

8. PROPOSED STOPPING OF ROAD – PORRITT PARK

Officer responsible
City Streets Manager

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INTRODUCTION

The purpose of this report is to obtain a resolution of the Council to stop legal road pursuant to the provisions of Section 116 of the Public Works Act 1981.

BACKGROUND

The Council, at its December 2000 meeting, resolved to approve a number of issues relating to the proposed new hockey turf at Porritt Park. The Council has endorsed a surrender of the Canterbury Hockey Association's existing lease and the grant of a new lease to the newly-formed Canterbury Hockey Foundation Trust to take in the existing hockey facility and the new proposed artificial turf adjacent which will take in a further 8600 m² of Porritt Park. In approving the lease proposals, the Council has also endorsed a rationalisation of the Council's titles for Porritt Park and indicated the intention to stop the existing legal but unformed road, being the old tow path along the bank of the Avon River in the loop of Avonside Drive. It will be recalled that the second artificial turf development encroaches onto this unformed road and that stopping of this road is necessary as part of the development proposals and to give the Hockey Foundation Trust formal tenure to the land.

DESCRIPTION

Refer Scheme Plan S3166/4A attached. That parcel of legal (but unformed) road extending from Locksley Avenue in the north (point 'A') along the old bank of the Avon River in the loop of Avonside Drive to where it again meets Locksley Avenue (point 'B'). It will be noted that in addition to the proposed second artificial hockey turf (encroachment No 3) that other existing buildings/structures straddle the unformed road and the stopping of this road will also remove the anomalies that exist with these well established occupations.

STOPPING PROCEDURES

The Council may stop legal road under the provisions of the Public Works Act in situations where there is clearly no reason for public objection to the proposed road stopping and all affected parties consent.. In this situation the Council would not expect, and is not likely to get any public opposition to the stopping of this unformed road, which presently cannot visibly be distinguished from and to all intents, is part of Porritt Park. Apart from the Council, the Crown is the only adjoining owner. The formal consent of the Crown as an adjoining owner to the stopping of this road was given on 18 July 2001. There will be no loss of public access as a consequence of the road stopping proposal. The proposed road stopping is not shown in the notified City Plan. City Streets Unit agrees with the proposal.

THE STOPPED ROAD

On formal stopping, the land comprised in the road will become:

- (a) Part of the Council's titles to Porritt Park held pursuant to the provisions of Local Government Act 1974 and Public Works Act 1981.
- (b) Part of the bed of Kerrs Reach where the road lies within this artificial watercourse.
- (c) Esplanade Reserve where within 20 metres of the edge of the river.

CANTERBURY HOCKEY FOUNDATION TRUST

Resiting the second artificial turf to avoid encroachment on the unformed road has been ruled out by Parks and Waterways staff because of the impact this would have on the sports ground layout at Porritt Park. The Hockey Association is to host the National Masters' Hockey Tournament and to be able to do this it needs to complete the installation of the second artificial pitch by the end of 2001. Time is therefore of essence in completing formal road stopping procedures.

SURVEY

Survey has been carried out and is awaiting approval. The plan (SO 302696 copy attached) shows the road to be stopped as five parcels:

Section 1 to be incorporated with Council titles to Porritt Park
Sections 2 & 3 building encroachments (possibly esplanade reserve)
Sections 4 & 5 (underwater) Kerrs Reach

RESOLUTION

In order to effect the proposed road stopping, it is necessary for the Council to resolve as follows:

Pursuant to Sections 116 and 117 of the Public Works Act 1981, the Christchurch City Council hereby resolves to stop that portion of legal unformed road as shown on the plan and described in the Schedule below:

SCHEDULE:

Plan	Shown	Adjoining	Title Reference	Area
SO 302696 (Subject to approval)	Section 1	Pt Lot 3 DP 14075	CT 2A/1322	1.2519ha
		Pt Lot 3 DP 14075	CT 13K/1017	
		Part RS 185	CT 13K/1017	
	Section 2	Part Lot 3 DP 14075	CT 13K/1017	548m ²
	Section 3	Part RS 185	CT 13K/1017	514m ²
	Section 4	Part RS 185	CT 13K/1017	815m ²
	Section 5	Part Lot 3 DP 14075	CT 13K/1017	2846m ²

- Recommendation:**
1. That the above resolution be adopted.
 2. That the stopped road be amalgamated with Council's title to Porritt Park, Kerrs Reach and become esplanade reserve (where required) in accordance with SO 302696, subject to approval as to survey.

Chairman's

Recommendation: That the above recommendation be adopted.