

**ORDINARY MEETING**

**OF**

**STRATEGY AND POLICY COMMITTEE**

**AGENDA**

**Time:** 9:30am  
**Date:** Thursday, 17 September 2020  
**Venue:** Ngake (16.09)  
Level 16, Tahiwī  
113 The Terrace  
Wellington

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**MEMBERSHIP**

Mayor Foster  
Councillor Calvert (Deputy Chair)  
Councillor Condie  
Councillor Day (Chair)  
Councillor Fitzsimons  
Councillor Foon  
Councillor Free  
Councillor Matthews  
Councillor O'Neill  
Councillor Pannett  
Councillor Paul  
Councillor Rush  
Councillor Sparrow  
Councillor Woolf  
Councillor Young

**NON-VOTING MEMBERS**

Te Rūnanga o Toa Rangatira Incorporated  
Port Nicholson Block Settlement Trust

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**Have your say!**

*You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 04-803-8334, emailing [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz) or writing to Democracy Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number, and the issue you would like to talk about. All Council and committee meetings are livestreamed on our YouTube page. This includes any public participation at the meeting.*

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## **AREA OF FOCUS**

The role of the Strategy and Policy Committee is to set the broad vision and direction of the city, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies and policies, bylaws and regulations, and work programmes to achieve those goals.

In determining and shaping the strategies, policies, regulations, and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the seven strategic areas covered in the Long-Term Plan (Governance, Environment, Economic Development, Cultural Wellbeing, Social and Recreation, Urban Development and Transport) with particular focus on the priority areas of Council.

The Strategy and Policy Committee works closely with the Annual Plan/Long-Term Plan Committee to achieve its objective.

To read the full delegations of this Committee, please visit [wellington.govt.nz/meetings](https://wellington.govt.nz/meetings).

**Quorum:** 8 members



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## 1. Meeting Conduct

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### 1.1 Karakia

The Chairperson will open the meeting with a karakia.

<b>Whakataka te hau ki te uru,</b>	Cease oh winds of the west
<b>Whakataka te hau ki te tonga.</b>	and of the south
<b>Kia mākinakina ki uta,</b>	Let the bracing breezes flow,
<b>Kia mātaratara ki tai.</b>	over the land and the sea.
<b>E hī ake ana te atākura.</b>	Let the red-tipped dawn come
<b>He tio, he huka, he hauhū.</b>	with a sharpened edge, a touch of frost,
<b>Tihei Mauri Ora!</b>	a promise of a glorious day

At the appropriate time, the following karakia will be read to close the meeting.

<b>Unuhia, unuhia, unuhia ki te uru tapu nui</b>	Draw on, draw on
<b>Kia wātea, kia māmā, te ngākau, te tinana,</b>	Draw on the supreme sacredness
<b>te wairua</b>	To clear, to free the heart, the body
<b>I te ara takatū</b>	and the spirit of mankind
<b>Koia rā e Rongo, whakairia ake ki runga</b>	Oh Rongo, above (symbol of peace)
<b>Kia wātea, kia wātea</b>	Let this all be done in unity
<b>Āe rā, kua wātea!</b>	

### 1.2 Apologies

The Chairperson invites notice from members of apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

### 1.3 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

### 1.4 Confirmation of Minutes

The minutes of the meeting held on 10 September 2020 will be put to the Strategy and Policy Committee for confirmation.

### 1.5 Items not on the Agenda

The Chairperson will give notice of items not on the agenda as follows.

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***Matters Requiring Urgent Attention as Determined by Resolution of the Strategy and Policy Committee.***

The Chairperson shall state to the meeting:

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

The item may be allowed onto the agenda by resolution of the Strategy and Policy Committee.

***Minor Matters relating to the General Business of the Strategy and Policy Committee.***

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Strategy and Policy Committee for further discussion.

## **1.6 Public Participation**

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 3.23.3 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

Requests for public participation can be sent by email to [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz), by post to Democracy Services, Wellington City Council, PO Box 2199, Wellington, or by phone at 04 803 8334, giving the requester's name, phone number and the issue to be raised.



