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**ORDINARY MEETING**

**OF**

**REGULATORY PROCESSES COMMITTEE**

**AGENDA**

**Time:** 1.00pm  
**Date:** Thursday, 4 September 2014  
**Venue:** Committee Room 1  
Ground Floor, Council Offices  
101 Wakefield Street  
Wellington

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**MEMBERSHIP**

Mayor Wade-Brown

Councillor Ahipene-Mercer (Chair)  
Councillor Foster  
Councillor Lee  
Councillor Pannett  
Councillor Sparrow

**Have your say!**

*You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 803-8334, emailing [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz) or writing to Democratic Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number and the issue you would like to talk about.*

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## **AREA OF FOCUS**

The Regulatory Processes Committee has responsibility for overseeing Council's regulatory functions.

**Quorum:** 3 members

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**4 SEPTEMBER 2014**

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## **1 Meeting Conduct**

### **1.1 Apologies**

The Chairperson invites notice from members of apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

### **1.2 Conflict of Interest Declarations**

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

### **1.3 Confirmation of Minutes**

The Minutes of the meeting held on 6 August 2014 will be put to the Regulatory Processes Committee for confirmation.

### **1.4 Public Participation**

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 3.23.3 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

### **1.5 Items not on the Agenda**

The Chairperson will give notice of items not on the agenda as follows:

#### ***Matters Requiring Urgent Attention as Determined by Resolution of the Regulatory Processes Committee.***

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

#### ***Minor Matters relating to the General Business of the Regulatory Processes Committee.***

No resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Regulatory Processes Committee for further discussion.



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## **2. General Business**

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### **ROAD CLOSURES**

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#### **Purpose**

1. To seek approval of the Regulatory Processes Committee for the temporary closure of roads in the Wellington City.

#### **Summary**

2. The Wellington City Council has received an application from the event organisers of the Tennyson Street Fair, Wellington Round the Bays Fun Run and Cuba Dupa to temporarily close a number of streets in Wellington City. Details of the events and the expected impact on traffic are attached to this report.
  - Tennyson Street Fair 19 October 2014
  - Wellington Round the Bays Fun Run 22 February 2014
  - Cuba Dupa 28 March 2015 to 30 March 2015

#### **Recommendations**

That the Regulatory Processes Committee:

1. Receive the information.
2. Note that 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.
3. Agree to close the following roads for the above event to vehicles only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Report:

For Tennyson Street Fair

Road Closures:

- Tennyson Street

For Wellington Round the Bays Fun Run

Road Closures:

- Customhouse Quay
- Jervois Quay
- Cable Street
- Oriental Parade
- Evans Bay Parade
- Wellington Road
- Shelly Bay Road
- Massey Road

For Cuba Dupa

Road Closures:

- Swan Lane
- Abel Smith Street

- Cuba Street
- Garrett Street
- Marion Street
- Dixon Street
- Manners Street
- Ghuznee Street
- Lukes Lane
- Inglewood Place
- Leeds Street
- Furness Lane
- Bute Street
- Christeson Lane

## **Background**

3. The Council receives numerous requests throughout the year for public roads to be closed for events. These requests are processed and detailed impact report prepared for each as attached. This report to the Committee has been prepared, in accordance with the procedures that were approved by the Committee on 15 December 2010.

## **Discussion**

4. Approval is required from the Regulatory Processes Committee to allow the temporary closure of roads in the Wellington District for an event supported by the Wellington City Council. This will ensure that the Wellington City Council is complying with the requirements of the Local Government Act 1974 for the temporary closure of roads within its jurisdiction.

## **Consultation and Engagement**

5. Affected stakeholders were notified of the Council's intention to consider the proposed temporary road closures through an advertisement in the Dominion Post.
6. The New Zealand Police and the Ministry of Transport have also been consulted with. Any correspondence received in response to the proposed closures has been included in the attached impact report.
7. Approval of a traffic management plan for the event will address, and show how any objections raised, are to be managed.

## **Financial Considerations**

8. The City Events Team has assessed the proposed events with regard to their contribution towards Council's strategies and policies. The proposed events support the Council's strategy of being the "events capital" and will contribute to the economic success of the city.



### **Traffic Impact Assessment**

9. A Council Traffic Engineer has assessed the proposed closures with regard to the expected impact on traffic. The Traffic Engineer has provided a professional opinion as to whether the resulting impact on traffic is likely to be reasonable or unreasonable. The proposed closures, if implemented according to an approved traffic management plan and in accordance with specific conditions set by the Traffic Engineer, will enable the safe running of the event and minimise the impact on traffic. If, in the opinion of the Council, the closure may or does impede traffic unreasonably, any approval granted by the Council may be revoked and the event organiser may be required to open the road at the direction of the Council's Traffic Engineer.

### **Attachments**

- Attachment 1. Tennyson Street Fair  
Attachment 2. Bays Fun Run  
Attachment 3. Cuba Dupa

Author	Maria Taumaa, Street Activities Coordinator
Authoriser	Anthony Wilson, Chief Asset Officer

## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

Key event organisers and other stakeholders (such as public transport and emergency services) have been consulted with to determine whether they would be impacted by the proposed closures, and where appropriate any traffic management plans have been modified accordingly.

### **Treaty of Waitangi considerations**

No significant Treaty implications.

### **Financial implications**

#### LTP/Annual Plan reference and long term financial impact

Administration of the proposed closures is budgeted for under Annual Plan Project C481 Network Activity Coordination. There will be no long term financial impact to the Council resulting from these closures.

### **Policy and legislative implications**

The process used to consider the proposed closures for approval is in accordance with the advice provided by the council's lawyers. The plans for the proposed closures and this report have been prepared in accordance with the Code of Practice for Temporary Traffic Management and the process approved by the Regulatory Processes Committee.

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## **PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT**

### **TENNYSON STREET FAIR** **19 OCTOBER 2014**

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#### **1. Description of Event**

The Tennyson Street Fair has been organised by Thomas Buchanan. The fair has participation and support from a range of community groups and local businesses.

The proposed road closure is:

- **Tennyson Street** (between Tory Street and 18 Tennyson Street) on Sunday 19 October 2014. 6am to 7pm.

Road closure notification signs will be placed at each end of the assembly closure at least one week prior to the event.

