



The Bowling Green



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Bowling Green

Every community has their local myths and Koitiata has its share, several relating to the Bowling Green. That block of land in Wainui street has been the subject of a variety of views and conjecture within our village, as to its status and access. It is said that one should never let the facts get in the way of a good myth, but this is history, so read on.

There are three sections in the Bowling Green, all on one title and all owned by Rangitikei District Council. The hall section is also on that same title, for convenience because all the sections have the same owner.

The unofficial name bestowed on the area came from a project which commenced in 1972, to create a bowling green. It was a well-intentioned project, but it never came to fruition. To enable that project, the Koitiata Community Council bestowed the designation of recreation reserve on that block of land. Since that projected use never eventuated, the land has just idled away its time at the beach as the Bowling Green.

That is, until a resident showed an interest in buying one of the Bowling Green sections in 1997. The documents accessible on following pages, include the communications between Koitiata Residents Committee and RDC that followed. In response to the advice from RDC on the sale enquiry, the community's myths and conjecture regarding ownership, access and usage were put to paper.

The community's concerns were responded to by RDC with legal advice from their lawyers. That document should have served to put to rest all the speculation that existed in the village regarding the status of the Bowling Green sections. Unfortunately, it appears the information was not widely distributed within the community. If it had been the myth would not have lasted another 20 years. So, the bowling green went back to just being at the beach, with its mythical landlocked status remaining.

The last document included is a copy of an email from RDC, 3rd February 2017, confirming that the status of the Bowling Green remains the same as it was in 1997. The maps on last page illustrate the location of the sections and Right-of-Way from Wainui street.

It was a good myth while it lasted!

These are extracts from documents which give an indication of the effort applied, and the difficulties they encountered in trying to turn the area into a bowling green.

1972 *Report of Meeting of Section Holders at Koitiata ... Saturday 22nd July 1972*

BOWLING GREEN: A vote was taken on the principle of establishing a bowling green and this was carried by 16 votes for and 9 against. The Engineer was asked to investigate sites with a local committee interested in the proposal.

1985 *Newsletter from Koitiata Community Council, September 1985*

Recreation. Two sections at the back of Mrs Rawcliffes residence in Wainui St, have been purchased by the Committee. It is proposed to use portion of these sections to provide a bowling green. The sections have been cleared of lupin and it is intended to level them in the near future.

1986 *Newsletter from Koitiata Community Council, August 1986*

Recreation Area. Three sections are being purchased by the Council to provide a recreation area in the settlement. The sections are at the back of ones in Papakai and Wainui Street and access to the sections is from a right of way between Mrs Rawcliffe and Miss Wainwrights property in Wainui St. It is the intention of the Council to level the sections and use portion of the area as an outdoor bowling green. The Council will be able to have the use of County machinery when the subdivision is completed, and the machinery will be used to level portion of the sections. Work on making a bowling green will probably extend over two or three years and will be the next major project.

1987 *Chairman's Report, Koitiata Community Council May 1987:*

Page1 RECREATION AREA.

Owing to the late levelling completed at the end of October, we never had a chance to put some dirt on top of the area to try and stop sand blow, so Massey College recommended we sow grass seed and keep it well watered. Unfortunately, the day after sowing, we struck a strong nor wester and we lost a lot of new seed. But with the continual watering some seed came up, and with the wet sand, stopped our sections finishing up on Wainui Street. At this point I must thank all those who helped with the watering. Bill Cornish for the use of his water bore and time, Ray Vicars for the loan of his water pump, Martin Pritchard for wiring up the power to the pump and installing a time switch. Special thanks must go to Arnold Nation for the loan of his sprinklers, alkathine pipe, and fittings.

During the watering, the half horsepower motor burnt out and Arnold at his own expense, brought us a new motor (approximately \$300.00), so the watering would not stop. Also we thank him for all the time he has spent watering and doing running repairs on the gear and with Eddie Ramsdales help sowing seed etc.

Page2 BOWLING GREEN AREA.

There will be a Meeting on Monday 1 June 1987 at 10 a.m. at the Koitiata Community Hall for all to discuss the viability and costs of any future development on the area. This concerns everybody, so please attend.

Red 9-5-97 1/4



Private Bag 1102
Marton
Telephone (06) 327-8174
Facsimile (06) 327-6970

In Reply please quote
this reference

30 April 1997

PR2-0003

Mrs J.L. Nation
Secretary
Koitiata Residents Committee
50 Wainui Street
Koitiata
RD 11
Wanganui

Dear Mrs Nation

Sale of Lot 61 DP 26092

During 1994 when I was Secretary of the Koitiata Residents Committee approval was given by the Community for Ms J. Steele to purchase Lot 61 on DP 26092. The Rangitikei District Council owns Lots 59-61 and 65 on DP 26092 and they are all on the same Certificate of Title, the Community Hall is one of these. I have attached a copy of the title and a location plan. At that time Ms Steele did not go ahead with the purchase due to a family bereavement.

