

# Memo



DATE: 11 August 2010  
TO: Mayor and Councillors  
FROM: Chief Executive Officer

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## Westland Wilderness Trust

The Westland Nature Trust Deed has been amended to enable the Trust to be the vehicle to manage and operate the Westland Wilderness Cycle Trail. To enable the amended Trust Deed to be adopted, and the charitable status of the Trust to be confirmed, it is necessary for Council to appoint 6 new Trustees to the Westland Wilderness Trust.

A schedule of recommended Trustees will be provided in the *"Public Excluded Section"* of the meeting for consideration of Council. Once the Trustees are appointed, the amended Trust Deed can be adopted by the Westland Wilderness Trust.

Robin Reeves  
Chief Executive Officer

File

LN03.1

Ian Harrison  
128 Brickfield Road  
HOKITIKA  
New Zealand  
Phone/Fax: (03) 755 7640  
Mobile 021939066  
Email: [ianjharrison@extra.co.nz](mailto:ianjharrison@extra.co.nz)

CEO	HWM	MPR	MO	MAC	MF	MPA	CSO	ENG	Info
									0
									✓

August 2nd 2010

Westland District Council

Attn Peter Oliver

Re 238 Sewell Street

Dear Peter

RECEIVED  
- 3 AUG 2010  
BY:

Following a recent discussion with you I would like to start the process of free holding the council lease land at 238 Sewell Street, Hokitika.

My understanding from a past transaction of this nature is that the Westland District Council is keen to facilitate and accommodate free holding of long term lease agreements.

In line with similar arrangements with both Buller and Greymouth, who are encouraging the free holding of leased land, I would like to make an offer of Forty Eight thousand dollars. (\$48000).

This figure is 2/3rds of the 2008 district land valuation of \$72000 and a similar offer to the previous arrangement that I had with the council on a Tudor street property in the past.

I am available at any time to discuss this offer in person if this is required.

Yours sincerely  
Ian Harrison



# Memo



DATE: 11 August 2010  
TO: Mayor and Councillors  
FROM: Manager Operations

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## Freeholding of 238 Sewell Street, Hokitika

Ian Harrison has applied to Council to freehold a Council leasehold property he has just purchased at 238 Sewell Street, Hokitika.

QV has put the unimproved freehold value at \$95,000.00. Mr Harrison has offered \$48,000.00 being approximately two thirds of the current GV (2008) of \$71,000.00.

In his letter, Mr Harrison refers to Grey and Buller as encouraging sales such as these. Buller are currently offering (in an effort to raise some quick cash) 20% off the current market value and Grey were up until recently, offering land at 2006 valuations. This is no longer on offer.

The Tudor Street property he refers to is 99 Tudor Street which he purchased from the Council in 2003 for 70% of the GV (see attached resolution). This was under totally different circumstances and not really applicable in today's market.

The Council's Investment Policy states that any sale of Council land for an amount less than a valuation by a registered valuer, carried out within the previous six months, must be approved by resolution of Council.

R J Daniel  
Manager Operations

File Ref: LND 3.1

21 June 2010

J P & I R Harrison  
128 Brickfield Road  
RD 2  
Hokitika

Dear Mr and Mrs Harrison

**238 SEWELL STREET, HOKITIKA**

The annual rental on your property at 238 Sewell Street, Hokitika has been reviewed in accordance with the 5 yearly review specified in the lease.

The review date was 20 January 2009. The review was overlooked at that time, however, our valuer was instructed that the lease was to be reviewed in terms of the value as at 20 January 2009.

The new annual rental has been set at \$4200.00 with the first payment of \$2100.00 due on the 20<sup>th</sup> July 2010.

I have enclosed a copy of the valuation for your information. The valuer was instructed at the same time to supply an unimproved value for freeholding purposes in case you wish to go down this path. If you do wish to freehold the property, Council would arrange for an unencumbered title to issue.