Residents and local businesses will receive a letter drop advising them of the road closure and the parking restrictions. The closure is also to be advertised in the Our Wellington Page of the Dominion Post in the week preceding the parade. The event will be managed by a qualified traffic management company. Pedestrian access will not be restricted and emergency services will have immediate access to the area if required.

#### **2. Events Directorate Support**

The Events Directorate has no connection with, and no objection to this event.

#### **3. Proposal Notice and Consultation**

The public notice advising that the Council is proposing to consider this closure was published in the :

Dominion Post Saturday on 16 August 2014

The New Zealand Police and the Ministry of Transport have also been consulted with.

#### **4. Objections**

There have been NO objections to this closure request.

#### **5. Traffic Impact Assessment**

##### **Prior Closures**

None of the proposed closures for this event will result in a road being closed for an aggregate of more than 31 days in any year.

#### **Traffic Impact**

In the opinion of Stephen Harte Programme Manager Transport Network Development, acting as the Council's Traffic Engineer, the proposed closure, if implemented according to an approved traffic management plan, is not likely to impede traffic unreasonably subject to the conditions listed below. However, the Council reserves the right to modify this opinion at any time. If, in the opinion of the Council, the closure may or does impede traffic unreasonably, any approval granted by the Regulatory Processes Committee may be revoked and the event organiser may be required to open the road at the direction of a suitably qualified Council officer in charge of traffic.

#### **Conditions:**

- The road closure will start at 6am and finish at 7pm
- The event organiser is to obtain Council approval on the details of a traffic management plan prior to the event.(in particular the Tennyson Street closure)
- The event organiser is to notify the public via newspaper advertisement, letter drop, advanced signage and media releases.
- The event organiser is responsible for safety (pedestrian and traffic) within the closed area.
- The event organiser is to provide marshals at all road closures ends to ensure that public safety (interaction of traffic and spectators) is not compromised.
- The event organiser is to consult and gain approval from the emergency services on the road closure and provide access for emergency vehicles.

Signed .....



Stephen Harte  
Programme Manager Transport Network Development


#### **6. Attachments**

- Map of proposed closure
- Copy of proposal notice from the newspaper

Prepared By: .....

Maria Taumaa  
Street Activities Coordinator

Endorsed By: .....



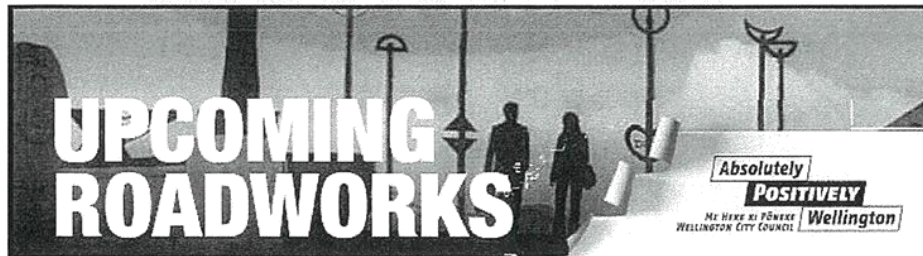
Warrick Dent  
Manager City Events





WEDLEY, Nina Irene, late 01  
Napier; Retired, died 19/07/14

returning at the conclusion of the AGM



## PROPOSAL TO CLOSE ROADS

The Regulatory Processes Committee will meet on Thursday 4 September 2014 to consider the following proposed temporary road closures for events:

### Tennyson Street Fair

**6am–7pm, Sunday 19 October 2014**

Tennyson Street - between Tory Street and Cambridge Terrace.  
Rain day will be Sunday 26 October 2014.

Any person objecting to a proposed road closure must contact the City Council in writing before 4pm, 29 August 2014.

Please send correspondence to Maria Taumaa, at the mailing address below, by fax to 04 801 3009 or by email to [Maria.Taumaa@wcc.govt.nz](mailto:Maria.Taumaa@wcc.govt.nz)

Wellington City Council, 101 Wakefield Street,  
PO Box 2199, Wellington 6140 | [Wellington.govt.nz](http://Wellington.govt.nz)



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## PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT

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### WELLINGTON ROUND THE BAYS FUN RUN SUNDAY 22 FEBRUARY 2015

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#### 1. Description of Event

Sport Wellington has applied to hold the annual Wellington Round the Bays Fun Run and Half Marathon. The proposed event is the same as the 2014 event - starting at Frank Kitts Park and finishing at Kilbirnie Park. It also includes, for the fifth time, a half-marathon event to Scorching Bay, which then returns to the Kilbirnie Park finish. The whole event is strongly supported by an in excess of 10,000 people each year, with a broad cross section of the community running and walking the course.

The proposed road closures, to vehicular traffic, are for Sunday 22 February 2015 as follows;

- **Customhouse Quay.** (southbound lanes, from Whitmore to Jervois Quay) from 6.30am and 11.00am.
- **Jervois Quay.** (southbound lanes from Customhouse Quay to Cable Street) from 6.30am and 11.00am.
- **Cable Street.** (between Jervois Quay and Oriental Parade – with the exception of the right hand lane which will be open from Chaffers Street to Kent Terrace) from 7.00am to 11.00am.
- **Oriental Parade** (all of Oriental Parade) from 7.45am to 11.00am.
- **Evans Bay Parade.** (between Oriental Parade and Cobham Drive) from 7.45am to 12noon.
- **Evans Bay Parade.** (between Cobham Drive and Kilbirnie Crescent) from 7.45.00am to 12.00pm.
- **Wellington Road,** (one way east between Crawford Road and Ruahine Street) from 7.45am to 12.00noon
- **Shelly Bay Road.** (all of Shelly Bay Road) from 8.00am to 12noon.
- **Massey Road.** (between Shelly Bay Road and approximately Point Gordon), from 8.00am to 12noon

In addition, State Highway 1 Cobham Drive from the Wellington Road/Kupe Street intersection to Troy Street roundabout will be closed from 8.10am to 11.30am. Arterial roads adjoining Oriental Parade and Evans Bay Parade will be affected by these closures, as will intersections adjoining the State Highway at Taurima Street, Goa Street and Ruahine Street. Alternative entry routes to Hataitai will be provided at the Kupe Road/Wellington Road intersection; the Wellington Road/Moxham Avenue intersection and via Roseneath/Mt Victoria. The street closures affecting the State Highway will require separate approval from NZTA. As in previous years, the closures will remain in place for the minimum duration, with the NZTA roads being opened at the earliest, safe time.

