

## Central Hawke's Bay District Council – Report

**TO:** Services Committee  
**FROM:** Roothing Manager  
**DATE:** 26 August 2010  
**FILE REF:** LAN 6-101  
**SUBJECT:** **POTENTIAL ROAD STOPPING OF UNFORMED PART OF NEWMAN STREET IN ONGAONGA**

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### 1.0 SUMMARY

We have had a recent request from residents to construct more exhibits on Council owned land at the Ongaonga Museum. In investigating the possibility the Roothing department noticed that currently there are museum buildings located not only on the Council owned land but also on a paper road (Newman Street). It was further noted that the Department of Conservation (DoC) who owns the property adjacent to the Council owned museum property have constructed buildings on the paper road. The proposed location of the new exhibits would also require the use of the paper road. At present there is only one piece of property that is served by the paper road but it is not developed.

### 2.0 RECOMMENDATION

#### ***THAT***

Council determine the cost of acquiring the un-owned piece of property with the intent of acquiring it, amalgamating it with the currently owned property for development of the museum, stopping the portion of Newman Street from Bridge Street to the stream and approving the request to construct more museum exhibits.

#### **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

We have had a recent request from residents to construct more exhibits on Council owned land at the Ongaonga Museum. In investigating the possibility the roading department noticed that currently there are museum buildings located not only on the Council owned land but also on a paper road (Newman Street). It was further noted that the Department of Conservation (DoC) who owns the property adjacent to the Council owned museum property have constructed buildings on the paper road. The proposed location of the new exhibits would also require the use of the paper road.

One of the advantages of proceeding with the recommendation is that the Council secures property which will allow the future development of the museum and enhance opportunities within the community. Another advantage is avoiding the situation described below.

At present this is there is one piece of property that is served by the paper road but because it is not developed there is no immediate impact on the Council, however if purchased and developed, the Council could be put at risk because the Local Government Act requires Council to provide access to a legal road. Should this eventuate, the Council and DoC may be forced to move the existing buildings at their own expense to afford access to the private property or Council would have to purchase property to afford access.

Further research has determined the property currently has no legal owner and none can be traced for the past 80 years.

This presents the Council with the opportunity to eliminate the future risk noted above at minimal cost by exercising Option 1 below.

## 4.0 OPTIONS

### Option 1

Council determine the cost of acquiring the un-owned piece of property with the intent of acquiring it, amalgamating it with the currently owned property for development of the museum, stopping the portion of Newman Street from Bridge Street to the stream and approving the request to construct more museum exhibits..

### Option 2

Council do not acquire the un-owned piece of property, do not stop the portion of Newman Street from Bridge Street to the stream and do not approve the request to construct more museum exhibits

Council build a financial reserve to cover the possible provision of moving buildings from the paper road or purchase the property if claimed by another party.

## 5.0 STATUTORY IMPLICATIONS

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

Council has authority to close roads that are not required as part of the roading network and dispose of the surplus land.

## 6.0 CONSULTATION

### 6.1 External

Residents of Ongaonga

### 6.2 Internal

Chief Executive

## 7.0 FINANCIAL

The cost of the acquiring the vacant property and closing the unformed road be charged against the Land Transport allocation

## 8.0 POLICY/DELEGATION REFERENCE

- LTCCP
- Funding Policy
- Roothing Activity Management Plan

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**Roothing Manager**