

File No. 60-12-270\02

NGATI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE MEETING	
<i>Date/time:</i>	25 October 2017, 3pm
<i>Venue:</i>	Council Chamber
<i>Purpose:</i>	Protocol meeting between Pukeroa Oruawhata Trust and Rotorua Lakes Council



<i>Chair:</i>	Mayor Chadwick
<i>Members:</i>	Cr Maxwell, Cr Sturt, Mr A Wilson, Mr M Short, Mr D Tapsell, Miss T Ngatai, Mr T Kingi
<i>Quorum:</i>	4

Agenda

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Draft Minutes Ngati Whakaue Gifted Reserves Protocol Meeting	
<i>Date:</i>	Monday 8 May 2017
<i>Purpose:</i>	Meeting between Pukeroa Oruawhata Trust and Rotorua Lakes Council as protocol partners

<i>Venue:</i>	Council Chamber
<i>Chairperson:</i>	Mayor Steve Chadwick (Chairperson)
<i>Members:</i>	Cr Trevor Maxwell, Cr Charles Sturt, Alec Wilson, Peter Faulkner, Monty Morrison, Malcolm Short, and Murray Patchell
<i>Apologies:</i>	Tina Ngatai, Tanirau Kingi, David Tapsell
<i>In attendance:</i>	Te Taru White, Jane Savage, Robin Parr, Glen Reinhardt, Rosemarie Reichardt
<i>Staff present:</i>	Geoff Williams, Rob Pitkethley, Robbie Atkinson, Tyron Tomlinson, Isabel Brell

WELCOME
Mayor Chadwick welcomed everyone present and Monty Morrison and opened with a Karakia. Mr Morrison acknowledged the return of the patu, which was returned to council at a special ceremony that morning.

1. APOLOGIES
Resolved: That the apologies from Tina Ngatai, Tanirau Kingi and David Tapsell be accepted. Cr Sturt/Alec Wilson CARRIED

2. Confirmation of previous minutes
Resolved: That the minutes of the Ngati Whakaue Gifted Reserves Protocol Committee meeting held 15 August 2016 be confirmed as true and correct record. Alec Wilson/Cr Maxwell CARRIED

3. Matters arising from the minutes

There were no matters arising from the minutes.

Cr Sturt/C Maxwell
CARRIED

4. Rotorua Watersports Trust Proposed Development

Robin Parr and Glen Reichardt from the Rotorua Lakes Watersports Trust spoke to a power point presentation (Attachment 1)

The following points were discussed:

- The work will weather proof the building and provide more storage.
- It is desirable for the Trust to stay at their present location and therefore request a long term lease.
- The Trust would like a 25 year lease. A longer term lease is more advantageous when applying for funding.
- Costings and estimates have not been yet been undertaken.

Action Points

- ***Pukeroa Oruawhata Trust will consider the proposal at their next meeting and provide a response.***
- ***The Rotorua Watersports Trust will provide a copy of their trust deed to Pukeroa Oruawhata Trust.***

5. Continuing Actions

Resolved:

That the 'Continuing Actions' report be received.

Alec Wilson/Monty Morrison
CARRIED

Rob Pitkethley provided an update on the action points:

Land Transfers

- A letter sent to the Office of Hon Te Ururoa Flavell asked if the Minister could exert some influence with Crown in terms of the land transfer. The response was that the Crown was reluctant to intervene if negotiations with all possible claimants were not settled. This position has since been changed with the Crown via the Department of Conservation agreeing to the Heads of agreement on how the land transfer can progress. This is now being worked through by the Council's Property team.

Update on Rotorua Public Arts Trust

- A report had been provided and a presentation would be given at the meeting.

Rotorua Watersports Trust follow-up

- A presentation from the trustees would be given at the meeting.

Update on agenda items

- Mr Pitkethley advised that Pukeroa Oruawhata Trust members had been advised of the agenda items for this meeting in February 2017.

6. Lease Alterations

Resolved:

That the report 'Lease Alterations' be received.

