

MINUTES

WEDNESDAY 15 DECEMBER 2010

**3.01PM – 4.04PM
(3.30PM – 4.04PM – PUBLIC EXCLUDED)**

**Committee Room 2
Ground Floor, Council Offices
101 Wakefield Street
Wellington**

PRESENT:

Councillor Gill (Chair) (3.01pm – 4.04pm)
Councillor Best (3.01pm – 4.04pm)
Councillor Lester (3.01pm – 4.04pm)
Councillor Morrison (3.01pm – 4.04pm)
Councillor Pepperell (3.01pm – 3.29pm, 3.30pm - 4.04pm)

APOLOGIES:

Mayor Wade-Brown
Councillor Foster

IN ATTENDANCE:

Councillor Pannett

DEMOCRATIC SERVICES OFFICER IN ATTENDANCE:

Fiona Dunlop – Committee Adviser

066/10RP **APOLOGIES**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Morrison, that the Regulatory Processes Committee accept apologies for absence from Mayor Wade-Brown and Councillor Foster.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Accept apologies for absence from Mayor Wade-Brown and Councillor Foster.*

067/10RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

There were no conflicts of interest declared.

068/10RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

There was no public participation.

069/10RP **BACKGROUND TO AN ORAL SUBMISSION OBJECTING TO THE PROPOSED ROAD STOPPING AND DISPOSAL - THE LOCAL GOVERNMENT ACT 1974: LEGAL ROAD ADJOINING 227 NEWLANDS ROAD, NEWLANDS** (3.02PM – 3.14PM)
Report of Paul Davidson – Property Adviser.
(1215/53/IM) (REPORT 1)

NOTED:

Brian Clifford addressed the meeting regarding his concerns of the proposed road stopping for 227 Newlands Road. He owns the property at 4 Bracken Road and advised that he does not currently reside there but will be returning to live at the address in due course. Mr Clifford is concerned over the height of the proposed building which he believes will block the sun to his property and that traffic movements related to the building will be significant.

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 thank Mr Clifford for his oral submission and advise that the Committee will consider the matter and make a decision on whether to uphold his objection or not at its next scheduled meeting of the Regulatory Processes Committee.*

070/10RP **ROAD STOPPING AND DISPOSAL – THE LOCAL GOVERNMENT ACT 1974: LEGAL ROAD ADJOINING 62 WELD STREET, WADESTOWN** (3.14PM – 3.16PM)
Report of Paul Davidson – Property Adviser.
(1215/53/IM) (REPORT 2)

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. *Recommend that the Council:*
 - (a) *Agree that the area of approximately 108m² (subject to survey) of unformed road (Road Land) adjoining 62 Weld Street (Adjoining Land) is not required for a public work.*
 - (b) *Approve the disposal of the Road Land.*
 - (c) *Delegate to the Chief Executive Officer the power to either offer the Road Land back to its former owner or their successor, or to approve the exercise of an exemption from offer back under section 40(2), 40(3) or 40(4) Public Works Act 1981 (if appropriate).*

- (d) *Authorise 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.*
- (e) *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.*

Note: 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.

- (f) *Delegate to the Chief Executive Officer the power to negotiate the terms of sale and enter into a sale and purchase agreement in respect of the Road Land, either with the former owner or their successor, or the owner of the Adjoining Land, provided any such agreement is conditional upon the road being stopped.*
- (g) *Agree to the acquisition of approximately 1m² of land currently held in Computer Freehold Register WN94/273, and to the vesting of that land in the Wellington City Council as road.*
- (h) *Delegate to the Chief Executive Officer the power to negotiate and finalise the terms of the acquisition described in (g) above, and enter into a sale and purchase agreement, by way of exchange.*

**071/10RP TEMPORARY ROAD CLOSURE APPROVAL
PROCESS**

(3.16PM – 3.17PM)

Report of Jon Visser – Manager, Infrastructure Performance.
(1215/53/IM)

(REPORT 3)

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. *Approve the process described in appendix one of the officer's report.*

