
REPORT 2

**GRANT A NEW LICENCE AND AMEND TWO EXISTING
LEASES UNDER RESERVES ACT 1977: NEW AND
EXISTING TENANTS**

1. Purpose of report

To recommend the Committee approves the following:

1. A new licence to Capital Apiaries Limited – comprising of four locations
2. An additional two rights of (lease) extension (each for three year periods) to the existing lessee at Begonia House, Wellington Botanic Garden
3. An additional right of (lease) extension (for a three year period) to the existing café operator at Wellington Regional Aquatic Centre, Kilbirnie

2. Executive summary

Capital Apiaries Limited

This paper seeks Committee approval for Capital Apiaries Limited to cultivate beehives in small areas of Council-owned properties.

The proposed beehives will be located in small clusters within the following three locations:

1. Kilmister Block, Crofton Downs (Scenic Reserve)
2. Caribbean Avenue Reserve, Grenada North (Scenic Reserve)
3. Hilcroft /Woolaston / Horokiwi Reserve, Grenada North (Scenic Reserve)

Details of the locations are included in appendix 2.

Pandy Limited

This paper seeks Committee approval for two rights of extension (of three years each) to Pandy Limited for the use of Begonia House at Wellington Botanic Gardens.

Pandy currently occupies the premises by way of a lease which has a final expiry date of 17 June 2017. All other commercial terms have been reviewed by an independent valuer and are considered favourable. These are proposed to remain unchanged.

Aquatic Café (2005) Limited

This paper seeks Committee approval for one extension of three years to Aquatic Café Limited for the use of the café at the Wellington Regional Aquatic Centre, Kilbirnie.

Aquatic Café currently occupies the premises by way of a lease which has a final expiry date of 17 September 2017. All other commercial terms have been reviewed by an independent valuer and are considered favourable. These are proposed to remain unchanged.

3. Recommendations

Officers recommend that the Environment Committee:

1. *Receives the information.*
2. *Agrees to grant a new licence to Capital Apiaries Limited under the Reserves Act 1977 (subject to the usual terms and conditions noted below).*
3. *Agrees to grant two three-year rights of extension to Pandy Limited.*
4. *Agrees to grant one three-year right of extension to Aquatic Café (2005) Limited.*
5. *Notes that any approval to grant the licence and extensions (referred to above) are conditional on:*
 - (a) appropriate Iwi consultation*
 - (b) public notification under s119 and s120 Reserves Act 1977*
 - (c) no sustained objections resulting from the above consultation and notification; and*
 - (d) legal and advertising costs being met by the respective lessee/licensee (where applicable)*

4. Discussion

A schedule summarising the existing and proposed tenancies is attached as appendix 1. Maps showing the areas and locations are attached as appendix 2.

Capital Apiaries Limited

Honey production and wintering-over beehives are generally consistent with the purpose for which the land is managed. It is recognised that honey bees form an important function in the ecosystem through pollination.

The proposed beehives will assist Council's aims as set out in the Outer Green Belt Management Plan and the Northern Reserves Management Plan.

Bees, beehives and bee-keeping activities could also potentially have an adverse effect upon sensitive ecosystems, rare or endangered plants and animals, conservation management practices or recreational enjoyment. For this reason the following guidelines will be followed:

- All hives are to be registered with AsureQuality
- Bees are not kept in such conditions or sited in such a way as to create or be likely to create a nuisance to any person
- Beehives are not located within 20m of any adjoining private property boundary and within 50m of any dwelling on any adjoining private property.
- Beehives are not located within 100m of a key recreational facility
- There is no significant risk to threatened species
- Bee-keeping practices pose no increased risk of weed invasion or fire
- Management practices such as weed and animal control will not be inhibited
- New access tracks will not be required

Officers propose a licence under section 54(1) and 56(1) of the Reserves Act 1977. These sections enable a licence for commercial activities to be granted when it is decided the activity is necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve.

Pandy Limited

Pandy Limited has operated the Begonia House café since 2007. Throughout the past seven years, the operators have consistently provided a good standard of customer service and refreshments. As a result, the café has become a destination that attracts visitors to the garden and adds to the overall experience.