Alec Wilson/Monty Morrison
CARRIED

- 2. That the Committee supports that Council proceed with a 12 month extension of the current lease with the Rotary North for an area of Kuirau Park for a Saturday Morning market.**
- 3. That the Committee supports a report to Council that they proceed with the signing of a new thirty three lease and fifteen year renewal period with the Rotorua Racing Club.**
- 4. That the Committee decline Short Putt Golf's request for Council to consider altering the activities at the site to include either a camping ground or a golf driving range, until such time as more internal direction and planning has been completed.**
- 5. That the Committee delay its decision on allowing the Shambles Theatre to enter a new 20 year lease until:**
 - a) the historical issues around the land acquisition has been resolved and**
 - b) Council completes investigations into performing arts groups across the city.**

Alec Wilson/Monty Morrison
CARRIED

The following points were discussed:

- The rental of \$690 needs to be reconsidered for the Saturday market.
- The Rotary Club return funds back to the community.
- Rotorua Lakes Council needs to look at the overall activity. Rotary North will be kept well informed as to what the strategic plan will be in the long term.
- The 33 year term was agreed upon in the previous Rotorua Racing Club lease.
- A 15 year lease would impact on the club's ability to plan and reinvest for the long term.
- The Arawa Scout group will formally notify Council of their request to exit their lease.

7. Land Exchange Update on Pererika Street Reserve

Resolved:

That the report 'Land Exchange on Pererika Street Reserve' be received.

Alec Wilson/Mayor Chadwick

CARRIED

It was noted at the meeting that this agenda item be held over to the next meeting allowing staff time to investigate further.

8. Rotorua Public Arts Trust Presentation Follow Up

Resolved:

That the report 'Rotorua Public Arts Trust Presentation Follow Up' be received.

2. That the Committee agree in principle for spaces to be made available for public art.

Alec Wilson/Monty Morrison

CARRIED

Pukeroa Oruawhata Trust indicated that the preferred site was the Lakefront Reserve.

9. Resolution To Go Into Public Excluded

That the committee move into public excluded session."

Malcolm Short/Trevor Maxwell

CARRIED

PUBLIC EXCLUDED

RESOLUTIONS TO EXCLUDE THE PUBLIC

<u>General subject of each matter to be considered</u>	<u>Reason for passing this resolution in relation to each matter</u>	<u>Ground(s) under Section 48(1) for passing of this resolution</u>
MOST COMMON CLAUSES	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	Section 48(1)(a) Section 7(2)(h)

PUBLIC EXCLUDED SESSION

9. Future of the Soundshell

Resolved:

That the report 'Future of the Sound Shell' be received.

Alec Wilson/Cr Maxwell
CARRIED

Geoff Williams provided an update on the discussion concerning the future plans for the Kuirau Park, Lakefront and Sanitorium Reserve:

- This land area is culturally, historically and environmentally very significant for the Rotorua district.
- Previous development has not been well planned and connected.
- Under investment in infrastructure has occurred.
- Work has been completed in Kuirau Park but more is needed.
- A strategic approach and prioritisation needs to be undertaken to optimise the land and to encourage informed decision making.
- The right direction will encourage confidence in investment that a complete area is being created instead of disconnected parts.
- Masterplans have been made for the Lakefront in the past, but there needs to be agreement around the table to create something new which translates into an action and certainty.
- Ngati Whakaue Gifted Trust Reserve committee is an ideal forum to start initiating the thinking to create informed decisions as to the future of these areas.

Mayor Chadwick provided the following comments:

- Timely to initiate a shared agreement on how to develop Kuirau Park, Lakefront and the Sanitorium Reserve.
- Objectives and principles on how to engage need to be established.
- Consideration needs to be given to the type of instrument to be created for investment and further development in the Lakefront.