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## 2. General Business

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# NEW LEASE FOR WELLINGTON TENNIS INCORPORATED UNDER THE WELLINGTON TOWN BELT ACT 2016: EXISTING LEASE

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### Purpose

1. This report requests Strategy and Policy Committee approval for Officers to publicly notify a new ground lease to the Wellington Tennis Incorporated (WTI) and three subleases.

### Summary

2. The *Leases Policy for Community and Recreation Groups* (Leases Policy) sets out the Council's role in granting leases on Council-owned land and/or buildings. Section 17 of the *Wellington Town Belt Act 2016* (the WTBA) permits the Council to grant leases in respect of the Wellington Town Belt.
3. The proposed lease to WTI is a continuation of an existing occupancy. The proposed lease terms and conditions set out in this paper are based on assessment criteria in the Leases Policy, the WTBA, and the Wellington Town Belt Management Plan (WTBMP).
4. Officers recommend that under the WTBA:
  - Approval be given to publicly notify a new ground lease to the Wellington Tennis Incorporated (WTI) for a ten-year term with one renewal term of ten years.
  - Approval be given to the following subleases:
    - o To Tennis Central Region Incorporated for a ten-year term with one renewal term of ten years
    - o To Kaizen Academy Seido Karate for a ten-year term with one renewal term of ten years, subject to the engineering report findings on the North Stand and pavilion, and Kaizan Academy Seido Karate becoming incorporated
    - o To PlanitPro Limited for a ten-year term with one renewal term of ten years, subject to annual reviews with the Lessee.

## Recommendation/s

That the Strategy and Policy Committee:

1. Receive the information.
2. Approve that officers to publicly notify a new ground lease to Wellington Tennis Incorporated for a ten-year term with one renewal term of ten years and three subleases as set out in the Special Provisions, under the Wellington Town Belt Act 2016. The land is legally described as Section 1 Survey Office Plan 474197 containing 1.5865 hectares more or less.
3. Note that approval to grant the lease to Wellington Tennis Incorporated on Wellington Town Belt is conditional on:
  - a. Appropriate iwi consultation
  - b. Public notification under section 16 of the Wellington Town Belt Act 2016
  - c. No sustained objections resulting from the above notification
  - d. Legal and advertising costs being met by the Lessee (where applicable).

## Background

### Wellington Tennis Incorporated

5. Wellington Tennis Incorporated (WTI) has been an incorporated society since November 1908 (previously registered under the name Wellington Lawn Tennis Club). WTI are the Head Lessee and owners of the Renouf Tennis Centre which is classified as a Tier 2 international facility with six indoor and twelve outdoor tennis courts. The Renouf Tennis Centre is used for national and junior International Tennis Federation events in Wellington. The facility is also used for interclub competition, Business House tennis competitions, other tournaments and events, coaching and casual tennis.
6. WTI work in partnership with Tennis Central Region Incorporated (TCRI). TCRI was formed in 2010 as one of six regional tennis organisations developed by Tennis New Zealand for the promotion of grass-roots tennis. WTI sublease to TCRI and manage the assets including the courts and facilities at the Renouf Tennis Centre.
7. The land is part of the Wellington Town Belt, held under the WTBA, and is legally described as Section 1 Survey Office Plan 474197 containing 1.5865 hectares more or less (**Attachment 1** provides the lease map). The annual ground lease fee is \$4,930.20 plus GST.
8. The previous lease expired on 31 December 2019 and was for a term of ten years. The subleases have also expired in line with the Head Lease.
9. In November 2019, WTI submitted an application for a new lease. There has been a delay bringing this paper to Committee due to discussions around the surrounds and COVID-19.

