
REPORT 5
(1215/53/IM)

GRANTING OF A GROUND LEASE TO THE LONG HALL TRUST

1. Purpose of Report

To recommend the Committee approves granting a ground lease to the Long Hall Trust on part of the land known as Point Jerningham which is situated on Recreation Reserve at 13B Maida Vale Road, Roseneath, outlined in red on Appendix 1.

2. Executive Summary

The Long Hall Trust was formed in 2008 with the purpose of maintaining and conserving the Long Hall building situated on Council owned land at 13B Maida Vale Road, Roseneath as a Wellington community amenity for artistic, cultural, educational and recreational purposes.

The Long Hall building was formerly known as the Roseneath-Oriental Bay Returned Service Association Hall. The Long Hall building was utilised by a local branch of the Returned Services Association for 20 years and as a practice space for Wellington Scottish Pipes and Drums.

This report recommends the Committee grants a ground lease of the land at 13B Maida Vale Road, Roseneath as outlined in red on Appendix 1, to the Long Hall Trust for a term of five years.

The land on which the building is situated is Recreation Reserve and a ground lease would be granted under section 54 (1) (c) of the Reserves Act 1977.

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 Long Hall Trust in accordance with the Reserves Act 1977.*

3. Note that the terms of the lease are as follows:

Location: Part of 13B Maida Vale Road, Roseneath

Term: 5 years

Annual Rental: \$183.00 per annum plus GST
4. Note that any approval to grant the lease is conditional on:

 - (i) appropriate consultation with Iwi;
 - (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 land at 13B Maida Vale Road, Roseneath (Land) was originally owned by the Crown for Ministry of Defence purposes and the Long Hall building (Hall) was situated in Mt Victoria. The Hall was originally built as an army barracks during World War II. The Hall was relocated onto the Land by the Roseneath-Oriental Bay Returned Soldiers Association (ROBRSA), and utilised for their meetings.

By 1969 the ROBRSA could no longer sustain the upkeep of the Hall and transferred the ownership of the Hall to Wellington Scottish Pipes and Drums (WSPD).

In 1969 the Council agreed to lease the Land to WSPD, subject to the Land being vested in Council by the Crown as Recreation Reserve. The later did not occur until 1982 and included an agreement with the Crown regarding the use of the site for the saluting battery. The Hall shares the site with the saluting battery which began operating in 1918.

Council granted a ground lease to the WSPD on 1 November 1983, for a term of 21 years. When the Hall was not in use by WSPD for rehearsals, a member from the community named Jennifer Shennan began using the space for her teaching and choreographic commissions in 1975. Due to the declining membership of WSPD, the lease and Hall was assigned to Jennifer Shennan on 6 December 2000. The lease expired on 31 October 2004 and has been rolling over on a month to month basis. Jennifer Shennan then formed the Long Hall Trust in 2008. At this time the ownership of the Hall was transferred from Jennifer Shennan to the Trust.

4.1 The Site

The Land is a sloped grassed area and is served by a pedestrian right of way access over Roseneath School, which adjoins the Land. The Land is designated as Open Space B and is managed in accordance with the Reserves Act 1977 (Reserves Act).

There are several steps and a gravel path leading to the entrance of the Hall and seating looking downwards to the saluting battery. The site is shared with the saluting battery which is used by the Ministry of Defence.

The Hall is a simple wooden rectangular structure with a small extension on the western façade. The exterior is in a poor state of repair. It is estimated that the Hall is close to 100 years old and is of value due to its historic and social associations and setting.

A 2011 Heritage Assessment of the Hall recommends the building and the Land in its entirety, including the saluting battery, be listed in the District Plan as a historic site.

The area of the Land to be leased is approximately 226.42m² and is legally described as Section 167 Evans Bay District and is contained in Computer Freehold Register WN22/B899.

4.2 The Lessee

The Trust was formed in 2008 with the purpose of maintaining and conserving the Hall as a Wellington community amenity for artistic, cultural, community and recreational purposes. The Trust currently administers the use of the Hall for a combination of regular, seasonal and occasional users. The activities consist of a variety of performance based activities, together with dance and theatre classes, tai chi, public lectures and fundraising events. The Hall is also used by the New Zealand Army Regiment twelve times a year for their gun saluting ceremonies.

