

Central Hawke's Bay District Council – Report

TO: Services Committee
FROM: Roading Manager
DATE: 11th March, 2010
FILE REF: LAN6-101
SUBJECT: ROAD STOPPING – HIRANUI ROAD

1.0 SUMMARY

Roundaway Land Holdings Limited have approached Council with a request to stop the unformed part of part of Hiranui Road and vest it in adjoining land owned by the Roundaway Land Holdings Limited. Roundaway Land Holdings Limited have agreed to pay all costs of the proposed stopping.

The roading department will ensure all steps as set-out by the Local government Act 1974 are complied with

2.0 RECOMMENDATION

THAT

1. Council proceeds with the stopping of the unformed part of Hiranui Road and notifies Roundaway Land Holdings Limited.

REASON

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

- *A strong, prosperous and thriving economy.*

3.0 BACKGROUND

Application for Road Closure and Description of the Land:

Roundaway Land Holdings Limited had written to Council requesting a closure of 3.8 kilometres of Hiranui Road, and to vest it in adjoining land owned by the company in accordance with the provision of the Local government Act 1974.

According to the Act the following steps must be taken in order for Council to stop a road:

1. Prepare a plan of the road proposed to be stopped along with explanation as to purpose.
2. At least twice at intervals of not less than 7 days give public notice of the proposal and where the plan may be inspected calling on persons objecting to the proposal to lodge their objection in writing within 40 days.
3. Serve notice after the first publication to the occupiers of all land adjoining the road proposed to be stopped.
4. Affix a notice of the proposed stopping in a conspicuous place to each end of the road proposed to be stopped.
5. Formal notice by council that the road is stopped
6. Transmit 2 copies of the notice and the plans to our legal advisor

7. Obtain a new legal description of the affected land for its files

4.0 OPTIONS

Option 1

Council proceeds with the stopping of the unformed part of Hiranui Road and notifies Roundaway Land Holdings Limited.

Option 2

Council does not proceed with the stopping of the unformed part of Hiranui Road.

5.0 STATUTORY IMPLICATIONS

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

6.0 CONSULTATION

6.1 External

- Property Owners

6.2 Internal

- Staff
- Elected Members

7.0 FINANCIAL

Council will incur no road stopping costs from this closure.

Roundaway Land Holdings Limited will incur costs for:

- Survey Plan compilation.
- LINZ fees.
- Their legal costs.
- Advertising the road stopping and erecting signs on the site.
- Financial payment.
- Any other consequential costs.

The net proceeds of the disposal of any surplus land are allocated to the Capital Projects Account.

8.0 POLICY/DELEGATION REFERENCE

- LTCCP
- Funding Policy
- Roothing Activity Management Plan

Shawn McKinley
Roothing Manager