

Wanaka Community Board
14 September 2016

Report for Agenda Item: 4

Department: Property & Infrastructure

Wanaka Croquet Club – New Lease and Lessor’s Consent

Purpose

The purpose of this report is to consider approval to notify the intention to grant a new lease to Wanaka Croquet Club and consider Lessor’s consent for a new garage for the Club. A request for Affected Persons Approval, for a resource consent for a garage also included.

Recommendation

That the Wanaka Community Board:

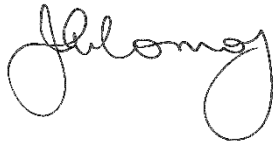
1. **Note** the contents of this report;
2. **Approve** notification of the intention to grant a new lease to the Wanaka Croquet Club over Sections 3 and 4 and Part Sections 2 and 5 Block XXXV Town of Wanaka subject to the following terms:

Commencement	1 November 2016
Term	10 Years
Rent	Pursuant to Community Facility Pricing Policy
Renewals	Two of ten years each by agreement of both parties
Reviews	5 yearly or when the pricing policy is reviewed
Early Termination Notice	Two years (but not in the first 2 years)
Use	Croquet Courts and Sports Pavilion
Other	At expiry or termination, improvements to be removed or revert to Council ownership (Licensees choice, compensation payable if lease terminated early) Public liability Insurance required Health and Safety plan to be provided for approval.

3. **Grant** Lessor’s Approval for the Wanaka Croquet Club to build a Skyline Garage on the site.

4. **Approve** the Affected Person Approval (if required) for the Skyline Garage and delegate authority for signing that approval to the Parks and Planning Manager.
5. **Appoint** three Councillors or Community Board Members (any two of which can form a hearing panel) to hear any submissions and make a recommendation to Council.

Prepared by:



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12/08/2016

Reviewed and Authorised by:



Aaron Burt
Parks and Reserves: Planner

31/08/2016

Background

- 1 The Wanaka Croquet Club occupy an area of Council recreation reserve known as Sections 3 and 4 and Part Sections 2 and 5 Block XXXV Town of Wanaka. They were granted a lease from 1 November 1997 for 19 years. The lease will expire 31 October 2016, with no renewals available. The Club are seeking a new lease.
- 2 The Club has 48 active members, with numbers having grown over the past five years. They have 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 they are seeking 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 their mower and various landscaping equipment. If resource consent is required for the garage, they will also need Council's approval as an Affected Person.

Comment

- 3 The process to grant a new lease will be to publicly notify it seeking submissions, have a hearing if submissions are received and then approval of Council (both to the lease and as delegated by the Minister of Conservation). Lessor's consent and Affected Person Approval are delegated to the Board.
- 4 The Club will need to fundraise for the shed and they will need the new lease in place to do that. The shed will not be built for some months and only if the new lease is approved.

- 5 An aerial photograph of the site is attached as appendix A and a site plans showing the location of the old shed and proposed garage is attached as appendix B.
- 6 The proposed terms of a new lease would reflect the recently adopted policy for Community Lease and Licence terms as follows:

Commencement	1 November 2016
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Rent	Pursuant to Community Facility Pricing Policy
Reviews	5 yearly or when the pricing policy is reviewed
Early Termination Notice	Two years (but not in the first 2 years)
Use	Croquet Courts and Sports Pavilion
Other	At expiry or termination, improvements to be removed or revert to Council ownership (Licensees choice, compensation payable if lease terminated early) Public liability Insurance required Health and Safety plan to be provided for approval

Options

- 7 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002:
- 8 Option 1 Approve notification of the intention to grant a 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 terms outlined above AND to grant lessor approval and Affected Person Approval for the new Skyline garage.

Advantages:

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

Disadvantages:

- 10 This recreation reserve is not freed up for general public use.
- 11 Option 2 Approve notification of the intention to grant a 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 terms outlined above but NOT to grant lessor approval and Affected Person Approval for the new Skyline garage.

Advantages:

12 Will enable the Club to continue to operate.

Disadvantages:

13 The reserve is not freed up for general public use.

14 The Club will not be able to develop a new shed for the landscaping equipment.

15 Option 3 Approve notification of the intention to grant a lease 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 AND to grant lessor approval and Affected Person Approval for the new Skyline garage.

Advantages:

16 Will enable the Club to continue to operate and develop new facilities.

Disadvantages:

17 The reserve is not freed up for general public use.

18 Option 4 Approve notification of the intention to grant a lease 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 but NOT to grant lessor approval and Affected Party Approval for the new Skyline garage.

Advantages:

19 Will enable to the Club to continue to operate and develop new facilities.

Disadvantages:

20 The reserve is not freed up for general public use.

21 The Club will not be able to develop a new shed for the landscaping equipment.

22 Option 5 Not to approve a new lease to the Wanaka Croquet Club (in which case the lessor consent and Affected Person Approval will not be required).

Advantages:

23 The reserve will be freed up for general public use.

Disadvantages:

24 The Club will not be able to continue to operate.

- 25 This report recommends **Option 1** for addressing the matter because it 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 not 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
- 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 will be publicly notified calling for submissions.

Attachments

- A Site plan showing the location of the Wanaka Croquet Club (approximate lease area outlined in red)
- B Site plan showing the location of the old shed and the proposed new shed.



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

