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**ORDINARY MEETING**

**OF**

**CITY STRATEGY COMMITTEE**

**AGENDA**

**Time:** 9:30am  
**Date:** Thursday, 15 August 2019  
**Venue:** Ngake (16.09)  
Level 16, Tahiwī  
113 The Terrace  
Wellington

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**MEMBERSHIP**

Mayor Lester  
Councillor Calvert  
Councillor Calvi-Freeman  
Councillor Dawson  
Councillor Day  
Councillor Fitzsimons  
Councillor Foster  
Councillor Free  
Councillor Gilberd  
Councillor Lee  
Councillor Marsh  
Councillor Pannett (Chair)  
Councillor Sparrow  
Councillor Woolf  
Councillor Young

**NON-VOTING MEMBERS**

Te Rūnanga o Toa Rangatira Incorporated  
Port Nicholson Block Settlement Trust

**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 04-803-8334, emailing [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz) or writing to Democracy 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 role of the City Strategy Committee is to set the broad vision and direction of the city, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies and policies, bylaws and regulations, and work programmes to achieve those goals.

In determining and shaping the strategies, policies, regulations, and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the seven strategic areas of Council, including:

- **Environment and Infrastructure** – delivering quality infrastructure to support healthy and sustainable living, protecting biodiversity and transitioning to a low carbon city
- **Economic Development** – promoting the city, attracting talent, keeping the city lively and raising the city's overall prosperity
- **Cultural Wellbeing** – enabling the city's creative communities to thrive, and supporting the city's galleries and museums to entertain and educate residents and visitors
- **Social and Recreation** – providing facilities and recreation opportunities to all to support quality living and healthy lifestyles
- **Urban Development** – making the city an attractive place to live, work and play, protecting its heritage and accommodating for growth
- **Transport** – ensuring people and goods move efficiently to and through the city
- **Governance and Finance** – building trust and confidence in decision-making by keeping residents informed, involved in decision-making, and ensuring residents receive value for money services.

The City Strategy Committee also determines what role the Council should play to achieve its objectives including: Service delivery, Funder, Regulator, Facilitator, Advocate

The City Strategy Committee works closely with the Long-term and Annual Plan Committee to achieve its objectives.

**Quorum:** 8 members

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## 1. Meeting Conduct

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### 1.1 Mihi

The Chairperson invites a member of the City Strategy Committee to read the following mihi to open the meeting.

***Taiō Pōneke<sup>†</sup> – City Strategy Committee***

**Te wero**

Toitū te marae a Tāne

Toitū te marae a Tangaroa

Toitū te iwi

Taiō Pōneke – kia kakama, kia māia!

Ngāi Tātou o Pōneke, me noho ngātahi

Whāia te aratika

**Our challenge**

Protect and enhance the realms of the Land and the Waters, and they will sustain and strengthen the People.

City Strategy Committee, be nimble (quick, alert, active, capable) and have courage (be brave, bold, confident)!

People of Wellington, together we decide our way forward.

<sup>†</sup> The te reo name for the City Strategy Committee is a modern contraction from 'Tai o Pōneke' meaning 'the tides of Wellington' – uniting the many inland waterways from our lofty mountains to the shores of the great harbour of Tara and the sea of Raukawa: ki uta, ki tai (from mountain to sea). Like water, we promise to work together with relentless synergy and motion.

### 1.2 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.

### 1.3 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.

### 1.4 Confirmation of Minutes

The minutes of the meeting held on 8 August 2019 will be put to the City Strategy Committee for confirmation.

### 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 City Strategy Committee.***

The Chairperson shall state to the meeting:

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.

The item may be allowed onto the agenda by resolution of the City Strategy Committee.

***Minor Matters relating to the General Business of the City Strategy Committee.***

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the City Strategy Committee for further discussion.

## **1.6 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.

Requests for public participation can be sent by email to [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz), by post to Democracy Services, Wellington City Council, PO Box 2199, Wellington, or by phone at 04 803 8334, giving the requester's name, phone number and the issue to be raised.

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## **2. Policy**

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# **SUBMISSION ON MINISTRY OF TRANSPORT'S ROAD TO ZERO: ROAD SAFETY STRATEGY 2020-2030**

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### **Purpose**

1. This report asks the City Strategy Committee to agree to the draft submission (Attachment 1) on the Ministry of Transport's (the Ministry) Road to Zero: Road Safety Strategy 2030 consultation document.
2. Submissions were due to the Ministry by 14 August 2019 following a short consultation period. Officers have supplied the draft submission to the Ministry and are awaiting Council endorsement before submitting a final version (Ministry officials have confirmed that this process and timing will be acceptable).

### **Summary**

3. The proposed Government strategy adopts a "Vision Zero" approach (a Swedish model adopted in 1997) that aspires to no fatalities or serious injuries on New Zealand roads. For the 2020-30 term of the strategy, a target of a 40 percent reduction in deaths and serious injuries is suggested.
4. To support the overarching vision, the proposed strategy outlines a set of principles, focus areas and a set of immediate actions.
5. The Ministry is proposing a whole of system approach to the road transport safety and acknowledges the role of road design, fleet safety, speed management, road user behaviour and overall system leadership in reducing serious harm on the roads.
6. The attached draft submission states that Council strongly supports the draft strategy, vision, underpinning principles and focus areas.

### **Recommendation/s**

That the City Strategy Committee:

1. Receive the information.
2. Approve the draft submission on the Road to Zero: Road Safety Strategy 2020-2030 consultation document, subject to any amendments agreed by the Committee.
3. Delegate to the Chief Executive and the Transport Strategy and Operations Portfolio Leader the authority to amend the submission as per any proposed amendments agreed by the Committee at this meeting, and any minor consequential edits, prior to it being sent.
4. Agree to a Vision Zero approach for road safety for Wellington City, subject to further advice from officials on operational impacts.

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## Background

7. The current national road safety strategy *Safer Journeys* concludes at the end of 2019. Feedback is being sought on a new national road safety strategy for the next decade.
8. The draft strategy consultation was launched by the Ministry on 17 July 2019, with a 14 August 2019 deadline for submissions.

## Discussion

9. The draft submission outlines strong Council support for the strategy. Officers and Councillors raised some areas which could be emphasised further in the strategy. Of note, the submission mentions:
  - The pivotal role of Road Controlling Authorities (such as Wellington City) is not sufficiently emphasised in the strategy;
  - The need for a mechanism by which local government can easily access appropriate levels of funding for road safety projects where there is a clear need for safety improvements.
  - The recognition that there is a significant issue in rural areas, which is unacceptable but similarly as New Zealand urban areas continue to increase in population more also needs to be done to tackle the unacceptable urban transport safety issues.
10. Once Government decisions are made on the final content of the strategy (currently timetabled for October 2019), Council should consider whether they would like to adopt a similar Vision Zero approach.
11. A Vision Zero approach for Wellington City is consistent with the updated Wellington City transport strategy that is currently being prepared as part of the Spatial Plan component of the Planning for Growth programme.
12. Officers strongly support the adoption of a Vision Zero approach for Council's work on the road transport system. Some further work will be required to prepare advice on potential impacts of Council adopting a Vision Zero approach (for example approaches to fleet management, driver safety, resources including financial etc).

## Options

13. The Committee could decide to:
  - Not make a submission; or
  - Agree to the submission; or
  - Agree the submission with amendments agreed by the Committee.

## Next Actions

14. If the Committee decides to agree to the submission, any amendments also agreed with be incorporated and the document finalised as per recommendation 3.
15. Some further advice will be prepared on the next steps on the implications of adopting a Vision Zero approach within Council once the Government has finalised the strategy.

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**Attachments**

Attachment 1. Road to Zero submission draft [↓](#) 

Page 11

Author	Kate Hodgetts, Senior Policy Advisor
Authoriser	Baz Kaufman, Manager Strategy David Chick, Chief City Planner

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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

The Council is responding to the Ministry's consultation on a proposed Road to Zero strategy for road safety. All organisations and members of the public have the opportunity to make a submission directly to the Ministry.

### **Treaty of Waitangi considerations**

The Ministry's online form asks whether the submission includes a Māori perspective. The timeframe for consultation has not allowed sufficient time to do that work. We note that the strategy outlines that ongoing engagement with tangata whenua will be important.

### **Financial implications**

None from making the submission. The Council's position on the proposals and their financial and other implications are discussed in the submission. Should the Council decide to adopt a Vision Zero approach to road safety, there may be potential additional costs. Officers will prepare further advice on adopting a Vision Zero approach (including financial impacts).

### **Policy and legislative implications**

None from making this submission. Relevant policy and legislative implications of proposals are discussed in the submission.

### **Risks / legal**

None from making this submission. Any risks and/or legal implications from the Ministry's proposal are raised in the submission.

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

None from making the submission. Climate change impacts are not referenced in detail in the road safety strategy. Officers note that a new speed management regime could have a positive impact on overall emissions.

### **Communications Plan**

Not required.

### **Health and Safety Impact considered**

None from making the submission. There are likely to be positive health and safety impacts if adopting a Vision Zero approach.

15 August 2019

**DRAFT Wellington City Council Submission on Road to Zero: Road Safety Strategy 2020-2030**

**Introduction**

Wellington City Council (the Council) appreciates the opportunity to comment on Road to Zero: Road Safety Strategy 2020-2030. We support the intent of the new Strategy and its vision of no deaths or serious injuries on New Zealand roads.

**Wellington's road safety context**

The Council is a Road Controlling Authority (RCA) and has the key responsibilities of:

- Planning the future road transport system, alongside our urban development planning
- Operating the existing road transport network, enabling Wellingtonians, workers from the wider region and visitors to safely move around the city
- Supporting the city's public transport network by providing space for the network to run and encouraging people to use it
- Ensuring our road transport network is safe for all users by making ongoing improvements, and educating and promoting safe behaviours

The government announced Let's Get Wellington Moving on 16 May 2019, and an indicative programme of transport improvements worth \$6.4 billion has been agreed. This programme will be delivered in partnership with the Council, Greater Wellington Regional Council (GWRC) and the New Zealand Transport Agency (NZTA).

In 2018 there were 4 deaths and 85 serious injuries within the Council's boundaries, continuing an ongoing trend of lower (per capita) levels of deaths and serious injuries on our roads compared to many other cities and districts. Nevertheless, every death and serious injury is an individual tragedy, which also affects many other people and results in a major cost to the community. Therefore, we wholeheartedly support the Strategy's aspiration of zero deaths and serious injuries, and the positive impact this will have for our city and the Wellington region.

We acknowledge New Zealand's overall road safety challenges, particularly in rural New Zealand. However this submission focuses on the impact of the Strategy's proposals on Wellington city and the roads under Council control and therefore prioritises the responses we consider necessary in our urban context, which recognises the strong correlation between land use and transport planning in responding to safety.

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### Proposed vision and target

We **strongly support** the proposed vision and the underpinning philosophy that no death or serious injury is acceptable while travelling on New Zealand's roads. We consider that the 40% reduction target is appropriate. The consultation document refers to this target having been informed by modelling the suite of road safety measures proposed (pg 25) although details of the modelling assumptions were not provided.

There should be an opportunity to review the target to ensure road safety remains a priority, as both under achievement and early over achievement of targets could undermine the long term success of the Strategy. Target reviews should be informed by trends in mode shift, location, accident causation and lessons learned both within New Zealand and overseas.

There needs to be appropriate contextual monitoring of outputs/outcomes, and management of expectations. As an example for Wellington, if many more people start cycling (a good thing) then it is likely that there will be more road crashes and potentially deaths involving cyclists – this could be perceived as a failure even though we would anticipate that the rate/probability of cycling accidents per person would reduce.

The availability of direct Crown funding for cycling infrastructure was hugely beneficial for obtaining the investment funds needed to support that mode shift. Council considers that the Road to Zero strategy also needs a mechanism by which local government can easily access appropriate funding for road safety projects where there is a clear need for safety improvements.

As well as streamlining funding processes for interventions that are likely to have a high safety benefit, central government guidance to Councils on the effectiveness of safety interventions should be improved. An expansion of programmes such as the Standard Safety Interventions Toolkit would help RCAs to implement the effective solutions in a timely manner.

In support of strengthening the system, we would support a requirement for each RCA, along with their road safety partners, to develop a Road Safety Plan where all partners have clear accountabilities.

### Proposed principles

Overall the Council is **strongly supportive** of the seven principles as outlined, but consider the following should be emphasised more strongly:

Principle 3 – We strengthen all parts of the road transport system

Principle 4 – We have a shared responsibility for improving road safety

One of the aspects of the road transport system that requires considerable strengthening is Police enforcement activity. Council considers that an increased and visible policing of the roads; an enhanced focus on high risk zones; and a reviewed, fit-for-purpose penalties regime are required. There is also an opportunity for Council, as RCA, to have more meaningful input into Police road safety planning and priority setting at a local level.

Council concurs that an improved whole-of-system approach to road safety is essential for the success of this Strategy. Supporting governance structures, with the right representation

from national and local government agencies, are critical. Council is disappointed that the vital role of RCAs is not emphasised in this proposed Strategy. Given the scale of Council's annual investment in transport design, build, operations and maintenance, Council involvement (or appropriate representation of the sector) could strengthen system leadership overall.

The mandates and membership of a strengthened National Road Safety Committee (page 53) should be reviewed and outlined more clearly. Local government representation on this committee would contribute real knowledge of transport network challenges and opportunities, from design and delivery through to maintenance. Council believes that RCAs are best placed to understand road safety issues, both localised and systemic, and can make a real difference to sharing responsibility for improving road safety. Our engagement mechanisms with our local residents mean that Council has a regular flow of feedback from road users on safety issues.

Principle 5 – Our actions are grounded in evidence and evaluated

Council supports an evidence-led approach to improving road safety. The expected population growth in Wellington, together with our First to Zero: Te Atakura<sup>1</sup> commitments, means Council is encouraging mode shift to cycling, public transport and other forms of active and low carbon transport. Council considers that information about the perception of road safety (eg as a potential barrier to cycling and walking) must be a fundamental part of the national evidence base. Road safety statistics and analysis must be improved to reflect mode of travel (including micro-mobility).

Furthermore, information on “near misses”; more research into fatigue; and wider dissemination of “lessons learned” following road tragedies would all improve the evidence base for improving road safety. Council also considers that a revision of the economic model to assess the total economic costs of road traffic deaths and injuries is long overdue.

### Proposed focus areas

Council **strongly supports** the five focus areas outlined and notes that feedback is sought on submitters' top three priorities.

Focus Area 1 – Infrastructure and Speed

The Strategy notes that the designated speed limit on 87 percent of New Zealand's road network is inappropriate for the conditions and this is clearly unacceptable. The Council notes that the Tackling Unsafe Speeds programme is considering:

- Improving the way councils plan and implement speed limit changes
- Transitioning to lower speed limits in areas around schools and urban centres
- Adopting a new approach to safety cameras

Provided this work supports a streamlined and locally responsive approach, Council considers the “Introduction of a new approach to tackling unsafe speeds” an immediate action priority (**ranking 1**). A simplified procedure for RCAs to set safer speed limits is needed as the procedures have been seriously constraining in the past.

<sup>1</sup> <https://www.zerocarboncapital.nz/>

The Strategy proposes that road safety actions support health, wellbeing and liveable places. Council welcomes the ability to expand trade-off considerations to include safety and wellbeing as well as efficiency. The proposed focus area “Enhance safety and accessibility of footpaths, bike lanes and cycleways” needs to support active transport mode users and mobility-impaired users. In our urban context, this focus area is a high priority for Council **(ranking 2)**.