There will be areas designated as "No Stopping" to assist with the finish line set-up and the diverted traffic flow around Kilbirnie Park and the general Kilbirnie area. Notification signs will be placed at points along the proposed closures at least one week prior to the event advising of the road closures

and the parking restrictions. Residents and local businesses will also receive a letter drop advising them of the road closures and parking restrictions. The closures will be advertised in Our Wellington Page of the Dominion Post in the week preceding the event. The event is to be traffic managed by a qualified traffic management company and emergency services will have immediate access to the area if required.

## **2. Events (Business Development) Support**

This is an annual event organised by Sport Wellington and is supported by the Events Business Unit.

## **3. Proposal Notice and Consultation**

The public notice advertising that the Council is proposing to consider this closure was published in the following newspaper:

- Dominion Post Saturday 2 August 2014

The New Zealand Police and the Ministry of Transport have also been consulted with.

## **4. Objections**

There have been NO objections to this closure request.

## **5. Traffic Impact Assessment**

### **Prior Closures**

None of the proposed closures for this event will result in a road being closed for an aggregate of more than 31 days in any year.

### **Traffic Impact**

In the opinion of Stephen Harte Programme Manager Transport Network Development, acting as the Council's Traffic Engineer, the proposed closure, if implemented according to an approved traffic management plan, is not likely to impede traffic unreasonably subject to the conditions listed below. However, the Council reserves the right to modify this opinion at any time. If, in the opinion of the Council, the closure may or does impede traffic unreasonably, any approval granted by the Regulatory Processes Committee may be revoked and the event organiser may be required to open the road at the direction of a suitably qualified Council officer in charge of traffic.

Conditions:

- The event organiser is to publicly notify the event via letter drop, newspaper advertisement, advanced signage and media releases.



- The event organiser is to ensure that the emergency services (Police, Fire and Ambulance Services) have been consulted with and that the Traffic Management Plan includes all of their specific requirements.
- The event organiser is to ensure that the affected property owners and businesses along the road closures are consulted with.
- The event organiser is to provide marshals at all road closure ends to ensure that public safety (interaction of traffic and spectators) is not compromised.
- The event organiser is to work with the public transport operators to provide alternative public transport route and bus stops.
- Detour routes are to be provided with adequate signage during the road closure period.
- The event organiser is to provide the Wellington City Council with a separate detailed Traffic Management Plan for the diverted State Highway traffic onto City Council streets in particular Kilbirnie Crescent, Rongotai Road and Troy Street. The management of the diverted traffic onto City Council streets will remain solely in the control of the Wellington City Council instead of the New Zealand Transport Agency.
- The event organiser is to ensure safe and reasonable access for affected parties and have regular updates and contact with on-site marshals and City Council representatives.
- The event organiser is to provide further details of the Traffic Management Plan to Council for approval prior to the event.

Signed ..... 

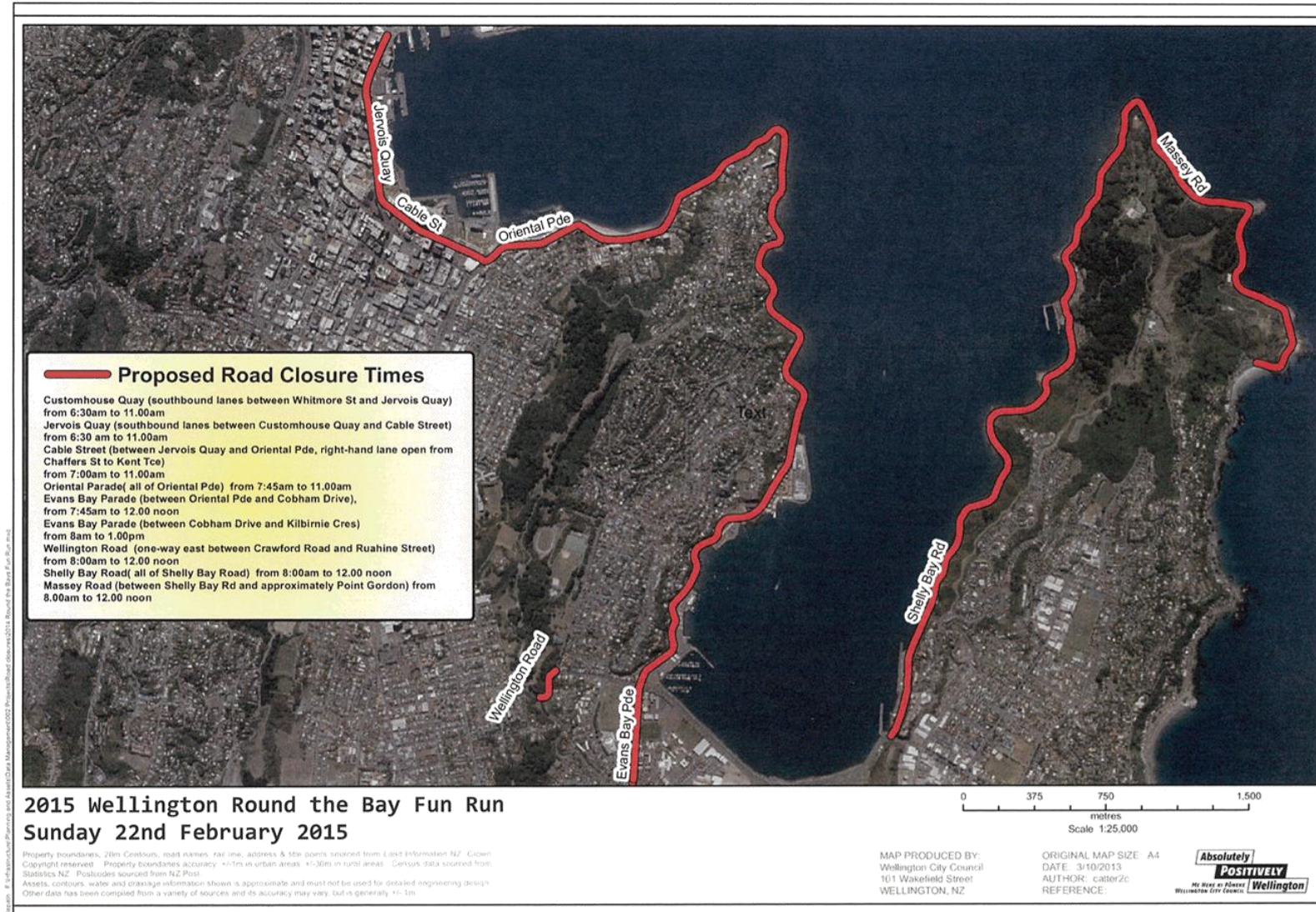
Stephen Harte  
Programme Manager Transport Network Development

#### 6. Attachments


- Map of proposed closure
- Copy of proposal notice from the newspaper

Prepared By:   
Maria Taumaa  
Street Activities Coordinator

Endorsed By:   
Warrick Dent  
Manager City Events







## PROPOSAL TO CLOSE ROADS

### Wellington Round the Bays – 6.5km Fun Run, 10km and Half Marathon Sunday 22 February 2015

Customhouse Quay – 6.30–11am, Southbound lanes from Whitmore Street to Jervois Quay.

