

REPORT 2
(1215/11/IM)**Report of the Regulatory Processes Committee**
Meeting of Tuesday 15 August 2006

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

THE COMMITTEE RECOMMENDS:

1. **ITEM 036/06P PROPERTY FOR DISPOSAL UNDER THE PUBLIC WORKS ACT 1981 AND THE LOCAL GOVERNMENT ACT 1974: LEGAL ROAD ADJOINING 58 AND 58A BALFOUR STREET, MORNINGTON**
(1215/12/IM) (REPORT 1)

THAT Council:

1. *Pursuant to section 40 of the Public Works Act 1981 and section 342 and section 345 of the Local Government Act 1974:*

- (a) *Agree that the area of unformed legal road adjoining 58 and 58A Balfour Street, Mornington is not required for a Public Work (Appendix 1).*

Note: 58 Balfour Street is described as Lot 43 DP 3348, being Computer Freehold Register WN405/263 and 58A Balfour Street is described as Pt Lot 42 DP 3348, being Computer Freehold Register WN509/190.

- (b) *Authorise Council officers to commission the 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 report will be presented to the Chief Executive Officer for approval under delegated authority to either offer the land back to its former owner or their successor, or to approve the exemption from offer back.*
3. *Approve in principle the proposed road stopping provided:*
 - (a) *all statutory and Council requirements are met, and*
 - (b) *no objections to the stopping are received.*

4. *Note that if objections are received and the proponent wishes to continue with the road stopping, a further report will be presented to Committee for consideration.*
5. *Authorise the Chief Executive Officer to negotiate and complete terms of sale.*

2. **ITEM 037/06P PROPERTY FOR DISPOSAL UNDER THE PUBLIC WORKS ACT 1981 AND THE LOCAL GOVERNMENT ACT 1974: LEGAL ROAD ADJOINING 69 PITT STREET, WADESTOWN (1215/12/IM) (REPORT 2)**

THAT Council:

1. *Pursuant to section 40 of the Public Works Act 1981 and section 342 and section 345 of the Local Government Act 1974:*
 - (a) *Agree that the land adjoining 69 Pitt Street, Wadestown (being approximately 80m² as outlined on the aerial photograph in Appendix 2) 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. Note: 69 Pitt Street is described as Pt Lot 1-2 DP 2524, being Computer Freehold Register WN298/213.*
 - (b) *Authorise Council officers to proceed with the road stopping and sale process under section 342 and 345 of the Local Government Act 2002.*
2. *Approve in principle the proposed road stopping provided:*
 - (a) *all statutory and Council requirements are met, and*
 - (b) *no objections to the stopping are received.*
3. *Note that if objections are received and the proponent wishes to continue with the road stopping, a further report will be presented to Committee for consideration.*
4. *Authorise the Chief Executive Officer to negotiate and complete terms of sale.*

3. **ITEM 038/06P PROPERTY FOR DISPOSAL UNDER THE PUBLIC WORKS ACT 1981 AND THE LOCAL GOVERNMENT ACT 1974: LEGAL ROAD ADJOINING 122 & 128 EVANS BAY PARADE, ROSENEATH (1215/12/IM) (REPORT 3)**

THAT Council:

1. *Pursuant to section 40 of the Public Works Act 1981, and section 342 and section 345 and the Tenth Schedule of the Local Government Act 1974:*

(a) *Agree that the area of unformed legal road adjoining 122 & 128 Evans Bay Parade is not required for a Public Work (Appendix 3).*

Note: 122 Evans Bay Parade is described as Lot 4 DP 7138, being Computer Freehold Register WN358/199 and 128 Evans Bay Parade is described as Lot 5 DP 7138, being Computer Freehold Register WN479/291.

(b) *Authorise Council officers to commission the 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 report will be presented to the Chief Executive Officer for approval under delegated authority to either offer the land back to its former owner or their successor, or to approve the exemption from offer back.*

3. *Approve in principle the proposed road stopping provided:*

(a) *all statutory and Council requirements are met, and*

(b) *no objections to the stopping are received.*

4. *Note that if objections are received and the proponent wishes to continue with the road stopping, a further report will be presented to Committee for consideration.*

5. *Authorise the Chief Executive Officer to negotiate and complete terms of sale.*

Leonie Gill
Chair

Aerial Photo



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 Accuracy in rural areas: +/-30m
 Other information generally +/- 1m accuracy.

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Aerial Photo



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Absolutely
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 Wellington
No Road at Present Wellington City Council



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