

ORDINARY MEETING

OF

REGULATORY PROCESSES COMMITTEE

AGENDA

Time: 1:30pm
Date: Wednesday, 27 March 2019
Venue: Ngake (16.09)
Level 16, Tahiwī
113 The Terrace
Wellington

MEMBERSHIP

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Lee
Councillor Sparrow (Chair)

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 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.

AREA OF FOCUS

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

The committee will have responsibility for:

- Resource Management Act (RMA) Commissioners – Approve List and Appointment Guidelines
- Dog Objections and Fencing of Swimming Pools
- Road Stopping
- Temporary Road Closures
- Liquor Ban Bylaw Appeals
- Development Contributions Remissions.
- Approving leases under the “Leases Policy for Community and Recreation Groups”
- Suburb boundary amendments

Quorum: 3 members

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1. Meeting Conduct

1.1 Apologies

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

1.2 Conflict of Interest Declarations

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

1.3 Confirmation of Minutes

The minutes of the meeting held on 13 March 2019 will be put to the Regulatory Processes Committee for confirmation.

1.4 Items not on the Agenda

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

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

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 Regulatory Processes Committee.

Minor Matters relating to the General Business of the Regulatory Processes 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 Regulatory Processes Committee for further discussion.

1.5 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, 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.

2. General Business

ROAD CLOSURES

Purpose

1. This report asks the Regulatory Processes Committee to approve the temporary closure of roads to enable events to take place.

Summary

2. Applications have been made to temporarily close roads for the Night Noodle Market from 5 to 14 April 2019, 4.00pm to 10.00pm.

Recommendation/s

That the Regulatory Processes Committee:

1. Receives the information.
2. Note that recommendations in this report should not be amended without first carrying out further consultation with affected parties and verification from the Council's Traffic Engineer that the amendment is not likely to cause unreasonable impact on traffic.
3. Agrees to close the following roads and sections of the roads for the events (as listed below) to vehicles and cycles only, subject to the conditions listed in the proposed Temporary Road Closures Impact Reports:
 - a) Slip Lane Only Buckle/Ellice Street Slip Lane (closed from Friday, 5 April to Sunday, 14 April 2019, 4.00pm -10.00pm for the Night Noodle Market.

Background

3. The Council receives numerous requests throughout the year for public roads to be closed for public and private events. In order for the closures to have effect, under Schedule 10 of the Local government Act 1974, council approval is required.
4. The authority to approved request for road closures is made under Schedule 10, clause 119e), of the Local Government Act 1974 and the Transport (Vehicular Traffic Road closure) Regulations 1965. This authority is delegate to the Regulatory Processes Committee.
5. This report has been prepared in accordance with the procedures that were approved by the Committee on 15 December 2010. In summary, these are:
 - a) An event organiser applies for a road closure where a proposed event requires one. Council officers receive the proposal and assess the merits and need for a road closure.
 - b) The Council advertises its intention to close the road in the public notice column of the local newspaper and on social media.

- c) Together with the event organiser, Council officers ensure consultation with affected stakeholders is carried out and a communication plan is formulated.
- d) Any objections are followed up and resolved as far as practical.
- e) The event organiser works together with Council officers ensure consultation with affected stakeholders is carried out and a communication plan is formulated.
- f) Any objections are followed up and resolved as far as practical.
- g) The event organiser works together with Council officers who modify any plans in response to public submissions and prepare an impact report for the Committee.
- h) Council officers recommend any conditions that should apply to the approval.
- i) The Committee deliberates on the proposed road closure.
- j) A Council officer notifies the event organiser of the Committee's decision.
- k) If the proposed closure is approved, Council officers ensure the event organisers follow the agreed communications plan including notifying the public and affected parties. The event is also monitored to ensure the traffic management plan is adhered to and any associated conditions are followed to keep the public safe and to avoid any unreasonable impact on traffic.

Discussion

6. **Night Noodle Market Friday, 5 April to Sunday, 14 April 2019, 4.00pm to 10.00pm**

The Night Noodle Market is returning to Wellington in 2019, for double the time and a brand new location at the Basin Reserve. With authentic family-friendly entertainment, cuisine from top notch international and local vendors, a fully licenced bar, the Night Noodle Market will be the place to be in Wellington this coming April.

The event is expected to attract 10,000 plus per day through the evening.

The Buckle/Ellice Street Slip Lane will be closed with detour to allow safer pedestrians and contractor access during and prior to event. (See Recommendation 3a).

Traffic Management will be onsite from 3pm to 11pm to set-up and pack down the closure.