10. Council Officers assessed the application using the criteria in section 7 of the Leases Policy and the provisions of the WTBA and the WTBMP.
11. Based on Officers' assessment of the WTI application it is recommended that the Committee approve the public notification of a ten-year lease, with a ten year right of renewal.
12. The facilities require significant investment and upgrade. This lease term is being recommended as WTI, working in partnership with TCRI, is investing over \$1 million in funding for capital renewal and deferred maintenance works. This agreement is captured in the Facility Partnership Funding Agreement (the Funding Agreement) between the Council and WTI, signed in December 2018.
13. The Funding Agreement requires WTI to make a decision on the future of the North Stand and pavilion. Any future works or redevelopment of this site will require landowner approval from WCC, noting strengthening or demolition of the stand is not funded through this Agreement.
14. It is a requirement of the WTBA that subleases are also publicly consulted and approved by the Council.
15. WTI wish to continue the following subleases:
  - a. TCRI, a partner to Wellington Tennis with a sublease since 2010
  - b. Kaizen Academy Seido Karate (Kaizen Karate) has subleased the pavilion since 2010. Kaizen Karate is not currently an incorporated society, however they are pursuing incorporation
  - c. PlanitPro Limited (PlanitPro), a tennis coaching business which offers a ProShop for equipment and restringing tennis racquets. PlanitPro also manages the bookings for the Renouf Tennis Centre and has operated from the site with a contract for service since August 2013.
16. Based on Officers' assessment it is recommended that the Committee approve the public notification of the above subleases for a ten-year term, with one renewal term of ten years.

## **Discussion**

17. The Council assesses any application for a new lease on Town Belt under the requirements of the:
  - Wellington Town Belt Act (the WTBA) 2016
  - Wellington Town Belt Management Plan 2017 (the Management Plan)
  - Leases Policy for Community and Recreation Groups 2012 (the Leases Policy)
18. The WTBA permits the Council to grant leases in respect of the Wellington Town Belt and sets out requirements and limits. There is a particular emphasis on limiting built infrastructure within the Town Belt to only that which is necessary, and appropriately

used. This enables appropriate protection of the open space and natural values of the Town Belt as intended in the original Deed and articulated in the WTBA and Management Plan.

19. Under the Leases Policy, new leases are considered against seven criteria:
  - a. Strategic fit
  - b. Group's organisation structure
  - c. Membership sustainability
  - d. Financial and maintenance obligations
  - e. Optimal use of resources
  - f. Environmental impact
  - g. Demonstrated need from the community.
20. The information submitted by the groups was assessed as performing satisfactorily under each of these above criteria:

**A. Strategic fit** – *The group's purpose and activities must be consistent with the Council's strategic direction to promote healthy lifestyles and build strong communities.*

21. WTI is the Head Lessee, its purpose is to 'own and provide assets to be used in the promotion of tennis and the playing of tennis in Wellington City for the benefit of regional and national tennis with the major asset.'
22. The lease is for the Renouf Centre in Brooklyn which is a central hub in Wellington for tennis, providing access to indoor and outdoor courts for year-round activity.
23. The Centre also serves as a regional hub for programmes including the:
  - a. Tennis New Zealand performance programme
  - b. Tennis New Zealand coach education programmes and forums
  - c. New Zealand Tennis Umpire Association umpire education programme.
24. WTI work closely with TCRI, one of six regional bodies aligned nationally to Tennis New Zealand. TCRI oversees the promotion of tennis in Wellington, Kapiti Mana, Hutt Valley, Wairarapa, Manawatu, Wanganui and Taranaki. WTI staff are based at the Renouf Centre in Wellington.

**B. Group's organisation structure** – *The group must be an incorporated society or trust.*

25. WTI is an incorporated society and is governed by a Board of three members, each serving a term of three years.
26. WTI are the asset owners and sublet to TCRI, the tennis delivery regional sport organisation which is aligned with Tennis New Zealand. TCRI organise and host international, national and regional events as well as maintaining the courts and facilities at the Renouf Tennis Centre.
27. TCRI have been registered as an incorporated society since November 2007. The Board consists of the Patron, President and a Centre Board which includes four elected members and four appointed members. TCRI also have a Chief Executive who attends Centre Board meetings but is not a Board member.

