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**MINUTES**

**WEDNESDAY 8 OCTOBER 2008**

**1.05PM**

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

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**PRESENT:**

Councillor Gill (Chair)  
Councillor Best  
Councillor Cook  
Councillor Goulden (Deputy Chair)  
Councillor Pannett

**APOLOGIES:**

Mayor Prendergast  
Councillor Wain

**IN ATTENDANCE:**

Councillor Ahipene-Mercer (1.10 – 3.38pm)

065/08RP **APOLOGIES**  
(1215/53/IM)

**RESOLVED:**

*THAT the Regulatory Processes Committee:*

- 1. Accept apologies for absence from Mayor Prendergast and Councillor Wain.*

066/08RP **MINUTES FOR CONFIRMATION**  
(1215/53/IM)

**RESOLVED:**

*THAT the Regulatory Processes Committee:*

1. *Approve the minutes of the ordinary meeting held on Wednesday 9 September 2008 having been circulated, and that they be taken as read and confirmed as an accurate record of that meeting.*

067/08RP **CONFLICT OF INTEREST DECLARATIONS**  
(1215/53/IM)

**NOTED:**

There were no conflicts of interest.

0638/08RP **PUBLIC PARTICIPATION**  
(1215/53/IM)

**NOTED:**

1. Wally Simmers and representatives of the Karori Community Hall Trust addressed the meeting regarding Report 2 “Granting of a Lease to the Karori Community Hall Trust”.
2. The Committee noted that there would be public participation for Report 3 “Dog Control Act 1996 – Objection to Officer’s Decision” when the meeting went into public excluded.

069/08RP **ORDER OF BUSINESS**  
(1215/11/IM)

**RESOLVED:**

*THAT the Regulatory Processes Committee:*

1. *Consider the agenda as follows:  
Report 2 - Granting of a Lease to the Karori Community Hall Trust  
Report 1 - Granting of a Fresh Premises Lease to the Brooklyn Community Association Incorporated  
Report 3 - Dog Control Act 1996 – Objection to Officer’s Decision.*

070/08RP **GRANTING OF A LEASE TO THE KARORI COMMUNITY HALL TRUST**

Report of Lucy Ross - Team Leader, Community Purpose, Property Services and Karen Hill - Senior Advisor, City Communities.

(1215/53/IM)

(REPORT 2)

**Moved Councillor Gill, seconded Councillor Best the substantive motion as amended as follows:**

- “1. Receives the information.
2. Approves the granting of an Agreement to Lease to Karori Community Hall Trust that contains the following conditions that must be satisfied to enact a Deed of Lease :
  - (i) The Council setting aside the land for 5 years from 3 May 2007 for the provision of a community hall; and
  - (ii) The Lessee obtaining all resource consents, on terms and conditions in all respects satisfactory to the Lessee, required for the construction of the building for the required use; and
  - (iii) The Lessee to provide a project plan including estimated costs and timelines for the construction of the hall by 31 December 2009; and
  - (iv) The Lessee to provide details of all funds raised for the construction of the Hall by 31 December 2009 and thereafter on an annual basis until 31 December 2011; and
  - (v) The Council being satisfied on an annual basis that the Trust is realising the financial goals in (iii) above
3. Approves, upon completion of the above conditions, the granting of a Deed of Lease to Karori Community Hall Trust.

| <b>Location</b>                    | <b>Term</b>                        | <b>Annual Rental</b>                          | <b>Annual Maintenance Fee</b> | <b>Type of Lease</b> |
|------------------------------------|------------------------------------|---|-------------------------------|----------------------|
| Land at 7 Beauchamp Street, Karori | 10 years + one renewal of 10 years | \$180 per annum, on commencement of the lease | N/A                           | Ground lease         |

4. Notes that:
  - (a) Any approval to grant a lease is conditional upon appropriate consultation with iwi;
  - (b) Minister of Conservation approval is not required as the land does not have Reserve status.

New 5. Note that a letter will be sent to the Karori Community Hall Trust to explain the options that the Trust has under the existing policy to apply to Council for a fresh lease.”

(Councillor Ahipene-Mercer joined the meeting at 1.10pm.)

