

Notice is hereby given that an emergency meeting of Horowhenua District Council will be held on:

Date: Wednesday 24 February 2021
Time: 5.30 pm
Meeting Room: Council Chambers
Venue: 126-148 Oxford St
Levin

Council

OPEN AGENDA

MEMBERSHIP

Mayor	Mr Bernie Wanden	
Deputy Mayor	Mrs Jo Mason	
Councillors	Mr David Allan	
	Mr Wayne Bishop	
	Mr Ross Brannigan	
	Mr Todd Isaacs	
	Mr Sam Jennings	
	Mrs Victoria Kaye-Simmons	
	Mr Robert Ketu	
	Mrs Christine Mitchell	
	Ms Piri-Hira Tukapua	
Reporting Officer	Mr David Clapperton	(Chief Executive)
Meeting Secretary	Mrs Karen Corkill	

Contact Telephone: 06 366 0999
Postal Address: Private Bag 4002, Levin 5540
Email: enquiries@horowhenua.govt.nz
Website: www.horowhenua.govt.nz

Full Agendas are available on Council's website
www.horowhenua.govt.nz

Full Agendas are also available to be collected from:
Horowhenua District Council Service Centre, 126 Oxford Street, Levin
Te Awahou Nieuwe Stroom, Foxton,
Shannon Service Centre/Library, Plimmer Terrace, Shannon
and Te Takeretanga o Kura-hau-pō, Bath Street, Levin

ITEM	TABLE OF CONTENTS	PAGE
PROCEDURAL		
1	Apologies	5
2	Public Participation	5
3	Declarations of Interest	5
4	Announcements	5
REPORTS		
5	Infrastructure Operations	
5.1	Foxton Beach Surf Life Saving Building - Lease	7

1 Apologies

2 Public Participation

Notification of a request to speak is required by 12 noon on the day of the meeting by phoning 06 366 0999 or emailing public.participation@horowhenua.govt.nz.

See over the page for further information on Public Participation.

3 Declarations of Interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

4 Announcements

Public Participation (further information):

The ability to speak at Council and Community Board meetings provides the opportunity for members of the public to express their opinions/views to Elected Members as they relate to the agenda item to be considered by the meeting.

Speakers may (within the time allotted and through the Chairperson) ask Elected Members questions as they relate to the agenda item to be considered by the meeting, however that right does not naturally extend to question Council Officers or to take the opportunity to address the public audience be that in the gallery itself or via the livestreaming. Council Officers are available to offer advice to and answer questions from Elected Members when the meeting is formally considering the agenda item i.e. on completion of Public Participation.

Meeting protocols

1. All speakers shall address the Chair and Elected Members, not other members of the public be that in the gallery itself or via livestreaming.
2. A meeting is not a forum for complaints about Council staff or Council contractors. Those issues should be addressed direct to the CEO and not at a Council, Community Board or Committee meeting.
3. Elected members may address the speaker with questions or for clarification on an item, but when the topic is discussed Members shall address the Chair.
4. All persons present must show respect and courtesy to those who are speaking and not interrupt nor speak out of turn.
5. Any person asked more than once to be quiet will be asked to leave the meeting.

File No.: 21/54

Foxton Beach Surf Life Saving Building - Lease

1. Purpose

To seek a resolution from Council to authorise the Chief Executive to enter into a new Deed of Lease with the Foxton Surf and Life Saving Club Incorporated for the Foxton Beach Surf Life Saving building.

2. Executive Summary

- 2.1 Although the current lease is in place until 2030, the Foxton Beach Surf Lifesaving Club has requested this be replaced with a longer-term lease of thirty years, plus two ten year rights of renewal from 2021.
- 2.2 This council-owned building is ideally situated to allow the Club to provide vital lifesaving services to the Foxton Beach community in the future, and a long term tenure will assist in the Club in its current and future delivery. This beach space is already a very popular focal point for beach activities in Foxton Beach. With the future growth projections in the township and the district, it is well placed to gain even more popularity and patronage.

3. Recommendation

- 3.1 That Report 21/54 Foxton Beach Surf Life Saving Building - Lease be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3 That, as recommended by the Foxton Community Board, the Horowhenua Council resolves to grant a new lease to the Foxton Surf and Life Saving Club, for a fifty (50) year period, to consist of an initial period of thirty (30) years, plus two ten (10) year Rights of Renewal.

4. Background / Previous Council Decisions

- 4.1 The Foxton Beach Surf Lifesaving Club building is located at the northern end of the carpark area within the Foxton Beach Foreshore Reserve. This building, built in the 1970's, is owned by Horowhenua District Council (HDC), and has been leased out to the Foxton Beach Surf Lifesaving Club since 1978.
- 4.2 The building itself is the only available facility at the Foxton Beach foreshore with the capacity and location to undertake essential lifesaving services to the community. Although the building is deemed as earthquake prone (being less than 34% of National Building Standards), an upgrade project is planned in 2021, to resolve:
 - Earthquake strengthening;
 - Improvements to access, egress and fire as required under the Building Act;
 - Layout changes to modernise toilets and changing rooms used by the club;
 - Realigning the downstairs layout to maximize storage;
 - Installation of new public toilets, on the south (or carpark-facing) side of the building;
 - Modernise plumbing and water systems, and outdoor showers.
- 4.3 This work will be funded from a combination of:

