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**REPORT 3**  
*(1215/53/IM)*

## **ROAD STOPPING - LEGAL ROAD MAKARA PEAK MOUNTAIN BIKE CARPARK – SOUTH KARORI ROAD, KARORI**

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### **1. Purpose of Report**

The purpose of this report is to obtain agreement that approximately 3,300 m<sup>2</sup> of Council owned legal road land in South Karori Road, Karori Wellington, be stopped, and amalgamated with adjoining reserve land.

Refer Appendix 1 for an aerial plan with the area of unformed legal road land concerned shown outlined yellow.

### **2. Executive Summary**

Most of the subject legal road land is currently used as car park for the Makara Peak Mountain Bike Park.

If the road stopping is successful the use of the land would not change, it would be amalgamated with adjoining reserve land, and would still remain in Council ownership. Given that the use of the land is not proposed to change the road stopping is being carried out under section 116 of the Public Works Act 1981 (PWA).

Internal Council business units and external service authorities have been consulted. All support the proposal with no significant conditions.

While the PWA road stopping process does not require public consultation, immediate neighbours have been sent letters advising them of the proposal.

### **3. Recommendations**

Officers recommend that the Regulatory Processes Committee:

- 1. Receive the information.*

2. *Recommend to Council that it:*

- (a) *Agree that the approximate 3,300m<sup>2</sup> (subject to survey) area of unformed legal road land in South Karori Road, Karori be stopped and amalgamated with adjoining reserve land.*
- (b) *Authorise Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 116 of the Public Works Act 1981.*
- (c) *Delegate to the Chief Executive Officer the power to formally approve and conclude the road stopping process, subject to all statutory and Council requirements being met.*

3. *Note that if the proposed road stopping is successful, Council officers will proceed with the reserve classification process pursuant to the Reserves Act 1977.*

#### **4. Background**

Parks and Gardens currently manage approximately 3,300m<sup>2</sup> of legal road land in South Karori Road, Karori as part of the car park for Makara Peak Mountain Bike Park. The car parking area is an integral part of the park in terms of providing a parking facility, visitor information, toilets, bike washdown, and a flat area for festivals and events and possible future commercial concession activities (e.g. coffee carts etc).

Parks and Gardens have instructed Property Services to progress this road stopping proposal in the interests of better protecting the long term future of this area and aligning the area with the reserve status of the mountain bike park.

The 230 hectare Makara Peak Mountain Bike Park – listed by an international travel website as one of the top 10 places in the world to bike – is part of Wellington City Council's Outer Green Belt reserves network. Since 1998 the reserve has been developed in partnership between the Council and the Makara Peak Supporters.

#### **5. Discussion**

##### **5.1 Consultation and Engagement**

As part of the road stopping process external service authorities and internal business units are given an opportunity to provide preliminary comments.

External service authorities all support the proposal conditional on their standard conditions where they have services in the vicinity.

All internal business units gave their unconditional approval, with the exception of Road and Traffic Maintenance who required that a road reserve width of 20

metres be retained, and Public Drainage noting that a public sewer pipe ran through the subject land, and access to that would continue to be needed.

The PWA road stopping process does not require public consultation, however letters have been sent to the immediate neighbours notifying them of the proposal. This was done out of courtesy, and also because historical legal advice has been that when the application is made to Land Information New Zealand to stop the road at the end of the process, they still view the neighbours being notified favourably to ensure that there are no issues. No correspondence in response has been received from any of the immediate neighbours who were sent letters.

Officers are satisfied that the above Service Authority, and Council requirements can be met, and that the subject area of legal road land in South Karori Road, Karori can be stopped and amalgamated with the adjoining reserve land.

### **5.2 Financial Considerations**

The costs associated with road stopping will be met by Parks and Gardens budget through the Town Belts and Reserves Management project - project code PGC524.

### **5.3 Climate Change Impacts and Considerations**

Makara Peak Mountain Bike Park is one of the Council's registered Permanent Forest Sink Initiative covenanted area. The road stopping will have no impacts to this or any other climate change considerations.

### **5.4 Long-Term Council Community Plan Considerations**

This proposed road stopping has no overall impact on the LTCCP.

### **5.5 Significance Policy/ Strategic Assets**

The proposal does not affect Council's Significance Policy, and the land is not proposed to be sold.

## **6. Conclusion**

Officers believe that the approximately 3,300 m<sup>2</sup> area of legal road land in South Karori Road, Karori, mainly used as the car park for the Makara Peak Mountain Bike Park should be stopped and amalgamated with the adjoining reserve land, subject to the conditions contained in the report.

It is therefore recommended that the Regulatory Processes Committee recommends to Council that the subject road land be stopped.