Sincerely,

**Peter Oliver**  
**IT Officer**

Attachment

PO/DM

**Copy to Cashier/Debtors Clerk**

- 8 MAR 2010

QV VALUATIONS HOKITIKA  
51 TANCRED STREET, PO BOX 109, HOKITIKA, NEW ZEALAND  
PHONE (03) 755 8685, FAX (03) 755 8686, FREEPHONE 0800 16 44 44

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LND 3,1

CEO	HWM	MPR	MO	MAC	MF	MPA	CSO	ENG	TC
									✓

**VALUATION OF THE  
FAIR ANNUAL RENT  
OF THE LAND AND VALUATION FOR  
FREEHOLDING  
238 SEWELL STREET  
HOKITIKA**

**LESSEE:**

THE NEW ZEALAND GUARDIAN TRUST COMPANY LIMITED

**EFFECTIVE DATE:**

20 JANUARY 2009

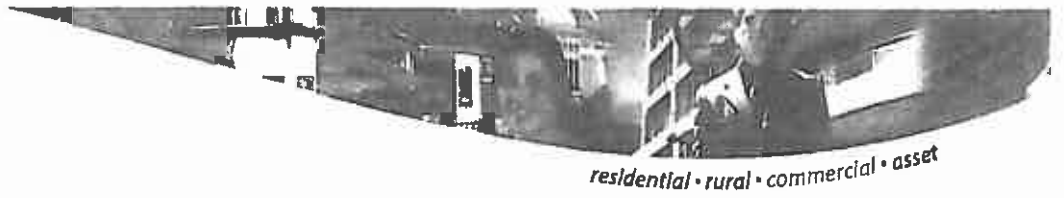
**FAIR ANNUAL RENT RECOMMENDATION:**

\$4,200 PER ANNUM

**UNIMPROVED VALUE FOR FREEHOLDING:**

\$95,000 AS AT 2 MARCH 2010

(This cover sheet is to read in conjunction with the attached report)



QV VALUATIONS HOKITIKA  
51 TANCRED STREET, PO BOX 109, HOKITIKA, NEW ZEALAND  
PHONE (03) 755 8685, FAX (03) 755 8686, FREEPHONE 0800 16 44 44

Our Ref: 25860/300 (275192)

3 March 2010

The Manager  
Westland District Council  
Private Bag 704  
HOKITIKA

Attention: Peter Oliver

**VALUATION OF THE FAIR ANNUAL RENT OF THE LAND AT  
232 SEWELL STREET, HOKITIKA**

I refer to instructions requesting a review of the fair annual rent of the land under Section 22 of the Public Bodies Leases Act (the Act) for the property described below.

An inspection of the property has been undertaken with the valuation effective for the review of rent as at 20 January 2009.

The purpose of this report is to provide a valuation of the fair annual rent for this property taking into account the terms and conditions of the lease.

An unimproved value for freeholding purposes has been assessed at the date of inspection, namely 2 March 2010.

This valuation has been prepared for the client to whom it is addressed, and no other party should rely upon this report, without reference to Quotable Value Limited.

We have made no survey of the property or its boundaries, and assume no responsibility in connection with such matters.

Our report, which has been prepared for rent review purposes, is as follows:



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## PROPERTY SUMMARY

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<b>Property address</b>	238 Sewell Street, Hokitika
<b>Owner / Lessor</b>	Westland District Council
<b>Occupiers / Lessee's</b>	Edith Audrey Cameron – The New Zealand Guardian Trust Company
<b>Legal description</b>	Reserve 486, Town of Hokitika
<b>Computer Register</b>	WS2C/172 Westland Land Registry.- Limited as to Parcels. This is the freehold title owned by the Westland District Council with a registered lease and leasehold title (146419)
<b>Land area</b>	809 square metres
<b>Lease Details</b>	The lease is for a period of 21 years from and including 20 January 2004 with provision for a review of rent every five years. The current rental of \$955 per annum was set in 2004 and was due for review in January 2009. There is a right to renew the lease upon expiry.
<b>Description of Land</b>	This is a regular shaped residential site on the eastern side of Sewell Street, towards the northern end of the Hokitika Township. Frontage is 20.12 metres with an average depth of 40 metres. The front of the site is level rising slightly towards the rear boundary. Although 'Limited as to Parcels' the buildings are clearly within the site with no apparent encroachments.



