
REPORT 5
(1215/11/IM)

Report of the Regulatory Processes Committee
Meeting of Wednesday 14 April 2010

Members: Mayor Prendergast, Councillors Gill (Chair), Best, Cook, Goulden, Pannett and Wain.

THE COMMITTEE RECOMMENDS:

1. **ITEM 019/10RP ROAD STOPPING AND DISPOSAL – LEGAL ROAD ADJOINING 86 BRACKEN ROAD AND NEWLANDS COLLEGE PAPARANGI**
(1215/53/IM) (REPORT 1)

RESOLVED:

THAT Council:

1. *See Part B.*
2.
 - (a) *Agree that the 793m² area of unformed legal road land adjoining 86 Bracken Road, Paparangi, and the approximately 650m² (both subject to survey) of unformed legal road land on Bracken Road adjoining Newlands College, Paparangi, are not required for a Public Work.*
 - (b) *Approve the disposal of the approximately 793m² of unformed legal road land adjoining 86 Bracken Road, Paparangi, to the owner of that property.*
 - (c) *Approve the disposal of the approximately 650 m² of unformed legal road land on Bracken Road, adjoining Newlands College, Paparangi, to be marketed publicly*
 - (d) *Authorise Council officers to commission a section 40 report from suitably qualified consultants to identify whether both areas of unformed legal road land must be offered back to their former owner(s) or their successor(s), or whether exemptions from offer back applies.*

- (e) *Delegate to the Chief Executive Officer the power to either offer both areas of unformed legal road land back to their former owner(s) or their successor(s), or to approve the exercise exemptions from offer back under section 40(2), 40(3), or 40(4) (if appropriate)*
- (f) *Authorise Council officers to initiate the road stopping process for both areas of unformed legal road in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*
- (g) *Delegate to the Chief Executive Officer the power to formally approve both road stoppings, and issue the public notice to declare both areas of unformed legal road land stopped as road, subject to all statutory and Council requirements being met with no objections being received.*
- (h) *Delegate to the Chief Executive Office the power to negotiate the terms of sale and enter into a sale and purchase agreement in respect of the unformed legal road land adjoining 86 Bracken Road, either with the former owner(s) or their successor(s), or the owner of 86 Bracken Road, provided any such agreement is conditional upon the road being stopped.*
- (i) *Delegate to the Chief Executive Office the power to negotiate the terms of sale and enter into a sale and purchase agreement in respect of the unformed legal road land adjoining Newlands College, either with the former owner(s) or their successor(s), or the successful purchaser following the land being marketed for sale, provided any such agreement is conditional upon the road being stopped.*

Leonie Gill
Chair