
REPORT 2
(1215/11/IM)

Report of the Regulatory Processes Committee
Meeting of Wednesday 9 November 2011

Members: Mayor Wade-Brown, Councillors Gill (Chair), Best, Foster, Lester, Morrison and Pepperell.

THE COMMITTEE RECOMMENDS:

1. **ITEM 080/11RP ROAD STOPPING AND DISPOSAL -LEGAL ROAD ADJOINING 1 MATAI ROAD, HATAITAI**
(1215/53/IM) (REPORT 5)

THAT Council:

1. (a) *Agree that the approximate 60m² (subject to survey) area of unformed legal road land adjoining 1 Matai Road, Hataitai, is not required for a Public Work.*
- (b) *Approve the disposal of the approximately 60 m² area of unformed legal road land adjoining 1 Matai Road, Hataitai, to the owner of that property.*
- (c) *Authorise Council officers to undertake a section 40 PWA report to identify whether the area of unformed legal road land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.*
- (d) *Delegate to the Chief Executive Officer the power to either offer the area of unformed legal road land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) PWA(if appropriate).*
- (e) *Authorise Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*

- (f) *Delegate to the Chief Executive Officer the power to formally approve the road stopping, and issue the public notice to declare the area of unformed legal road land stopped as road, subject to all statutory and Council requirements being met with no objections being received.*
- (g) *Delegate to the Chief Executive Office the power to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the unformed legal road land adjoining 1 Matai Road, either with the former owner, or their successor, or the owner of 1 Matai Road, provided any such agreement is conditional upon the road being stopped.*

2. **ITEM 081/11RP ROAD STOPPING AND DISPOSAL - LEGAL ROAD (SALFORD STREET) ADJOINING 103 & 105 NEWLANDS ROAD, NEWLANDS**
(1215/53/IM) (REPORT 6)

THAT Council:

- 1. (a) *Agree that the area of approximately 372 m² (subject to survey) of unformed legal road land, on Salford Street, adjoining 103 and 105 Newlands Road, Newlands, is not required for a Public Work.*
- (b) *Approve the disposal of approximately 372m² of unformed legal road land, on Salford Street, adjoining 103 and 105 Newlands Road, to the owner of that property.*
- (c) *Authorise Council officers or suitably qualified consultants to undertake a section 40 Public Works Act 1981 report to identify whether the area of unformed legal road land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.*
- (d) *Delegate to the Chief Executive Officer the power to either offer the area of unformed legal road land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) Public Works Act (if appropriate).*
- (e) *Authorise Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*
- (f) *Delegate to the Chief Executive Officer the power to formally approve the road stopping, and issue the public notice to*

declare the area of unformed legal road land stopped as road, subject to all statutory and Council requirements being met with no objections being received.

- (g) *Delegate to the Chief Executive Office the power to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the unformed legal road land, on Salford Street, 103 and 105 Newlands Road, either with the former owner, or their successor, or the owner of 103 and 105 Newlands Road, provided any such agreement is conditional upon the road being stopped.*

3. **ITEM 082/11RP ROAD STOPPING AND DISPOSAL - LEGAL ROAD ADJOINING 30A SEATOUN HEIGHTS ROAD, SEATOUN (1215/53/IM) (REPORT 7)**

THAT Council:

- 1. (a) *Agree that the area of approximately 77m² (subject to survey) of unformed legal road land, adjoining 30A Seatoun Heights Road, Seatoun is not required for a Public Work.*
- (b) *Approve the disposal of approximately 77m² of unformed legal road land adjoining 30A Seatoun Heights Road, Seatoun to the owner of that property.*
- (c) *Authorise Council officers or suitably qualified consultants to undertake a section 40 Public Works Act 1981 report to identify whether the area of unformed legal road land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.*
- (d) *Delegate to the Chief Executive Officer the power to either offer the area of unformed legal road land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) Public Works Act (if appropriate).*
- (e) *Authorise Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*
- (f) *Delegate to the Chief Executive Officer the power to formally approve the road stopping, and issue the public notice to declare the area of unformed legal road land stopped as road, subject to all statutory and Council requirements being met with no objections being received.*

- (g) *Delegate to the Chief Executive Officer the power to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the unformed legal road land adjoining 30A Seatoun Heights Road, either with the former owner, or their successor, or the owner of 30A Seatoun Heights Road, Seatoun, provided any such agreement is conditional upon the road being stopped.*

Leonie Gill
Chair