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**FAIR ANNUAL RENT RECOMMENDATION**

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*As at 20 January 2009:*

**\$4,200.00 (Four Thousand Two Hundred Dollars)**

per annum inclusive of GST

**UNIMPROVED VALUE FOR FREEHOLDING**

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*As at 2 March 2010:*

**\$95,000.00 (Ninety Five Thousand Dollars)**

per annum inclusive of GST

The valuation assumes that an unencumbered freehold title would be issued. As the current title is 'Limited as to Parcels', a full resurvey would be required with additional legal costs. It is expected that the Westland District Council would bear the costs of this process.

**GENERAL COMMENTS:**

Schedule 1 clause 3 of the Public Bodies Leases Act 1969 which states:

“In making the said valuation no account shall be taken of the value of the following improvements, and inserts the words: Buildings and fences”.

We have interpreted that this clause is to be read as:

In making the said valuation no account shall be taken of the value of ANY improvements.

In essence the rental is based on the Unimproved Land. Unimproved Value is not defined in any act but described in a prominent valuation text as follows:

*The unimproved value of the land disregards the actual improvements on the land valued, not other improvements extrinsic to the boundaries of the property. The land is to be valued in the context of its current surroundings at the date of valuation, as if the subject land was being notionally (if it is not actually) vacant without improvements. This requires current market demand and supply, road services, railways, bridges, other nearby buildings and utilities on other land to be in their actual condition as at the date of valuation.*

*Extract from (Urban Valuation in New Zealand Volume 1, Rodney L Jefferies)*

We have based our valuation of the fair annual rent on analysed recent sales and rental information.



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**DISTRICT PLAN:**

The property is within the Hokitika Policy unit of the Operative Westland District Resource Management Plan and zoned Residential Mixed. This zoning allows as a permitted activity residential, recreational or agricultural activities which complies with the standards for permitted activities for the zone. It also has as permitted activities commercial or industrial activity performed entirely within a dwelling or building accessory to a dwelling by one or more members of the household residing permanently on the site. Dwellings are permitted on allotments with a minimum area of 300m<sup>2</sup>. The Residential Mixed zone allows a wide range of activities to potentially locate in the zone. However the primary intention is to retain the character and integrity of the existing residential area and therefore residential activities are encouraged, and other activities should, in most cases, be related to a residential activity on the same site.

**LOCALITY:**

Established residential location with the property located on the east side of Sewell Street 55 metres north of the intersection with Spencer Street.

Railway lines run past the rear boundary with the Hokitika beach within walking distance of the property. The central business area is located within 1.5 kilometres of the subject property.

Hokitika is the principal service centre for the Westland District. Current population is close to 3,500 people, with the main employment created from the dairy industry and tourism.

The town centre provides general shopping, legal and banking facilities with industrial areas on the eastern and northern boundaries. Westland District Council offices are situated close to the centre of the town. A range of preschools and primary schooling is available with Westland High offering secondary schooling. Community, sporting and social needs are well catered for within the township.

**SALES EVIDENCE:**

In order to establish the market value of the land under consideration we have in accordance with normal valuation practice considered market sales.

Location	Sale Date	Sale Price	Area – m <sup>2</sup>
72 Hoffman Street	Dec 2009	\$85,000	360
75 Rolleston Street	Oct 2009	\$98,000	432
224 Revell Street	Mar 2009	\$89,000	663
54 Hampden Street	Nov 2008	\$120,000	607
12 Alpine View	May 2009	\$115,000	627



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## **VALUATION CONDITIONS:**

### **Structural survey**

This report is not a building, environmental, geotechnical or boundary survey and no responsibility is taken for the omission of building or other defects which may not be apparent without such surveys including "Leaky Building Syndrome". All plumbing and wiring, fittings and devices are assumed to be in proper working condition unless stated otherwise, and to conform to current building codes and bylaws. Any heating installations, which do not conform to current codes and/or bylaws, have been valued accordingly.

### **Property services**

In preparing this report and unless stated, services to the property have not been tested, and are assumed to be in proper working condition i.e. water supply, power, phone supply, wastewater and stormwater disposal systems and other services.

### **Land information memorandum**

Our valuation is made on the basis that there is no outstanding requisition from the Local Authority in respect of the land or improvements and that the property complies with both the Building and Resource Managements Acts. Should this not prove to be the case we reserve the right to reconsider the assessed valuation.