The Trust received two grants from the Stout Trust to be put towards the restoration of the Hall. The first grant was made in 2009 and amounted to \$10,000. The second grant was made in 2010 and amounted to \$29,000. The Trust has undertaken fundraising activities and has also been actively involved in retrieving materials to restore the Hall.

To date the Trust has re-roofed the Hall, completed re-piling work under the east and west walls and improved the drainage at the front entrance. Further restoration work is planned for the summer of 2012 which will include repairing the northern and southern facades, replacing the entrance door and installing lateral buttresses on the east side of the Hall.

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 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 Trust 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 13B Maida Vale Road, Roseneath is classified as Recreation Reserve and is managed in accordance with the Reserves Act. Sections 119 and 120 of the Reserves Act set out the requirement for public notification. The granting of a lease to the Trust is subject to there being no sustained objections from any party.

A lease is appropriate for the Trust as they will have the right to exclusive use of the Land.

6. Discussion

6.1 Assessment

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

Criteria	Assessment	
1. Strategic Fit	Social & Recreation Strategy	<p>The Trust was formed in 2008 with the purpose of maintaining and conserving the Hall as a Wellington community amenity for artistic, cultural, educational and recreational purposes.</p> <p>The Trust administers the use of the Hall which includes a variety of performance based activities, together with dance and theatre classes, tai chi, public lectures and</p>

		<p>fundraising events.</p> <p>These activities are consistent with the Social and Recreational strategy which aims to build strong, safe and healthy communities for a better quality of life.</p>
2. Activity Sustainability	Membership	The Trust is made up of six trustees who administer the use of the Hall as well as organising activities themselves that are open to the community.
	Financial Position	The Trust is a recently established group who have had success in gaining community grants for restoring the Hall. The Trust is in a good financial position to fulfil their financial lease obligations. The Trust understands that they will be required to complete the restoration of the Hall through further community grants and fundraising.
3. Use of Resources	Land Utilisation	The Hall is currently used for a maximum of 25 hours a week by a number of groups including a variety of performance based activities, martial arts classes and public lectures.
4. Environmental Impact	Location	The activities undertaken in the Hall do not have the potential to adversely affect open space values. The Hall has been situated on the Land for 42 years.
5. Demonstrated Need & Support from the Community	People	<p>The Trust draws its members from both the immediate area as well as from wider areas within Wellington.</p> <p>A number of nationally recognised dancers, musicians and actors use the Hall. Although access to the hall is difficult, the Hall appeals to band users due to its isolation.</p> <p>The Trust often organises 'Interesting Talks' that are open to the wider community presented by professors from Victoria University. Recent examples include, 'Histories of Wellingtons Shoreline and Harbour' and 'Earthquake Awareness'.</p>
6. Need for a Lease	Capability	A lease is appropriate as the Trust will have exclusive use of the land as outlined in red on Appendix One.

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 as \$183.00 per annum plus GST.

6.3 Lease Tenure

The Leases Policy allows for leases to be granted for a 10 year term with a 10 year right of renewal. Officers propose granting a shorter term, as the Trust has never held a lease with the Council.

While the Trust has made a considerable effort towards restoring the Hall, there is a substantial amount of deferred maintenance required in order to bring the exterior of the Hall to a satisfactory condition.

It is therefore, recommended that a lease for an initial term of five years be granted.

7. Conclusion

The Long Hall Trust has demonstrated that they are a good fit with the Council's strategic direction and existing policies, as well as showing that there is a community need for its activities.

Council officers recommend that the Regulatory Processes Committee approve the granting of a ground lease to the Long Hall Trust.

Contact Officer: *Hayley Moselen, Property Management Administrator, Hanita Shantilal, Senior Property Advisor and Paul Andrews, Manager, Parks & Gardens.*

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) 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 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. Legal advice will be sought in the preparation of the lease.

7) Consistency with existing policy

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

APPENDIX 1



Land to be leased to the Long Hall Trust
Leased Area - 226.42m²

Property boundaries, file, Cadastral, road names, rail line, streams & tide points extracted from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy varies by source 2004, includes in part areas of Gisborne District Council and Waikato District Council. Please contact source for further details, contact: www.mfe.govt.nz. Information shown is approximate and must not be used for anything other than general reference.

MAP PRODUCED BY:
Wellington City Council
101 Wakefield Street
WELLINGTON, NC

ORIGINAL MAP SIZE : A4
AUTHOR: MARK SWADL
DATE: 08 MAY 2011
REFERENCE: 8827

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Positively
Wellington
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