

ORDINARY MEETING

OF

REGULATORY PROCESSES COMMITTEE

MINUTES

Time: 1.02pm
Date: Thursday, 4 September 2014
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

PRESENT

Mayor Wade-Brown
Ray Ahipene-Mercer (Chair)
Councillor Lee
Councillor Pannett
Councillor Sparrow

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1 Meeting Conduct

1.1 Apologies

Moved Councillor Ahipene-Mercer, seconded Councillor Sparrow

Resolved

That the Regulatory Processes Committee:

Accept the apologies received from Councillor Foster

Carried

1.2 Conflict of Interest Declarations

There were no conflicts of interest declared.

1.3 Confirmation of Minutes

Moved Councillor Ahipene-Mercer, seconded Councillor Lee

Resolved

That the Regulatory Processes Committee:

Approve the minutes of the Regulatory Processes Committee held on 6 August 2014, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

Carried

1.4 Public Participation

There was no public participation.

1.5 Items not on the Agenda

There were no items not on the agenda.

2. General Business

2.1 Road Closures

Moved Councillor Ahipene-Mercer, seconded Mayor Wade-Brown

Resolved

That the Regulatory Processes Committee:

1. Receive the information.
2. Note that 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.
3. Agree to close the following roads for the above event to vehicles only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Report:
For Tennyson Street Fair
Road Closures:
 - Tennyson Street
For Wellington Round the Bays Fun Run
Road Closures:
 - Customhouse Quay
 - Jervois Quay
 - Cable Street
 - Oriental Parade
 - Evans Bay Parade
 - Wellington Road
 - Shelly Bay Road
 - Massey Road
For Cuba Dupa
Road Closures:
 - Swan Lane
 - Abel Smith Street
 - Cuba Street
 - Garrett Street
 - Marion Street
 - Dixon Street
 - Manners Street
 - Ghuznee Street
 - Lukes Lane
 - Inglewood Place
 - Leeds Street
 - Furness Lane
 - Bute Street
 - Christeson Lane

Carried

2.2 Road Stopping and Disposal - Legal Road Adjoining 53 Cornford Street, Karori

Moved Councillor Ahipene-Mercer, seconded Councillor Sparrow

Resolved

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to Council that it:
 - a) Agrees that approximately 45m² of unformed legal road land in Cornford Street (Road Land) adjoining 53 Cornford Street (Adjoining Land) is not required for a Public Work.
 - b) Approves the disposal of the Road Land.
 - c) Authorises Council officers to undertake a section 40 Public Works Act 1981 (PWA) report to identify whether the 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 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 Road Land 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, issue all relevant public notices, declare the Road Land stopped, negotiate the terms of sale or exchange, impose any reasonable covenants, enter into an agreement in respect of the Road Land, and conclude all matters in relation to this transaction.
3. Notes that if objections are received to the road stopping and the applicant wishes to continue with the road stopping, a further report will be presented to the Committee for consideration.

Carried

2.3 Road Stopping and Exchange - Legal Road Adjoining 45 Mana Street, Vogeltown

Moved Councillor Ahipene-Mercer, seconded Councillor Lee

Resolved

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to Council that it:
 - a) Agrees that the approximate 93m² unformed legal road land in Mana Street **(Road Land)** adjoining 45 Mana Street, Vogeltown, is not required for a Public Work.
 - b) Approves the disposal of the Road Land to either the former owner or their successor, or by amalgamation with 45 Mana Street, Vogeltown, either by sale or exchange for approximately 625m² of 45 Mana Street.
 - c) Authorises Council officers to undertake a section 40 Public Works Act 1981 (PWA) report to identify whether the 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 Road Land 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 Road Land 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, issue all relevant public notices, declare the Road Land stopped, negotiate the terms of sale or exchange, impose any reasonable covenants, enter into an agreement in respect of the Road Land, and conclude all matters in relation to this transaction.
3. Notes that if objections are received to the road stopping and the applicant wishes to continue with the road stopping, a further report will be presented to the Committee for consideration.

Carried

2.4 Road Stopping and Disposal - Legal Road Adjoining 4 Mallam Street, Karori

Moved Councillor Ahipene-Mercer, seconded Councillor Lee

Resolved

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends 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 Burn Street (**Road Land**), Karori (being approximately 88m² of land bordered red as shown on the plan in Attachment 1) and adjoining 4 Mallam Street, Karori.
3. Authorises Council officers to commission a section 40 Public Works Act 1981 (**PWA**) report 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 apply.
4. Delegates 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).
5. Delegates 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.

Notes:

- i. If successful, the stopped area may be amalgamated with 4 Mallam Street, Karori (being Lot 8 DP 2707, comprising some 514m² under Computer Freehold Register WN329/42).
- ii. All costs associated with the relocation of any services currently existing within the unformed road will be borne by the applicant.
- iii. If objections are received to the road stopping and the applicant wishes to continue with the road stopping, a further report will be presented to the Committee for consideration.

Carried

The meeting concluded at 1:16pm.

Confirmed: _____
Chair