Impact Assessment

- 7. A temporary plan will be prepared by a Council approved traffic management company for approval by Council prior to the event.
- 8. Any Objections as a result of the road closure will be dealt with before the event.
- 9. The proposed closures (when implemented according to the approved temporary traffic management plan) are generally considered unlikely to unreasonably impede traffic. A detailed impact report for each event, including conditions placed on the event organiser is attached.

Public Notification, Consultation and Engagement

- 10. Members of the public have been advised of the road closures and informed of their right to object.

11. A public notice advising that the Council was proposing to consider these closures were published in Saturday's Dominion Post newspaper 2 March 2019.
12. The same notice was posted on social media via:
 - Facebook
 - Twitter
 - Neighbourly
 - Have Your Say.
13. Event organisers are working with resident groups where applicable, community groups, local retailers and businesses and have advised them of their intention to close the road.
14. Event organisers have also consulted with the following government agencies and associated organisations:
 - New Zealand Police
 - Fire and Emergency New Zealand
 - Wellington Free Ambulance
 - Public Transport Operators
 - Relevant Council Business Units e.g. Reading, Communications, WREDA.
15. Members of the public will again be advised of the road closures prior to the event through:
 - Advanced road side signage
 - Media releases
 - Council Website
 - Council social media channels.

Objections

16. No objections have been received for any of the proposed events.

Impact Assessment

17. A temporary plan will be prepared by a Council approved traffic management company for approval by Council prior to the event.
18. Any Objections as a result of the road closure will be dealt with before the event.
19. The proposed closures (when implemented according to the approved temporary traffic management plan) are generally considered unlikely to unreasonably impede traffic. A detailed impact report for each event, including conditions placed on the event organiser is attached.

Options

20. N/A

Next Actions

21. If the proposed road closures are approved, the event organiser will issue further public notices advising of the approved closures, implement the approved traffic management plan, run the event and clean the site. Council officers will monitor the impact of the closures and debrief with the organisers following the conclusion of the event.

Attachments

Attachment 1. Night Noodle Impact Report [↓](#)  Page 13
Attachment 2. Night Noodle Public Notice [↓](#)  Page 17

Author	Maria Taumaa, Street Activities Coordinator
Authoriser	Brett North, T/L Transport Asset Perf Siobhan Procter, Manager, Transport and Infrastructure David Chick, Chief City Planner

SUPPORTING INFORMATION

Engagement and Consultation

Council's intention to consider the proposed temporary road closures was notified through an advertisement in the Dominion Post on Have Your Say. These advertisements invited the public to make submissions on the proposed road closures.

Event organisers have also consulted the following government agencies and associated organisations:

- New Zealand Police
- Ministry of Transport
- Fire and Emergency New Zealand
- Wellington Free Ambulance
- Public Transport Operators
- Relevant Council Business units, e.g. Reading, communications, WREDA.

Any correspondence received in response to the proposed closures has been included in the attached impact reports.

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

Treaty of Waitangi considerations

There are no Treaty of Waitangi implications.

Financial implications

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

Policy and legislative implications

A Council Traffic engineer has assessed the proposed road closures with regard to the expected impact on traffic. This information is part of the impact reports.

Risks / Legal

Nil

Climate Change impact and considerations

N/A

Communications Plan

Residents and Retailers affected by the Road Closure will be notified by letter drop or contacted by the event organiser.

Event organisers will continue to work with Residents Associations, Community groups and local businesses to address any outstanding issues if the proposed road closures are approved.

Health and Safety Impact considered

Health and Safety is covered by the event management plan submitted to Council for approval prior to the event. This is assessed together with the traffic management plan to ensure the event and associated road closures are managed safely.

REGULATORY PROCESSES COMMITTEE

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT

NIGHT NOODLE MARKETS @ THE BASIN RESERVE
FRIDAY 5 APRIL 2019 TO SUNDAY 14 APRIL 2019 4.00PM TO 10.00PM

1. Description of Event

The night noodle market is returning to Wellington in 2019 for double the time and a brand new location. Kicking off on 5 April at the Basin Reserve, prepare your senses as a fusion of Eastern flavours will transform the Basin Reserve into the ultimate Asian pop-up market experience.

With authentic family-friendly entertainment, cuisine from top notch international and local vendors, and a fully licenced bar, the Night Noodle Market will be the place to be in Wellington this coming April. The event is expected to attract 10,000 plus per day through out the evening.

The proposed road closures are: 4pm to 10pm each day Friday 5 April 2019 to Sunday 14 April 2019

- Slip Lane between (between Ellice Street and Buckle Street)

Road closed is slip lane only Buckle Street/Ellice Street Slip Lane. Slip Lane will be closed with detour to allow safer pedestrian and contractor access during and prior to the event.