28. Member clubs of TCRI are automatically member clubs of the WTI and have voting rights as per WTI's Constitution.

**C. Membership sustainability** – *The group must be sustainable in terms of membership and/or users of the services for the term of the lease.*

29. The Centre serves as a tennis hub for Wellington and does not have a traditional club membership. Instead, each of the tennis clubs in Wellington pay a levy and in return, member Clubs can use the courts, hold club nights or reschedule interclub fixtures at no charge. Currently members include 17 Clubs based in Wellington, 10 in the Kapiti Mana area and 5 Associations.
30. In the 2018/9 year, WTI reported the number of individual tennis members in the Wellington region as approximately:
- 500 active members (consisting of casual pay for play users)
  - 2,221 affiliated members
  - 2,000 casual users.
31. Regionally, TCRI has reported membership numbers have stayed steady, with a trend towards casual play.

**D. Financial and maintenance obligations** – *The group must be in a financial position to fulfil its lease obligations for the term of the lease, including but not exclusive to rent, insurance and building and grounds maintenance.*

***Financial***

32. The annual ground lease fee is \$4,930.20 plus GST.
33. The WTI income for the year end 30 April 2020 was \$138,668, primarily from donations from TCRI and grants. In comparison, in 2015, WTI received a total income of \$62,270.46 primarily from subscriptions and competitions.
34. The expenditure for the year end 30 April 2020 was \$141,526 for the Council's approved projects leaving a deficit of \$2,900. In comparison, in 2015 the expenditure was \$38,931.06 and included affiliation fees, repairs, maintenance and cleaning.
35. As of 30 April 2020, WTI has cash in the bank of \$27,848 (down from \$218,226 at year end June 2019) and a Special Reserve Fund of \$100,000.
36. TCRI has separate accounts and received an income for the year end 30 April 2020 of \$826,598, received primarily from court hire, sponsorship, grants and donations and affiliation and association fees.
37. The expenditure for the year end 30 April 2020 was \$738,664 and included salaries, wages and contracts, tournament expenses and affiliation fees, resulting in a net profit of \$87,935.
38. TCRI also received \$32,756 in rental fees from sublessees Kaizen Karate and PlanitPro.
39. As of 30 April 2020, TCRI had cash in the bank of \$137,546 and total current assets of \$1,145,110.

40. Therefore, the main sources of income for the Renouf Tennis Centre are affiliation or membership fees, and income from casual play and competitions.

41. Although both societies have healthy cash in the bank reserves, the costs of redevelopment of the existing facilities, as set out below, require further sources of income.

***Maintenance***

42. A condition assessment and building maintenance report was prepared by Opus in 2016/17 recommending approximately \$3 million in works for action within three years, and a further \$4 million of works over the following 12 years. The works identified include new roof cladding, spouting and downpipes works, electrical, plumbing and gas fittings works.

43. The North Stand building is currently closed to the public pending an engineering evaluation and the West and East stands also require work. As mentioned above, any future works on this site will require Landowner approval.

44. WTI is undertaking some of these capital renewal and deferred maintenance works as per the Funding Agreement signed in 2018. The total budgeted cost for redevelopment in 2018 was estimated to exceed \$2 million (exclusive of GST). The Council has committed to contributing \$1 million over five years, and WTI (working with TCRI) will contribute a further \$1 million.

45. Currently there are redevelopment works underway for:

- a. The refurbishment of changing rooms (started August 2020)
- b. New roof for the main building (anticipated start in December 2020)
- c. An indoor lighting upgrade (completed in August 2020)

46. Over the last three years general maintenance has been undertaken including the resurfacing of tennis courts.

47. TCRI also engages in Tennis New Zealand's national facilities working group that considers the challenges and solutions to maintaining a strong national network of key facilities for tennis.

**E. Optimal use of resources – *The land and/or buildings must be utilised to the fullest extent practicable.***

48. The Renouf Tennis Centre is open 94.5 hours a week including from 8am to 9.30pm Monday to Sunday. There are six indoor and twelve outdoor tennis courts, making the courts available year-round. An online booking system is available to book both indoor and outdoor courts.