Te Taru White provided the following comments:

- Te Tatau O Te Arawa had considered the thinking around the spatial planning in terms of the cultural footprint and commercial endeavours.
- How the land is developed is very important – it cannot be an ad hoc arrangement.
- There not only needs to be a commercial element but a cultural one as well. This will raise the cultural uniqueness of Rotorua as a visitor destination.
- The design and development needs to add value.
- There was an opportunity for Te Arawa to reconstitute a whare taonga that can retell cultural stories. This would not mean losing contact with the Museum – there will always be connections.

Mayor Chadwick said that this was very significant for the district and RLC cannot work alone on this project - there needs to be a collaborative approach.

Peter Faulkner suggested using the existing tripartite agreement between Pukeroa Oruawhata Trust, Te Arawa Lakes Trust and RLC.

Mr Williams said that would be a good starting point. Objectives would need to be talked through and what would the parties want in terms of results. Examples of successful waterfront developments were Darling Harbour, Sydney and Wynyard Quarter, Auckland. These projects not only had a clear plan and good partnership, there was a clear entity responsible for the progress of the plan.

Alec Wilson was concerned about council's liability as the Sound Shell does not meet earthquake standards.

Mr Williams said that that property team would investigate any potential liability. He also said that this type

of project would take multiple periods of 3 years (council term) and therefore the responsibility of the development should sit external to council.

It was noted at the meeting that the workshop is to be held and that the item "Future of the Sound Shell" be held over until the next Committee meeting.

Action Point

- ***A Tripartite Agreement workshop to be held to discuss the Lakefront development project within the next 3 weeks.***

9. Resolution To Move Out of Public Excluded

That the committee move out of public excluded session."

Malcolm Short/Cr Maxwell
CARRIED

CONFIDENTIAL

10. Thermal Holiday Park Update

That the report Rotorua Thermal Holiday Park Update be received.

Monty Morrison/Cr Maxwell
CARRIED

1. That the Committee agree to the proposed process for initiating the land transfer.

Monty Morrison/Cr Maxwell
CARRIED

11. General Business

There were no items of General Business.

The meeting closed at 3.25pm with a Karakia by Mr Morrison.

SUMMARY OF ACTION POINTS

Agenda Item No	Action	Assignee	Date of next Meeting
4	Pukeroa Oruawhata Trust will consider the Rotorua Watersports Trust proposed development at their next meeting and provide a response.	Pukeroa Oruawhata Trust	19 October 2017
4	The Rotorua Watersports Trust will provide a copy of their trust deed to Pukeroa Oruawhata Trust.	Robbie Atkinson	19 October 2017
9	A Tripartite Agreement workshop to be held to discuss the Lakefront Development project within the next 3 weeks.	JP Gaston	19 October 2017

Rotorua Watersports Trust

Proposed building extension

Watersports Trust

- Established in 1993
- Includes Rotorua Yacht Club, Rotorua Lakes Coastguard Inc, Rotorua Rowing Club, Rotorua Fishing and Pleasure Boat Club, Rotorua Young Mariners.
- Three other community groups also currently use the facility but are not members of the trust.
- Present location of the facilities is ideal for maximising use by current member groups.
- The Trust has had a meeting with neighbours of the facilities in September 2016. Both the Ohinemutu representatives and immediate neighbours (Bruce and Sue Davey) have indicated their support of a renewal of a long term lease.
- The trust is looking to improve the facilities by extending the upstairs hall area. To secure funding for this from Charities the trust requires a long term lease.

The Rotorua Pleasure Boating and Fishing Club Inc

- The Rotorua Pleasure Boating and Fishing Club has been in existence since 1962 and is an incorporated society.
- Its key objectives are to; To encourage, develop and enjoy the sport of pleasure boating and fishing from boats.
- Membership is open to any person within the community.
- Currently the club boasts 14 family and 4 life memberships and includes several junior members.
- On average the club hosts 11 events per annum open to all members and guests.
- The club utilises the RLWST building for its monthly meetings and two of its events throughout the year.