#### Focus Area 4 – Road User Choices

“Prioritise Road Policing” **(ranking 3)** is considered an immediate high priority from Council’s perspective as road policing levels in Wellington city have been insufficient over recent years. Council is concerned about alcohol, drug impairment, distracted driving, fatigue and helmet usage rates as major risks to safety and would welcome greater focus on these key areas. A move towards more automated enforcement for speed and red light running is also welcomed.

In summary, Council welcomes a Vision Zero approach and seeks further opportunities for engagement and to help contribute to the success of this work.

**Justin Lester**

**MAYOR**

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## **ALCOHOL FEES BYLAW**

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### **Purpose**

1. This report asks the City Strategy Committee to consider submissions received on the Alcohol Fees Bylaw. This proposed bylaw sets new fees for Alcohol Venue Licences and recovers a higher percentage of the costs of the licencing process from licensees where this is currently recovered from general rates.

### **Summary**

2. Currently the default fees for alcohol licensing are set by central government regulations. The Council must introduce a bylaw if it wishes to increase those fees, and when doing so is given clear direction by the Sale and Supply of Alcohol Act 2012 (under which the bylaw is made) that the Council is to recover as far as practicable its total costs of licensing from licensees.
3. On 11 April 2019, the Committee agreed to consult on the creation of an Alcohol Fees Bylaw and adopt for public consultation the Proposal for an Alcohol Fees Bylaw.
4. On 30 April 2019, 709 licensees were mailed a copy of the Proposal and were invited, along with the general public, to respond to this proposal during May 2019. The period of consultation closed on 31 May 2019 with the Council receiving 64 submissions.
5. A number of submitters requested additional information in relation to the costs of running Council licensing services. In the interests of transparency officers provided this information to all licence holders and made it available to the public and as a result the consultation period was further extended from 28 June 2019 to 29 July 2019. We received additional 11 submissions during this period.
6. In total 75 people or organisations made submissions on the proposal. Five in favour of the proposal and 70 were against the increase in share of the licensing costs to be paid by licensees.
7. Those in favour supported the position that users should pay the costs of the licencing function.
8. Those against the proposal were primarily concerned about the business impact of this adjustment and also queried whether the Council is operating its licensing function as efficiently as it could be.
9. We recommend that the Committee recommends to Council that it adopt the attached Alcohol Fees Bylaw, noting that officers will continue to work with industry stakeholders to explore the issues raised during consultation.

### **Recommendations**

That the City Strategy Committee:

1. Receive the information.
2. Note that the Council has undertaken two thirty-day consultation periods and engaged with stakeholders and licensees in order to ensure they were informed on the fees proposal and were provided the opportunity to present their views.

3. Recommend to the Council that it adopt the Alcohol Fees Bylaw as in Attachment 3.
4. Note that the Council and industry stakeholders will continue to work together to explore how the licensing process can be improved.
5. Delegate to the Chief Executive and the Portfolio Leader for Social Development the authority to amend the proposal to include any amendments agreed by the Committee and any associated minor consequential edits.

## **Background**

10. The Council must introduce a bylaw if it wishes to increase its alcohol licensing fees which are otherwise set by central government regulation. When doing so is given clear direction by the Sale and Supply of Alcohol Act 2012 (under which the bylaw is made) that the Council is to recover as far as practicable its total costs of licensing from licensees.
11. In 2017/18 the Council recovered 68 percent of the licensing costs from fees with the additional 32 percent being made up from rates. In 2018/19 this had now been confirmed at 65 percent.
12. In 2019/20 we expect that the fees based on the default amount prescribed by regulations will only cover approximately 60 percent of our costs with the balance paid by rates. The Council has proposed increasing the level of fees collected over two years to recover 85 percent of the cost incurred by the Council to administer alcohol licencing with the remaining costs continuing to be subsidised from rates.
13. A statement of proposal for the first years fee changes was produced and asked for feedback from both industry stakeholders and members of the public
14. The Council will need to re-consult to make any further fee changes under this Bylaw (if it is adopted).

## **Discussion**

15. A number of submitters made comments to the fact that the Council was unable to control its spending and that the proposed increase was due to the Council's perceived financial mismanagement and a lack of scrutiny of Council costs.
16. The Act gives the Council the power to set licensing fees in order to recover the full costs of its licensing operations.
17. Officers acknowledge that there will be an increase in fees for business owners however the intent of the Act is that the costs are expected to be met by the industry. Costs have been calculated in accordance with the Ministry of Justice Guidelines in allocating costs to licensing functions.

## **A Summary of submissions**

18. A full summary of the submissions can be found in Attachment 1. Officers received 75 submissions from stakeholders and the general public over the course of both consultation periods. Some submitters chose to submit more than once as there were two separate submission periods.
19. Officers have organised these submissions into categories in order to understand the impact of the submissions. Two questions were asked of submitters.

**Question 1. Do you support the proposal to increase the fees collected to recover the total costs for alcohol licencing functions under the Sale and Supply of Alcohol Act 2012?**

20. 75 submitters chose to answer this question, with five in favour while the remaining 70 submitters were against the proposed changes. Officers have broken down the answers of 74<sup>1</sup> submissions into five themes;

- The fees are already too high
- Requesting a breakdown of how the costs have been calculated
- Any changes should be incremental
- There is no justification for the increase in fees
- How can the Council and business owners/licensees work together to simplify the licensing process?

**Question 2. Are there any other issues the Council should consider when making these decisions?**

21. 39 submitters chose to answer this question, with the remaining 36 submitters choosing not to comment. Officers have broken down the answers of the 38<sup>2</sup> submissions against into four themes

- Changes to the application process and work closely with the stakeholders/industry
- The Council needs to review its internal costs
- The Council needs to justify/show a breakdown of costs
- Additional assistance for small businesses

22. Officers have separated the submission from Hospitality New Zealand and will deal with this submission separately as this was substantial and also dealt with most of the above themes. Officers have also met with representatives from Hospitality New Zealand in order to discuss their concerns, the contents of their submission, and to create an on-going dialogue between the two organisations.

23. Below is a sample of the submissions with the remaining submissions contained in the attached summary. Following this is officers response to industry stakeholders.

*Submissions in favour*

24. Five submitters argued in favour of the proposed fee increase with three of these choosing to make comments as to why they believed the fees should be increased on licensees.

25. "Alcohol licencing fees should be 100% cost recovery. Dog licences are so why not booze licences" (O'Shaughnessy, 2019).

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<sup>1</sup> Submission number 66 has been withdrawn by Officers as it does not contain a name or address as required on the submission form

<sup>2</sup> Submission number 66 has been withdrawn by Officers as it does not contain a name or address as required on the submission form

26. "Inner City Wellington (ICW) supports the increase to the fees as outlined and the phased approach to achieving cost recovery. ICW opposes the proposed 15% subsidy for alcohol fees from general rates. ICW's position is that the licence fees should be fully cost-recovered, as provided for under the Sale and Supply of Alcohol Act 2012 (s402). This is consistent with the objectives of the Sale and Supply of Alcohol (Fees) Regulations 2013... Further ratepayer contribution to subsidise the licensing costs is not justified as licence fees are a cost of doing business, and the impact of moving to full cost recovery is being managed by a phased implementation" (Murphy, 2019).

*Submissions against*

27. Six submitters opposed the Council's proposed change but did not offer any additional comment.

The fees are already too high

28. 37 submitters argued that the fees the Council collected were already too high and that the proposed change was adding to their financial pressures. Many believed that the existing fees were difficult for small businesses to handle and that an increase would further exacerbate the problems.
29. "The fees are currently very expensive and I don't understand why this cost so much to administrate this and the proposed increases are obscene and have little justification for them. I don't agree with the current risk categories and don't think they are fair either" (Galt, 2019).
30. "The costs of running a restaurant are already extremely high, with profit margins being squeezed daily. A large increase in liquor licence fees will not help this situation. Wellington is renowned for its excellent hospitality scene with visitors coming from far and wide for this reason; we need to retain the good operators" (Davies, 2019).
31. "We run a small family Italian Pizza shop and the majority of our income is derived from food sales. We do also offer Liquor only to help the 'dining in' experience. Also offer BYO to clients. We do not sell much liquor and our main income is food sales. These fees every year don't help the small business owners" (Baksh, 2019).
32. Officer's note that the Council's costs are reviewed through the planning and rate setting processes and a national fees framework does not recognise the differences in local council service levels and costs structures.

Requesting a breakdown of the council's costs and how these have been calculated

33. Eight of the submitters asked if the Council could provide an appropriate breakdown of the Council's costs in order to justify the increase in fees. This was consistent with the submissions received by the Hutt City Council on the same issue.
34. "Firstly, we need to know how they spend all the funds, every business paying around 1k a year plus application fees, renewal fees, manager certificate fees, that's not a small amount. Secondly, are there anyone monitor how they spending money? Why it's over budget, who should be responsible for that? Last, what's the plan for using this money to support the local businesses?" (Lui, 2019).
35. "The hospitality industry is at the forefront of creating the 'vibe' that is Wellington. The proposed fee structure does not take this in to consideration. The proposal is lacking in detail off where the funds would be utilized the amalgamation of licencing and health has proven to be a failure - the delays in processing applications and contact is

unworkable the current system is problematic and will not be fixed by more money - it needs to be overhauled” (McKenzie, 2019).

36. In the interests of transparency it was decided that the Council should reopen the consultation period for an additional month to provide this information to all licensees and members of the public.
37. A detailed breakdown of licensing expenditure was provided to all stakeholders and license holders as part of the second round of consultation. This was again consistent with the process carried out by the Hutt City Council in their engagement with the hospitality sector.
38. Two submitters requested additional transparency in the form of the breakdown of costs as part of their answer to Question 2. “Please disclose and justify the current costs as the whole process looks inefficient to me” (Galt; 2019). If a full breakdown of costs can be given to anyone or renewing then there would be no issue but it has not been received. Transparency is the issue” Henderson; 2019).
39. As with the response to this in Question 1, officers have provided a full breakdown to all stakeholders and licensees.

Any changes should be incremental

40. One submitter argued that any potential changes should be incremental in the fees structure, and that the council should recognise the size of businesses – “It should be incremental with alcohol purchase. Little cafes should not be penalised” (Economous, 2019).
41. Officers acknowledge this and note that the proposed changes are being eased in and, at this point, are following the fees structure in regulation which is risk based rather than scaled by business size. The Act does set the direction for the Council to recover 100 percent of licensing fees; however, the Council has chosen to shift to recovery of fees from 71 percent to 85 percent.
42. Submitters also asked whether the Council has undertaken an impact study as to how many licensees would be affected by the proposed increase in fees collected.
43. Consultation with licensees provides the Council the opportunity for the impact of these changes to be understood, particularly from the view point of licensees. The fees impact was assessed as follows.
44. The impact of the proposals in 2019/20 for the majority (80%) of licensees is an increase in annual renewal fees of \$109 - \$176 excl GST. Renewal fees will increase by \$170 - \$227 excl GST. Some venues may have multiple licenses, both on and off licences and also may apply for special licences, in which case the cost impact would be increased.

45.

Year 1

	<i>Licence numbers</i>	<i>Annual Current Fee</i>	<i>Proposed Fee</i>	<i>Change</i>	<i>Renewal Current Fee</i>	<i>Proposed Fee</i>	<i>Change</i>
<b>GST Exclusive</b>							
<b>Very Low</b>	20	140	185	45	321	423	102
<b>Low</b>	212	340	449	109	530	700	170
<b>Medium</b>	204	550	726	176	710	937	227
<b>High</b>	99	900	1,188	288	890	1,175	285
<b>Very High</b>	2	1,250	1,650	400	1,050	1,386	336

There is no justification for the increase in fees.

46. The Council received five submissions which maintained that there was no justification for the proposed increase and that the Council should not be passing these costs on to business owners.
47. "Your fee increase is to pay for your self-generated costs that I have no say in. Not right" (Johnson, 2019).
48. As a rate payer and a small business owner I think the council should support the growth of small business. It's the lifeblood of our communities. The suggested rationale (cost recovery) doesn't hold up for me having witnessed how inefficient the process is. I would start with that rather than pushing the cost onto local businesses" (Scully, 2019).
49. Although some submitters believe that the Council is not warranted in its collection of fees to increase the amount it collects, S 402 (1) (a) of the Sale and Supply of Alcohol Act 2012 directs the Council to "do anything reasonably necessary to ensure that, so far as is practicable, the total cost of the licensing authority are recovered out of the fees paid to it under this Act". The Ministry of Justice also states that "The Sale and Supply of Alcohol Act 2012 aims to ensure licensing costs are met by the alcohol industry rather than ratepayers."

How can the Council and business owners/licensees work together to simplify the licensing process?

50. Three submitters believed that there may be other ways in which the council can work together with business owners to ease the financial pressures on businesses.
51. "I don't necessarily oppose the changes. I think you need to look at it differently though. Fees are already high for a business like myself who is A) In the Suburbs B) Closes by 10pm each night because of being in the suburbs C) Doesn't have the extra hours to make up the money D) Primarily a food focused place where our food is 70% of our takings to 30% Alcohol. If you looked at each type of business separately and not just how big we are and how at risk it would help out us smaller suburban places that literally have 3hrs per night to make money. We are so small and putting our fees will make it even harder to survive in an already tough market! With so many restaurants/bars opening up in Wellington there is so much option and most people go into town rather than into the suburbs. I would highly recommend you look closely at what you want out of a Suburb because we struggle each week and raising fees of any sort could be detrimental to our survival" (Phillips, 2019).

52. "Perhaps the fees should be added to the higher risk categories rather than the small lower risk categories who have a proven track record" (Boyce, 2019).
53. Officers agree that there needs to be an opportunity for Council staff, and stakeholders to work together to consider these issues. Officers are working with stakeholders including Hospitality New Zealand to explore this and the ideas raised by the submitters.
54. In response to the second question, 11 submitters also believed that the Council should work towards simplifying and making it easier for licensees to apply. "The Council needs to look at the service provided and ensure all efficiencies are in place before increasing costs" (Brennan; 2019).
55. "On license application process needs to be heavily looked at and reviewed. In particular when it comes to objections by the public. An example of this is a business that applied for a 3am license late last year on a popular late night location. Had no objections from the police and medical health, but a single objection for a person who does not even live on the premises, basically a landlord who lives in another city has had the power to stall the license which has yet to be decided to this date. It has cost the business over 50,000 dollars because of the process and undue stress. The business has been hampered before they could open to such an extent in which in six months' time it may not survive" (Mills, N; 2019).
56. "Could the Restaurant Association of New Zealand and the Hospitality NZ organisation work with Council to streamline the process so that the operators with no issues can be re licenced at minimal cost as they have no outstanding concerns that take up no time for council officers" (Egan; 2019)
57. Officers agree that there may be a number of issues that have been raised which the Council should consider to ensure that the licencing process works effectively. However the Council must work within the confines of the Act. Officers are keen to work closely with licensees and stakeholders in order to try and simplify the process where appropriate. Officers will continue to work closely with industry stakeholders over the next year so that any potential fee changes are informed by this work.

#### The Council needs to review its internal costs

58. One submitter believed that the Council should be reviewing its internal costs in order to take pressure off licensees. "Yes I think the Council should look at trimming their internal costs" (Lloyd Jones; 2019)
59. Officer's note that the Council's costs are reviewed through the planning and rate setting processes. At present the Council only recovers 68% of the costs through fees while the remainder of the burden sits with the Wellington ratepayers.

