
MINUTES

WEDNESDAY 12 MAY 2010

**1.00PM – 1.05PM
1.07PM – 1.47PM
(1.03PM – 1.47PM PUBLIC EXCLUDED)**

**Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington**

PRESENT:

Councillor Gill (Chair) (1.00pm – 1.05pm, 1.07pm – 1.47pm)
Councillor Best (1.00pm – 1.05pm, 1.07pm – 1.47pm)
Councillor Cook (1.02pm – 1.05pm, 1.07pm – 1.47pm)
Councillor Goulden (Deputy Chair) (1.00pm – 1.05pm, 1.07pm – 1.47pm)
Councillor Pannett (1.00pm – 1.05pm, 1.07pm – 1.47pm)
Councillor Wain (1.00pm – 1.05pm, 1.07pm – 1.47pm)

APOLOGIES:

Mayor Prendergast
Councillor Cook (for lateness)

DEMOCRATIC SERVICES OFFICER IN ATTENDANCE:

Fiona Dunlop – Committee Adviser

026/10RP **APOLOGIES**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Pannett, the motion that apologies for absence be accepted from Mayor Prendergast and apologies for lateness from Councillor Cook.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Accept apologies for absence from Mayor Prendergast.*
2. *Accept apologies for lateness from Councillor Cook.*

027/10RP **MINUTES FOR CONFIRMATION**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Goulden the motion that the Regulatory Processes Committee approve the minutes of the meeting held on Wednesday 14 April 2010 having been circulated, be taken as an accurate record of that meeting.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Approve the minutes of the meeting held on Wednesday 14 April 2010 having been circulated, be taken as an accurate record of that meeting.*

028/10RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

There were no conflicts of interest declared.

029/10RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

There was no public participation.

030/10RP **ROAD STOPPING AND DISPOSAL – LEGAL ROAD ADJOINING
124 CHURCHILL DRIVE, CROFTON DOWNS (1.01PM – 1.02PM)**
Report of Paul Davidson – Property Adviser, Property Services.
(1215/53/IM) (REPORT 1)

Moved Councillor Gill, seconded Councillor Wain the substantive motion.

(Councillor Cook joined the meeting at 1.02pm.)

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT Regulatory Processes Committee:

1. *Receives the information.*
2. *Recommend to Council that it:*
 - (a) *Agrees that the 2,365 m² (subject to survey) area of unformed legal road land adjoining 124 Churchill Drive, Crofton Downs, is not required for a Public Work.*
 - (b) *Approves the disposal of the approximately 2,365 m² area of unformed legal road land adjoining 124 Churchill Drive, Crofton Downs, to the owner of that property.*
 - (c) *Authorises Council officers to commission a section 40 PWA report from suitably qualified consultants to identify whether the area of unformed legal road land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.*
 - (d) *Delegates to the Chief Executive Officer the power to either offer the area of unformed legal road land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) PWA(if appropriate).*

- (e) *Authorises Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*
- (f) *Delegates to the Chief Executive Officer the power to formally approve the road stopping, and issue the public notice to declare the area of unformed legal road land stopped as road, subject to all statutory and Council requirements being met with no objections being received.*
- (g) *Delegates to the Chief Executive Office the power to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the unformed legal road land adjoining 124 Churchill Drive, either with the former owner, or their successor, or the owner of 124 Churchill Drive, provided any such agreement is conditional upon the road being stopped.*

031/10RP **RESOLUTION TO EXCLUDE THE PUBLIC**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Best the motion to exclude the public.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:*

Report 2 - Review of List for Independent Hearing Commissioners

Grounds: Section 48(1)(a) that public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.

Reason: Section 7(2)(a) to protect the privacy of natural persons

Report 3 – District Plan Change 45 – Environment Court Appeal

Grounds: Section 48(1)(a) that public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.

Reason: Section 7(2)(g) maintain legal professional privilege.

Section 7(2)(i) to enable the Council to carry out negotiations without prejudice or disadvantage.

(The meeting went into public excluded session at 1.03pm.)

(For items 032/10RP, 033/10RP and 034/10RP please see the public excluded minutes.)

The meeting concluded at 1.47pm.

Confirmed: _____
Chair
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