

Attachment D – Henderson-Massey Local Board resolution HM/2018/29 dated 20 March 2018

## For Action

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**MEMO TO:** Michelle Knudsen

**COPY TO:**

**FROM:** Busola Martins - Local Board Democracy Advisor (West)

**DATE:** 22 March 2018

**MEETING:** Henderson-Massey Local Board Meeting of 20/03/2018

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Please note for your action / information the following decision arising from the meeting named above:

**HM/2018/29**                      **Classification of a portion of land located at Henderson Valley Park, grant an agreement to lease, new community lease and non-exclusive licence to occupy to West Auckland Riding For The Disabled Association Incorporated, Henderson Valley Park, 2...**  
CP2018/02370

**FILE REF**

18

**AGENDA ITEM NO.**

**18      Classification of a portion of land located at Henderson Valley Park, grant an agreement to lease, new community lease and non-exclusive licence to occupy to West Auckland Riding For The Disabled Association Incorporated, Henderson Valley Park, 201A Henderson Valley Road, Henderson**

Resolution number HM/2018/29

MOVED by Member V Neeson, seconded by Member B Brady:

**That the Henderson-Massey Local Board :**

- a) **classify Part Lot 3 DP 92358 as a recreation reserve pursuant to Section 16 (2A) of the Reserves Act 1977 (Attachment A).**
- b) **grant an agreement to lease to RDA on the terms set out in (c) below and grant a non-exclusive licence to occupy to RDA on the terms set out in (d) below, both of which are to be conditional on RDA satisfying the following conditions:**
  - i) **RDA securing all necessary funding and intent from suppliers for the proposed new indoor riding facility;**
  - ii) **RDA obtaining all regulatory consents for the proposed new indoor riding facility;**
  - iii) **RDA obtaining landowner approval for its proposed new indoor**

- riding facility;
- iv) HVPC agreeing to surrender its current lease at Henderson Valley Park to enable the surrendered area to be leased to RDA by 31 January 2020 or HVPC's current lease at Henderson Valley Park expiring 31 January 2020;
  - v) The conditions are to be satisfied by dates to be determined by Council as reasonable and in any event no later than 28 February 2023. Such agreement to lease, deed of lease and non-exclusive licence to occupy to be on the forms prepared by Auckland Council and compliant with all other terms and conditions of the Reserves Act 1977 and the Auckland Council Community Occupancy Guidelines 2012.
- c) grant a new community lease to RDA for part of Henderson Valley Park, 201A Henderson Valley Road, Henderson (Attachment B) on the following terms and conditions:-
- i) term – 10 years with one right of renewal for a period of 10 years commencing on the date of practical completion and issue of code compliance certificate for the proposed new riding facility;
  - ii) rent - \$1.00 plus GST per annum if requested;
  - iii) the approved RDA Community Outcomes Plan to be attached to the lease document (Attachment C).
- d) grant a new non-exclusive licence to occupy to RDA for part Lot 5 DP 8632 and Part Lot 3 DP 92358 (Attachment D), Henderson Valley Park, Henderson on the following terms and conditions:-
- i) term – 10 years with one right of renewal for a period of 10 years commencing on the date of practical completion and issue of code compliance certificate for its proposed new facility;
  - ii) licence fee - \$1.00 plus GST per annum, if requested.
- e) agree that if HVPC remains holding over its leased premises at Henderson Valley Park under its current lease beyond 31 January 2020 then officers are authorised to give notice to terminate that holding over at a time necessary to implement the above lease and licence to RDA.
- f) thank Henderson Valley Pony Club Incorporated (HVPC), West Auckland Riding For The Disabled Association (RDA), Linda Smith, Nick Harris and Michelle Knudsen for their work.

**CARRIED**

**SPECIFIC ACTIONS REQUIRED:**

For your action/information.