

Central Hawke's Bay District Council – Report

TO: Council
FROM: Chief Executive
DATE: 18 September 2008
FILE REF: LAN 6-101
SUBJECT: ROAD STOPPING – ADJACENT TO WATTS ST, WAIPAWA

1.0 SUMMARY

At the Council Meeting held on 15 May 2008 Council resolved as follows: *“That Council approves the stopping and sale of unformed Road subject to legal road stopping procedures being completed”* of the unformed Road adjacent to Watts Street, Waipawa which comprises: Section A - vacant 726 m² block unformed legal road and Section B - vacant 650 m² block unformed legal road. The reason for the original stopping request was that Council had received a written offer for Section A from the neighbouring lifestyle block owner whose property Section A passes through. Section B was proposed to be stopped, at the same time creating an isolated and landlocked piece of land to be offered for sale to the adjoining owner.

Since the resolution was passed, the landowner adjacent to Section B has stated that he has no interest in owning or purchasing this landlocked area. In view of this situation and Council's policy not to supply services outside of township boundaries, stopping and selling this Section A of the unformed legal road will create a problem for future infill development in this area of Waipawa.

2.0 RECOMMENDATION

THAT

1. Council rescind Resolution 08.47 “That Council approves the stopping and sale of unformed Road, subject to legal road stopping procedures being completed” in view of the landlocked area that would result from the road closure and the creation of problems for future infill development in Waipawa.
2. Council decline the offer from the neighbouring lifestyle block owner to purchase Section A of the unformed legal road.

REASON

The Objective of the decision will contribute to the following Community Outcomes:

- *A strong, prosperous and thriving economy.*
- *An environment that is appreciated, protected and sustained for future generations.*

3.0 BACKGROUND

There are a number of unformed roads south and east of Watts Street for future development of the township of Waipawa.

Council received a written offer from a neighbouring lifestyle block owner to purchase a section of unformed legal road that runs through his property (Section A).

Section A comprises an unfenced level strip of vacant land running through the middle of a larger lifestyle block and is currently used by the owner of the property. The lifestyle block slopes upwards to a building platform and then slopes down to level land at the rear of the site.

Section B which runs off the end of the unformed legal road Section A, comprises a level "L" shaped piece of vacant land within a larger lifestyle block and is currently used by the owner of the property. The lifestyle block is predominantly level. Section B of the unformed legal road only has legal access from Section A as its access to Watt Street was stopped in the early 1990's as a result of a previous subdivision.

Council has a policy of not extending water, sewerage and storm water services outside of clearly defined boundaries of each township. This is to encourage infill development within the existing town limits thus reducing additional pressure on infrastructure.

Council staff recommend that this road stopping process now not proceed as stopping and selling this Section A of the unformed legal road will create a problem for future infill development in this area of Waipawa and landlock Section B.

The attached aerial photograph shows the location of the unformed legal road including the position of Sections A and B.

4.0 OPTIONS

Option 1

Council rescind Resolution 08.47 "That Council approves the stopping and sale of unformed Road, subject to legal road stopping procedures being completed" in view of the landlocked area that would result from the road closure and the creation of problems for future infill development in Waipawa.

Council decline the offer from the neighbouring lifestyle block owner to purchase Section A of the unformed legal road.

Option 2

Council do not rescind Resolution 08.47.

5.0 STATUTORY IMPLICATIONS

- Local Government Act 1974
- Local Government Act 2002
- Public Works Act 1981

6.0 CONSULTATION

6.1 External

H E S Hamilton (DAC Legal)

6.2 Internal

Chief Executive
Councillors

7.0 FINANCIAL

N/A.

