

16. DEDICATION OF ROAD – KINLEYS LANE

| | |
|--|---|
| Officer responsible Property Manager | Author Dave Falls, Property Services Officer, DDI 3711580 |
| Corporate Plan Output: Roading Land 011-001-17 | |

The purpose of this report is to seek Council's acceptance to the dedication as road of the 2234m² of land known as Kinleys Lane shown on the attached plan and described in the following schedule.

HISTORY

Kinleys Lane was an unsealed no exit lane, approximately 300m long and 7.6m wide, running off St Albans Street. Thirteen owners have legal frontage to Kinleys Lane and many others use it for physical access to properties and garages. In submissions to the Board in 1998 the adjoining owner described the problems, which had arisen with the adjacent property development and considered that with the uneven shingle surface and the number of vehicles using the lane, it was not fit for its current purpose in terms of safety and requested that the Council resolve the ownership of the lane. Considerable investigation has been undertaken to ascertain the legal status of the land comprising Kinleys Lane, as well as community consultation on options for resolving the ownership and maintenance problems.

Kinleys Lane is Deeds Index land with no known benefactor of the original owner. It is believed from a recent legal opinion that the land was originally set aside as road and, as such, responsibility for it would lie with the Council.

In view of the above the Council has recently formed and sealed Kinleys Lane and defined the area by survey, as shown on the attached plan as required by the Chief Surveyor, Land Information New Zealand to support the dedication of the Lane as Public Road. The only action required to conclude the matter is for the Council to resolve to accept the dedication of the land as road in accordance with the provisions of Section 320(2)(a) of the Local Government Act 1974.

Recommendation: That the following resolution be adopted.

Resolution: Pursuant to the provisions of Section 320(2)(a) of the Local Government Act 1974 the Christchurch City Council hereby accepts the dedication as road, the land described in the schedule hereto.

Schedule: All that parcel of land containing 2234 m² being Lot 1 LT 306912 comprised in Deeds Index 3 C/S 204 and Deeds Index 3 C/S 206.

Chairperson's Recommendation: That the officer's recommendation be adopted.