

REGULATORY PROCESSES COMMITTEE



MINUTES

MONDAY 19 NOVEMBER 2012

**9.19am – 9.45am
(9.41am – 9.45am PUBLIC EXCLUDED)**

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

PRESENT:

Councillor Gill (Chair) (9.19am – 9.45am)
Councillor Best (9.19am – 9.45am)
Councillor Foster (9.24am – 9.45am)
Councillor Lester (9.19am – 9.45am)
Councillor Morrison (9.28am – 9.45am)

APOLOGIES:

Mayor Wade-Brown
Councillor Foster (lateness)
Councillor Morrison (lateness)

ABSENT:

Councillor Pepperell

088/12RP **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 Foster and Morrison.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

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

089/12RP **MINUTES FOR CONFIRMATION**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Lester, the motion that the Regulatory Processes Committee approve the minutes of the ordinary meeting of Wednesday 24 October 2012 having been circulated, be taken as an accurate record of that meeting.

RESOLVED:

THAT the Regulatory Processes Committee:

- 1. Approve the minutes of the ordinary meeting of Wednesday 24 October 2012 having been circulated, be taken as an accurate record of that meeting.*

090/12RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

Councillor Gill declared a conflict of interest in relation to the Report 3 - Road Stopping and Disposal - 30A Seatoun Heights Road, Seatoun and advised that she would not take part in discuss or vote on the matter.

091/12RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

There was no public participation.

092/12RP **PROPOSED ROAD CLOSURE – BLAIR STREET, NOVEMBER-
DECEMBER 2012**

Report of Stephen Harte – Programme Manager, Transport Network
Development.

(1215/53/IM)

(REPORT 1)

NOTED:

The report was withdrawn.

093/12RP **PROPOSED ROAD CLOSURES – JANUARY 2013 TO MARCH 2013**

Report of Charles Agate – Street Activities Coordinator.

(1215/53/IM)

(REPORT 2)

**Moved Councillor Best, seconded Councillor Lester, 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 Island Bay Festival – Parade, Saturday 9 February 2013, from 12noon to 3pm:*
 - (i) *Avon Street – between Clyde Street and The Parade (Parade assembly only – no through traffic – resident access only).*
 - (b) *For the Island Bay Festival – ‘Day in the Bay’ event, Sunday 10 February 2013, from 6am to 6pm:*
 - (i) *Reef Street – between The Esplanade and The Parade.*
 - (ii) *The Esplanade – between Derwent Street and Brighton Street.*

- (c) *For the Island Bay Festival – Ribble Street Races event , Saturday 16 February 2013, 9am to 4.30pm:*
- (i) *Ribble Street – all of Ribble Street.*
- (d) *For the AMI Round the Bays Fun Run event, Sunday 17 February 2013:*
- (i) *Customhouse Quay – southbound lanes, Whitmore Street to Jervois Quay, from 6.30am to 11am.*
 - (ii) *Jervois Quay – southbound lanes, Customhouse Quay to Cable Street, from 6.30am to 11am.*
 - (iii) *Cable Street – Jervois Quay to Oriental Parade, from 7am to 11am (right hand lane open from Chaffers Street to Kent Terrace)*
 - (iv) *Oriental Parade – from 7.45am to 11am.*
 - (v) *Evans Bay Parade - Oriental Parade to Cobham Drive, from 7.45am to 12noon.*
 - (vi) *Evans Bay Parade – Cobham Drive to Kilbirnie Crescent, from 8am to 1pm.*
 - (vii) *Wellington Road – One Way (east) between Crawford Road and Ruahine Street, from 8am to 11.30am.*
 - (viii) *Shelly Bay Road – all of Shelly Bay Road, from 8am to 12noon*
 - (ix) *Massey Road – Shelly Bay Road and Point Gordon, from 8am to 12noon.*
- (e) *For the Newtown Fair event, Sunday 3 March 2013, 6am to 8pm:*
- (i) *Riddiford Street – Mein/Hall Street Intersection to a point just south of Donald McLean Street.*
 - (ii) *Rintoul Street – Riddiford Street to Colombo Street.*
 - (iii) *Constable Street – Riddiford Street to Daniell Street.*
 - (iv) *Emmett Street – all of Emmett Street.*
 - (v) *Green Street – all of Green Street.*
 - (vi) *Newtown Avenue – for approximately 80 metres east of the Riddiford Street intersection.*
 - (vii) *Normanby Street – for approximately 80 metres east of the Riddiford Street intersection.*
 - (viii) *Donald McLean Street – for approximately 80 metres east of the Riddiford Street intersection.*
 - (ix) *Colombo Street – for approximately 30 metres west of the Rintoull Street intersection (note that this is a contingency to facilitate safe pedestrian access to and from event space due to wet weather).*
- (e) *For the Newtown Fair event, Sunday 3 March 2013, 6am to 9.30pm:*
- (i) *Wilson Street – for approximately 80 metres east of the Riddiford Street intersection, including the public carpark.*

- (f) *For the Oceania Orienteering World Cup Qualification Sprint Race event, Monday 7 January 2013, 12noon to 5.30pm*
- (i) *Hill Street – Molesworth Street to the Wellington Urban Motorway Overbridge.*

- 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.*

(Councillor Foster joined the meeting at 9.24am.)