Jervois Quay – 6.30–11am, southbound lanes from the intersection of Jervois Quay and Customhouse Quay to Cable Street.

Cable Street – 7–11am, from Jervois Quay to Chaffers Street, and Chaffers Street to Oriental Parade. Right-hand lane open from Chaffers Street to Kent Terrace.

Oriental Parade – 7.45–11am, including all joining roads: Herd St, Oriental Terrace, Freyberg Carpark, Hay Street, Grass Street and Carlton Gore Road.

Evans Bay Parade – 7.45am–12 noon, from the intersection of Carlton Gore Road and Oriental Parade to Cobham Drive.

Evans Bay Parade – 8am–1pm from Cobham Drive to Kilbirnie Crescent intersection. All arterial roads joining Evans Bay Parade closed from 7.45am–12 noon.

Wellington Road – 7.45am–11.30am, from the intersection of Cobham Drive and Hamilton Road to Troy Street roundabout.

Wellington Road – 7.45am–12 noon, one way east between Crawford Road and Ruahine Street.

Shelly Bay Road – 8am–12 noon, between Miramar Avenue and Massey Road. There will be a detour route in place.

Massey Road – 8am–12 noon, between Shelley Bay Road and approximately point Gordon.

Taurima Street, Hāitaitai – 7.45am–11.30am, no access into Hāitaitai. Traffic can exit from Hāitaitai only.

Goa Street, Hāitaitai – 7.45am–11.30am, no access into Hāitaitai. Traffic can exit from Hāitaitai only.

### Cuba Dupa

#### Saturday 28 March–Monday 30 March, 2015

7pm, Friday 27 March–5am, Monday 30 March 2015  
Swan Lane – Cuba Street to 50m east on Swan Lane. Includes Swan Lane carpark.

1am, Saturday 28 March–5am, Monday 30 March 2015  
Able Smith Street – Taranaki Street to Victoria Street  
Cuba Street – Able Smith Street to Wakefield Street  
Garret Street  
Marion Street – limited access to car park building  
Dixon Street – Taranaki Street to Victoria Street  
Manners Street – Taranaki Street to Victoria Street  
Ghuznee Street – Taranaki Street to Victoria Street  
Lukes Lane – limited access for residents  
Inglewood Place – limited access to car park building  
Leeds Street  
Furness Lane  
Bute Street – limited access for residents  
Christeson Lane

Limited access to the affected roads will be available each morning for essential deliveries and services to businesses and residents.

Any person objecting to a proposed road closure must contact the City Council in writing before 4pm, 15 August 2014. Please send correspondence to Maria Taumaa, at the mailing address below, by fax to 801 3009 or by email to Maria.Taumaa@wcc.govt.nz

Wellington City Council, 101 Wakefield Street,  
PO Box 2199, Wellington 6140 | Wellington.govt.nz

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## PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT

### *CUBA DUPA*

*28 MARCH 2015 TO 30 MARCH 2015*

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#### 1. Description of Event

Wellington's Cuba Dupa is a resurrection and recreation of New Zealand's largest and most spectacular free street festival, Cuba Street Carnival, which historically attracted tens of thousands of people from the greater Wellington area and beyond.

The aim of Cuba Dupa is to create an iconic family event where for two days pedestrians take over the streets to showcase and celebrate Wellington's Cuba Quarter and surrounds.

The diverse programme will include street performance, site-specific installations, music and performance, feature events and zones, hospitality and community participation.

Cuba Dupa will encourage participants to engage in interactive activities and be entertained in surprising and fun ways whilst exploring and rediscovering all the nooks and crannies within the Cuba Quarter.

The proposed road closures are as follows;

- **7pm Friday 27 to 5am Monday 30 March 2015**
- Swan Lane (Cuba St to 50 metres east on Swan Lane and Car Park)
  
- **1am Saturday 28 to 5am Monday 30 March 2015**
- Abel Smith St (Taranaki St to Victoria St)
- Cuba St (Abel Smith St to Wakefield)
- Garrett St
- Marion Street, limited access to car park building
- Dixon St (Taranaki St to Victoria St)
- Manners St (Taranaki St to Victoria St)
- Ghuznee St (Taranaki st to Victoria St)
- Lukes Lane, limited access for residents
- Eva Street (Private)
- Egmont St (Private)
- Inglewood Place, limited access to car park building
- Leeds St
- Furness Lane
- Bute St, limited access for residents
- Christeson Lane

- Opera House Lane (Private)

The impact of Cuba Dupa on the city for the period of the road closures will be significant. Essentially a large section of the central city will be closed to normal traffic from 1am Saturday morning until 6am Monday morning.

Traffic movements within the city will be greatly affected during the period of the closures. CubaDupa Management will work closely with WCC officers and all other relevant agencies to try to mitigate the overall effects of the road closures for the event. An experienced traffic management company will manage the road closures for Cuba Dupa.

Stakeholders, business owners and residents will be significantly affected by the length of time the roads will be closed. These parties will be informed of the closures by a variety of methods including Media advertising, letter drops, public meetings and road closure notification sign-boards on affected streets.

Cuba Dupa management will be sensitive to any special needs of the stakeholders, business owners and residents and will work with them to find the best solutions without compromise to public and event worker safety.

Cuba Dupa will ensure there is vehicle access available each morning of the road closure for essential deliveries and services.

Cuba Dupa management are committed to ensure that Cuba Dupa is a safe, exciting and well-organised event. Cuba Dupa have and will consult widely with other major stakeholders such as the Police, emergency services, public transport operators and other roading agencies.

