

**9. PROPOSED ROAD STOPPING - DISPOSAL OF REDUNDANT ROAD  
- SANDOWN CRESCENT**

<b>Officer responsible</b> Property Manager	<b>Author</b> Dave Falls - Property Services Officer, DDI 941-8580
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The purpose of this report is to seek approval to proceed with the road stopping procedure under the Local Government Act 1974 for a portion of legal road (accessway), identified by the Burwood/Pegasus Community Board as being surplus to requirement and recommended for stopping and disposal. The proposed road stopping is not shown in the Notified City Plan.

The Council has delegated to Community Boards:

“The power of the Council to commence road stopping procedures for an accessway (as defined in s315(1) of the Local Government Act) under the Tenth Schedule of the Local Government Act 1974.”

A copy of the SO 323228 plan is attached.

Approval in principle was recommended by the Community Board at its 29 April 2002 meeting to stop the road (accessway) and dispose of the land.

Negotiations between the Council officers and the adjoining landowners have concluded 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 1974 sets out a public process for the stopping of road. If there are objections to the road stopping then this matter will be referred back to the Council for further consideration.

**RESOLUTION**

Provided that no objections are received to the road stopping through the road stopping process set out in the Tenth Schedule of the Local Government Act 1974, the Board resolves as follows:

- (a) Pursuant to the provisions of Sections 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, subject to the protection of existing services by easement.

**REASON FOR THE ROAD STOPPING**

Following public consultation the Community Board has resolved to stop the road accessway because of ongoing problems with graffiti, noise, damage and criminal activity in the area.

**SCHEDULE**

<b>Plan</b>	<b>Shown</b>	<b>Adjoining</b>	<b>Title Reference</b>	<b>Area</b>
SO 323228	Section 1	Lot 855 DP 23893 Lot 854 DP 23893	5A/84 5A/83	99 m <sup>2</sup>
SO 323228	Section 2	Lot 807 DP 23893 Lot 808 DP 23893	32A/1325 11F/406	98 m <sup>2</sup>

**Staff**

**Recommendation:** That the above resolution be adopted.

**Chairperson's**

**Recommendation:** That the abovementioned recommendation be adopted.