

10 June 2010

Ref: RL/1/1

HIGHAM ROAD, SOUTH HEAD – ROAD STOPPING PROCESS

I acknowledge your objection **or** submission relating to the Higham Road stopping proposal.

The process once the objection period ends is for the objections and submissions to be collated and reported to a Council meeting. That report will summarise the objections and submissions and make a recommendation as to whether or not to proceed with the road stopping and provision of the proposed walkway easement.

If the Council elects not to continue with the road stopping proposal, then this proposal is at an end.

If the Council resolves, after completing its consideration, to stop that part of Higham Road and secure the easement, then Council must implement the following:

- Send the objections together with a full description of the proposal and the plans to the Environment Court (s.342 Local Government Act 1974 Schedule 10(5)).
- The Environment Court shall consider the district plan, plan of the road proposed to be stopped, the council's explanation, and any objections made, and confirm, modify, or reverse the decision of the council which shall be final and conclusive on all questions (s.342 Local Government Act 1974 Schedule 10(6)).
- If the Environment Court reverses the decision of the council, no proceedings shall be entertained by the Environment Court for stopping the road for 2 years thereafter (s.342 Local Government Act 1974 Schedule 10(7)).
- If the Environment Court confirms the decision of the council, the council may declare by public notice that the road is stopped; and the road shall, subject to the council's compliance with clause 9 of Schedule 10, thereafter cease to be a road (s.342 Local Government Act 1974 Schedule 10(8)).
- Two copies of that notice and of the plans referred to shall be transmitted by the council for record in the office of the Chief Surveyor on the land district in which the road is situated, and no notice of the stoppage of the road shall take effect until that record is made (s.342 Local Government Act 1974 Schedule 10(9)).
- The Chief Surveyor shall allocate a new description of the land comprising the stopped road, and shall forward to the District Land Registrar or the Registrar of Deeds, as the case may require, a copy of that description and a copy of the notice and the plans transmitted to him by the council, and the Registrar shall amend his records accordingly (s.342 Local Government Act 1974 Schedule 10(10)).

It is proposed to hold the hearing in July / August. The specific date and venue will be advised to you once this has been determined.

Please advise via email to lisa.salisbury@rodney.govt.nz or Rodney District Council, PO Box 500, Orewa, Attention: Lisa Salisbury, if you wish to be heard in person at the hearing.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Lisa Salisbury', written over a faint blue line.

Lisa Salisbury on behalf of:

Mark Johannsen
GROUP MANAGER PROPERTY SERVICES