
MINUTES

THURSDAY 28 JUNE 2007

10.00AM

**Council Chamber
First Floor, Town Hall
Wakefield Street
Wellington**

PRESENT:

Mayor Prendergast (10.00 – 10.01am)
Councillor Gill (Chair)
Councillor Armstrong (10.00 – 10.01am)
Councillor Cook (10.00 – 10.01am, 10.36 – 11.26am)
Councillor Foster
Councillor Goulden
Councillor Morrison
Councillor Pepperell
Councillor Wade-Brown

APOLOGIES:

Mayor Prendergast
Councillor Armstrong

051/07RP **ADJOURNMENT OF MEETING**
(1215/53/IM)

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Adjourn until the conclusion of the Reconvened Council meeting.*

(The meeting adjourned at 10.01am.)

(The meeting reconvened at 10.36am.)

(Councillors Cook, Foster, Gill, Goulden, Pepperell and Wade-Brown were present when the meeting reconvened.)

052/07RP **APOLOGIES**
(1215/53/IM)

RESOLVED:

THAT the Regulatory Processes Committee:

1. *Accept apologies from Mayor Prendergast and Councillor Armstrong.*

053/07RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

Councillor Gill advised that she had a business acquaintance one of the owners of 218 Evans Bay Parade. She advised that she had not spoken with the owner about the paper and did not see it as conflict which would require her to step aside from chairing the meeting when the report is considered.

054/07RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

1. Paul Branco, resident of 220 Evans Bay Parade addressed the meeting in relation to Report 1 “Property for Disposal under the Public Works Act 1981 and the Local Government Act 1974: Legal Road Adjacent 218 Evans Bay Parade, Hataitai”. He advised that he has a number of concerns regarding the proposed road stopping.
2. Tania Devereux owner of 218 Evans Bay Parade addressed the meeting in support of Report 1 “Property for Disposal under the Public Works Act 1981 and the Local Government Act 1974: Legal Road Adjacent 218 Evans Bay Parade, Hataitai”.

055/07RP **PROPERTY FOR DISPOSAL UNDER THE PUBLIC WORKS ACT 1981 AND THE LOCAL GOVERNMENT ACT 1974: LEGAL ROAD ADJACENT 218 EVANS BAY PARADE, HATAITAI**

Report of Hanita Shantilal – Property Adviser, Property and Parking Services.

(1215/53IM)

(REPORT 1)

Moved Councillor Gill, seconded Councillor Cook the substantive motion recommendation 1.

The substantive motion recommendation 1 was put and declared CARRIED.

Moved Councillor Gill, seconded Councillor Morrison the substantive motion recommendations 2 - 7.

The substantive motion recommendations 2 - 7 were put and declared CARRIED.

RESOLVED AND RECOMMENDED TO COUNCIL:

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Recommend that the Council, pursuant to section 40 of the Public Works Act 1981:*
 - a) *Agree that approximately 158.91m² of unformed legal road adjoining 218 Evans Bay Parade, Hataitai is not required for a Public Work (refer Appendix 1 of the officers report).*

Note: 218 Evans Bay Parade, Hataitai is described as Part Lot 1 DP 9805, being Computer Freehold Register WN6A/1219.
 - b) *Authorise Council officers to commission a section 40 report from suitably qualified consultants to identify whether the land must be offered back to its former owner or their successor, or whether an exemption from offer back applies.*
3. *Note that once the section 40 report has been received, a report will be presented to the Chief Executive Officer for approval under delegated authority to either offer the land back to its former owner or their successor, or to approve the exemption from offer back.*
4. *Authorise Council officers to initiate the road stopping process in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*
5. *Subject to all statutory and Council requirements being met and no objections to the road stopping being received, Council delegates to the Chief Executive Officer the power to formally approve the road stopping and issue the public notice to declare the road stopped.*
6. *Note that if objections are received and the proponent wishes to continue with the road stopping, a further report will be presented to the Committee for consideration.*

7. *Delegate to the Chief Executive Officer the power to negotiate the terms of sale and enter into a sale and purchase agreement, provided any such agreement is conditional upon the road being stopped.*

056/07RP **RESOLUTION TO EXCLUDE THE PUBLIC**
(1215/53IM)

RESOLVED:

THAT the Regulatory Processes Committee:

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 2 - Property for Disposal Under Public Works Act 1981: Stebbings Road Adjoining 32 and 55 Stebbings Road, Churton Park, and 105 Amesbury Drive, Churton Park

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)(i) to enable the Council to carry out negotiations without prejudice or disadvantage

Report 3 - Proposal to Lease Former Chest Hospital Site

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)(i) to enable the Council to carry out negotiations without prejudice or disadvantage

The meeting went into public excluded session at 11.22am.

For items 057/07RP and 058/07RP, please see the public excluded minutes.

(Councillor Cook left the meeting at 11.26am.)

The meeting concluded at 11.53am.

Confirmed: _____
Chair
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