The Koitiata Community Council designated Lots 59-61 and 65 as Recreation Reserve for the benefit of the Community. This means that even though the Council owns the freehold, the sections can only be used for recreational purposes. This was originally because of the Bowling Green proposal.

Mrs Steele has again written to Council asking to buy Lot 61, she owns the section next to it.

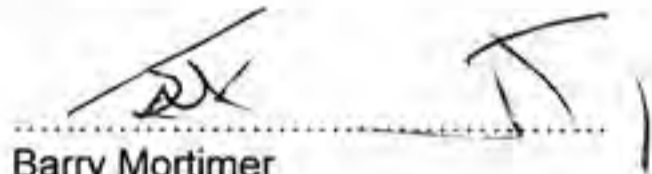
I would suggest that before anything is done about selling Lot 61 to her the Community at large again be asked whether the section can be sold to her. You could accomplish that in two ways:

1. By advertising the fact of the proposed sale to your next monthly meeting and asking whether there are any objections.

2. By carrying out a door to door survey in the Community.

Would you please advise me of the outcome.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Barry Mortimer', written over a dotted line.

Barry Mortimer
Property Officer

\\nt_svr1\shared\$\data\kirstie\barry\letter\steele property.doc



TELEPHONE (06) 327-8174

IN REPLY PLEASE QUOTE
THIS REFERENCE

RANGITIKEI DISTRICT COUNCIL

PRIVATE BAG 1102, MARTON
Fax (06) 327-6970
Fax (06) 327-7436 Marton Public Office

CORRESPONDENCE TO
GENERAL MANAGER
ATTENTION

BJM:KJD
8381:CORPS

RANGITIKEI DISTRICT COUNCIL

NOTICE TO KOITIATA LANDOWNERS

The Rangitikei District Council has received a request to purchase Lot 61 on DP 26092.

This has been designated Recreation Reserve along with Lots 59 and 60. It is located behind the Koitiata Community Centre.

Attached is a copy of the Certificate of Title 35A/377 and a plan showing the location of Lot 61.

You will note that Lots 59, 60, 61 and 65 are on the same title. Does the Community wish to sell Lot 61, it is one of three remaining sections owned by the Council that could be developed for community purposes e.g. Bowling Green, Green Belt etc.

.....
Barry Mortimer
ADMINISTRATION AND PROPERTY OFFICER

No 35A/377

Reference:
Certificate No. B.026249.1
P.R. Vol. 25B Folio 950
Transfer No.



REGISTER

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 5th day of September one thousand nine hundred and eighty-nine under the seal of the District Land Registrar of the Land Registration District of WELLINGTON being a Certificate in lieu of Grant, WITNESSETH that THE RANGITIKEI COUNTY COUNCIL

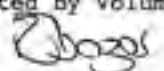
is seized of an estate in fee simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorials underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon; be the several admeasurements a little more or less, which said land was originally acquired by the abovenamed

as from the 30th day of June one thousand nine hundred and eighty-nine under Section 54 and 65 Land Act 1948 that is to say: All that parcel of land containing 3636 square metres more or less situate in the District of Rangitikei being Lots 59, 60, 61 and 65 on Deposited Plan 26092


Assistant Land Registrar

Interests at date of Issue:

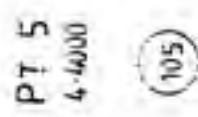
1. Subject to Section 8 Mining Act 1971 and Section 5 Coal Mines Act 1979
2. Appurtenant to Lot 61 herein is a Right of Way over the part Lot 66 DP 26092 (CT 33D/774) shown coloured yellow on DP 26255 as specified in Basement Certificate 538155.1 (Subject to Section 309(1)(a) Local Government Act 1974)
3. Subject to a Right of Way over the part Lot 65 herein shown coloured yellow on DP 26255 appurtenant to Lot 62 DP 26092 (CT 27A/82) and Lots 1 and 2 DP 57618 (CsT 27B/842 and 843) as specified in Basement Certificate 538155.1 (Subject to Section 309(1)(a) Local Government Act 1974)
4. Subject to a Right of Way pursuant to Section 60 Land Act 1948 over part Lot 65 herein appurtenant to Lot 62 DP 26092 (CT 27B/82) created by Volume 26A Folio 734


A.L.R.



