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Report 00.586

1 August 2000

File: Y/3/2/2/0

Report to Rural Services and Wairarapa Committee
from Colin Wright, Divisional Manager, Wairarapa

Section 230 Resolution – Surplus House, Stoney Creek

1. Purpose

To declare a house at the Stoney Creek Soil Conservation Reserve surplus to requirements so that the property may be sold.

2. Background

In 1989 the Regional Council purchased Stoney Creek Station for soil conservation and forestry purposes. The property had previously been for sale on the open market for some years. Included as part of the purchase was the main farmhouse plus four farm workers houses.

The Policy Statement adopted by Council (Minute 320, March 1991) included provision for the sale of houses not required for the long-term management of the project. In 1994 four of the five houses were subdivided off from the remainder of the property and given their own separate titles. Three of these houses were declared surplus to requirements at that time and subsequently sold on the open market.

3. Current Situation

The fourth house is now considered surplus to requirements and it can therefore be sold.

Section 230 of the Local Government Act requires public notice to be given at least fourteen clear days beforehand of the Council's intention to consider a resolution to sell property. This notice has been prepared and will be published in sufficient time prior to the Council considering the recommendation below at its meeting on 19 September.

The requirements of Section 40 of the Public Works Act 1981 must also be satisfied. This section requires that the land must be offered for sale to the person from whom it was originally acquired except where it would be impracticable, unreasonable or unfair to do so, or where there has been a significant change in the character of the land. In this instance it is believed there has been a significant change in the character of the

original land. The original purchase was of a 2,200 hectare property along with associated farm buildings. The property now intended to be sold, consists of one small house plus the immediately surrounding land of about 0.2 hectares. Therefore it is considered that Section 40 of the Public Works Act does not apply.

The house is currently let to a person who assists staff from time to time and generally tends to act as an unofficial caretaker for the Stoney Creek soil conservation and forestry area. This tenant is interested in purchasing the property and there would be advantages to the Council if they remained in the locality. Hence it is proposed to firstly offer the property to the existing tenant at a fair market price as determined by a registered valuer. Failing a sale in this manner, the property would then be placed on the open market.

4. Communications

There are no communication initiatives arising from this transaction.

5. Recommendation

That the Committee recommends to Council:

- (1) That pursuant to Section 230 of the Local Government Act, Council resolve that the land contained in Certificate of Title, Volume 43D, Folio 44, being Lot 4, DP 77392, be declared surplus to requirements and therefore available for sale.*
- (2) That subject to recommendation (1) being approved and pursuant to the requirements of Section 40 of the Public Works Act 1981, the property be first offered for sale to the current tenant at its assessed current market value and, failing a suitable sale to the current tenant, then be offered for sale on the open market.*
- (3) That the Council's Common Seal be affixed to the necessary documents to achieve the sale.*

Colin Wright
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