
REPORT 2
(1215/11/IM)

**Report of the Regulatory Processes Subcommittee
Meeting of Thursday 15 December 2005**

Members: Mayor Prendergast, Councillors Gill (Chair) Armstrong, Cook, Foster, Goulden, Morrison, Pepperell, and Wade-Brown.

THE SUBCOMMITTEE RECOMMENDS:

1. **ITEM 058/05RP PROPERTY FOR DISPOSAL UNDER SECTION 40 PUBLIC WORKS ACT 1981 – STAGE TWO (ROAD STOPPING): 1 ROPA LANE, MIRAMAR**
(1215/53/IM) (REPORT 5)

THAT Council:

1. *Pursuant to Section 40 of the Public Works Act 1981:*
 - (a) *Agree that the land adjoining 1 Ropa Lane is exempt from offer-back based on Section 40 (2) and Section 40 (4) of the Public Works Act 1981, and advice received from Land Information New Zealand accredited agents:*
 - *1 Ropa Lane, Miramar, (being approximately 165m² as outlined on the aerial photograph in Appendix 1)*
 - (b) *Authorise Council officers to proceed with the road stopping process under Section 342 and 345 of the Local Government Act 2002.*

2. **ITEM 059/05RP PROPERTY FOR DISPOSAL UNDER SECTION 40 PUBLIC WORKS ACT 1981 – STAGE TWO (ROAD STOPPING): FARMERS LANE ADJOINING 152-172 LAMBTON QUAY, TE ARO**
(1215/53/IM) (REPORT 6)

THAT Council:

1. Pursuant to Section 40 of the Public Works Act 1981:
 - (a) Agree that the land adjoining 152-172 Lambton Quay is exempt from offer-back based on Section 40 (2) and Section 40 (4) of the Public Works Act 1981, and advice received from Land Information New Zealand accredited agents:
 - 152-172 Lambton Quay, Te Aro, (being approximately 6m² as outlined on the aerial photograph in Appendix 2)
 - (b) Authorise Council officers to proceed with the road stopping process under Section 342 and 345 of the Local Government Act 2002.

3. **ITEM 060/05RP PROPERTY FOR DISPOSAL UNDER SECTION 40 PUBLIC WORKS ACT 1981 – STAGE ONE (ROAD STOPPING): LEGAL ROAD ADJOINING 69 PITT STREET, WADESTOWN (1215/53/IM) (REPORT 4)**

THAT Council:

1. Pursuant to Section 40 of the Public Works Act 1981:
 - a) Agree that the area of unformed legal road adjoining 69 Pitt Street (refer to Appendix 3) is not required for a Public Work
 - b) Authorise Council officers to commission a Section 40 report from suitably qualified consultants to identify whether the land must be offered back to its former owner or their successor, or whether an exemption from offer back applies
2. Note that once the Section 40 report has been received, a further report will be presented to Council for their approval to either offer the land back to its former owner or their successor in title, or to approve the exemption from offer back.

4. **ITEM 061/05RP ROAD STOPPING UNDER SECTION 116 OF THE PUBLIC WORKS ACT 1981 – UNFORMED LEGAL ROAD ADJOINING 152 AND 153 BREAKER BAY ROAD. (1215/53/IM) (REPORT 7)**

THAT Council:

1. Pursuant to the Public Works Act (1981) gives approval for stopping the area of unformed legal road adjoining 152 Breaker Bay Road and 153 Breaker Bay Road (refer to Appendix 4).

2. *Note that once the road stopping process is complete, the area will be designated Open Space B reserve in accordance with the South Coast Management Plan (refer to Appendix 5).*

**Leonie Gill
Chair**