### **Information supplied by other parties**

Where it is stated in the report that information has been supplied to us by another party, this information is believed to be reliable but we can accept no responsibility if this should prove not to be so. Where information is given without being attributed directly to another party, this information has been obtained by our search of records and examination of documents or by enquiry from Government or other appropriate departments.

### **Land survey**

We have made no survey of the property and unless otherwise stated assume that all improvements lie within the title boundaries. No guarantee is given that the land is not subject to statutory rights not recorded on the relevant Computer Register and not apparent from normal inspection of the property. We assume no responsibility in connection with such foregoing matters.

### **Lease details**

Where a property is leased, this report records the nature of the information supplied. That information has been accepted and relied upon at face value. It has been assumed that the information supplied is complete and accurate, and that the lease is fully enforceable.



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### **Noxious substances/Contaminated sites**

Substances such as asbestos, other chemicals, toxic waste or other potentially hazardous materials, could if present, adversely affect the value of the property. The stated value is based on the assumption that there is no material on or in the property that would cause loss in value. No responsibility is assumed for any such conditions and the recipient of this report is advised that the valuer is not qualified to detect such substances, quantify the impact, or estimate the remedial cost. No historical search of land use has been made.

### **Professional indemnity insurance**

We certify that Quotable Value holds current professional negligence insurance for an amount not less than the subject valuation.

### **Confidentiality and limitation of liability**

This valuation has been completed for the purpose stated. No responsibility is accepted in the event that this report is used for any other purpose or by any other party than to whom it is addressed. The valuer does not disclaim any duty of care to the party relying on this report as named, or to any other party who may rely on it who can be reasonably known to rely on it due to a relationship with the party named.

### **Publication**

Neither the whole nor any part of this valuation or any reference thereto may be included in any document, circular or statement without our approval of the form and context in which it will appear.

### **Compliance Statement (International Valuation Standards)**

- The statements of fact presented in the report are correct to the best of Valuer's knowledge;
- the analyses and conclusions are limited only by the reported assumptions and conditions;
- the Valuer has no interest in the subject property;
- the Valuer's fee is not contingent upon any aspect of the report;
- the valuation was performed in accordance with an ethical code and performance standards;
- the Valuer has satisfied professional education requirements;
- the Valuer has experience in the location and category of the property being valued;
- the Valuer has made a personal inspection of the property; and
- no one, except those specified in the report, has provided professional assistance in preparing the report;
-



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Thank you for the opportunity to provide valuation services. This report was carried out by David Shaw. David has been valuing since 1984, he has the qualifications and experience to carry out a valuation of this nature. This valuation report has been completed in accordance with the New Zealand Institute of Valuers (NZIV) and Property Institute of New Zealand (PINZ) Code of Ethics, and Valuation Standards.

Please do not hesitate to contact me should you require any further assistance or clarification.

Yours faithfully  
QV Valuations

**David J Shaw**  
**REGISTERED VALUER**  
NZIV, MPINZ  
Holding an Annual Practising Certificate





<u>017:</u> Uniform Charge - Waste Management	Fixed \$	1.00	51.40	\$ 51.40
<u>111:</u> General Rate - Hokitika Res I	Land Value	71000.00	0.89617	\$ 636.20
<u>134:</u> Waste Management Rate - Urban	Capital Value	220000.00	0.02148	\$ 47.20
<u>135:</u> Refuse Collection Charge - Hokitika Residential	Fixed \$	1.00	128.10	\$ 128.10
<u>141:</u> Water Charge - Hokitika Domestic	Fixed \$	1.00	217.30	\$ 217.30
<u>145:</u> Sewerage Charge - Hokitika	Fixed \$	1.00	160.10	\$ 160.10
<b>Total Rates Levied</b>				<b>\$ 1,590.30</b>
(GST on Rates Levied)				\$ 199.87
<b>Rates Last Year</b>				<b>\$ 1,476.30</b>
<b>Last Years Final Instalment</b>				<b>\$ 369.10</b>

