

12.5 **REPORT TITLE:** **ROAD CLOSURE - PORTION OF PACKARD STREET, NAIRNE**

DATE OF MEETING: 20 FEBRUARY 2006

AUTHOR: **BILL GRAHAM**

AUTHOR'S TITLE: **CONTRACTS & PROPERTY CO-ORDINATOR**

REPRESENTORS: **NIL**

FILE NUMBER: **60/110/017**

ATTACHMENTS: 1. **SITE PLAN**
 2. **SITE PHOTO**
 3. **CONFIDENTIAL ATTACHMENT -**
 EXTRACT FROM VALUATION

3 Sept 07 released attachment from confidentiality

DEPARTMENT: **ASSETS & INFRASTRUCTURE**

DEPARTMENT
MANAGER: **BRIAN CLANCEY**

PURPOSE

To present to Council a proposal to close an existing unmade road reserve in Nairne.

RECOMMENDATION

That Council resolve to:

1. Make a road process order to close that portion of unmade road adjoining Allotment 163, D50012 and Allotment 33, 158811.
2. Exclude the portion of unmade road subject to the road closure from the classification of community land in accordance with Section 193(4)(a) of the Local Government Act 1999;
3. Authorise staff to investigate options for both the possible exchange or sale of the land and subsequently provide a further report to Council on both options.
4. Authorise the Chief Executive Officer to sign all the necessary road closure documentation and apply the seal where appropriate.

BACKGROUND

Council has endorsed the development of Stage 1 of the Nairne Linear Park. The park is to be developed on allotment Q3001, D69108 in Attachment 1 - Site Plan. Council is awaiting the transfer of the land as open space contribution by Mr PC Craven & Isna Pty Ltd, developer of land divisions in the Nairne area.

The eastern portion of Packard Street, Nairne is an unmade road (refer Attachment 1 – Site Plan). It measures approximately 1,000 square metres in area and is located adjacent to the proposed park. The unmade road is located in a Residential Zone and this is not expected to change in the proposed District Wide Residential PAR.

The unmade road is adjacent to five other allotments, allotment A163, D50012, and allotments 33 – 36, F158811 (refer Attachment 1 – Site Plan).

These allotments are also owned by Mr PC Craven & Isna Pty Ltd.

There is no requirement to gain access to any of these allotments via the unmade road as access is gained off Woodside Road, and in the case of Allotment 163, also via Webber Drive.

Council staff from Planning, Development Assessment, Assets & Infrastructure, Horticultural and Environment have assessed the proposed closure and have no objections or concerns with the proposal.

DISCUSSION

There are three (3) options available to Council in respect of the unmade road:

Option 1

Do nothing and retain and maintain the unmade road. There would be an ongoing cost to Council to maintain the land.

Option 2

Close the road and negotiate to exchange this land in return for other land.

Option 3

Close the road and sell the land for the maximum return to Council.

It is proposed that Council staff investigate options 2 and 3 and provide a subsequent report to Council. Option 1 is not supported as it would not be consistent with Council's responsibilities under the Local Government Act 1999 and its own Community Strategic Plan to manage resources effectively.

It is desirable to commence the proposed actions now given the potential implications for the final area and design of the Nairne Linear Park.

POLICY IMPLICATIONS

1. Financial/budget

Option 2

Costs associated with the road closure, utilities and transfer estimated at \$10,000.

Option 3

Income from sale of land as shown in "Confidential Attachment – Extract From Valuation". Costs associated with the road closure, utilities and sale estimated at \$10,000.

2. Legal

Road closure will be completed in accordance with the requirements of the Roads (Opening & Closing) Act 1991. Disposal of the land will be in accordance with Council's land & Other Asset Sales policy.

3. Staffing/Work Plans

Road closure process and subsequent exchange/disposal of land will be completed within existing staffing levels.

4. Environmental

Not applicable.

5. Social

Enhancement of open space for the community.

6. Strategic Plans

The following provisions of the Community Strategic Plan (2004-2007) are considered most relevant to this matter:

5 COMMUNITY ASSETS

Goal

Provide a comprehensive range of accessible services and facilities in a financially, socially and environmentally responsible manner.

Objectives

1. Fulfil Council's responsibility as custodian and provider of community assets.

2. Ensure Council only holds assets which are of continuing benefit to the community.

4. *Investigate a range of opportunities for the generation of income from sources other than rates to improve Council's ability to provide resources for the community.*

