

Central Hawke's Bay District Council – Report

TO: Council
FROM: Roading Manager
DATE: 15th July 2010
FILE REF: LAN 6-101
SUBJECT: LEGALISATION OF WHANGAEHU ROAD

1.0 SUMMARY

Due to a subdivision commitment for CW MacLean Trust the Council committed to legalising the road in the affected areas. This is to ensure that we legally own the land that the road is currently built on. This involves the survey and title transfers. The council receives approximately 6000 square metres of road in exchange for 5000 square metres of land.

2.0 RECOMMENDATION

THAT

1. Council proceeds to legalise the affected parts of Whangaehu 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

Several years ago CW MacLean trust applied for a sub-division which as it progressed indicated that the current formed road was not on Council property. As the District Plan at the time stated that the Council would pay for a portion of the sub-division it was agreed that the legalisation of the road would be the responsibility of the Council. The sub-division has been completed and all that remains is the legalisation of the road.

4.0 OPTIONS

Option 1

Council proceeds to legalise the affected parts of Whangaehu Road which will complete the subdivision process.

Option 2

Council does not proceed with the legalisation of the affected parts of Whangaehu Road.

5.0 STATUTORY IMPLICATIONS

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

Council has authority to legalise roads to ensure the formed road is on Council owned property.

6.0 CONSULTATION

6.1 External

6.2 Internal

Chief Executive
Regulatory Services Manager

7.0 FINANCIAL

The cost of the legalisation can be covered through unsubsidised funding of the Land Transport Programme.

8.0 POLICY/DELEGATION REFERENCE

- LTCCP
- Funding Policy
- Rooding Activity Management Plan

Shawn McKinley
Rooding Manager