

## 1. DISPOSAL OF STOPPED ROAD – HAZELDEAN ROAD

<b>General Manager responsible:</b>	General Manager City Environment
<b>Officer responsible:</b>	Transport and City Streets Manager
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### PURPOSE OF REPORT

1. The purpose of this report is to seek the Council's approval (under Section 345 of the Local Government Act 1974) to the sale of legal road to the landowners adjoining 216/218 Hazeldean Road, Christchurch at the conclusion of the road stopping process.

### EXECUTIVE SUMMARY

2. In August 1996 the Council, on the recommendation of the Hagley/Ferrymead Community Board following a report relating to the stopping of road reserves along Hazeldean Road between Selwyn and Montreal Streets, resolved:
  - (a) *That the procedures to stop the portions of road be commenced as and when requested by the adjoining owners.*
  - (b) *That the land be sold to the adjoining owners at valuation in accordance with Section 345 of the Local Government Act 1974.*
3. In January 2004, the owners of 216/218 Hazeldean Road, Christchurch, jointly approached the Council requesting consideration to dispose of the surplus road adjoining their property.

### FINANCIAL AND LEGAL CONSIDERATIONS

4. Staff have negotiated a sale and purchase agreement with the owners of the property at 216/218 Hazeldean Road for them to purchase that land shown on Plan SM1289-04 attached to this report shown as Sections 1, 2, 3 and 4 having a total area of 118m<sup>2</sup>.
5. Independent valuation advice has been obtained for the value of the land adjacent to 218 Hazeldean Road at \$12,500. As the stopping also includes the immediately adjacent area of road at 216 Hazeldean Road, the same value has been utilised in determining that lot. The sale and purchase agreement is for a total of \$25,000 including GST.
6. The Community Board does not have delegated authority to approve the sale of legal road – such a decision needs to be made by the full Council. The Board has, however, recommendatory powers to the Council.

### BACKGROUND OF DISPOSAL OF STOPPED ROAD – 216/218 HAZELDEAN ROAD

7. The Spreydon/Heathcote Community Board in July 1996 and the Hagley/Ferrymead Community Board in August 1996 considered a staff report to stop portions of legal road set aside for road in Hazeldean Road and considered surplus. The Council resolved to stop the portions of road as and when requested by the adjoining owners and that the land be sold to the adjoining owners at valuation in accordance with Section 345 of the Local Government Act 1974.
8. The owners of the property at 216/218 Hazeldean Road, Christchurch jointly approached the Council to stop the surplus road adjoining their industrial property. They currently hold both properties under the Unit Titles Act and it is proposed upon re-survey to separate the property into two separate freehold titles.
9. The agreement consequently is with owners as joint owners of the Unit Titles.
10. The site is zoned Business 3 in the proposed City Plan and the independent valuation has considered the benefits to the property by the sale of the road. The additional land will ultimately be utilised as additional off-street car parking on both sites.
11. The formal road stopping procedures under the Local Government Act 1974 will be commenced and subject to there being no objections, the sale will proceed following the formal stopping of the road.

**STAFF RECOMMENDATION**

It is recommended that, subject to the road stopping process being successfully completed, Sections 1, 2, 3 and 4 shown on plan SM1289-04 adjoining 216/218 Hazeldean Road be disposed of in accordance with Section 345 of the Local Government Act 1974 for a total sum of \$25,000 including GST.

**BOARD RECOMMENDATION**

That the staff recommendation be adopted.