



MINUTES

THURSDAY 5 DECEMBER 2013

2.00pm – 3.14pm

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

PRESENT:

Councillor Ahipene-Mercer (Chair)
Councillor Foster (2.00pm – 2.04pm)
Councillor Lee
Councillor Pannett
Councillor Sparrow

APOLOGIES:

Mayor Wade-Brown
Councillor Foster (early departure)

MOMENT OF SILENCE IN MEMORY OF LEONIE GILL

NOTED:

The Committee commenced its meeting with a moment of silence in memory of the former Chair, Councillor Leonie Gill.

APOLOGIES

Moved Councillor Ahipene-Mercer, seconded Councillor Lee, the motion that the Regulatory Processes Committee accept apologies for an early departure from Councillor Foster and absence from Mayor Wade-Brown.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee

- 1. Accept apologies for an early departure from Councillor Foster and absence from Mayor Wade-Brown.*

EXTRA ITEM FOR THE AGENDA

NOTED:

The Chair advised the meeting that an extra item is required for the meeting to consider. The item is not on the agenda as Wellington City Council has only just been made aware of the issue when it met with other Territorial Authorities regarding RMA applications for Transmission Gully and C & D Landfill.

The Commissioners need to be approved by all Councils involved. The Commissioners that are proposed need to be on out list. Not all are and therefore we need to add them.

As the matter can not wait until a subsequent meeting because legislative timeframes need to be adhered to and Commissioners formally appointed prior to the commencement of hearings. Officers require a decision from the Committee to add three Commissioners to the approved list of Resource Consent Hearings Commissioners.

Moved Councillor Ahipene-Mercer, seconded Councillor Sparrow, the motion that the Regulatory Processes Committee pursuant to standing order 3.9.5 add the item “Addition of Commissioners to the Wellington City Council List of Approved Resource Consent Commissioners” to the agenda.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee

- 1. Pursuant to standing order 3.9.5 add the item “Addition of Commissioners to the Wellington City Council List of Approved Resource Consent Commissioners” to the agenda.*

(Councillor Foster left the meeting at 2.04pm.)

PUBLIC PARTICIPATION

NOTED:

1. Alastair Smith addressed the meeting regarding Report 1 - Proposed Road Closures – January 2014 to April 2014. Mr Smith is part of the organising group for the Ciclovía event being held on 16 February 2014.

CONFLICT OF INTEREST DECLARATIONS

NOTED:

There were no conflicts of interest declared.

ORDER OF BUSINESS

NOTED:

The Chair advised the meeting that the agenda would be taken as follows:

Report 1 - Proposed Road Closures – January 2014 to April 2014
Road Stopping Process – What is this? An Overview from Officers
Report 2 - Background to Oral Submissions Objecting to the Proposed Road Stopping and Disposal of Legal Road – Forres Street, Seatoun
Report 3 - Proposed Road Stopping/Land Exchange - 47 Manners Street
Extra Item – Addition of Commissioners to the Wellington City Council List of Approved Commissioners

PROPOSED ROAD CLOSURES – JANUARY 2014 TO APRIL 2014

Report of Maria Taumaa – Street Activities Co-ordinator. (REPORT 1)

Moved Councillor Ahipene-Mercer, seconded Councillor Pannett, the substantive motion with an change to recommendation 2(f) (on officer's advice) as follows:

THAT the Regulatory Processes Committee:

2. Agree to close the following roads for the events as shown, to vehicles only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Reports:
 - (f) For the Great Harbour Way – Miramar Ciclovía Sunday 16 February 2014
8am ~~9am~~ to 5pm.

