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**REPORT 1**  
*(1215/53/IM)*

## **GRANTING OF A GROUND LEASE TO THE VICTORIA BOWLING CLUB INCORPORATED - SUBMISSIONS FROM PUBLIC NOTIFICATION**

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

To report on submissions received regarding the granting of a ground lease to the Victoria Bowling Club Incorporated on Town Belt land at 125 Pirie Street, Mt Victoria (outlined in red on Appendix 1A).

### **2. Executive Summary**

The Victoria Bowling Club Incorporated has held a ground lease on Town Belt land at 125 Pirie Street, Mt Victoria with the Council since 1957. The Club's lease expired on 31 December 2003.

On 14 September 2011, the Regulatory Processes Committee approved the granting of a ground lease on Town Belt land at 125 Pirie Street, Mt Victoria to the Victoria Bowling Club Incorporated for a 10 year term (refer to Appendix 1 to see initial report). This approval was conditional on there being no sustained objections during the public notification process undertaken in accordance with the Reserves Act 1977 and Iwi approval.

The public notification period closed on 16 November 2011. Six submissions were received. Five submissions had objections relating to the granting of a ground lease to the Victoria Bowling Club Incorporated. One submission gave conditional support to granting a ground lease. Iwi approval was obtained.

This report outlines the issues and feedback received during public notification and recommends the Regulatory Processes Committee grants a ground lease for a ten year term to the Victoria Bowling Club Incorporated.

### **3. Recommendations**

Officers recommend that the Regulatory Process Committee:

- 1. Receive the information.*
- 2. Agree subject to the terms and conditions noted below, the granting of a ground lease to the Victoria Bowling Club Incorporated in accordance with the Reserves Act 1977.*

3. *Note that the terms of the ground lease are as follows:*  
**Location:** 125 Pirie Street, Mt Victoria.  
**Term:** 10 years.  
**Annual Rental:** \$2,516.00 per annum plus GST.
4. *Note that any approval to grant the ground lease is conditional on:*
  - (i) *the legal and advertising costs associated with preparing the ground lease are met by the Lessee; and*
  - (ii) *the Lessee providing Council with a schedule of deferred maintenance to be undertaken within the next 10 years.*
5. *Agree that Council officers will finalise and negotiate the ground lease details.*

#### **4. Background**

The Victoria Bowling Club Incorporated (Club) has held a ground lease (lease) on Town Belt land at 125 Pirie Street, Mt Victoria (Land) (outlined in red on Appendix 1A) since 1957.

The Land is subject to the Town Belt Deed and the Reserves Act 1977 (Reserves Act). The Land is designated as Open Space C and is managed under the Town Belt Management Plan.

The Clubs lease expired on 31 December 2003. The Regulatory Processes Committee (Committee) approved granting a lease to the Club for a 10 year term on 14 September 2011. This was conditional on there being no sustained objections during the public notification process undertaken in accordance with the Reserves Act 1977 and Iwi approval.

Six submissions were received. Five submissions had objections relating to the granting of a lease to the Club. Once submission was in support of granting a lease on the basis that certain conditions were met. Refer to the table in section 5 of this report to see a summary of the submissions or Appendix 2 to see the submissions. Iwi had no objections to the granting of a lease to the Club and gave their approval.

#### **5. Discussion**

The submitters that had objections raised similar concerns relating to the Club. They are as follows:

- Having a TAB machine in the clubrooms is seen as being inappropriate and in contravention of the Town Belt Deed and the Town Belt Management Plan.
- Although four out of the five submitters with objections would rather a lease was not granted to the Club, all four objectors are in strong opposition to a lease being granted for a 10 year term and believe a shorter term should be granted.

- The Club hiring out the clubrooms for functions not related to bowls.
- Excessive noise.

Officers met with the submitters who had objections to discuss their objections and how officers and the Club intended addressing their concerns.

Officers advised that the Club had stopped advertising their clubrooms on their website as a place for hire and agreed to the inclusion of a number of special provisions within the lease which would address their concerns. These special provisions relate to the TAB self service Kiosk, the Club's liquor licence, special liquor licences and noise levels. A number of other special provisions will be incorporated into the lease with the Club, but are not relevant to the concerns raised by submitters and are therefore, not included in this report.