#### Additional assistance for small businesses

60. 13 submitters believed that there was too much pressure on smaller businesses and that this proposed increase would further add to this. They want to look at ways in which the Council can engage with smaller business to help relieve some to that pressure.
61. "I would like the Council to give consideration to small and start-up businesses. This could include tiers within the risk categories so a small start-up business like us pays less than larger established businesses" (Consedine; 2019)

62. “I would again just ask that you think of the little guys trying to make it out in the burbs - we don't have the same walk by traffic or volumes as other places. Also restaurants versus bars are and other ways you could view it as well. Restaurants make half the sales on booze than a bar does” (Phillips; 2019).
63. “Please think about the businesses you would be affecting negatively through the impact of increasing fees. This decision may affect the Council also as some businesses may opt out of providing alcohol altogether due to this unnecessary action. Small businesses that provide alcohol will be affected the most including ours” (Kaur; 2014).
64. Officers understand the pressures faced by small businesses and need to consider any options to address this in licensing regulations and application processes. The on-going discussions between stakeholders and Council officers are an initial step taken to review these issues.
65. The remaining answers to Question 2 focused around individual issues or were out of scope of this paper.

#### Industry Stakeholders

66. Hospitality New Zealand has made two substantial submissions and is working with Officers to discuss their position. The Wellington Chamber of Commerce has also worked alongside Hospitality New Zealand, in their submission; they have made a number of recommendations based on the information provided by Hospitality New Zealand. A summary of the submission provided by Hospitality NZ has been included, with officers answering the questions raised in the submission. This can be found in Attachment 2.
67. The Restaurant Association has also made a submission which has elements of the same themes mentioned above. They have identified three key concerns. These are similar to the points noted above.
- Excessive staffing costs – “Using the figures supplied, Council staffing is 14.3 full time staff with an average salary of \$80,000. While pay scale indicates the average salary in Wellington is \$60,174 as at 20 July, 2019.”
  - Reducing IT overhead Costs – “There seems to be an excessive cost associated with IT needs. The Association questions the amount of IT overhead costs as supplied in the fee schedule.
  - Devoting resources to streamlining the process- “A fresh pair of eyes could help to streamline the process and increase productivity. The Association is devoted to reducing costs for our members, but we also have a wealth of expertise and experience in the sector that we are willing to share. We process over 2,300 renewals for businesses nationwide every year, with a small administrative team of two, highlighting our familiarity and efficiency in this area. We would be willing to devote some resources to work with your team at Wellington City Council to help identify productivity gains and streamline the process” (Bidois; 2019).
68. As noted above Officers will continue to work closely with industry stakeholders over the next year so that any potential fee changes are informed by this work.

#### **Options**

69. The Committee can recommend to the Council that it adopt the attached Alcohol Fees Bylaw. If it chooses not to proceed there will be financial implications as the fee increases are budgeted and included in the Annual Plan.

70. If it chooses to materially change the fees/fee structure further consultation would be required.

### **Next Actions**

71. The Committee recommend to the Council that it adopt the Alcohol Fees Bylaw.
72. Officers will work with industry stakeholders on the range of issues raised in this process. Any changes would have to go through the appropriate approval and business planning processes.
73. Any further changes to set higher fees in the Bylaw will be subject to further consultation with the affected parties.

### **Attachments**

- Attachment 1. Attachment 1 Summary of Submissions [↓](#)  Page 25
- Attachment 2. Attachment 2 Hospitality NZ Submissions [↓](#)  Page 51
- Attachment 3. Proposed Alcohol Fees Bylaw [↓](#)  Page 60

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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

All 709 licensees were sent a Statement of Proposal. This was mailed on the 28 May 2019. This was followed by an additional consultation period which additional information to all licence holders and the public and extended the consultation period from 28 June 2019 to 29 July 2019.

We met with representatives of Hospitality New Zealand.

### **Treaty of Waitangi considerations**

NA

### **Financial implications**

There are financial implications arising from this paper. Currently the licensing fees are about 30 percent paid from general rates and about 70 percent paid from fees revenue. The bylaw, if agreed, would increase fees and less of the licensing costs would be paid from rates revenue.

### **Policy and legislative implications**

The Sale and Supply of Alcohol (Fees) Regulations 2013 provides for default fees payable by users of the licensing function. The Council can recover an amount higher than that set by the Regulations to recover its licensing costs, if Council first makes a bylaw to set fees. Any bylaw must be consistent with the Act and any regulations.

The Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013 allows Every territorial authority is authorised to prescribe, by bylaw, fees for any matter for which a fee payable to territorial authorities can be prescribed by regulations made under the Sale and Supply of Alcohol Act 2012.

### **Risks / legal**

There are a number of risks, including imposing additional costs on the hospitality sector where they are currently being met from the ratepayer base, and the impact that this cost recovery might have on that sector in Wellington City.

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

NA

### **Communications Plan**

If the Bylaw is adopted the Public Health team will communicate the changes to all licensees.

### **Health and Safety Impact considered**

NA

### Attachment 1 Alcohol Fees Summary of Submissions:

#### Question 1. Do you support the proposal to increase the fees collected to recover the total costs for alcohol licensing functions under the Sale and Supply of Alcohol Act 2012?

Some submitters have made multiple submissions as requested by officers as part of the second round of submissions. These have been labelled (a) for the first round and (b) for the second round

#### Submissions received:

##### Yes : (5)

No further comment: (2) Pan Singh, Rachel Law

With comment: (3) (below) Bernard O'Shaughnessy, Geraldine Murphy, Benjamin Swale

##### No: (70)

No further comment (6) Fergus Trengrave, Dhiru Patel, [REDACTED] Joe Kaile, Preenal Narayan, Simon Cook

**"Fees are already too high": (37)** Nicholas Mills, Gina Mills, Steve Logan, Dean Galt, Paul Lloyd Jones, Nimeshkumar Patal, Nigel Searancake, Jeetendra Patel, Isar Baksh, Bay Plaza Hotel, Girish Dayal, Paul Clarke, Diane Schollar, Peter Bowers, Aaron Smith, James Henderson, Jade Wang, Ashleigh Bateman, Nicola Davies, Renwick Boon, Tom Baker, , Elias Liolis, Corbin Parker, Harpreet Kaintel, Ehren Shoo-Steel, Rachel Watson, Nicholas Payne, Rosie Gilbertson, Chris (MiniBar), Minh Van To, Dilip Nagar, Joshua Hoff, Jatin Kansara, Harmet Kaur, Stephen Jones, Levy Roberts, Rose Andaloro, Kiersten Kneisel (b)

**Wanting to see a breakdown of the council's costs/how have these been calculated : (8)** Lorraine Brennan, Michael Egan, Mark Davey, Matthew Bayly, Qiang Lui, Hannah Wells, Kiersten Kneisel (a), Justin McKenzie,

**Any potential changes should be incremental: (1)** A Economous,

**There is no justification for the increase: (5)** Warren Johnson, Michael Agar, John Scully, Mark Sheehy, Angela Slaughter

**How can the council and business owners work together? (3)** Lindsay Phillips, Sean Goulding, Gary Boyce,

**Other answer :(4)** Kerry Consedine, Garth Rosson, Jo Williams, Miramar Bowling Club,

**Hospitality New Zealand/ Wellington Chamber of Commerce/ Restaurant Association submission:** Nick Hill (a), Nick Hill (b) John Milford, Marisa Bidois

Withdrawn/removed (1)

Submitter/s	Position	Submission Content
<b>Support the Proposal</b>		
Bernard O'Shaughnessy	Yes	Alcohol Licencing fees should be 100% cost recovery. Dog Licences are so why not booze licences.
Geraldine Murphy	Yes	Inner City Wellington (ICW) supports the increase to the fees as outlined and the phased approach to achieving cost recovery.  ICW opposes the proposed 15% subsidy for alcohol fees from general rates.

	<p>ICW’s position is that the licence fees should be fully cost-recovered, as provided for under the Sale and Supply of Alcohol Act 2012 (s402). This is consistent with the objectives of the Sale and Supply of Alcohol (Fees) Regulations 2013:</p> <ol style="list-style-type: none"> <li>1. To recover the total reasonable costs incurred by local councils and the Alcohol Regulatory Licensing Authority in administering the alcohol licensing system.</li> <li>2. To ensure that those who create the greatest need for regulatory effort bear the commensurate costs.</li> <li>3. To allow local circumstances to be reflected in the fees paid by operators and income received by local councils (eg, frequency of inspections – scheduled and/or adhoc)</li> <li>4. To minimise alcohol-related harm, to the extent that this can be achieved through a cost recovery fee regime (eg, level of monitoring and enforcement of licence conditions).</li> </ol> <p>ICW submits that the Council must ensure that costs associated with the full scope of activities identified in the Act and Regulations are included in the assessment of fees. Neither the bylaw proposal nor the committee paper state all the costs that can be included for cost recovery. These costs include:</p> <ul style="list-style-type: none"> <li>• administration of the licensing system, including employment of inspectors, costs incurred by the District Licensing Committee</li> <li>• inspection, monitoring and enforcement activities.</li> </ul> <p>The licensing system to allow applicants to deliver a service selling or supplying alcohol is not a public good, as suggested in the paper presented to the City Strategy Committee 11 April 2019 meeting. A public good includes things like national defence, public fireworks display, street lighting, official statistics. Obtaining a licence to sell and supply alcohol is a private good, or at most, a club good. There is public benefit from the existence and administration of the licensing system. The licensed premises are an important part of the city’s hospitality, recreational, entertainment and social activities, and add to the appeal of Wellington as a destination and a place to live and work.</p> <p>These benefits are already supported by ratepayers through funding of other activities that directly support the consumption of goods and services from licensed premises, such as:</p> <ul style="list-style-type: none"> <li>• local hosts, particularly in the late night economy</li> <li>• city safety camera network – and</li> </ul>
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		<ul style="list-style-type: none"> <li>the WCC funding and in-kind support provided to the volunteers who monitor the cameras o removal of alfresco dining fees where the area is smoke-free, contribution to Take10, which looks after those who participate in the late night economy</li> <li>support for events and activities that attract people to Wellington who may wish to use licensed premises.</li> </ul> <p>Further ratepayer contribution to subsidise the licensing costs is not justified as licence fees are a cost of doing business, and the impact of moving to full cost recovery is being managed by a phased implementation.</p>
Benajmin Swale	Yes	I support this change as I see no reason why ratepayers should subsidise alcohol retailers especially considering alcohol's already ready availability and the harm it causes. If this results in higher retail prices I am happy to pay more or drink less.
<b>Oppose the Proposal</b> <b>Fees are already too high</b>		
<b>Submitter/s</b>	<b>Position</b>	<b>Submission Content</b>
Nicholas Mills	No	Fees used to be a \$500 for an on-license renewal not so long ago. In 2019 the on-license renewal now costs \$1100 for the equivalent on-license renewal. Also a business is required to pay over \$1000 yearly for annual fees. So to operate a liquor license the fees you pay have quadrupled. How can this be justified?? We want to make the city better, but yet there is undue pressure on businesses to survive when the council is constantly increasing their fees and are not actually provided the owner with any benefit, just more rules to abide by. I think the focus on the council should be to re-evaluate their spending before adding more cost to businesses who are struggling.
Gina Mills	No	We pay more than enough fees for licensing and rates along with fees for outdoor areas, lawyers' fees when licenses are opposed for no other reason than petty grievances
Steve Logan	No	Restaurant compliance fees are too much already. The council must look to being more efficient in the assessments. Restaurants such as ours with the same owners and no infringement in 23 years should simply roll over at a minimal cost to the council and we the licence holder. Sure go hard at risky and troublesome licenced premises with higher fees. Drunk customers from pubs, bars and clubs will be doing the damage and taking up police and hospital resources once they leave. Restaurant guests go home. They don't drink much. When we started Logan brown in 1996

		<p>beverage would be half the bill, now it is 25%. You must understand that restaurants occupy the empty shops. We employ many low skilled people. We support so many producers and service industries. We provide a place for people to meet for work or socialise. We bring culture to our city. Everyone benefits from restaurant and cafes except many of the owners.</p> <p>Restaurant ownership churn very high and will get worse with increased wage and costs of food and services. Do not add to our industries woes without looking in at opportunities to be more efficient. Or suck up the costs and consider it a tiny investment in to a sector that gives, gives, and gives to the community and economy.</p>
Dean Galt	No	The fees are currently very expensive and I don't understand why this cost so much to administrate this and the proposed increases are obscene and have little justification for them. I don't agree with the current risk categories and don't think they are fair either.
Paul Lloyd-Jones	No	The licencing fees are exorbitant now; also the staff relicensing fees are so expensive that staff is unable to afford to pay for them so we have to pay for them. Also other council fees are also expensive.
Nimeshkumar Patal	No	Already high fees for a small store
Nigel Searancke	No	Business conditions are tough and very hard to increase our prices. We would be forced to absorb this which is not ideal.
Jeetendra Patel	No	As a small business any increase in fees affects our bottom line, to have a liquor licence helps in some extra trade on a Friday afternoon at the occasional function. However as the fees increase it makes it hard to justify the licence as you need to turn over more alcohol sales.
Israr Baksh	No	We run a small family Italian Pizza shop and the majority of our income is derived from food sales. We do also offer Liquor only to help the 'dining in' experience. Also offer BYO to clients. We do not sell much liquor and our main income is food sales. These fees every year don't help the small business owners.
Bay Plaza Hotel	No	We pay enough compliance
Girish Dayal	No	As is we pay higher fees (applied to smaller stores) introduction of yearly fees are effecting smaller stores already

Paul Clarke	No	We are a club and lease our clubrooms at Wakefield Park from WCC. We have to apply for two bar licenses as we are seasonal in the summer and with winter with football. We have to seek to have one licence to cover six months for softball and football apply for another licence for winter. Currently we pay for sets of staff and bar licences and duplicate all our paperwork to be compliant. This is a costly exercise for both organisations who only run their bars for 14-16 weeks per year. We have investigated to have one bar licence to cover the 12 months however this does not meet the WCC criteria at present. Island Bay Softball Club would be opposed to any rise in our current fees for this year
Diane Schollar	No	Annual fees at \$1600 - quite high for a small food business. Alcohol sales are 5% at best of my total sales
Peter Bowers	No	Although we agree in principle that the total costs for alcohol licencing functions under the Sale and Supply of Alcohol Act 2012 should be recovered through the fees levied, I do not support the proposal to increase the fees charged in particular to non-profit motivated sports clubs such as ours. This is because, to set out a few reasons but not all of them, Our Club bar revenue has, over the last several years, been static at best although our membership and tournament numbers are up. This appears to be largely due to a reducing trend in alcohol consumption for a variety of reasons which includes a greater health and safety consciousness and the more stringent drink driving rules. With a declining bar revenue and a very limited opportunity for our Club to derive income from other sources such as membership revenue which is more or less at capacity now, additional licencing costs along with the increase in other costs such as rates (which increases at a faster rate than CPI), the significant increase in insurance costs following the earthquakes etc. increases the burden of our Club breaking even on its financial performance. As a Club we are able to only promote ourselves to our membership as the public aren't permitted to come in "off the street" as in the case of a tavern/hotel. With the limitations placed on the granting of special licences, the costs associated with applying for one and the extremely time-consuming process of doing so doesn't make it a viable option to try and generate more revenue for the Club. Given the above we are not at all in favour of any increase in the fees charged to a non-profit motivated sports club as its financial viability in the medium to longer term already requires, for the reasons given above, very careful management

