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Dear

**MEDIATION ON THE FUTURE OF BACHES**

You will be aware that for several months now the future of the baches at Taylors Mistake and Boulder Bay has been under discussion by the Taylors Mistake Mediation Working Party.

I attended a meeting of the Taylors Mistake Association Executive Committee last Tuesday, to discuss the attached report of the Working Party, and the proposed solution set out in Clause 7 of the report, which has the support of all parties to the mediation process. As you can see, the bach owners at Boulder Bay have fared better than the Taylors Mistake Bach Owners. The proposals for Boulder Bay are set out on page 15 of the report, ie the local purpose (Esplanade Reserve and Historic Baches) classification at Boulder Bay and Hobsons Bay will enable the bach sites to be leased under Section 61 of the Reserves Act, subject to a number of conditions. These conditions would include the following matters:

- A limit of length of occupancy per year (ie baches not to be used as a permanent residence).
- No additions or alterations, other than maintenance would be allowed which would change the historic character of the baches. The consent of the Council and the Historic Places Trust would be required for any such work.
- A rental for the lease, based on market valuation, with agreed procedures for rent reviews (at this stage rentals of between approximately \$1,300 and \$1,500 per annum are envisaged, although there will be some individual variations from bach to bach because of the different valuations which will apply in some cases.)
- The lease will include the right of the Council to terminate the lease with six months notice (the Council would only issue such notice in extreme circumstances, and then only in the unlikely event that unforeseen or extreme circumstances arose in the future requiring the removal of the baches).
- The ability to assign or transfer the lease of the baches to new owners.
- Full liability for any damage to the baches to fall on the lessee.

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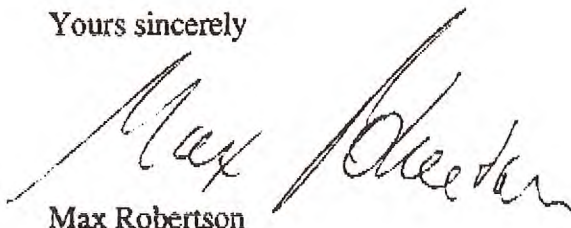
- No replacement, or alternative bach site will be provided in the event of the bach being destroyed by fire, rock fall etc. A definition of the stage beyond which a bach cannot be repaired following damage will need to be resolved.
- Rates will be payable in addition to the site rental.

This proposal represents an excellent outcome for all the Boulder Bay bach owners. Not only do we all get to keep our baches, but the fact that we will have security of tenure and a formal right to assign the lease to a new owner means that there will be an immediate and significant increase of the value of the baches.

There is one further matter I should mention at this stage. You will see from the report that as a result of the mediation process it has been agreed that most of the land owned by the Taylors Mistake Land Company will be gifted to the City Council. This was an essential element in the negotiations, and had this land not been available then it would have been impossible for such a satisfactory agreement to have been reached. You will probably recall that most of the bach owners at Taylors Mistake (plus John McDermott of Boulder Bay) agreed to contribute approximately \$10,000 each towards the purchase of the land which is now to be gifted to the Council. Also, the Taylors Mistake Land Company (rather than the Taylors Mistake Association) has faced substantial legal and other professional fees since its formation in relation to the bach issue. Both the Land Company and the Executive of the Association take the view that all bach owners should make some contribution towards the cost of the land which is now to be gifted to the Council, rather than letting the whole cost fall on those bach owners who contributed to its original purchase. In the case of Boulder Bay, it has been suggested that each bach owner contribute \$3,000 towards the cost of the land. Personally, I think this is a very reasonable sum considering that there is no way we would have got to stay had this land not been available as a trade off. Although any contribution would be entirely voluntary, I have advised the Executive that I am personally prepared to contribute \$3,000, and that I would recommend to the remaining Boulder Bay bach owners that they agree to contribute a similar amount.

A full meeting of all members of the Taylors Mistake Association will be held in the **Taylors Mistake Surf Club at 2.00 pm on Sunday 15 November** to discuss these and other issues, and I think it would be wise if as many Boulder Bay bach owners as possible were to be present at this meeting. Although there are a lot of details yet to be finalised, I think it is fair to say that we are nearing a very successful conclusion of this long standing dispute.

Yours sincerely



Max Robertson