

## 9. 244 - 250 DYERS ROAD - SALE OF A STRIP OF ROAD FRONTAGE

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941 8608
<b>Officer responsible:</b>	Asset and Network Planning Unit Manager
<b>Author:</b>	Bill Binns, Property Consultant

### PURPOSE OF REPORT

1. The purpose of this report is to advise that the Council has received a request from the New Zealand Transport Agency (NZTA) to acquire a strip of road frontage to improve a one kilometre section of Dyers Road between Maces Road and Metro Place to improve road safety and as a result, seek the Hagley/Ferrymead Community Board's recommendation to the Council to sell this strip of road frontage to NZTA for this purpose.

### EXECUTIVE SUMMARY

2. In May 2009 the Council received a letter from NZTA advising that it had engaged GHD Limited to carry out investigations to improve a one kilometre section of Dyers Road between Maces Place and Metro Place.
3. As part of this investigation land belonging to the Council (244-250 Dyers Road) had been identified as one of the parties to be affected by this project.
4. Dyers Road forms part of the Christchurch City ring road network designed to provide good access around the perimeter of Christchurch City and also provide direct access to the Port of Lyttelton for heavy commercial traffic from points north.
5. Dyers Road also forms part of the refuse vehicle route around Christchurch.
6. This one kilometre section of Dyers Road spans several intersections and has a deceptive "S" bend near Maces Road. The area is generally located within the established Dyers Road industrial area.
7. The Scheme Assessment Study has highlighted safety concerns with regards to sightlines for visibility to existing properties on the east side of the highway. To improve safety for property access some additional areas of private land will be required and these are shown on the plan (refer **attached**).
8. The Council land affected by this proposal is a narrow strip of road frontage crossing 250 Dyers Road (Lot 1 DP 37293 area of 17.755 square metres) and 244 Dyers Road (Lot 1 DP 2796 area of 174.537 square metres) totalling 192.306 square metres.
9. The City Water and Waste Unit is the titular owner of the property and are supportive of this NZTA initiative. They have advised that by NZTA acquiring this portion of land it will not affect the operation of the Metro Transfer Station and will improve the safety of the highway.
10. This report accordingly recommends that the Council sell this portion of road frontage to the NZTA.

### FINANCIAL IMPLICATIONS

11. NZTA's property consultants and staff from the Council's property consultancy team have through an independent registered valuer agreed on a value of \$27,000.
12. All costs associated with the transfer of the land will be met by the NZTA (reinstating the fence, any driveways and all legal cost).

### Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

13. Yes.

## **LEGAL CONSIDERATIONS**

14. As this strip of land is required for another public work, the Council is not faced with having to deal with section 40 Public Works Act (offering the strip required back to the original owner).
15. The Board does not have delegated authority to sell land or pass the consequent resolution on the sale. However, the Community Board does have recommendatory powers to the Council.

### **Have you considered the legal implications of the issue under consideration?**

16. Yes, as above

## **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

17. Yes.

### **Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

18. Yes. Volume 1 Page 77 City Development - providing a well designed, and efficient transport system.

## **ALIGNMENT WITH STRATEGIES**

19. Yes.

### **Do the recommendations align with the Council's strategies?**

20. Yes, to promote a safe and efficient transport system around Christchurch.

## **CONSULTATION FULFILMENT**

21. No consultation is required outside of reporting process to the Community Board and the Council.

## **STAFF RECOMMENDATION**

That the Hagley/Ferrymead Community Board recommend to the Council that it adopt the following:

- (a) That the strip of road frontage in front of 250 and 244 Dyers Road be sold to the New Zealand Transport Agency for road widening.
- (b) That the Council's policy of selling property through a process of public tender is set aside in respect of 250 and 244 Dyers Road and the sale is achieved through dealing unilaterally with the New Zealand Transport Agency.
- (c) That the Corporate Support Unit Manager be given delegated authority to conclude the terms and conditions of sale for the property at 250 and 244 Dyers Road at a value of \$27,000.

## **CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.