

4. POUND ROAD STOPPING



General Manager responsible:	General Manager, City Environment Group DDI 941-8608
Officer responsible:	Asset and Network Planning Manager
Author:	Weng – Kei Chen, Asset Engineer and Bill Morgan, Property Consultant

PURPOSE OF REPORT

1. The purpose of the report is to seek a resolution from the Council, in accordance with Section 342 (1) of the Local Government Act 1974 to stop part of Pound Road (as defined in the resolution below). Notice is not to be published until the new alternative road is open and available to traffic.

EXECUTIVE SUMMARY

2. The Council at its meeting on 26 November 2009 approved the Fendalton/Waimairi Community Board's recommendation to commence road stopping procedures, pursuant to the Tenth Schedule of the Local Government Act 1974, with respect to those parcels of Pound, Savills and Jessons Roads shown as Sections 16 to 23 inclusive on Survey Office Plan 424971 (**Attachment 1**). This was prompted by a request from CIAL to realign the location of the existing Pound Road from Savills Road to McLean's Island Road. The deviation is required to meet with Civil Aviation regulations for the operation of the east/west runway which must be complied with by the end of 2011.
3. The Council has complied with the requirements of the Tenth Schedule by notifying all of the owners adjoining the road proposed to be stopped, publicly notifying the intention to stop the road twice as required, in the Christchurch Press, calling for objections to the proposal and placing a copy of the notice at each end of the portion of the road to be stopped.
4. In all eleven submissions were received of which two were in support, two were from Companies seeking to protect their services and seven opposed to the proposal. Following discussions with the Companies they have accepted that their services (electricity and fibre copper cables) will be protected by easements. With respect to the private objectors their concerns were generally based around boy racer problems being experienced in Jessons Road. It was agreed at a meeting with the residents to undertake some traffic treatment measures to the intersection of Jessons and Pound Roads and if found necessary CIAL has agreed to gate Pound Road, once stopped, to prevent activity in the area outside of normal business hours. Having completed the traffic improvements and accepted CIAL's undertaking the residents have now withdrawn their objections.
5. The next step in the process is for the Council to resolve by public notice to declare that the road is stopped and to forward two copies of the notice and plans to the Chief Surveyor so that the land records can be noted. The road stopping will not take effect until the matter has been actioned by the Chief Surveyor.
6. This action cannot, however, be completed until the realignment of the road has been constructed, legalised and opened for traffic. The passing of the resolution to give public notice of the stopping will enable the stopping to be completed to coincide with the opening of the new road.

FINANCIAL IMPLICATIONS

7. There are no financial implications for the Council as all costs are being met by CIAL.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

8. Not applicable.

LEGAL CONSIDERATIONS

9. The requirements of the Local Government Act 1974 section 342 Stopping and Closing of roads have been met.

Have you considered the legal implications of the issue under consideration?

10. Yes - see above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

11. Yes - the resolution required for the road stopping will enable the realignment of Pound Road to proceed. The new road alignment will provide a safer, sustainable network that enables access to goods and services, work and leisure activities.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

12. Not applicable.

ALIGNMENT WITH STRATEGIES

13. This work is consistent with the traffic objectives in the Christchurch City Plan.

CONSULTATION FULFILMENT

14. All of the requirements have been met.

STAFF RECOMMENDATION

That the Board recommends to Council:

(a) That pursuant to the provisions of Section 345 (1) (a) of the Local Government Act 1974, the Council, by public notice, hereby declares that those parcels of Pound, Jessons and Savill's Roads, as defined in the following schedule, are stopped; and the road shall, subject to the Council's compliance with clause 9 of the Tenth Schedule of the Act, thereafter cease to be road.

SCHEDULE

Road to be stopped

Section	Plan No	Area
16	SO 424971	0.6230 ha
17	SO 424971	0.4731 ha
18	SO 424971	0.0515 ha
19	SO 424971	0.3930 ha
20	SO 424971	0.3858 ha
21	SO 424971	2.0236 ha
22	SO 424971	1.0157 ha
23	SO 424971	0.9488 ha

(b) That the above resolution only be actioned to coincide with the opening of the new realigned road between Savills and McLean's Island Road.