Rotorua Rowing Club Inc

- Membership open to anyone in the Rotorua District, the club offers an adaptive rowing programme as well as an Intermediate Learn to Row programme.
- Membership is at 75 -100 annually, ages 11-86. 70% school age students, balance masters rowing.
- Western Heights High School, Rotorua Girls High School, John Paul College, and Rotorua Lakes High School all currently have rowers in the club. Rotorua Boys High School and Te Kuru o te Koutu have also participated.
- About 5000 hours given annually on a voluntary basis to facilitate it's programmes-coaching, regattas and administration.
- Location at waterfront is paramount as school rowing is all done before school from 5am onwards, and afterward rowers walk or ride to school. Likewise rowers walk to club after school for erg training.
- Training is generally done in the mornings as lake conditions are calmer.
- The club facilitates a number of regattas each year, our biggest being the Blue lake Regatta bringing 4000-6000 people to Rotorua each year.

ROTORUA YACHT CLUB

The Rotorua Yacht Club has been in existence for over 60 years and with sailing and Regattas being held for over 100 years. We have been housed on the Mataiawhea/Lakefront Reserve since 1988.

The present Rotorua Yacht Club is part of the Watersports Trust Centre located on the lake front next to the Sound Shell.

A regular sailing program is run on Sunday's throughout the summer months (October -April), catering for both youth and adult classes of centre board sailing dinghy's.

The club runs regular learn to sail programmes based on the Yachting New Zealand Learn to Sail syllabus. Sailing takes place 1 to 2 evenings and Sunday mornings.

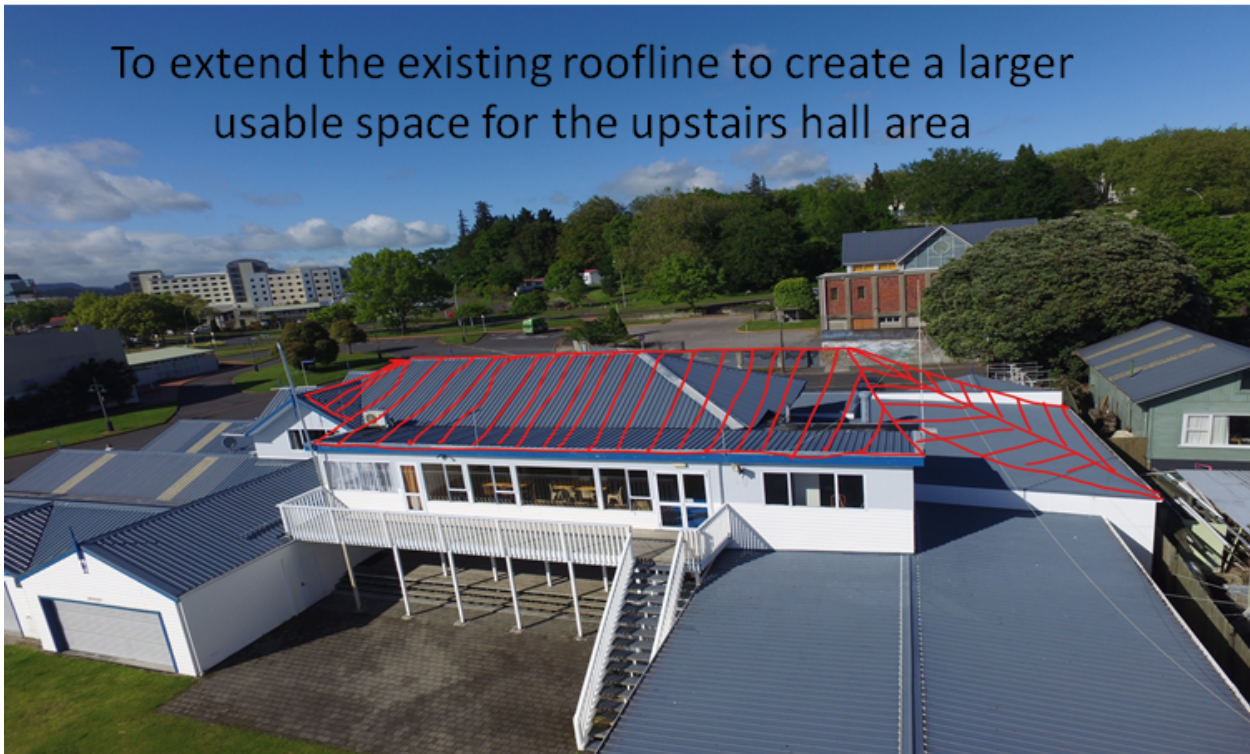
There are between 20 to 25 regular members and Life members and 10 to 12 junior sailors that join up for 3 to 4 seasons.

