

**42. PROPOSED ROAD STOPPING:
DISPOSAL OF REDUNDANT ROAD WIDENING
HOLLY ROAD NOS 83 AND 85**

RR 8963

Map Reference: F 11

Officer responsible 45City Streets Manager	Author Lester Reilly, Legal Surveyor Design Dave Falls, Property Services Officer
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 No 85 Holly Road 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 Shirley/Papanui Community Board at its February 1997 meeting to dispose of the unformed portion of Holly Road 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 fenced and occupied by the adjoining owners.

The plan is attached.

Prior to sale the following resolution is necessary to initiate the stopping action:

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 83 and 85 and is 2.59 m in width.

Schedule

Portion of Holly 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	Title Ref
A	45 m ²	20072	Lot 2 DP 22101 Pt Lot 4 DP 98	CT 1C/627 CT 239/138
B	48 m ²	20073	Lot 1 DP 22101 Lot 1 DP 71636	CT 1C/476 CT 43A/221 & 222

- 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 That if no objections are received, or the objections are later withdrawn, the Council shall by Public Notice, declare the said portion of road as stopped.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 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."

Chairperson's

Recommendation: That the Council proceed with the recommendation above.