
REPORT 13
(1215/11/IM)

Report of the Regulatory Processes Committee
Meeting of Wednesday 10 June 2009

Members: Mayor Prendergast, Councillors Gill (Chair), Best, Cook, Goulden, Pannett and Wain.

MATTERS CONSIDERED BY THE COMMITTEE

The Regulatory Processes Committee dealt with a number of issues for which it has delegated powers to act and therefore these are before the Council for noting.

The Committee hereby recommends that the information be received.

1. **ITEM 039/09RP MENACING DOG CLASSIFICATION – REPORT BACK TO THE COMMITTEE AS TO THE OUTCOME OF THE OWNER’S RESPONSE TO THE COMMITTEE’S DECISION**
(1215/53/IM) (ORAL REPORT)

THAT the Regulatory Processes Committee:

1. *Acting under delegated authority from Council, issue a final decision to accept the Applicant's objection to the Council's Menacing Dog Classification Notice dated 4 February 2009. The final decision is to rescind the classification of the Applicant's dog, named 'Boris', as menacing pursuant to section 33A of the Dog Control Act 1996 (the Act). The decision is made following the Applicant's agreement to carry out the following conditions in a signed undertaking:*
 - (a) *Commence aversion training for 'Boris' within 21 days.*
 - (b) *Install a containment system (electronic collar/fencing deterrent device) surrounding the back section and part of the front section where the front door is located. Installation to be completed within 21 days.*
 - (c) *Ensure 'Boris' is fully contained in the back part of the section when no-one is at home.*
 - (d) *Install a 'please shut the gate' sign.*
 - (e) *Immediately pay the infringement notice fine which was issued on 17 February 2009.*

2. *Note that the Applicant's signed written undertaking to the above effect was received by Council within the required timeframe outlined in the Committee's interim decision.*

2. **ITEM 040/09RP GRANTING OF A LICENSE FOR A COMMUNITY ORCHARD TO BROOKLYN TRANSITION TOWN INC.**
(1215/53/IM) (REPORT 2)

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Approve subject to the conditions below, the granting of a license to Brooklyn Transition Town Inc under the Local Government Act 2002:*

<i>Location</i>	<i>Term</i>	<i>Annual Rental</i>
<i>Brooklyn walkway Between Harrison St and Garfield St</i>	<i>10 years plus one 10 year right of renewal</i>	<i>\$1, if demanded</i>

Any approval to grant a license is conditional upon:

- (a) *Appropriate consultation with iwi;*
- (b) *Appropriate consultation in accordance with section 138 of the Local Government Act 2002;*
- (c) *There being no objections or sustained objections resulting from the abovementioned consultation or notification.*
- (d) *The lessee pays for the legal and advertising costs associated with preparing the license.*

3. **ITEM 041/09RP GRANTING OF A FRESH GROUND LEASE TO WELLINGTON SCOTTISH ATHLETICS CLUB INCORPORATED**
(1215/53/IM) (REPORT 3)

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Approve subject to the conditions below, the granting of a new ground lease to Wellington Scottish Athletic Club Incorporated, pursuant to the Reserves Act 1977:*

<i>Location</i>	<i>Term</i>	<i>Annual Rental</i>
<i>Prince of Wales Park, Westland Road, Mount Cook</i>	<i>10 years</i>	<i>\$326 + GST</i>

Any approval to grant a lease is conditional upon:

- (a) *Appropriate consultation with iwi.*

- (b) *The lease being publicly notified in accordance with section 119 of the Reserves Act 1977 and the appropriate Management Plan.*
- (c) *There being no objections or sustained objections resulting from the abovementioned consultation or notification.*
- (d) *The lessee pays for the legal and advertising costs associated with preparing the lease.*

**Councillor Gill
Chair**