The road closure will be managed by a qualified traffic management company.

2. Events Directorate Support

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

3. Proposal Notice and Consultation

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

Dominion Post Saturday on 2 March 2019.

- Facebook 12/3/2019
- Twitter
- Neighbourly

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

4. Objections

There have been NO objections to this closure request.

5. Traffic Impact Assessment**Prior Closures**

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

Traffic Impact

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

Conditions:

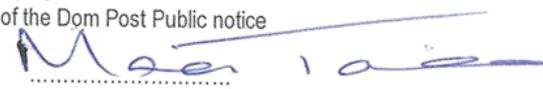
- The event organiser is to notify the public via newspaper advertisement, letter drop, advanced signage and media releases.
- The event organiser is to obtain Council approval on the details of a traffic management plan prior to the event.
- The event organiser is responsible for safety (pedestrian and traffic) within the closed area.
- The event organiser is to provide marshals at all road closure ends to ensure that public safety (interaction of traffic and spectators) is not compromised.
- The event organiser is responsible for the ongoing maintenance of the temporary traffic management plan during the road closure.
- The event organiser is to consult with emergency services on the proposed road closure and ensure the TMP includes all of their special requirements.
- The event organiser is to ensure that the traffic management company adheres to the approved traffic management plan.
- The event organiser is to provide Council with an event Hazard/Risk management plan 10 working days prior to the event that describes in full how the event organiser will manage all the Health and Safety risks associated with the event.

Signed 

Brett North
Team Leader Transport Asset Performance

6. Attachments

- Map of proposed closure
- Copy of the Dom Post Public notice

Prepared By: 
Maria Taumaa
Street Activities Coordinator

Proposal to Close Roads

The extra Regulatory Processes Committee will meet on Wednesday 27 March 2019 to consider the following temporary road closures for events.

Night Noodle Market

**Friday 5th April 2019 to Sunday 14th April 2019,
4pm to 10pm**

Road Closure

Slip Lane Only (Buckle Street to Kent Terrace)

Any person objecting to a proposed road closure must contact the City Council in writing before 4pm, Friday 15 March 2019.

Please send correspondence to Maria Taumaa at mailing address below, by fax 801 3009 or by email

maria.taumaa@wcc.govt.nz

Wellington City Council
PO Box 2199, Wellington 6140
Wellington.govt.nz

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

C18 The Dominion Post Saturday, March 2, 2019

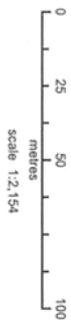
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Night Noodle Market
5th April to 14th April 2019
4pm to 10pm



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

ORIGINAL MAP SIZE: A4
DATE: 12/03/2019
AUTHOR: king2h
REFERENCE:



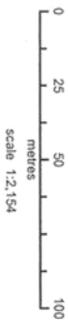
Filepath: \\wood\dfs\accounts\home7\king2h\Documents\Cricket Closure.mxd

Night Noodle Market
5th April to 14th April 2019
4pm to 10pm



MAP PRODUCED BY:
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101 Wakefield Street
WELLINGTON, NZ

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REFERENCE:



NEW LEASE FOR CENTRAL ALLBREEDS DOG TRAINING SCHOOL FOR LAND AT IAN GALLOWAY PARK

Purpose

1. This report asks the Regulatory Processes Committee to approve a new lease for the Central Allbreeds Dog Training School (CADTS), an existing lessee at a different site, for land at Ian Galloway Park under the Reserves Act 1977 ('the Reserves Act').

Summary

2. The Leases Policy for Community and Recreation Groups (available at <https://wellington.govt.nz/your-council/plans-policies-and-bylaws/policies/leases-policyfor-community-and-recreational-groups>) sets out the Council's role in granting leases and licences on Council-owned land and/or buildings.
3. Under the Council's Delegations Policy (available at <http://staffnet.net.ad.wcc.govt.nz/tools-and-policies/policies/delegations-policy/>) all licences and leases on reserve land must be approved by the Regulatory Processes Committee.
4. The proposed lease is a new occupancy at the Ian Galloway Park site for CADTS. The proposed site is the northern section of Ian Galloway Park and is largely unused. **Attachment One** depicts the proposed area and the Club's proposed use for the site.
5. The Club has had a lease at its existing site at Polhill Reserve for over 50 years. However the site at Polhill Reserve is no longer accessible by vehicle due to the sale of adjacent land owned by Victoria University which was previously used to access the site, meaning the site is no unusable.
6. Based on Officers' assessment, it is recommended under the Reserves Act that a new lease be granted to the CADTS for the site at Ian Galloway Park for a ten year term plus one ten year right of renewal.

