

Do you wish to speak in support of your submission?: Yes

Do you support the disposal of Grove Street Park? : Yes, I support the disposal of Grove Street Park

Let us know why:

The current playground is too small & doesn't warrant the expenditure on new equipment appropriately sized playgrounds do. The new playground is only 100m away, is over 250% larger & situated next to a grassed stormwater reserve that combined is almost 800% bigger than the existing one. If the existing playground isn't closed the residents of Catherine, Jane, Harland, & Grove Streets to the west of the subdivision will miss out as they will have no easy access to the new playground. The closure of the existing playground will provide the new subdivision & existing residential areas with safer alternative access in the case of emergencies. Relocating the playground provides future-proofing for Tinwalds growth to the east of the proposed subdivision by providing this area with an appropriately sized and readily accessible playground.

Do you have any further comments?:

I understand that all submissions are public documents and will be made available on Council's website with the names of submitters included: Yes

Personal Details

Full Name: Andrew Mason

Additional Submission comments from Andrew Mason

I read through this submissions lodged to date for the Grove Street playground disposal.

One submission in particular I wish to comment on is the one lodged by the Evan Collins Family Trust.

Land Status

The submission suggests that the playground is a Recreation Reserve i.e. a reserve that would have been created under the Reserves Act 1977 and administered by the Department of Conservation or its predecessor.

This land is not legally a Recreation Reserve.

The Record of Title for the land (as attached below) was created in 1980 and this makes it clear that it is not its status. Unless the submitter can provide some information to the contrary this must be accepted as the present legal position.

Traffic

The submission suggests the offset of the intersections (referring to Ashbury Grove Subdivision - Lot 87) may well have had some merit and thinking at the time. The splays on that lot would indicate that there was some intent that Lot 87 be future road.

However, Lot 87 is not set aside as a road reserve (an encumbrance on the owners title) and if it was this land would have been set aside as a road reserve owned by the then Borough or County Council wherever those boundaries lay in Tinwald pre 1989.

If it was a road reserve the applicants would not be pursuing the playground site as a road connection.

There is mention in the submission of a paper road (an unformed legal road). There is no unformed legal roads shown on any official land survey plans i.e. Landonline or Quickmap. It is therefore not possible that this was ever the case.

It needs to be remembered that in Tinwald and throughout the greater Ashburton area there are many existing four way intersections. These intersections are controlled via either give way or compulsory stops for traffic and pedestrian safety just as this intersection would be should it be decided to allow the existing residential areas to the east of the subdivision access to Ashbury Grove's amenities and street network and vice versa.

Quickmap Title Details



Information last updated as at 26-Aug-2021

RECORD OF TITLE DERIVED FROM LAND INFORMATION NEW ZEALAND FREEHOLD

Identifier CB21A/957

Land Registration District Canterbury

Date Issued 25 March 1980

Prior References

CB3A/1488

Type Fee Simple
Area 881 square metres more or less
Legal Description Lot 1 Deposited Plan 42954

Registered

Owners

The Ashburton Borough Council

The easements created by Transfer 267826.1 are subject to Section 309 (1) (a) Local Government Act 1974
 267826.1 Transfer creating the following easements in gross - 25.3.1980

Type	Servient Tenement	Easement Area	Grantee	Statutory Restriction
Sewage and water drainage rights	Lot 1 Deposited Plan 42954 - herein	Part herein	Ashburton Borough Council	

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