

REPORT 3
(1215/53/IM)

GRANTING OF A COMMUNITY GROUND LEASE TO NGĀ HAU E WHĀ O PAPARARANGI SOCIETY INCORPORATED OVER COUNCIL OWNED LAND AT 30 LADBROOKE DRIVE, NEWLANDS

1. Purpose of report

This report recommends that the Committee approves the granting of a community ground lease to the Ngā Hau E Whā O Papararangi Society Incorporated over the Council owned land at 30 Labdroke Drive, Newlands (outlined in red on Appendix 1).

2. Executive summary

The Ngā Hau E Whā O Papararangi Society Incorporated (Society) has held a ground lease with Council since 1 January 1993, which is due to expire 31 December 2012.

The old Johnsonville Town Hall was relocated to the site early 1995 and is regularly used for meetings, Hangis, community functions and a practice area for the Society's Kapa Haka Group.

This report recommends the Committee grants a community ground lease for the area outlined in red on Appendix 1 to the Ngā Hau E Whā O Papararangi Society Incorporated for a ten year term, with a ten year right of renewal.

The land is held as fee simple land and is legally described as Part Section 1 SO 37014 and held in Computer Freehold Register WN12/1438.

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 Ngā Hau E Whā O Papararangi Society Incorporated.*
3. *Note that the terms of the lease are as follows:*
 - Location: Part of the land known as 30 Ladbroke Drive, Newlands (Outlined in red on Appendix 1).*
 - Term: 10 years with a right of renewal of 10 years.*
 - Annual Rental: \$3,157.00 per annum plus GST.*

Rent Review: If the proposed rental model outlined in the proposed Leases Policy for Community and Recreation Group is adopted, the Ngā Hau E Whā O Papararangi Society Incorporated will be required to pay a rental of \$3,489.49 per annum plus GST at the date the Policy is adopted.

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 the Leases Policy for Community and Recreation Groups;*
 - (iii) *there being no sustained objections resulting from the above mentioned 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

Forty six (46) hectares of land was originally purchased by the Council to facilitate the extended use of the Horokiwi Landfill. Council and the Society sought a joint subdivision and land use consent to formally subdivide off approximately 2 hectares in preparation for the Society to purchase the land from Council and develop a Papakainga. The subdivision was completed, but the Society never took up the opportunity to purchase the land from Council.

The Society was granted a commercial lease, which is due to expire 31 December 2012. The objectives of the Society have since changed to a community focus and nature.

In mid 1995 the Community Development Department of Council negotiated the relocation of the Old Johnsonville Town Hall to 30 Ladbrooke Drive, Newlands, at Council's expense. This building was officially gifted to the Society as per Council resolution dated October 1994.

The land is well used by numerous groups including;

- Tangihanga,
- 1st aid medical training,
- Hangi,
- Weaving classes,
- Kapa Haka,
- Sports, committee meetings,
- Community events,
- Civil resilience,
- Puna Reo,
- Enviro-schools,
- Local schools; and
- Scouts and Guides.

The Society has begun restoring the adjacent Parks and Gardens reserve land and documenting the kawa (what we do) and tikanga (how we do it) and will be implementing Māori language classes next year.

Many of the tamariki (children) and mokopuna (grand children) have been born in the City and have lost their links to their whakapapa (genealogy), whānau (family), and ngahere (forest). The Society has, with assistance from Ngā Whenua Rāhui and the Parks and Gardens Business Unit implemented a 20 year planting and restoration project for this area. It focuses on biodiversity and the management of the natural resources for traditional Māori uses such as raranga (weaving), rongoā (medicine) and māra kai (Māori cuisine).

The Society has a long term vision and will commence fundraising and building of a full papakainga/marae. This will allow Māori living in the City the opportunity to actively participate in the revival, use, retention and teachings of mātauranga Māori, in relation to biodiversity and the management of the natural resources. This will also demonstrate the contribution that urban Māori can make to Wellington by implementing their projects.