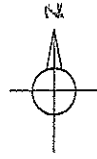
8.0 POLICY/DELEGATION REFERENCE

- LTCCP
- Funding Policy
- Roading Activity Management Plan

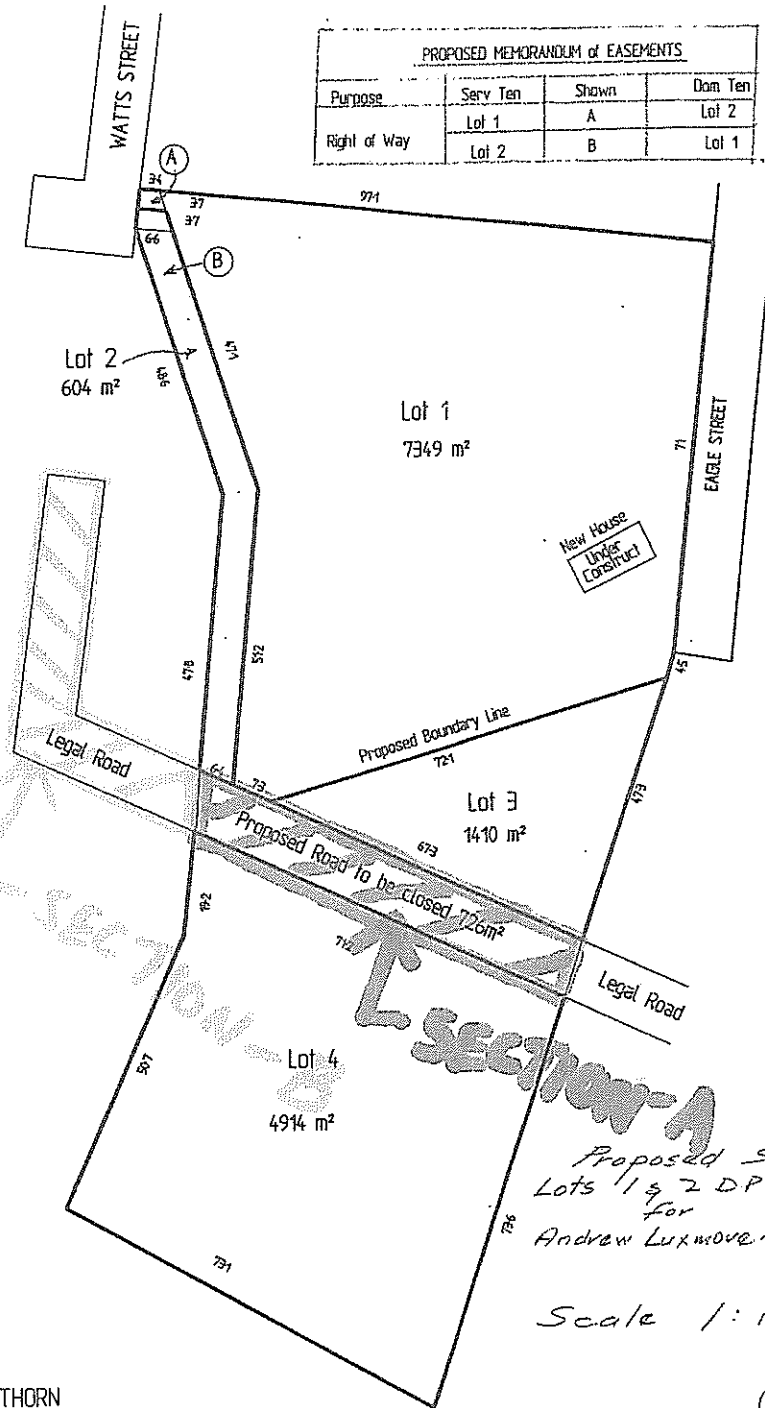
John Freeman
Chief Executive



N.B. Lots 2, 3 & 4 to be held in the same CFR



PROPOSED MEMORANDUM of EASEMENTS			
Purpose	Serv Ten	Shown	Dom Ten
Right of Way	Lot 1	A	Lot 2
	Lot 2	B	Lot 1



Proposed Subdivision
 Lots 1 & 2 DP 341269
 for
 Andrew Luxmore - CT. 169727

Scale 1:1000

DAGG & THORN
 NAPIER

07-165

Waipawa Street Map

