

REGULATORY PROCESSES COMMITTEE



MINUTES

WEDNESDAY 18 SEPTEMBER 2013

**9.16am – 10.11am
(10.07am – 10.11am – Public Excluded)**

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

MEMBERS:

Councillor Best
Councillor Foster (9.17am – 10-08am)
Councillor Lester
Councillor Pepperell

APOLOGIES:

Mayor Wade-Brown
Councillor Gill (Chair)
Councillor Morrison

055/13RP **CHAIRING OF MEETING**
(1215/53/IM)

NOTED:

The Committee Advisor advised the meeting that Councillor Gill was not available to chair the meeting today. A nomination was called for a member of the Committee to Chair meeting. Councillor Best was nominated.

Moved Councillor Pepperell, seconded Councillor Lester, the motion that the Regulatory Processes Committee agree that Council Best Chair the meeting in the absence of Councillor Gill.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Agree that Council Best chair the meeting in the absence of Councillor Gill.*

(Councillor Foster joined the meeting at 9.17am.)

056/13RP **APOLOGIES**
(1215/53/IM)

Moved Councillor Best, seconded Councillor Lester, the motion that the Regulatory Processes Committee receive apologies for absence from Mayor Wade-Brown and Councillors Gill 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 Councillors Gill and Morrison.*

057/13RP **MINUTES FOR CONFIRMATION**
(1215/53/IM)

Moved Councillor Best, seconded Councillor Pepperell, the motion that the Regulatory Processes Committee approve the minutes of the meeting held Wednesday 21 August 2013 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 meetings held Wednesday 21 August 2013 having been circulated, be taken as an accurate record of that meeting.*

058/13RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

There were no conflicts of interest declared.

059/13RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

There was no public participation.

060/13RP **ROAD CLOSURES – DECEMBER 2013 TO APRIL 2014**
Report of Maria Taumaa – Street Activities Co-ordinator.
(1215/53/IM) (REPORT 1)

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 Kilbirnie Festival Sunday 9 March 2014 6am to 6pm*
 - (i) *Bay Road – between Rongotai Road and Coutts Streets.*
 - (b) *For the Wellington Chinese New Year Parade Sunday 2 February 2014 9am to 2.30pm*
 - (i) *Tennyson Street - between Taranaki Street and Tory Street.*

- (c) *For the Khandallah Village Fair Sunday 8 December 2013 6am to 5pm*
 (i) *Ganges Road - between Dekka Street and Agra Crescent.*
- (d) *For the Newtown Fair Sunday 2 March 2014 6am to 8pm*
Riddiford Street – between Mein Street and a point just south off Donald McLean Street
Rintoul Street – between Riddiford Street and Colombo Street
Constable Street – between Riddiford Street and Daniell Street
Emmett Street – all of Emmett Street closed
Green Street – all of Green Street closed
Wilson Street – closed for approximately 80 metre ease off Riddiford Street and the public carpark – note: the Wilson Street closure extends to 10.30pm to facilitate the removal of fair infrastructure
Newtown Avenue - closed for approximately 80m east off Riddiford Street
Normanby Street – closed for approximately 80m east off Riddiford Street
Donald McLean Street – closed for approximately 80m east off Riddiford Street

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.*

061/13RP **DECISION ON OBJECTION TO THE PROPOSED ROAD STOPPING AND DISPOSAL OF LEGAL ROAD ADJOINING 3 CUNLIFFE STREET, JOHNSONVILLE**
 Report of Paul Davidson, Property Advisor, Property Services.
 (1215/53/IM) (REPORT 2)

Moved Councillor Best, seconded Councillor Foster the substantive motion pro-forma.

Moved Councillor Best, seconded Councillor Foster the procedural motion that the Regulatory Processes Committee suspend standing order 3.12.1.

The procedural motion was put and declared CARRIED.

Moved Councillor Best, seconded Councillor Foster, the following amendment as a new recommendation 2.

THAT the Regulatory Processes Committee:

2. Request that officers provide further information to the Committee on what the terms of future development of the site could occur.

The amendment was put and declared **CARRIED** on the Chair's casting vote. Councillors Lester and Pepperell requested that their dissenting votes be recorded.

The substantive motion as amended was put and declared **CARRIED** on the Chair's casting vote. Councillors Lester and Pepperell requested that their dissenting votes be recorded.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Request that officers provide further information to the Committee on what the terms of future development of the site could occur.*

NOTED:

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

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

062/13RP **APPROVAL OF NAME FOR NEW ROAD OFF GRENADA DRIVE**
Report of Michael Brownie – Team Leader, Land, Customer and Property Information.
(1215/53/IM) (REPORT 3)

Moved Councillor Foster, seconded Councillor Best the substantive motion.

The substantive motion was put and declared **CARRIED.**

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Agree to give approval for the name Aruba Grove to be allocated to the new road built as a result of development in Grenada Village, as shown on Plan F3050. (Appendix 1 of the officer's report).*

063/13RP **APPROVAL OF NAMES FOR NEW ROADS OFF AMESBURY DRIVE**
Report of Michael Brownie – Team Leader, Land, Customer and Property Information.
(1215/53/IM) (REPORT 4)

Moved Councillor Best, 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 give approval for the names Bickerton Rise and Foxham Terrace to be allocated to the new roads built as a result of residential development in Churton Park as shown on Plan F 3051 (Appendix 1 of the officer's report).*

064/13RP APPLICATION FOR EXEMPTION FROM THE FENCING OF SWIMMING POOLS ACT 1987 FOR 11 BOARDWALK LANE, SEATOUN

Report of Owen Williams – Senior Inspections Officer, Building Consents and Licensing Services.

