

Declaration of Road to be Stopped: Catherine Street, Henderson

Glossary

Auckland Council	(AC)
Auckland Transport	(AT)
Henderson Massey Local Board	(HMLB)
Local Government Act 1974	(LGA)
Land Information New Zealand	(LINZ)

Executive Summary

At the Board meeting of the 20 April 2012 the Board approved the commencement of the road stopping process under section 342(1) and the Tenth Schedule of the Local Government Act 1974 of section 1 on Survey Office Plan 453410 (Attachment 1), to allow the control and management to be passed to AC as Open Space.

In compliance with the legal requirements of the Tenth Schedule LGA:

- The proposed road stopping was advertised twice, at intervals of not less than seven days, calling upon persons objecting to the proposal to lodge their objections in writing on or before the date specified in the notice not being earlier than 40 days after the date of the first publication of notice
- Notices were affixed in conspicuous places at each end of the road proposed to be stopped
- Notice was served on all adjoining landowners and occupiers and the plan of the proposed road stopping was open for public inspection
- At the expiration of the 40 days no objections to the proposed road stopping were received
- All legal requirements under the LGA have been complied with and the road must now be declared stopped

Recommendations

It is recommended that the Board:

- i). Receives this report.
- ii). Declares the area of Catherine Street, Henderson of 953m² of land, shown as Section 1 on Survey Office Plan 453410 (Attachment 1) to be stopped

Background

The HMLB has requested the Board to commence the road stopping under the LGA of the unformed section of Catherine Street, Henderson known as Catherine Plaza to allow the area to become "Open Space" with the management of the land transferring to AC.

No objections were received to the proposed road stopping.

Two emails commending the Board for its actions to resolve this long outstanding matter were received from adjoining landowners.

The Board is now required to declare the road stopped so title can be issued and the necessary service easements created.

The HMLB has paid all costs associated with the carrying out of the road stopping.

Next Steps

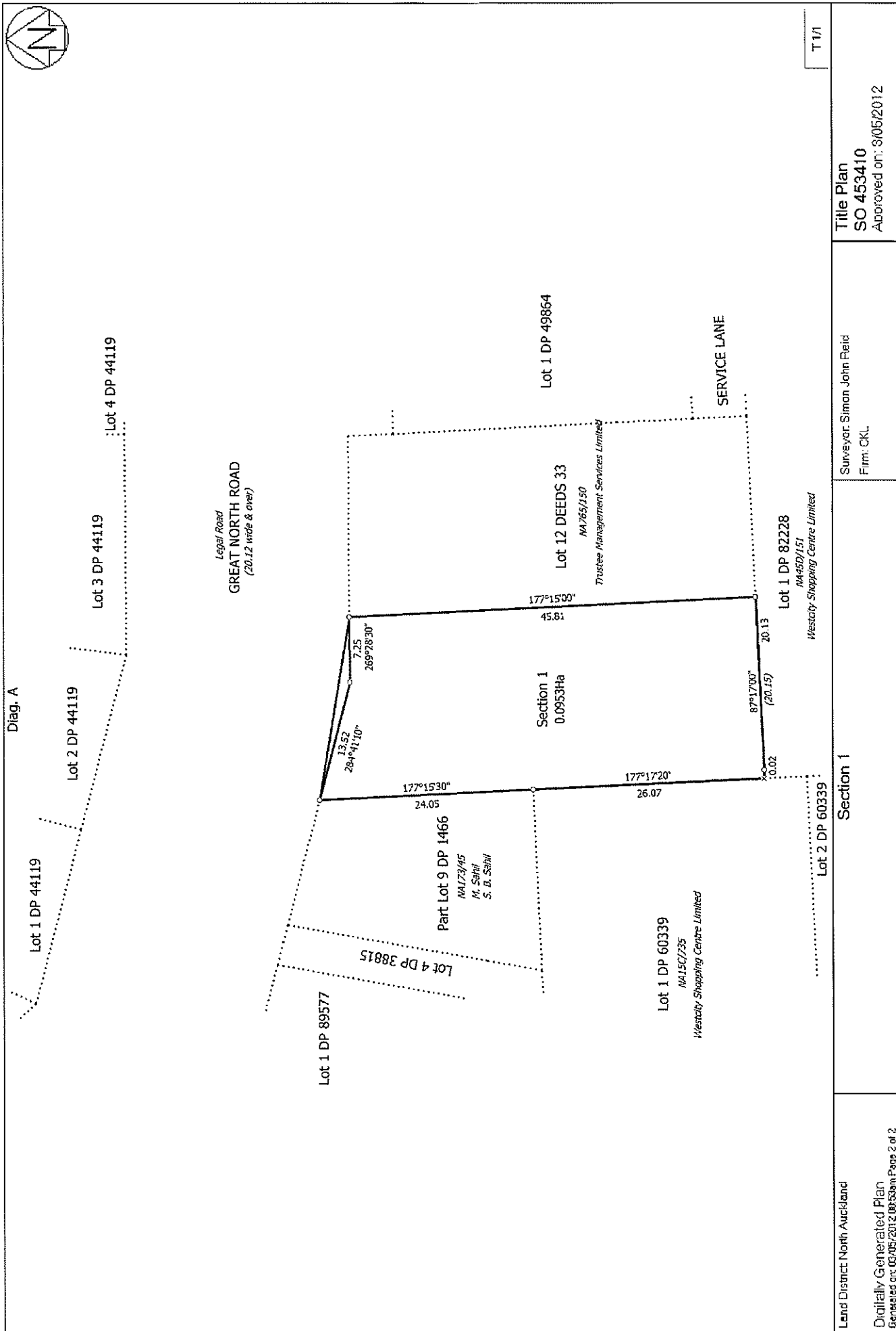
The remaining action is required in order for the road to cease to be road.

- Road to be declared stopped by public notice
- LINZ Agent to be instructed to arrange to have road stopping declaration published in the New Zealand Gazette, and title issued
- The management and control of the land will be transferred to AC for Open Space.
- All necessary easements to protect services and adjoining landowner access will be created once the fee simple title is obtained.

Attachment

Attachment 1 – Survey Office Plan 453410

WRITTEN BY	Deborah Godinet Manager Property	
RECOMMENDED by	Dave Foster Chief Financial Officer	
APPROVED FOR SUBMISSION by	David Warburton Chief Executive	



<p>Land District: North Auckland</p> <p>Digitally Generated Plan</p> <p>Generated on: 03/05/2012 08:53am Page 2 of 2</p>	<p>Section 1</p>	<p>Surveyor: Simon John Reid</p> <p>Firm: CKL</p>	<p>Title Plan</p> <p>SO 453410</p> <p>Approved on: 3/05/2012</p>
			<p>T 1/1</p>