

6. 123 MERIVALE LANE - PROPOSED ROAD STOPPING

General Manager responsible:	General Manager, City Environment Group
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PURPOSE OF REPORT

1. The purpose of this report is to obtain the Board's recommendation to Council to declare small parcels of occupied road surplus to the council's requirements. The parcels of road to be declared surplus are as shown on the attached plan (SM1731-01).

EXECUTIVE SUMMARY

2. Staff have received a request from the owners of 123 - 125 Merivale Lane to purchase land parcels identified as Sec 3 and Sec 4 in the attached plan.
3. These sections, along with the other sections identified on the plan, are occupied by the adjoining owners and are not publicly recognised as road space.
4. Merivale Lane is classified as a local road. It was recently reconstructed with flat kerb and channel at a width of 7.5 m with a footpath on the southern side only.
5. Parking demand is relatively high in this location, especially during school terms, with a primary school and early childhood centre nearby. Recently the Board received a report (August 2006) on parking in Merivale Lane and resolved new parking restrictions in this section (Winchester to Papanui). However there was no intent to widen Merivale Lane in this location to address future demand.
6. Previous requests to stop road have been approved by Council. As can be seen in the plan, properties at 108, 120 and 131 Merivale Lane have acquired road land in the past 18 years
7. Staff have assessed the need to retain these parcels for future widening as low and recommend that the parcels are disposed of to create a common boundary line consistent with the road boundary at numbers 109 and 131 Merivale Lane i.e. create a road corridor with a common width of 10.5 metres.
8. Approval to proceed with the disposal of all parcels, identified on the attached plan as Sec 1 – 12, will allow staff to proceed with requests from adjoining owners as and when they arise.

FINANCIAL AND LEGAL CONSIDERATIONS

Section 116 Public Works Act 1981 – Stopping Road:

9. This section states that subject to the consent in writing of the territorial authority and the owner(s) of the land adjoining the road proposed to be stopped, then the road can be declared formally stopped by notice in the Gazette.
10. The cost of disposal along with the associated fees for the road stopping process will be recovered from each applicant along with the income generated from the sale will accrue to Council

STAFF RECOMMENDATIONS

That the Board recommends to the Council:

- (a) That the parcels of road land, identified as Sec 3 and Sec 4 on Plan SM1731- 01, be declared as surplus to road requirements pursuant to Section 116 of the Public Works Act 1981, be stopped, and disposed of to the adjoining land owner.
- (b) That the remaining parcels be declared as surplus to road requirements such that future applicants can negotiate the purchase of their adjoining sections.

CHAIRPERSON'S RECOMMENDATION

For discussion.