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REPORT 4  
(1215/53/IM)

## 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 1.

### 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. *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 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 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. *Agree 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 1.

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.

## **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:

<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 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 \$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. Offices 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.*

## Victoria Bowling Club Lease Area



### Disclaimer

Property boundaries, 20m contours, road names, rail lines, easements & other public services from LRS Information J. Croxall Copyright retained.

Property boundaries accurate to within 100m  
 10-Metre scale shown

Contours are - 2m for RT.

Footpaths - RT Foot.

Contours, easements, 10-METRE scale information shown is approximate and should be used for a rough guide only and not for a final design.

Contours have been compiled from a variety of sources and the accuracy may vary, but is generally 1:100.

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**Wellington**



Scale 1:920