

**ORDINARY MEETING**

**OF**

**REGULATORY PROCESSES COMMITTEE**

**AGENDA**

Time: 01:00 pm  
Date: Thursday, 28 April 2016  
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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**28 APRIL 2016**

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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 17 March 2016 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 from the Regulatory Processes Committee for the temporary closure of a road in Wellington City for an event.

#### Summary

2. The Wellington City Council has received an application from the event organisers for the approval of the:
  - Worsler Bay Gut Buster.

#### Recommendations

That the Regulatory Processes Committee:

1. Receive the information.
2. Agree to close the following section of Awa Road for the Worsler Bay Gut Buster event to vehicles only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Report:
  - a) **Worsler Bay Gut Buster Sunday 17 July 2016 8.30am to 10.30am.**  
Awa Road from the Awa Road / Marine Parade intersection to Nevay Road / Seatoun Heights Road intersection.
3. Note that any amendments to the recommendations in this report will require further consultation with affected parties and verification from the Council's traffic engineer.

#### Background

3. The Council receives numerous requests throughout the year for public roads to be closed for events. These requests are processed and a detailed traffic impact report has been prepared 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.
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 2002 for the temporary closure of roads within its jurisdiction.

#### Discussion

5. This is the latest request for a road closure to enable an event which is an ongoing process of bringing these to Committee for approval. All the information is in the impact report attached.

**Options**

6. N/A

**Next Actions**

7. N/A

**Attachments**

Attachment 1. Worser Bay Gut Buster

Page 10

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



## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

Affected Stakeholders were notified of the Council's intention to consider the proposed temporary road closures through an advertisement in the dominion Post. This advertisement requested the public to make submissions on the proposed road closures.

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.

Approval of a traffic management plan for the event will address and show how any objections raised are to be managed.

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.

### **Treaty of Waitangi considerations**

There are no Treaty of Waitangi implications

### **Financial implications**

The administration of events is managed under project C481. There are no unforeseen costs associated with these events.

### **Policy and legislative implications**

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 minimised the impact on traffic. If, in the opinion of the Council, the closure may impede 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.

### **Risks / legal**

Nil

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

N/A

### **Communications Plan**

Road Closures will be advertised in the Dominion Post and affected parties will be notified by the event organiser.

**REGULATORY PROCESSES COMMITTEE**

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**PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT**

***WORSER BAY GUT BUSTER***  
***17 JULY 2016***

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**1. Description of Event**

Worser Bay School is a decile 10 school which receives minimal government funding and relies heavily on the funding efforts of the school community.

A new fundraising initiative they are planning is an Annual Mid-Winter Gut Buster Event on Sunday 17 July 2016, from 8.30am to 10.30am to take advantage of their unique location and environment. The event would consist of four races, men's, women's, boys and girls. It will start at the bottom of Awa Road, Worser Bay and finish on the grounds of Worser Bay School. The event will be health and well-being orientated, open to the wider Wellington and be an embracement of winter.

The proposed road closure is:

- **Awa Road from the Awa Road / Marine Parade intersection to Nevay Road / Seatoun Heights Road intersection from 8.30am to 10.30am Sunday 17<sup>th</sup> July 2016.**

The road closure is to be carried out by an authorised Traffic Management Company. The details of the Temporary traffic management plan are yet to be approved for the event.

Road closure notification signs will be placed at each end of the assembly area at least one week prior to the event. Residents and local businesses will receive a letter drop advising them of the road closure and any parking restrictions. The closure is also to be advertised in the Wellingtonian in the week preceding the parade. The road closure is to be managed by a qualified traffic management company.

**2. Events Directorate Support**

This event is supported by Councils City Events Team.

**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 2 April 2016.

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 notify the public via newspaper advertisement, letter drop, advanced signage and media releases.
- The event organiser is to obtain Council approval on the details of a 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 event organiser is to provide marshalled vehicle access to all properties affected by the closure for the event.
- Emergency services will have immediate access to the area if required.

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

The Regulatory Processes Committee will meet on 28 April 2016 to consider the following temporary road closure for filming.