The special provisions officers intend on incorporating into the lease to address the concerns raised are as follows:

- Removal of the TAB self service kiosk within three months of obtaining Committee approval to grant a lease.
- The Club will be required to keep noise levels within the boundary of the Land and adhere to rules relating to the Club's liquor licence and any special liquor licences. If the Club exceeds noise levels or is in breach of its liquor licence or special liquor licences, the Club will be issued with one warning. Thereafter, any breach of this nature will result in no special liquor licenses being issued for 12 months, or any other action that is deemed appropriate by officers.

Below is a detailed summary of the submissions received and the outcomes from meeting with each submitter:

<b>Submitters</b>	<b>Objections/comments</b>	<b>Outcomes of meeting with each submitter</b>
Action for the Environment (AFE)	<p>AFE's initial objections were as follows:</p> <ul style="list-style-type: none"> <li>- TAB Machine on site is seen as being inappropriate and its use is contrary to the Town Belt Deed.</li> <li>- The Club regularly hires out its clubrooms for functions to private groups that have nothing to do with bowling or any other public recreation activity. This is also contrary to the Town Belt Deed and the Reserves Act.</li> </ul>	<p>AFE revised their initial submission after meeting with officers as follows:</p> <ul style="list-style-type: none"> <li>- AFE supports the special provisions officers intend on incorporating into the lease with the Club.</li> <li>- AFE would like any pokie machines on the site removed along with the TAB self service kiosk.</li> <li>- AFE does agree with granting a lease for a ten year term and feels a shorter term will ensure the Club complies with the provisions of the lease. AFE has requested that the Club be granted an</li> </ul>

		initial term of one year, with a right of renewal of five years. The right of renewal should only be given if the Club complies with the terms and conditions contained in their lease.
G.R Hamill	<ul style="list-style-type: none"> <li>- Strongly objects to the granting of a lease to the Club.</li> <li>- The Club is currently leasing out the Clubrooms for functions which disturb neighbours.</li> <li>- Disagrees with the term of the lease and believes granting a 10 year term is too long.</li> </ul>	<ul style="list-style-type: none"> <li>- Objects to granting a lease to the Club but if one is to be granted, it should be of a lesser term than 10 years.</li> </ul>
	-	-
Kent Duston	<ul style="list-style-type: none"> <li>- Kent lives three doors down from the Club and is strongly opposed to Council granting a lease to the Club.</li> <li>- Objects to the Club hiring out the venue.</li> <li>- Has reported noise control issues to Council over the past two years.</li> <li>- Has concerns with people leaving the Club intoxicated and vandalising cars, bottles and cans left in gardens and urination on residents front door steps. Police have been called because of an impending fight in the street.</li> <li>- Has tried to talk to members of the Club but has found them to be 'offensive' and 'insulting'.</li> <li>- Believes that due to the decline of bowling, clubs are becoming a party</li> </ul>	<ul style="list-style-type: none"> <li>- Kent wishes to proceed with his submission as is.</li> </ul>

	<p>venue for hire.</p> <ul style="list-style-type: none"> <li>- Believes that rather than perpetuating the “zombie” like existence of the Club, it is the responsibility of the Council to refuse to grant a lease. Believes that as their membership declines in the years ahead it is likely that they will turn to more “exotic” forms of revenue raising, all of which have the potential to create more disruption for the rest of the neighbourhood and all of which will result in commercial activity being run on the Town Belt in direct contravention of the terms of the Town Belt Deed.</li> </ul>	
<p>Mt Victoria Residents Association (Residents Association)</p>	<p>The Resident Association’s initial objections were as follows:</p> <ul style="list-style-type: none"> <li>- Complaints have been received from local residents regarding the running of corporate parties where loud music is played, both in daylight and evening hours.</li> <li>- Bottle throwing, numerous noise control and police call outs to maintain social order.</li> <li>- TAB machine goes against the Town Belt Deed and the Town Belt Management Plan.</li> <li>- The Residents Association does object to the operation of a bowling club but feels that the terms of the current lease are not</li> </ul>	<p>The Residents Association revised their initial submission after meeting with officers and ‘insist’ that the Club adhere to the following:</p> <ul style="list-style-type: none"> <li>- The TAB and Pokie machines must be removed.</li> <li>- A limit of six non club events must be the maximum allowed in consideration of local residents.</li> <li>- Noise compliance must be effective.</li> <li>- The lease should only be granted for a one year term in order to ensure compliance.</li> <li>- The Residents Association does object to the operation of the Club but feels that the terms of the current lease are being</li> </ul>