At the end of this period the young sailors will be capable of taking part in the club's Sunday racing program.

Rotorua Lakes Coast Guard

- Formed in 1976
- Rotorua Lakes Coastguard is a charity
- Primary maritime search and rescue service for the Rotorua Lakes
- Operated entirely by highly trained professional volunteers
- Respond on average to 40-50 callouts each year

The Proposal



DRAFT

File No: 60-12-270\02
RDC-773263ROTORUA LAKES COUNCILMayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVE PROTOCOL COMMITTEE**CONTINUING ACTIONS****Report prepared by:** Isabel Brell, Governance Support Advisor**Report approved by:** Rob Pitkethley, Manager Sport, Recreation & Environment**1. PURPOSE**

The purpose of this report is to provide feedback on information requested by the committee at a previous meeting.

2. RECOMMENDATION 1

That the report "Continuing Action" for the Ngati Whakaue Gifted Reserve Protocol Committee be received.

SCHEDULE OF CONTINUING ACTION

Agenda Item No	Action	Assignee	Date of next Meeting
4	Pukeroa Oruawhata Trust will consider the Rotorua Watersports Trust proposed development at their next meeting and provide a response.	Pukeroa Oruawhata Trust	25 October 2017
4	The Rotorua Watersports Trust will provide a copy of their trust deed to Pukeroa Oruawhata Trust.	Robbie Atkinson	25 October 2017
9	A Tripartite Agreement workshop to be held to discuss the Lakefront Development project within the next 3 weeks. <i>An update will be provided at the meeting of 25 October 2017.</i>	JP Gaston	25 October 2017

File No: 60-12-270\02
RDC-773717ROTORUA LAKES COUNCIL

Mayor
Chairperson and Members
NAGTI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE

GIFTED RESERVE WORKSHOP OUTCOMES

Report prepared by: Rob Pitkethley; Sport, Recreation and Environment Manager

Report reviewed by: Jean-Paul Gaston/Henry Weston

1. PURPOSE

The purpose of this report is to update the Committee on the discussions that have taken place in the 'Gifted Reserves Workshops' that have been focusing on concept ideas for development of the Lakefront and Kuirau Park Reserves

2. RECOMMENDATION

- 1. That the report Gifted Reserves Workshop Outcomes be received.**
- 2. That the Committee recommends the concepts developed for the Lakefront and Kuirau Park Reserves be presented to the Council for consideration at their LTP Workshops.**

3. BACKGROUND

At the previous Committee meeting there was considerable discussion around the need to have a more strategic approach to understanding current and future uses of Rotorua's gifted reserves. In particular the approach to the Lakefront, Kuirau Park, Government Gardens and Sanatorium Reserve as the ring of reserves surrounding the city, was identified as needing a more coordinated vision for development. This need has also been recognised in the Council's 2017-2018 Annual Plan as a "big move" to contribute to the Rotorua 2030 Vision and the key partner for progressing this is the Ngati Whakaue Gifted Reserves Protocol Committee.

As a result of the last Committee meeting a working group with Council and Pukeroa Oruawhata members was established to workshop the experience that these reserves do (and could) offer and identify some of the potential development concepts that could support these experiences in each reserve. An initial workshop focused on the Lakefront and Kuirau Park Reserves and led to the development of concepts that have now been discussed further at a second workshop that preceded this Committee meeting. The outcomes from this second workshop will now be presented to the Committee.