**Moved Councillor Cook, seconded Councillor Goulden the following amendment to recommendation 3.**

“3. Approves, upon completion of the above conditions, the granting of a Deed of Lease to Karori Community Hall Trust **which is consistent with Council’s Lease Policy.**”

**The amendment was put and declared CARRIED.**

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

**RESOLVED:**

*THAT the Regulatory Processes Committee:*

1. *Receives the information.*
2. *Approves the granting of an Agreement to Lease to Karori Community Hall Trust that contains the following conditions that must be satisfied to enact a Deed of Lease :*
  - (i) *The Council setting aside the land for 5 years from 3 May 2007 for the provision of a community hall; and*
  - (ii) *The Lessee obtaining all resource consents, on terms and conditions in all respects satisfactory to the Lessee, required for the construction of the building for the required use; and*
  - (iii) *The Lessee to provide a project plan including estimated costs and timelines for the construction of the hall by 31 December 2009; and*
  - (iv) *The Lessee to provide details of all funds raised for the construction of the Hall by 31 December 2009 and thereafter on an annual basis until 31 December 2011; and*
  - (v) *The Council being satisfied on an annual basis that the Trust is realising the financial goals in (iii) above*
3. *Approves, upon completion of the above conditions, the granting of a Deed of Lease to Karori Community Hall Trust **which is consistent with Council’s Lease Policy.***

| <i>Location</i> | <i>Term</i> | <i>Annual Rental</i> | <i>Annual Maintenance Fee</i> | <i>Type of Lease</i> |
|-----------------|-------------|----------------------|-------------------------------|----------------------|
|                 |             |                      |                               |                      |

|   |   |  |            |                     |
|---|---|--|------------|---------------------|
| <i>Land at 7 Beauchamp Street, Karori</i> | <i>10 years + one renewal of 10 years</i> | <i>\$180 per annum, on commencement of the lease</i> | <i>N/A</i> | <i>Ground lease</i> |
|---|---|--|------------|---------------------|

4. *Notes that :*

- (a) *Any approval to grant a lease is conditional upon appropriate consultation with iwi;*
- (b) *Minister of Conservation approval is not required as the land does not have Reserve status.*

5. *Note that a letter will be sent to the Karori Community Hall Trust to explain the options that the Trust has under the existing policy to apply to Council for a fresh lease.*

**NOTED:**

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

A new set of recommendations was provided by the officers and the Committee added the text in **bold**.

071/08RP **GRANTING OF A FRESH PREMISES LEASE TO THE BROOKLYN COMMUNITY ASSOCIATION INCORPORATED**  
 Report of Lucy Ross - Team Leader, Community Purpose, Property Services and Mark Farrar - Senior Advisor, City Communities.  
 (1215/53/IM) (REPORT 1)

**Moved Councillor Gill, seconded Councillor Goulden the substantive motion.**

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

**RESOLVED:**

*THAT the Regulatory Processes Committee:*

1. *Receives the information.*
2. *Approves, subject to the conditions noted below, the granting of a new lease to the following group under the Local Government Act 2002, subject to the surrender of the existing lease.*

| <i>Location</i>                                | <i>Term</i>                               | <i>Annual Rental</i>         | <i>Annual Maintenance Fee</i> | <i>Type of Lease</i> |
|--|---|------------------------------|-------------------------------|----------------------|
| <i>Land at 18-26 Harrison Street, Brooklyn</i> | <i>10 years + one renewal of 10 years</i> | <i>\$231 + GST per annum</i> | <i>N/A</i>                    | <i>Ground lease</i>  |

3. *Any approval to grant fresh leases is conditional upon:*
- (a) Appropriate consultation with iwi;*
  - (b) The Lease being publicly notified in accordance with the Leases Policy for Community and Recreation Groups (Leases Policy);*
  - (c) The Club reimbursing the Council for legal and advertisement costs;*
  - (d) There being no objections or sustained objections resulting from the consultation or notification.*
  - (e) No requirement to provide funding for the construction of the extension by Wellington City Council.*
  - (f) Note no Minister of Conservation approval is required as the land does not have Reserve status.*

072/08RP **RESOLUTION TO EXCLUDE THE PUBLIC**  
(1215/11/IM)

**Moved Councillor Gill, seconded Councillor Best the motion to exclude the public.**

**The motion was put and was 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 3 - Dog Control Act 1996 – Objection to Officer’s Decision***

*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)(a) to protect the privacy of natural persons, including that of deceased natural persons*

- 2. Permit Amanda McMillan – dog owner and Lucie Scott – Legal Adviser for Amanda McMillan to remain at this meeting, after the public has been excluded for Public Participation and because of their knowledge relating to the background of Report 3 “Dog Control Act 1996 – Objection to Officer’s Decision” which may be of assistance in relation to the matter being discussed.*

The meeting went into public excluded session at 1.45pm.

For item 073/08RP and 074/08RP please see the public excluded minutes.

The meeting concluded at 3.38pm.

Confirmed: \_\_\_\_\_  
Chair  
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