
MINUTES

TUESDAY 14 FEBRUARY 2012

**2.31PM - 3.26PM
3.35PM - 4.13PM
(3.40PM - 4.13PM - PUBLIC EXCLUDED)**

**Council Chamber
First Floor, Town Hall
Wakefield Street
Wellington**

PRESENT:

Councillor Gill (Chair)	(2.31pm - 3.26pm, 3.35pm - 4.13pm)
Councillor Best	(2.31pm - 3.26pm, 3.35pm - 4.13pm)
Councillor Foster	(2.31pm - 3.26pm, 3.35pm - 4.13pm)
Councillor Lester	(2.31pm - 3.26pm, 3.35pm - 4.13pm)
Councillor Morrison	(2.33pm - 3.26pm, 3.51pm - 4.13pm)
Councillor Pepperell	(2.31pm - 3.26pm, 3.35pm - 4.13pm)

APOLOGIES:

Mayor Wade-Brown
Councillor Morrison (for lateness)

IN ATTENDANCE:

Councillor Coughlan (2.31pm - 2.59pm)
Councillor Pannett (3.35pm - 4.13pm)

DEMOCRATIC SERVICES OFFICERS IN ATTENDANCE:

Fiona Dunlop - Committee Advisor

001/12RP **APOLOGIES**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Foster, the motion that the Regulatory Processes Committee receive apologies for absence from Mayor Wade-Brown and apologies for lateness from Councillor Morrison.

RESOLVED:

THAT the Regulatory Processes Committee

1. *Receive apologies for absence from Mayor Wade-Brown and apologies for lateness from Councillor Morrison.*

002/12RP **MINUTES FOR CONFIRMATION**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Best, the motion that the Regulatory Processes Committee approve the minutes of the meeting held on ordinary meeting of Wednesday 7 December 2011 having been circulated, be taken as an accurate record of that meeting.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Approve the minutes of the meeting held on ordinary meeting of Wednesday 7 December 2011 having been circulated, be taken as an accurate record of that meeting.*

003/12RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

1. Councillor Gill declared a conflict of interest in relation to Report 4 - District Plan Change 53 - Mediation. She advised that she would not take part in debate or vote on the matter.
2. Councillor Pepperell declared a conflict of interest in relation to Report 4 - District Plan Change 53 - Mediation. He advised that he would not take part in debate or vote on the matter.

004/12RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

There was no public participation.

005/12RP **DEPUTATION**
(1215/53/IM)

NOTED:

There were no deputations.

(Councillor Morrison joined the meeting at 2.33pm.)

006/12RP **BACKGROUND TO ORAL SUBMISSIONS OBJECTING TO THE
PROPOSAL ROAD STOPPING AND DISPOSAL: LEGAL ROAD
ADJOINING 62 WELD STREET, WADESTOWN**

Report of Paul Davidson - Property Advisor, Property Services.
(1215/53/IM)

(REPORT 1)

NOTED:

1. Kieran Simon addressed the Committee objecting to the proposed road stopping and disposal of legal road adjoining 62 Weld Street, Wadestown.
2. Sally Barrett representing Wadestown School addressed the Committee objecting to the proposed road stopping and disposal of legal road adjoining 62 Weld Street, Wadestown.

Tabled Information: Speaking notes from Sally Barrett and Wellington City Council Weld Street - Wadestown Safety Review and Survey reference 006/12RP(a).

(Councillor Coughlan left the meeting at 2.59pm.)

3. Ian Leary representing the applicant addressed the Committee in support of the proposed road stopping and disposal of legal road adjoining 62 Weld Street, Wadestown.

Tabled Information: Speaking notes from Ian Leary: reference 006/12RP(b).

Moved Councillor Gill, seconded Councillor Best, the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Thank the Wadestown School's Road and Safety Committee, Mr Simon, and the applicant's representative for their oral submissions and advise that the Committee will consider the matter and make a decision on whether to uphold their objections or not, at the next available meeting of the Regulatory Processes Committee.*

(The meeting adjourned at 3.26pm for afternoon tea and reconvened at 3.35pm.)

(Councillors Best, Foster, Gill, Lester, Pannett and Pepperell were present when the meeting reconvened.)

007/12RP **ROAD STOPPING AND DISPOSAL: LEGAL ROAD BETWEEN 8 AND 28 JAUNPUR CRESCENT, BROADMEADOWS**
Report of Paul Davidson, Property Advisor, Property Services.
(1215/53/IM) (REPORT 2)

Moved Councillor Gill, seconded Councillor Best, the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Recommend that the Council, pursuant to section 40 of the Public Works Act 1981:*
 - (a) *Agrees that the approximately 3,690m² (subject to survey) of unformed road (Road Land) situated between 8 and 28 Jaunpur Crescent, Broadmeadows is not required for a public work.*

- (b) *Authorises Council officers to commission a section 40 report from suitably qualified consultants to identify whether the Road Land must be offered back to its former owner or their successor, or whether an exemption from offer back applies under section 40(2), 40(3) or 40(4).*
 - (c) *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).*
3. *Recommend that the Council:*
- (a) *Authorise Council officers to initiate the road stopping process for the Road Land in accordance with section 342 and the Tenth Schedule of the Local Government Act 1974.*
 - (b) *Delegate to the Chief Executive Officer the power to formally approve the road stopping and issue the public notice to declare the Road Land stopped as road subject to all statutory and Council requirements being met and no objections being received.*
 - (c) *Approve the disposal of the Road Land. (Subject to the proposed road stopping being successful)*
 - (d) *Delegate to the Chief Executive Officer the power to negotiate the terms of sale and enter into a sale and purchase agreement in respect of the unformed legal road land situated between 8 and 28 Jaunpur Crescent, Broadmeadows, either with the former owner, or their successor, or the Port Nicholson Block Settlement Trust, or the successful purchaser following the Land being marketed for sale.*
4. *Notes that if objections are received to the road stopping public notice, a further report will be presented to the Committee for consideration.*

008/12RP **ROAD STOPPING - LEGAL ROAD MAKARA PEAK MOUNTAIN BIKE CARPARK - SOUTH KARORI ROAD, KARORI**
 Report of Paul Davidson, Property Advisor, Property Services and Amber Bill - Manager, Community Engagement and Reserves.
 (1215/53/IM) (REPORT 3)

Moved Councillor Foster, seconded Councillor Lester, the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Recommend to Council that it:*
 - (a) *Agree that the approximate 3,300m² (subject to survey) area of unformed legal road land in South Karori Road, Karori be stopped and amalgamated with adjoining reserve land.*
 - (b) *Authorise Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 116 of the Public Works Act 1981.*
 - (c) *Delegate to the Chief Executive Officer the power to formally approve and conclude the road stopping process, subject to all statutory and Council requirements being met.*
3. *Note that if the proposed road stopping is successful, Council officers will proceed with the reserve classification process pursuant to the Reserves Act 1977.*

009/12RP **RESOLUTION TO EXCLUDE THE PUBLIC**
(1215/53/IM)

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

The motion to exclude the public 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, resolve that the public be excluded from the following part of the proceedings of this meeting namely:*

Report 4 - District Plan Change 53 - Mediation

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*

Report 5 - District Plan Change 48 - Mediation

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*

Report 6 - District Plan Appeals 45 and 73 Negotiations

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 3.40pm.

For items 010/12RP, 011/12RP, 012/12RP and 013/12RP, please see the public excluded minutes.

The meeting concluded at 4.13pm.

Confirmed: _____
Chair
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