

2. PROPOSED ROAD STOPPING – DISPOSAL OF REDUNDANT ROAD LAND 43 & 45 MAFFEYS ROAD

Officers responsible City Streets Manager Property Manager	Authors Weng-Kei Chen , DDI 371-1655 Steve Cribb, Property Services Officer, DDI 371-1520 File: RO-008-122
Corporate Plan Output: Roading Land page 9.5.text.14	

The purpose of this report is to seek approval to commence the legal procedures necessary to stop a portion of legal road outside No. 43 & 45 Maffey's Road.

The two parcels of legal road are indicated on SO 303335 and S2817/2 and these are surplus to roading requirements and are occupied by adjoining property owners. These owners have asked if they can purchase the land if it is no longer required by Council for road purposes.

ROAD ASSET INFORMATION

Maffey's Road is a steep hillside road and is a through road between McCormacks Bay Road and Santa Maria Avenue. The road was upgraded in 1994.

Road Status:	Local Road in Living Hill Zone
Legal Road Width:	Various from 14.0m to 20.0m
City Plan Legal Road Width Requirement:	Min 14.0m
Roadway Width:	Varies between 6.0m to 8.5m with kerb and channel on both sides.
Roadway Length	460m
Footpath:	Sealed footpath and concrete steps
Streetscape:	Mainly native planting

STRUCTURES AND VEGETATION ALONG 43 & 45 MAFFEYS ROAD

Behind the kerb is a 1.5m sealed footpath, approximately 4.0m of grass berm and in addition 6.0m of established landscaping planted by the adjoining owners.

OTHER DISPOSALS IN MAFFEYS ROAD

In the past the Council has approved the disposal of similar parcels of surplus road land along Maffey's Road to adjoining property owners (outside 25 & 31 Maffey's Road). The two parcels outside 43 and 45 Maffey's Road are a continuation of that same road strip and accordingly it is recommended the Council approve the commencement of road stopping and, if successful, subsequent disposal of the land to the adjoining owners.

ROAD STOPPING PROCESS

In accordance with the Council's road stopping process, the request is referred in the first instance to the Community Board for consideration and recommendation to Council for approval to proceed. If approved, the legal procedures will then be commenced by seeking formal approval of the Council to stop the portions of road pursuant to the provisions of Sections 319(a) and 342 of the Local Government Act 1974 and, if successfully stopped, to sell the land to the adjoining owners pursuant to Section 345(1)(a)(i) of the Local Government Act 1974 and amalgamate the land with the certificates of title to their properties.

Recommendation: That the Council approve the commencement of the formal procedures to stop and dispose of the two portions of road frontage at 43 and 45 Maffey's Road, as shown on the attached plan, in accordance with the provisions of Sections 319(a), 342 and 345 of the Local Government Act 1974.