The area of land the Society wishes to lease is 7409m² and is legally described as Part Section 1 SO 37014 and held in Computer Freehold Register WN12/1438.

The City Communities and Treaty Relations business units are in support of this proposal.

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 and is subject to assessment under its criteria.

Appendix one of the Leases Policy requires officers to assess new lease applications 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 Society and how it fits within these criteria is outlined in section 6.

The granting of a lease to the Society is consistent with the provisions of the Council's Leases Policy.

5.2 Legislation

The land is held as fee simple and is therefore subject to the Leases Policy.

The Leases Policy sets out the requirement for public notification. The granting of a lease to the Society is subject to there being no sustained objections from any party.

6. Discussion

6.1 Assessment

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

Criteria		Assessment
Strategic Fit	Social & Recreation Strategy	The Society's activities are consistent with permitted activities on fee simple land and satisfy the criteria of the Leases Policy.
Activity Sustainability	Membership	The Society currently has 200 members, with a large number of social members.
	Financial Position	The Society is in a good financial position and has the funds to fulfil their lease obligations.
Use of Resources	Land Utilisation	It is expected that land utilisation levels will continue to be high as the Society have regular users and hire the venue out to a number of users.
Environmental Impact	Location	The activities proposed by the Society do not have the potential to adversely affect the Open Space values.
Demonstrated Need & Support from the Community	People	This Society has a long history, is well located for the activities that are held on site. They have a presence in the Northern Suburbs area.
Need for a Lease	Capability	A lease is appropriate as the Society will have exclusive responsibility and ownership of the building as outlined in red on Appendix 1.

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 \$3,157.00 per annum plus GST.

If the rental model in the proposed leases policy is adopted, the Society's rental will increase from \$3,157.00 + GST per annum to \$3,489.49 + GST per annum.

6.3 Lease Tenure

The Leases Policy allows for a lease for a term of 10 years with a 10 year right of renewal. Officers propose granting the lease under this tenure.

7. Conclusion

The Ngā Hau E Whā O Paparangi Society Incorporated has demonstrated that they are a good fit with Council's strategic direction and existing policies. The land is utilised well by the Society, who have a vested interest in returning the surrounding reserve land back to its natural state, along with long term plan of reintroducing native wildlife to this area.

Council officers recommend that the Regulatory Processes Committee approves the granting of a ground lease to the Ngā Hau E Whā O Paparangi Society Incorporated.

Contact Officers: *Vanessa Whitwell, Property Advisor, Property Management & Jenny Rains, Manager of City Communities and Grants*

SUPPORTING INFORMATION

1) Strategic fit / Strategic outcome

The Leases Policy supports Council's role as a facilitator of community partnerships and provider of community services. The community activities that will be provided by the Ngā Hau E Whā O Papararangi Society Incorporated will contribute to the outcome of 'offering a diverse range of quality community and leisure activities'.

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

The project will have no substantial long term financial impact.

3) Treaty of Waitangi considerations

No Treaty implications have been identified.

4) Decision-making

This is not considered a significant decision.

5) Consultation

a) General consultation

Public consultation will be undertaken as required by the Leases Policy.

b) Consultation with Māori

Iwi will be consulted.

6) Legal implications

The lease will be subject to the provisions of the Leases Policy. Legal advice will be sought in the preparation of the lease.

7) Consistency with existing policy

The provisions of the lease are consistent with the Leases Policy.



Nga Hau e Wha o Paparangi

Property boundaries shown on this map are based on the information provided by the landowners. The information shown on this map is for general information only and should not be used for any legal purposes. The information shown on this map is not a guarantee of accuracy and should not be used for any legal purposes. The information shown on this map is not a guarantee of accuracy and should not be used for any legal purposes.

ORC RURAL RESP 5 REC. AA
 ALL OTHER INFORMATION
 DATE: 25/07/2012
 PSP 01/01/12

Absolutely
 THE ONLY TRUTH
 CONSULTING GROUP | Wellington