<b>FINANCIAL (Transactions)</b>			
<b>Year Opening:</b>	\$ 0.00	<b>Prev Years' Arrears:</b>	\$ 0.00
<b>Current Instalment (1):</b>	\$ 391.00	<b>Current Due:</b>	\$ 391.00
		(GST on Instalment):	\$ 43.44
		(Maximum Discount):	\$ 65.10-
<b>Balance (Nett):</b>	<b>\$ 391.00</b>	<b>Clearance (Nett):</b>	<b>\$ 1,525.20</b>
		<b>Rates Uncharged:</b>	<b>\$ 1,199.30</b>
Instalment 1: 1/07/10	Penalty: 31/08/10	Discount: 31/08/10	
Instalment 2: 1/10/10	Penalty: 30/11/10	Discount: 31/08/10	\$ 399.70
Instalment 3: 1/01/11	Penalty: 28/02/11	Discount: 31/08/10	\$ 399.80
Instalment 4: 1/04/11	Penalty: 31/05/11	Discount: 31/08/10	\$ 399.80

<b>ASSOCIATED ACCOUNTS (0225)</b>			
<b>Ledger</b>	<b>Account</b>	<b>Description</b>	<b>Balance</b>
Rating	<u>2576006100</u>	35 Pine Tree Road, Kanieri	840.20
Rating	<u>2577002801</u>	Woodstock	130.50
Rating	<u>2577003100</u>	Arthurstown	70.90
Rating	<u>2577003400</u>	S Hway 6 Woodstock	2.40
Rating	<u>2577008601</u>	Seddon Terrace Road, Rimu	42.30
Rating	<u>2577008604</u>	Seddon Terrace Road, Rimu	33.80
Rating	<u>2577008605</u>	Seddon Terrace Road, Rimu	139.30
Rating	<u>2577008803</u>	Back Creek Road, Woodstock	234.00
Rating	<u>2577008804</u>	Back Creek Road, Woodstock	58.90
Rating	<u>2586000300</u>	238 Sewell Street, Hokitika	391.00
Rating	<u>2586007500</u>	198 Revell Street, Hokitika	3139.70-
Rating	<u>2586014300</u>	131 Sewell Street, Hokitika	539.90
	<b>Total</b>		<b>\$ 656.50-</b>

HISTORY				
Year	Land Value	Capital Value	Annual Rates	Postponed
2009/10	\$ 71,000	\$ 220,000	\$ 1,476.30	
2008/09	\$ 52,000	\$ 200,000	\$ 1,338.20	
2007/08	\$ 52,000	\$ 200,000	\$ 1,248.00	
2006/07	\$ 52,000	\$ 200,000	\$ 1,211.80	
2005/06	\$ 13,000	\$ 87,000	\$ 1,131.85	
2004/05	\$ 13,000	\$ 87,000	\$ 1,053.40	
2003/04	\$ 13,000	\$ 87,000	\$ 947.85	
2002/03	\$ 14,500	\$ 97,000	\$ 958.80	
2001/02	\$ 14,500	\$ 97,000	\$ 883.65	
2000/01	\$ 14,500	\$ 97,000	\$ 901.65	

**Val-1:** 1248.00 **Rep-1:** 5  
**Val-2:** 1338.20  
**Val-3:** 1476.30 **Rep-3:** Y 2007/08 Inst-02 Rubbish Insert  
**Val-4:** 104.70  
**Val-5:** 42.20  
**Val-6:** 376.20  
**Val-8:** 203.50  
**Val-9:** 143.00

**Rem-1:** WESTLAND DISTRICT COUNCIL

**Rem-9:** NZ INSURANCE CO LTD

**Rem-10:** C/- N Z GUARDIAN TRUST

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 Designed by: NCSWebTeam



Extract from Council Minutes – 12 September 2002

**“4.3.2 Ian Harrison – offer of \$10,000.00 (no GST applicable) to freehold Lot 26 DP 737, 91 Tudor Street, Hokitika.**

Mr Ian Harrison has offered \$10,000 (no GST applicable) to freehold Lot 26 DP 737, 91 Tudor Street, Hokitika which he currently leases from Council for \$10,000.

Moved by Councillor Cook, seconded by Councillor Jones and Resolved that Council agree to selling Lot 26 DP 737 to Mr Harrison at 70% of QV’s valuation of \$15,000 (i.e. \$10,500).”