	<p>being observed and inadequately managed.</p> <ul style="list-style-type: none"> <li>- Granting a lease is unacceptable in the current circumstances and they object to the proposed term of the ground lease being 10 years.</li> </ul>	<p>improperly observed and inadequately managed.</p>
<p>Submitter wishes to remain anonymous</p>	<ul style="list-style-type: none"> <li>- Has no issues with the Club continuing but has had issues with the Club renting out its clubrooms for noisy events in the evenings.</li> <li>- Does not want to ban functions being held at the Club but would like to see noise limits written into the Council agreement with the Club so that it is clear that noise should not go outside the boundaries of the Land.</li> <li>- There have been problems with drunken people leaving the venue.</li> </ul>	<ul style="list-style-type: none"> <li>- The submitter is satisfied with the special provisions put in place in regards to keeping the noise levels within the boundary of the Land.</li> </ul>
<p>Friends of the Town Belt</p>	<ul style="list-style-type: none"> <li>- Support the granting of a new lease for 10 years on the basis that the lease will require the Club to continue to operate in accordance with general Council policy and it is recognised that should the Club cease to be able to function sustainably and/or the built facilities on site are no longer required, those facilities may be removed with the land reverting to open space for recreational use by the people of Wellington.</li> </ul>	<ul style="list-style-type: none"> <li>- Officers did not meet with the Friends of the Town Belt as they are in support of granting a lease subject to the conditions outlined.</li> </ul>

Officers believe a lease should be granted to the Club for a 10 year term. The Club has held previous leases with Council and has maintained the grounds and buildings on the land to a satisfactory standard. The Club has also proven that it is in a sustainable position both financially and in terms of the number of Club members it has. The Club also has a substantial amount of social players.

The Club's activities are consistent with other activities on Recreation Reserve and satisfy the criteria of recreation use. The Club has demonstrated that it complies with the criteria contained in the Leases Policy for Community and Recreation Groups (Leases Policy) and is consistent with the Council's Social and Recreation Strategy.

The granting of a lease for a 10 year term would also be consistent with a report produced by Bowls Wellington in 2008 on the health of bowling clubs in Wellington. The report was based on 19 bowling clubs that are located in the Council's region. The purpose of the report was to evaluate the health of bowling clubs within the area and the longer term sustainability and viability of the 19 clubs. The report noted the need for fewer clubs in the region but identified seven clubs that should remain, which included this Club.

There have been approximately nine noise complaints made over the past two years. These have related to excessive noise coming from cars parked in the parking area that are not associated with Club activities, through to functions run in the clubrooms.

The noise control team have not had to issue any notices to the Club within the past two years. On the occasions they have been called out to the clubrooms, the functions were coming to an end.

It is officers understanding that there are no pokie machines on site.

Officers met with the Club's president to discuss the objections raised and believe that the Club will work with the community and officers to address these concerns.

## **6. Conclusion**

Officers recommend that the Regulatory Processes Committee approve the granting of a ground lease to the Victoria Bowling Club Incorporated for a 10 year term.

Officers believe that the Victoria Bowling Club Incorporated has actively taken steps to address the concerns raised through the public notification process and will continue to do so. Officers will continue to work with the Club to address the remaining concerns through the provisions of the lease.

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

## Supporting Information

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

*The Provisions of this ground lease are 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, safety and community strength.*

### **2) LTP/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 has been undertaken as required by the Reserves Act 1977. This paper outlines the objections and support received in regards to granting a new ground lease to the Victoria Bowling Club Incorporated.*

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

*Iwi have been consulted and have no objections.*

### **6) Legal Implications**

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

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

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

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

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

To recommend the Committee approves a ground lease to the Victoria Bowling Club Incorporated on Town Belt land at 125 Pirie Street, Mt Victoria as outlined in red on Appendix 1A.