(1215/53/IM)

(REPORT 5)

Moved Councillor Best, seconded Councillor Lester, the substantive motion with a change to recommendation 3 in the officer's report as follows and as agreed by officer's:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Agree to grant an exemption for the four sliding doors and one set of Bi-fold doors entering the pool area as it is deemed unreasonable in accordance with clause 11 of the schedule to the Act to require the applicant to reconfigure the existing doors;*
3. *Agree to impose the following conditions that will need to always be met by the applicant and any future owner of the property to enable this exemption to apply:*

The sliding doors, bi-fold doors and double opening doors entering the pool area are accepted to remain opening to the pool area as installed, provided that in addition to the existing raised locks on the doors and a floating automatic pool cover to the in ground pool the proposed Alternative Solution is installed.

“It is proposed to install two outdoor high security digital motion detectors (outdoor alarm sensors) to detect any unauthorised access to the immediate pool area. The alarm would be operational at all times, and regardless of whether the doors to the outdoor courtyard and pool

area are open or closed. The outdoor motion detector will integrate with the current alarm system for the house.

The sensor will be fully programmable, and it is proposed to program it to self-arm automatically when no movement is detected in the pool area for a continuous period of **no more than 5 minutes**. ~~(although this is flexible and could be reduced further to say 3 minutes if that was considered desirable)~~. A pin code would be required to disarm the pool area prior to use, or to deactivate the alarm if triggered.

This arrangement will ensure that the pools cannot be used by anyone, and in particular a child, without the authorisation and deliberate action of the owners or other authorised adult. ”

The substantive motion with a change to recommendation 3 of the officer’s report was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Agree to grant an exemption for the four sliding doors and one set of Bi-fold doors entering the pool area as it is deemed unreasonable in accordance with clause 11 of the schedule to the Act to require the applicant to reconfigure the existing doors;*
3. *Agree to impose the following conditions that will need to always be met by the applicant and any future owner of the property to enable this exemption to apply:*

The sliding doors, bi-fold doors and double opening doors entering the pool area are accepted to remain opening to the pool area as installed, provided that in addition to the existing raised locks on the doors and a floating automatic pool cover to the in ground pool the proposed Alternative Solution is installed.

“It is proposed to install two outdoor high security digital motion detectors (outdoor alarm sensors) to detect any unauthorised access to the immediate pool area. The alarm would be operational at all times, and regardless of whether the doors to the outdoor courtyard and pool area are open or closed. The outdoor motion detector will integrate with the current alarm system for the house.

*The sensor will be fully programmable, and it is proposed to program it to self-arm automatically when no movement is detected in the pool area for a continuous period of **no more than 5 minutes**. ~~(although this is flexible and could be reduced further to say 3 minutes if that was considered desirable)~~. A pin code would be required to disarm the pool area prior to use, or to deactivate the alarm if triggered.*

This arrangement will ensure that the pools cannot be used by anyone, and in particular a child, without the authorisation and deliberate action of the owners or other authorised adult. ”

NOTED:

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

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

065/13RP **GRANTING OF A GROUND LEASE FOR A COMMUNITY GARDEN TO THE NEWTOWN RESIDENTS ASSOCIATION OVER PART OF CARRARA PARK AT 107 DANIELL STREET, NEWTOWN**

Report of Sarah Adams – Community Advisor, City Communities and Terry Baxter – Reserves Planner, Parks, Sports and Recreation.

(1215/53/IM)

(REPORT 6)

Moved Councillor Foster, seconded Councillor Best, 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 community garden licence to the Newtown Residents Association Incorporated in accordance with the Reserves Act 1977.*
3. *Note that the proposed licence terms will include:*

<i>Location:</i>	<i>Part of Carrara Park, 107 Daniell Street, Newtown (shown highlighted green in the plan attached at Appendix 1)</i>
<i>Term:</i>	<i>Five years</i>
<i>Annual Fee:</i>	<i>\$1 per annum plus GST</i>
<i>Special Conditions:</i>	<i>Wellington City Council to pay up to \$300.00 per annum (plus GST) of the metered water. The Newtown Residents Association will pay metered water charges above \$300.00 per annum (plus GST).</i>
4. *Note that any approval to grant the licence is conditional on:*
 - (i) *appropriate consultation with Iwi being completed;*
 - (ii) *the licence 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 licence is met by Newtown Residents Association.*

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

066/13RP RESOLUTION TO EXCLUDE THE PUBLIC
(1215/53/IM)

Moved Councillor Best, 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 (Suburban Centre Review) - Update

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 10.07am.

For item 067/13RP please see the public excluded minutes.

(Councillor Foster left the meeting at 10.08am.)

The meeting concluded at 10.11am.

Confirmed: _____

Chair

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