

24 October 2024

File Ref: IRC-7199

Wellington Ratepayer
fyi-request-28604-1ef7d122@requests.fyi.org.nz

Tēnā koe

Thank you for your email of 1 October 2024 to Te Kaunihera o Pōneke | Wellington City Council (the Council) requesting the following information:

- *Please provide a table of Right of Ways owned or managed by WCC, providing*
 - *their Official Name*
 - *the departments that own and/or manage them*
 - *the number of dwellings they each serve*

Your request has been considered under the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Rights of way are a form of easement that gives an individual the right to pass over another person's land. This can include using a neighbour's driveway or being able to use a narrow portion of their property as a footpath to your house. While the Council issues certification for the right of way via the Resource Consents Team, the Council does not own or manage them, rather the private owner does. The only exception to this is in Tawa, where there is a historical arrangement for some specific privately owned driveways in Tawa. The private owners pay a levy on their rates to cover the maintenance costs and the Council maintains the driveway through the road maintenance contract.

The Council does not keep a register of Right of Ways for public roading/access way use. For this reason, I am refusing your request pursuant to section 17(g)(i) of the LGOIMA, as the information requested is not held by the local authority and the person dealing with the request has no grounds for believing that the information is held by another local authority or department or Minister of the Crown or organisation.

You have the right, by way of complaint under section 28(1) of the LGOIMA, to request an investigation and review of the Council's decision to refuse information by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you require further information, please contact official.information@wcc.govt.nz.

Nāku noa, nā



Danika Morris-Brown
Senior Advisor Official Information
Official Information & Privacy
Wellington City Council