#### **Events Directorate Support**

The Events Business Unit has no connection with, and no objection to, this event.

## **2. Proposal Notice and Consultation**

The public notice notifying that the Council is proposing to consider this closure was published in the following newspaper:

- Dominion Post Saturday 2 August 2014

The New Zealand Police and the Ministry of Transport have also been consulted with.

## **3. Objections**

There have been NO objections to this closure request.

## **4. Traffic Impact Assessment**

#### **Prior Closures**

None of the proposed closures for this event will result in a road being closed for an aggregate of more than 31 days in any year.

#### **Traffic Impact**

In the opinion of Stephen Harte Programme Manager Transport Network Development, acting as the Council's Traffic engineer, the proposed closure, if implemented according to an approved traffic management plan, will impede traffic but is likely to be manageable if the conditions listed below are adhered to. However, the Council reserves the right to modify this opinion at any time. If, in the opinion of the Council, the closure may or does impede traffic unreasonably, any approval granted by the Regulatory Processes Committee may be revoked and the event organiser may be required to open the road at the direction of a suitably qualified Council officer in charge of traffic.

#### **Conditions:**

- The event organiser is to notify the public via newspaper advertisement, letter drop to affected parties, advanced signage and media releases.
- The event organiser is to ensure that the Public Transport Operators, Police, Fire and Ambulance Services have been consulted with and that the Traffic Management Plan includes all of their specific requirements.
- The event organiser is to ensure that the affected property owners along the road closures are consulted with (in particular Retailers and Residents within the road closure area.).
- The event organiser is to obtain Council approval on the details of the traffic management plan prior to the event.
- The event organiser is responsible for safety (pedestrian and traffic) within the closed area.
- The event organiser is to provide marshals at all road closures ends to ensure that public safety (interaction of traffic and spectators) is not compromised.
- The detour route is to be provided and clearly signed during the road closures.

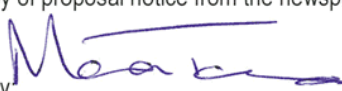
Signed ..... 

Stephen Harte  
Programme Manager Transport Network Development


#### **5. Attachments**

- Map of proposed closure
- Copy of proposal notice from the newspaper

Prepared By: .....

  
Maria Taumaa  
Street Activities Coordinator

Endorsed By: .....


  
Warrick Dent  
Manager City Events



Cuba Dupa Festival: Saturday 28 March – Monday 30 March 2015







**PROPOSAL TO CLOSE ROADS**

**Wellington Round the Bays – 6.5km Fun Run, 10km and Half Marathon**  
**Sunday 22 February 2015**

Customhouse Quay – 6.30–11am, Southbound lanes from Whitmore Street to Jervois Quay.

Jervois Quay – 6.30–11am, southbound lanes from the intersection of Jervois Quay and Customhouse Quay to Cable Street.

Cable Street – 7–11am, from Jervois Quay to Chaffers Street, and Chaffers Street to Oriental Parade. Right-hand lane open from Chaffers Street to Kent Terrace.

Oriental Parade – 7.45–11am, including all joining roads: Herd St, Oriental Terrace, Freyberg Carpark, Hay Street, Grass Street and Carlton Gore Road.

Evans Bay Parade – 7.45am–12 noon, from the intersection of Carlton Gore Road and Oriental Parade to Cobham Drive.

Evans Bay Parade – 8am–1pm from Cobham Drive to Kilbirnie Crescent intersection. All arterial roads joining Evans Bay Parade closed from 7.45am–12 noon.

Wellington Road – 7.45am–11.30am, from the intersection of Cobham Drive and Hamilton Road to Troy Street roundabout.

Wellington Road – 7.45am–12 noon, one way east between Crawford Road and Ruahine Street.

Shelly Bay Road – 8am–12 noon, between Miramar Avenue and Massey Road. There will be a detour route in place.

Massey Road – 8am–12 noon, between Shelley Bay Road and approximately point Gordon.

Taurima Street, Hāitaitai – 7.45am–11.30am, no access into Hāitaitai. Traffic can exit from Hāitaitai only.

Goa Street, Hāitaitai – 7.45am–11.30am, no access into Hāitaitai. Traffic can exit from Hāitaitai only.

**Cuba Dupa**  
**Saturday 28 March–Monday 30 March, 2015**

**7pm, Friday 27 March–5am, Monday 30 March 2015**  
Swan Lane – Cuba Street to 50m east on Swan Lane. Includes Swan Lane carpark.

**1am, Saturday 28 March–5am, Monday 30 March 2015**  
Able Smith Street – Taranaki Street to Victoria Street  
Cuba Street – Able Smith Street to Wakefield Street  
Garret Street  
Marion Street – limited access to car park building  
Dixon Street – Taranaki Street to Victoria Street  
Manners Street – Taranaki Street to Victoria Street  
Ghuznee Street – Taranaki Street to Victoria Street  
Lukes Lane – limited access for residents  
Inglewood Place – limited access to car park building  
Leeds Street  
Furness Lane  
Bute Street – limited access for residents  
Christeson Lane

Limited access to the affected roads will be available each morning for essential deliveries and services to businesses and residents.

Any person objecting to a proposed road closure must contact the City Council in writing before 4pm, 15 August 2014. Please send correspondence to Maria Taumaa, at the mailing address below, by fax to 801 3009 or by email to Maria.Taumaa@wcc.govt.nz

Wellington City Council, 101 Wakefield Street,  
PO Box 2199, Wellington 6140 | Wellington.govt.nz



## **ROAD STOPPING AND DISPOSAL - LEGAL ROAD ADJOINING 53 CORNFORD STREET, KARORI**

### **Purpose**

1. The purpose of this report is to obtain agreement that approximately 45m<sup>2</sup> (subject to survey) of Council owned unformed legal road land (Road Land) adjoining 53 Cornford Street, Karori, Wellington, is no longer required for Council's operational requirements.
2. In addition, officers request that Council delegates to the Chief Executive Officer (CEO) authorisation to conclude all matters relating to this transaction. Note that if any objections are received during the public consultation process, these will be referred back to the Committee for adjudication.

