

# 1. PROPOSED ROAD STOPPING – DISPOSAL OF REDUNDANT ROAD – CRICHTON TERRACE

<b>Officer responsible</b> Property Manager	<b>Author</b> Dave Falls, Property Services Officer, DDI 941-8580 - RO-008-116
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The purpose of this report is to seek Council approval to proceed with the procedure set out in the Tenth Schedule of the Local Government Act 1974 to effect the formal stopping of a portion of legal road previously identified by the Spreydon/Heathcote Community Board at its meeting on 5 September 2000. The legal description of the land in question is set out in the schedule included in this report. Once the stopping procedure has been concluded, it is proposed to dispose of the land as being surplus to the Council's requirements. The proposed road stopping is not shown in the notified City Plan.

A copy of the SO 325424 plan is tabled.

Negotiations between Council officers and the adjoining land owners have concluded for the sale of the land, subject to the successful conclusion of the road stopping procedure. Any agreement between the Council and adjoining landowners will be subject (as a condition precedent) to the Council resolving to complete the road stopping procedures under Sections 319(h), 342(l)(a), 345(l)(a)(i), 345(2) of 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 roads. If there are objections to the road stopping then this matter will be referred back to the Council for further consideration.

### SCHEDULE

<b>Plan</b>	<b>Shown</b>	<b>Adjoining</b>	<b>Title Reference</b>	<b>Area</b>
SO 325424	Section 1	Lot 2 DP 26339	8A/1090	127 m <sup>2</sup>

### 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, it is recommended that the Council resolve as follows:

- (a) Pursuant to the provisions of Section 319(h) and 342(l)(a) 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(l)(a)(i) and 345(2) 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

This portion of the road is narrow owing to the topography of the land, and the opportunity to widen the roadway is limited to within the current legal road width. The current situation enables road users to travel at a slow speed, and any widening of the road would not be supported.

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