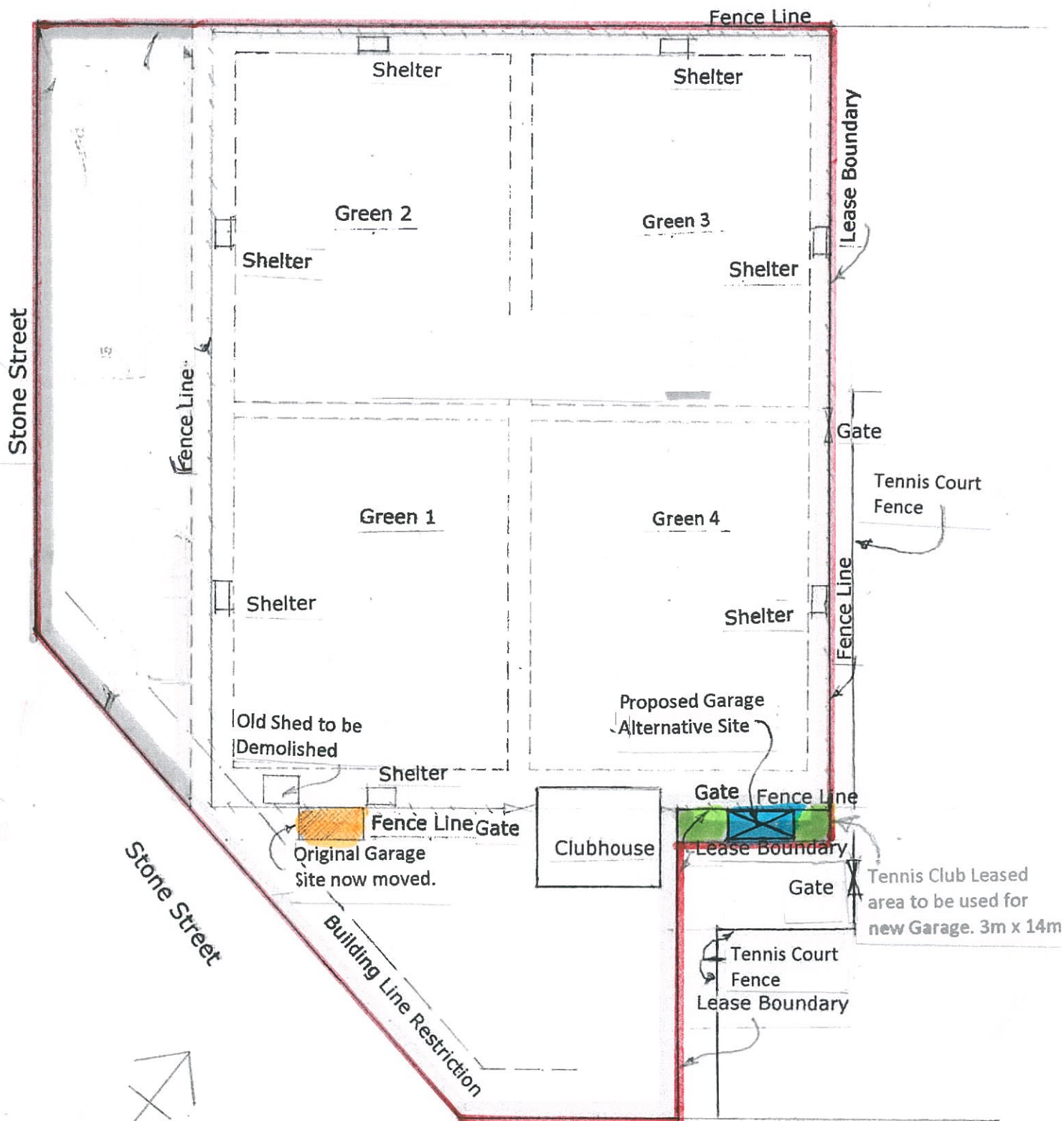
- A Site plan showing the location of the Wanaka Croquet Club (approximate lease area outlined in red), with the area to be surrendered by the Tennis Club highlighted in green.
- B Site plan showing the previous proposed location of the new shed (orange) and the new site as agreed (blue).





The map is an approximate representation only and must not be used to determine the location or size of items shown, or to identify legal boundaries. To the extent permitted by law, the Queenstown Lakes District Council, their employees, agents and contractors will not be liable for any costs, damages or loss suffered as a result of the data or plan, and no warranty of any kind is given as to the accuracy or completeness of the information represented by the GIS data. While reasonable use is permitted and encouraged, all data is copyright reserved by Queenstown Lakes District Council. Cadastral information derived from Land Information New Zealand. CROWN COPYRIGHT RESERVED





Scale:- 1- 500

Warren Street

Amendment No 1- 11 Oct 2016  
Garage Re-sited & Lease  
Boundary Changes

Proposed Garage for the Wanaka Croquet Club Inc.

Drawn by TJ Williams  
Date: - 29 February 2016