The substantive motion with a change to recommendation 2(f) was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Agree to close the following roads for the events as shown, to vehicles only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Reports:*
 - (a) *For the Rugby Sevens Street parade Wednesday 5 February 2014 7am to 1.30pm*
 - (i) *Lambton Quay to Wakefield Street/Parade Assembly Stout and Ballance Street.*
 - (b) *For the Rugby Sevens Street closure Saturday 8th and 9th February 2014 4.30pm to 6am*
 - (i) *Courtenay Place All of Courtenay place - between Taranaki Street and Cambridge Terrace.*
 - (ii) *Blair Street*
 - (iii) *Allen Street*
 - (iv) *Tory Street between Wakefield and Tennyson Street including Holland and Forresters Lane*
 - (v) *Taranaki Street between Wakefield Street and Ghuznee Street including York Street, Lukes Lane and Halleys lane.*
 - (vi) *Inglewood Place between Taranaki Street and Dixon Street*
 - (vii) *Dixon Street between Taranaki Street and Dixon Street*
 - (viii) *Manners Street between Taranaki Street and Victoria Street*
 - (ix) *Cuba Street Between Manners Street and Wakefield Street*
 - (c) *For the AMI Round the Bays Sunday 23 February 2014 6am to 12pm*
 - (i) *Customhouse Quay Southbound lanes, from Whitmore Street to Jervois Quay.*
 - (ii) *Jervois Quay*
 - (iii) *Cable Street*
 - (iv) *Oriental Parade*
 - (v) *Evans Bay parade*
 - (vi) *Wellington Road*
 - (vii) *Shelly Bay Road*
 - (viii) *Massey Road*
 - (d) *For the National Triathlon Championships: World Uni Triathlon Champs Saturday 8 March 2014 6am to 3pm*
 - *Barnett Street closed except for Te Papa car park exit*
 - *Cable Street between Tory Street and Oriental Parade, one seaward lane closed*
 - *Oriental Parade between Cable Street and Evans Bay Parade*
 - *Evans Bay Parade between Oriental Parade to just north of 301 Evans Bay Parade – NIWA Building*

- *Carlton Gore Road between Oriental Parade and the intersection of Carlton Gore Road and Maida Vale Road*

(e) *For the Wellington Car Club Alexandra Road Hill Climb Sunday 16 March 2014 7am to 6pm*

Alexander Road between Constable Road and the Lookout Road

(f) *For the Great Harbour Way – Miramar Ciclovía Sunday 16 February 2014 8am ~~9am~~ to 5pm*

Massey Road North end of Shelly Bay to North end of Scorching Bay

3. *Note: That the recommendations in this report should not be amended without first carrying out further consultation with affected parties and verification from the Council's Traffic Engineer that the amendment is not likely to cause unreasonable impact on traffic.*

NOTED:

The resolution differs from the recommendations in the officer's report as follows:

The Committee added the text in **bold**.

ROAD STOPPING PROCESS – WHAT IS THIS? AN OVERVIEW FROM OFFICERS

NOTED:

Peter Brennan – Property Manager briefed the Committee on the road stopping process.

BACKGROUND TO ORAL SUBMISSIONS OBJECTING TO THE PROPOSED ROAD STOPPING AND DISPOSAL OF LEGAL ROAD – FORRES STREET, SEATOUN

Report of Paul Davidson - Property Advisor, Property Services. (REPORT 2)

NOTED:

1. Matthias Zeller addressed the meeting in support of his submission on the proposed road stopping and disposal of legal road in Forres Street, Seatoun.
2. Kevin Estey addressed the meeting in support of his submission on the proposed road stopping and disposal of legal road in Forres Street, Seatoun.
3. Jo Watson addressed the meeting in support of her submission on the proposed road stopping and disposal of legal road in Forres Street, Seatoun.

4. Paula Warren representing Living Streets Aotearoa addressed the meeting in support of their submission on the proposed road stopping and disposal of legal road in Forres Street, Seatoun.
5. Chris Horne addressed the meeting in support of his submission on the proposed road stopping and disposal of legal road in Forres Street, Seatoun. **TABLED INFORMATION** (Reference A).