Measurements are Metric

No 35A/377



KOITIATA RESIDENTS' COMMITTEE

(TURAKINA BEACH)

Page 1 of 2.

c/o Secretary,
Mrs J. Nation.
50 Wainui Street,
Koitiata,
R.D. 11,
WANGANUI.
30-5-97.

The Property Officer,
Rangitikei District Council,
Private Bag,
MARTON.
ATTN. Mr B. Mortimer.

Dear sir,

Ref. your letter PR2-003

Sale of Lot 61 D.P. 26092.

The Koitiata Residents Committee meeting of 21-5-97 tabled the above letter for discussion. This resulted in the raising of several queries which only R.D.C. have the real answers. The queries are tabulated below, with some local comment.

(1) ACCESS Right of way.

The certificate of title shows access via a paper road at the rear of lots 59-61 as we look from Wainui Street. No access is shown from Wainui Street.

(2) TITLE Certificate incorrect.

The title shows a plan of lots 59-61 plus lot 65 some distance to the left of the above lots. In fact lot 65 is considerable distance to the right of lot 61.

(3) LAND Locked Sections.

The sale of lot 61 will land lock lots 59-60 under current plans as delivered with above letter. A slight adjustment may allow access to these by reducing lots 66 and 61 sufficiently enough for a right-of-way to be created. Lots 59-60 would require alteration on Wainui Street end, but would be compensated by the paper road area at the rear.

(4) DONATED Land

During the Lawn Bowling Club era of occupation of lots 59-61, it is thought some further land mass was donated to the said Bowling Club, by the owners of the then, "Planes Trust". This is not on current

plans and is believed to be over and above "paper road" mass.

(5) PAPER Road area.

The area shown as a road to the West of Wainui St., and at the end of Rapakai St., is the "paper road". This is known to have been sold and title adjustments made to lots 6&62DP 26092, and lots 1&2 DP57618.

(6) LOWEST Lying Lot 61.

This lot 61, is believed to have been surveyed at some time, with the view to a sewerage pumping station occupying it, as the fall of the remainder of the village, is natural to it.

These items were raised by a committee of seven residents, those of which we would hope carry out the survey your council requested.

In order to supply our residents with correct information so they may make informed decisions, we would appreciate your answers to the queries listed, with perhaps some updated survey diagrams etc. to help. Thanks immensely.

In conclusion, could the council provide some guidance to by-laws regarding occupation, health, building requirements etc., relating to each section owner/purchaser.

Thanking you in anticipation.

I remain,

Yours faithfully,

J.Nation (Mrs)

Secretary, Koitiata Residents Committee,

pp Mr G. Howatson, Chairman.

I 18

15/10/97



46 High Street
Private Bag 1102
Marton
Telephone (06) 327-8174
Facsimile (06) 327-6970

30 September 1997

PR2-0003/2

Mrs J Nation
Secretary
Koitiata Resident's Committee
50 Wainui Street
Koitiata
RD 11
Wanganui

Dear Mrs Nation

Koitiata Residents Committee-Letter of 30/5/97-Sale of Lot 61 DP 26092 (Part C.T. 35A/377)

I refer to your letter dated 30 May 1997, which asked several questions about roading, titles etc at Koitiata. I asked in one of my letters whether your committee would ask the Community whether Lot 61 could be sold to Mrs Steele who owns the section next to it. I have now received a letter from Mr Douglas Evans, of the Law firm Evans, Henderson and Woodbridge. A photocopy of his letter is attached.

Some of the issues raised in your letter have been raised at various times over the years and I hope that at last the issues have been answered to the satisfaction of all.

As can be seen from the legal opinion there are no restrictions on the Sale of Lot 61.

I have been recently advised that another person is also interested in purchasing Lot 61, and it may be that the section will be sold by tender or quite possibly not sold at all.

Would you now canvas the Community to see once and for all whether there are any objections to the sale of Lot 61. This could be achieved by advertising the fact of the proposed sale to your next public meeting and asking whether there are any objections, or by carrying out a door to door survey in the Community.

To be realistic I do not believe that the Community has any right to stop the sale of Lot 61, and whether Mrs Steele parks a Caravan on the section is entirely over to her. But should she be breaching any Council bylaw or policy then that should be dealt with at the time by drawing the matter to the Regulatory Division of Council.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Barry Mortimer', written over a horizontal line.