### International Production Company filming

Saturday 30 April to Monday 2 May 2016: 6am to 5am

Willeston Street (between Victoria and Willis streets)

Sunday 1 to Monday 2 May 2016: 6am to 5am

Willeston Street (between Jervois Quay and Victoria Street)

Sunday 1 to Monday 2 May 2016: 6am to 5am

Victoria Street (between Hunter and Harris streets)

Saturday 30 April to Monday 2 May 2016: 6am to 5am  
Aitken Street/Guthrie Street (access to Guthrie Street for residents and businesses as required)

### Worser Bay Gut Buster

Sunday 17 July 2016: 8.30am to 10.30am

Awa Road/Marine Parade intersection to Nevay Road/Seatoun Heights intersection (finishing in Worser Bay School grounds)

### Anzac Day

25 April 2016: 12am to 10am

Arras Tunnel

25 April 2016: 2am to 10am

Taranaki Street (Vivian to Webb streets) South bound only

Tory Street (Vivian Street to Pukeahu Park)

Frederick Street

Haining Street

Tasman Street (Rugby Street to Pukeahu Park)

25 April 2016: 10am to 12.30pm

Tory Street (Haining Street to Pukeahu Park)

Tasman Street (Rugby Street to Pukeahu Park) Residents will have access

### National Anzac Day Service

25 April 2016: 11am to 12pm

Pukeahu Park

If you object to this proposed road closure, contact Wellington City Council in writing before 4pm, 15 April 2016.

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

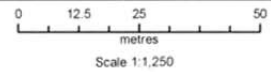
Wellington City Council  
101 Wakefield Street  
PO Box 2199, Wellington 6140  
[Wellington.govt.nz](http://Wellington.govt.nz)

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**Worser Bay Gut Buster Sunday 17 July 2016 8.30am to 10.30am**  
 Awa Road (Marine Parade intersection to Nevay Road/Seatoun Heights)



Property boundaries: 20m Contours, road centres, rail line, address & 886 points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m.

MAP PRODUCED BY  
 Wellington City Council  
 101 Wakefield Street  
 WELLINGTON, NZ

ORIGINAL MAP SIZE: A4  
 AUTHOR: taumea2m  
 DATE: 11/04/2016  
 REFERENCE:

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## **PROPOSED ROAD STOPPING - LAND ADJOINING 21 WOBURN ROAD, NORTHLAND**

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### **Purpose**

1. The purpose of this report is to recommend that the Council stops approximately 150m<sup>2</sup> (subject to survey) of unformed legal road adjoining 21 Woburn Road, Northland (shown in attachment 1).

### **Summary**

2. The owners of 21 Woburn Road, Northland, have applied to stop part of the unformed legal road (the Land) along the frontage of their property.
3. The residential property at 21 Woburn Road is a corner site with two frontages, Woburn Road and West Road.
4. The Land is largely in Woburn Road which measures 23 metres wide. If the Land is sold, the width would decrease to 14 metres.
5. Utility providers, and the Council's internal business units, have been consulted on the proposal. All support the proposal subject to standard conditions (where required).
6. Initial consultation letters have been sent to seven adjacent neighbours of the road stopping. At the time of preparing this report only one resident has contacted officers with a general query.
7. If the Council agrees with the recommendation of the Regulatory Processes Committee, officers will commence public notification. Neighbours and any other member of the public will then have the opportunity to make a submission.

### **Recommendations**

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to the Council that it:
  - a) Declares that approximately 150m<sup>2</sup> of unformed legal road land in Woburn Road, Northland, shown bordered red on Attachment 1 (the Land), and adjoining 21 Woburn Road, Northland (being Lot 1 DP 6867, CFR WN407/96), is not required for a public work and is surplus to requirements.
  - b) Agrees to dispose of the Land.
  - c) Delegates to the Chief Executive Officer the power to conclude all matters in relation to the road stopping and disposal of the Land, including all legislative matters, issuing relevant public notices, declaring the road stopped, negotiating the terms of sale or exchange, impose any reasonable covenants, and anything else necessary.
3. Notes that if objections are received to the road stopping, and the applicant wishes to continue, a further report will be presented to the Regulatory Processes Committee for consideration.

## Background

8. The applicants currently use the Land under an encroachment licence.
9. The applicants have a garage on the Land and propose to rebuild it. As a result, the applicants are keen to acquire the Land to provide security of ownership.
10. The Land is situated below the carriageway, on Woburn Road, and contains small shrubs and trees, a crib wall, and the applicant's garage (Attachment 2).

## Discussion

11. Road Stopping is provided for under Sections 319(1)(h) and 342(1)(a) of the Local Government Act 1074 (LGA).
12. The Council, under section 40 of the Public Works Act 1981 (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.
13. Council's Transport team has confirmed the Land is not required for future road widening or public access purposes.
14. All other relevant Council business units have been consulted with and none wish to retain the Land.
15. If Council approves the above, officers will establish whether any offerback obligations under section 40 of the Public Works Act 1981 exist.

