

1. ROAD STOPPING OF UNFORMED LEGAL ROAD ADJOINING 21 ATHOL TERRACE

General Manager responsible:	General Manager City Environment, DDI 941- 8656
Officer responsible:	Transport and Greenspace Unit Manager
Author:	Bill Binns, Property Consultant

PURPOSE OF REPORT

1. The purpose of this report is to seek the Council's approval to proceed by way of consent under the Public Works Act 1981 to stop a portion of unformed road adjoining 21 Athol Terrace as depicted on the **attached** Survey Office Plan 329733, Lot 2 DP15391 and to authorise the sale of that stopped road.

EXECUTIVE SUMMARY

2. The Riccarton/Wigram Community Board has previously recommended that the parcel of unformed road in Athol Terrace be disposed of (19 November 2003).
3. The parcel is not affected by any underground or overhead utilities.
4. The property has been valued through an independent valuation process.

FINANCIAL AND LEGAL CONSIDERATIONS

5. The property was valued by an independent valuer who valued the 52 square metres of road stopping in front of 21 Athol Terrace at \$6,000 inclusive of GST. This sum has been paid to the Council.

BACKGROUND ON ROAD STOPPING OF UNFORMED LEGAL ROAD ADJOINING 21 ATHOL TERRACE

6. At its meeting of 27 November 2003 the Council adopted a report from the Riccarton/Wigram Community Board recommending:
"That the Council approve the commencement of the requisite road stopping procedure and to approve in principle the declaration of the affected parcels of land as being surplus to roading requirements."
7. A report was submitted to the Council in February 2005 for stopping and amalgamating the stopped road in front of 19 Athol Terrace.
8. In practical terms the Council, having resolved on 27 November 2003 to the stopping of the unformed road adjoining the above properties in Athol Terrace, now has no other option than to approve the stopping and amalgamation of the portion of legal road in front of 19 Athol Terrace. This report is simply a procedural step in that process required by legislation.

STAFF RECOMMENDATION

That the Council, pursuant to the provisions of Section 116(i), 117(3) (b) and 120(3) of the Public Works Act 1981, resolve to stop the portion of the road shown on SO 329733 as described in the schedule below and amalgamate this portion with CB 543/92. The Council also certifies that it considers it equitable to vest the schedule below, when stopped in Stephen Raymond and Carrol-Anne Child with consideration in the sum of \$6,000 established by independent valuation.

SCHEDULE

Being	Adjoining Area	Computer Register
Section 2	Lot 2 DP15391 0.0052ha	CB543/92

BOARD RECOMMENDATION

That the staff recommendation be adopted.