

**5. PROPOSED ROAD STOPPING - RETENTION OF STOPPED ROAD RR 9008
IN COUNCIL OWNERSHIP PORTION OF BEACH ROAD Map Reference: C 17**

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Corporate Plan Output: Regional Parks Page 9.4.35	

The purpose of this report is to start the legal procedures necessary to stop a portion of legal road. The report was submitted to the February meeting of the Burwood/Pegasus Community Board.

The reason for the road stopping is to stop the portion of Beach Road west of the residential houses and amalgamate the land with the adjoining Travis Wetland Reserve. The Council is now the adjoining landowner to the portion of road to be stopped.

It is proposed to develop a new entrance to the park in this area. The road is no longer required for road purposes and therefore could be stopped.

The City Streets Unit agrees with this proposal. The plan is attached.

The following resolution is necessary to initiate the stopping action.

RESOLUTION

Pursuant to the provisions of Sections 319(h) and 342 of the Local Government Act 1974, the Christchurch City Council hereby resolves to stop that portion of road as shown on the attached plan and described in the Schedule hereto.

REASON FOR THE ROAD STOPPING

The reason for this road stopping is to legally stop the unformed portion of Beach Road as it is no longer required for purposes of a legal road as the Council is now the only adjoining owner.

It is proposed to construct a visitors' centre on or adjoining the site of the current legal road. Under the City Plan Conservation Zones 2.2.1 a minimum building set-back of 5m is required from all legal roads.

In addition the Parks Unit wish to retain the option of being able to prevent public access after hours and at other appropriate times for reasons of security and safety. In order to do this the current legal road must be stopped. A portion of the road near Frosts Road will be retained as legal road for the time being to allow residential access (see location plan).

The stopping of this portion of Beach Road will not preclude the use of the road by the Council for access or building as stated under Section 53 (1) of the Reserves Act 1977, “(...the administering body of a recreation reserve may...)”, (g) “Erect... buildings and structures...”, and (h) “...set apart any part or parts of the reserves-”, (i) “For driveways...”, (ii) “...parking places for vehicles...”.

PURPOSE TO WHICH THE STOPPED ROAD WILL BE PUT

The portion of road when stopped will be held by the Council as a ‘recreation reserve’ under Section 17 of the Reserves Act and pursuant to Section 345 (1) (b) of the Local Government Act 1974.

SCHEDULE

Portion of Beach Road being all that parcel of land situated in the City of Christchurch and shown as ‘*Road to be Stopped*’ and described as follows:

Shown	Area	SO	Adjoining Land
A	6790 m ²	20044	Lot 1 DP 45936 (24B.1266) Section 1 So 18724 (41D/27, 42B/138) Lot 1 DP 75092 (42A/517) Pt Lot 2 DP 9176 (17B/977) Pt Lot 1 DP 9176 (17B/976)

The Burwood/Pegasus Community Board decided to recommend to the Parks and Recreation Committee that the following recommendations be supported.

- Recommendation:**
1. That the above resolution be adopted.
 2. That if no objections are received, or the objections are later withdrawn, the Council shall by public notice, declare the said portion of road as stopped.
 3. That the stopped road be held in the Council’s name for Recreation Reserve purposes pursuant to Section 17 of the Reserves Act 1977.
 4. That if objections are received, the Resource Management Hearing panel hear the objections and then make a recommendation to the Council as to the action to be taken.