

**3. PROPOSED ROAD STOPPING:
DISPOSAL OF REDUNDANT ROAD
AND PORTION TO BE RETAINED BY COUNCIL
UNNAMED UNFORMED ROAD EAST
OFF AVOCA VALLEY ROAD**

Map Reference: M 16
RR 9714

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

The purpose of this report is to seek the Board's recommendation to Council to start the legal procedures necessary to stop a portion of legal road.

The owners at 65 and 69 Avoca Valley Road have agreed to allow the Council to reduce the width of the road down to 12 m and sell them the stopped road adjoining the frontage of their properties (shown as Section 1 and 2). The balance of the stopped road (shown as Section 3 on the attached plan) is to be used for car parking for the adjoining reserve (Mary Duncan Park). This entrance to the Mary Duncan Park is to be enhanced by providing car parking and a walkway over the stream.

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

Negotiations between the Council officers and one of the adjoining land owners has been satisfactorily concluded subject to a successful road stopping procedure and negotiations with the other landowner is continuing.

City Streets agrees with this proposal.

The road is unformed.

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 those portions of road as shown on the plan and described in the Schedule hereto.

REASON FOR THE ROAD STOPPING

The Council wishes to construct a car park off Avoca Valley Road in associated with Mary Duncan Park. As part of this exercise it was discovered that the house to the north was located on portion of the legal road. Negotiations between the landowner on the south side has been completed and it has been agreed to sell them a portion of stopped road 4 m in width. Negotiation with the landowner is continuing and should be successful shortly.

PURPOSE TO WHICH THE STOPPED ROAD WILL BE PUT

The portions of road shown as Sections 1&2 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 portion shown as Section 3 is to be held in Council ownership as a car park and used in conjunction with Mary Duncan Park.

SCHEDULE

Portions of unnamed unformed legal road 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
Section 1	168 m ²	20103	Pt Lot 6 DP 5319	CT 6A/133
Section 2	286 m ²	20103	Lot 1 DP 13268	CT 501/284
Section 3	2001 m ²	20103	Pt Lot 6 DP 5319 Lot 1 DP 13268 Parts RS 10520 CT 251/220 Parts RS 12479 Part RS 388 Part RS 10027	CT 6A/133 CT 501/284

- Recommendation:**
1. That the above resolution be adopted.
 2. That if no objections are received, or the objections are later withdrawn:
 - (a) The Council shall by Public Notice, declare the said portions of road as stopped, and
 - (b) The stopped road Section 1 and Section 2 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. Section 3 to be held in Council ownership as a car park and used in conjunction with Mary Duncan Park.
 3. 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.”