
Open Meeting

To	Waikato District Council
From	Tim Harty General Manager Service Delivery
Date	7 June 2017
Prepared by	Chris Clarke Roading Manager
Chief Executive Approved	Y
Reference #	CCI 2017
Report Title	Aspenleigh Drive Tamahere – Segregation Strip

1. EXECUTIVE SUMMARY

At the May Infrastructure Committee meeting the attached report entitled Declare Local Purpose (Segregation) Reserve Road – Aspenleigh Drive Tamahere was discussed. The decision to declare the segregation strip as road was deferred pending the provision of further information regarding the original reasons for the creation of the segregation strip.

Staff have undertaken further investigation of records and this has not identified any evidence around the reason why the segregation strip was imposed. Efforts to locate staff members involved in both the consultancy acting for the applicant at the time, and Council staff have been unsuccessful.

It should also be noted that an application was lodged in 2013 to remove part of this segregation strip in respect of Lot 2 Deposited Plan 447508 was considered by Council and granted to provide suitable access the newly created lot.

2. RECOMMENDATION

THAT the report from the General Manager Service Delivery be received;

AND THAT pursuant to Section 114(1) of the Public Works Act 1981 the portion of segregation strip described as Section 3 Survey Office Plan 469645 – Local Purpose (Segregation) Reserve be declared road. This is subject to Council granting the application for subdivision consent of the adjoining land described as Lot 3 Deposited Plan 447508 and Section 7 Survey Office Plan 496887.

3. ATTACHMENTS

- Report to WDC dated 26 May 2017 re Declare local Purpose (Segregation) Reserve Road – Aspenleigh Driver, Tamahere

Open Meeting

To	Waikato District Council
From	Tim Harty General Manager Service Delivery
Date	26 May 2017
Prepared by	Chris Clarke
Chief Executive Approved	Y/N
Reference/Doc Set #	CCL2017 (12/06/2017)
Report Title	Declare Local Purpose (Segregation) Reserve Road – Aspenleigh Drive, Tamahere – additional report

I. EXECUTIVE SUMMARY

This report provides additional information requested by Council at the Infrastructure Committee Meeting held on 23 May 2017 and recommends that the Local Purpose (Segregation) Reserve described as Section 3 Survey Office Plan 469645 being part of the land comprised in Computer Freehold Register 640899 be declared road, subject to Council granting an application for subdivision consent of the adjoining land described as Lot 3 Deposited Plan 447645 and Section 7 Survey Office Plan 496887, in order to provide practical and legal access to proposed Lot 1 shown coloured blue on the attached scheme plan of subdivision prepared by Blue Wallace Surveyors Limited.

2. RECOMMENDATION

THAT the Report from the General Manager, Service Delivery be received;

AND THAT pursuant to Section 114(1) of the Public Works Act 1981 the portion of segregation strip described as Section 3 Survey Office Plan 469645 – Local Purpose (Segregation) Reserve be declared road, subject to Council granting the application for subdivision consent of the adjoining land described as Lot 3 Deposited Plan 447508 and Section 7 Survey Office Plan 496887.

3. BACKGROUND

The Council considered the attached Report dated 15 May 2017 titled “*Declare Local Purposes (Segregation) Reserve Road – Aspenleigh Drive, Tamahere*” at its Infrastructure Committee meeting on 23 May 2017. The Council requested additional information from staff with respect to the reasons why the segregation strip was created.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

Council staff reviewed the historic subdivision and property files.

The application for subdivision consent which created the segregation strip was lodged in 2004 and states that Lot 11 on the scheme plan of subdivision will vest in Council as Local Purpose (Segregation) Reserve.

The Planner's report records that a segregation strip (Lot 11) is to vest as Council reserve to prevent additional entrances being created onto the road. No further explanation was given as to why the segregation strip should remain. Discussions with roading staff indicate that they can't think of any reason why Aspenleigh Drive should not be used for access by the relevant Lots.

The subdivision plan was deposited in July 2006.

As stated in the attached Report, in 2013 Council received an application for the removal of the segregation strip from the Owner of Lot 2 Deposited Plan 447508 and the then Council resolved to remove that part of the segregation strip adjoining the said Lot 2.

4.2 OPTIONS

1. Council can resolve to declare Section 3 on Survey Office Plan 469645 road, subject to Council granting the application for subdivision consent of the adjoining land. This will provide legal access for the proposed Lot 1 on the scheme plan and is the preferred option.
2. Council can resolve to leave Section 3 Survey Office Plan 469645 as Local Purpose (Segregation) Reserve.

4.3 FINANCIAL

Nil. The applicant will pay all costs associated with declaring Section 3 Survey Office Plan 469645 road.

4.4 LEGAL

Pursuant to Section 114(1) of the Public Works Act 1981 Council may declare the Local Purpose (Segregation) Reserve road.

4.5 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

Nil

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

This does not trigger Council's Significance and Engagement Policy.

5. CONCLUSION

Council staff can find no reason as to why the segregation strip should remain.

In order to provide legal access from Aspenleigh Road, Tamahere to Lot 1 on the scheme plan, it is necessary to declare Section 3 Survey Office Plan 469645 - Local Purpose Reserve (Segregation Strip) road. The resolution is subject to Council granting subdivision consent of the land adjoining Section 3 Survey Office Plan 469645.

6. ATTACHMENTS

- Previous report dated 15 May 2017 presented to Council's Infrastructure Committee on 23 May 2017