

REGULATORY PROCESSES COMMITTEE

MINUTES

WEDNESDAY 24 OCTOBER 2012

2.02pm – 2.43pm
2.34pm – 2.43pm (Public Excluded)

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

PRESENT:

Councillor Gill (Chair) (2.02pm – 2.04pm, 2.30pm – 2.43pm)
Councillor Foster (2.02pm – 2.43pm)
Councillor Lester (2.02pm – 2.43pm)
Councillor Morrison (2.02pm – 2.43pm)
Councillor Pepperell (2.02pm – 2.43pm)

APOLOGIES:

Mayor Wade-Brown
Councillor Best

IN ATTENDANCE:

Councillor Pannett (2.02pm – 2.43pm)

076/12RP **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 Councillor Best.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

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

077/12RP **MINUTES FOR CONFIRMATION**
(1215/53/IM)

Moved Councillor Morrison, seconded Councillor Lester, the motion that the Regulatory Processes Committee approve the minutes of the meeting held on ordinary meeting of Wednesday 12 September 2012 and the extraordinary meeting of Wednesday 26 September 2012 having been circulated, be taken as an accurate record of those meetings.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Approve the minutes of the meeting held on ordinary meeting of Wednesday 12 September 2012 and the extraordinary meeting of Wednesday 26 September 2012 having been circulated, be taken as an accurate record of those meetings.*

078/12RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

Councillor Gill declared a conflict of interest in relation to the Report 1 - Background to Oral Submissions Objecting to the Proposed Road Stopping and Disposal of Legal Road Adjoining 30A Seatoun Heights Road, Seatoun and advised that she would not take part in discuss or vote on the matter.

Moved Councillor Gill, seconded Councillor Foster, the motion that the Regulatory Processes Committee agree that Councillor Morrison chair the meeting for Report 1 due to Councillor Gill's conflict of interest.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Agree that Councillor Morrison chair the meeting for Report 1 due to Councillor Gill's conflict of interest.*

079/12RP PUBLIC PARTICIPATION
(1215/53/IM)

NOTED:

There was no public participation.

(Councillor Gill withdrew from the meeting due to a conflict of interest and Councillor Morrison assumed the Chair.)
(Councillor Gill left the meeting at 2.04pm.)

080/12RP BACKGROUND TO ORAL SUBMISSIONS OBJECTING TO THE PROPOSED ROAD STOPPING AND DISPOSAL OF LEGAL ROAD ADJOINING 30A SEATOUN HEIGHTS ROAD, SEATOUN
Report of Rosalind Luxford, Property Advisor, Property Services.
(1215/53/IM) (REPORT 1)

NOTED:

1. Luigi Mullo owner of 5 Stormanstown Way addressed the meeting with his concerns regarding the Proposed Road Stopping and Disposal of Legal Road Adjoining 30A Seatoun Heights Road, Seatoun
2. Lewis Loizou owner of 32 Seatoun Heights Road addressed the meeting with his concerns regarding the Proposed Road Stopping and Disposal of Legal Road Adjoining 30A Seatoun Heights Road, Seatoun
3. Richard Kemp addressed the meeting in the capacity as Legal Adviser on behalf of the applicants for the Proposed Road Stopping and Disposal of Legal Road Adjoining 30A Seatoun Heights Road.

Moved Councillor Morrison, seconded Councillor Pepperell, the substantive motion with an addition to the recommendation in the officers report as follows (highlighted in bold):

THAT the Regulatory Processes Committee:

2. Thank Mr Muollo, Mr Loizou **and Mr Kemp** for their oral submissions and advise that it will consider the matter and make a decision on whether or not to uphold either objection at its next available meeting of the Regulatory Processes Committee.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Thank Mr Muollo, Mr Loizou **and Mr Kemp** for their oral submissions and advise that it will consider the matter and make a decision on whether or not to uphold either objection at its next available meeting of the Regulatory Processes Committee.*

NOTED:

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

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

(Councillor Gill returned to the meeting at 2.30pm.)

