
MINUTES

WEDNESDAY 11 AUGUST 2010

**1.01PM – 2.02PM
(1.53PM – 2.02PM PUBLIC EXCLUDED)**

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

PRESENT:

Councillor Gill (Chair) (1.01pm – 2.02pm)
Councillor Cook (1.01pm – 2.02pm)
Councillor Goulden (Deputy Chair) (1.01pm – 2.02pm)
Councillor Pannett (1.01pm – 2.02pm)

APOLOGIES:

Mayor Prendergast
Councillor Best
Councillor Wain

047/10RP **APOLOGIES**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Pannett, the motion that apologies for absence be accepted from Mayor Prendergast and Councillors Best and Wain.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

- 1. Accept apologies for absence from Mayor Prendergast and Councillors Best and Wain.*

048/10RP **MINUTES FOR CONFIRMATION**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Cook the motion that the Regulatory Processes Committee approve the minutes of the meeting held on Wednesday 16 June 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 16 June 2010 having been circulated, be taken as an accurate record of that meeting.*

049/10RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

There were no conflicts of interest declared.

050/10RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

There was no public participation.

051/10RP **RESOURCE CONSENT PLANNING**
(1215/53/IM)

(REPORT 1)

NOTED:

Warren Ulusele – Manager, Development Planning and Compliance and Donna Morrison –Manager, Best Practice briefed the meeting on the Resource Management (Simplifying and Streamlining) Amendment Act 2009.

052/10RP **GRANTING OF LEASES TO EARLY CHILDHOOD CENTRES IN ACCORDANCE WITH THE EARLY CHILDHOOD CENTRES POLICY**

Report of Hanita Shantilal – Senior Property Adviser.

(1215/53/IM)

(REPORT 2)

Moved Councillor Cook, seconded Councillor Pannett the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Agree to grant a new premises lease relating to Fee Simple land to the Wellington Playcentre Association as set out in Appendix two of the officer's report, in accordance with the Early Childhood Centres Policy and subject to the Local Government Act 2002.*
3. *Agree to grant a new ground lease relating to Local Purpose Reserve land to Te Kohanga Reo National Trust Board as set out in Appendix 2, in accordance with the Early Childhood Centres Policy and subject to the Reserves Act 1977.*
4. *Agree to grant a new premises lease relating to Local Purpose Reserve land to the Karori Childcare Centre Incorporated in accordance with the Early Childhood Centres Policy, with a reduction in rental to 2% of their income for the first 10 years of their new premises lease as set out in Appendix two of the officer's report.*
5. *Note that unless specified differently within the recommendations, the terms of the ground lease and premises leases are as follows:*
Commencement Date: 1 July 2010
Term: 10 years plus a 10 year right of renewal
Ground Lease Rental: 1% of the revenue of each early childhood centre
Premises Lease Rental: 4% of the revenue attributable to each early childhood centre
Incremental Rental: Where a centre has a rental increase greater than \$500.00 per annum the new rent will be phased in over a period of three years (as shown in Appendix two of the officer's report).
6. *Note any approval to grant a lease for Fee Simple land is conditional on:*

- (i) *appropriate consultation in accordance with section 138 of the Local Government Act 2002;*
 - (ii) *there being no sustained objections resulting from the abovementioned consultation or notification; and*
 - (iii) *the legal and advertising costs associated with preparing the leases are met by the Lessee.*
7. *Note that any approval to grant premises leases and ground leases for Local Purpose land is conditional on:*
- (i) *the leases being publicly notified in accordance with section 119 and 120 of the Reserves Act 1977;*
 - (ii) *there being no sustained objections resulting from the abovementioned consultation or notification; and*
 - (iii) *the legal and advertising costs associated with preparing the leases are met by the Lessee.*
8. *Agree that the Chief Executive will finalise and negotiate the lease details.*

053/10RP RESOLUTION TO EXCLUDE THE PUBLIC
(1215/53/IM)

Moved Councillor Gill, 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:*

Report 3 - District Plan Change 43 - Heritage Review

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 4 - District Plan Change 45 – Environment Court Appeal – Woodridge Estate Limited

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 46 - Environment Court appeals – Woodridge Estate Limited and Lincolnshire Farm Limited

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 1.53pm.

For items 054/10RP, 055/10RP and 056/10RP please see the public excluded minutes.

The meeting concluded at 2.02pm.

Confirmed: _____
Chair
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