

Classification of Reserve - Pauanui Amenity Building Land

TO	Thames-Coromandel District Council
FROM	Jan McNeil - Property Officer
DATE	19 April 2018
SUBJECT	Classification of Reserve - Pauanui Amenity Building Land

1 Purpose of Report

To recommend to Council to approve the classification of land, legally described as Lot 1687 DPS72129 and Lot 1688 DPS72129 located at 21 and 23 Centreway, Pauanui, as Local Purpose (Community Centre) Reserve .

2 Background

Council acquired Lot 1688 DPS72129 comprised in SA58A/213 on 31 July 2009 and Lot 1687 DPS72129 comprised in SA58A/212 on 14 July 2014 (Land), shown as **Attachment A**.

A detailed business case, which noted the Land was to be declared reserve, was presented to Council by the Area Manager and approved at their meeting held 27 November 2013:

Resolved

That the Thames-Coromandel District Council:

1. *Receives the report.*
2. *Approves the Business case and funding for the Pauanui Amenity building project.*

Moved/Seconded By: Goudie/ Bartley

Unfortunately the resolution did not instruct staff to classify the Land as required by the Reserves Act 1977 (Act), to enable the Land to be deemed non-rateable.

On 26 August 2014 a certificate 982447.1, pursuant to s77 of the Building Act 2004, was recorded as an interest affecting both titles. This meant that prior to granting the building consent for the Pauanui Amenity Building, a restriction was registered on the titles to ensure Council could not transfer or lease either lot, except in conjunction with each other.

3 Issue

The land needs to be classified in accordance with the Act to enable it to be deemed non-rateable, therefore saving ratepayers the costs of the annual rate charges. It will however still be subject to targeted rates; wastewater, water and solid waste charges.

4 Discussion

Reserves Act

Section 23 of the Act provides for reserves to be classified local purpose for a specified purpose providing for and retaining the area for such local purpose as specified. Therefore given the Pauanui Amenity Building is for community use, it is suggested to classify the Land 'Local Purpose (Community Centre) Reserve'.

In accordance with the 'Instrument of Delegation for Territorial Authorities' Council has authority and the power to classify, under Section 16(1) of the Act, by Gazette notice, the Land for its primary purpose, as outlined above, being Local Purpose (Community Centre) Reserve.

Rates

Based on the 2017/18 rating year the total charge for the two lots was \$5,218.67. Once the land is classified reserve and deemed non-rateable, the targeted rates, being wastewater (three pans), water and solid waste, as advised by the Revenue Manager, will be as detailed in the table below;

Description	Factor	Rate	Amount
Wastewater	3	415.62	1,246.86
Water Serviced/metered	1	284.14	284.14
Solid Waste	1	118.75	118.75
		Total	\$1,649.75

Based on the 2017/18 rating year this represents an approximate saving of \$3,568.92 per annum.

Given the above, the following resolution is suggested.

5 Suggested Resolution(s)

That the Thames-Coromandel District Council:

1. Receives the report.
2. Approves the classification of Lot 1687 DPS72129 and Lot 1688 DPS72129 located at 21 and 23 Centreway, Pauanui 'Local Purpose (Community Centre) Reserve', in accordance with section 23 of the Reserve Act 1977.
3. Delegate to the Chief Executive and/or the Mayor to execute all necessary documents to classify the land.

References-Tabled/Agenda Attachments

Attachment A Map - Proposed Local Purpose (Community Centre) Reserve

Attachment A

[Attachment A - Map - Proposed Local Purpose \(Community Centre\) Reserve...](#)