(Councillor Gill resumed chairing the meeting.)

081/12RP **ROAD STOPPING AND DISPOSAL - LEGAL ROAD ADJOINING
32 CARLTON STREET, MELROSE**

Report of Rosalind Luxford, Property Advisor, Property Services.

(1215/53/IM)

(REPORT 2)

Moved Councillor Gill, seconded Councillor Foster, 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 area of approximately 240m² (subject to survey) of unformed road (the "Land") adjoining 32 Carlton Street (the "Adjoining Land") is not required for a public work.*
 - (b) *Approve the disposal of the Land.*
 - (c) *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.*
 - (d) *Delegate to the Chief Executive Officer the power to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the Land with the owner of the Adjoining Land, provided any such agreement is conditional upon the road being stopped.*
3. *Note that if objections are received and the applicant wishes to continue with the road stopping, a further report will be presented to the Committee for consideration.*
4. *Note the unformed road land has been valued at \$42,000, subject to survey.*

082/12RP **GRANTING OF A COMMUNITY GROUND LEASE TO NGĀ HAU
E WHĀ O PAPARARANGI SOCIETY INCORPORATED OVER
COUNCIL OWNED LAND AT 30 LADBROOKE DRIVE,
NEWLANDS**

Report of Vanessa Whitwell, Property Advisor, Property Services and Jenny Rains, Manager City Communities and Grants.

(1215/53/IM)

(REPORT 3)

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. *Agree subject to the terms and conditions noted below, the granting of a ground lease to the Ngā Hau E Whā O Papararangi Society Incorporated.*

3. *Note that the terms of the lease are as follows:
Location: Part of the land known as 30 Ladbroke Drive, Newlands (Outlined in red on Appendix 1 of the officer's report).
Term: 10 years with a right of renewal of 10 years.
Annual Rental: \$3,157.00 per annum plus GST.*

Rent Review: If the proposed rental model outlined in the proposed Leases Policy for Community and Recreation Group is adopted, the Ngā Hau E Whā O Papararangi Society Incorporated will be required to pay a rental of \$3,489.49 per annum plus GST at the date the Policy is adopted.

4. *Note that any approval to grant the lease is conditional on:*
 - (i) *appropriate consultation with Iwi being completed;*
 - (ii) *the lease being publicly notified in accordance with the Leases Policy for Community and Recreation Groups;*
 - (iii) *there being no sustained objections resulting from the above mentioned consultation or notification; and*
 - (iv) *the legal and advertising costs associated with preparing the lease is met by the Lessee.*

5. *Agree that Council officers will finalise and negotiate the lease details.*

083/12RP PROPOSED ROAD CLOSURES – 23 NOVEMBER 2012 AND 1 AND 9 DECEMBER 2012

Report of Charles Agate – Street Activities Co-ordinator.
(1215/53/IM)

(REPORT 4)