Pandy Limited has requested two rights of extension (of three years each) in order to justify additional capital investment in the café fit-out. By granting another two lease extensions it gives Pandy Limited security to continue running the Picnic Café under the same conditions for another 6 years, until 17 June 2023.

Aquatic Café (2005) Limited

Aquatic Café (2005) Limited has operated the WRAC café since 2005. Throughout this time, the operators have provided a good standard of customer service and refreshments. Whilst there have been some performance issues in the past, WRAC officers have instituted regular performance review meetings. As a result, performance has lifted and the café has become an integral part of the centre.

Part of the tenant's kitchen fit-out has reached the end of its usable life and so the café operators have requested an additional right of extension (of three

years). If granted, the operators will feel more inclined to invest additional capital into the café fit-out.

The operators have signalled that a sale of the business may also be considered in the future. The Council will be involved in any lease assignment in the event that the business is sold.

5. Conclusion

Officers recommend that the Environment Committee approve the proposed licence and lease extension rights.

Contact Officers: Grace Clapperton-Rees (Property Advisor), Amber Bill (Open Space Parks Manager), Julian Todd (Recreation Facilities Manager) and David Sole (Botanic Gardens Manager)

SUPPORTING INFORMATION

1) Strategic fit / Strategic outcome

The proposed leases/licences will be broadly consistent with the Outer Green Belt Management Plan and the Northern Reserves Management Plan.

2) LTP/Annual Plan reference and long term financial impact

The proposals outlined in this report will have no substantial long-term financial impact

3) Treaty of Waitangi considerations

There are no Treaty of Waitangi considerations

4) Decision-making

This is not a significant decision

5) Consultation

a) General consultation

Public consultation will be undertaken as required under the Reserves Act 1977

b) Consultation with Maori

Iwi will be consulted

6) Legal implications

The proposals will be subject to the provisions of the Reserves Act 1977

7) Consistency with existing policy

The proposals will be broadly consistent with relevant Council policies

Appendix 1

Capital Apiaries

Activity: Beekeeping
Type: Occupation Licence
Term: 5 years
Rent per annum: \$5 per beehive pallet (\$125 total)
Final expiry: 31 July 2019