### **2. Executive Summary**

The Victoria Bowling Club Incorporated has held a ground lease over Town Belt land known as 125 Pirie Street, Mt Victoria with the Council since 1957. The Clubs lease expired 31 December 2003 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 10 year term.

### **3. Recommendations**

Officers recommend that the Regulatory Processes Committee:

1. *Receives the information.*
2. *Agrees, subject to the terms and conditions noted below, the granting of a ground lease to the Victoria Bowling Club Incorporated in accordance with the Reserves Act 1977.*
3. *Notes that the terms of the lease are as follows:*  
**Location:** 125 Pirie Street, Mt Victoria  
**Term:** 10 years  
**Annual Rental:** \$2,516.00 per annum plus GST

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4. *Notes 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;*
  - (iv) *the legal and advertising costs associated with preparing the lease are met by the Lessee; and*
  - (v) *the lessee providing Council with a maintenance schedule of deferred maintenance to be undertaken within the next 10 years.*
  
5. *Agrees that Council officers will finalise and negotiate the lease details.*

## 4. Background

The Victoria Bowling Club Incorporated (Club) was formed in the 1890's and originally had a small lawn in Claremont Grove, Mt Victoria. The Club moved to its current site in 1957, when the Mt Victoria Croquet Club wound up.

Currently the Club has 52 members plus a substantial 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" should be formed around the City, each comprising of two or more bowling clubs. The Club's site is a potential cluster site.

### 4.1 The Site

The land is designated as Open Space C and is managed under the Town Belt Management Plan. The land is subject to the Town Belt Deed and the Reserves Act 1977 (Reserves Act). The leased area is marked in red on Appendix 1A.

The building is in fair condition with some maintenance required. The area of the land to be leased is approximately 5860m<sup>2</sup> and is legally described as part of Lot 1 and 2, Deposited Plan 32684 and is contained in Computer Freehold Register WN10A/991 and WN10A/992.

### 4.2 The Lessee

The Club provides recreational and competitive bowling opportunities for its members and social players. It currently has 52 active members plus a substantial number of social players.

The Club has an open membership policy where the general public may join the Club.

A caretaker's residence is included within the proposed lease footprint. The occupation of this is conditional on Council sighting an employment agreement on an annual basis.

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## 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 at 125 Pirie Street, Mt Victoria is held subject to the Town Belt Deed and managed in accordance with the Reserves Act and therefore the lease will be governed by these statutes.

The Wellington Town Belt was vested in the Council by the Town Belt and Basin Reserve Deed of 1873. The Deed remains the governing authority by which the Council controls the Town Belt. The Deed provided for the Town Belt land to be kept forever 'as a public recreation ground for the inhabitants of the city of Wellington'.

A lease is appropriate for this Club as they have use of the land.

The Town Belt Management Plan allows for leases on Town Belt land for a term of no longer than 10 years.

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:

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<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 1890. The Club currently has 52 members plus a substantial 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 the greens are closed in the winter; however members do utilise the buildings. Hours of use over the summer are mostly during the weekdays from 1pm - 8pm and weekends from 8.30am - 5pm. The Club hire the building out for one off functions as well as allowing the Driving School to use its facilities.
<b>4. Environmental Impact</b>	<b>Location</b>	The land has been used as a bowling club for many years 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, is well located and has been identified as a potential cluster site which would increase participation.
<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 Appendix 1A.

### **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 \$2,516.00 per annum plus GST.

## **6.3 Lease Tenure**

The Town Belt Management Plan allows for leases on Town Belt land for a term of up to 10 years. The Club has held previous leases with the Council and has maintained the grounds and building to a satisfactory standard. Officers believe that a 10 year term should be granted.

## **7. Conclusion**

The Victoria Bowling Club Incorporated has demonstrated that it is a good fit with the Council's strategic direction and existing policies. There is also potential for increased use of the facility by casual bowlers. The financial position of the Victoria Bowling Club Incorporated shows it is in a sustainable position.

