

South Head Action Group Inc.



RD1 Helensville 0874

Mr Bob Howard
Chairman
Rodney Local Board
bob.howard@aucklandcouncil.govt.nz

30th November 2010

Dear Bob,

**Re: ENV-2010-AKL-000297: Auckland Council (formerly Rodney District Council)
Stopping of unformed road known as Higham Road.**

We spoke briefly at the 'Mayor in the Chair forum' at Helensville on 24th November and I am writing to follow upon this matter.

In our meeting together, Mayor Len Brown indicated that he believed there was cause to review the decision made by Rodney District Council, to stop the unformed road referred to above. South Head Action Group inc. was very pleased to hear that this. Our concern throughout the road stopping process has been that Rodney District Councillors did not appear to heed the advice of their staff, nor a considerable ground swell of public opinion and appeared to be unaware of the legal grounds on which a case of road stopping is considered.

In the pre-hearing conference on 29th November the Mr McNamara, Counsel for Auckland Council, requested an extension of time in order for Auckland Council to consider the case. In effect this enables the Council to reconcile the differing positions taken by Rodney District Councillors and the Auckland Regional Council who opposed the road stopping. It also allows time to consult with you as our immediate elected representatives.

We are keen to enter into a positive, consultative process with you over this matter, although as you can imagine there has been some escalation of feeling around the matter given the amount of time and energy local South Head people have had to put into opposing the road closure.

Attached to this letter is a briefing paper that summarises many of the issues we believe are pertinent to the case. We appreciate that this is the perspective of those who oppose the road stopping, and that those who support it have their own perspective. However, we have tried to keep our case in line with the factors the Environment Court takes into account in a road stopping process.

Finally, we are attaching the most recent road stopping case from the Environment Court. We believe it provides a good overview of the sorts of factors the Court does consider in a road stopping case. We would encourage you to read this and if you wish for further examples we would be most willing to forward you these as well.

We understand you meet on the 8th December and hope this matter is included on your agenda. We are also willing to meet with you or to speak at a meeting if you so desire.

Kind regards,

Ross Webber
Chairman
South Head Action Group Inc.

cc. Rodney Local Board Members