



I hereby give notice that an ordinary meeting of the Hibiscus and Bays Facilities and Reserves Committee will be held on:

**Date:** Wednesday, 24 August 2016  
**Time:** 12.30pm  
**Meeting Room:** Council Chamber  
**Venue:** Orewa Service Centre  
50 Centreway Road  
Orewa

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## Hibiscus and Bays Facilities and Reserves Committee

### OPEN AGENDA

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#### MEMBERSHIP

<b>Chairperson</b>	Janet Fitzgerald, JP
<b>Deputy Chairperson</b>	Gaye Harding-Kirikiri
<b>Members</b>	David Cooper Julia Parfitt, JP Lisa Whyte

(Quorum 2 members)

Quorum 2 members  
1 member from Hibiscus Coast  
Subdivision  
1 member from East Coast Bays  
Subdivision

**Vivienne Sullivan**  
**Local Board Democracy Advisor**

**17 August 2016**

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**1 Welcome**

**2 Apologies**

An apology from Member JG Parfitt has been received.

**3 Declaration of Interest**

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.

**4 Confirmation of Minutes**

That the Hibiscus and Bays Facilities and Reserves Committee:

- a) confirm the ordinary minutes of its meeting, held on Wednesday, 27 July 2016, as a true and correct record.

**5 Leave of Absence**

At the close of the agenda no requests for leave of absence had been received.

**6 Acknowledgements**

At the close of the agenda no requests for acknowledgements had been received.

**7 Petitions**

At the close of the agenda no requests to present petitions had been received.

**8 Deputations**

Standing Order 3.20 provides for deputations. Those applying for deputations are required to give seven working days notice of subject matter and applications are approved by the Chairperson of the Hibiscus and Bays Facilities and Reserves Committee. This means that details relating to deputations can be included in the published agenda. Total speaking time per deputation is ten minutes or as resolved by the meeting.

**8.1 Silverdale War Memorial Reserve Management Committee**

Members of the Silverdale War Memorial Reserve Management Committee have requested a deputation to provide an update to the committee on their activities.

**Recommendation/s**

That the Hibiscus and Bays Facilities and Reserves Committee:

- a) Thank the representatives of the Silverdale War Memorial Committee for their presentation.

## 9 Public Forum

A period of time (approximately 30 minutes) is set aside for members of the public to address the meeting on matters within its delegated authority. A maximum of 3 minutes per item is allowed, following which there may be questions from members.

At the close of the agenda no requests for public forum had been received.

## 10 Extraordinary Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
  - (i) The reason why the item is not on the agenda; and
  - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
  - (i) That item is a minor matter relating to the general business of the local authority; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

## 11 Notices of Motion

At the close of the agenda no requests for notices of motion had been received.

## Renewal and variation of community lease and new community licence to occupy to East Coast Bays Community Creche Incorporated, 5 Inverness Road, Browns Bay

File No.: CP2016/15784

### Purpose

1. To grant a renewal and variation of community lease and a new community licence to occupy to East Coast Bays Community Creche Incorporated, Browns Bay Village Green, 5 Inverness Road, Browns Bay.

### Executive summary

2. The East Coast Bays Community Creche Incorporated has a community lease which provides for a right of renewal for the period 1 December 2015 until 30 November 2025. The deed of lease did not record the correct legal description of the land or include a site plan.
3. East Coast Bays Community Crèche Incorporated management have requested three car spaces outside the creche building to meet its facility management plan. It is recommended that a community licence to occupy rather than lease for one car space in front of the building be given and for the same term as contained in the community lease.
4. This report recommends the local board grant a renewal and variation of community lease and community licence to occupy to East Coast Bays Community Creche Incorporated for a term of 10 years commencing 1 December 2015.

### Recommendation/s

That the Hibiscus and Bays Facilities and Reserves Committee:

- a) grant a renewal and variation of community lease to East Coast Bays Community Creche Incorporated subject to the following terms and conditions:
  - i) Term: 10 years commencing 1 December 2015;
  - ii) Rent: \$1.00 plus GST per annum;
  - iii) Variation to include a lease area site plan (Attachment A);
  - iv) Variation to include Lot 10 Block II on Deposited Plan 10801 as part of the legal description of the location of the community creche
- b) approve all other terms and conditions as contained in the existing community lease commencing 1 December 2005 excluding this right of renewal
- c) grant a licence to occupy to East Coast Bays Community Creche Incorporated for one car space on Browns Bay Village Green (Attachment B) subject to the following terms and conditions:
  - i) Term: 10 years commencing 1 December 2015;
  - ii) Rent: \$1.00 plus GST per annum;
  - iii) All vehicles using the allocated car space must reverse in.