- Budget allocated through Council's LTP process (approx. \$472,000)
- A successful grant received from Surf Lifesaving NZ (of approximately \$806,000)

The Lease Agreement

- 4.4 In 2011, Council granted the Surf Life Saving Club a lease term of ten years, with two ten year rights of renewal. This was at an annual rental of \$100 plus GST. This would make the final expiry 30 June 2030. The Foxton Beach Surf Lifesaving Club has now asked for a longer term lease commitment from Council than what is currently in place. In essence, this would mean a waiving of the final ten year right of renewal of the current lease, and instead putting in place a wholly new lease from 2021, with a thirty year term, with two ten year rights of renewal.

Planned upgrade of the building

- 4.5 Officers are at the tendering stage for the works, with the aim of physical works starting in March/April 2021.
- 4.6 The Club has made release of the grant funding it achieved with the assistance of Officers conditional on being awarded a new long-term lease of the facility (50 years including Rights of Renewal).

5. Discussion

- 5.1 The main point of discussion is whether to grant a long-term lease from 2021. The following points highlight some of the benefits of continuing a long term lease arrangement:
- The lifesaving activity that the Club delivers for the community is well regarded and provides a vital service that contributes to community outcomes;
 - The building is ideally located for the delivery of lifesaving services, with an excellent overview of the beach, and good proximity for accessing the water for lifesaving craft
 - There are upwards of 600 visitors to the beach at any time on peak days during the summer season, and with both Foxton Beach and the Horowhenua district forecast to experience significant growth in upcoming years, demand for this service is likely to grow further.
- 5.2 Consultation has occurred during the planning stage of the upgrade project, including with the Foxton Beach Surf Lifesaving Club and local Iwi.
- 5.3 The Foxton Community Board has also been included in the consultation process, with the proposed long term lease being an item on the 22 February 2021 FCB Agenda. At that meeting the Board resolved:
- “THAT the Foxton Community Board recommends to Council that the Foxton Surf and Life Saving Club's request for a fifty (50) year lease, to consist of an initial period of thirty (30) years, plus two ten (10) year Rights of Renewal, be granted.*
- 5.4 A longer term lease being confirmed would provide certainty for the Club in terms of continuation of this service for the district's long-term benefit.

6. Options

There is one option put forward in this report, namely to enter into a long term lease agreement with the Foxton Surf Lifesaving Club.

6.1 Cost

There are no costs relating to the granting of this lease, which is the only option put forward in this report.

6.1.1 Rate Impact

There will be no Rate impacts arising.

6.2 Community Wellbeing

There are no negative impacts on Community Wellbeing arising.

6.3 Consenting Issues

There are no consents required or consenting issues arising from the granting of this new lease.

6.4 LTP Integration

There is no LTP programme related to the option put forward in this report.

7. Consultation

There is no consultation regarding the lease required to be undertaken.

8. Legal Considerations

There are no Legal Requirements or Statutory Obligations affecting the option put forward in this report.

9. Financial Considerations

There is no financial impact.

10. Iwi Considerations

There are no specific Iwi considerations, however Officers will work with local Iwi to ensure design opportunities from a cultural perspective are incorporated where appropriate.

11. Climate Change Considerations

There is no Climate Change impact.

12. Environmental Considerations

There are no Environmental considerations.

13. Health & Safety Considerations

There is no Health & Safety impact.

14. Other Considerations

There are no other considerations.

15. Next Steps

Should Council agree to this new lease, a document will be drafted by Council's legal representatives.

16. Supporting Information



<p>Strategic Fit/Strategic Outcome</p> <p>Thriving communities: Our communities live in a safe and supportive environment and are empowered to make positive and healthy lifestyle choices.</p> <p>An exuberant economy: We recognise and manage the effects of population growth and actively promote the District as a destination of choice.</p> <p>Stunning environment: We recognise that our natural environment plays a vital role in sustaining the District.</p>
<p>Decision Making</p> <p>This decision is not significant, and is in alignment with the Long Term Plan.</p>
<p>Consistency with Existing Policy</p> <p>The confirming of a long term lease for the Foxton Beach Surf Lifesaving Club building will be undertaken under the terms and conditions contained within Council's Community Leases Policy.</p>
<p>Funding</p> <p>There are no funding implications in relation to the granting of this lease.</p>

Risk Area	Risk Identified	Consequence	Likelihood	Risk Assessment (Low to Extreme)	Managed how
Strategic	There are no risks identified in these five areas.				
Financial					
Service Delivery					
Legal					
Reputational					

<p><u>Confirmation of statutory compliance</u></p> <p>In accordance with section 76 of the Local Government Act 2002, this report is approved as:</p> <ol style="list-style-type: none"> containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and, is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

17. Appendices

There are no attachments for this report.

Author(s)	Stephan Titze Property & Parks Project Lead	
	Sean Hester Parks & Property Lead North	
Approved by	Kevin Peel Group Manager - Infrastructure Operations	