## Options

16. The alternative to undertaking the road stopping is to retain the Land as unformed legal road. In the long term this will incur maintenance and retention costs on land that Council no longer requires.

## Next Actions

17. Conclude an investigation in accordance with s40 PWA.
18. Initiate the public notification process.
19. Prepare a survey plan and Sale and Purchase contract.

## Attachments

- Attachment 1. Aerial Page 18  
Attachment 2. View from street Page 19

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



## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

#### ***Community***

In March 2016 letters were sent to the seven adjacent neighbours of the West Road Land. At the time of preparing this report only one resident has contacted officers with a general query.

#### ***Utility Provider and Council Business Units***

The applicant is obliged to obtain comments from utility providers prior to submitting an application. None have objected to the road stopping nor have provided conditional support subject to the creation of relevant easements if necessary.

Several relevant Council business units were consulted in addition to Transport Planning: Parks, Sport and Recreation, Transport, District Plan Policy, Planning, Vehicle Access, Urban Design and Heritage. None objected to the road stopping.

Conditional support was given by the Transport and Planning Teams, which requested:

- The Land to be amalgamated with the applicant's site;
- A minimum legal road width of 14 metres retained;
- An isolation strip on the extension of the side boundary between 19 and 21 Woburn Road.

### **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 on the open market, and will not become a standalone allotment (amalgamation is proposed).

### **Financial implications**

There are no significant financial considerations related to this recommendation. Any costs associated with the disposal of the Land are borne by the applicant or subtracted from sale proceeds per the 2011 cost sharing initiative.

In August 2011 a new cost sharing incentives for road stoppings were approved by Council. The rebate amount is 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 policies of the Council; the road stopping is to be undertaken in accordance with legislative requirements.

This is not a significant decision. This report sets out the Council's options under the 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 requirements and Council's policy. All legal matters will be overseen by the Council's lawyers.

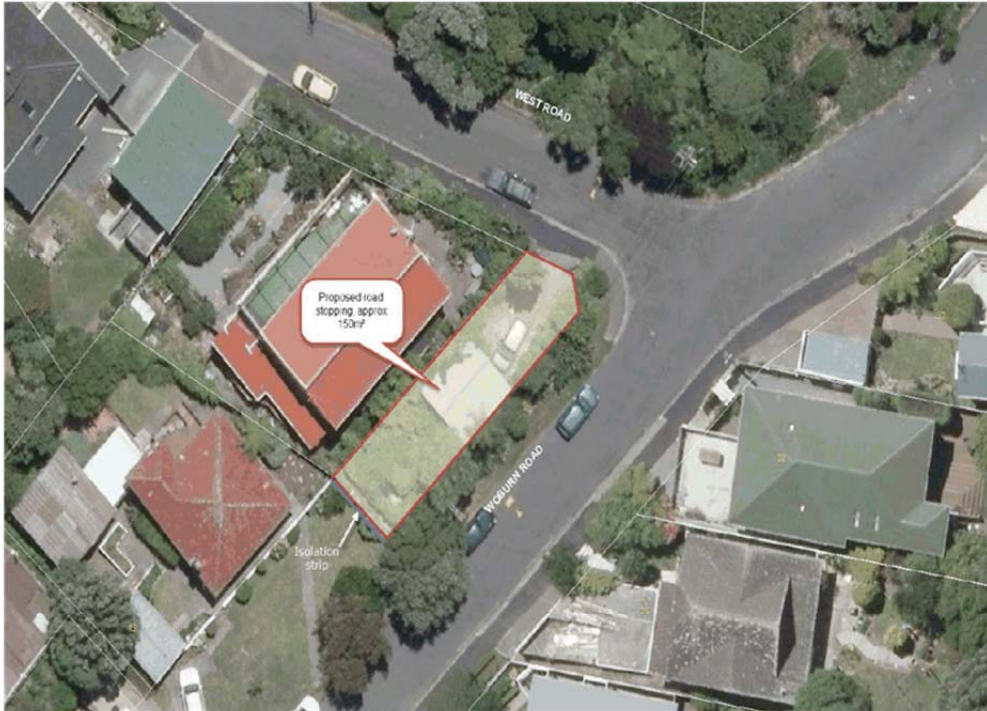
### **Climate Change impact and considerations**

There are no climate change implications for this road stopping.

### **Communications Plan**

If Council resolves to dispose of the Land, public consultation in accordance with the Tenth Schedule of the LGA will be carried out.

Proposed road stopping area



View of road land proposed to be stopped from Woburn Road



View of road land proposed to be stopped from West Road