49. The Centre is surrounded by the Town Belt and visitors can walk around the outskirts of the courts on a footpath, to enjoy the surrounds and watch tennis from the upper banks.

50. PlanitPro also operates onsite and offers a tennis coaching business and a shop for equipment such as racquets, shoes and re-stringing services.

**F. Environmental impact** – *The activity cannot have the potential to adversely affect open space values or other legitimate activities.*

51. The Lease does not propose any new buildings or facilities.
52. The Renouf Tennis Centre promotes opportunities for Wellingtonians to participate in tennis and enjoy the Town Belt surrounds.
53. The use of the land by WTI complies with the purpose of the Town Belt to provide a public recreation ground for the inhabitants of Wellington.

**G. Demonstrated need from the community** – *There must be demonstrated support and need within the community for the activity.*

54. As mentioned above, the Renouf Tennis Centre functions as a tennis hub in Wellington. The Centre is accessible year-round due to the mix of six indoor courts and twelve outdoor courts.
55. There have been discussions between the Council, the WTI and TCRI regarding the future of the site due to the need for significant investment into the upgrade and redevelop the facilities. Recognising the local value of this site, a Funding Agreement was signed between the Council and WTI in 2018 which details investment and works.
56. The Centre has hosted regional, national and international tennis events. In a typical year there are:
  - a. 15 regional events
  - b. 2 national events
  - c. International events including the Federation Cup
  - d. Mixture of junior and senior inter-club competitions
  - e. Business House competition
  - f. Tennis New Zealand development programme
  - g. Tennis New Zealand coach education programme and supporting forums
  - h. New Zealand Tennis Umpires Association umpire education programme
  - i. Coaching and participation programmes.
57. The Wellington/Kapi Mana interclub and Futsal competitions, as well as boot camps are also held at the Renouf Centre.
58. The Kaizen Karate Academy New Zealand Limited also sublease the pavilion which it uses for training and coaching.

### **Conclusion**

59. On the basis of the above assessment, a ten-year ground lease, with one renewal of ten years (including for subleases) is recommended. This term is being recommended as Wellington Tennis is investing over \$1 million in funding for capital renewal and deferred maintenance works.

### **Options**

60. The Strategy and Policy committee has the following options:



- 1) Grant a new ground lease and subleases as set out in the recommendations.
- 2) Not grant a new ground lease and sublease to Wellington Tennis Incorporated (not recommended as this regional facility serves the entire lower North Island).

## Next Actions

61. If the recommendations in this report are accepted, the following will occur:
  - a. Public notification of the proposed lease as required under the Wellington Town Belt Act 2016
  - b. The outcome of consultation will be reported back to Committee
  - c. The Committee's recommendations will be referred to the Council for approval and
  - d. If the Council approves the lease and subleases, the lease document will be negotiated, drafted and signed.
62. Approval to grant the lease on Wellington Town Belt is conditional on:
  - a. Appropriate iwi consultation
  - b. Public notification under section 16 of the Wellington Town Belt Act 2016
  - c. No sustained objections resulting from the above notification
  - d. Legal and advertising costs being met by the lessee (where applicable).

## Attachments

Attachment 1. Renouf Tennis Centre - Lease area [↓](#) 

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Authors	Glenn McGovern, Sports & Club Partnership Leader Kobie Child, Community Recreation Leases Advisor Fel Go, Community Recreation Leases Advisor
Authoriser	Paul Andrews, Manager Parks, Sports & Rec Claire Richardson, Chief Operations Officer



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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

Public notification will be undertaken as required under section 16 of the *Wellington Town Belt Act* and section 6 of the *Leases Policy for Community and Recreation Groups*.

All submissions received will be taken into account and, if necessary, objections will be fed back to Committee.

### **Treaty of Waitangi considerations**

No Treaty of Waitangi considerations have been identified to date. The Council will consult with mana whenua as part of the public consultation process.