Aaron Smith	No	The licensing fees are already too high. The council needs to find other means to cover their costs.
James Henderson	No	Fees collected are already enough to cover what we get from the council and associates. When the new yearly fee was introduced that alone I thought was over the top and unnecessary. Further increases need to be detailed and justified to the persons paying.
Jade Wang	No	Small business would not benefit from this fee increase as it is already costing a lot to maintain it.
Ashleigh Bateman	No	I believe that an increase in licensing cost is unfair to an already struggling industry. Not only has business and profits decreased for the Wellington hospitality industry over the last few years; many duty managers are working within a culture which expects the employee to cover the cost of their own duty managers certificates and renewals. As stated by Careers NZ (2019), a bartenders wage is on average \$18-\$19 per hour. This is significantly lower than the living wage of \$21.15, with this consideration; I believe an increase in licensing fees would pose detriment to the wellbeing of the Wellington hospitality community, and their families.
Nicola Davies	No	The costs of running a restaurant are already extremely high, with profit margins being squeezed daily. A large increase in liquor licence fees will not help this situation. Wellington is renowned for its excellent hospitality scene with visitors coming from far and wide for this reason, we need to retain the good operators.
Renwick Boon	No	The current system is disproportionately hard on smaller bars to cover licensing costs, this in fact punishes the best practice businesses (those that encourage responsible alcohol consumption, in an adult environment) and gives an edge to high volume, low responsibility establishments. Surely revenue collection should not come at the literal expense of safer alcohol consumption. The increase in fees proposed will, further hinder the ability for best practice businesses to compete with high volume models. I am happy to talk to interested parties if further clarification on the subject and position is needed.
Tom Baker	No	Licensed venues are already forced to pay numerous bills -On License, Off License, Special Licenses, numerous Duty Managers, Alcohol Fees- without seeing any real benefit from the council. The proposal gives virtually no information on where these fees actually go and to demand even more money out of small businesses without any explanation is lazy and arrogant of the Wellington City

		<p>Council. If a small business is losing money then the first thing that the owners will do is look where costs can be reduced or managed better instead of passing the burden onto the consumer. The council should be reviewing their own conduct and finding ways that they can manage their own resources better in order to meet budget expectations. The nature of the hospitality industry means that there is no shortage of ongoing costs and tight margins. Why should small business owners take a pay cut just so that an inefficient system can continue to bleed money? Small businesses are an essential part of thriving communities and it is wrong of the council to further stunt the growth of such entities. All Wellington based business owners are rate payers. All customers are either rate payers or from out of town and therefore pumping money into the Wellington economy. The purpose of rates is to cover costs of governing and also city promotions and business support. The craft beer industry alone is becoming a tourist attraction with events drawing people from all over New Zealand (Hapi Conference, Beervanna, Oktoberfest) along with the restaurant industry and associated events. Given the amount of money that the hospitality industry generates for the Wellington economy why should alcohol licensing be excluded from being covered by rates and being supported or maybe even promoted? The Wellington City Council constantly boasts about running the 'Coolest Little Capital' but they do very little to support those making the city so great. Instead of raising the already high fees the council should be finding ways to promote small businesses so that existing businesses can thrive and future business can still be a possibility. Given the impossibly difficult process to setup a small business in this industry the Wellington City Council is running the risk of ruining it's reputation as the Coolest Little Capital.</p>
Elias Liolis	No	<p>Wellington is a crowded capital that is straining under the pressure of the city council's fees that most hospitality venues have to meet. I am a bartender myself, and throughout the years, I have had tourists come in to the various venues that I have worked at, and often tourists are taken aback by the exorbitant prices of food and beverages at these venues. I have also spoken with numerous bartenders and owners that all agree that the price of alcoholic beverages in most establishments are unreasonable when compared to prices elsewhere in the world as well as venue cost/rent and licencing venues. I also firmly believe that the recent rise in "preloading" (drinking alcohol at home to then go out into town later on when already intoxicated) has come about because of the price of alcohol that bars and clubs set to stay open. Please consider this when passing this proposal, because if you do, you may see a lot less bars and restaurants around wellington in the coming years.</p>

Corbin Parker	No	The council has already set fees too high within the city including licensing for managers, food and beverage not to mention the outrageous parking costs and fees. If the council wants to change anything, it should be more supportive of local businesses as we should see a decrease in licensing costs.
Harpreet Kaintel	No	The alcohol fees in Wellington should be seen as part of the overall hospitality space. The businesses work on a very tight margin, which has gotten much more tighter over last few years with the minimum wage hikes, increased insurance costs (on account of earthquake danger) etc. This has had a detrimental impact overall, eroding the value of businesses significantly. In this context, the cost of managing licenses is not just specific to only licence costs. In the process of any further increase, it will penalise the establishments which are managing the alcohol sale and purchase well and responsibly, forcing cuts in areas which might impact this area and lead to more problems with management of alcohol sale - and becomes a circular process of increased problems for the council. Instead, just like businesses have to be cost conscious, council should look for ways to manage costs better with the help of industry so that it is mutually beneficial for both.
Ehren Shoo-Steel	No	Licensed venues are already forced to pay numerous bills -On License, Off License, Special Licenses, numerous Duty Managers, Alcohol Fees- without seeing any real benefit from the council. The proposal gives virtually no information on where these fees actually go and to demand even more money out of small businesses without any explanation is lazy and arrogant of the Wellington City Council. If a small business is losing money then the first thing that the owners will do is look where costs can be reduced or managed better instead of passing the burden onto the consumer. The council should be reviewing their own conduct and finding ways that they can manage their own resources better in order to meet budget expectations. The nature of the hospitality industry means that there is no shortage of ongoing costs and tight margins. Why should small business owners take a pay cut just so that an inefficient system can continue to bleed money? Small businesses are an essential part of thriving communities and it is wrong of the council to further stunt the growth of such entities. All Wellington based business owners are rate payers. All customers are either rate payers or from out of town and therefore pumping money into the Wellington economy. The purpose of rates is to cover costs of governing and also city promotions and business support. The craft beer industry alone is becoming a tourist attraction with events drawing people from all over

		<p>New Zealand (Hapi Conference, Beervanna, Oktoberfest) along with the restaurant industry and associated events. Given the amount of money that the hospitality industry generates for the Wellington economy why should alcohol licensing be excluded from being covered by rates and being supported or maybe even promoted? The Wellington City Council constantly boasts about running the 'Coolest Little Capital' but they do very little to support those making the city so great. Instead of raising the already high fees the council should be finding ways to promote small businesses so that existing businesses can thrive and future business can still be a possibility. Given the impossibly difficult process to setup a small business in this industry the Wellington City Council is running the risk of ruining it's reputation as the Coolest Little Capital</p>
Rachel Watson	No	<p>Licensed venues are already forced to pay numerous bills -On License, Off License, Special Licenses, numerous Duty Managers, and Alcohol Fees- without seeing any real benefit from the council. The proposal gives virtually no information on where these fees actually go and to demand even more money out of small businesses without any explanation is lazy and arrogant of the Wellington City Council. If a small business is losing money then the first thing that the owners will do is look where costs can be reduced or managed better instead of passing the burden onto the consumer. The council should be reviewing their own conduct and finding ways that they can manage their own resources better in order to meet budget expectations. The nature of the hospitality industry means that there is no shortage of ongoing costs and tight margins. Why should small business owners take a pay cut just so that an inefficient system can continue to bleed money? Small businesses are an essential part of thriving communities and it is wrong of the council to further stunt the growth of such entities. All Wellington based business owners are rate payers. All customers are either rate payers or from out of town and therefore pumping money into the Wellington economy. The purpose of rates is to cover costs of governing and also city promotions and business support. The craft beer industry alone is becoming a tourist attraction with events drawing people from all over New Zealand (Hapi Conference, Beervanna, Oktoberfest) along with the restaurant industry and associated events. Given the amount of money that the hospitality industry generates for the Wellington economy why should alcohol licensing be excluded from being covered by rates and being supported or maybe even promoted? The Wellington City Council constantly boasts about running the 'Coolest Little Capital' but they do very little to support those making the city so great. Instead of raising the already high fees the council should be finding ways to promote small businesses so that existing businesses can thrive and future business can still be a possibility. Given</p>

		the impossibly difficult process to setup a small business in this industry the Wellington City Council is running the risk of ruining it's reputation as the Coolest Little Capital
Nicholas Payne	No	The Fees are already excessive with no breakdown or information as to how the council come up with these sums. Needs, more transparency to justify costs
Rosie Gilbertson	No	Licensed venues are forced to pay various different fees already; whether those are for special licences, licence renewals or duty managers without seeing benefits of efficient service from the council. Recently I had staff who were booked for manager's interviews on a public holiday. These interviewees were not even emailed until the day after, and had to re-book themselves. I recently waited 3 months to receive a manager's licence renewal. The service provided by the council is already poor, and the statement of proposal is vague. Wellington City Council is making it harder and harder for the hospitality industry to thrive. More money going to inefficient council systems means less room for pay rises, higher costs than before for small business owners and aspiring new owners, and ultimately higher costs for customers. Many licensed venues in Wellington are run by small business owners, who are rate payers. Given the amount of tourism based around hospitality in Wellington, why should alcohol licensing be excluded from being covered by rates? Hospitality business owners and workers in Wellington are among the people who love the city the most, people who are genuinely invested in growing the reputation of Wellington as 'the coolest little capital'. These are the people who work tirelessly to make events like Beervana, WOAP, Highball a success; events that make Wellington the coolest place to be and bring tourists in their hoards to the city. WCC are running the risk of penalising an industry in which neither owners nor workers make a huge amount of money but do make a huge amount of positive impact on the city.
Chris Minibar)	No	Fees are high enough as they are. With increases in cost in other areas, tax, rent, power etc. Businesses are under huge financial pressures
Minh Van To	No	Too costly
Dilip Nagar	No	As is we pay higher fees (applied to smaller stores) introduction of yearly fees are effecting smaller stores already
Joshua Hoff	No	It is already at a correct amount, ridiculous to increase for no reason

**CITY STRATEGY COMMITTEE**  
15 AUGUST 2019

Absolutely Positively  
**Wellington City Council**  
Me Heke Ki Pōneke

Jatin Kansara	No	We already paying enough fees, rates and taxes to support the system - This is really an extra burden for small businesses. We are happy to pay fees, already have been implemented. This is just a personal suggestion
Harmet Kaur	No	I and my husband run a small business, from the alcohol we provide it is not bought as often as you may think. It would be very unfair and hard for smaller business owners to pay these great amounts of fees. Therefore these new alcohol fees will also be quite hard for us to pay also.
Stephen Jones	No	We are a small florist and our liquor license fee currently does not cover the profit that we make each year for putting the occasional bottle of wine in a gift basket
Levy Roberts	No	The City Council has increased all its fees. This particular increase affects working people, of whom some have had to deal with parking permit/coupon increases. So there. Be fair.
Rose Andaloro	No	As a small business owner with a licensed premise I do not support the increase of fees for alcohol licensing
Kiersten Kneisel (b)	No	Thank you for providing a more in depth outline of the proposed plan including a budget. The average restaurant owner makes between 2-5% of their annual turnover. In our case, our annual turnover is \$700,000. Therefore we make \$14,000-\$35,000 and work approximately 90 hours per week between the two owners. We pay approximately \$100,000 in taxes and other fees to the government per year (including license fees). Your budget indicates that you spend approximately 20 hours per year on our license and each staff member makes on average \$79,500 per year. These figures are completely disproportionate. I strongly urge the council to reconsider this measure.
<b>Oppose the Proposal</b>		
<b>Wanting to see a breakdown of the council's costs/how have these been calculated</b>		
<b>Submitter/s</b>	<b>Position</b>	<b>Submission Content</b>
Lorraine Brennan	No	The administration costs for a sports club are climbing all the time and we only have a limited income. The government and local government services should be provided on a basis of "public good" not cost recovery. The administration of the sale of alcohol is administered under the banner of alcohol harm prevention which should come under the broad term of "public good". In your

		proposal document we have received, I cannot find information that demonstrates what costs the Council is trying to cover to prove an increase is required. We need to have detailed information that shows what the actual cost of service provided is and what the income from licence fees is. Until these costs are available in detailed format licence fees should not be increased as we have no proof that an increase is required.
Michael Egan	No	I would like to see how you calculate the costs that need recovering. 90% of all licences are 3 year renewals and 90% of them are long term licences that have no issues.
Mark Davey	No	<p>We are a very small micro-brewery and bar in Hataitai. We have a massive focus on quality over quantity. We feel the current amount we spend on alcohol licensing, several thousand dollars a year on District Licensing fees, Duty Managers Certs, On/Off License Renewals, Special License fees, etc. is already significant.</p> <p>All business operators are ratepayers, all patrons at breweries and restaurants are rate payers. It is fair to share the costs across rate payers. Rates are you used to help pay for just about all council activities, why should alcohol licensing be any different? Given the WCC likes to boast about the "craft beer capital culture" the WCC should be looking for ways to ease the burden on small business operators that help make the city what it is - not look to increase the costs and burdens. If there are increasing administration costs surrounding alcohol licensing, we would like to know why and where those increases are occurring. We would want to know every effort was being made by council to manage the licensing budget effectively.</p>
Matthew Bayly	No	Without a breakdown of how these fees are spent we don't know whether they are being used in the most effective way. Having a blanket fee for personal staff to get there managers doesn't negate the fact that quite often problems with alcohol service and supply come from systemic issues with the business involved in general and their attitude towards alcohol safety. As such, the cost for alcohol licensing should be more on the business rather than individuals. Busy bars with more staff are more likely to be subject to situations where alcohol safety decisions come into play. These at risk venues pay more in licensing fees due to the number of duty managers licensed to work in them but that doesn't account for staffing arrangements by the business owners on in house training and the number of duty managers working. A better way to recuperate costs in admin and monitoring alcohol licensing could be obtained by holding premises to a higher standard. There are quite often bad practice within the industry for keeping records up to date and staff training in terms of licensing. If more focus was out on this aspect of alcohol safety, we would have

		fewer issues in general. It is therefore my recommendation that there is a more of a move to check on businesses operations for alcohol licensing and how they deal with issues surrounding alcohol abuse. There is venues well known in the more popular 'night' scene which are at risk due to the level of acceptable intoxication Levels which have become normalised to some extent. Preloading is more of an issue for the industry rather than anything as most of the time staff are unable to monitor this prior to patrons walking onto the premise and having to gauge where they are at. This puts all the onus on staff while patrons can and are well known to specifically not respect this aspect of the law. Tightening security and recreating the tolerance do intox in these areas and regaining some control is not in most businesses interest but increases the prices for people to work in this industry is only going to squeeze more people out of it rather than fix any current problems
Qiang Lui	No	Firstly, we need to know how they spend all the funds, every business paying around 1k a year plus application fees, renewal fees, manager certificate fees, that's not a small amount. Secondly, are there anyone monitor how they spending money? Why it's over budget, who should be responsible for that. Last, what's the plan for using this money to support the local businesses?
Hannah Wells	No	I absolutely do not support the proposal for the increase of licensing fees. What I would like to see is a breakdown of the fees as they stand and how they are used. What I would also like to see is a consideration of how belts can be tightened and things can be changed at councils' end before sticking its' hand out and asking for more money from the businesses. In my experience of applying for On Licences, Off Licences, Managers Certificates, and Special Licences I'm continuously treated the same as bars on Courtenay Place and Off Licences who are continuously in violation of their licences. There are rules that we are told to adhere to but I don't see them being enforced when establishments flout these rules. A blind eye is turned to alcohol and it's abuses on Courtenay Place. Start there if you want more money, impose the fines that you talk about. Come down on the businesses who create the spaces where alcohol is recklessly served and consumed. I'm not saying it's all bad, but it needs a good hard look. What I would like to see is a bit of give rather than continuous take from council. I want to see council trying to work with business owners to streamline the licensing system. If this were to happen I truly think that 100% of costs could be covered from the fees that already exist. Too many times have I had to explain and re explain the concept of my bar and other events to different council employees who's understanding of what the rules are and how things need to be continuously fluctuate. If applications were to go online

