

4. PROPOSED ROAD STOPPING – DISPOSAL OF REDUNDANT ROAD – DISRAELI STREET

Officer responsible Property Manager	Author Dave Falls Property Services Officer, DDI 941-8580 - RO-007-001-4
--	--

The purpose of this report is to seek Council approval to proceed with the road stopping procedure under the Local Government Act 1974 for a portion of legal road, following the completion of the deviation of Disraeli Street at its intersection with Selwyn Street. Five parcels of land have been identified by the City Streets Unit as being surplus to requirement and available for sale.

The proposed road stopping is shown in the Notified City Plan.

The land is no longer formed as road but grassed in association with the berm. A copy of plan SO 319810 is attached.

Approval in principle was recommended by the Spreydon/Heathcote Community Board and confirmed by Council at its 27 February 2003 meeting to stop the road and dispose of the redundant portions of land.

Negotiations between the Council officers and the adjoining land owners are continuing for the sale of the land subject to a successful road stopping procedure. Any agreement between the Council and adjoining landowners will be subject to (as a condition precedent) the Council resolving to complete the road stopping procedures under the Local Government Act 1974. Section 345 of the Local Government Act 1974 specifies that the price of any stopped road land is to be fixed by a valuer appointed by the Council.

The tenth schedule of the Local Government Act sets out a public process for the stopping of road. If there are objections to the road stopping then this matter will be referred to the Council's Hearings Panel for consideration and recommendation to Council.

RESOLUTION

Provided that no objections are received to the road stopping through the road stopping process set out in the tenth schedule to the Local Government Act 1974, the Council resolves as follows:

- (a) Pursuant to the provisions of Section 319(h) and 342 of the Local Government Act 1974, the Christchurch City Council resolves to stop that portion of road as shown on the plan and described in the Schedule hereto.
- (b) Pursuant to section 345 of the Local Government Act 1974, the Christchurch City Council resolves to sell that portion of road as shown on the plan and described in the Schedule hereto to the adjoining landowners.

REASON FOR THE ROAD STOPPING

Disraeli Street has been deviated to a more favourable location and the parcels proposed for stopping are no longer required for roading purposes. If the parts of the road are stopped (as listed in the schedule below), those parts will be available for disposal to the adjoining owners pursuant to the provisions of Section 345 of the Local Government Act 1974.

SCHEDULE

Plan	Shown	Adjoining	Title Reference	Area
SO 319810	Section 1	Pt RS66	118/63	283 m ²
SO 319810	Section 2	Pt RS66	352/220	283 m ²
SO 319810	Section 3	Pt RS66	31A/567	126 m ²
SO 319810	Section 4	Lot 1 DP 37274	18A/1034	98 m ²
SO 319810	Section 5	Lot 12 DP 38298	17A/1337	122 m ²

Staff

Recommendation: That the above resolution be adopted.

Chairperson's

Recommendation: That the staff recommendation be supported.