Moved Councillor Ahipene-Mercer, seconded Councillor Sparrow, the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Thank all the objectors for their oral submissions, and advise that it will consider the matter and make a decision on whether or not to uphold any objections, at the next available meeting of the Regulatory Processes Committee.*

PROPOSED ROAD STOPPING/LAND EXCHANGE - 47 MANNERS STREET
Report of Brett Smith - Property Advisor, Property Services. (REPORT 3)

Moved Councillor Ahipene-Mercer, seconded Councillor Lee, the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Recommend to the Council that it agrees, pursuant to Sections 319(1)(h) and 342(1)(a) of the Local Government Act (LGA) 1974 to declare surplus and stop the section of the unformed part of Victoria Street (Road Land), Te Aro (being approximately 88m² of land coloured 'mustard' as shown on plan in Appendix 1) and adjoining 47 Manners Street, Te Aro.*
 - (a) *Note that the area of stopped road will be amalgamated with the same adjoining land, 47 Manners Street, Te Aro (being Section 1 on Survey Office Plan 35946 comprising 1068m² under Computer Freehold Register WN35D/194).*

- (b) *Note that all costs associated with the relocation of any services currently existing within the unformed road will be borne by Cook Strait Holdings Ltd.*
3. *Recommend to the Council that it approve the disposal of the Road Land to the owners of 47 Manners Street, Te Aro.*
 4. *Recommend to the Council that it authorise Council officers to commission a section 40 Public Works Act 1981 (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.*
 5. *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).*
 6. *Authorise Council officers to initiate the road stopping process for the Road Land in accordance section 342 and the Tenth Schedule of the Local Government Act 1974.*
 7. *Authorise Council Officers to undertake Consultation in accordance with section 138 of the Local Government Act 2002.*
 8. *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 requirements of the Council being met with no objections being received.*
 9. *Recommend that the Council agree to acquire approximately 16m² of 47 Manners Street, Te Aro, being the land coloured 'dark blue' on the plan in Appendix 1 (being a part of Section 1 on Survey Office Plan 35946 comprising 1068m² under Computer Freehold Register WN35D/194).*
 - (a) *Note that the costs associated with the carrying out of the road vesting and land exchange will be met by Cook Strait Holdings Ltd; these will include survey, valuation and the legal costs for this application.*
 - (b) *Note that the costs of acquiring the land for road to vest will be offset against the proceeds of the proposed road stopping.*
 10. *Recommend that the Council agrees to acquire approximately 53m² of 47 Manners Street, Te Aro, being the land coloured 'light blue' on the plan in Appendix 1 (being a part of Section 1 on Survey Office Plan 35946 comprising 1068m² under Computer Freehold Register WN35D/194).*
 - (a) *Note that the costs associated with the carrying out of the road vesting and land exchange will be met by Cook Strait Holdings Ltd; these will include survey, valuation and the legal costs for this application.*

- (b) *Note that the costs of acquiring the land for road to vest will be offset against the proceeds of the proposed road stopping.*
- (c) *Recommend that the any surplus funds resulting from the road stopping and land acquisition sales process will be used to contribute towards the cost of the proposed 'Lombard Lane Upgrade' project.*
11. *Recommend that the Council authorises the Chief Executive Officer to carry out all further steps required to effect the land exchange.*
12. *Note that the land exchange will only proceed dependent on the successful outcome of the public consultation under section 138 of the Local Government Act 2002 and public notification under section 342 and the Tenth Schedule of the Local Government Act 1974.*

RESOLUTION TO EXCLUDE THE PUBLIC

Moved Councillor Ahipene-Mercer, seconded Councillor Pannett, 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, resolve that the public be excluded from the following part of the proceedings of this meeting namely:*

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:*

Addition of Commissioners to the Wellington City Council List of Approved 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.

The meeting went into public excluded session at 3.06pm.

For the public excluded item, please see the Public Excluded minutes.

The meeting concluded at 3.14pm.

Confirmed: _____
/ Chair /