		<p>with users maximising the use of a client log in this would cut down hours of continuous back and forth between business owners and council staff trying to understand and size us up. It would cut down on the cost of labour that it takes to work out if we're operating properly and in line with each other. With this online mode an entire back catalogue of information could be kept on operators previous applications, previous records of approval or unapproval, and this would build an overall picture for council staff to be able to access. A case manager could be assigned to see you through start to finish of your application. If I have previously applied for any type of application it, along with its outcome, could be accessed with a few clicks. My entire history in relation to alcohol licensing could be accessed by my case worker who can therefore make informed and quicker decisions on my eligibility for further license applications. If I want to renew an application, all information would be there. I could update as needed and resubmit. This would streamline information, make everything easier and make transparency easier for owners and operators of businesses selling alcohol. It should be acknowledged that I, as a manager of a business and now an owner of a business, have never set a foot wrong when it comes to selling alcohol and have only ever tried to create spaces and experiences where alcohol should be respected and not feared or abused. I, like many other business owners I know, only want to strengthen Wellington and it's hospitality industry and would love any opportunity to work with council to create mutual trust and understanding; to build a better future for Wellington hospitality that isn't copy, paste with no creativity or passion. These fees will stifle that creativity and passion. They are just another thing that will suffocate any life out of this city. If it continues with this then we have no hope of building an industry that could match or even rival other great cities in the world like Melbourne, New York, Tokyo or others. I would be willing to talk more with anyone at council willing to listen. I would be willing to work with council, along with other business owners and friends to work out how to reform the systems in place and make them better, more streamlined and more applicable to the situations that we are in. There is work to be done to get to a stage of trust between council and businesses selling alcohol but it absolutely can be achieved. Systems need to be changed and we need to have some open minds willing to make a few changes. It's not the people at council that I'm frustrated with, it's the systems they have to adhere to and rules they blindly enforce. These things need to be changed and we need to work together to change how it all operates. Again, these fees are a step in the wrong direction.</p>
Kiersten Kneisel (a)	No	The hospitality sector has been hit hard with the increase in minimum wage and subsequent

		increase in supplies and other operating costs. We need to feel supported by our city council at this moment. I urge the council to re-consider their across the board increase in licensing fees. In the hospitality sector we are being urged by the government to find alternative solutions to raising our prices or cutting hours for our staff. I think it is only fair that our government do the same. I would like to see an in depth report detailing why the council is only able to recover a portion of their costs. It may be that most of the funds are being spent on a few establishments, which would mean that an across the board increase would be unfair. It may also be that the council could streamline their process or make other decisions that would allow them to recover more of their costs. Without such a report detailing the need for the increase and the absence of alternatives, the council is in my opinion unwilling to take the same steps that they are asking of us.
Justin McKenzie	No	The hospitality industry is at the fore front of creating the 'vibe' that is Wellington. The proposed fee structure does not take this in to consideration. The proposal is lacking in detail off where the funds would be utilized the amalgamation of licencing and health has proven to be a failure - the delays in processing applications and contact is unworkable the current system is problematic and will not be fixed by more money - it needs to be overhauled
<b>Oppose the Proposal</b> <b>Any potential changes should be incremental</b>		
<b>Submitter/s</b>	<b>Position</b>	<b>Submission Content</b>
A Economous	No	It should be incremental with alcohol purchase. Little cafes should not be penalised
<b>Oppose the Proposal</b> <b>There is no justification for the increase</b>		
<b>Submitter/s</b>	<b>Position</b>	<b>Submission Content</b>
Warren Johnson	No	Your fee increase is to pay for your self-generated costs that I have no say in. Not right
Michael Agar	No	Why does the council keep targeting the hospitality industry in Wellington? It's a huge part of the reason for Wellington being perceived as a go to destination in wellington (wellington on a plate, highball and any event held at the stadiums all rely on the hospitality industry) and by extension provides capital to the city and increases its reputation to visitors. Yet you want to further stunt an

		<p>already under respected industry in New Zealand with more fees that will be copped by the industry workers like myself. Pay rises will become even rarer, shifts will be lost to cut costs, teams will be made smaller to cut costs (read as we will be forced to work even harder for the same wage). This says to me that the council is looking for ways to cut its own expenses (you also haven't provided any examples of exactly where all this money is going, are we to just take your word that you're operating at loss?) if this is the case then perhaps you should look to your own management and how YOU can limit spending rather than beating down an industry that depends on staff loving the industry enough to more often than not work at a low wage (majority work for under \$20 an hour while doing over 10 hour shifts at a time, sometimes with more than one venue and often without breaks). And it will be the staff that cop this increase in charges, not the guests. Drink prices will NOT go up, cheaper product will be bought (quality will suffer = guests will be less impressed with the industry standard in wellington), staff will suffer as already stated and small business owners will struggle in an already difficult industry to survive in. It's a common saying in the industry that you don't enter into hospitality to make money. Just so this can't be misinterpreted, this is a dark joke that we tell each other because we are under paid and over worked and already limited by some (not all) bizarre laws surrounding alcohol. Even owning a bar of any kind is not something that will make a lot of money and yet you're wanting to take even more from us? Go find another cow that actually has cash inside of it.</p>
John Scully	No	<p>As a rate payer and a small business owner I think the council should support the growth of small business. It's the lifeblood of our communities. The suggested rationale (cost recovery) doesn't hold up for me having witnessed how inefficient the process is. I would start with that rather than pushing the cost onto local businesses.</p>
Mark Sheehy	No	<p>It would seem the council is running this department inefficiently. I would prefer they streamlined their processes to save costs.</p>
Angela Slaughter	No	<p>We strongly object to an increase in alcohol licensing fees. Thank you for the extra information regarding calculations of costs and revenues around alcohol licensing. There still appears to be a large portion of costs in the breakdown that are very vague in nature ('other employment costs', IT overhead costs, etc) . I strongly object to a 'same percentage' increase across all fee categories. I believe that an increase for those who are in the higher risk rating should perhaps be considered</p>

		<p>but even this seems unreasonable given that we are dealing with a social issue that is much wider than the provision of alcohol in licensed premises. We would be lucky if we serve 10 glasses of alcoholic beverages per day at our establishment, and the huge majority of these are single servings (i.e guests consuming more than one glass are extremely rare). We have never had an incident of drunken-ness or any other issue around the serving of alcoholic beverages over the 14 years we have been operating as a business in the Lyall Bay area. This is primarily due to the fact that we do not operate as a bar but rather a daytime café, which serves the odd glass of wine to the few customers who still desire that in the middle of the day with their lunch. We take up none of the council's time or resources over the course of the year other than a one hour visit every 3 years by your compliance team. To therefore raise our fees at the same percentage as the high risk rating premises is extremely unfair as we would be subsidising their fees. What would we gain from the extra fees we pay?</p>
<p><b>Oppose the Proposal</b></p> <p><b>How can the council and business owners work together</b></p>		
<b>Submitter/s</b>	<b>Position</b>	<b>Submission Content</b>
Lindsay Phillips	No	<p>I don't necessarily oppose the changes. I think you need to look at it differently though. Fees are already high for a business like myself who is A. In the Suburbs B. Closes by 10pm each night because of being in the suburbs C. Doesn't have the extra hours to make up the money D. Primarily a food focused place where our food is 70% of our takings to 30% Alcohol. If you looked at each type of business separately and not just how big we are and how at risk it would help out us smaller suburban places that literally have 3hrs per night to make money. We are so small and putting our fees will make it even harder to survive in an already tough market! With so many restaurants/bars opening up in Wellington there is so much option and most people go into town rather than into the suburbs. I would highly recommend you look closely at what you want out of a Suburb because we struggle each week and raising fees of any sort could be detrimental to our survival.</p>
Sean Golding		<p>As a multiple business owner and employer I can appreciate the continual increased costs of making ends meet and I also understand the temptation to continually increase prices to cover these costs. But this is not good business practice as it eventually puts too much strain on your customers forcing them to stop patronising your business or taking their business elsewhere altogether. The</p>

		<p>correct strategy is to look inward at your own systems, business structure and financial strategies. After dealing with licensing applications and renewals for over ten years with the WCC I can only say it has become more complicated, archaic and expensive. The preposterous amount of repeated paper work and submissions needed to renew ones liquor license is a perfect example of how so much time, energy and money is wasted on a process that has already being executed many times before hand. It seems quite frankly ridiculous after so many years that a license holder cannot have an account and login set up with all their records saved and be easily updated if needed and resubmitted when a license needs renewing. The amount of paper actually used must be astronomical when taking into account the amount of applications submitted, not to mention the labour cost of having a council worker scan every page for digitize it. I believe an investment in a proper online system would remove much of the cost of licensing and be a more accurate method of tracking license holders. Compared to other online services such as insurance companies, accounting services and banking for example, the online options are possible considering how simple the information needed for licensing is compared to these industries. If the council continues to increase fees to cover the cost of poor systems and strategies they will drive their entrepreneurial business owners to more cooperative and innovative cities. This proposed increase sends a clear message to any current and new business owner, Wellington is now even more difficult and expensive to prosper.</p>
Gary Boyce	No	Perhaps the fees should be added to the higher risk categories rather than the small lower risk categories who have a proven track record
<p><b>Oppose the Proposal</b> <b>Other answer</b></p>		
<b>Submitter/s</b>	<b>Position</b>	<b>Submission Content</b>
Garth Rosson	No	<p>Couple of things spring to mind-arrogant, delusional. Oh, and absolutely positively 100% out of touch. WCC cannot even justify the current exorbitant fee especially in my case. How long did it take to decide to hassle liq licence holders? Can't squeeze anymore out of parking or ratepayers? I fully realise the amount WCC spends on unwanted/unused cycle ways and the extraordinary amount you spend on litigation esp. in island bay (\$12m!) Combined with total waste of ratepayers money on WREDA is draining WCC coffers. \$250k to the WREDA chief? Seriously? WCC also is very proud of paying some of it's employees the living wage, even tho' it's not actually your own money-</p>

		big kudos tho, right? Seems to be a recurring theme here, something along the lines of. Spending ratepayer money with no basic business acumen and of course absolutely positively no accountability
Jo Williams	No	Stop charging business owners these ridiculous rates!!! Ever wonder why NZ's suicide rate is so high?! Lets start with the hospo workers that will never get a living wage because business owners face these ridiculous fees from the council! Just stop!!!! Disgusted.
Miramar Bowling Club	No	The club meets all the requirements, then to ensure enough qualified bar tenders, managers etc. need to pay the cost of training to be certified.
Kerry Consedine	No	I believe it is appropriate for alcohol outlets to cover these costs rather than rate payers
<b>Oppose the Proposal</b> <b>Organisational Stakeholders</b>		
<b>Submitter/s</b>	<b>Position</b>	<b>Submission Content</b>
Nick Hill John Milford Marisa Bidois	No	See attachment 2. More comprehensive submissions covering many of the above points.

**Question 2. Are there any other issues the Council should consider when making these decisions**

**Submissions received: 75**

**No comment/ blank: (36)** Fergus Trengrove, Gary Boyce, Steve Logan, Dinu Dhiru Patel, Pan Singh, Nimeshkumar Patal, Bay Plaza Hotel, A Economou, [REDACTED], Paul Clarke, Joe Kaile, Matthew Bayly, Aaron Smith, Preenal Narayan, Simon Cook, Hannah Wells, Sean Goulding, Qiang Lui, Nicola Davies, Kiersten Kneisel (a), Tom Baker, Rachel Watson, Ehren Shoo-Steel, Elias Liolis, Corbin Parker, Harpreet Kaintel, Nicholas Payne, Michael Agar, Rosie Gilbertson, Justin McKenzie, Geraldine Murphy, Jatin Kansara, Minh Van To, Joshua Hoff, Kiersten Kneisel (b) Benjamin Swale

**Comments: (39) (Below)**

**Changes to the application process and work closely with the stakeholders/industry : (11)** Lorraine Brennan, Nicholas Mills, Mark Davey, Jeetendra Patel, Girish Dayal, John Scully, Peter Bowers, Renwick Boon, Nigel Searancake, Dilip Nagar, Michael Egan,

**The Council needs to review its internal costs: (1)** Paul Lloyd Jones,

**Council needs to justify/show a breakdown of costs: (2)** Dean Galt, James Henderson,

**Additional assistance for small businesses: (13)** Kerry Consedine, Israr Baksh, Lindsay Phillips, Warren Johnson, Miramar Bowling Club, Diane Schollar, Harmert Kaur, Chris (Minibar), Jade Wang, Stephen Jones, Rose Andaloro, Mark Sheehy, Angela Slaughter

**Other: (4)** Bernard O’Shaughnessy, Ashleigh Bateman, Jo Williams, Gina Mills

**Out of scope: (3)** Garth Rosson, Rachel Law, Levy Roberts

**Hospitality New Zealand/ Wellington Chamber of Commerce/ Restaurant Association submission: (4)** Nick Hill (a), Nick Hill (b) John Milford, Marisa Bidios

**Withdrawn/removed (1)**

**Changes to the application process and work closely with the stakeholders/industry**

Submitter/s	Submission Content
Lorraine Brennan	The council needs to look at the service provided and ensure all efficiencies are in place before increasing costs.

Nicholas Mills	On License application process needs to be heavily looked at and reviewed. In particular when it comes to objections by the public An example of this is a business that applied for a 3am license late last year on a popular late night location. Had no objections from the police and medical health, but a single objection for a person who does not even live on the premises, basically a landlord who lives in another city has had the power to stall the license which has yet to be decided to this date. It has cost the business over 50,000 dollars because of the process and undue stress. The business has been hampered before they could open to such an extent in which in six months time it may not survive
Mark Davey	Could expenses be lowered by streamlining the licensing process? I.e. could an On and Off license be combined if they were for the same premises, with the same trading hours and conditions? Could licensees trade outside of their designated license times a certain amount of times a year on their licensed premises providing they met all other license conditions, instead of having to apply a for a special license - I'm thinking for particular sporting events, world cups games in the morning etc. Could we abandon the outdated Easter/Anzac day trading laws, days off with conditions. I imagine with will, and bit of creativity there would be loads of ways to reduce the admin bill. I hope this is considered.
Jeetendra Patel	In order to turn over more alcohol sales, some discounting maybe used to increase sales in order to meet increased fees. Maybe low and very low risk need to be better considered
Girish Dayal	Where the costs are incurred and is there any one group on or off or club that is the cause of these costs
John Scully	the Licensing process itself could be more efficient and have a higher quality of decision
Peter Bowers	Given the declining trend in alcohol consumption it is unlikely that in the medium-term future of the Club the revenue generated from the bar would feature as prominently (and thus contribute to the same extent as regards the financial performance of the club) as in the recent past. This could have serious consequences for the financial viability of the Club in the future and steps will need to be considered by us to try and overcome this. As already explained the Club has very limited opportunities to increase its revenue stream due to the limitations placed on its operations. As such an important part of maintaining the Club's viability is to control costs as best as it can. An option that the Council may wish to consider in order to help Clubs such as ours, is to hold meetings/seminars with us to support and guide us as to options on how best we may look to replace this

