

New Lease - Tairua / Pauanui Volunteer Coastguard Inc. - Pauanui

TO Tairua-Pauanui Community Board
FROM Jan McNeil - Property Officer
DATE 1 May 2015
SUBJECT **Reserve Declaration and New Lease - Tairua / Pauanui Volunteer Coastguard Inc.**

1 Purpose of Report

For consideration and recommendation to Council to declare Section 10 Block XIV, Whitianga Survey District (Land) recreation reserve in accordance with the Reserves Act 1977 and to approve a new lease between the Thames-Coromandel District Council (TCDC) and the Tairua/Pauanui Volunteer Coastguard Incorporated (TPVCI) over part of the Land located at 110 Tangitarori Lane, Pauanui.

2 Background

The TPVCI is a society incorporated under the Incorporated Society Act 1908 on the 27 November 1996.

A resource consent for the construction of a new boat shed and extended boat ramp was referred to the Tairua-Pauanui Community Board and in a report to Council's Regulatory Services Department 16 June 2003 it stated "The Tairua-Pauanui Community Board fully supports this application as it is planned as part of/in conjunction with, the redevelopment of Royal Billy Point".

A building consent for the construction of a boat shed and resource consents for a new boat shed and extended boat ramp was granted in July 2003.

It appears there has never been a lease between TCDC and the TPVCI providing a legal exclusive possession over the Land where the improvements were constructed by the TPVCI.

3 Issue

TPVCI constructed improvements on TCDC land in 2003 and require a lease to provide a legal exclusive possession to the Land. The reserve also needs to be classified in accordance with the Reserves Act 1977 to enable Council to correctly grant a lease to TPVCI.

4 Discussion

The Tairua-Pauanui Reserve Management Plan includes the Land located at 110 Tangitarori Lane, Pauanui and contemplates a lease to the TPVCI.

The Land was '*reserved*' for recreation purposes but vested in TCDC and recorded in the New Zealand Gazette 11 November 1976, No. 115, p. 2547. As the Land is only '*reserved*'; it needs to be classified in accordance with the Reserves Act 1977, by resolution of Council, to enable TCDC to lease part of the Land that contains the improvements constructed by TPVCI.

The adopted policy, 'Leases of Council Owned and Administered Land and Buildings' dated 22 November 2006, provides for three categories. The policy specifies, Category 1: Emergency Service Groups (e.g. St Johns, Surf Lifesaving, Rural Fire parties and Coastguard) will pay **\$100.00** per annum with reviews to be undertaken on a three yearly basis.

The following lease arrangement is suggested:

Term:	6 years
Commencement:	1 July 2015
Right of Renewal:	3 terms of 6 years and 1 term of 5 years 364 days
Renewal Dates:	30 June 2021, 30 June 2027, 30 June 2033 and 2039
Final Expiry:	30 June 2045
Rental:	\$100 + g.s.t per annum plus outgoings + g.s.t
Rent Review:	3 yearly commencing 1 July 2018

It is noted that the annual rent payable from each rent review date shall be determined in accordance with any prevailing Council policy relating to leases of Council owned and administered land and buildings, current at the date of each rent review.

All groups are to pay the legal costs incurred by Council associated with setting up and administering its lease.

The revenue will be credited to account - Parks and Reserve Tairua-Pauanui Miscellaneous Revenue - GL Code - 218.12194.

5 Suggested Resolution(s)

That the Tairua-Pauanui Community Board:

1. Receives the report.
2. Recommends to Council to declare Section 10 Block XIV, Whitianga Survey District recreation reserve in accordance with the Reserves Act 1977.
3. Recommends to Council to instruct the Chief Executive to take all steps necessary to classify Section 10 Block XIV, Whitianga Survey District recreation reserve in accordance with the Reserves Act 1977.
4. Recommends to Council to approve a new lease between the Thames-Coromandel District Council and the Tairua/Pauanui Volunteer Coastguard Incorporated over part of the Land located at 110 Tangitarori Lane, Pauanui on the following terms;

Term:	6 years
Commencement:	1 July 2015
Right of Renewal:	3 terms of 6 years and 1 term of 5 years 364 days
Renewal Dates:	30 June 2021, 30 June 2027, 30 June 2033 and 2039
Final Expiry:	30 June 2045
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Rent Review:	3 yearly commencing 1 July 2018

References-Tabled/Agenda Attachments

Attachment A *Draft Deed of Lease*

Attachment B *Map of Leased Land*

Attachment A
Attachment A Draft Deed of Lease

Attachment B
Attachment B - Map of Leased Land