### **Financial implications**

There is a Facility Partnership Funding Agreement signed by both parties in December 2018, in place requiring WTI to invest \$1 million into the maintenance and upkeep of the facilities. The Council is also contributing \$1 million to these costs.

The future of the North Stand and pavilion is dependent on investigations including engineers' reports. These reports will determine whether repair works, or demolition will be undertaken, which will result in additional expense. The future of the North Stand will be resolved by the end of 2020.

### **Policy and legislative implications**

The recommendations in this report are consistent with relevant Council Policy such as the *Leases Policy for Community and Recreation Groups* and legislation such as the *Wellington Town Belt Act*.

### **Risks / legal**

The proposal will be subject to the Wellington Town Belt Act and Management Plan.

### **Climate Change impact and considerations**

It is noted that the indoor court lights have been recently replaced with energy efficient LED lights. Future redevelopment works will also consider the impact on climate change.

### **Communications Plan**

Not applicable.

### **Health and Safety Impact considered**

The lease work is entirely administrative and is a normal function of Council Officers.

Wellington Tennis Incorporated has submitted their Health & Safety plan.

Item 2.1 Attachment 1



Renouf Tennis Centre

Lease area

0 10 20 40 Metres

Scale:1:800

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## **PROPOSED LICENCE FOR TELECOMMUNICATIONS INFRASTRUCTURE AT MAKARA PEAK MOUNTAIN BIKE PARK**

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### **Purpose**

1. This report asks the Strategy and Policy Committee to approve a new licence for Kordia New Zealand Limited (Kordia) to continue to operate an existing telecommunications mast on reserve land at Makara Peak Mountain Bike Park.

### **Summary**

2. Kordia has two telecommunication masts at Makara Peak. One mast is located on reserve land owned by Wellington City Council (WCC). An existing licence for use of reserve land for the mast has expired and Kordia wish to be granted a new licence.
3. The second mast is located on adjacent land owned by Kordia. Kordia uses an access track on the reserve land to reach both the first and second mast. Kordia wish to continue to use reserve land to access both masts.
4. The current access track is a popular mountain biking track. Council officers have requested that Kordia use an alternative access track to avoid health and safety issues that potentially could arise from this shared use. An alternative access track is available and can be included in the proposed new licence.
5. The masts and the current and proposed access tracks are shown on the Site Map (refer to Attachment One).
6. The Strategy and Policy Committee has the delegated authority to approve a new licence on reserve land for telecommunication purposes, including access.
7. There are no new works or new uses proposed that would materially alter the reserve land or the use of the reserve land. Therefore, Officers consider that, under the Reserves Act 1977, it is not necessary to publicly notify the proposed licence.

### **Recommendation/s**

That the Strategy and Policy Committee:

1. Receive the information.
2. Agree to grant a new licence to Kordia New Zealand Limited for their telecommunications mast on Part Section 45 Karori District – Part WN46B/837 (refer Attachment 1) and for access over reserve land (Part Section 43 Karori District - WN46B/836, Lot 1 DP 16122 - WN648/13, Section 53 Makara District and Part Section 47 and 48 Makara District – WN31A/318), these sites being within Makara Peak Mountain Bike Park.



3. Note that Council will continue to grant existing easement rights for Kordia New Zealand Limited's necessary utilities being electricity over Reserve Land (Part Section 85 Karori District – WN49C/580, Section 53 Makara District and Part Section 47 and 48 Makara District – WN31A/318) within Makara Peak Mountain Bike Park.
4. Instruct officers to enter into negotiations on the terms and conditions for the licence agreement.

## **Background**

8. Kordia, which is a State-Owned Enterprise, has requested a new licence agreement as their existing licence for their telecommunication mast at Makara Peak Mountain Bike Park (Part Section 45 Karori District) expired on 31<sup>st</sup> August 2016.
9. Kordia also owns land (Lot 1 DP 61858) with a second telecommunications mast at the top of Makara Peak.
10. To access the two masts Kordia currently use four wheel-drive tracks that run through the Makara Peak Mountain Bike Park. Kordia and Council officers have agreed that alternative access tracks can be used to avoid conflict with other park users. The proposed access is shown by the blue and yellow lines on the Site Map (refer to Attachment 1). The pink line on the Site Map shows the current access.
11. An existing electricity easement, along the route shown by the pink line on the Site Map, conveys electricity to the two masts and will remain over the land parcels legally described as Part Section 85 Karori District and Part Lot 2 A.