	<p>traditional income source over the next few years and also consider other ways of improving the viability of the Club. (For example, maybe licencing fees could be based on a % of bar turnover rather than by just fixing it based on a particular "risk category".) Continuing to ratchet up compliance and other costs will merely reduce the viability of the Club with the potential for its demise in the longer term. Some examples of the significant increases in costs in the recent past are detailed below: (i) increases in insurance costs following the several recent earthquakes,</p> <p>(ii) rates bill increasing year on year at rates well above CPI, (in addition to paying water rates, a council lease and building warrant of fitness costs). (iii) The strengthening of Health and safety rules in the recent past have also increased costs over the last few years due to specialists having to now be called in when in the past traditional working bees of volunteer club members dealt with many of the issues, mainly of a maintenance nature, that arose</p>
Renwick Boon	Perhaps a merit model rewarding low incidence business practices
Nigel Searancke	A rebate for good licence holders who have an excellent history...?
Dilip Nagar	Council should look at discounted fees for stores that are compliant
Michael Egan	Could the Restaurant Association of New Zealand and the Hospitality NZ organisation work with Council to streamline the process so that the operators with no issues can be re licenced at minimal cost as they have no outstanding concerns that take up no time for council officers
<b>The Council needs to review its internal costs</b>	
<b>Submitter/s</b>	<b>Submission Content</b>
Paul Lloyd Jones	Yes I think the Council should look at trimming their internal costs.
<b>Council needs to justify/show a breakdown of costs</b>	
<b>Submitter/s</b>	<b>Submission Content</b>
Dean Galt	Please disclose and justify the current costs as the whole process looks inefficient to me
James Henderson	If a full breakdown of costs can be given to anyone or renewing then there would be no issue but it has not been received. Transparency is the issue

Additional assistance for small businesses	
Submitter/s	Submission Content
Kerry Consedine	I would like the Council to give consideration to small and start-up businesses. This could include tiers within the risk categories so a small start-up business like us pays less than larger established businesses.
Israr Baksh	small businesses like myself, main income is food but liquor is only to supplement income
Lindsay Phillips	I would again just ask that you think of the little guys trying to make it out in the burbs - we don't have the same walk by traffic or volumes as other places. Also restaurants versus bars are and other ways you could view it as well. Restaurants make half the sales on booze than a bar does.
Warren Johnson	Consider a 'minifee' licence. Cafe Villa sells around \$2000 alcohol per year. A community service. You should think about the people, not yourselves.
Miramar Bowling Club	Today there are many permits, rates, etc. we pay to the Council which is fine but with no extra help we meet all the requirements for maintenance and health and safety. Thank you for considering our thoughts
Diane Schollar	for businesses that sell alcohol as their main product could pay a higher % than businesses that sell food as their main product
Harmert Kaur	Please think about the businesses you would be affecting negatively through the impact of increasing fees. This decision may affect the Council also as some businesses may opt out of providing alcohol altogether due to this unnecessary action. Small businesses that provide alcohol will be affected the most including ours.
Chris (Minibar)	Also all businesses are not the same in size, no consideration given to smaller businesses with way less turn over. Fees should be proportional to turnover
Jade Wang	To consider the size of the business, whether its s a small business, BYO, fine dining restaurant or pub where the level of alcohol consumption or spending will be significant different.
Stephen Jones	the Council should be doing more to support small local businesses who struggle to make a profit instead of

	constantly increasing fees for their own benefit, making it harder for small businesses to survive
Rose Andaloro	As a small business owner with a licensed premise I would like to reinforce the fact that our profit margins are very small (if any) and that this proposal hurts small business. WCC is obligated to service Wellington residents and promote business and growth. I feel this increase in fees is a warrantless cost with very little explanation to those it is serving. It appears that the fee increase has been proposed to cover expenses and wages that are solely WCC's responsibility and that these internal deficits are due to your inefficiencies as a council body. It also appears that the fee increase does not directly relate to the service provided which is harrowing. I do not find that the fee increase will benefit or improve the servicing of those who pay the fees. Please consider how this fee increase would affect small business homeostasis. Many businesses are constantly teetering on being viable or being out of business. Small costs accumulate and create challenges for individuals who have defeated so many challenges to accomplish the unbelievable. Small business owners have resilience and fortitude and I believe in them! I personally have overcome unsurmountable adversity to open my business and I make personal and financial sacrifices every day to keep it afloat. I trust you understand that this applies to all small business owners. Do not penalize those who have high risk/low reward businesses to cover your shortcomings as this may hurt them more than you realize. It's time for WCC to stand behind small business and not attack it.
Mark Sheehy	Already it gets harder and harder to make a living owning a restaurant. This council should support existing businesses
Angela Slaughter	I do not understand why I need to subsidise Bars and clubs in the CBD area who are creating the major issues surrounding alcohol in the community. I believe that it is up to the government to subsidise any extra funding required around this issue as it is a social issue that is far broader than the supply of alcohol by responsible businesses like ourselves. Annual compliance fees to the council and all other government departments and authorities are already crippling the food industry beyond what other industries are dealing with, despite the hospitality industry being a key component to one of our biggest overseas income earners (tourism). Again I strongly object to any increase in fees for Alcohol licensing.
<b>Other</b>	
<b>Submitter/s</b>	<b>Submission Content</b>
Bernard O'Shaughnessy	Yes the full operations of the District Licencing Commission (DLC) should also be a charge on Licences. It's

	unfair to ratepayers presently.
Ashleigh Bateman	The well-being of the industry, community and individuals.
Jo Williams	Maybe helping out these businesses, seen the state of Courtenay Place?! Damn health hazard. Sort it out!!! Your "cool little capital" is falling apart
Gina Mills	Hospitality overall contribute massively to taxes, employment, fees, the vibrancy of Wellington, and we get very little support from the community that should support this industry. It's hard enough to make money
<b>Out of Scope</b>	
<b>Submitter/s</b>	<b>Submission Content</b>
Garth Rosson	Maybe have a wander around the city and talk to the small business owners so you can get a bit of an idea how WCC and therefore the capital city is not performing as it deserves to explain to them why WCC doesn't want people driving into the city to spend money in their businesses. Quote from a Queenstown councillor after they approved night flights into the city "we want people to know Queenstown is open for business" Justin Lester quote; "we're really happy to finally get wgtm city moving again.in about 20 years"
Rachel Law	We support the Council to increase the fee to cover the cost of administration of alcohol licensing. We have an issue regarding who is going to administrate the premises that do not have alcohol licences. We had been told some restaurants and karaoke bars allow the customers to bring and consume their own alcohol in their licences premise, especially those under 18 years. We suffered loss, a lot. We think it is unfair. none of the organisation went to inspect those unlicensed bars
Levy Roberts	Yes their own fat pay packages could be cut to subsidise their desires
<b>Organisational Stakeholders</b>	
<b>Submitter/s</b>	<b>Submission Content</b>
Nick Hill John Milford Marisa Bidois	See attachment 2 More comprehensive submissions covering many of the above points.

## Attachment 2 Response to submissions by Hospitality New Zealand.

Submission 1 was initially responded to by officers, which had led to a meeting between representatives from Hospitality New Zealand and Council Officers. Following the meeting Hospitality NZ has prepared an additional submission (Submission 2).

The same issues were raised by The Wellington Chamber of Commerce and the Restaurant Association.

### **Submission 1.**

1. We would have expected that an outline of all cost elements including operational costs, corporate overheads and how each are applied to a specific department, would have been included with in the proposal documents as justification for the stated alcohol expenditure.

*Officer comment - We did not consider that we were required to provide that level of detail in the proposal document. However, after receiving the submissions requesting this further information we have responded with a full breakdown of licencing costs. We have provided this information to all licence holders and publicly on the Council website and libraries. We would like to note that the intent of the legislation is that total costs should be recovered by fees.*

2. We would like to strongly remind Council that they must comply fully with the Local Government Act 2002 (LGA) and that in our opinion, the nature of which this bylaw has been proposed does not apply with Section 14:

(a) A local authority should—

(i) Conduct its business in an open, transparent, and democratically accountable manner; and

(ii) the interests of future as well as current communities; and

(iii) the likely impact of any decision on the interests referred to in subparagraphs (i) and (ii).

It is our belief that Council has failed to meet this requirement in consideration of the effect it will have on driving people to consume alcohol in uncontrolled environments.

We now formally request copies of any impact studies or research that Council has undertaken into the impact on increased fees. If studies or research has not been undertaken, we formally request a statement from Council as to why this has not been done.

*Officer comment - All of the submissions are put to the Council as part of its deliberation of the proposed fee increase. In terms of transparency, participation, and communication, the Council has written to licence holders on two occasions explaining the proposed changes to increase licence fees and provide the further information outlined above.*

*We allowed for two separate 30 day consultation periods (the first between 1 May 2019 – 31 May 2019 and the second between 28 June 2019 – 29 July 2019) to enable the statement of proposal and the further information to be fully considered by those who were affected by the proposal*

*The proposal also was posted on the Council website 1 May 2019 and 28 June 2019. As part of consultation the Council placed copies of the Statement of proposal and the second letter in the*

following libraries Brooklyn, Cummings Park (Ngaio), Island Bay, Johnsonville, Karori, Khandallah, Mervyn Kemp (Tawa), Miramar, Newtown, Ruth Gotlieb (Kilbirnie), Wadestown, Arapaki.

Consultation with licensees provides the council the opportunity for the impact of these changes to be understood, particularly from the view point of licensees. No formal impact study has been commissioned. This was not considered necessary as the fees impact was assessed as follows.

The impact of the proposals in 2019/20 for the majority (80%) of licensees is an increase in annual renewal fees of \$109 - \$176 excl GST. Renewal fees will increase by \$170 - \$227 excl GST. There will be some businesses with multiple licences that are impacted to a greater extent.

Year 1

	Licence numbers	Annual Current Fee	Proposed Fee	Change	Renewal Current Fee	Proposed Fee	Change
<i>GST inclusive</i>							
Very Low	20	161	213	52	369	486	117
Low	212	391	516	125	610	805	196
Medium	204	633	835	203	817	1,078	262
High	99	1,035	1,366	331	1,024	1,351	328
Very High	2	1,438	1,898	461	1,208	1,594	387
<i>GST Exclusive</i>							
Very Low	20	140	185	45	321	423	102
Low	212	340	449	109	530	700	170
Medium	204	550	726	176	710	937	227
High	99	900	1,188	288	890	1,175	285
Very High	2	1,250	1,650	400	1,050	1,386	336

The Council will take into account the impact of the proposed fees as explained by submitters.

- We request that Council advise when exactly the notification letters were sent out and if this was following the 1 May submission period as we suspect, does Council acknowledge this as unfair and disadvantaging affected parties' ability to prepare and present submissions?

*Officer comment - Letters were lodged with New Zealand Post on 30 April 2019 and 28 June 2019 and the proposal was also made available on the Council website and put in libraries at the same time. The Council does not consider that there was a disadvantage to affected parties as the Council received 75 submissions from across the industry and the general public.*

- It is our hope that the guidelines provided above were accurately followed in relation to the calculation of the stated Alcohol Expenditure, however, as no clarifying information on the cost breakdown was provided with the proposal, we feel the parties affected by this proposal are disadvantaged in not being able to assess this.

*Officer comment - We acknowledge that the Auditor General's Good Practice Guide, "Charging fees for public sector goods and services" is relevant when setting fees. However, we see no conflict*

*between those Guidelines and the way fees are proposed, as the Guidelines contain a clear direction to “identify and understand the scope and any constraints or limitations of the empowering provision before taking any steps to decide how much to charge.”<sup>3</sup>*

In this case, that particular framework includes the Sale and Supply of Alcohol Act and the Ministry of Justice guidelines in allocating costs to licencing functions, which have been followed. The intent of the legislation is that total costs should be recovered by fees.

5. An immediate concern we noted in the alcohol expenditure breakdown is the considerably high Salary Cost of \$873,617, which accounts for 56% of the total expenditure. Considering the proposal looks to pass on the bulk of this cost to licensees, we ask what justification Council has for such a high salary cost. Being the most significant factor in calculating expenditure, was this particular cost reviewed and found to be justified prior to any decision being made to simply increase fees to cover it?

*Officer comment - The Council administered the following licences in 2017/18. The team who manage the resourcing of the alcohol licencing function are constantly assessing whether the resourcing actually reflects the need. A rigorous process is undertaken before any additional staff are approved by senior managers. Any reduction in staff would inevitably result in delays in the licencing process and cannot be considered as good customer service.*

Type of Licence	New Applications Processed in 2017/18	No of Licences currently Administered
On Licences	66 new licences	526 On Licences
Off Licences	19 new licences (3 refused)	122 Off Licences
Special Licences	352 (2 refused 11 withdrawn)	
Club Licences	1 New licence (3 refused 6 withdrawn)	56 Club Licences
Duty Managers Cert's	772 licences	

6. We are curious as to the necessity of a full time Legal Advisor allocated to alcohol expenditure as this is not something we have encountered with other Councils. We request that Council please provide a justification for this role as we are aware of the cost often associated with legal professionals. A considerable concern noted in the above staff breakdown is the number of FTE administration staff allocated to alcohol licencing. This constitutes a 1 to 1 ratio of admin staff to inspectors and brings into the question why the inspectors are unable to take on this workload. The presence of administration roles in alcohol licencing is to be expected however the level noted above seems excessive. We ask Council to provide a justification as to why such a large number of administration staff has been deemed necessary here?

<sup>3</sup> Guidelines, para 2.5.

*Officer comment - The volume of licences and the volume of managers' certificates means that it is necessary for the Council to employ the administration staff to manage these processes for the industry. In 2017/18 a legal advisor was employed to support the functions of alcohol licensing. This advisor has been employed by the Council since the introduction of the Sale and Supply of Alcohol Act. It was recognised at that time that as the legislation was new, all decisions made by the District Licensing Committee should undergo a separate review to ensure that they were legally sound. The Principal Advisor recently left the Council and legal advisory work has been taken on by the in-house legal team, who outsources the advice to external legal providers as appropriate.*

- *Regarding the admin staff, the administration of the alcohol licensing process is admin heavy. Administrative tasks include:*
- *Receiving and vetting applications forms for on, off, club, and special licences (including chasing missing paperwork)*
- *Receiving and vetting application forms for new and renewed managers certificate (including chasing missing paperwork)*
- *Processing objections*
- *Arranging interviews for new duty managers*
- *Processing payments for all applications*
- *Debt management processes for unpaid annual fees*
- *Preparing information packs for the DLC*
- *Running reports to review progress of applications*
- *General hearing assistance*
- *Giving general advice , both face to face and over the telephone to potential applicants and members of the public*

*It should be noted that if the number of admin staff were reduced, the administrative burden on the licensing inspectors would increase significantly and the salary costs for inspectors are much higher per FTE.*

7. We would like to point out that even in this breakdown provided, 83% of the total Overheads Cost is simply listed as 'Overhead Allocations'. Considering that this accounts for \$292,400 in alcohol expenditure we would have expected a more elaborate breakdown be provided – ideally with the initial proposal document.

We would expect that a percentage of the overheads would be due to building and work space costs however how this is calculated is not clearly shown here. For example, we would hope that any costs of this nature which are to be passed on to licensees do not account for spaces shared by other departments. We request that Council provide clarification as to how these types of costs have been calculated and attributed solely to Alcohol Licensing.

*Officer comment - Organisational costs are allocated on a 'per capita basis. This is therefore not affected when different teams share the same space*

8. The notation of IT under 'Overheads Allocations' also concerns us as it is unclear how much this aspect accounts for. You will note that 'Direct IT Costs' are noted in a separate line and so we would ask that further clarification is provided as the amount allocated to 'IT' under 'Overheads Allocations'. We also ask for clarification into the nature of what constitutes IT costs in this breakdown?

*Officer comment - The Council follows standard accounting practices in allocating overheads to individual business units. The costs do not include the costs incurred by other business units. Direct IT Costs includes directly attributable costs for software maintenance, data licences, and computer maintenance. IT Overhead Costs are allocated based on PC numbers per team and encompasses all non-direct IT Costs.*

9. We would expect that Council, which is required to be open and transparent under the Local Government Act 2002, would provide a detailed justification for large costs beyond broad terminology, especially when these alleged costs are to be the primary reason for proposed fee increases. We now formally request that full, detailed, and itemised breakdowns on expenditure be made publicly available sufficiently in advance of the next steps of this process.