Council officers recommend that the Regulatory Processes Committee approve the granting of a ground lease to the Victoria 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.*



## APPENDIX 2

From: Kent Duston  
Sent: Wednesday, October 19, 2011 10:08 PM  
To: Vanessa Whitwell  
Cc: Elaine Hampton; Iona Pannett  
Subject: Victoria Bowling Club

Vanessa,

I understand the Council is considering renewing the ground lease for the Victoria Bowling Club in Pirie Street. As a local resident living three doors down from the Club, I am strongly opposed to this occurring.

Throughout the summer months the local residents - myself included - are forced to suffer through the large number of parties held at the Bowling Club. As lawn bowls is a dying sport with minimal revenue from members, it appears to make ends meet by renting the venue to all comers and by running pokie machines. We have had to make a number of complaints to the noise control section of the Council over the last few years to get loud stereos and live bands shut down at late hours of the night and early hours of the morning, which is clearly occurring as a result of the rental of the premises as a party venue rather than because of any activities undertaken as a lawn bowls club.

In addition to the persistent noise issues, we are also forced to put up with drunks leaving the Bowling Club at all hours of the morning. This results in vandalism to residents cars, bottles and cans left in gardens and urination on our front step. In one case a couple of years ago we were forced to call Police because of an impending fight in the street that appeared to be the result of drunks exiting the Bowling Club and getting into an altercation.

Unfortunately it's impossible to engage with the officers of the Bowling Club to get any satisfactory resolution to these issues. I've attempted to speak to the Secretary on a couple of occasions over the last two years, generally triggered by noisy parties, and in all cases he has been offensive and insulting - his view seems to be that local residents have no right to complain about the activities of the club, irrespective of the disruption to the neighbourhood.

It's clear that the original intent in granting a ground lease to the Bowling Club was to foster recreational activities - i.e. lawn bowling - on Town Belt land, which is expressly set aside for public recreation for the people of Wellington under the Town Belt Deed. However due to the precipitous decline in public interest in lawn bowls, it's apparent that the Bowling Club has become simply a party venue for hire, functionally indistinguishable from any other bar in Courtenay Place - they offer the same loud music, access to alcohol and betting facilities as a typical sports bar. This is a very long way from the original intention of granting the Bowling Club exclusive rights over public land reserved for recreation.

Given the lack of interest in their sport, it's apparent that the Victoria Bowling Club will sooner later go the way of the Tinakori club, and close down. Many of

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the lawn bowls clubs in the country - particularly those that are subject to commercial imperatives, such as rising land values and increasing rates - have already gone the way of the dodo. However the effect of the Town Belt ground lease is to effectively subsidize the continued existence of the Victoria Bowling Club, which has significantly and materially moved away from its original intention.

Rather than perpetuating the zombie-like existence of the Club, I think it is the responsibility of the Council to put it out of its misery, and refuse to extend the ground lease any further. As their membership declines in the years ahead, it's likely that they will turn to more and more exotic forms of revenue raising, all of which have the potential to create more disruption for the rest of the neighbourhood, and all of which will result in commercial activity being run on the Town Belt in direct contravention of the terms of the Deed. I'd therefore ask that the Council decline to extend the ground lease.

If you have any questions please feel free to give me a call.

Kind regards

Kent Duston

e: [kent@mtvictoria.org.nz](mailto:kent@mtvictoria.org.nz)

m: +64 21 536 873

The Mt Victoria community on the Interwebs: <http://mtvictoria.org.nz>

## APPENDIX 2

**From:**  
**Sent:** Thursday, October 20, 2011 8:31 AM  
**To:** Vanessa Whitwell  
**Subject:** Lease for Victoria Bowling Club

To Wellington City Council

Re: Victoria Bowling Club lease renewal

While I have no issues with the Victoria Bowling Club continuing - even though it is on the green belt land - I do have issues with the club renting out its clubrooms for noisy events in the evenings.

There have been a number of very loud parties held there - with live bands - in recent years. Noise Control officers have turned out after phone calls from locals to close down sound systems.