4. DISCUSSION

The Working Group members would like to discuss with the Committee their views of the experiences that define the Lakefront and Kuirau Park Reserves and the development concepts that have been put together since the last Committee meeting. If the Committee agrees with these concepts, the next step is to take these to the Council's LTP Planning process to seek support for more detailed designs and planning on how to resource and timeline the developments for these reserves. A further step will be to then engage with other significant stakeholders and design a public engagement plan before taking the concepts to a wider audience.

Committee support for the concept plans will also allow us to better consider a number of individual requests for lease extensions and/or alterations of leasehold agreements around these reserves. By having a clearer understanding of the development potential for each of the reserves, we can respond to a number of queries we have from leaseholders on their future activities on these reserves. This is detailed in a following agenda item.

RLC staff have also completed a stock-take information gathering exercise for each of the Ngati Whakaue Gifted Reserves to document the history, title details, purpose of gifting, current use and leases, and management resourcing. The intention is to continue to use this information in discussion at the Working Group level to guide decisions on future use of those reserves.

If this approach is supported by the Committee then regular Working Group meetings can be held between Committee meetings to continue discussing some of the more operational matters on the Gifted Reserves before bringing informed recommendations back to the Committee.

File No: 60-12-270\02
RDC-773965ROTORUA LAKES COUNCILMayor
Chairperson and Members
NGĀTI WHAKAUE GIFTED RESERVES PROTOCOL COMMITTEE**RETURN OF THERMAL HOLIDAY PARK LAND****Report prepared by:** Rob Pitkethley – Sport, Recreation and Environment Manager/Tyron Tomlinson –
Legal and Property Manager**Report reviewed by:** Henry Weston – Group Manager Operations (Acting)**1. PURPOSE**

The purpose of this report is to update the Committee on the progress made regarding the return of the Thermal Holiday Park Land.

2. RECOMMENDATION

- 1. That the report Return of Thermal Holiday Park Land be received.**

3. BACKGROUND

Since 2007 Pukeroa Oruawhata Trust ('POT') has been in discussions with Rotorua Lakes Council ('Council') regarding the return of the Thermal Holiday Park Land ('the Land') which is adjacent to Toi-Ohomai. However, the mechanism to return the land from Council to POT is complicated by the fact that Council is merely the administering body of the Thermal Holiday Park land under the Reserves Act 1977. As this transaction involves and affects multiple parties (Crown, Council, POT, and Toi-Ohomai), the need for a consensus between all the parties has been necessary to secure an agreeable process to achieve the transfer. This consensus was reached in Early 2017 with the final step of POT and Toi-Ohomai agreeing on the way forward for the renewed lease for the Land.

This process to return the Land now requires the following steps:

- A small section of the Holiday Park Land that contains memorial trees is surveyed off and amalgamated by Council with the adjoining Centennial Park;
- Subject to this amalgamation, Council completes an agreement between the parties (Crown, Council, POT, and Toi-Ohomai) to outline the intention that the land comprising the Thermal Holiday Park be returned to Ngati Whakaue by way of POT;
- That Council, on executing the above agreement, notifies the Minister of Conservation that the Recreation Reserve status of the Land should be revoked in accordance with the provisions of the Reserves Act and on the basis that it is no longer being used in accordance with intent of the original gift.

From this point, and following the agreement reached between the parties, the Crown would then follow the legal process under the Reserves Act to reach the intended outcome.

At the Rotorua Lakes Council's Strategy, Policy, and Finance Committee Meeting of 12 October 2017, the Committee agreed to make a recommendation to Council to complete the above outlined process that would ultimately see the return the Land. This recommendation will be received and considered by the full Council at their meeting on 26 October 2017.