### **Summary**

3. The key question for Council is whether the road land is surplus to requirements for a public work, and if so, whether it will support commencement of the road stopping procedures under the Local Government Act 1974 (LGA).
4. The owners of 53 Cornford Street, Karori have applied to purchase approximately 45m<sup>2</sup> of unformed legal road adjoining their property. The applicants currently use this area under an encroachment licence and are now seeking greater certainty of tenure. The Road Land is highlighted in Attachment 1.
5. Council's internal business units and external service authorities have been consulted, and all support the disposal with standard conditions.
6. Immediate neighbours have been notified by letter. At the time of preparing this report none have expressed concerns.
7. In the event that Council approves the recommendations in this paper, the neighbours (along with the wider public) will have the opportunity to comment on the proposal when wider public consultation is carried out later in the process.

### **Recommendations**

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to Council that it:
  - a) Agrees that approximately 45m<sup>2</sup> of unformed legal road land in Cornford Street (Road Land) adjoining 53 Cornford Street (Adjoining Land) is not required for a Public Work.
  - b) Approves the disposal of the Road Land.
  - c) Authorises Council officers to undertake a section 40 Public Works Act 1981 (PWA) report to identify whether the Road Land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.

- d) Delegates 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) Authorises 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) Delegates to the Chief Executive Officer the power to formally approve the road stopping, issue all relevant public notices, declare the Road Land stopped, negotiate the terms of sale or exchange, impose any reasonable covenants, enter into an agreement in respect of the Road Land, and conclude all matters in relation to this transaction.
3. Notes that if objections are received to the road stopping and the applicant wishes to continue with the road stopping, a further report will be presented to the Committee for consideration.

## **Background**

- 8. Council has received a road stopping application from the owners of 53 Cornford Street. The legal description of 53 Cornford Street, is Lot 1 DP 23680 being held on Computer Freehold Register WNA2/529 Wellington Registry.
- 9. The Road Land is currently used by the owners of 53 Cornford Street under an encroachment licence and is used for landscaping.

## **Discussion**

- 10. Subsequent to receiving the application officers from relevant business units were consulted with to determine whether Council is likely to have a need for the Road Land for the foreseeable future. None expressed any desire to retain it for operational purposes.
- 11. Preliminary advice of the proposal transaction has been communicated to immediately affected neighbours. No objections have been received to date. These neighbours, and the wider public, will have a chance to participate at a later stage of the process (assuming this report and recommendations are approved).

## **Conclusion**

- 12. Officers believe that the approximate 45m<sup>2</sup> area of unformed legal road land in Cornford Street is no longer needed for Council's operational purposes.
- 13. It is therefore recommended that the Regulatory Processes Committee recommends to Council that the approximately 45m<sup>2</sup> of unformed legal road adjoining 53 Cornford Street be declared surplus, and instruct officers to initiate the road stopping procedure, and eventual sale.

## **Attachments**

Attachment 1. Aerial

Author	Paul Davidson, Property Advisor
Authoriser	Greg Orchard, Chief Operating Officer

## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

As part of the road stopping process service authorities, internal business units, and immediate neighbours are given an opportunity to provide comments.

All relevant service authorities have given their consent with just standard conditions applying.

All internal business units gave their approval without any conditions.

### **Financial implications**

There are no significant financial considerations to be considered in the decision to approve this road stopping proposal.

In August 2011 new cost sharing incentives for road stoppings were approved by Council. The cost sharing incentives mean that some costs paid by applicants in the past are now discounted. The discount will be the lesser of actual costs; or an amount calculated as 15 percent of the land value plus \$500; up to a maximum deduction of \$12,500. The amount of the deduction will be determined at the end of the road stopping process when all of the costs are known.

### **Policy and legislative implications**

The recommendations of this report are consistent with WCC policy.

This is not a significant decision. This report sets out the Council's options under the relevant legislation and under the Council's 2011 Road Encroachment and Sale Policy.

This proposed road stopping has no significant impact on the LTP.

### **Risks / legal**

There are no significant legal implications arising from this matter. Compliance with the LGA and Section 40 PWA considerations will address relevant issues.

### **Climate Change impact and considerations**

There are no climate change impacts.

### **Communications Plan**

Public consultation in accordance with the Tenth Schedule Local Government Act 1974 will be carried out later in the road stopping process.



Item 2.2 Attachment 1



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## **ROAD STOPPING AND EXCHANGE - LEGAL ROAD ADJOINING 45 MANA STREET, VOGELTOWN**

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### **Purpose**

1. The purpose of this report is to obtain Council resolution that approximately 93m<sup>2</sup> (subject to survey) of unformed legal road (Road Land) adjoining 45 Mana Street, Vogeltown, Wellington, is no longer required for Council's operational requirements.
2. In addition, Council resolution is sought to enable the acquisition of 625m<sup>2</sup> (subject to survey) vacant land from the applicant for amalgamation with adjoining Council-owned scenic reserve. Note that this is conditional on the Road Land being vested in the adjoining owner and is proposed to be effected by way of exchange (both parcels of equal value, therefore no money payable to either party).
3. Finally, officers request that Council delegates to the CEO authorisation to conclude all matters relating to this transaction. Note that if any objections are received during the Road Land public consultation process, these will be referred back to Committee for consideration.

### **Summary**

4. The key question for Council is whether the Road Land is surplus to requirements for a public work, and if so, whether it will support commencement of the road stopping procedures under the Local Government Act 1974 (LGA).
5. The owners of 45 Mana Street, Vogeltown have applied to acquire the Road Land adjoining their property in exchange for part of the rear portion of their land. The applicants intend to subdivide and securing additional (flat) land with easy road access would increase their options.
6. The aerial plan in Attachment 1 shows the Road Land (shaded red) along with the proposed exchange area (shaded yellow).
7. Both parcels have been independently valued and assessed as equivalent – hence the nil value (\$0) transaction proposed.
8. Internal business units and external service authorities have been consulted and all support the disposal with standard conditions.
9. Immediate neighbours have been notified of the proposed road stopping by letter. At the time of preparing this report none had expressed concerns.
10. In the event that Council approves the recommendations in this paper, the neighbours (along with the wider public) will have an opportunity to comment on the proposal when the full public consultation is carried out later in the process.

