

1. ROAD LEGALISATION - BROOKER AVENUE AND KINGSBRIDGE DRIVE

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

1. To request the Council to:
 - (a) declare an existing section of land area comprising 4m² being Lot 23, DP 77872 as road pursuant to Section 52 of the Public Works Act 1981; and
 - (b) dedicate the existing road reserve defined as Lot 110, DP 71216 as road pursuant to Section 111 of the Reserves Act 1977.

EXECUTIVE SUMMARY

2. A subdivision consent was granted to Enterprise Homes Ltd to develop Stage 1 on land contained in Lot 1, DP 29195 (**Attachment 1**).
3. The residential sections will be served by extending the existing Brooker Avenue and Kingsbridge Drive.
4. The extension of these roads include two sections of land owned by the Council for road purposes, being:
 - (a) Lot 23, DP 77872 at the end of Brooker Avenue (**Attachment 2**).
 - (b) Lot 110, DP 71216 at the end of Kingsbridge Drive (**Attachment 3**).
5. The two sections are required to be vested as legal road prior to individual Certificates of Title being issued to the residential lots.

FINANCIAL IMPLICATIONS

6. The declaration and dedication of road processes is funded by Enterprise Homes Ltd and is a condition of the Resource Consent issued on 20 March 2006.

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

7. Not funded by the Council.

LEGAL CONSIDERATIONS

8. The completion of the subdivision requires the two sections of land owned by the Council to be legalised as road.
9. The section as defined as Lot 23, DP 77872 is freehold and will required the Council's resolution pursuant to Section 52 of the Public Works Act 1981 to declare it as a road.
10. The section as defined in Lot 110, DP 71216 is road reserve and will require the Council's resolution pursuant to Section 3 of the Reserves Act 1977 to dedicate it as a road.

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

11. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

12. 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?

13. Yes.

ALIGNMENT WITH STRATEGIES

14. Yes, this action is consistent with the objectives of the City Plan.

Do the recommendations align with the Council's strategies?

15. Yes.

CONSULTATION FULFILMENT

16. Not required.

STAFF RECOMMENDATION

That the Council resolve to:

- (a) declare an existing section of land area comprising 4m² being Lot 23, DP 77872 as road pursuant to Section 52 of the Public Works Act 1981; and
- (b) dedicate the existing road reserve defined as Lot 110, DP 71216 as road pursuant to Section 111 of the Reserves Act 1977.

BOARD RECOMMENDATION

That the staff recommendation be adopted.

BACKGROUND

- 17. The resource consent granted to Enterprise Homes Ltd provided for the creation of 49 residential sections, with access to the roading network by way of the extension of existing Brooker Avenue and Kingsbridge Drive.
- 18. The extension of these two roads includes the two sections of land owned by the Council for road purposes.
- 19. The two sections of land were transferred to the Council as the result of previous developments.
- 20. The transfer of land to the Council in subdivision is a common tool used by the Council to control subdivisional roading patterns and reticulation of utilities.
- 21. The road formation for the subdivision is substantially completed.
- 22. The declaration and dedication of the Council's land for road is required to enable the individual land titles to be issued for the 49 sections on completion of the subdivision.