

**7. PROPOSED ROAD STOPPING:  
DISPOSAL OF REDUNDANT ROAD WIDENING  
HEBERDEN AVENUE NO 50**

RR 8965  
Map Reference: N 22

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Corporate Plan Output: Roading Land page 9.5.text.14	

The purpose of this report is to start the legal procedures necessary to stop a portion of legal road.

The owners at Nos 48 and 50 Heberden Avenue have approached the Council and asked if they can purchase the redundant road widening adjoining the frontage of their property.

The proposed road stopping is not shown in the Notified City Plan.

Approval in principle was given by the Council at its September 1997 meeting to dispose of the unformed portion of Heberden Avenue as the land is not required for road purposes.

Negotiations between the Council officers and the adjoining land owners have been satisfactorily concluded subject to a successful road stopping procedure.

City Streets agrees with this proposal.

The land is not formed as road but occupied by the adjoining owners.

The land is formed as a bark garden.

The plan is attached.

Prior to sale 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 plan and described in the Schedule hereto.

**REASON FOR THE ROAD STOPPING**

The Council has received a request from the adjoining owners for the purchase of the land which is no longer required by Council for road purposes.

## PURPOSE TO WHICH THE STOPPED ROAD WILL BE PUT

The portion of road when stopped, will be sold to the adjoining owners pursuant to Section 345 (1) (a) (i) of the Local Government Act 1974 and amalgamated with their certificate of title pursuant to Section 345 (2) of the Local Government Act 1974.

The land is situated alongside and occupied by Nos 48 and 50 Heberden Avenue and is 2.08 m in width.

## SCHEDULE

Portions of Heberden Avenue being all those parcels of land situated in the City of Christchurch and shown as '*Road to be Stopped*' and described as follows:

Shown	Area	SO	Adjoining Land	Title Ref
A	74 m <sup>2</sup>	20076	Lot 4 DP 69195	CT 40B/625
B	23 m <sup>2</sup>	20077	Lot 4 DP 69195	CT 40B/625
C	43 m <sup>2</sup>	20078	Lot 3 DP 69195	CT 40B/624

- Recommendation:**
1. That the above resolution be adopted.
  2. That, if no objections are received, or if 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 sold to the adjoining owners pursuant to Section 345 (1) (a) (i) of the Local Government Act 1974 and amalgamated with their certificate of title pursuant to Section 345 (2) of the Local Government Act 1974.
  4. That, if objections are received, the Resource Management Hearing panel hear the objections and then make a recommendation to Council as to the action to be taken.

### Chairman's

**Recommendation:** That the Board recommend the above action to the Council.