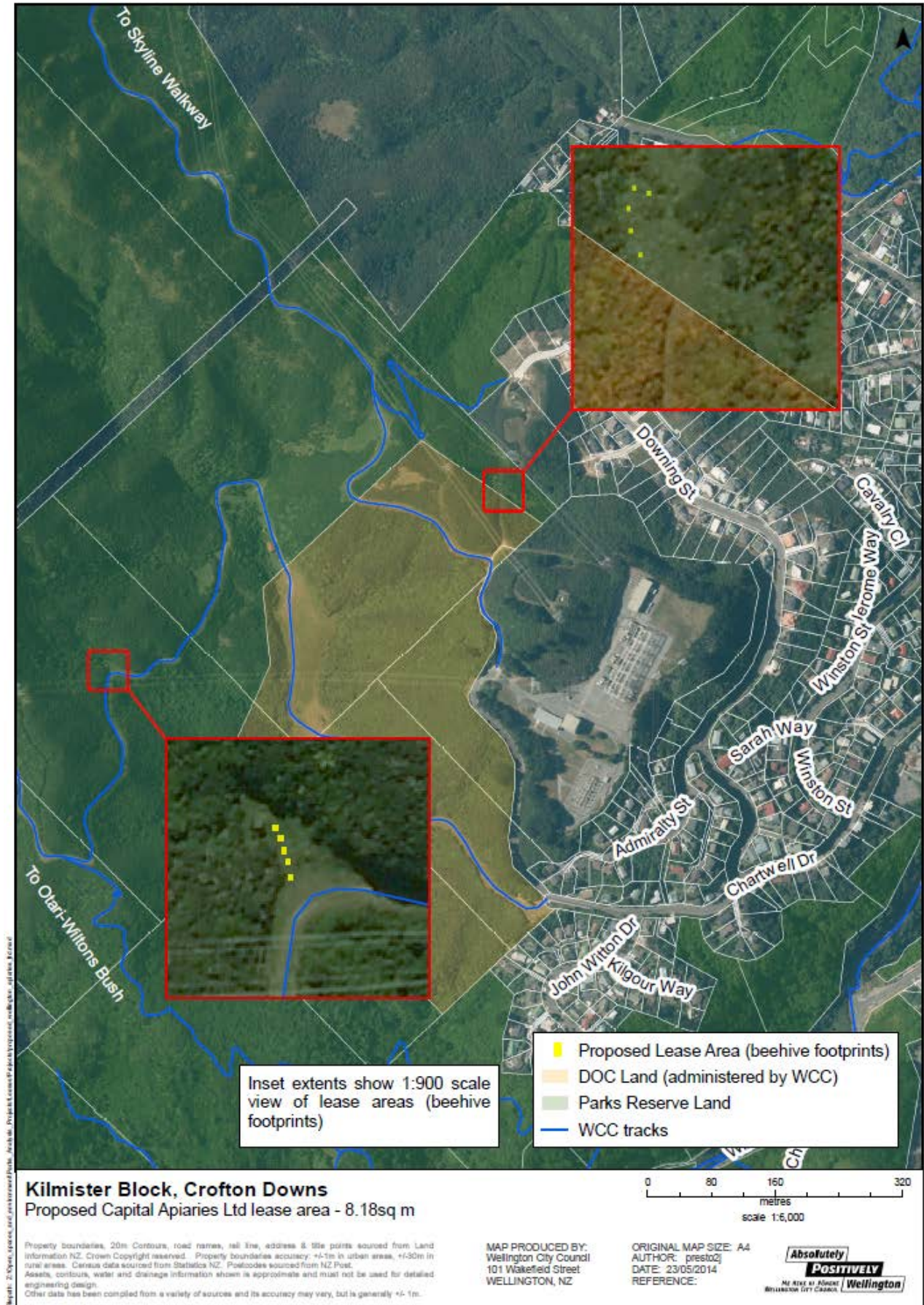
Location	Lease Area	Legal Description	CFR	Reserve Type
Kilmister Block, Crofton Downs	Approx 8m ²	Part of Otari A3 Block	WN115/275	Scenic Reserve
Caribbean Avenue Reserve, Grenada North	Aprox 6m ²	Part of Part Section 168 Porirua District and Part Section 41 Horokiwi Road District	WN34C/629	Scenic Reserve
Hilcroft / Woolaston / Horokiwi Reserve, Grenada North	Aprox 7m ²	Part of Lot 4, DP 54434 and part of Lot 1, DP 53628	WN27B/439 and WN24C/402	Scenic Reserve

Pandy Limited

Location: Begonia House, Wellington Botanic Garden (site 0466)
Activity: Café
Type: Premise Lease
Current expiry: 17 June 2017
Proposed expiry: 17 June 2023
Lease area: 116m²
Legal description: Part of Part Lot 1 DP 8530
CFR: WN48A/126
Reserve Type: Local Purpose Reserve
Since: 2007

Aquatic Café (2005) Limited

Location: WRAC (site 1452)
Activity: Café
Type: Premise Lease
Current expiry: 30 September 2017
Proposed expiry: 30 September 2020
Lease area: 172m²
Legal description: Part of Part lots 2 3 4 DP11975 Part LOTS 1-5 DP6069
CFR: WN21C/306
Reserve Type: Local Purpose Reserve
Since: 2005

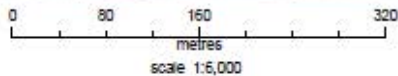




Inset extent show 1:900 scale view of lease areas (beehive footprints)

- Proposed Lease Area (beehive footprints)
- Parks Reserve Land
- WCC tracks

Caribbean Avenue Reserve, Grenada North
 Proposed Capital Apiaries Ltd lease area - 5.73sq m

