

**Mayor and Councillors**  
COUNCIL

23 MAY 2019

Meeting Status: **Public**

Purpose of Report: For Decision

**WHITI TE RA KI ŌTAKI SPORTS CLUB LEASE - ŌTAKI DOMAIN**

**PURPOSE OF REPORT**

- 1 This report seeks approval to enter into a new lease with Whiti Te Ra Ki Ōtaki Sports Club.

**DELEGATION**

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

**BACKGROUND**

- 3 This agreement would be for part of the land known as Ōtaki Domain, Domain Road, Haruatai 14C 14D Block as shown in Appendix 1. The land is owned and administered by Kāpiti Coast District Council and is classified as Recreation Reserve under the Reserves Act 1977 (the Act).
- 4 Whiti Te Ra Ki Ōtaki Sports Club (the Club) has owned the upper level of the building for the purpose of club rooms for a number of years. A lease has never been granted to the Club and the club rooms were never fully completed to a usable state.
- 5 At the end of 2018 the Club received funding from the NZ Community Trust for the purposes of rebuilding the club rooms. A building consent was issued in March 2019 and building work commenced, likely to be completed in June 2019. The new clubrooms will be up to the required building standards.
- 6 The club has advised the Council they would like a lease for 10 years with two rights of renewal for 10 years.

**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. It is proposed that the Club occupies this space by way of a lease solely for the purposes associated with the Club.

**CONSIDERATIONS**

**Policy considerations**

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

## Legal considerations

9. The Act requires that Council give public notice of the new lease proposed to be granted. A period of not less than one calendar month must be provided by the Council for objections or submissions to be received. Council must consider any submissions received. Any submissions received will be considered at a future Council meeting.
- 9 The proposed lease must be considered under section 54(1b) of the Act. The maximum lease term that can be offered is 33 years.
- 10 If the proposed lease is approved, new lease documentation will be drafted and will be reviewed by the Council's legal counsel before being presented to the Club 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.

## Tāngata whenua considerations

- 12 Nga hapu o Ōtaki have advised that they support the proposed lease.

## **SIGNIFICANCE AND ENGAGEMENT**

### Significance policy

- 13 This matter has a low level of significance under Council's Significance and Engagement Policy.

### Consultation already undertaken

- 14 The Ōtaki Community Board Chair has been advised and supports the proposed lease.

### Engagement planning

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

### Publicity

- 16 As this is a new lease a public notification period of not less than one calendar month must be provided by the Council for objections or submissions to be received.

## **RECOMMENDATIONS**

- 17 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 (PS-19-784) for the land at Ōtaki Domain, Ōtaki, shown in Appendix 1, to Whiti te Ra Rugby League Club.
- 18 If any objections are received, these are considered at a future Kāpiti Coast District Council meeting.

- 19 If no objections are made, that the Kāpiti Coast District Council authorises the Chief Executive to enter into a lease for 10 years with two rights of renewal, commencing 1 July 2019 with Whiti te Ra Rugby League Club, for the land at Ōtaki Domain, Ōtaki shown in Appendix 1 to report PS-19-784 at an annual rental set by the Council in the Long Term Plan or Annual Plan, subject to a code of compliance certificate being obtained by the Club.

<b>Report prepared by</b>	<b>Approved for submission</b>	<b>Approved for submission</b>
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## **ATTACHMENTS**

- 1 Lease area