# Memo

WESTLAND

DATE: 11 August 2010  
TO: Mayor and Councillors  
FROM: Manager Finance

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## Westland District Property Limited - Schedule 3 - Strategic Assets Proposed for Transfer at the Review of the LTCCP 2012-2022

The transfer of Council assets and management rights to the property company was intended to be done in a single portfolio with one transfer. However, the Local Government Act 2002 (LGA 2002) has necessitated a progressive transfer since some of the properties are recognised as strategic assets in Council's Long Term Council Community Plan (LTCCP). A transfer of strategic assets would have triggered a time intensive and expensive LTCCP amendment, along with an audit.

As a result, a third schedule has been drawn up to signal Council's intention to transfer the remaining strategic assets once the appropriate processes are completed in 2012.

This schedule will be circulated to Councillors prior to the Council meeting.

### Recommendation:

*That the list of properties in Schedule 3 be approved for transfer following the review of the LTCCP in 2012.*

Quecha Horning  
Manager Finance

LND 5.4

RECEIVED  
22 JUL 2010  
BY: \_\_\_\_\_

Paul Sinclair  
Island Hill Ltd  
Promoter of The Turiwhate Ecological Island Sanctuary  
3 West Drive  
Three Mile  
RD2 HOKITIKA 7882

03 755 6004 office  
03 755 6003 home/fax  
027 246 0266  
Skype: Kawhakakid  
pscl@clear.net.nz  
sincpaul@clear.net.nz  
[bit.ly/TuriwhateIsland](http://bit.ly/TuriwhateIsland)

20 July 2010

Westland District Council  
Private Bag 704  
Hokitika 7842

CEO	HWM	MPR	MO	MAC	MF	MPA	CSO	ENG
			<i>[Signature]</i>					

→ COUNCIL  
AGENDA  
AUGUST '10

Dear Sir

I am approaching the WDC to consider closing the legal road around the creek frontage of RS 3060 Lot 2 and Kawhaka Creek. Please see attached plan.

Much of this legal road has been washed away in the 140 years since the Waimea Dam was built across the Kawhaka creek, a chain below my eastern boundary.

The dam was built to supply water to the Waimea goldfields at Goldsbrough and Stafford.

It has breached in its centre and the gravels it has impeded, and used in its construction, have now filled the natural creek bed downstream. This has forced the creek to flow through the road reserve and freehold property. As all the adjoining land to the freehold titles is in Department of Conservation title and I am the only user via easement to this title I see no reason to keep this road reserve open on paper.

The Westland Wilderness Trail is not affected by this road closure as it will continue from the end of my easements between titles RS 6327 and Lot2 RS3060, on the foundation of Malfroy's Tram on the true left (the northern side) of Kawhaka Creek.

As I plan to lease, long term to a trust, as much as is physically possible of the freehold titles within a predator proof fence and I am hoping the WDC may consider gifting the road reserve to its Westland Wilderness Trust if it feels it is a good cause.

I am enclosing a copy of a letter to the West Coast Regional Council that outlines the Resource Consents I am applying for, for development of the property at Kawhaka.