094/12RP **CHAIRING OF MEETING**
(1215/53/IM)

Moved Councillor Foster, seconded Councillor Lester, the motion that the Regulatory Processes Committee agree that Councillor Best chair the meeting for Report 3 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 Best chair the meeting for Report 3 due to Councillor Gill's conflict of interest.*

(Councillor Gill withdrew from the table due to a conflict of interest and Councillor Best assumed the Chair.)

095/12RP **ROAD STOPPING AND DISPOSAL – 30A SEATOUN HEIGHTS ROAD, SEATOUN**
Report of Rosalind Luxford, Property Advisor, Property Services.
(1215/53/IM) (REPORT 3)

Moved Councillor Best, seconded Councillor Lester, the substantive motion.

(Councillor Morrison joined the meeting at 9.28am.)

Moved Councillor Foster, seconded Councillor Morrison, the following amendment.

THAT the Regulatory Processes Committee:

1. Lie the paper on the table until the next meeting of the Committee and ask officers to work with the parties to resolve the application and any conditions that might be agreed.

The amendment was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Lie the paper on the table until the next meeting of the Committee and ask officers to work with the parties to resolve the application and any conditions that might be agreed.*

NOTED:

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

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

(Councillor Gill returned to the table.)

096/12RP **GRANTING OF A GROUND LEASE TO SCOUT ASSOCIATION OF NEW ZEALAND (1ST KARORI SCOUT GROUP) ON COUNCIL-OWNED LAND**

Report of Rosalind Luxford, Property Advisor, Property Services and Jacqueline Murray – Assets and Projects Manager, Parks, Gardens Assets and Projects.

(1215/53/IM)

(REPORT 4)

Moved Councillor Gill, seconded Councillor Lester, 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, to grant a ground lease to the Scout Association of New Zealand - 1st Karori Scout Group in accordance with the Reserves Act 1977.*

3. *Note that the terms of the lease are as follows:
Location: Part of the land at 156-158 Campbell Street, Karori (hatched red on Appendix 1 of the officer's report).
Term: Ten years plus ten year right of renewal.
Annual Rental: \$642.40 per annum plus GST. Triennial rent reviews will be undertaken in accordance with the percentage change in the Consumer Price Index and a market based review will be undertaken every nine years by an independent registered valuer.*

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 section 119 and 120 of the Reserves Act 1977;*
 - (iii) *there being no sustained objections resulting from the abovementioned consultation or notification; and*
 - (iv) *the legal and advertising costs associated with preparing the lease are met by the Lessee.*

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

097/12RP **GRANTING OF A GROUND LEASE TO WESTERN SUBURBS RUGBY FOOTBALL CLUB INCORPORATED TO OCCUPY COUNCIL-OWNED LAND**

Report of Rosalind Luxford, Property Advisor, Property Services and Jacqueline Murray – Assets and Projects Manager, Parks, Gardens Assets and Projects.

(1215/53/IM)

(REPORT 5)

Moved Councillor Foster, seconded Councillor Lester, 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 Western Suburbs Rugby Football Club in accordance with the Reserves Act 1977.*

3. *Note that the terms of the lease are as follows:
Location: Part of the land at 81 Curtis Street, Karori known as Ian Galloway Park, Karori (hatched red on Appendix 1 of the officer's report).
Term: Ten years plus ten year right of renewal.
Annual Rental: \$1,000.60 per annum plus GST. Triennial rent reviews will be undertaken in accordance with the percentage change in the Consumer Price Index and a market based review will be undertaken every nine years by an independent registered valuer.*
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 section 119 and 120 of the Reserves Act 1977;*
 - (iii) *there being no sustained objections resulting from the abovementioned consultation or notification; and*
 - (iv) *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.*

098/12RP **GRANTING OF A GROUND LEASE TO LYALL BAY SURF LIFE SAVING CLUB INCORPORATED OVER PART OF 5 LYALL PARADE, LYALL BAY**

Report of Hanita Shantilal – Senior Property Advisor, Property Management and Glenn McGovern, Recreation Projects Manager.
(1215/53/IM)

(REPORT 6)

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 subject to the terms and conditions noted below, the granting of a ground lease to the Lyall Bay Surf Life Saving Club Incorporated in accordance with the Reserves Act 1977.*
3. *Note that the terms of the lease are as follows:
Location: Part of 5 Lyall Parade, Lyall Bay (hatched in yellow on Appendix 1 of the officer's report)
Term: Ten years with a ten year right of renewal
Annual Rental: \$658.00 per annum plus GST*

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 section 119 and 120 of the Reserves Act 1977;*
 - (iii) *there being no sustained objections resulting from the abovementioned 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.*

099/12RP **RESOLUTION TO EXCLUDE THE PUBLIC**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Morrison, 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 45 – Urban Development and Structure Plans - Environment Court Appeal

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*

