

Abstract

Wellington

29 June 2012

P & L Smyth
97 Beazley Ave
Paparangi
Wellington 6037

Dear Patrick and Lynn,

Proposed Road stopping – Bracken Road, Paparangi

Further to our meeting on 13 June 2012 I write to confirm our discussion concerning your objection to the proposed road stopping at Bracken Road.

In considering whether road should be stopped or not, Council must be satisfied that the road land is no longer required for roading purposes, ie road widening. As such, Council's Roading Unit has confirmed there is no need to retain this portion of road for future roading requirements. I have received advice from several Council units which address most of your concerns, any remaining issues would be managed at the planning stage of any future development.

1. Underground springs/Water control.

Public Drainage advise that they are well aware of the underground springs and due to the natural ground contours water naturally drains towards 101-109 Beazley Ave. A field drain was recently installed as part of the subdivision and is adequately draining water into the storm water man. Provision for further storm water control (if needed) would be addressed as part of the building consent process with any future subdivision. This will only improve the situation and not make it worse. Should the road stopping proposal be successful information would be provided to the LIM team to ensure that the existence of the springs is noted on the LIM's for the two lots that are proposed to be created.

2. Traffic congestion.

Road stopping proposals are carefully considered by relevant Council business units when applications are first received to ensure that land is not required for Council's own use and/or there are any issues to be considered.

Bracken Road is classified as a 'Collector Road' requiring a minimum road reserve width of 22m needing to be retained. In this case Road and Traffic Maintenance has supported the proposal but conditional on a width of 24m being retained to allow for future road and traffic needs. Bronwyn Way is situated directly next to your property. Bronwyn Way provides access to five residential properties. It is reasonable to assume that visitors and some of the residents cars from these properties may park on Beazley Ave regularly which would create pressure on the available on street parking.

Before the former 86 Bracken Road property was subdivided its driveway did not comply with District Plan requirements as it was too close to the Bracken Road / Beazley Avenue intersection. After subdivision there are now four properties (84 – 90 Bracken Road). The subdivision resource consent allowed for a new shared driveway to be formed. This runs across road land and onto Bracken Road. The entrance to the new shared driveway is positioned away from Bracken Road / Beazley Avenue intersection and so now complies with the District Plan.

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Access to the two new lots proposed to be created from the road stopping would also be from this same shared driveway that 84 – 90 Bracken Road use. Therefore no additional driveway crossings on to Bracken Road would be required. Council's Vehicle Access Engineer has confirmed that the design / specifications of the new shared driveway meet the design criteria needed to serve six properties.

It is proposed that Council will put a condition on the sale of the two lots so that only one single storey dwelling can be built so the increase in the volume of cars coming from those properties would be minimal. Advice from the Road and Traffic Unit is that the road stopping proposal will not affect the traffic congestion in the area

3. I believe the area was gifted to the Council by the original developer as a green area.

The history of the lands acquisition has been researched by The Property Group Limited who are LINZ accredited consultants. The area of land proposed to be stopped was acquired from two private owners as part of the original subdivision for road purposes. This is consistent with the lands current 'unformed legal road' status.

4. Land should be retained and developed for parking and buses.

The proposal retains a 24m road reserve width in Bracken Road. This is more than the Collector Road classification for Bracken Road requires, ie 22m and so provides for future options relating to buses if needed.

It is not Council policy to provide off street parking for general public use, except in situations where there is a Council centre of community interest and parking is then managed as part of the development of that centre.

Requirements are imposed where appropriate relating to parking and traffic issues, when changes are proposed to any adjoining property. Hence when Newlands College had additional facilities built in the past parking and traffic issues would have been considered at that time. Newlands College has been consulted with. They are not interested in purchase of the land and have not raised any issues related to parking / buses.

In regards to the situation where cars are now parking over the existing bus stop. I have passed that concern onto our Council Traffic engineers to consider road markings for this bus stop.

Road and Traffic staff have advised that the road stopping proposal will not adversely affect the areas existing parking problems.

5. Realignment of Bracken Road to reduce curvature and a roundabout at the Bracken Road / Beazley Avenue intersection.

Council's Road and Traffic staff have no present plans for the construction of a roundabout. They have advised though that if in future a roundabout is needed there is still sufficient road reserve land retained to be able to do that.

Should you wish your objection to remain in place then the process would be as follows:

1. Your objection would be referred back to Council's Regulatory Processes Committee and full Council for decision on whether to uphold it or not.
2. You would have the opportunity to make an oral submission to the Regulatory Processes Committee in support of your objection. Oral submissions usually take 5 – 10 minutes.
3. I would prepare a committee report on the road stopping proposal and your objection for the Regulatory Processes Committee and full Council to consider. This would be finalised after any oral submission (if required)

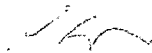
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4. If Council did not uphold your objection, and you still did not want to withdraw then this matter would have to be referred to the Environment Court. If this matter did progress to this state you are encouraged to obtain legal advice before deciding whether or not to withdraw to ensure that you were making an informed decision.

I trust your concerns have been addressed by the relevant Business Units above.

Please feel free to contact me if you need further clarification. Otherwise, could you please contact me by 13 July 2012 to advise whether you wish to withdraw your objection or present it to the Regulatory Processes Committee for their consideration.

Yours sincerely



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