

## 2. PROPOSED ROAD STOPPING –HEBERDEN AVENUE (ADJOINING NUMBERS 66, 64 AND 58)



<b>General Manager responsible:</b>	General Manager City Environment
<b>Officer responsible:</b>	Transport and City Streets Manager
<b>Author:</b>	Weng Kei Chen, DDI 941-8655

### PURPOSE OF REPORT

1. The purpose of this report is to seek Council approval to:
  - (a) Declare small parcels of road land adjoining numbers 66, 64 & 58 Heberden Avenue surplus to the Council's requirements; and
  - (b) Commence road stopping procedure for their disposal when staff receive requests from adjoining properties owners.

### EXECUTIVE SUMMARY

2. Staff have received requests from the owners of 66 Heberden Avenue to acquire a parcel of road land outside their property which they already occupy.
3. Similarly outside numbers 64 and 58 owners have been occupying legal road.
4. These properties are along the stretch of Heberden Ave between Campbell and Arnold streets with a carriageway width varying between 6.0m to 8.0m and a footpath along the northern side.
5. The existing road asset is adequate in this developed residential environment and vehicle speed is low.
6. Small parcels of surplus road were stopped in 1999. These being adjoining numbers 48 and 50.
7. It is unlikely these parcels of road will be required for roading purposes and their disposal to the owners of adjoining properties will create a uniformity of true property boundaries.

### FINANCIAL AND LEGAL CONSIDERATIONS

8. There will be no financial cost to the Council for this project.
9. The cost incurred in the road stopping process including surveying will be recovered from the owners of the respective properties.
10. The values of the individual parcels of road land as identified will be determined by a valuer appointed by the Council. These values will be the land costs offered to purchasers.
11. Section 116 Public Works Act 1981 – Stopping Road. This section states that subject to the consent in writing of the territorial authority and the owner(s) of the land adjoining the road to the stopping, then the road can be declared formally stopped by notice in the Gazette. In this instance there will be no loss of public access along Heberden Avenue.

### STAFF RECOMMENDATIONS

That the Council:

1. Declare the parcels of road land as shown on the attached plan outside numbers 66, 64 and 58 Heberden Avenue surplus to the Council's requirements.
2. Commence the road stopping procedure for their disposal pursuant to the Public Works Act 1987, when staff receive requests from adjoining property owners.

### BOARD RECOMMENDATION

That the staff recommendation be declined.