Moved Councillor Gill, 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. *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 White Ribbon Relay event, Friday 23 November 2012, from 11.50am to 12.20pm:*
- (i) *Lambton Quay – seaward side only between Bunny and Panama Streets, and then both sides from Panama Street to Willis Street*
 - (ii) *Willis Street – between Lambton Quay and Manners Street*
 - (iii) *Mercer Street*
 - (iv) *Victoria Street – between Harris and Mercer Streets*
- (b) *For the Northern Wellington Festival and Christmas Parade, Saturday 1 December 2012:*
- (i) *Wanaka Street – from 6am to 4pm*
 - (ii) *Dr Taylor Terrace – from 6am to 1.30pm*
 - (iii) *Moorefield Road – (between the Haumia Street and Johnsonville Road roundabouts), from 10.45am to 12.30pm*
 - (iv) *Moorefield Road – (between the Johnsonville Road and Middleton Road roundabouts), from 11am to 12.30pm*
 - (v) *Rotoiti Street – closed to through traffic, 11am to 12.30pm*
 - (vi) *Broderick Road – (Phillip Street to Johnsonville Road), from 11am to 12.30pm*
 - (vii) *Johnsonville Road – (between Fraser Avenue and Moorefield Road roundabout), from 11am to 12.30pm*
 - (viii) *Frankmoore Avenue – (between Earp Street and Moorefield Road), from 11am to 12.30pm*
- (c) *For the Santa Parade, Sunday 9 December 2012:*
- From 7am to 4pm:*
- (i) *Ballance Street – between Lambton Quay and Featherston Street*
 - (ii) *Stout Street – between Lambton Quay and Whitmore Street*
 - (iii) *Maginnity Street – between Waring Taylor and Ballance Streets*
- From 10am to 5pm:*
- (i) *Lambton Quay – between Whitmore and Willis Streets*
 - (ii) *Willis Street – between Lambton Quay and Manners Street*
 - (iii) *Customhouse Quay – between Willis and Hunter Streets*
 - (iv) *Willeston Street – between Willis and Victoria Streets*
 - (v) *Mercer Street*
 - (vi) *Victoria Street – between Harris and Dixon Streets*
 - (vii) *Bond Street – between Victoria and Willis Streets*
 - (viii) *Lombard Street*
 - (ix) *Cornhill Street*
 - (x) *Wakefield Street – between Mercer and Cuba Streets (Michael Fowler Car Park)*
 - (xi) *Cuba Street – between Manners and Wakefield Streets*
 - (xii) *Manners Street – between Willis and Taranaki Streets.*

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.*

084/12RP **PROPOSED ROAD CLOSURE – THE HOBBIT (AN UNEXPECTED JOURNEY) – RED CARPET PREMIERE, 28 NOVEMBER 2012**
 Report of Charles Agate – Street Activities Coordinator.
 (1215/53/IM) (REPORT 5)

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

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Agree to close the following roads for the event as shown, to vehicles only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Report:*
 - (a) *For the Red Carpet Premiere event, from 9:00pm on Tuesday 27 November through to 5:30am on Thursday 29 November:*
 - (i) *Courtenay Place – between Cambridge Terrace and Taranaki Street*
 - (ii) *Kent Terrace – between Oriental Parade and Elizabeth Street*
 - (iii) *Cambridge Terrace – Between Tennyson and Wakefield Streets*
 - (iv) *Majoribanks Street – between Roxburgh Street and Kent Terrace*
 - (v) *Alpha Street – local access only*
 - (vi) *Blair Street – local access only*
 - (vii) *Allen Street – local access only*
 - (viii) *Tory Street – between Tennyson and Wakefield Streets*
 - (ix) *Forresters Lane – local access only*
 - (x) *Holland Street – local access only*
3. *Note that as a contingency Council Officers may require the closure of the following road to vehicles only on Wednesday 28 November 2012 if in the opinion of the New Zealand Police there is a need to further mitigate the public safety risk associated with a large crowd;*
 - (i) *Taranaki Street – between Ghuznee and Wakefield Streets*

4. *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.*

085/12RP **PROPOSED ROAD CLOSURE OF BLAIR STREET, NOVEMBER 2012**
 Report of Stephen Harte – Programme Manager, Transport Network
 Development.
 (1215/53/IM) (REPORT 6)

NOTED:

The Committee noted that the report had been withdrawn.

086/12RP **RESOLUTION TO EXCLUDE THE PUBLIC**
 (1215/53/IM)

Moved Councillor Gill, seconded Councillor Pepperell, 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 7 - District Plan Change 73 - Mediation

<i>Grounds:</i>	<i>Section 48(1) (a)</i>	<i>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</i>
<i>Reason:</i>	<i>Section 7(2) (g)</i>	<i>maintain legal professional privilege.</i>
	<i>Section 7(2) (i)</i>	<i>to enable the Council to carry out negotiations without prejudice or disadvantage</i>

