
MINUTES

WEDNESDAY 12 SEPTEMBER 2007

1.00PM

**Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington**

PRESENT:

Councillor Gill (Chair)
Councillor Armstrong (1.01 – 3.22pm)
Councillor Cook (1.00 – 2.43pm)
Councillor Foster (1.00 – 2.43pm, 3.20 – 3.22pm)
Councillor Goulden (2.11 – 2.36pm)
Councillor Morrison
Councillor Pepperell (2.47 – 3.22pm)
Councillor Shaw (1.10 – 1.41pm, 1.46 – 3.22pm)
Councillor Wade-Brown

APOLOGIES:

Mayor Prendergast
Councillor Goulden (lateness)
Councillor Pepperell (lateness)

IN ATTENDANCE:

Councillor McKinnon (1.00 – 1.44pm, 1.46 – 3.20pm)

084/07RP **APOLOGIES**
(1215/53/IM)

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Accept apologies for absence from Mayor Prendergast.*
2. *Accept apologies for lateness from Councillors Goulden and Pepperell.*

085/07RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

There were no conflicts of interest declared.

(Councillor Armstrong joined the meeting at 1.01pm.)

086/07RP **MINUTES FOR CONFIRMATION**
(1215/53/IM)

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Approve the minutes of the ordinary meeting held on Wednesday 22 August 2007 having been circulated, be taken as read and confirmed as an accurate record of that meeting.*

087/07RP **ORDER OF BUSINESS**
(1215/53/IM)

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Take Report 4 "Private District Plan Change Request: Bellevue Residential Estate, Stage 8, Newlands, Jarden Properties Ltd" first, followed by Report 1 "Granting of Leases to Six Groups Occupying Council Recreation Reserve and Wellington Town Belt" and the Report 2 "Granting of New Lease to Innermost Gardens Incorporated Occupying Wellington Town Belt".*

088/07RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

1. Hilary Campbell Executive Officer of the Sustainability Trust addressed the Committee in relation to Report 2 “Granting of New Lease to Innermost Gardens Incorporated Occupying Wellington Town Belt”.
2. Graham Fagan a resident of Sunhaven Drive addressed the meeting in relation to Report 4 “Private District Plan Change Request: Bellevue Residential Estate, Stage 8, Newlands, Jarden Properties Ltd”. He expressed his concern at the rezoning of the project not the next stage of development.

(Councillor Shaw joined the meeting at 1.10pm.)

3. Rod Halliday from Truebridge Callendar Beach addressed the meeting in relation to Report 4 “Private District Plan Change Request: Bellevue Residential Estate, Stage 8, Newlands, Jarden Properties Ltd”.

089/07RP **PRIVATE DISTRICT PLAN CHANGE REQUEST: BELLEVUE RESIDENTIAL ESTATE, STAGE 8, NEWLANDS, JARDEN PROPERTIES LTD**

Report of Alison Newbald – Policy Adviser, Policy Planning.
(1215/53/IM)

(REPORT 4)

Moved Councillor Gill, seconded Councillor Foster the substantive motion.

(Councillor Shaw left the meeting at 1.41pm.)

(Councillor McKinnon left the meeting at 1.44pm.)

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Agree to accept the proposed private plan change for the re-zoning of approximately:*
 - *0.52ha from Rural to Conservation*
 - *5.12ha from Rural to Outer Residential*

- 5.09 ha from Outer Residential to Conservation Site; and
- 0.79 ha from Conservation to Outer Residential

In the area of Newlands adjacent to the Bellevue Estates Subdivision and as outlined in Appendix 1.

AND

The amendment of Policy 4.2.9.2 by adding the following (underlined) wording:

“Provide for and, in some circumstances, require extensions to the existing roading network. In particular the actual development potential for future development of the following connector routes will be sought...

- *From between Domett Street and Glanmire Road*

3. *Agree to publicly notify the proposed plan changes in accordance with the First Schedule of the Resource Management Act 1991.*

090/07RP GRANTING OF LEASES TO SIX GROUPS OCCUPYING COUNCIL RECREATION RESERVE AND WELLINGTON TOWN BELT

Report of David Shaw – Property Adviser, Community Purpose Property.

(1215/53/IM)

(REPORT 1)

Moved Councillor Gill, seconded Councillor Foster the substantive motion.

(Councillor Shaw returned to the meeting at 1.46pm.)

(Councillor McKinnon returned to the meeting at 1.46pm.)

