

REGULATORY PROCESSES COMMITTEE

MINUTES

WEDNESDAY 16 MAY 2012

**9.19am - 9.53am
(9.28am - 9.53am - Public Excluded)**

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

PRESENT:

Councillor Gill (Chair)
Councillor Best
Councillor Foster (9.21am - 9.53am)
Councillor Lester (9.25am - 9.53am)
Councillor Morrison (9.20am - 9.53am)
Councillor Pepperell

APOLOGIES:

Mayor Wade-Brown
Councillor Lester
Councillor Morrison

IN ATTENDANCE:

Councillor Pannett (9.19am - 9.50am)

028/12RP **APOLOGIES**
(1215/53/IM)

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

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive apologies for absence from Mayor Wade-Brown.*
2. *Receive apologies for lateness from Councillors Lester and Morrison.*

029/12RP **MINUTES FOR CONFIRMATION**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Pepperell, the motion that the Regulatory Processes Committee approve the minutes of the meeting held on ordinary meeting of Wednesday 21 March 2012 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 21 March 2012 having been circulated, be taken as an accurate record of that meeting.*

030/12RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

There were no conflicts of interest declared.

(Councillor Morrison joined the meeting at 9.20am.)

031/12RP **E-PETITION**
(1215/53/IM)

(Councillor Foster joined the meeting at 9.21am.)

NOTED:

The Committee received an E-Petition from Ron Zoest which opposes the proposed road stopping in Jaunpur Crescent, Broadmeadows.

Moved Councillor Gill, seconded Councillor Foster, the motion that the Regulatory Processes Committee receive the petition and note that the e-petition will be reported back to the Regulatory Processes Committee at the conclusion of the public notification stage of the road stopping process.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the petition*
2. *Note that the e-petition will be reported back to the Regulatory Processes Committee at the conclusion of the public notification stage of the road stopping process.*

032/12RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

There was no public participation.

(Councillor Lester joined the meeting at 9.25am.)

033/12RP **ROAD STOPPING AND DISPOSAL - LEGAL ROAD ADJOINING 3 CUNLIFFE STREET, JOHNSONVILLE**
Report of Paul Davidson - Property Advisor, Property Services.
(1215/53/IM) (REPORT 1)

Moved Councillor Foster, seconded Councillor Morrison, 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 approximately 411m² (subject to survey) of unformed legal road land (Road Land) adjoining 3 Cunliffe Street, Johnsonville, is not required for a Public Work.*
 - (b) *Approve the disposal of the Road Land to the owners of 3 Cunliffe Street, Johnsonville.*
 - (c) *Authorise 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) *Delegate to the Chief Executive Officer the power to either offer the 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) *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.*
 - (f) *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 with no objections being received.*
 - (g) *Delegate 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 Road Land, either with the former owner, or their successor, or the owner of 3 Cunliffe Street, provided any such agreement is conditional upon the road being stopped.*

034/12RP **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 2 - District Plan Change 58 - 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 3 - District Plan Change 72 - 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*

For items 035/12RP and 036/12RP, please see the public excluded minutes.

The meeting went into public excluded session at 9.28am.

The meeting concluded at 9.53am.

Confirmed: _____
Chair
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