## **Recommendations**

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to Council that it:
  - a) Agrees that the approximate 93m<sup>2</sup> unformed legal road land in Mana Street **(Road Land)** adjoining 45 Mana Street, Vogeltown, is not required for a Public Work.
  - b) Approves the disposal of the Road Land to either the former owner or their successor, or by amalgamation with 45 Mana Street, Vogeltown, either by sale or exchange for approximately 625m<sup>2</sup> of 45 Mana Street.
  - c) Authorises Council officers to undertake a section 40 Public Works Act 1981 (PWA) report to identify whether the Road Land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.
  - d) Delegates to the Chief Executive Officer the power to either; offer the Road Land 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) Authorises 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) Delegates to the Chief Executive Officer the power to; formally approve the road stopping, issue all relevant public notices, declare the Road Land stopped, negotiate the terms of sale or exchange, impose any reasonable covenants, enter into an agreement in respect of the Road Land, and conclude all matters in relation to this transaction.
3. Notes that if objections are received to the road stopping and the applicant wishes to continue with the road stopping, a further report will be presented to the Committee for consideration.

## **Background**

11. Council has received a road stopping application from 45 Mana Street, Vogeltown. The legal description of 45 Mana Street is Part Lot 336 and Part Lot 340 DP 52 being held on Computer Freehold Register WN422/263.
12. The total area of the Road Land proposed to be stopped is approximately 93m<sup>2</sup> (subject to survey). It is not currently used by the applicant under an encroachment licence. It is unfenced, containing grass and trees and has a rough unsealed driveway leading to an old single garage belonging to the applicants.
13. The applicants are planning to subdivide and wish to secure the Road Land in order to increase their options.
14. In exchange for the Road Land, the applicants have proposed to vest approximately 625m<sup>2</sup> of its land in Council. This consists of a strip to the rear of 45 Mana Street, adjoining Council's scenic reserve.



## **Discussion**

15. Subsequent to receiving the application, officers from relevant business units were consulted with to determine whether Council is likely to have a need for the Road Land. None expressed any desire to retain it for operational purposes.
16. If the road stopping proposal is successful then it is further proposed that some of the applicant's existing land be exchanged for the Road Land so as to increase the size of Council's adjoining reserve.
17. The proposed vesting area, a small strip of land along the rear (southern) boundary of 45 Mana Street, is a vacant sloping area covered in vegetation. It adjoins Council's scenic reserve, measuring approximately 4,679m<sup>2</sup>, located between Hoggard and Mana Streets.
18. Council's Parks team is keen to add the proposed vesting area to the reserve, but lack the funds to purchase it outright. Therefore an exchange for the Road Land provides the opportunity to acquire the area, without the need to sacrifice spending elsewhere.
19. Long term maintenance costs of the proposed vesting area are expected to be minimal.

## **Conclusion**

20. Officers recommend that the Regulatory Processes Committee recommends to Council that the approximately 93m<sup>2</sup> of Road Land adjoining 45 Mana Street be declared surplus, and instruct officers to initiate the road stopping procedure, sale/exchange and transfer.

## **Attachments**

Attachment 1. Aerial

Author	Paul Davidson, Property Advisor
Authoriser	Greg Orchard, Chief Operating Officer

## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

As part of the road stopping process service authorities, internal business units, and immediate neighbours are given an opportunity to provide comments.

All relevant service authorities have given their consent with just standard conditions applying.

All relevant internal business units gave their approval without any conditions except for Public Drainage. There is a public wastewater drain located in the area of the proposed road stopping. Building over or near this drain would be subject to prior approval of the Public Drainage Engineer, Drainage Team, Infrastructure. Alternatively this pipe may be able to be relocated subject to Public Drainage approval at the applicants cost.

### **Treaty of Waitangi considerations**

There are no Treaty of Waitangi implications.

As the subject legal road land proposed to be stopped could not be issued with its own title as a standalone lot, Iwi have not been consulted with.

### **Financial implications**

There are no significant financial considerations to be considered in the decision to approve this road stopping proposal.

While Council introduced cost sharing incentives for road stopping proposals in August 2011, these do not apply due to the proposal given the land exchange.

As the land exchange concerns Council's reserve land being increased, Parks, Sport and Recreation has agreed to share legal and survey costs related to the road stopping / land exchange, provided that they did not include anything related to the applicant's subdivision.

### **Policy and legislative implications**

The recommendations of this report are consistent with WCC policy.

This is not a significant decision. This report sets out the Council's options under the relevant legislation and under the Council's 2011 Road Encroachment and Sale Policy.

This proposed road stopping has no significant impact on the LTP.

### **Risks / legal**

There are no significant legal implications arising from this matter. Compliance with the LGA and Section 40 PWA considerations will address relevant issues.

### **Climate Change impact and considerations**

There are no climate change impacts.

### **Communications Plan**

Public consultation in accordance with the Tenth Schedule Local Government Act 1974 will be carried out later in the road stopping process.







## ROAD STOPPING AND DISPOSAL - LEGAL ROAD ADJOINING 4 MALLAM STREET, KARORI

### Purpose

1. The purpose of this report is to seek approval from the Council to stop a section of unformed legal road; being part of Burn Street, Karori (refer Attachment 1).

### Summary

2. At its meeting of 29 November 2012, the Financial Sustainability Working Party instructed officers to run a pilot 'bulk' road stopping initiative.
3. Officers subsequently identified a pilot area which satisfied the Council's infrastructure, urban design and District Plan criteria. This was located in Burn Street, Karori, where properties to the eastern side each held road encroachment licences.
4. Letters were sent to eight owners (some with dual frontage to Burn and Mallam Streets), inviting them to participate in a 'bulk road stopping exercise'. The hope was that if all owners participated, some savings (eg survey, valuation etc) could be made via a joint application.
5. To date, of eight properties approached, only the owner of 16 Mallam Street was prepared to advance a road stopping application. The owners of 4 Mallam Street (with dual frontage to Burn Street) have now also agreed to initiate the road stopping process.
6. Initial consultation with utility providers, Council business units, and immediately-adjacent neighbours identified no parties who were opposed to the road stopping, and some who were conditionally supportive.
7. The proposed road stopping comprises some 88m<sup>2</sup> of land which is fenced into the property and occupied by an ornamental garden. The area is currently held by way of an encroachment licence by the owners of 4 Mallam Street (7 Burn Street).

### Recommendations

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to the Council that it agrees, pursuant to Sections 319(1)(h) and 342(1)(a) of the Local Government Act (**LGA**) 1974, to declare surplus and stop the section of the unformed part of Burn Street (**Road Land**), Karori (being approximately 88m<sup>2</sup> of land bordered red as shown on the plan in Attachment 1) and adjoining 4 Mallam Street, Karori.

