

**12. PROPOSED ROAD STOPPING: PORTION OF HIGH STREET
RETENTION OF STOPPED ROAD BY THE COUNCIL
LEGALISATION OF LAND FOR ROAD
HIGH STREET AT LICHFIELD STREET**

RR 9715
Map Reference: H 12

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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 and to legalise as road a portion of land.

Further to Clause 10 in the City Services report that was approved by Council on 25 March 1999 it has been discovered that to achieve the aim of that report it is necessary to legally stop the portion of road that is to be paved for pedestrian use.

The formed road between Manchester Street and High Street north of the Garden plot is not legal road. This portion of road will require to be legalised as 'road' in lieu of the portion of road to be stopped. The plan is attached.

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

Prior to stopping the portion of road the following resolution is necessary to initiate the stopping action:

RESOLUTION 1

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 unformed portion of road as shown on the plan and described in the Schedule hereto.

REASON FOR THE ROAD STOPPING

The reason for the road stopping is to implement a Council resolution that has resolved that the total width of the legal road shall be used for pedestrians.

PURPOSE TO WHICH THE STOPPED ROAD WILL BE PUT

The portion of road when stopped, will be held by the Council pursuant to Section 345(1)(b) of the Local Government Act 1974 and used as footpath for pedestrian use. The effect of this is that the land will be held by the Council in fee simple.

SCHEDULE 1

Portion of High Street 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
Section 1	591 m ²	20104	Pt Section 899 Town of Christchurch Reserve	CT A1/121 Sect 7(1) Christchurch City (Reserve) Empowering Act 1971

RESOLUTION 2

HIGH STREET/MANCHESTER STREET TRIANGLE

That the Christchurch City Council being the local authority having control of the roads in the City of Christchurch hereby resolves pursuant to Section 43 of the Transit New Zealand Act 1989 to recognise as legal road that portion of road between Manchester Street and High Street and shown on the plan attached and described in the Schedule hereto, as it has been formed and been in use by the public and public monies have been expended on its maintenance for many years.

SCHEDULE 2

All that portion of land situated in the City of Christchurch and shown as Section 3 on Survey Office Plan 20104 and containing 208 square metres and being part Reserves Section 7(1) Christchurch City (Reserves) Empowering Act 1971.

- Recommendation:**
1. That the above resolutions 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 by the Council pursuant to Section 345(1)(b) 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.
 5. That the Council requests the Minister of Transport to register the plan and document with the District Land Registrar.

Chairman's

Recommendation: That the Council proceed with the recommendation above.