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Approves, subject to the conditions noted below, the granting of fresh leases to the following groups under the Reserves Act 1977 and the Public Bodies Leases Act 1969:*

Group	Type of Lease	Location	Term (years)	Annual Rent (GST exclusive)
<i>Foundation for the National</i>	<i>Ground and Premises</i>	<i>Mt Albert Park (Town Belt)</i>	<i>10</i>	<i>\$306 Maintenance Fee</i>

<i>Hockey Stadium Incorporated</i>				<i>Building Compliance Fee</i>
<i>Wellington Football Club Incorporated</i>	<i>Ground</i>	<i>Hataitai Park (Town Belt)</i>	<i>10</i>	<i>\$515</i>
<i>Wellington Potters Association Incorporated</i>	<i>Ground</i>	<i>Tinakori Hills (Town Belt)</i>	<i>10</i>	<i>\$180</i>
<i>Scout Association of New Zealand (1st Karori Group)</i>	<i>Ground</i>	<i>Campbell Street</i>	<i>5</i>	<i>\$270</i>
<i>Scout Association of New Zealand (Johnsonville Group)</i>	<i>Ground</i>	<i>Ohariu Reserve Ironside Road</i>	<i>5</i>	<i>\$96</i>
<i>Wellington Playcentre Association (Makara Branch)</i>	<i>Premises</i>	<i>South Makara Rd</i>	<i>10 + 10</i>	<i>\$118 Maintenance Fee</i>

Note that any approval to grant fresh leases will be conditional on:

- (a) appropriate consultation with Iwi being completed;*
- (b) the proposed lease on Recreation Reserve 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) each Group reimbursing Council for any costs incurred in advertising;*
- (d) there being no objections or sustained objections resulting from the required consultation or notification.*

091/07RP **GRANTING OF NEW LEASE TO INNERMOST GARDENS
INCORPORATED OCCUPYING WELLINGTON TOWN BELT**
Report of David Shaw – Property Adviser, Community Purpose Property.
(1215/53/IM) (REPORT 2)

NOTED:

(The meeting adjourned at 1.53pm and reconvened at 1.58pm.)

Officers briefed the Committee on the background to the paper. Councillors had a series of questions of officers relating to the paper.

(Councillor Goulden joined the meeting at 2.11pm.)
(Councillor Goulden left the meeting at 2.36pm.)
(Councillor Foster left the meeting at 2.43pm.)
(Councillor Cook left the meeting at 2.43pm.)
(Councillor Pepperell joined the meeting at 2.47pm.)

Moved Councillor Gill, seconded Councillor Wade-Brown the substantive motion recommendation 1.

The substantive motion recommendation 1 was put and declared CARRIED.

Moved Councillor Shaw, seconded Councillor Armstrong the procedural motion that the item lie on the table.

The procedural motion was put and a DIVISION called.

Voting for: Councillors Armstrong, Morrison and Shaw.

Voting against Councillors Gill, Pepperell and Wade-Brown

Majority vote: 3:3

The procedural was declared LOST on the Chairs casting vote.

Moved Councillor Shaw, seconded Councillor Armstrong the following amendment as a new substantive motion

“THAT the Regulatory Committee:

“Request that officers commence discussions with Crossways Community Crèche and Innermost Gardens Incorporated with a view to sharing the facilities in question.”

Moved Councillor Morrison, seconded Councillor Gill that the motion being the amendment as the new substantive be put.

The amendment as the new substantive was put and declared CARRIED.

The new substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Request that officers commence discussions with Crossways Community Crèche and Innermost Gardens Incorporated with a view to sharing the facilities in question.*

NOTED:

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

The Committee replaced the recommendations in the report with a new recommendation 2.

(Councillor Foster returned to the meeting at 3.20pm.)

(Councillor McKinnon left the meeting at 3.20pm.)

092/07RP **TEMPORARY PROCESS FOR APPOINTMENT OF RESOURCE CONSENT HEARINGS COMMISSIONERS**
 Report of Dougal List – Manager, Development Guidance.
 (1215/53/IM) (REPORT 3)

Moved Councillor Morrison, seconded Councillor Shaw the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED AND RECOMMENDED TO COUNCIL:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Recommend to Council that it delegate authority to the Chief Executive for the period from 17 October 2007 until an alternative delegation is approved, to assign appropriate hearing commissions to hear and determine resource consent applications, in consultation with the Mayor / Mayor Elect.*

3. *Note that officers will undertake a process to revise the current list of independent commissioners and report back this revised list for adoption at a later date.*

093/07RP **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 Change 32 (Renewable Energy) and District Plan Change 33 (Ridgelines and Hilltops and Rural Area) – Appeal 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

Reason: Section 7(2)(i) to enable the Council to carry out negotiations without prejudice or disadvantage

The meeting went into public excluded session at 3.21pm.

For item 094/07RP, please see the public excluded minutes.

The meeting concluded at 3.22pm.

Confirmed: _____

Chair

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