Contact Officer: *Paul Davidson, Property Advisor, Property Services and Amber Bill, Manager Community Engagement & Reserves*

## **Supporting Information**

**1) Strategic Fit / Strategic Outcome**

*The proposal is in line with the Council's financial principles and strategic requirements.*

**2) LTCCP/Annual Plan reference and long term financial impact**

*Provision for undertaking this work is contained within the overall organisational budget.*

*There are no adverse financial implications imposed on the Council arising from this road stopping proposal. The costs associated with this proposal will be met by Parks and Gardens budget for Town Belts and Reserves Management project – code PGC524.*

**3) Treaty of Waitangi considerations**

*There are no Treaty of Waitangi implications.*

**4) Decision-Making**

*This is not a significant decision, and there are no considerations needed in relation to the Council's 2011 Road Encroachment and Sale Policy.*

**5) Consultation**

**a) General Consultation**

*Consultation with the relevant internal business units has been carried out as part of this application. All have given their consent, with Road and Traffic Maintenance requesting that a 20m road reserve width be retained.*

**b) Consultation with Maori**

*Local IWI have been consulted with and have given unconditional consent.*

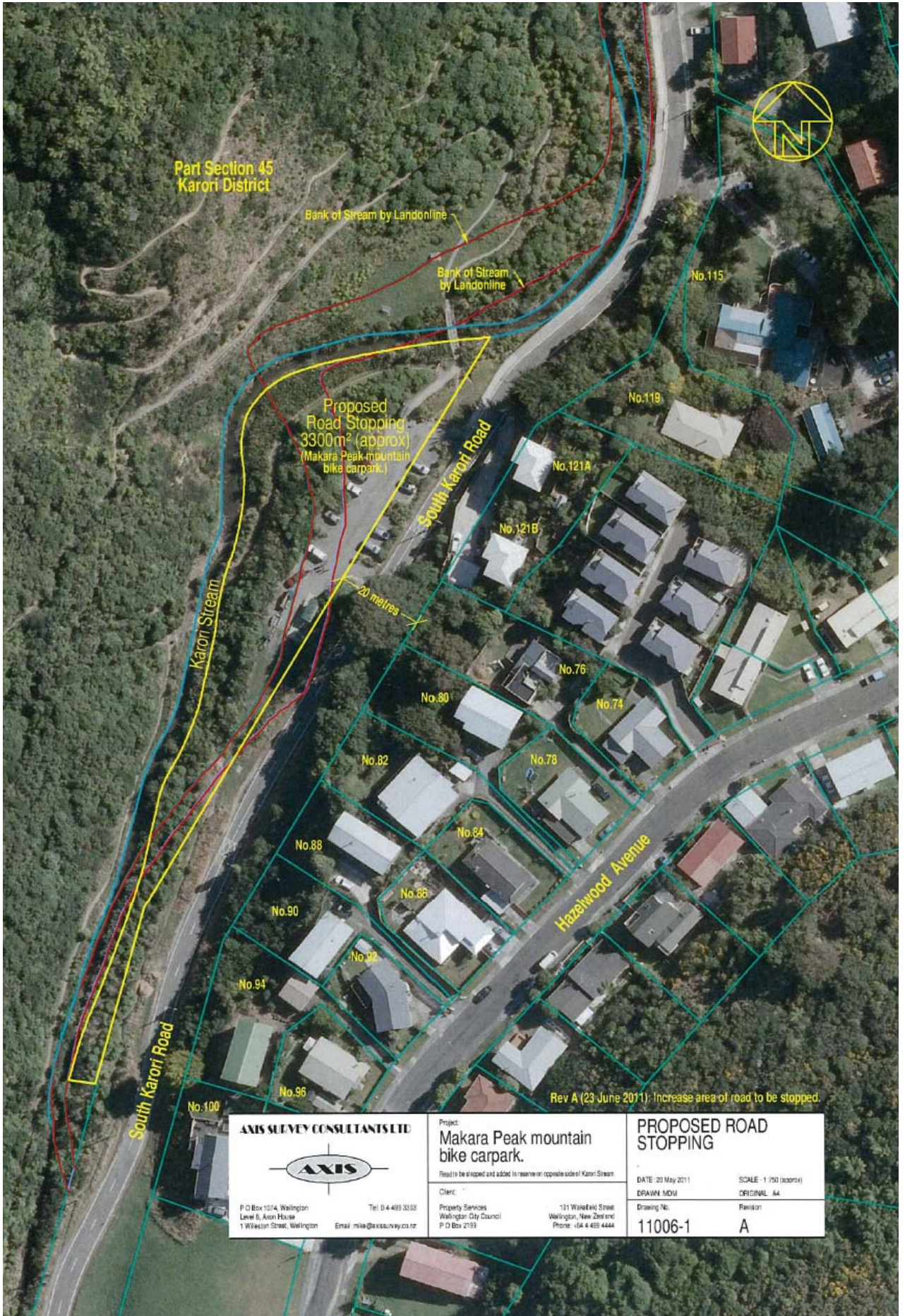
**6) Legal Implications**

*There are no significant legal implications arising from this matter.*

**7) Consistency with existing policy**

*The recommendations of this report are consistent with WCC policy.*

# APPENDIX 1



AXIS SURVEY CONSULTANTS LTD



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Tel: 04-499 3309  
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Project:  
Makara Peak mountain  
bike carpark.

Result to be stopped and added to reserve on opposite side of Karori Stream

Client:  
Property Services  
Wellington City Council  
P.O. Box 2199

131 Wakefield Street  
Wellington, New Zealand  
Phone: +64 4 499 4444

PROPOSED ROAD  
STOPPING

DATE: 20 May 2011  
DRAWN: MDW

SCALE: 1:250 (approx)  
ORIGINAL: A4

Drawing No:  
11006-1

Revision:  
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