

STAFF REPORT

TO: The Council Enterprise Subcommittee
FROM: Manager Property
REFERENCE: 20701
DATE: 5 October 2005
SUBJECT: Former Tapawera Transfer Station

PURPOSE

To consider the retention or disposal of the former Tapawera Transfer Station property.

BACKGROUND

The property was purchased in 1994 from Mr Reinder Haakma for \$25,000.00, the area being 3,200 m².

In September 1998 the Council closed the Transfer Station which was subsequently leased to a private operator. The lease has been terminated and the property is vacant.

DISCUSSION

A kiosk on the property is to be relocated elsewhere by the Engineering Department. The property is in two levels with the upper section mostly sealed and the lower section a combination of hardstand and untidy grass. The perimeter is security fenced.

This land was purchased for the purposes of a public work and it is a requirement of the Public Works Act 1981 that when a property is no longer required for the purpose for which it was purchased that it be sold. There have been numerous High Court cases concerning this. There is also a possibility that if the property is to be sold that the Council may have an obligation to offer it back to either the estate of the former owner or to the adjoining owner. Should the Council resolve to sell the property this will further be investigated.

Any proposal to sell would be subject to a consultation process which would involve public notice in the local newspaper plus a copy to the Community Council at Tapawera.

The Engineering Department have confirmed that they have no interest in this property and that from their perspective it is surplus to requirements.

SIGNIFICANCE

The decision to retain or dispose of this property is not considered significant under the Council's policy on significance.

AFFECTED PARTIES

To a certain extent the residents of Tapawera may be considered to be affected parties by the proposal to dispose of this property. However, the Council withdrew the provision of a Transfer Station at Tapawera in 1998 and since then it has been operated by private interests. It is therefore considered that the operation of a Transfer Station from this land has no bearing on the identification of any affected parties. A general consultation as mentioned above should be satisfactory.

OPTIONS

Either to sell or retain. As mentioned earlier the Council has an obligation to dispose of land no longer required for public work. Unless the Council is prepared to reconsider the operation of a Transfer Station at Tapawera or that the weight of any submissions regarding a proposal to sell this property are sufficient to cause the Council to review any decision to sell then it is considered that there is little justification to retain the property.

RECOMMENDATION

That the former Tapawera Transfer Station property being Lot 1 DP 16630 be subject to a local consultation process for the property to be sold and that the outcome of proposals be reported back to the Council Enterprises Subcommittee.

J K Frater
Manager Property