072/10RP **PROPOSED ROAD CLOSURES – 16 JANUARY 2011**
TO 20 MARCH 2011 (3.17PM – 3.21PM)
 Report of Gail Reeves – 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. *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 events as shown, to vehicles only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Reports:*
 - (a) *For the Bollywood Filming event:*
 - (i) *Featherston Street (between Waring Taylor Street and Panama Street), on Sunday 16, Sunday 23 and Monday 24 January 2011, from 5.30am to 9.30pm*
 - (ii) *Brandon Street (between Customhouse Quay and Lambton Quay - limited resident access), on Sunday 16, Sunday 23 and Monday 24 January 2011, from 5.30am to 9.30pm*
 - (iii) *Johnston Street (between Lambton Quay and Customhouse Quay – limited resident access), on Sunday 16 and Sunday 23 January 2011, from 5.30am to 9.30pm*
 - (iv) *Woodward Street (between The Terrace and Lambton Quay), on Saturday 22 January 2011, from 6.30–10am*
 - (v) *The Terrace pedestrian access-way/under-pass (from the Clifton Terrace car park to Woodward Street), on Saturday 22 January 2011, from 6.30am–7pm*
 - (vi) *Massey Road (at the peninsula, from a point midway in Kau Bay to a point several hundred metres south of Point Halswell), on Monday 31 January 2011, from 5.30am to 9.30pm; and*
 - (b) *For the Rugby Seven's Parade and assembly event:*
 - (i) *Stout Street (between Lambton Quay and Ballance Street - access to Creative N.Z. dockway maintained)*

- (ii) *Ballance Street (between Lambton Quay and Stout Street - access for Court vehicles maintained), on Thursday 3 February 2011, from 9am to 1.30pm, to allow for the parade assembly*
 - (iii) *Lambton Quay (between Whitmore Street to Willis Street)*
 - (iv) *Willis Street (between Lambton Quay/Willeston Street intersection and Manners Street)*
 - (v) *Mercer Street (between Willis Street and Victoria Street)*
 - (vi) *Victoria Street (between Harris Street and Mercer Street, includes Mercer Street/Wakefield Street intersection drop off area)*
 - (vii) *Wakefield Street (northern side between Victoria Street), on Thursday 3 February 2011, from 12.40pm to 1.40pm; and*
- (c) *For the Rugby Seven's Street Party event:*
- (i) *Courtenay Place (all of Courtenay Place between Cambridge Terrace and Taranaki Street)*
 - (ii) *Blair Street (all of Blair Street – limited resident access)*
 - (iii) *Allen Street (all of Allen Street – limited resident access)*
 - (iv) *Tory Street (between Wakefield Street and Forresters Lane – limited resident access), from 5pm Saturday 5 February to 6am Sunday 6 February 2011*
 - (v) *Taranaki Street (between Ghuznee Street and Wakefield Street, including York Street, Lukes and Halleys Lane – limited residents' access)*
 - (vi) *Inglewood Place (limited resident access to the parking building)*
 - (vii) *Dixon Street (between Courtenay Place and Egmont Street)*
 - (viii) *Manners Street (between Courtenay Place and Lukes Lane), from 9pm Saturday 5 to 6am Sunday 6 February 2011; and*
- (d) *For the Island Bay Festival events:*
- (i) *Ribble Street (all of Ribble Street), on Saturday 12 February 2011, from 8am to 4.30pm (postponement date Sunday 13 February)*
 - (ii) *Reef Street (between The Esplanade and The Parade)*
 - (iii) *The Esplanade (between Derwent Street and Brighton Street), on Sunday 13 February 2011, from 6am to 6pm; and*
- (e) *For the Wellington Chinese New Year Parade event:*
- (i) *Tennyson Street (between Tory Street and Cambridge Terrace – parade assembly only), on Sunday 13 February 2011, from 9am to 2.30pm*
- (f) *For the Wild Wellington Mountain Bike Relay event:*