4. DISCUSSION

Moving forward, Council anticipates the following process/timeframes will need to be allowed for:

ACTION	ESTIMATED TIMEFRAME
Council drafts an agreement between Crown, Council, POT, and Toi-Ohomai outlining the intention of the parties regarding the return of the Land.	8 Weeks
Council undertakes a boundary adjustment of the Thermal Holiday Park Land in order to reflect the part of that land being used as part of the 'Tree Trust'.	8 Weeks (concurrent with above)
Council indicates to Crown its intention to revoke the Recreation Reserve Status of the Thermal Holiday Park Land to the Minister of Conservation.	2 Weeks
Land is returned to Crown.	8 Weeks
Crown initiates Public Consultation.	12-16 Weeks
Crown returns land to POT.	12-16 Weeks

Consequently it is expected that this process could take as long as 42 - 50 weeks to complete. The Council's external legal and property advisors are now handling the process and will keep all parties informed of the steps being taken.

File No: 60-12-270\02
RDC-773674ROTORUA LAKES COUNCILMayor
Chairperson and Members
NGATI WHAKAUE GIFTED RESERVE PROTOCOL MEETING**LEASE DECISIONS FOR LAKEFRONT, KUIRAU PARK AND GOVERNMENT GARDENS****Report prepared by:** Robert Atkinson, Open Spaces Operations Advisor**Report approved by:** Rob Pitkethley, Manager Sports, Recreation and Environment

1. PURPOSE

The purpose of this report is to seek resolution on outstanding issues regarding various leases within the Kuirau Park, Government Gardens and Lakefront Reserve.

2. RECOMMENDATION

1. That the report 'Lease decisions for Lakefront, Kuirau Park and Government Gardens' be received.

2. That the Committee endorses the following recommendations as per below:

Lakefront Market: Option 1, 2, 3

Lakeside Café & Crafts: Option 1, 2, 3

Watersports Trust: Option 1, 2

Scouts: Option 1, 2, 3

Rotary Market: Option 1, 2, 3, 4

Te Waiariki Porea Trust: Option 1, 2, 3, 4

Tamaki Tours 1, 2, 3

3. BACKGROUND

Over the last six months various decisions have been deferred pending the outcomes from various workshops considering the future direction of Kuirau Park, Lakefront Reserve and the Government Gardens. The Working Group established from the last Committee Meeting has been workshopping outcomes on the concepts for the Lakefront and Kuirau Park that has been presented at this meeting. It is hoped that these workshop outcomes will now allow for more informed decisions to be made around the requests for changes or extensions to these lease agreements.

4. DISCUSSION AND OPTIONS

Lakefront Market:

The craft market operates in the large grass area that is near to the Soundshell. This lease will end in June 2020, which is only about two and half years away. There are no permanent fixture required to enable the market to occur which means that it can easily be accommodated elsewhere within the reserve if need be. In order to enable the organisers to carry out long term bookings it would be good to be able to give them an indication that the lease will be extended for a further term.

The options are:

1. Indicate that the lease will be extended from June 2020 or;
2. Indicate that the lease will not be extended beyond its current term or;
3. Indicate that the lease will be extended and maybe in a new location and work with the market to find a suitable location.

Lakeside Café & Crafts:

This is located in part of the Soundshell building. The decision has already been made to demolish the building which includes the café space and the lessees are aware of this. The existing lease ends in April 2018 and the current lessee are awaiting a decision about an extension to the current lease.

There are really only two options where the café is concerned. They cannot operate on a month by month basis as they need to be able to plan for staff training, accept bookings outside of this time and plan to restock.

This then only leaves the following options:

1. Ending the lease following the terms and conditions within that lease or;
2. To grant them a 12 month extension from April 2018 or;
3. To serve them with 12 months' notice from a date to be determined that would see the lease ending close to the time the building will be demolished.

Watersports Trust:

The Trust has approached Council and the protocol committee about extending the roofline of the building to enable them to utilise the space underneath as another meeting, training area and on occasion sleeping space.

This will not increase the actually foot print of the building but will alter the existing roofline.