### Comments

#### Variation of lease and licence to occupy

5. The East Coast Bays Community Creche (the creche) has a community lease entered into with the legacy North Shore City Council for a term of 10 years commencing 1 December 2005 with one 10-year right of renewal. The creche wishes to exercise its right of renewal for the period 1 December 2015 until 30 November 2025.
6. The creche occupies a council-owned building located on part of Browns Bay Village Green, 5 Inverness Road, Browns Bay legally described as Lots 9 and 10 Block II on Deposited Plan 10801. Both Lots are held in fee simple by Auckland Council as classified local purpose (community buildings) reserve and subject to the Reserves Act 1977. The activity of the creche aligns with the reserve classification.
7. A variation to the community lease document is required to include a site plan which was omitted in 2005 and further, to accurately record Lot 10 Block II on Deposited Plan 10801 as the legal description of the location of the creche in addition to Lot 9.
8. Creche management requested the allocation of three car spaces to enable it to meet its own civil defence emergency management plan. It is recommended that only one car space be allocated in front of the building by way of a licence to occupy. This is an existing car space constructed in dobie blocks. Auckland Council parks department will install two bollards along the footpath to separate the car space from pedestrians. For pedestrian safety all vehicles using this car space must reverse in. The driveway along the west wall of the creche will be pedestrian access only onto the Browns Bay Village Green with no provision for car parking.

### The creche

9. The creche was registered as an Incorporated Society on 3 September 1987. The creche's objective is:
  - To provide an essential facility where parents and caregivers of pre-school children can leave them to be cared for and supervised in a stimulating, educational environment, on suitable premises, by appointed staff.
10. The creche is supported and licensed by the Ministry of Education. All teachers are qualified and registered to the profession. There are over 100 families using the crèche and 25 families on the waiting list.
11. The creche operates during school terms and is registered with Work and Income New Zealand for those families who qualify for a childcare subsidy. It also offers up to 20 hours of early childhood education for those children over the age of three.
12. The creche operates at a teacher child ratio of 1:4 for under two's and 3:22 for over two's. Session hours are Monday 9am-12pm with an extension to 1.30pm if required and Tuesday to Friday from 9am-12pm and 12.30pm-3.30pm.
13. The recommendations contained in this report do not trigger the Auckland Council Significance Policy.
14. Council staff has sought input from relevant council departments.

## Consideration

### Local board views and implications

15. Council staff sought input from the Hibiscus and Bays Local Board Facilities and Reserves Committee on 12 February, 11 March and 8 July 2016.
16. The Hibiscus and Bays Local Board Facilities and Reserves Committee are the allocated decision making authority to approve the granting of a renewal and variation of community lease and community licence to occupy.



### Māori impact statement

17. There are no changes in use or operational activities being conducted on the land.

### Implementation

18. There is no cost implication associated with the approval of the renewal and variation of community lease.

19. The cost implications for the licence to occupy are associated with the installation of two bollards which will be met by Auckland Council parks department.

### Attachments

No.	Title	Page
A	Community lease site plan for East Coast Bays Community Creche Incorporated, Browns Bay Village Green, 5 Inverness Road, Browns Bay	11
B	Community licence to occupy site plan for East Coast Bays Community Creche Incorporated, Browns Bay Village Green, 5 Inverness Road, Browns Bay	13