*Officer comment - A full breakdown of all licence costs has now been provided.*

10. We are also extremely concerned as to why it is that Wellington City Council cannot cover the costs of their licensing obligations under the fee structure set by the Ministry of Justice, yet almost every other city in NZ have not proposed a fee increase? For example, Auckland, Christchurch and Hamilton. These are the major cities in terms of population growth and their fees remain at the national standard.

*Officer comment - The Council has been transparent in its reasoning for proposing an increase in fees – so that the costs of the alcohol licensing function are fully recovered. Under the Sale and Supply of Alcohol Act 2012 the Council may set fees to recover total costs. Any shortfall is currently being met by the general ratepayers of Wellington rather than licensees.*

*The fee structure was put in place by the Ministry of Justice in 2012 with an expectation that they would more fully recover the total costs of the licensing function, including with this the option for Councils to set their own fees to achieve this total cost recovery. The Ministry is directed by the legislation to undertake a review of the default fees every 5 years. It formed the view that the historical inconsistencies in reporting did not provide good enough data to review whether the fees were sufficient for 100% cost recovery. It has indicated that a further 5 years of consistent and accurate reporting will better inform the correct level of fees in the future.*

*Each Council is faced by different cost pressures and different licensing environments on which we are unable to comment. However, we do note that a number of Councils are moving to increase their fees including Hutt City Council proposing recovery of 90% of costs. Whangarei District Council has also set fees to increase the costs that it recovers.*

*The Ministry of Justice Guidelines on calculating costs were issued as it was clear that Councils were counting their costs differently across the country. It is only recently therefore that Councils have confidence that they are calculating their costs in line with MoJ expectations.*

11. We formally request any reports, research, or any other documentation as to what, if any, alternative options were assessed, and how the current performance and costs are the most cost-effective. If no such reports or research was undertaken, we formally request a statement from Council as to why this was not done.

*Officer comment - The Council continues to review its cost structure and is under public scrutiny in its annual and long term planning processes particularly where this has a rating impact.*

12. It is our view that Council needs to change their thinking on this – costs that are more than income should be considered by council as an overspend of budget, not as a shortfall of income.

*Officer comment - In this case the income is set by a national fees framework that does not easily accommodate local cost structures and licensing environments. To accommodate this, the Sale and Supply of Alcohol Act enables Councils to set their own fees to ensure that the total costs of the alcohol licensing functions are recovered from licensing fees.*

**Submission 2.**

13. Our communications with Council have advised us that the Legal Advisor was put in place when the Sale and Supply of Alcohol Act 2012 (SaSAA) came into effect and was focused on navigating the new law and advising the DLC (which at the time held now requirement for members to be lawyers). We understand that since then DLC members are required to be legally trained which removes an aspect of that burden but would also like to note that 7 years have passed since SaSAA was announced and the requirement to have a legal advisor to navigate a new piece of legislation should be irrelevant. Council has advised that while the legal advisor noted under salary costs has recently vacated the position, the relevant costs have been reallocated into in-house legal with no real cost offset. It is our opinion that navigating the Act is a fundamental part of the Licencing Teams role and they should be more than capable of doing so – as occurs with other councils without the need for unnecessary legal costs.

*Officer comment - As noted in the response to the original submission as well as in the meeting between Hospitality New Zealand and Council officers, the Council no longer employs a full time legal advisor. The role has been allocated to the in house legal team, officers note that each Council operates in a different way and we are not able to comment on the operating procedures of other councils.*

14. It is our belief at this time that the operations and workload allocations of those staff under the licencing team require a thorough review to assess and justify the stated salary expenditure and we ask Council to undergo this before this cost is to be passed on to licensees.

*Officer comment - The Public health team reviews its structures and roles on a regular basis. We will continue work with the industry to ensure that we provide effective services*

15. While we acknowledge that Duty Managers are required in our industry and that growth in the market would require more, the funding brought in from the applications themselves should serve to cover this as SaSAA lays out. Operators are in no position to stop any member of the public from applying for a Duty Managers Certificate and in such, have no real control over the level of applications made. We therefore request that Council isolate and remove the Duty Manager component from their noted expenditure and its relative impact on the proposed fee increases. This function of the licensing team is fundamentally beyond the control of operators and in turn they should not be impacted in any way by costs incurred by it.

*Officer comment - We are unable to increase the fees for duty manager's certificates and they are a cost to the licensing system as all licensees must have at least one certificate to operate.*

- 16.** We would like to point out that even in this breakdown provided, 72% of the total Overheads Cost is allocated to 'IT Overhead costs'. Considering that this accounts for \$255,233 in alcohol expenditure we asked Council to elaborate on what factors constitute 'IT overhead costs' and were advised that it includes costs of software maintenance, data licences and computer maintenance. We would like to note that in discussions with Council regarding ideas to streamline processes and information management (to potentially reduce workload and cost) we have been met with the response that the current IT capabilities are lacking and unable to accommodate such changes. This general lack of satisfaction with current IT resources does not align with such a considerably high IT cost of \$255,233. We ask Council to advise justification as to why the noted IT resources, which we understand to be lacking and are utilised by merely 12.3 FTE employees constitute such an extraordinary level of cost.

*Officer comment - We have discussed with Hospitality NZ the option of working with them to streamline the admin process.*

- 17.** We would like to note that we are currently opposing that increase also on similar grounds to what is proposed here – in such we do not see this as a valid argument. Council also noted that the Ministry of Justice reviews the standard fee structure every 5 years under SaSAA and that the last review in 2017 found that “historical inconsistencies in reporting did not provide good enough data to review whether the fees were sufficient for 100% cost recovery”. We ask Council, that if the Ministry of Justice were not satisfied that adequate evidence suggested a change in licencing fees was necessary to meet required cost recovery, why has Council acted against this view here?

*Officer comment - The Ministry of Justice did not have a robust evidence to adjust fees at that point. The MOJ now has now introduced an agreed costing framework which we adhere to. The Council is directed by the Sale and Supply of Alcohol Act 2012 to recover full costs, and the Ministry of Justice website also points out “The Sale and Supply of Alcohol Act 2012 aims to ensure licensing costs are met by the alcohol industry rather than ratepayers who subsidised about 50%, or \$5.4 million a year, of the licensing system under the previous Sale of Liquor Act 1989.” It also notes that “Councils can alter the actual fee amounts (i.e. the fee paid by applicants and licensees) via a bylaw. Territorial authorities must consult stakeholders before passing such a bylaw.”*

- 18.** We are concerned that nowhere in the proposal document does it state that any alternative options for reaching the 71% and 85% cost recovery levels were investigated. Those who will be affected by the proposed fee increase need to be confident that local government is operating effectively and efficiently – this is specifically set out in Section 10(2) of the LGA. A proposal to increase fees and pass the cost back onto businesses should include a justification as to why this is the only or best option to meet the Council's goals. Section 10 (1)(b) of the LGA also currently states: (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. We would hope that a review of contributing factors to total Alcohol Expenditure was

undertaken before the decision was made to pass the cost directly on to operators. While the proposal provides the view that the Sale and Supply of Alcohol Act 2012 and associated regulations provide the expectation that alcohol licencing should be user pays - that does not mean that the associated costs should go unchecked spared from assessment, cost-benefit analysis, or review. It is our view that Council needs to change their thinking on this – costs that are more than income should be considered by the Council as an overspend of budget, not as a shortfall of income.

*Officer comment - The Public Health team reviews its cost structure each year in the Council planning process and will work with the hospitality industry to ensure its services are effective.*

- 19.** We request that Council do not move forward with this proposal until this operational review is completed and any relevant changes are made that may impact the current expenditure. At a bare minimum, we request that the second stage increase is not formulated until this review and subsequent changes are made.

*Officer comment - Officers support the Council and industry working together on ensuring its services are effective and that this is considered in any future fee decisions.*

- 20.** With no indication or assurances on how Council plans to adhere to future budgets, we are rightfully concerned that a further increase beyond the one proposed may be in the future for operators. We request from Council that written plans, strategies and assurances be provided outlining how they plan to adhere to future budgeting following this increase.

*Officer comment - Officers will work with Hospitality NZ and other stakeholders in order to understand the way forward. The cost structure is controlled as it directly impacts on either the ratepayer or in this case the licensee.*

- 21.** If a fee increase is to be undertaken, we ask Council to at least acknowledge compliant operators whose adherence to law and process results in minimum workloads for the licensing team. If the purpose of Alcohol Licensing is to monitor and ensure compliance within the law, in an effort to address alcohol related harm – should not Council be recognising those operators who continually remain proactive and compliant? We ask that Council, if they propose to go ahead with any fee increase, consider a tiered approach to licensing fees, whereby those cooperative and compliant businesses may see some level of compensation in their allocated fees. We request that consideration of a tiered approach be done in consultation with the industry (which we can happily facilitate) to ensure that an acceptable understanding of a ‘cooperative and compliant’ business is understood.

*Officer comment - Officers acknowledge this request from Hospitality NZ to look into alternative fee structure options. The Act allows for different fee structures but these would need to be closely reviewed to ensure that they would be effective for both licensees and the Council.*

- 22.** With these fee increases posing unsustainable costs on some existing businesses while also deterring new businesses from opening in the region, has Council considered the resultant effect of more people being pushed into consuming alcohol in uncontrolled environments? Currently 80% of alcohol is consumed away from licenced premises and Police data shows that most alcohol related problems come from, and occur at, homes and public places –

which are uncontrolled and unmonitored environments. Considering this, we would expect that Council would not wish to impose any policies, bylaws, or other changes that could further promote alcohol consumption in uncontrolled environments. On-licence venues are the most highly monitored, controlled, accountable, and safest environments for people to consume alcohol and by significantly increasing the operating costs for these venues, Council would effectively be promoting the alternative. Under the Local Government Act 2002 Section 14C: When making a decision, a local authority should take account of— (i) the diversity of the community, and the community’s interests, within its district or region; and (ii) the interests of future as well as current communities; and (iii) the likely impact of any decision on the interests referred to in subparagraphs (i) and (ii). It is our belief that Council has failed to meet this requirement in consideration of the effect it will have on driving people to consume alcohol in uncontrolled environments. When asked for any impact studies or research into the potential effects of a significant fee increase on increasing consumption of alcohol in uncontrolled environments, we were advised that the consultation process itself allows for these impacts to be understood. In light of this response, we request Council to advise which relevant and qualified bodies have been consulted with during this process to better understand the effects in relation to drinking in uncontrolled environments?

*Officer comment - This is an issue governed by the Council’s role under the Sale and Supply of Alcohol Act 2012. Officers acknowledge that hospitality venues play an important role in a community. Officers also acknowledge that there is a significant amount of data suggesting that drinking occurs at home or in a public place, however, Officers question whether this is linked to the administration of licensing process. This was noted in the submission process of the Alcohol Control Bylaw that many submitters noted that the cost of drinking in bars in town was the reason they drank in parks or at home.*

**23.** Considering Council projects such as the convention centre and future arena plans, which would draw large numbers of visitors to Wellington, we now ask Council how they plan to promote a vibrant and hospitable city while simultaneously hindering those businesses that would contribute to this.

*Officer comment - Officers acknowledge that there is a number of high profile projects scheduled for Wellington and the hospitality industry is an important part of the Wellington experience, Council officers want to develop and curate the relationship with industry stakeholders*

## Attachment 3 Alcohol Fees Bylaw

### Introduction

This bylaw is made under section 405 of the Sale and Supply of Alcohol Act 2012 and the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013. This bylaw comes into force on [insert date].

### Contents

1. Purpose
2. Interpretation
3. Fees

#### 1. Purpose

The purpose of this bylaw is to set the fees for any matter for which a fee payable to territorial authorities are prescribed in the Sale and Supply of Alcohol (Fees) Regulations 2013.

#### 2. Interpretation

1. 2.1 Unless the context otherwise requires, words and phrases in the Sale and Supply of Alcohol Act 2012 and the Sale and Supply of Alcohol (Fees) Regulations 2013 have the same meaning in this bylaw.
- 2.
3. 2.2 Any explanatory notes and attachments are for information purposes, do not form part of this bylaw, and may be made, amended and revoked without formality.
4. 2.3 The Interpretations Act 1999 applies to this bylaw.

#### 3. Fees

5. Table 1 sets out the fees payable to Council for the functions undertaken by the Council under the Sale and Supply of Alcohol Act 2012.

#### 6. Table 1: Fees payable

Type of fee	Risk category	Fees to apply from [date]
Application fee	Very low	\$486.00
	Low	\$805.00
	Medium	\$1,078.00
	High	\$1,351.00
	Very high	\$1,594.00

Annual Fee	Risk category	
	Very low	\$213.00
	Low	\$516.00
	Medium	\$835.00
	High	\$1,366.00
	Very high	\$1,898.00

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<b>Special licence fee</b>	<b>Special licence Class</b>	
	Class 1	\$759.00
	Class 2	\$273.00
	Class 3	\$83.00
<b>Other</b>	<b>Temporary authority</b>	\$392.00
	<b>Temporary licence</b>	\$392.00



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### **3. Operational**

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## **RESERVES NAMING – TE PAPA TĀKARO O JIM BELICH / JIM BELICH PLAYGROUND - ADELAIDE ROAD, BERHAMPORE**

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### **Purpose**

1. This report seeks the City Strategy Committee's agreement to recommend to Council the proposed naming of Te Papa Takāro o Jim Belich / Jim Belich Playground. The playground is a newly developed area on the Wellington Town Belt (refer to Attachment 1).

### **Summary**

2. This proposed naming is to recognise the contribution that the former Mayor Sir James Belich made to the city. Sir James Belich served two terms from 1986.
3. He was a strong advocate for children. He was president of the United Nations Association and chair of the International Year of the Child in 1979. He was also the founding president of Unicef New Zealand.
4. He was knighted in 1991 for his services to local government and the community.
5. Sir James Belich died in September 2015.
6. His family feel that naming a playground after him is appropriate and he has family connections to the neighbouring suburb of Island Bay.
7. The proposed use of the name is consistent with the new naming Policy.

### **Recommendation/s**

That the City Strategy Committee:

1. Receive the information.
2. Recommend to Council that the recently opened playground (as shown in Attachment 1) held within Part Lot 1 DP 101881 (being Wellington Town Belt) be named 'Te Papa Tākaro o Jim Belich / Jim Belich Playground'

### **Background**

8. The Wellington City Council's naming policy for open spaces requires officers to make recommendations about proposed names.
9. For locally significant reserves, targeted consultation may be appropriate with community groups and mana whenua.
10. If a proposed name relates to a specific person, the family of that person (if not living) should be consulted.

11. In recommending a name for a reserve, there is set a criterion that needs to be assessed.
12. The assessment is set out as follows:

Order of Consideration	Criteria
First	<ul style="list-style-type: none"> <li>An appropriate te reo name where the site is important to mana whenua</li> </ul>
Second	<ul style="list-style-type: none"> <li>Where an appropriate name is already in common use</li> </ul>
Third	<ul style="list-style-type: none"> <li>Telling stories about the history of the feature, by acknowledging events people, events, organisations or places significant to a community or communities locally or nationally or internationally, relevant to the specific feature to be named<sup>4</sup>. Te reo names are encouraged where appropriate.</li> <li>Where a specific theme is associated with the location and is considered to still be appropriate for new names</li> </ul>
Four	<ul style="list-style-type: none"> <li>Reflects the local landscape, topographical features (e.g. streams), or flora or fauna. In these cases the preference will be for appropriate te reo names to be used.</li> <li>Aligns with adjacent street/suburb/open space names, e.g. naming a new reserve the same as a nearby road.</li> </ul>

13. Guidelines for determining appropriate names include:
- Unique** - not duplicated in Wellington city, and preferably not be duplicated in the wider Wellington region. To avoid confusion or ambiguity.
  - Short** - preferably fewer than 12 characters provided that the name still retains its meaning.
  - Simple** - ideally easy to spell and pronounce, and should be spelled correctly. Possessive forms will generally not be used. Names should generally not contain an abbreviation.
  - Respectful** - be unlikely to cause offence.
14. The guidelines state that in some cases dual names (te reo and English) may be appropriate, particularly for the renaming of open spaces or Council facilities.

