

3. PROPOSED KIOSK SITE – GRANGE STREET / 239A OPAWA ROAD

Officer responsible Property Manager	Author Property Services Officer, Dave Falls
Corporate Plan Output: Fixed Assets Rooding 9.5 text .72	

The purpose of this report is to seek the Council's approval to the sale to Orion of the 12m² kiosk site shown as Lot 2 on the enclosed plan S3253 to enable the construction of a new kiosk substation to upgrade the power supply in the area.

Details of the proposed sale are as follows:

Address:	239A Opawa Road
Legal Description:	Pt Lot 7 DP 412
Owner:	Christchurch City Council for road diversion.
Valuation:	The current market valuation of the 12m ² site has been assessed by Ford Baker on the Council's behalf at \$5,500 plus GST with the Council being responsible for the survey costs.
Proposed Settlement:	Agreement has been reached and settlement can be achieved on Orion's payment of \$5,500 plus GST for the 12m ² shown on the enclosed plan.

The property has not been circulated to other units of Council in terms of the surplus property decision-making flow chart as it is considered inappropriate for the disposal of such a small utility lot.

The proposed 12m² site is a portion of a 614m² site which was acquired by the Council pursuant to the Public Works Act for a public work, namely road diversion. Orion is a "network utility operator" for the purposes of the Resource Management Act 1991 and the Council is authorised to set apart an area of land held under the Public Works Act for a work of Orion pursuant to Section 186(4) of the Resource Management Act. The Council's offer-back obligations of Section 40 of the Public Works Act do not apply to land set apart pursuant to Section 186(4) Resource Management Act.

However in order for the disposal to Orion to comply with the provisions of the Resource Management Act, it will be necessary for the Council to adopt the appropriate enabling resolution.

- Recommendation:**
1. That the sale of the kiosk site to Orion be confirmed as outlined above.
 2. That the following resolution be adopted:

Resolution

The Christchurch City Council hereby resolves pursuant to the provisions of Section 186(4) of the Resource Management Act 1991 to dispose of the land described in the Schedule hereto to Orion for the purpose of a kiosk site.

Schedule

All that parcel of land containing 12m² or thereabouts (subject to survey) being part Lot 7 DP 412 being part of the land containing in Certificate of Title 184/110 as shown as Lot 2 on Plan S3235.