

## 5. TRANSFER OF LAND – LAW LANE

<b>Officer responsible</b> Property Manager	<b>Author</b> Dave Falls, Property Services Officer, DDI 371-1580
Corporate Plan Output: Roothing Unit Capital Output – New Assets (Fixed Assets)	

The purpose of this report is to seek the Board's recommendation to the Council to approve the transfer of a Council owned accessway to the adjoining owner (see attached).

In 1988 the Council resolved to revoke the reservation for road over part of Drayton Drive and exchange the land for the 10m wide accessway which became known as Law Lane to provide vehicular access to the adjoining land.

The owners of this adjoining land have now submitted an application to subdivide their land into residential lots with access via Law Lane.

While the subdivision could be adequately serviced by rights of way over the Council land, it is suggested the Council land be transferred to the developers as an access lot to service their land. The benefits to the Council in this action would be as follows:

- (a) no road construction cost payable by the Council.
- (b) no on-going roading maintenance cost to be met by the Council.
- (c) no easements to be created and administered by the Council.
- (d) the total responsibility for the keeping of the accessway clear would be the responsibility of the users of the right of way.
- (e) the owners have agreed to pay the costs incurred by the Council in transferring the land estimated to be \$2,000.

It should be noted the costs for forming the right of way are estimated to be \$20,000 to \$30,000.

For the above reasons it is recommended that the accessway be transferred to the adjoining owner. In order for the transfer to be undertaken it will be necessary to adopt a formal resolution pursuant to Section 230 of the Local Government Act 1974.

**Recommendations:** (1) That the Council adopt the following resolution:

### **Resolution**

Pursuant to Section 230 of the Local Government Act 1974 the Christchurch City Council hereby resolves to dispose of the land described in the following Schedule:

### **Schedule**

All that parcel of land containing 1056m<sup>2</sup> or thereabouts being Lot 4 DP 54110 contained in CT 32B/83.

- (2) That the 1056m<sup>2</sup> area of Council land be incorporated in the proposed subdivision as an access lot, subject to the subdivider meeting the agreed costs.

### **Chairman's**

**Recommendation:** That the officer's recommendations be adopted.