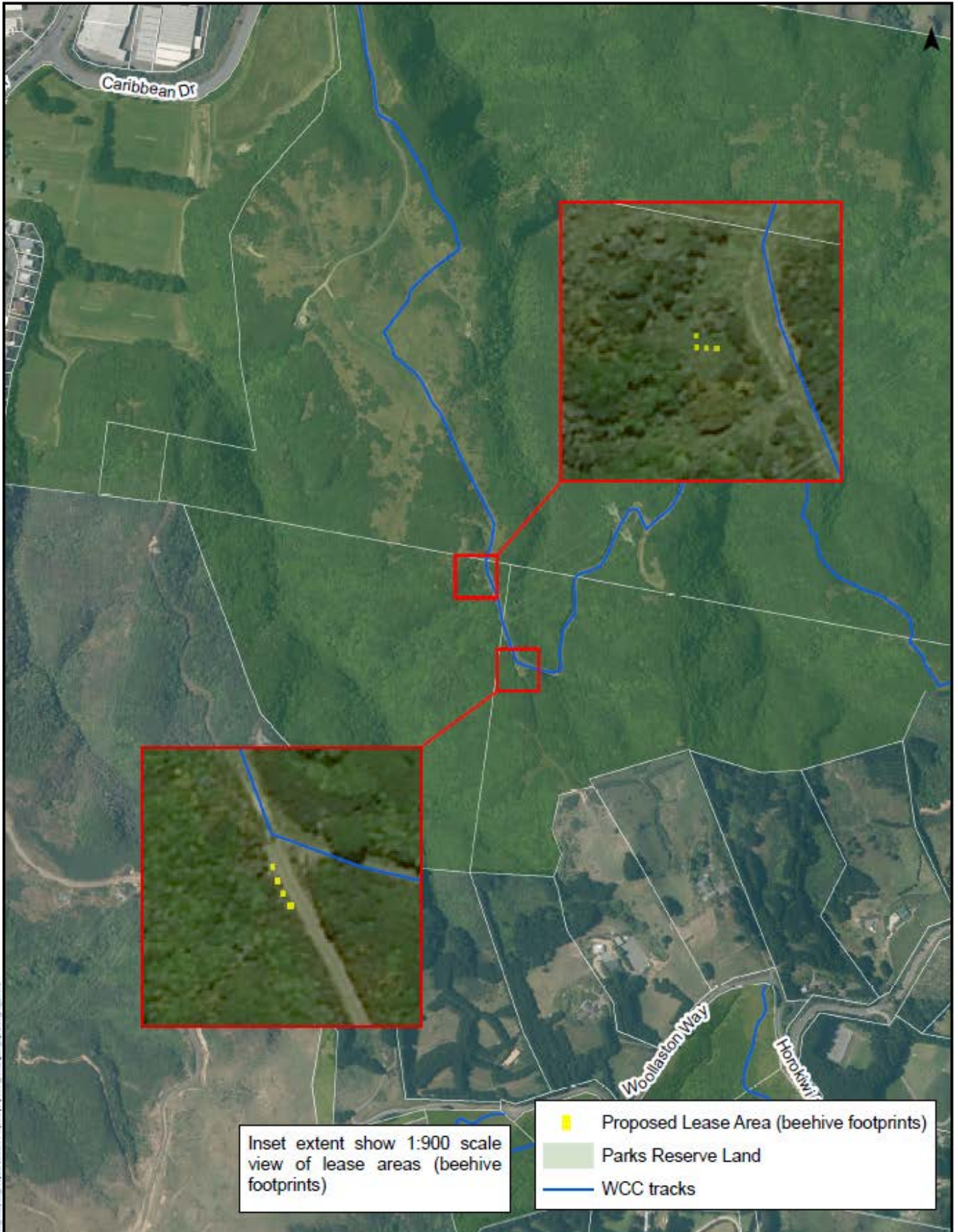


Property boundaries, 20m Contours, road names, rail line, address & title points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m.

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 REFERENCE:





Hilcroft/Woolaston / Horokiwi Reserve, Grenada North
Proposed Capital Apiaries Ltd lease area - 5.73sq m

Property boundaries, 20m Contours, road names, all line, address & site points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/-1m.

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Absolutely POSITIVELY
 WE HAVE AN AGENDA | WELLINGTON CITY COUNCIL