I think that because the bowling club is on the green belt land and is situated in a little natural amphitheatre which means noise travels to neighbouring properties, there should be strict limits on noise after 10pm.

I would not want to see a ban on parties and weddings etc being held at the bowling club because there have been events which have had bands and there has not been an issue.

However, there have been times when the thumping and noise has disturbed a lot of neighbours - because the bands are just too loud. Then there's the problem with drunk people leaving the venue.

So I would like to see noise limits written in to the council's agreement with the bowling club - so that it is clear that noise should not be able to be heard off the premises.

43 Austin St. Mt. Victoria  
18 October 2011  
Tel: (04) 3850750  
18 October, 2011

Vanessa Whitwell,  
wcc, govt. nz,  
Dear Madam,

Lease renewal :-  
Victoria Bowling Club  
Mt. Victoria

I strongly object to the renewal of the ground lease for Victoria Bowling Club on the town belt. Currently, they lease out the club rooms for functions which disturb neighbours including myself.

Yours faithfully  
G.R. Hamill

G.R. Hamill  
43 Austin St  
Mt Victoria

## APPENDIX 2

**From:** David Lee [mailto:davidjohnlee@hotmail.com]  
**Sent:** Tuesday, November 22, 2011 8:46 AM  
**To:** Vanessa Whitwell  
**Subject:** RE: Victoria Bowling Club Special Provisions

Dear Vanessa

Action for Environment supports the draft special provisions with the addition that poker machines should also be removed along with the TAB.

We do not agree with a ten year lease. We are informed that the Terawhiti Bowling Club, for example, has only a five year lease with the Council. We feel a shorter lease would more likely ensure the Victoria Club's compliance with the Council's proposed provisions. We therefore request that the club be initially be granted a one year lease, with the right of a five year renewal, depending on compliance with the special provisions.

Yours sincerely  
David Lee  
Chairman  
Action for Environment Inc

## APPENDIX 2

20 November 2011

Regulatory Process Committee

Wellington City Council

Attention Vanessa Whitwell

Re Renewal of Lease Victoria Bowling Club

I am the President of the Mt Victoria Residents Association Inc.

Thank you for the opportunity to speak to you last Tuesday.  
Further to our submission and our discussions I wish to stress the following in view of the 'Special Provisions' advised to us.

We wish to insist that;

1. **The TAB and Pokie machines must be removed**
2. Limit of 6 non club events must be the maximum allowed in consideration of local residents.
3. Noise compliance must be effective.
4. **A one year lease should be the maximum first lease in order to ensure compliance of the club.**
5. The pesticide used on the bowling greens - Town Belt land – should be advised to the council and community.

It is expected that groups having exclusive use of the community land of the Town Belt for peppercorn rentals have an obligation not to abuse this privilege. In particular they certainly have an obligation of consideration to the neighbouring community and the health of the Town Belt.

Although we do not object to the operation of a bona fide bowling club per se we must conclude that the terms of the current lease are being improperly observed and inadequately managed.

Elaine Hampton  
President, Mount Victoria Residents Assoc.,  
P O Box 19-056  
Courtenay Place  
Wellington

## APPENDIX 2

**From:** Victoria Lamb  
**Sent:** Friday, November 18, 2011 10:09 AM  
**To:** Vanessa Whitwell  
**Subject:** Victoria Bowling Club lease renewal

Dear Vanessa,

### **Victoria Bowling Club lease renewal**

The Friends of the Wellington Town Belt have noted the intention of WCC to grant a new ground lease for the portion of the Town Belt land occupied by the Victoria Bowling Club. It is appreciated that the Club has formally occupied the site since 1957, and is well established providing outdoor recreation opportunities for its members on site, but like other groups involved in bowling activities has needed to adapt its operations to ensure their activities remain viable.

The Friends support the granting of a new lease for 10 years on the basis that the lease provisions will require the Club to continue to operate in accordance with general Council by-laws and it is recognised that should the Club cease to be able to function sustainably and/or the built facilities on site are no longer required, those facilities may be removed with the land reverting to open space for recreational use by the people of Wellington.

John Bishop  
Chairman, Friends of the Town Belt