3. Authorises Council officers to commission a section 40 Public Works Act 1981 (**PWA**) report 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 apply.
4. Delegates 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).
5. Delegates 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 requirements of the Council being met with no objections being received.

Notes:

- i. If successful, the stopped area may be amalgamated with 4 Mallam Street, Karori (being Lot 8 DP 2707, comprising some 514m<sup>2</sup> under Computer Freehold Register WN329/42).
- ii. All costs associated with the relocation of any services currently existing within the unformed road will be borne by the applicant.
- iii. If objections are received to the road stopping and the applicant wishes to continue with the road stopping, a further report will be presented to the Committee for consideration.

## **Background**

8. As part of a Financial Sustainability Working Party directive, Council Officers undertook a pilot 'bulk' road stopping.
9. The idea behind the pilot was to approach multiple neighbouring property owners, who each held road encroachment licences, in order to gauge their interest in undertaking a road stopping simultaneously. The intent was to achieve economies both with professional fees and officer time.
10. In order to be suitable for a 'bulk' road stopping, the street needed to meet a number of criteria, including:
  - No road widening anticipated in the future (in other words, the legal but unformed road is not required for roading purposes in the foreseeable future).
  - No significant vegetation onsite which needed to be retained in public ownership.
  - Satisfactory streetscape to be maintained.
  - No significant district plan / infrastructure / other Council impediments.
11. A number of streets were examined against the above criteria and eliminated due to unsuitability.
12. Eight properties fronting Burn and Mallam Streets were approached – 9, 13, 15 and 17 Burn Street and 4, 6, 8 and 16 Mallam Street (refer Attachment 2). Of those eight, four initially agreed to undertake the process. Subsequently two of those parties withdrew leaving 4 and 16 Mallam Street as the only parties wishing to proceed.

13. The area of the proposed road stopping comprises some 88m<sup>2</sup> of land which the owner has fenced in and used as an ornamental garden. The area is currently used under an encroachment licence by the owners of 4 Mallam Street.

### **Discussion**

14. Road Stopping is provided for under Sections 319(1)(h) and 342(1)(a) of the LGA 1974.
15. The Council, under section 40 of the PWA, 'shall endeavour' to dispose of any land not required for the public work for which it was taken, and which is not required for any other public work.
16. The land is not required for road or access purposes, and has been occupied under an encroachment licence for several years. No other relevant business units of the Council seek to retain the land. The section 40 report will, otherwise, determine whether an offer back obligation exists.

### **Options**

17. The alternative to undertaking the road stopping is the *status quo*; the Road Land will remain as legal road with the encroachment licence remaining in place until cancelled either by the Council or landowner.

### **Next Actions**

18. Conclude a section 40 PWA assessment.
19. Prepare a provisional sale and purchase agreement for the Road Land.
20. Initiate the Public Notification process.

### **Attachments**

- Attachment 1. 4 Mallam St Road Stopping Aerial
- Attachment 2. Mallam Burn Street Aerial (encroachments)

Author	Brett Smith, Property Advisor
Authoriser	Greg Orchard, Chief Operating Officer

## SUPPORTING INFORMATION

### Consultation and Engagement

#### *Community*

In January 2014 letters were sent to the 20 immediately-adjacent neighbours of the Burn/Mallam/Braithwaite Street block. At time of writing no comments were received in return from these parties.

#### *Council Business Units*

Capacity:	No objection to road stopping, or conditions requested.
Parks, Sport & Recreation:	No objection to road stopping, or conditions requested.
District Plan Policy:	Note irregular road width resulting from piecemeal stopping would cause front yard rule set back anomalies. Recommend road be stopped consistently.
Planning:	No objection to road stopping. Recommend amalgamation condition be imposed, and that consultation be undertaken with neighbouring properties due to changes in development potential.
Urban Design:	No objection to road stopping, or conditions requested.
Transport:	No objection to road stopping. Recommend new boundary be set back 2.7m from kerb face (consistent with other road stopping at no. 3 Burn Street).
Vehicle Access:	No objection to road stopping, or conditions requested.
Capacity:	No objection to road stopping, or conditions requested.

#### *Utility Providers*

Vodafone New Zealand Ltd:	No objection to road stopping, or conditions requested.
Telecom (c/- Downer):	No objection to road stopping, or conditions requested.
Powerco Ltd (gas):	No objection to road stopping, or conditions requested.
Nova Gas Ltd:	No objection to road stopping, or conditions requested.
Wellington Electricity Ltd:	No objection provided that: <ol style="list-style-type: none"><li>1. All activities near the lines must be carried out in accordance with the NZ Electrical Code of Practice for Electrical Safety Distances (NZECP 34:2001)</li><li>2. Northpower are contacted to obtain plans of the lines.</li><li>3. Any relocation of the lines will be at applicant's expense; contact Northpower to arrange.</li><li>4. If any Wellington Electricity lines are to be located on private land, an easement must be granted to Wellington Electricity.</li><li>5. If any underground electricity cables are noticed or an electricity outage is caused, construction must be halted immediately and Wellington Electricity contacted.</li></ol>

### Treaty of Waitangi considerations

Iwi groups have not been consulted. The land is not located in a Māori Precinct, or other area identified as significant to Māori. The land is not being disposed of on the open market, and will not become a standalone allotment (amalgamation is proposed).

### Financial implications

There are no financial considerations related to this recommendation. Any costs associated with the disposal of the Road Land are to be borne by the applicant.

In August 2011 new cost sharing incentives for road stoppings were approved by the Council. The rebate amount will be determined at the end of the road stopping process, when all of the costs are known.

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**Policy and legislative implications**

The recommendations of this report are consistent with policies of the Council; the road stopping is also being undertaken in accordance with legislative requirements.

This is not a significant decision. This report sets out the Council's options under the relevant legislation and under the Council's 2011 Road Encroachment and Sale Policy.

This proposed road stopping has no significant impact on the Long Term Plan.

**Risks / legal**

The road stopping process is consistent with legislative, and the Council's, requirements. Any legal agreement, or action in the Environment Court, will be overseen by the Council's lawyers.

**Climate Change impact and considerations**

There are no climate change implications for this road stopping.

**Communications Plan**

Public consultation in accordance with the Tenth Schedule of the LGA 1974 will be carried out later in the road stopping process.



Item 2.4 Attachment 1





