
New agreement to lease to Taonga Education Centre Charitable Trust for development of facility at Randwick Park, 42R Secretariat Place, Manurewa

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Purpose

1. To grant an agreement to lease to Taonga Education Centre Charitable Trust (the Trust) for the development of a new early childhood education facility at Randwick Park, 42R Secretariat Place, Manurewa and a community lease effective on completion of the facility.

Executive summary

2. At its business meeting on 30 January 2014, the Manurewa Local Board granted landowner approval in principle for the development of a new facility by Taonga Education Centre Charitable Trust. The proposal included a new facility for the Trust to operate its early childhood education activities.
3. Resolution number MR/2014/5 also requested a lease be approved and signed between the Trust and Auckland Council at the appropriate time. The process involves approval by the local board for Auckland Council to enter into an agreement to lease with Taonga Education Centre Charitable Trust to enable the Trust to undertake the development and grant a community lease to operate the new facility. This report outlines the details of the proposed agreement to lease for the build and subsequent community lease for the land.
4. The proposal provides two years for the Trust to finalise funding, consents and complete works, after which occupation and operation would be granted by a lease for a term of 10 years with one right of renewal for a further 10 years to manage the early childhood education facility. It is within the discretion of the local board to grant a longer period if desired.
5. As the proposed use of the land as a community hub and for early childhood education suits the classification of the reserve which took place in 2015 and is part of the development plan of the park public notification is not required. Iwi consultation on the proposal has taken place at all stages of the parks design.

Recommendation/s

That the Manurewa Local Board:

- a) approve an agreement to lease to Taonga Education Centre Charitable Trust (the Trust) for the area indicated in blue in Fig. 2 on the lease plan (Attachment A) for two years commencing 20 October 2016 for completion of the proposed development subject to the following:
 - i) The Trust securing all funding for the project prior to the commencement of construction works;
 - ii) The Trust obtaining all regulatory consents required for the development of the facility;
 - iii) The Trust meeting all conditions as set out in the landowner consent Resolution number MR/2014/5 (Attachment B);
- b) approve a community lease to Taonga Education Centre Charitable Trust for the

area indicated blue in Fig. 2 on the lease plan (Attachment A) upon the successful completion of the building project and issue of a code compliance certificate (CCC) under the Building Act on the following terms:

- i) term – 10 years with one 10-year right of renewal;
- ii) commencement - date immediately following the issue of a CCC;
- iii) rent – \$1.00 plus GST per annum if demanded;
- iv) a community outcomes plan to be approved by members of the local board at the time of preparation of the lease document and attached to the lease;
- v) all other terms and conditions in accordance with the Reserves Act 1977 and the Auckland Council Community Occupancy Guidelines 2012.

Comments

Taonga Education Centre Charitable Trust

6. Taonga Education Centre Charitable Trust was established in 2002 and incorporated as a charitable trust on 10 May 2004. The Trust works to provide services specialising in education, parenting, health, social services and employment development. It aims to present a Maori viewpoint and advocacy with emphasis in the Counties Manukau area. It provides social services supporting teenage parents in the area.
7. The Trust operates three early childhood education centres in the Manurewa area and has plans to open three other centres, one being the facility at Randwick Park that will cater for 100 children. The Trust has secured the funding required for the centre from the Ministry of Education.

Land Use

8. The land where the Trust facility will be located is legally described as part of Lot 136 DP 120831, Lot 136 DP 134985 and Lot 501 DP 146272 located at Randwick Park, 42R Secretariat Place, Manurewa.
9. The land is held by Auckland Council as Local Purpose (Community Building) reserve under the Reserves Act 1977. The activities of an early childhood education facility are permitted by this classification.
10. The build proposal is contemplated in the concept plan for the Randwick Park development and was accounted for in the classification of the reserve in 2015 to suit this use.

Agreement to Lease and Lease

11. To enable the Trust to progress the project it seeks an agreement to lease consisting of:
 - A term of two years to enable the Trust to finalise funding and complete consents and building works for the new facility;
 - A subsequent community lease for the site of the facility on completion of works, as evidenced by the issue of a code compliance certificate and certificate of public use. Current Community Occupancy Guidelines recommend a term of ten years with a right of renewal for a further ten years for tenant-owned buildings such as this one. It is noted that is within the discretion of the local board to grant a longer period if desired due to the investment by the Trust in the facility, so long as the term of the lease and any renewal periods does not exceed 33 years as permitted by the Reserves Act 1977.

Consideration

Local board views and implications

12. The local board is the allocated authority to approve community leases and licences. The local board has provided input into the development of Randwick Park throughout the phases of the project and have indicated support of the proposed early childhood education centre operated by the Trust.

Māori impact statement

13. Iwi consultation has taken place during the concept design stages for the park, which included provision of an ECE and through the land classification proceedings in 2015 with identified mana whenua including Ngāti Te Ata Waiohua, Te Akitai Waiohua and Ngāi Tai Ki Tāmaki. Iwi have been supportive of the redevelopment particularly in the area of increasing participation in early childhood education.
14. Taonga Education Centre Charitable Trust is a provider with a particular interest in promoting a holistic view of Maori wellbeing and presenting a Maori viewpoint in education, parenting and social services. Randwick Park is a multicultural area. The Trust aims to increase early learning participation in the area which is of benefit to the wider community including Maori.
15. Auckland Council is committed to meeting its responsibilities under Te Tiriti o Waitangi and its broader legal obligations to Māori. The council recognises these responsibilities are distinct from the Crown's Treaty obligations and fall within a local government Tāmaki Makaurau context. These commitments are articulated in the council's key strategic planning documents the Auckland Plan, the Long-term Plan 2012-2022, the Unitary Plan and Local Board Plans.
16. Support for Maori initiatives and outcomes is detailed in Te Toa Takitini, Auckland Council's Maori Responsiveness Framework. An aim of community leasing is to increase targeted support for Maori community development projects. Additionally it seeks to improve access to facilities for Maori living in the Manurewa local board area.

Implementation

17. Resource consent for the proposed building was granted on 3 August 2016. The Trust have applied for Right of Entry to the land to begin development work on 1 September 2016 but this cannot be approved until an agreement to lease is in place.
18. Costs involved with the preparation of lease documentation are borne by Auckland Council.

Attachments

No.	Title	Page
A	Site Plan	Infocouncil inserts in agenda
B	Resolution for Landowner approval	

Signatories

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