
MINUTES

WEDNESDAY 21 AUGUST 2013

**9.18am – 10.24am
(10.06am – 10.24am – Public Excluded)**

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

PRESENT:

Councillor Gill (Chair)
Councillor Best
Councillor Foster
Councillor Lester
Councillor Morrison (9.18am – 10.01am, 10.04am – 10.24am)
Councillor Pepperell

APOLOGIES:

Mayor Wade-Brown

044/13RP **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.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

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

045/13RP **MINUTES FOR CONFIRMATION**
(1215/53/IM)

Moved Councillor Gill, seconded Councillor Pepperell, the motion that the Regulatory Processes Committee approve the minutes of the meeting held Wednesday 19 June 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 19 June 2013 having been circulated, be taken as an accurate record of that meeting.*

046/13RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

There were no conflicts of interest declared.

047/13RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

There was no public participation.

048/13RP **BACKGROUND TO ORAL SUBMISSIONS 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 1)

NOTED:

1. Lloyd Macintyre addressed the meeting in support of his submission on the proposed road stopping and disposal of legal road adjoining 3 Cunliffe Street.
2. Frank Lindsay addressed the meeting in support of his submission on the proposed road stopping and disposal of legal road adjoining 3 Cunliffe Street.

3. Maude Morrison addressed the meeting in support of her submission on the proposed road stopping and disposal of legal road adjoining 3 Cunliffe Street.
4. Graeme Sawyer representing the Johnsonville Community Association addressed the meeting in support of the submission on the proposed road stopping and disposal of legal road adjoining 3 Cunliffe Street.

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. *Thank all the objectors for their oral submissions, and advise that it will consider the matter and make a decision on whether or not to uphold any objection, at the next available meeting of the Regulatory Processes Committee.*

(Councillor Morrison left the meeting at 10.01am.)

049/13RP ROAD CLOSURES

Report of Maria Taumaa – Street Activities Co-ordinator.
(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. *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 Shelly Bay Motor Sport Sunday 15 September 2013 7am to 6pm:*
 - (i) *Massey Road – between Scorching Bay Reserve and the Northern entrance to the former Shelly Bay Defence Base.*

- (b) *For the Carless Day Sunday 22 September 2013 1pm to 4pm*
- (i) *Dixon Street – Between Taranaki Street and Victoria Street.*
 - (ii) *Cuba Street – between Manners Street and Wakefield Street.*
- (c) *For the Kirkcaldie & Stains Charity Street Party Saturday 23 November 2013 5am to 6pm*
- (i) *Brandon Street – between Featherston and Lambton Quay.*
- (d) *For the Northern Wellington Festival Saturday 30 November 2013.*
- Wanaka Street – 6am to 4pm*
 - Dr Taylor Terrace – 6am to 1.30pm*
 - Moorefield Road – between the Haumia and Johnsonville Road roundabouts 11am to 12.30pm*
 - Moorefield Road – between the Johnsonville Road and Middleton Road roundabouts, 11am to 12.30pm*
 - Rotoiti Street – Closed to through traffic, 11am to 12.30pm*
 - Broderick Road – Phillip Street to Johnsonville Road 11am to 12.30pm*
 - Johnsonville Road – Between Fraser Avenue and Moorefield Road roundabouts 11am to 12.30pm*
 - Frankmoore Avenue – Between Earp Street and Moorefield Road 11am to 12.30pm*
- (e) *For the Thorndon Fair Sunday 1 December 2013 7.30am to 5.30pm*
- (i) *Tinakori Road – between Bowen Street and Harriet Street*
 - (ii) *Hill Street – between Tinakori Road and Selwyn Terrace*
- (f) *For the Santa Parade - Sunday 8 December 2013*
- Closures 7am to 3pm*
- (i) *Ballance Street – between Lambton Quay and Featherston Street*
 - (ii) *Stout Street – between Lambton Quay and Whitmore Street*
 - (iii) *Maginnity Street – between Waring Taylor Street and Ballance Street Closures 10am to 5pm*
 - Lambton Quay – between Whitmore Street and Willis Street*
 - Willis Street – between Lambton Quay and Manners Street*
 - Customhouse Quay – between Willis Street and Victoria Street*
 - Willeston Street – between Willis Street and Victoria Street*
 - Mercer Street*
 - Victoria Street – between Harris Street and Dixon Street*
 - Bond Street – between Victoria Street and Willis Street*
 - Lombard Street - All*
 - Cornhill Street - All*
 - Wakefield Street – between Mercer Street and Cuba Street(Michael Fowler Car Park)*
 - Cuba Street – between Wakefield Street and Manners Street*
 - Manners Street – between Willis Street and Taranaki 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.

**050/13RP ROAD STOPPING AND DISPOSAL – LEGAL ROAD ADJOINING
11 RAVI STREET, KHANDALLAH**

Report of John Vriens, Senior Property Advisor.
(1215/53/IM)

(REPORT 3)

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 approximately 80 m² (subject to survey) of unformed legal road land (Road Land) adjoining 11 Ravi Street, Khandallah, is not required for a Public Work.*
 - (b) *Approve the disposal of the Road Land to the owners of 11 Ravi Street, Khandallah.*
 - (c) *Authorise Council officers to commission a section 40 Public Works Act 1981 (PWA) report from suitably qualified consultants to identify whether the area of unformed legal road land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.*
 - (d) *Delegate to the Chief Executive Officer the power to either offer the Road Land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) PWA(if appropriate).*
 - (e) *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.*
 - (f) *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 with no objections being received.*
 - (g) *Delegate to the Chief Executive Office the power to negotiate the terms of sale, impose any reasonable covenants, 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 11 Ravi Street, Khandallah, provided any such agreement is conditional upon the road being stopped.

(Councillor Morrison returned to the meeting at 10.04am.)

**051/13RP NEW LEASES UNDER RESERVES ACT 1977
(EXISTING/APPROVED OCCUPANTS): TOWN BELT AND
OTHER RESERVE LAND**

Report of Tracy Morrah – Manager, Property Services, Myfanwy Emeny – Manager, Community Engagement and Reserves, Paul Andrews - Manager Parks, Sport and Recreation and Jacqui Murray – Manager, Assets and Projects Manager.

(1215/53/IM)

(REPORT 4)

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 to grant new leases under the Reserves Act 1977 (subject to the usual terms and conditions noted below).*
3. *Note the terms of the leases are proposed to be consistent with the Council's "Leases Policy for Community and Recreation Groups".*
4. *Note that any approval to grant the leases is conditional on:*
 - (a) *appropriate Iwi consultation*
 - (b) *public notification under s119 and s120 Reserves Act 1977*
 - (c) *no sustained objections resulting from the above consultation and notification; and*
 - (d) *legal and advertising costs being met by the respective lessees (where applicable)*

**052/13RP RESOLUTION TO EXCLUDE THE PUBLIC
(1215/53/IM)**

Moved Councillor Gill, seconded Councillor Foster, 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 5 - District Plan Changes 72 (Residential Review) and 73 (Suburban Centre Review) – resolution of 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*

Report 6 - District Plan Change 73 (Suburban Centre Review) – resolution of 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*

The meeting went into public excluded session at 10.06am.

For items 053/13RP, and 054/13RP please see the public excluded minutes.

The meeting concluded at 10.24am.

Confirmed: _____

Chair

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