

8. ROAD LEGALISATION – BRETON CLOSE



General Manager responsible:	General Manager City Environment Group, DDI 941-8656
Officer responsible:	Transport & Greenspace Manager
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's recommendation to Council pursuant to Section 52 of the Public Works Act 1981, to declare existing section of land of area 2m² being 38040 Lot 5000 DP 309673 as road.

EXECUTIVE SUMMARY

2. The subdivision consent was granted to WG and MF Whalan to develop Lots 1 and 4 DP 352788 as indicated on the **attached** plans. (Attachment 1 and 2)
3. The roads serving the subdivision are Englefield Road and Breton Close.
4. The extension of Breton Close requires the land owned by the Council to be declared as road.

FINANCIAL IMPLICATIONS

5. The declaration of road process is funded by WG and MF Whalan and is a condition of the Resource Consent.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

6. Council funding not required.

LEGAL CONSIDERATIONS

7. The completion of the subdivision requires the Council owned section to be legalised as road.
8. The section as defined in 38040 – Lot 5000 DP 309673 is in freehold and will require the Council's resolution pursuant to Section 52 of Public Works Act 1981 to declare it as a road.

Have you considered the legal implications of the issue under consideration?

9. As above

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. LTCCP page 152, "Streets and Transport Objectives" - to provide public street frontages to properties.

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

11. Yes

ALIGNMENT WITH STRATEGIES

12. Yes. This action is consistent with the objectives of the City Plan.

Do the recommendations align with the Council's strategies?

13. Yes

CONSULTATION FULFILMENT

14. Not required

BACKGROUND (THE ISSUES)

15. The Resource Consent granted to WG and MF Whalan consisted of four sections and accesses to the roading network are by way of extending Breton Close and upgrading Englefield Road.
16. The extension of Breton Close will require the land owned by the Council to be declared as a road.
17. The land owned by the Council was transferred to Council's ownership from the previous subdivision and was for road purposes.
18. The transfer of land to Council in subdivision is a common tool used by the Council to control subdivisional roading patterns and reticulation of utilities.
19. The declaration of Council land for a road is required enabling the individual land titles to be issued for the four sections on completion of the subdivision.

STAFF RECOMMENDATION

It is recommended that the Board recommends to the Council pursuant to Section 52 of the Public Works Act 1981 to declare the section of land of area 2m² being Lot 5000 DP 309673 as a road.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.