

8. ROAD LEGALISATION – KENNAWAY ROAD

General Manager responsible:	General Manager City Environment Group, DDI 941 8608
Officer responsible:	Unit Manager, Asset and Network Planning
Author:	Weng-Kei Chen, Asset Engineer

PURPOSE OF REPORT

1. The purpose of this report is to seek the Hagley/Ferrymead Community Board's recommendation to the Council to authorise the existing road reserve (Lot 22 DP 331501) to be dedicated as road pursuant to Section 111 of the Reserves Act 1977.

EXECUTIVE SUMMARY

2. The Portlink Industrial Estate Subdivision at Woolston is currently being undertaken in stages and the work on stage 1 is substantially completed. A copy of the subdivision plan, and plans showing the location of Lot 22, DP 331501 are in the attachment.
3. The subdivision includes the extension of Kennaway Road and the construction of a road on road reserve Lot 22, DP 331501. This lot was created in the previous subdivision in 2004 to provide a road connection to an adjacent property.
4. The road construction has now been completed on the road reserve (Lot 22, DP 331501), and the dedication of this road reserves as road, is required.
5. This dedication is needed prior to the Stage 1 subdivision plan being deposited with Land Information New Zealand to enable titles to issue.
6. The Council has the ability to dedicate the road reserve as road under Section 111 of the Reserves Act 1977.

FINANCIAL IMPLICATIONS

7. All costs associated with the dedication process are to be met by Portlink Industrial Estate.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

8. Yes, as above.

LEGAL CONSIDERATIONS

9. Section 111 Reserves Act 1977 – Road reserve may be dedicated as road:

This section says that, where any land is vested in any local authority for the purposes of a road reserve and the land is required for the purposed of a road, the land may be dedicated as a road by resolution of the local authority.

10. The Community Board does not have authority to resolve in respect of “existing road reserve” to “road” dedication; such decisions need to be made by the full Council. The Board does however have recommendatory powers.

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

11. Yes, as above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

12. Yes, to provide public street frontage to properties.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

13. Yes, the servicing of the property will be completed with the construction of the road.

ALIGNMENT WITH STRATEGIES

14. Yes, this work is a condition of the subdivision consent.

Do the recommendations align with the Council's strategies?

15. Yes.

CONSULTATION FULFILMENT

16. Not required.

STAFF RECOMMENDATION

That the Hagley/Ferrymead Community Board recommend to the Council that pursuant to Section 111 of the Reserves Act 1977, Christchurch City Council hereby resolves to dedicate the existing road reserve more particularly described as Lot 22, DP 331501.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.