## **Discussion**

12. The proposed licence area is within Makara Peak Mountain Bike Park, which sits in the Outer Green Belt. The land is classified Scenic Reserve under the Reserve Act 1977 and is zoned Open Space B under the Wellington City Council District Plan.
13. Under s48A(1) of the Reserves Act 1977, Council can authorise the granting of a licence to maintain and use masts and to maintain and use tracks for the purpose of any station for the transmission, emission, or reception of any form of radio, electric, or electronic communication on any reserve.
14. Under Section 6.6.4.1 of the Outer Green Belt Management Plan 2019 (OGBMP), the land can be used for public utilities, such as telecommunications structures.
15. When granting licences for existing utilities and access, an assessment under Section 6.6.4.2 of the Outer Green Belt Management Plan is necessary. The assessment must consider potential impacts on the natural and recreation values within the reserve.
16. In this case, there is infrastructure already in place and no new access routes need to be constructed. The potential impacts on the natural values are low. Recreational values will be improved if the alternative access is used. The proposed access is consistent with access used by other utility companies (such as Transpower).

17. As there is no new infrastructure and low impacts on the reserve values, it is considered that the public benefits of the telecommunication mast out-weighs any potential or actual impacts on the reserve land. A new licence will not restrict access or activities, or impact upon future restoration planting on the reserve land.
18. Public notification may be necessary under the OGBMP when:
  - Required under the Reserves Act
  - Required by Council Policy
  - An application to construct or modify a permanent utility would significantly alter the nature, scale, or intensity of the effect on the reserve
  - The nature and/or scale of the proposed activity has the potential to adversely impact on reserve values, including permanent public access and open space
  - They involve a commercial sub-licence.
19. In this case Council officers consider that there is no requirement to publicly notify the proposed licence because the infrastructure is existing, the reserve land is not likely to be materially altered or permanently damaged, and the rights of the public in respect of the reserve land are not likely to be permanently affected.

## Options

20. The Strategy and Policy Committee has the following options:
  - a. Grant a new licence agreement to Kordia
  - b. Not grant the licence to Kordia – this is not recommended as it would prevent Kordia from operating as essential telecommunications infrastructure.

## Next Actions

21. If recommendations are agreed, officers will initiate negotiations on the suitable terms and conditions for a licence agreement.

## Attachments

Attachment 1. Site map [↓](#) 

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Authors	Joel De Boer, Recreation and Parks Planner Kate Brown, Reserves Planner
Authoriser	Bec Ramsay, Manager Open Space and Recreation Planning Paul Andrews, Manager Parks, Sports & Rec Claire Richardson, Chief Operations Officer

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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

Engagement is not considered necessary as the impacts on the reserve are unchanged.

### **Treaty of Waitangi considerations**

There are no known sites of importance to mana whenua, nor are there any proposed changes to the site. Engagement is not considered necessary.

### **Financial implications**

A valuation of \$7,000 (plus GST) to licence the telecommunication site has been received. This amount will be charged to Kordia annually. All legal costs associated with a licence will be met by Kordia.

### **Policy and legislative implications**

As outline in this paper, the Reserves Act 1977 and Outer Green Belt Management Plan have been considered.

### **Risks / legal**

A new licence will be drafted and reviewed by internal lawyers. Legal risk is considered low.

### **Climate Change impact and considerations**

There are no changes to the impacts on climate change by approving a new licence.

### **Communications Plan**

N/A

### **Health and Safety Impact considered**

The impact of contractors vehicles on reserve users has been considered and changes to access routes will help minimise safety concerns.