COMMUNITY CONSULTATION

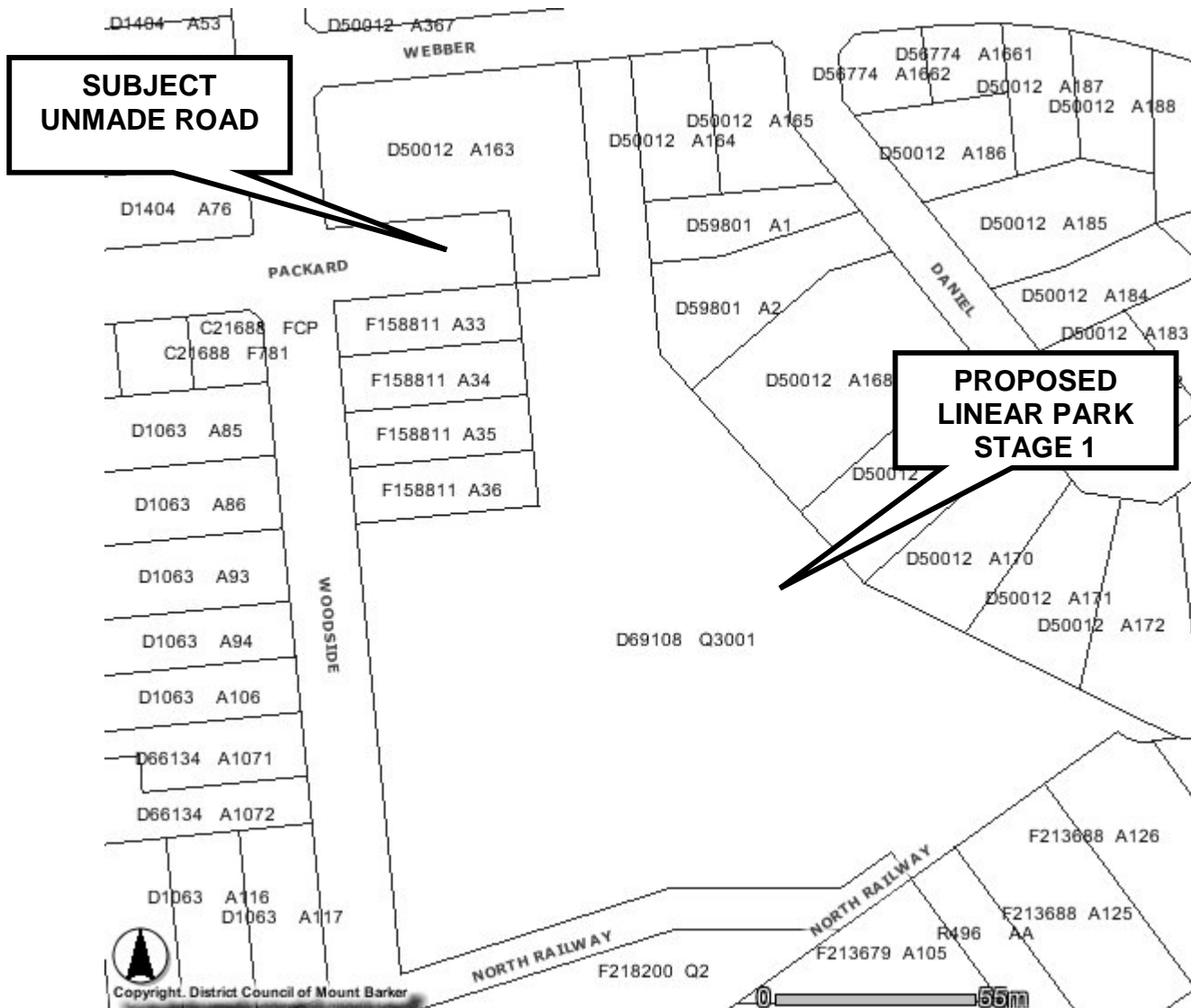
1. Customer Needs Analysis

To be considered as part of the proposed Council staff investigations.

2. Promotion/Communications

The Roads (Opening & Closing) Act 1991 and Council's Public Consultation policy requires Council to undertake a public consultation process when closing roads or disposing of land assets.

ATTACHMENT 1 – SITE PLAN



ATTACHMENT 2 – SITE PHOTO





Executive Summary

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| The Property | Public Road being the eastern most portion of Packard Street, Naime identified as Allotment 196 within Deposited Plan 1063 in the area named Naime, Hundred of Karmantoo. This land is held within Certificate of Title Register Book Volume 5635 Folio 573. |
| Instructions and Client | By order and on account of Mr Bill Graham for the District Council of Mount Barker in accordance with written instructions provided on 6 February 2006. |
| Purpose of Valuation | To determine the value of the subject property in anticipation of closure of the Public Road and disposal by Council. |
| Zoning | The subject property is zoned Residential by the District Council of Mount Barker. |
| Property Description | Rectangular shaped parcel of land with a westerly frontage of 20.12 metres to Woodside Road and a depth of 50.29 metres. The subject property therefore has a total land area in the order of 1,012 square metres. |
| Valuation | One Hundred and Twenty Five Thousand Dollars (\$125,000) Exclusive of GST |
| Date of Valuation | 7 February 2006 |
| Issued by | Maloney Field Services Property Consultants and Valuers Level 2, 135 Fullarton Road ROSE PARK SA 5067 |

PETA L. MANTZARAPIS
B Bus Property (Valuation) AAPI
Certified Practising Valuer

This Executive Summary should be read in conjunction with our detailed Valuation Report which follows and should not be relied upon in isolation.