
MINUTES

WEDNESDAY 13 FEBRUARY 2008

1.33PM

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

PRESENT:

Councillor Gill (Chair)
Councillor Best
Councillor Cook (1.35 – 1.54pm)
Councillor Goulden (Deputy Chair)
Councillor Pannett
Councillor Wain

APOLOGIES:

Mayor Prendergast

001/08RP **APOLOGIES**
(1215/53/IM)

RESOLVED:

THAT the Regulatory Processes Committee:

- 1. Accept apologies for absence from Mayor Prendergast.*

002/08RP **CONFLICT OF INTEREST DECLARATIONS**
(1215/53/IM)

NOTED:

There were no conflicts of interest declared.

003/08RP **PUBLIC PARTICIPATION**
(1215/53/IM)

NOTED:

There was no public participation.

004/08RP **ROAD STOPPING AND DISPOSAL – LOCAL GOVERNMENT ACT 1974: LEGAL ROAD ADJOURNING 217 EVANS BAY PARADE, HATAITAI**

Report of Paul Davidson, Property Advisor, Business Development, Property Services.

(1215/53/IM)

(REPORT 1)

(Councillor Cook joined the meeting at 1.35pm.)

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 (PWA):*
 - a) *Agree that approximately 210m² (subject to survey) of unformed legal road (Kio Road) adjoining 217 Evans Bay Parade, Hataitai is not required for a Public Work (refer to Appendix 3 of the officer's report).*

Note: 217 Evans Bay Parade, Hataitai is described as Lot 2 DP 48270, being Computer Freehold Register WN18D/245.
 - 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 with 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 applicant 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.*

005/08RP ROAD STOPPING AND DISPOSAL – LOCAL GOVERNMENT ACT 1974: LEGAL ROAD ADJACENT TO 13 TANNADYCE STREET, STRATHMORE

Report of Lynne Michael – Property Advisor, Property Advisor, Business Development, Property Services.

(1215/53/IM)

(REPORT 2)

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 (PWA):*
 - (a) *Agree that approximately 160m² (subject to survey) of unformed legal road adjoining 13 Tannadyce Street, Strathmore is not required for a Public Work (refer Appendix 3 of the officer's report).*

Note: 13 Tannadyce Street, Strathmore is described as Lot 136 DP 15452, being Computer Freehold Register WN15B/657.

- (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 with 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 applicant 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.*

006/08RP **RESOLUTION TO EXCLUDE THE PUBLIC**
(1215/53/IM)

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 - Review of List of Independent Hearing Commissioners

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

Reasons: Section 7(2)(a) To protect the privacy of natural persons

The meeting went into public excluded session at 1.40pm.

For item 007/08RP, please see the public excluded minutes.

The meeting concluded at 1.54pm.

Confirmed: _____
Chair
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