Barry Mortimer
Property Officer

(\\nt_srv1\shared\$\data\kristie\barry\letternyx\action1.doc)

Your Reference:

Our Reference: WDSE:SMA

23 September, 1997

The Chief Executive
Rangitikei District Council
Private Bag 1102
MARTON

Attention: Mr Mortimer

RECEIVED

To: Bjm
File: PR2/3/2 (19635)
Date: 22004

Dear Sir

RE: KOITIATA RESIDENTS COMMITTEE - LETTER OF 30/5/97 - SALE OF LOT 61 D.P. 26092 (PART C.T. 35A/377)

With reference to the issues raised in the Residents Committee's letter we can now advise (as a result of title searches made) as follows:

1. Access Right of Way - Lot 61 presently has access via a right of way created by Easement Certificate 538155.1. This appears as the second memorial on C.T. 35A/377 and records that the right of way is over Lot 66 (C.T. 33D/774) shown coloured yellow on D.P. 26255.
2. C.T. incorrect. We understand the title referred to is C.T. 35A/377. It is not uncommon for the District Land Registrar to show several lots on a title even if they are not physically adjoining each other and because the lots have a common owner. The title is not therefore incorrect. It might be considered misleading as one's normal expectation is for the diagram to show the position as a whole. In fact however there are 2 separate and independent diagrams - Lot 65 - Wainui Street comprising one diagram and Lots 59, 60 and 61 comprising the other diagram.
3. Land Locked sections. At the present time Lot 61 has access over Lot 66 by right of way - (see para 1 above). Whilst 59, 60 and 61 are in common ownership i.e. owned by the Council - then in practical terms the R.O.W. to Lot 61 also provides a R.O.W. access to Lots 59 and 60 via Lot 61 over Lot 66.

Sale of Lot 61 removes it from common ownership with Lots 59 and 60.

Lots 59 and 60 still have access (in legal terms) to the area designated as road to the north of those lots. Thus in legal terms Lots 59 and 60 are not

landlocked - although physically they may be if the road to the north is unformed.

We understand that the road is a legal road (NZ Gazette 1906 p2903) and this designation has not been cancelled.

It is possible of course (with the permission of the owner of Lot 66) for the right of way to be extended through Lot 61 for the benefit of Lots 59 and 60. This would require a survey (to extend the R.O.W. as a registered right of way) and logically should extend through Lot 60 in favour of Lot 59 as well.

On the other hand upgrading the unformed road would provide a physical as well as legal access.

For the purposes of issue of separate titles the District Land Registrar is only concerned with legal access.

4. Donated land. No evidence exists on the face of the title to Lots 59-61 that any land was donated by the Planes Trust. In any event the unformed (legal) road would divide any such land and as a consequence one might expect that such donated land if given would have been given its own separate title.
5. Paper Road. Our researches indicate that the paper road still exists and has not been sold. Lots 1 and 2 D.P. 57618 resulted from new titles issued of the former Lots 63 and 64 D.P. 26092 (presumably in subdivision) Lots 6 and 62 D.P. 26092 remain unchanged although the former renewable leases affecting the same have been freeholded.

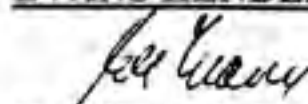
It is possible that the Council may have in the past given a licence to occupy in respect of parts or all of the paper road to third parties - but this has not affected its legal status as a gazetted road.

6. Lot 61. We understand that Mr Mortimer is researching the likelihood of Lot 61 ever having been contemplated as a site for a sewage pumping station. The title plan does not of course indicate any use.
7. General comment. Any sale of Lot 61 by the Council would require a separate title to be issued for Lot 61. Provided the Council is prepared to endorse a copy of Plan 26092 to the effect that it complies with the current subdivisional requirements of the Resource Management Act then we expect that the District Land Registrar would issue a separate Certificate of Title - thereby enabling Lot 61 to be sold.

We trust the above assists.

Yours faithfully

EVANS HENDERSON WOODBRIDGE


W.D.S. EVANS

From: Michael Hodder
Sent: Friday, 3 February 2017 3:11 PM
To: 'eddymbeach@gmail.com'
Subject: RE: Koitiata History

Hello, Eddy

Apologies for delay

The ownership of sections 59-61 and 65 remains with Council. They are all on the one title so if one lot were to be sold, Council would need to go through a formal subdivision process.

The paper road to the north of sections 59, 60 and 61 is going through a road-stopping process. Once complete, there will no longer be legal road access to those three sections or to lots 62, 63 and 64. However, as you will see from the attached, these sections have a ROW to Wainui Street through lot 65.

Lot 61 has a ROW to Wainui Street through lot 66. If lot 61 were to be sold, a ROW to lots 59 and 60 would be part of the subdivision conditions.

The designation by the Koitiata Community Council of lots 59-61 and 65 as recreation reserve is noted in the comprehensive review of Council properties undertaken in 2005.

Hope that helps.

Michael

