

16.10: BACHES ON LEGAL ROAD RESERVES

Source: Council 26/1/05

1. That Council rescind the resolution of 24 October 2002 requiring mandatory leases for the retention of baches on Council owned road reserve.
2. That Council requires owners of baches on Council owned legal road to enter into a licence to occupy.
3. That the licence to occupy include an assignable but non-renewable 15 year term expiring on 1 September 2020.
4. That Council allows bach owners, at their cost, to seek a road closure and freeholding of their property during the term of the licence to occupy.
5. That at the termination of the 15 year term of the licence to occupy bach owners are entitled to no compensation and must remove any improvements within one month of the end of term ie 1 October 2020.
6. That the licence to occupy includes such other terms as advised by Council's legal advisers.
7. That the rental for the licence to occupy be 2.5% of the rateable land value as ascertained by Quotable Value.
8. That during the term of the licence to occupy the rental be reviewed at three yearly intervals in line with Council's policy on licences to occupy and leases.
9. That the rental be established over the area of occupation. The area will be as agreed between Council and the bach owners over the next six months.
10. That Council assist bach owners endeavours to freehold the area of occupation agreed to.
11. That Council engage with the bach owners and ascertain whether they would be prepared to combine and have the Council facilitate freeholding at the cost of the bach owners.
12. That if a licence to occupy is not entered into by bach owners by 1 September 2005 that Council require the removal of baches by 1 October 2005.

16.11 FREEHOLDING OF LEASEHOLD SECTIONS

Source: Corporate Services 10/9/92, p.2., R5/16, S3/26

1. Where Council permits freeholding all current and future lessees be permitted to acquire the fee simple of the lands comprised in their respective leases upon payment of a sum fixed by the Council's

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valuation provider in a special valuation made as at the date the lessee's written application to freehold is received in the Council Office. Such valuation to be of the land value of the land (as defined in the valuation of Land Act 1951) less an allowance as fixed by the Valuer for such improvements as are shown to his satisfaction to have been made on the land by the lessee or his predecessor in title and which are excluded from the definition of "Improvements" in the said Act by the Second proviso thereto plus GST (if applicable);

2. That applicants for freeholding be required to pay the costs of the valuation and transfer;
3. That where requisite all such freeholding be subject to the consent of the Minister of Local Government or any other consent required by law;
4. That all future leases or renewals of present leases contain a right to freehold in the foregoing terms; and
5. That upon payment of the amount of the valuation and any balance due of the valuation and legal costs the rent payable under the lease shall be apportioned as at the date of payment and a refund made to the applicant of rent paid in advance.

16.12 RENTALS OF COUNCIL'S PARKS AND RESERVES AND AMENITIES

Source: Operations 13/10/94, item 4.7, page 7.

1. That full and fair rentals should be assessed for all Council properties based on valuation reports or a periodic determination by the relevant Council Committee.
2. Any deviation from the fixed rental must be covered by a grant.
3. That the Communities Committee are the appropriate authority to decide on grants and donations.

16.15 CEMETERY OROWAITI - RETURNED SERVICES PERSONNEL

Source: Operations 7/6/95

That in recognition of the Returned Services personnel war contribution and service to their country, the Council only charge an interment fee for the burial of Returned Services personnel in Council operated cemeteries.

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