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**REPORT 3**  
*(1215/53/IM)*

## **GRANTING OF A GROUND LEASE TO THE MIRAMAR BOWLING CLUB INCORPORATED**

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### **1. Purpose of Report**

To recommend the Committee approves a ground lease to the Miramar Bowling Club Incorporated on recreation reserve land at 75A Darlington Road, Miramar as outlined in blue on Appendix 1.

### **2. Executive Summary**

The Miramar Bowling Club Incorporated (Club) has held a ground lease with the Council since 1946. The Club's lease expired on 28 February 2011 and has been rolling over on a month to month basis since.

The subject land is classified as recreation reserve and a ground lease would be granted under Section 54(1)(b) of the Reserves Act 1977.

This report recommends the Committee grants a ground lease for a term of 5 years as opposed to 10 years, as the Council and the Club are currently in discussions in regards to amalgamation and increasing membership numbers to better utilise the site.

### **3. Recommendations**

Officers recommend that the Regulatory Processes Committee:

1. *Receive the information.*
2. *Agree, subject to the terms and conditions noted below, the granting of a ground lease to the Miramar Bowling Club Incorporated in accordance with the Reserves Act 1977.*
3. *Note that the terms of the lease are as follows:*
  - Location: 75A Darlington Road, Miramar*
  - Term: 5 years*
  - Annual Rental: \$3,124.00 per annum plus GST.*

4. *Note that any approval to grant the lease is conditional on:*
- (i) appropriate consultation with Iwi being completed;*
  - (ii) the lease being publicly notified in accordance with section 119 and 120 of the Reserves Act 1977;*
  - (iii) there being no sustained objections resulting from the abovementioned consultation or notification; and*
  - (iv) the legal and advertising costs associated with preparing the lease is met by the Lessee.*
5. *Agree that Council officers will finalise and negotiate the lease details.*

#### **4. Background**

The Miramar Bowling Club Incorporated (Club) approached the Council in 1945 requesting an area at the southern end of Miramar Park be made available for the creation of two bowling greens and one Croquet Court.

An organising committee was set up to undertake the preparation of the land into bowling greens. In 1948 the Club quickly outgrew its original club rooms and purchased the building that is still situated on the land.

The current pavilion was brought onto site from the Centennial Exhibition in six sections. The Council contributed £400 on the condition that one green and part of the pavilion would be set aside for a Women's section which was established in 1947. The Women's section was referred to as the Ladies Club.

Currently the Club has 42 members plus a number of social players. In 2008, Council funded a strategic study of bowling clubs in Wellington ("Report on the Health of Wellington Bowling Clubs" by *Driving Forces*). The report recommended that seven "clusters" were formed around the City each comprising of two or more bowling clubs. The Club's site was recommended as one of the cluster sites. Officers have had discussions with several bowling clubs in the City in regards to the possibility of sharing the Club's site.

##### **4.1 The Site**

The land is classified as Recreation Reserve and is subject to the Reserves Act 1977 (Reserves Act). The leased area is as outlined in red on Appendix 1.

The building is in fair condition with some deferred maintenance required which the Club is attempting to address. Officers will continue to monitor this work. The area of the land to be leased is approximately 7,330m<sup>2</sup> and is legally described as Lot 1, Deposited Plan 89983 and is contained in Computer Freehold Register WN57C/381.

##### **4.2 The Lessee**

The Club was established in 1946. The Club provides recreational and competitive bowling opportunities for its members and social players.

The Club currently has 42 active members plus approximately 100 social players.

## **5. Considerations when assessing a new lease**

### **5.1 *Leases Policy for Community and Recreation Groups***

An application for a lease is made under the Council's Leases Policy for Community and Recreation Groups (Leases Policy) and is subject to assessment under its criteria.

Appendix One of the Leases Policy requires that the assessment of a new lease is considered against the following criteria:

- strategic fit;
- activity sustainability;
- optimal use of resources;
- environmental impact;
- a demonstrated need from the community; and
- the need for a lease.

An assessment of the Club and how it fits within these criteria is outlined in section 6.

This lease is consistent with the provisions of the Social and Recreation Strategy.

### **5.2 *Legislation***

The land is held subject to and managed in accordance with the Reserves Act and therefore, will be governed by this Act.

A lease is appropriate for this Club as they have exclusive use of the land. The Club has an open membership policy where the general public may join the Club.

The Leases Policy allows for leases to be granted for a 10 year term with a 10 year right of renewal. In light of a report by Bowls Wellington, officers propose a lease for a 5 year term be granted in this instance.

Sections 119 and 120 of the Reserves Act sets out the requirement for public notification of any lease on reserve land. The granting of the lease is subject to there being no sustained objections from any party.