- (i) *Alexandra Road (between Constable Street and a point just before the access road to the Mt Victoria Lookout), on Saturday 19 February 2011, from 8am to 10pm; and*
- (g) *For the St Anthony's Bazaar event:*
 - (i) *Ludlam Street (between Ferry Street and Falkirk Avenue), on Saturday 19 February 2011, from 10am to 4pm; and*
- (h) *For the Round the Bays Fun Run event, Sunday 20 February 2011:*
 - (i) *Customhouse Quay (southbound lanes between Whitmore Street and Jervois Quay), from 7am to 11am*
 - (ii) *Jervois Quay (southbound lanes between Customhouse Quay and Cable Street), from 7am to 11am*
 - (iii) *Cable Street (between Jervois Quay and Oriental Parade, right-hand lane open from Chaffers Street to Kent Terrace), from 7am to 11am*
 - (iv) *Oriental Parade (all of Oriental Parade), from 8.20am to 11am*
 - (v) *Evans Bay Parade (all of Evans Bay Parade), from 8.20am to 11am*
 - (vi) *Wellington Road (one-way between Crawford Road and Ruahine Street), from 8.30am to 11.30am*
 - (vii) *Shelly Bay Road (all of Shelly Bay Road), from 8.45am to 12noon*
 - (viii) *Massey Road (between Shelly Bay Road and approximately Point Gordon) from 8.45am to 12noon; and*
- (i) *For the Mt Victoria Inner City Festival event:*
 - (i) *Roxburgh Street (between Majoribanks Street and number 27 Roxburgh Street)*
 - (ii) *Caroline Street (all of Caroline Street), on Saturday 26 February 2011, from 8am to 5pm (postponement date Sunday 27 February); and*
- (j) *For the Newtown Fair event, Sunday 6 March 2011, from 6am to 8pm:*
 - (i) *Riddiford Street (between Mein Street and a point just south of Donald McLean Street)*
 - (ii) *Rintoul Street (between Riddiford Street and Colombo Street)*
 - (iii) *Constable Street (between Riddiford Street and Daniell Street)*
 - (iv) *Emmett Street (all of Emmett Street)*
 - (v) *Green Street (all of Green Street closed)*
 - (vi) *Wilson Street (for approximately 80 metres east off Riddiford Street – note: this closure extends to 9.30pm)*
 - (vii) *Newtown Avenue (for approximately 80m east off Riddiford Street)*

- (viii) *Normanby Street (closed for approximately 80m east off Riddiford Street)*
- (ix) *Donald McLean Street (closed for approximately 5m east off Riddiford Street); and*
- (k) *For the Kilbirnie Festival event:*
 - (i) *Bay Road (between Rongotai Road and Coutts Street), on Sunday 13 March 2011, from 6am to 6pm; and*
- (l) *For the Wellington Car Club Alexandra Road Sealed Hillclimb event:*
 - (i) *Alexandra Road (between Constable Street and the Lookout Road), on Sunday 20 March 2011, from 7am to 6pm.*

073/10RP **GRANTING OF A LICENCE FOR A COMMUNITY ORCHARD TO ISLAND BAY AND BERHAMPORE COMMUNITY ORCHARD TRUST** (3.21PM – 3.29PM)
 Report of Dejan Kirbis - Property Advisor, Lucy Ross - Team Leader, Property Management and Amber Bill - Manager, Community Engagement and Reserves.
 (1215/53/IM) (REPORT 5)

Moved Councillor Best, seconded Councillor Pepperell, 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 new licence to the Island Bay and Berhampore Community Orchard Trust in accordance with the Reserves Act 1977 and the Town Belt Management Plan.*
3. *Note that the terms of the licence are:*

<i>Location:</i>	<i>Adjacent to 559 Adelaide Rd and the Berhampore Golf Course.</i>
<i>Term:</i>	<i>3 years.</i>
<i>Annual Rent:</i>	<i>\$1 (if demanded).</i>
<i>Special Conditions:</i>	<i>Wellington City Council to pay the first \$300 of metered water per annum (exclusive of GST).</i>
4. *Note than any approval to grant a new licence will be conditional on:*

- (a) *appropriate consultation with Iwi being completed;*
- (b) *the licence being publicly notified in accordance with sections 119 and 120 of the Reserves Act 1977 together with any conditions set out in any approved Management Plans (e.g. Town Belt Management Plan);*
- (c) *there being no substantial objections resulting from the required consultation or notification;*
- (d) *the Trust reimbursing council for any costs incurred in advertising and preparation of legal documents.*

(Councillor Pepperell left the meeting at 3.29pm.)

074/10RP **RESOLUTION TO EXCLUDE THE PUBLIC**
(1215/53/IM)

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

The substantive 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 6 - District Plan Change 67 – Environment Court Appeal Mediation

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 7 - District Plan Change 74 – Environment Court Appeal
Proposed Settlement*

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 8 - District Plan Change 74 – Environment Court Appeal
Proposed Settlement*

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 3.30pm.

(Councillor Pepperell returned to the meeting at 3.30pm.)

For items 075/10RP, 076/10RP and 077/10RP, please see the public excluded minutes.

The meeting concluded at 4.04pm.

Confirmed: _____
Chair
/ /