## Discussion

15. Sir James won the Wellington mayoralty in 1986 on the back of a campaign to end the practice of discharging raw sewage into the sea along the south coast. Mayor until 1992, during his time, Kilbirnie Pool was extended and development of Civic Square occurred.

<sup>4</sup> Note that where commercial sponsorship arrangements are being considered – primarily for Council facilities or parts thereof - the relative importance may be higher depending on the sponsorship contribution

16. He was a strong advocate for children. He was president of the United Nations Association and chair of the International Year of the Child in 1979, which paved the way for the establishment of the children's Commission.
17. He was also the founding president of Unicef New Zealand and was there alongside Prime Minister David Lange, when New Zealand signed up to the United Nations Convention on the Rights of the Child.
18. He was knighted in 1991 for his services to local government and the community.
19. The Mayor's office has consulted with the Belich family, as well as mana whenua regarding an appropriate name for the playground. "Te Papa Takāro o Jim Belich / Jim Belich Playground" is the name that was agreed to.
20. The suggested name was assessed against the criteria as outlined below:
  - I. The playground itself is not considered significant to mana whenua
  - II. There is no current name for the playground.
  - III. The proposed name is a mark of respect to a past mayor who was heavily involved with contributions to the city, as well as tamariki/children.
21. The use of the bilingual name reflects Te Taihū, the Council's Te Reo Māori Policy.
22. The name is consistent with the guideline set out in the Council Naming Policy.

### **Next Actions**

23. The proposed naming of the playground will be referred to the Council for approval on 28 August 2019.

### **Attachments**

Attachment 1. Location of Te Papa Takaro Jim Belich Play Ground  

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Author	Joel de Boer, Recreation and Parks Planner
Authoriser	Bec Ramsay, Manager Open Space and Recreation Planning Paul Andrews, Manager Parks, Sport and Recreation Barbara McKerrow, Chief Operating Officer

## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

The Friends of the Town Belt and both the Island Bay and Berhampore residents associations have been informed of the proposed name. There have been no responses to this communications.

### **Treaty of Waitangi considerations**

Both mana whenua entities have been informed of the proposed name and they have not objected.

### **Financial implications**

None

### **Policy and legislative implications**

The recommended names aligns with both the Council's new Naming Policy and Te Tauihu, the Councils Te Reo Māori Policy

### **Risks / legal**

None

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

None

### **Communications Plan**

There will at some point be a small celebration to acknowledge the official opening and naming of the new playground. Subject to family wishes, this may include a media release.

### **Health and Safety Impact considered**

None





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## **RESERVES ACT 1977: STORMWATER EASEMENT - 75 DARLINGTON ROAD, MIRAMAR (MIRAMAR PARK)**

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### **Purpose**

1. This report seeks to obtain City Strategy Committee's approval for a stormwater easement over land held under the Reserves Act 1977 (the Act) at 75 Darlington Road, Miramar (Miramar Park).

### **Summary**

2. A request has been received from the owners of 69-71 Darlington Road for an easement for a stormwater pipe to be located on land held under the Act.
3. The easement will enable 69-71 Darlington Road to connect into the existing stormwater public mains pipe which is located in Miramar Park (the reserve).
4. Under the Instrument of Delegation for Territorial Authorities dated 12 July 2013, the Minister of Conservation has delegated authority to Council to grant easements over reserve land under the Act.
5. This, in turn, has been delegated to the City Strategy Committee, under its terms of reference.
6. The easement will grant permanent right over the reserve for a stormwater pipe to remain in place.

### **Recommendation/s**

That the City Strategy Committee:

1. Receive the information.
2. Agree to grant a stormwater easement in perpetuity over reserve land at Miramar Park being part of Lot 2 Deposited Plan 89983 (ROT WN57C/382) pursuant to s48 of the Reserves Act 1977.
3. Note that any approval to grant the easement (referred to above) is conditional on:
  - a. appropriate iwi consultation
  - b. all related costs being met by the Applicant
  - c. the stormwater pipe being installed and easement registered within 5 years of this approval.
4. Note that the work within the easement area will be subject to the relevant bylaw, building and/or resource consent requirements.
5. Note that the works will proceed in accordance with final Parks, Sport and Recreation (PSR) agreement to all reinstatement and reserve management / work access plans.
6. Delegate to the Chief Executive Officer the power to carry out all steps to effect the easement.

## Background

7. A development on 69-71 Darlington Road requires a connection to the stormwater public mains network. A resource consent has been granted for the development.
8. The purpose of the stormwater pipe is to create a piped connection, for overflow from a stormwater attenuation system to be built on the 69-71 Darlington Road development site, to the existing stormwater public mains pipe which is located in the reserve.
9. The management plan for the reserve requires alternative locations for utilities to be considered but acknowledges that if the impact to the reserve is minor and the provisions of the Act can be met, then easements can be authorised.

## Discussion

10. Miramar Park is predominantly recreation reserve subject to the Act, other than an area of local purpose reserve for an early childcare centre. The reserve is the major community sports and recreation reserve on the Miramar Peninsula, used for football, cricket, tennis, bowls as well as for informal recreation.
11. A stormwater public mains pipe runs parallel to the western boundary of the reserve approximately five metres within the reserve boundary. The pipe is located under an internal sealed driveway. The stormwater public mains pipe services other properties on this part of Darlington Road.
12. The proposed pipe would be a 150mm diameter pipe of approximately 5m in length, and would be located between the boundary of the reserve adjacent to 69-71 Darlington Road, and the stormwater public mains pipe as shown at Attachment 1. It would pass between two pohutakawa trees, under a seat and part of the driveway.
13. The driveway is used by maintenance vehicles, by the general public for walking and cycling, and vehicle and pedestrian access to the Miramar Bowling Club. The driveway would need to be closed temporarily while the pipe connection is laid. Coordination with sports clubs will be important to minimise disruption to existing uses and users of the reserve. PSR will work with the applicant to achieve a minimal impact, and ensure that communications are provided to user groups and onsite information is installed.
14. The proposal has been considered with regard to the provisions of the Act and the Suburban Reserves Management Plan 2015.
15. The 69-71 Darlington Road development will attenuate stormwater onsite. This will mean lowering the level of potential disruption to the reserve in the future from pipe upgrades caused by additional demand and under capacity of the stormwater mains pipe in the reserve.
16. All of the stormwater pipe in the reserve, including the connection to the public stormwater mains pipe, will be buried.
17. The alternatives to the proposed easement in the reserve have been considered. Other stormwater mains pipes in this area are located uphill and at a much greater distance and would require more pipe work and a pumping system. On balance, given the proximity of the stormwater mains pipe in the reserve and ability to manage potential impacts on reserve, it would be unreasonable for the current developer and future owners to construct and maintain an uphill stormwater connection.
18. Section 48(1)(f) of the Act provides for this type of easement in reserves. The reserve is the best location for the stormwater pipe, given the proximity of the existing public stormwater mains pipe.

19. The Reserve area will be restored to its original or better condition after the completion of the work, and access and enjoyment by the public will not be altered.
20. While the pipe is beyond the drip line of the trees, a tree protection methodology will be required for any tree roots that may be encountered during excavation.
21. The applicant has consulted with the Council's PSR team who will provide a land owner approval to do the installation work, subject to conditions.
22. Under the Instrument of Delegation for Territorial Authorities dated 12 July 2013, the Minister of Conservation has delegated authority to agree to grant easements over reserve land under s48(12)(f) of the Reserves Act 1977 to Council. According to Council delegations, the power to grant easements under the Reserves Act 1977 rests with the City Strategy Committee.
23. Easements over reserve require notification if proposals will materially affect the reserve. As the pipe would be fully buried, it is not considered that this proposal would have a material effect on the reserve and therefore public notification would not be required.

### **Options**

24. The Committee can either choose to approve or decline the easement.
25. Declining the easement would have a negative impact on costs for developing housing on this site and increased maintenance issues for future owners if an alternative solution for the stormwater attenuation system overflow needed to be implemented.

### **Next Actions**

26. If the proposed resolutions are accepted, Officers will prepare and execute the necessary documentation and finalise all other outstanding matters.

### **Attachments**

Attachment 1. [Location map of proposed stormwater easement](#)  

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Authors	Kate Brown, Reserves Planner Wendy O'Neill, Property Services Manager
Authoriser	Bec Ramsay, Manager Open Space and Recreation Planning Paul Andrews, Manager Parks, Sport and Recreation Barbara McKerrow, Chief Operating Officer

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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

Coordination with sports clubs will be required for timing of the works. Onsite information about the works will be provided for all park users.

### **Treaty of Waitangi considerations**

Iwi consultation is not required. There are no long term impacts on the reserve.

### **Financial implications**

There are no financial implications for Council. All legal and LINZ costs to establish the easement will be met by the applicant.

### **Policy and legislative implications**

The proposal is consistent with the Council's requirements for a robust stormwater network under the Long Term Plan.

### **Risks / legal**

The Council lawyers will prepare the easement document.

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

None

### **Communications Plan**

None required

### **Health and Safety Impact considered**

This report is to consider the approval of an easement for the right to permanently have pipes in the reserve. This includes adherence to suitable health and safety requirement and identification of potential risk to public health and safety.





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## **RESERVES ACT 1977: LICENCE TO OCCUPY - 122-162 WILTON ROAD, WILTON (OTARI-WILTON'S BUSH)**

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### **Purpose**

1. This report seeks to obtain City Strategy Committee's approval for a Licence to Occupy land held under the Reserves Act 1977 at 122-162 Wilton Road (Otari-Wilton's Bush).

### **Summary**

2. Wellington City Council (Transport and Infrastructure) have requested use of part of Otari-Wilton's Bush land for the purpose of a bus shelter.
3. The Otari-Wilton's Bush land is Scenic B Reserve and a Licence to Occupy will be required. The proposed Licence to Occupy will be granted under section 56(1)(b) of the Reserves Act 1977 (the Act) and will not require public notification.
4. Under the Instrument of Delegation for Territorial Authorities dated 12 July 2013, the Minister of Conservation has delegated authority to Council to grant licences over reserve land under the Act.
5. This, in turn, has been delegated to the City Strategy Committee, under its terms of reference.
6. The bus shelter will be owned by Wellington City Council.

### **Recommendation/s**

That the City Strategy Committee:

1. Receive the information.
2. Agree to grant a Licence to Occupy over reserve land at Otari-Wilton's Bush [being part of Part Section 1 Kaiwharawhara District WN158/218] pursuant to section 56(1)(b) of the Reserves Act 1977.
3. Authorise the Chief Executive Officer to carry out all steps to effect the Licence to Occupy.
4. Note that any approval to grant the Licence to Occupy (referred to above) is conditional on:
  - a. appropriate iwi consultation
  - b. all related costs being met by the applicants of the proposal
  - c. the bus shelter being installed and Licence to Occupy finalised within 2 years of this approval.
5. Note that the work within the Licence to Occupy area will be subject to the relevant bylaw, building and/or resource consent requirements.
6. Note that work will proceed in accordance with final Parks, Sport and Recreation agreement to all mitigation plans and park management/work plans.

## Background

7. Wellington City Council (Transport and Infrastructure) is planning a number of new bus shelters to help improve Wellington bus services.
8. One of the proposed bus shelters is at Otari-Wilton's Bush. There is an existing bus stop located on the adjacent legal road.
9. A resource consent has been obtained for the proposed bus shelter.

## Discussion

10. The bus shelter will measure 2.4m x 1.2m with a height of 2.1m, occupying 2.9m<sup>2</sup> of reserve land (refer to image at Attachment 1). It will be visually permeable, being made of laminated safety glass in an aluminium frame. It will have a concrete slab base, a corrugated metal roof and a wooden seat inside.
11. The bus shelter will be constructed within an area of garden, adjacent to the footpath, as shown at Attachment 1. Some plants will need to be relocated. These plants are transportable and will be relocated within Otari-Wilton's Bush by Otari-Wilton's Bush Botanic Gardens staff. A low wooden fence will need to be removed, and a stone wall near the bus shelter location will require protection during site preparation and construction periods.
12. Upon completion of the bus shelter, the reserve area surrounding the bus shelter will be reinstated to its former condition.
13. No third party signage will be installed on the bus shelter.
14. A number of alternative locations have been considered for the bus shelter, including locations on non-reserve land. The bus shelter must be co-located with a bus stop. None of the alternatives considered were able to practically provide a bus stop and shelter on this part of Wilton Road.
15. S56(1)(b) enables licences to be granted for any occupation necessary to enable the public to obtain benefit and enjoyment of the reserve.
16. Under s56(3)(a) of the Act, public notification of the proposal is not required as the proposal is contemplated in the approved management plan for the reserve. The Botanic Gardens of Wellington Management Plan 2014 (BGWMP) contemplates this type of activity in policy 5.4.1.2 c) which states that "access by public transport from the central city will be encouraged through provision of facilities and information at Otari-Wilton's Bush". It is anticipated that the bus shelter will be used by Otari-Wilton's Bush visitors and will be consistent with what is contemplated in policy 5.4.1.2 c) of the BGWMP.
17. The proposed term for the licence is 33 years.

## Options

18. The City Strategy Committee can either choose to approve or decline the Licence to Occupy.
19. Declining the Licence to Occupy will mean that users of the bus stop outside Otari-Wilton's Bush will not have a shelter to use in this location.

## Next Actions

20. If the proposed Licence to Occupy is accepted, construction will begin as soon as possible. Officers will ensure that the surrounding reserve is reinstated as close to its original condition as possible at the conclusion of the works.
21. Once construction and reinstatement has been completed, officers will prepare and execute the necessary licence documentation and finalise all other outstanding matters.

## Attachments

Attachment 1. Location of proposed bus shelter [↓](#) 

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Authors	Kate Brown, Reserves Planner John Vriens, Senior Property Advisor
Authoriser	Bec Ramsay, Manager Open Space and Recreation Planning Paul Andrews, Manager Parks, Sport and Recreation Barbara McKerrow, Chief Operating Officer

## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

Transport and Infrastructure will engage with the stakeholders including adjacent property owners and Lessee (Wilton Bowling Club) about the construction works prior to construction starting.

### **Treaty of Waitangi considerations**

Transport and Infrastructure will consult with iwi as required and there are no Treaty of Waitangi considerations.

### **Financial implications**

All legal costs, if any, for the licence will be met by the bus shelter project budget.

### **Policy and legislative implications**

The proposal is consistent with the Council's requirements to make improvements to the public transport network under the Long Term Plan.

### **Risks / legal**

The Council lawyers will prepare and finalise the licence agreement.

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

There will be none.

### **Communications Plan**

None required.

### **Health and Safety Impact considered**

This report is to consider the approval of a licence to occupy of reserve land for a bus shelter. This includes adherence to suitable health and safety requirements and identification of potential risks to public health and safety during both construction and operation.





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## 4. Public Excluded

### Recommendation

That the City Strategy Committee:

1. Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
4.1 Acquisition of land - Ngauranga	7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.
4.2 Green Space Project Te Aro	7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.