There only two options for this activity:

1. Allow the alterations to proceed or;
2. Not allow the alterations to proceed.

Scouts:

Located on the Lakefront Reserve this is the only remaining urban Scout group in Rotorua except for Ngongotaha. They are currently on a month by month basis and have been waiting for a decision on whether they can continue to occupy this building and for how long. The building belongs to the

Scouts but should it require to be demolished it is unlikely that Scouts could afford to demolish the building themselves.

The Scouts currently also own a building on Pererika Street Reserve next to St John Ambulance Centre. This they have sub leased to the Rotorua Wood Turners Guild. If the Scouts are given notice from the lake front then it is assumed that they would give the wood turners notice and relocate to this Pererika Street building. Scouts also have recently vacated the Old Arawa Scout den on the same reserve which has left this building vacant. Council has accepted the historic den and could then offer it to the Rotorua Wood Turners as their club rooms.

There are three options:

1. Let them continue with month by month use and give appropriate notice when the building will be demolished or;
2. Cancel the month by month arrangement that currently exists and move them to the Pererika Street Reserve building, leaving the lake front den vacant until demolished or;
3. Grant them a longer term lease to stay at the lake front building e.g. two years.

Rotary Market:

The Rotary Club have approached Council seeking as a minimum a 5 year lease over the current space that they occupy for the Saturday morning markets. This is to enable them to plan and accept bookings for the market with some certainty. Note that as there is limited infrastructure associated with this lease although Rotary are looking to try and increase infrastructure to assist them once they have certainty on a longer term location.

There are several options:

1. Grant a medium term lease with the provision of being relocated within the reserve if an alternate site is found or;
2. Identify a new location for them to occupy in the reserve and offer them a longer term lease;
3. Not to grant a new lease or;
4. Assist with relocating the market out of Kuirau Park.

Te Waiariki Purea Trust:

The Te Waiariki Purea Trust lease for the Kuirau House (Old Netball Pavilion) building at the southern end of Kuirau Street ended in February 2017 and has been on a month by month basis ever since. Te Waiariki are seeking investment for improving the basketball courts and other work in the building so are seeking information on the future of this lease.

Note that Council owns the building and therefore demolition / refurbishment if needed would be at Council's cost.

The options are:

1. Enact a new ten year lease or;
2. Continue with month-by-month use or;
3. Establish a medium term lease to provide a higher security of tenancy for both parties or;
4. Cancel the month by month term with a set date to vacate the premises and assist them in finding an alternate location.

Tamaki Tours Ltd:

This lease in Government Gardens is due to expire at the end of this month (October) and they have requested that the renewal clause contained within the existing lease be enacted. This poses some issues for Council as over the course of the existing lease the operations of Tamaki's has changed from holding concerts and other cultural activities within the space to what appears to be simply a collection and booking space for activities that occur out of town.

The Working Group considering the Lakefront and Kuirau Park Reserves has not worked on Government Gardens yet. It is worth noting that the current operation of this lease does not fit with the Recreation Reserve classification of the Government Gardens which requires that lease activities must enhance the recreational opportunities of the reserve. It can be argued that Council has allowed the cultural activities to stop as Council has permitted the removal of the 'wings' of the building that catered to that activity. Pursuant to the Lease, Council needs to be satisfied that some sport, game or recreational activity should not have priority and that the occupation conducted on the land is still needed to enable the public to obtain the benefit and enjoyment of the Government Gardens or for the convenience of persons using such Gardens. Tamaki Tours will need to provide evidence to that effect.

Council does not own the building which under the lease will need to be removed at the conclusion of the lease.

There are a several options for this:

1. Enact the 33 year right of renewal or;
2. Decline the 33 year renewal on the grounds that the request to do so was received late, or;
3. Defer the decision until a more thorough consideration of the Government Gardens through the Working Group process and consider entering into negotiations to amend the terms of the lease to achieve the purposes required by the lease and the Reserves Act 1977.