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# Approval for final plans and addendum to agreement to lease to Hockey Hibiscus Trust at Metro Park East, Silverdale

File No.:

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## Purpose

1. To approve Hockey Hibiscus Trust final plans and an addendum to its existing agreement to lease document.
2. To approve the landowner application by Hockey Hibiscus Trust to install electric cables for the turf half a metre outside the boundary of its existing agreement to lease area.

## Executive summary

3. At its business meeting of 19 November 2014 the Hibiscus and Bays Local Board approved a lease area to Hockey Hibiscus Trust at Metro Park East comprising:
  - landowner approval to provide for one full and one half artificial hockey turfs to be located within the lease area provided final detailed plans were subsequently approved by the local board
  - an agreement to lease to enable Hockey Hibiscus time to seek and secure all necessary funding and consents then construct the one full and one half artificial hockey turfs and associated improvements with community lease attached to take effect on the completion of the works and issue of the code compliance certificate.
4. Hockey Hibiscus has advised they are ready to commence construction. Through finalisation of the detailed design Hockey Hibiscus has advised that the electric cables for the turf will need to be installed half a metre outside the boundary of the existing agreement to lease area in order to avoid the footings for the light-poles and the concrete path around the hockey turf. An addendum to the existing agreement to lease is required to record this additional land. Landowner approval is also required to formalise the use of the additional land.
5. The detailed design has been reviewed by the Sports Park team, who confirm the plans are acceptable. North Harbour Hockey Association has also provided its endorsement of the design from a hockey perspective.
6. This report recommends the Hibiscus and Bays Local Board approve the final detailed plans and an addendum to the existing agreement to lease to Hockey Hibiscus Trust. Also recommended is the grant of landowner approval to Hockey Hibiscus Trust to install electric cables for the turf half a metre outside of the boundary of its existing agreement to lease area.

## Recommendation/s

That the Hibiscus and Bays Local Board:

- a) approve the final detailed plans for the Hockey Hibiscus Trust one full and one half hockey turfs and associated developments (Attachment A)
- b) approve an addendum to the existing agreement to lease to Hockey Hibiscus Trust at Metro Park East dated 21 October 2015 to record the additional land required to complete its one full and one half hockey turfs and associated developments (Attachment B)
- c) grant landowner approval to Hockey Hibiscus Trust to install electric cables for the turf half a metre outside the boundary of its existing agreement to lease area.

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## Comments

### Hockey Hibiscus Trust detailed plans

7. Hockey Hibiscus Trust (the trust) was formed in August 2011 to develop hockey facilities on the Hibiscus Coast and promote hockey activity in the area. The trust plans to become a replica model of the North Harbour Hockey Association which is based on clubs, players and hockey activity being under a separate entity to the owner of facilities.
8. The development of a hockey turf at Metro Park East is the highest priority in the Auckland Regional Hockey Facilities Strategy 2014-2031 and is supported by the three regional hockey associations including North Harbour Hockey Association.
9. Council is supporting the development of the turf through \$1.6 million funding from the Sports Infrastructure Development programme. The Hibiscus and Bays Local Board has also provided financial support through a grant of \$50,000 (HB/2016/164).
10. The overall project will cost \$3.2 million and will be delivered in stages as follows:
  - Preliminary earth works completed last year (\$450,000)
  - Stage 1 - full sized multi-purpose turf with lights marked for hockey (\$1.7 million)
  - Stage 2 - half-sized multi-purpose turf with lights marked for multiple sports (\$820,000)
  - Stage 3 - simple changing rooms and toilet facilities with a small meeting room (\$220,000)
11. The trust has secured all necessary funding to commence stage one. Detailed design has been finalised and plans have been submitted to council for approval. Resource consent has previously been secured and building consent is imminent for fencing and lights. The trust has contracted Tiger Turf to construct the turf. Tiger Turf is a reputable and experienced turf company. The trust has also engaged an independent project manager to provide the necessary advice and supervision during the project.
12. The detailed design has been reviewed by the Sports Parks team and the plans are considered acceptable. The trust is ready to commence construction of stage one immediately.
13. Construction of stage two is subject to confirmation of funding application which will be known early in 2017. It is not envisioned stage three will commence until at least the summer of 2017, at which time further design will be submitted to council for approval.

### Existing agreement to lease and requirement for addendum

14. By way of resolution number HB/2014/216 (Attachment C) the Hibiscus and Bays Local Board approved an agreement to lease to Hibiscus Hockey Trust on land at Metro Park East legally described as Part Lot 5 DP 168591. The agreement to lease provided for term of four years commencing 19 October 2014. This was to enable Hockey Hibiscus to develop its site at Metro Park East. Contained within the agreement to lease is a community ground lease effective on the issue of code compliance certificate for the development works.
15. With detailed design completed, it has become evident the electric cables for the turf will need to be installed half a metre outside the boundary of the existing agreement to lease area in order to avoid the footings for the light-poles and the concrete path around the hockey turf.
16. Council staff sought a legal opinion from staff who concluded that as the deed of lease has not commenced this matter can be dealt with simply by an addendum to the agreement to lease to record the addition of the further area. Further, that local board approval to the addendum would provide for the deed of lease to be updated.

### Land status considerations to addendum to existing agreement to lease

17. Metro Park East contains multiple land parcels (Attachment D). Most of the parcels are not presently classified under the Reserves Act 1977. The parcel legally described as Part Lot 5 DP 168591 on which Hockey Hibiscus has an agreement to lease is held in fee simple by Auckland Council under the Local Government Act 2002.
18. Under the provisions of the Local Government Act, there is no impediment or public notification required for an addendum to the agreement to lease.

## Consideration

### Local board views and implications

19. Approval of this matter sits under the local board's allocation of decision-making.
20. The local board supports upgrades and new facilities across the area as funds allow. The local board advocates working with the Metro Park Sport Working Group comprising representatives from Hibiscus Coast Hockey, Hibiscus Coast Cricket and Hibiscus Coast Athletics.

### Māori impact statement

21. There is no change in the activities proposed to be undertaken on the land. As a component of the resource application, a site visit was undertaken on 27 June 2014 with the Kaumatua for Manuhiri Kaitiaki Charitable Trust. A Kaitiaki Assessment Report was subsequently prepared for the proposed works. The report concluded that the works would not require further involvement by Ngati Manuhiri, being satisfied that there was no cause for concern with regard to the particular application. The notes contained within the Kaitiaki Report set out the action required with respect to a previously unrecorded midden deposit on the site (Attachment E).

## Implementation

22. Subject to the Hibiscus and Bays Local Board approval to the addendum to the existing agreement to lease (and new lease area to the subsequent community lease), council staff will prepare the necessary deeds. The Head of Stakeholder and Land Advisory Unit, Community Facilities Department, will execute the documentation on behalf of council. There is no direct cost to council involved in this process.

## Attachments

There are no attachments for this report. **OR**

No.	Title	Page
A	Final detailed plans for Hibiscus Hockey Trust	Infocouncil inserts in agenda
B	Map showing additional land required to complete one full and one half hockey turfs	Infocouncil inserts in agenda
C	Copy Resolution from Hibiscus and Bays Local Board Meeting 19 November 2014	
D	Land parcels at Metro Park East	
E	Copy Kaitaki Assessment Report	

## Signatories

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