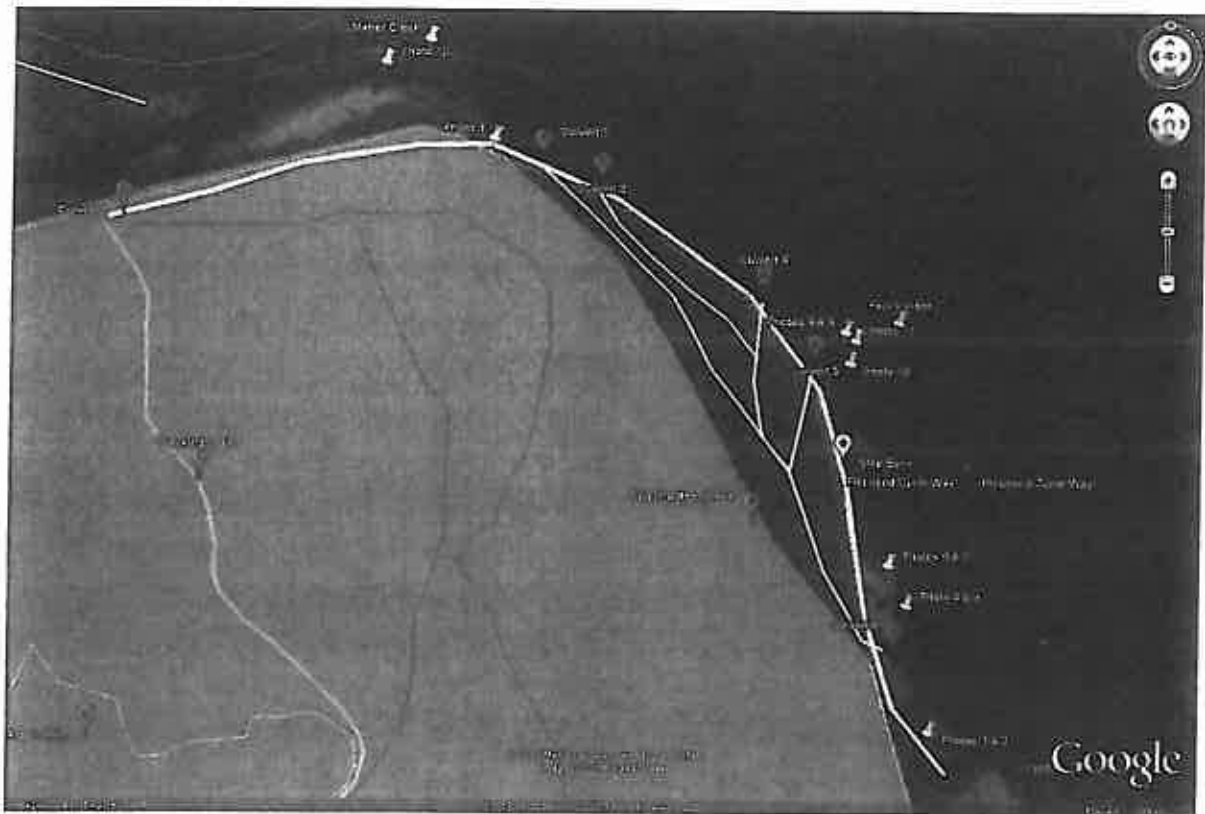
\* NOT  
INCLUDED  
WITH  
AGENDA  
ITEM

I am also seeking consents from the District Council for this development. To enable development work to commence when the cycleway is formed, this work needs to be completed at the same time as it will be near impossible to do when the cycle way is in place. This work involves up grading road and tracking and creating a welcome stopover on

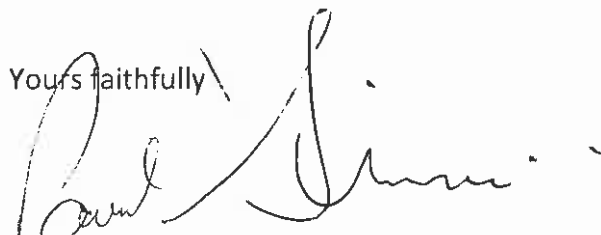
the cycle way route. My plan is to make this an attractive site to encourage those cycling or others walking to stop.

Options for a Cafe, shop, over night accommodation, hot tubs, sauna, bar and natural and historic tours of the surrounding property are all possible developments.

Much of the natural vegetation still stands on the freehold titles and ring fencing most of it will keep out the predators from the adjoining land owners, enabling the natural ecosystem to revive and the domestic stock I intend to raise organically, to not be exposed to TB and the like.



Yours faithfully,



Paul Sinclair



**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952**



**Search Copy**

R. W. Muir  
Registrar-General  
of Land

**Identifier** **WS5D/470**  
**Land Registration District** **Westland**  
**Date Issued** 12 November 1990

**Prior References**  
WS1A/428                      WS5D/345

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**Estate**                      Fee Simple  
**Area**                        47.2600 hectares more or less  
**Legal Description** Lot 2 Deposited Plan 2616 and Rural  
Section 6327