## 6. Discussion

### 6.1 Assessment

The proposed lease for the Club has been assessed against the criteria set out in the Leases Policy. Please see a summary of this assessment below:

<b>Criteria</b>		<b>Assessment</b>
<b>1. Strategic Fit</b>	<b>Social &amp; Recreation Strategy</b>	The Club's activities are consistent with other activities on recreation reserve and satisfy the criteria of recreational use.
<b>2. Activity Sustainability</b>	<b>Membership</b>	The Club has been in existence since 1946. The Club currently has 42 members plus a number of social players.
	<b>Financial Position</b>	The Club is in a good financial position and has the funds to fulfil their lease obligations of maintenance, repair and insurance.
<b>3. Use of Resources</b>	<b>Land Utilisation</b>	The building use is varied throughout the year. Generally during the winter season the usage is down, however the average hours of use per week in the winter is 30, with members coming and going at any time to play. Hours of usage over the summer average at 49 hours per week with members coming and going at any time to play.
<b>4. Environmental Impact</b>	<b>Location</b>	The land has been used as a bowling club for many years and the activity complements the adjacent park and Tennis Club and has no adverse effects on the land or surrounding areas.
<b>5. Demonstrated Need &amp; Support from the Community</b>	<b>People</b>	This Club has a long history and is well located. Although membership is currently low, officers are keen to explore opportunities for amalgamation to increase membership as recommended in the strategic study for bowling clubs in Wellington.
<b>6. Need for a Lease</b>	<b>Capability</b>	A lease is appropriate as the Club will have exclusive use of the land as outlined in red on the attached aerial.

### 6.2 Lease Rental

The lease rental has been assessed in accordance with the rental framework outlined in the Leases Policy. The annual rent has been assessed at \$3,124.00 per annum plus GST.

### **6.3 Lease Tenure**

The Club has held previous leases with the Council and has maintained the grounds and building to a satisfactory standard. Officers believe a shorter 5 year term should be granted, as officers are in discussions with several bowling clubs in the City in regards to the shared use of the Club's site. The Club are also working to increase their membership numbers.

Granting a 5 years lease opposed to a 10 year lease will give officers the opportunity to assess the Clubs ongoing suitability of this site.

## **7. Conclusion**

The Miramar Bowling Club Incorporated has demonstrated that they are a good fit with the Council's strategic direction and existing policies, and there is potential for increased use of the facility by other bowling clubs. The financial position of the Miramar Bowling Club Incorporated shows it is in a sustainable position.

Council officers recommend that the Regulatory Processes Committee approves the granting of a ground lease to The Miramar Bowling Club Incorporated.

Contact Officer: *Vanessa Whitwell, Property Advisor, Property Management and Amber Bill, Manager, Community Engagement & Reserves*

## **Supporting Information**

### **1) Strategic Fit / Strategic Outcome**

*The Provision of this lease is consistent with the Council's Social and Recreation Strategy which aims to build strong, safe and healthy communities by supporting agencies which contribute to the resident's health and safety and community strength.*

### **2) LTCCP/Annual Plan reference and long term financial impact**

*There is no financial impact as the lessee will be responsible for all building repairs, maintenance, insurance and utility costs.*

### **3) Treaty of Waitangi considerations**

*No Treaty implications have been identified*

### **4) Decision-Making**

*This is not considered a significant decision in terms of the Council's Significance Policy.*

### **5) Consultation**

#### **a) General Consultation**

*Public consultation will be undertaken as required by the Reserves Act 1977.*

#### **b) Consultation with Maori**

*Iwi will be consulted.*

### **6) Legal Implications**

*The lease will be subject to the provisions of the Reserves Act 1977.*

### **7) Consistency with existing policy**

*The provisions of this lease are consistent with the Leases Policy for Community and Recreation groups.*



## Property & Right of Way Easement Area 75 Darlington Road, Miramar

Property boundaries, 20m contours, road names, rail line, streams & the points source from LIDAR information NZ Crown Copyright reserved. Property boundaries accurate to 1:1000 in urban areas, 1:1500 in rural areas. Contours and streams from GNS/NIWA. Powerlines accurate from NZ Power. Contours, roads and drainage information shown is approximate and may not be used for detailed engineering design. Data has been compiled from a variety of sources and its accuracy may vary, but is generally 1:1000.

MAP PRODUCED BY:  
Wellington City Council  
101 Wakefield Street  
WELLINGTON, N.Z.

ORIGINAL MAPS EC. A4  
AUTHOR: 20-2012/20  
DATE: 19/08/2011  
REFERENCE: 9300