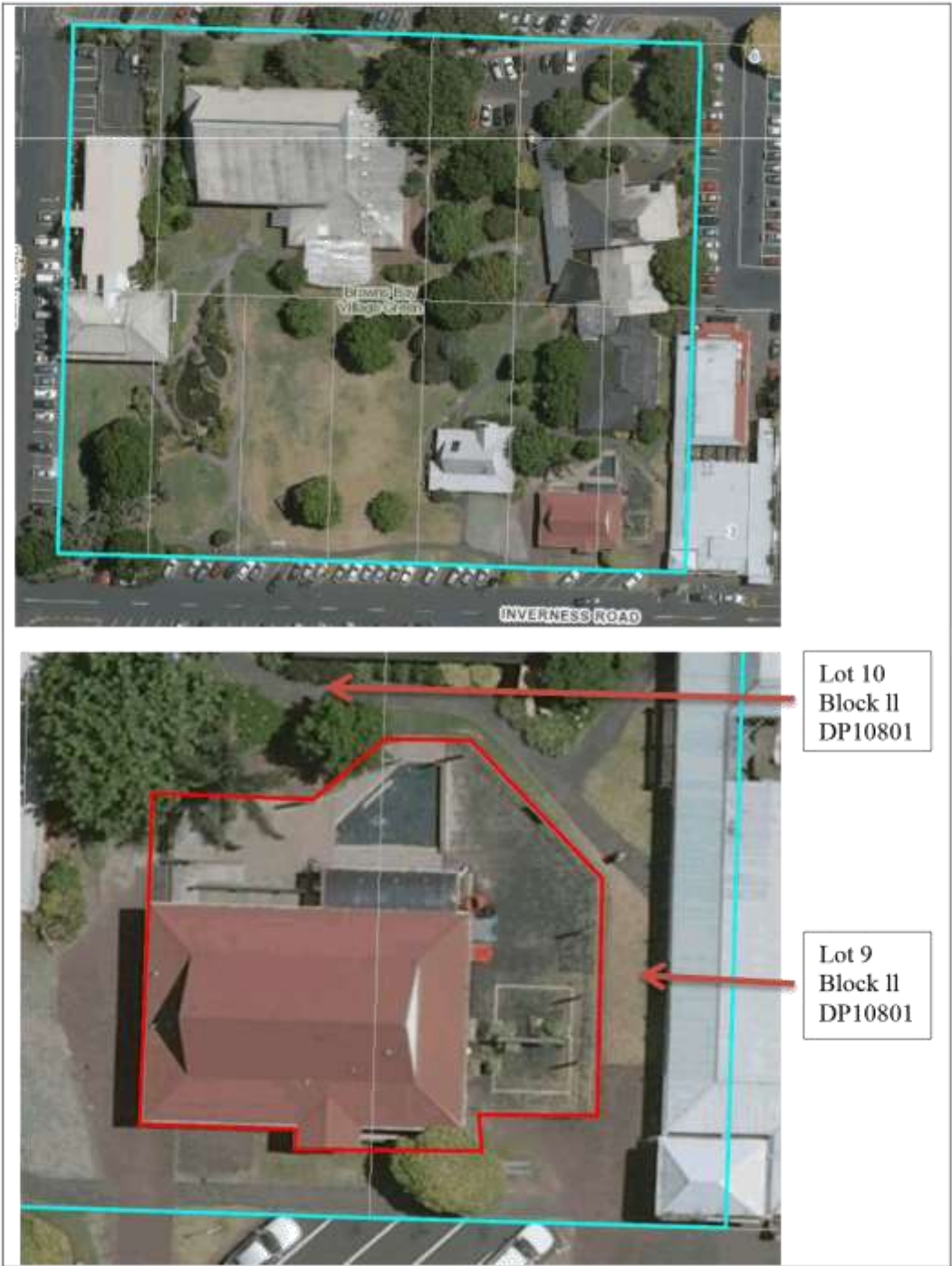
### Signatories

Authors	Donna Cooper - Lease Advisor
Authorisers	Rod Sheridan - General Manager Community Facilities Lesley Jenkins - Relationship Manager



Attachment A: Community lease site plan for East Coast Bays Community Crèche Incorporated, Browns Bay Village Green, 5 Inverness Road, Browns Bay

Location Map and Lease Area  
Browns Bay Village Green outlined in blue  
Lease area outlined in red





Attachment B: Community licence to occupy site plan for East Coast Bays Community Crèche Incorporated, Browns Bay Village Green, 5 Inverness Road, Browns Bay

Location Map and Licence to occupy area  
Browns Bay Village Green outlined in blue  
Licence to occupy area outlined in yellow

