

REPORT 3
*(1215/11/IM)***Report of the Regulatory Processes Committee**
Meeting of Friday 16 June 2006

Members: Mayor Prendergast, Councillors Gill (Chair) Armstrong, Cook, Foster, Goulden, Morrison, Pepperell, and Wade-Brown.

THE SUBCOMMITTEE RECOMMENDS:

1. **ITEM 029/06RP PROPERTY FOR DISPOSAL UNDER PUBLIC WORKS ACT 1981 AND THE LOCAL GOVERNMENT ACT 1974: LEGAL ROAD ADJOINING 32 NEWPORT TERRACE, SEATOUN**
(1215/53/IM) (REPORT 2)

THAT Council:

1. *Note that once the s40 report has been received, a report will be presented to the Chief Executive Officer for approval under delegated authority to either offer the land back to its former owner or their successor, or to approve the exemption from offer back.*
2. *Approve in principle the proposed road stopping provided:*
 - a. *all statutory and Council requirements are met, and*
 - b. *no objections to the stopping are received.*
3. *Note that if objections are received and the proponent wishes to continue with the road stopping, a further report will be presented to Committee for consideration.*
4. *Authorise the **Chief Executive Officer** to negotiate and complete terms of sale.*

Please note that the following recommendation was approved by Council at the 30 June 2006 meeting.

THAT Council:

1. *Pursuant to s40 of the Public Works Act 1981 and s342 and s345 of the Local Government Act 1974:*
 - a) *Agree that the area of unformed legal road adjoining 32 Newport Terrace, Seatoun is not required for a Public Work (Appendix 4 of this report).*
 - b) *Authorise Council officers to commission the s40 report from suitably qualified consultants to identify whether the land must be offered back to its former owner or their successor, or whether an exemption from offer back applies.*

Leonie Gill
Chair