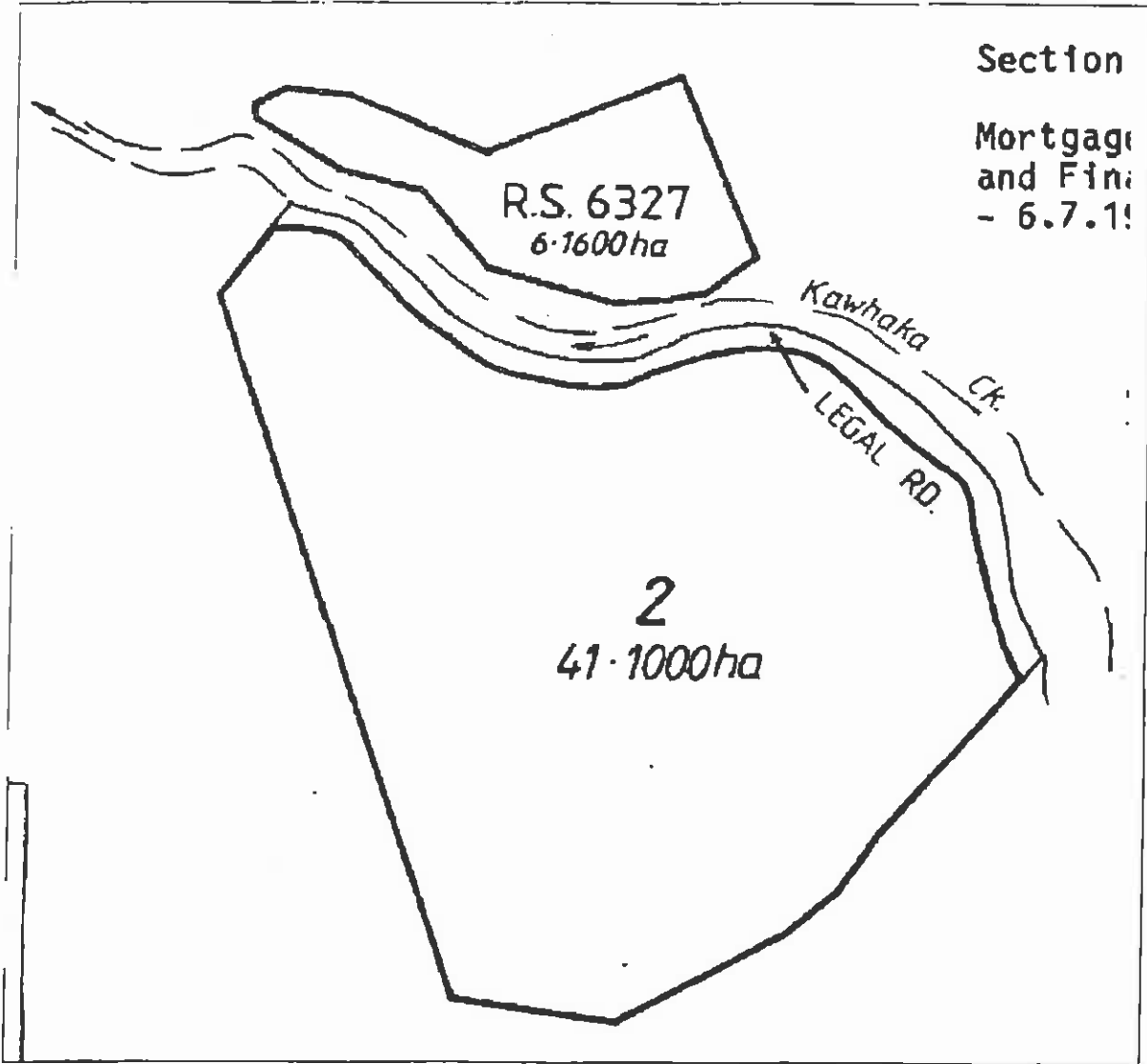
**Proprietors**  
Paul Raymond Sinclair and Yvonne Annette Sinclair

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**Interests**  
Subject to Section 315 Land Act 1924 (affects Part formerly in CT WS1A/428)  
Appurtenant hereto is rights of way created by Deed of Easement 8A/1166 - 6.9.1993 at 11.00 am  
Appurtenant hereto are rights of way created by Deed of Easement 8B/1221 - 1.7.1996 at 11.00 am  
108791.1 Mortgage to ASB Bank Limited - 8.12.1997 at 11.00 am

Identifier

WS5D/470



Section

Mortgage  
and Fini  
- 6.7.1!

