

MINUTES OF KAITAKE COMMUNITY BOARD

FILE REFERENCE: DP-14-02 DM6211097
MEETING DATE: Monday 19 January 2015 at 7pm.
VENUE: Hempton Hall, Okato
MEMBERS PRESENT: Mr Doug Hislop (Chair), Mr Paul Coxhead,
Mr Mike Pillette, Mr Keith Plummer and
Cr Richard Jordan

NON-MEMBERS PRESENT: Cr Grant Coward

STAFF IN ATTENDANCE: Julie Strake, Warren Dalglish and Jayne Beer

DEPUTATIONS

Jackie and Kevin Honeyfield spoke in relation to Item B3. Copy of deputation attached.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Resolved:

That the minutes of the Kaitake Community Board meeting dated 10 November 2014 and the proceedings of the said meeting, as previously circulated, be taken as read and confirmed as a true and accurate record.

PART B

ITEMS FOR FINAL DETERMINATION BY THE COUNCIL

1. Outline of Process for Road Stopping and Sales Revenue Potential

File Reference: CM 08 28 01 v05, ECM 6201650

The purpose of this report is to provide background information on the stopping process for Council owned unformed legal road and the opportunities for sale revenue potential. In particular the report outlines:

1. The statutory process for stopping (ceases to be road) of unformed legal road vested in Council ownership and the methods by which road stopping and sale is instigated; and
2. The potential for the Council to proactively undertake a programme to identify, stop and sell stopped road parcels over and above stopping and sale that is instigated by way of standard application by the adjoining owner.

Recommendation

That, having considered all matters raised in the report, the following be noted.

- a) That the statutory process for road stopping (ceases to be of road status on revocation) of unformed legal road and disposal more particularly set out in this report, is carried out under the provisions of two statutes being either:
 - i. Sections 319(h), 342(1) and the Tenth Schedule of the Local Government Act 1974; or
 - ii. Section 116(1) and 117 of the Public Works Act 1981.
- b) That the ownership of all local roads as defined in Section 315 of the Local Government Act 1974, (which includes access way and service lane) are vested in an estate in fee simple (freehold) in the Council for the purpose of road pursuant to Section 316(1) of the Act.
- c) That the majority of road stoppings for sale purposes, are instigated by the adjoining land owner, excepting those that might otherwise be randomly identified or are associated directly with road acquisition and disposal, for the realignment, diversions, diminishing, widening, improvement or formation of local roads to secure ownership, upgrade road infrastructure and provide for better safety and visibility.
- d) That of the \$9M in land sales since 2006 that only \$0.65M is represented in the sale of stopped road at an average net sale price return of \$25,000, noting that the blanket aggregated road stopping and sale of parcels of land on Messenger Terrace is a one off exception, compared to the mainstream individual parcel road stopping and sale.
- e) That the returns achieved historically from road stopping sales (principally limited to adjoining owners) provides an overall marginal fiscal economic return, weighted against applied resources and is not conducive to a programme of proactive road stopping sales, as a means of achieving any substantial net pecuniary revenue cash flows.
- f) That the statutory process for road stopping and sale under the Local Government Act 1974 (to which the Council is principally confined) can be onerous and costly and subject to objection to the Environment Court, and in recognising that adjoining owners who have free grazing use of unfenced unformed legal road in rural areas, may not wish to purchase unformed legal road parcels bisecting their property, nor cannot be forced to do so.
- g) That all applications for the stopping and sale of stopped road are scrutinised on merit, desired outcomes and economies consistent with other land sales, in particular the net revenue potential.

2. Road Naming

File Reference: ECM 6205884

The matter for consideration by the Council is the naming of new roads created as a result of subdivision and the formalisation of an existing road name.

Recommendation

That having considered all matters raised in the report, the following road and road names be approved and the Group Manager Business Performance allocate street numbers to the properties fronting these roads:

- (a) Foundry Lane
- (b) Katikara Drive
- (c) Whitaker Street East

3. Pathway – Weld Road to St. George’s Redoubt

File Reference: DM 1406670

This report responds to submissions requesting the formal opening and utilisation of the unformed Coast Road between Lower Timaru and Greenwood Roads as a walkway, presenting four options for consideration.

Procedural Motion:

The Kaitake Community Board recommends that the Monitoring Committee leave this item to lay on the table, and an on-site visit by Councillors, Kaitake Community Board members and appropriate staff be arranged in order to make an informed decision.

4. Property (Land) Sales Report to 31 December 2014

File Reference: CM 08 28 01 vo5, ECM 6201632

The purpose of this report is to provide an update on Land Sales as at 31 December 2014, outlining status of approved sales, potential sales, and other sales categories and supporting highlighted commentary on particular land sales. The last update was provided as at 30 June 2014.

Recommendation

That, having considered all matters raised in the report Appendix A Land Sales estimate to 31 December 2014, be noted.

- a) Category 1 - Properties Approved for Sale.
- b) Category 2 - Properties that are being considered for Sale, but have yet to be formally considered or a final decision yet to be made by Council.
- c) Category 3 - Properties with low Sale Potential.
- d) Category 4 - Properties that have been considered for Sale but are to be retained.

5. 2015 Representation Review Process

File Reference: DM 1605834v6

The matter for consideration by the Council is the establishment of a preliminary consultation process for the 2015 Representation Review.

Recommendation

That having considered all matters raised in the report:

- a) The preliminary timetable be noted
- b) Preliminary consultation be undertaken comprising
 - Written feedback
 - Community Conversations
- c) Consultation be coordinated internally.

The meeting closed at 7.37pm.

Kaitake Community Board
19 January 2014
Deputation re: Item B3

18th January 2015

Kevin & Jackie Honeyfields Response to

The Pathway-Weld Road to St George Redoubt Report

In this report it is noted that from Weld Road you can already cycle / walk or horse trek via the Timaru / Greenwood Roads to Fort St George. Problem solved.

The report goes on to say that beach access is available, and that a circular route may be favourable through the planned shared pathway.

We want you to note that some of the beach access is in fact is private property. Up to 50% of the users of the beach, walk on our land.

To have a circular route without crossing Mr Bishops grassed paddocks with a horse is impossible as the bridge over the Timaru Stream is unsuitable for horses.

The council has a track record of not fully understanding the importance of private property as was discovered after the bridges were built down Weld Road but access was denied by Mike Ure.

We do recognise that the ownership of the paper road belongs to the NPDC.

Warren Dalglish has recognised the impact that opening up the road would have on our business.

My wife and I believe that stopping the road and then selling it to us is the best option.

The funds council would get for the sale of the road, as well as the savings made from not developing it, could be far better used for other projects that the wider community would enjoy.

If the road was sold, we would have the threat of our farming interruption removed, the cyclist can still get to Fort St George via the current Roads, The walkers and horse trekkers could use our beach and council gets some funds to perhaps spend on more meaning full projects. Again, problem solved.

If you don't follow what we see as common sense, and sell us the road, then we would reluctantly give our support to the Warren Dalglish recommendation in changing the route of the paper road.

This is a costly exercise for us but will provide a better long term solution for the public and ourselves, compared to opening up the road in its current position.

We also would like to make it clear that we will pay the costs that Warren Dalglish lists with the understanding that we won't be bullied into any additional costs in particular council legal fees if any disagreement on the terms outlined in Option two materialise.