Recommendation/s

That the Regulatory Processes Committee:

1. Receives the information.
2. Agrees to grant a lease for a ten year term plus one ten year right of renewal to the CADTS for the land at Ian Galloway Park, legally described as Part Lot 1 on Deposited Plan 59984 and Part Lot 5 on Deposited Plan 64470 being part the land comprised of and described in Record of Title WN33C/807 and WN52A/734.
3. Notes that approval to grant the lease on Reserve land is conditional on:
 - a. Appropriate iwi consultation
 - b. Public notification as required under sections 119 and 120 of the Reserves Act 1977
 - c. No sustained objections resulting from the above notification
 - d. Legal and advertising costs being met by the Lessee (where applicable).

Background

7. CADTS has leased land at Polhill Reserve for over 50 years for the purposes of a Dog Training School. The previous lease held by CADTS for that site was for a ten year term, and expired on 30 June 2017.
8. The vehicle access to this site was over private land through an informal agreement with Victoria University of Wellington. This land was sold by the University to a private developer in 2017 and vehicle access ceased in 2018.
9. Officers have been working with CADTS since February 2017 to relocate the Club to a suitable alternative site. A site was found at Ian Galloway Park, which is legally described as Part Lot 1 on Deposited Plan 59984 and Part Lot 5 on Deposited Plan 64470 being part the land comprised of and described in Record of Title WN33C/807 and WN52A/734.
10. The licenced area will be approximately 1,437m² and the lease fee is \$1,209.76 +GST per annum.
11. Much of the area proposed to be leased is currently under-utilised space. It is used sporadically by the neighbouring Western Suburbs Rugby Club for training, however no one has booked the space over the last few years.
12. In November 2018, CADTS submitted an application for a new lease at the Ian Galloway Park site. **Attachments One and Two** depict the Club's plan for the site to be achieved by July 2019 and July 2020, respectively.
13. Council Officers assessed the application using the criteria in section 7 of the Leases Policy for Recreation and Community Groups and the Reserves Act.
14. Based on Officers' assessment of the Club's application, it is recommended that the Committee approve a lease for a ten year term plus one ten year right of renewal. The recommended term is to give CADTS the opportunity to obtain support to develop the site for the Club's needs. CADTS has kept its existing site well-maintained over the duration of their previous leases and is financially healthy.

Discussion

15. Under the Leases Policy, new leases and licences are considered against seven criteria:
 - a. Strategic fit;
 - b. Group's organisation structure;
 - c. Membership sustainability;
 - d. Financial and maintenance obligations;
 - e. Optimal use of resources;
 - f. Environmental impact; and
 - g. Demonstrated need from the community.
16. The information submitted by the Club was assessed as performing satisfactorily under each of these above criteria:

Central Allbreeds Dog Training School ('CADTS')

A. Strategic fit – *The group's purpose and activities must be consistent with the Council's strategic direction to promote healthy lifestyles and build strong communities.*

17. CADTS recently celebrated fifty years of training and is a fun, family-oriented, friendly club for all dogs (no matter what breed or mix of breeds) and their owners, promoting training with positive reinforcement techniques.
18. Untrained dogs cause multiple problems in Council public spaces. Having dog training schools within the city helps to alleviate these problems. A dog training school in the western suburbs will also have positive implications on ensuring the success of the current Capital Kiwi proposal.
19. CADTS assists with meeting the objectives under the Council's Dog Policy:
 - to assist dog owners meet their obligations under the Dog Control Act 1996
 - make sure dogs are well cared for and Wellingtonians are able to enjoy owning dogs
 - prevent dogs causing any danger to the public, wildlife and natural habitats
 - actively promote responsible ownership of dogs
 - provide for the reasonable exercise and recreational needs of dogs and their owners.

B. Group's organisation structure – *The group must be an incorporated society or Trust.*

20. CADTS is non-profit Incorporated Society first registered on 17 October 1977. The Club is governed by a Committee with a President, Vice-President, Secretary and Treasurer. The Committee meets monthly.

C. Membership sustainability – *The group must be sustainable in terms of membership and/or users of the services for the term of the lease.*

21. CADTS has 58 adult members and 12 life members.
22. All members are involved in dog training and a number are involved in competitions. CADTS is a recognised member club of Dogs New Zealand (formally the New Zealand Kennel Club).
23. In order to increase their membership, CADTS maintain an up-to-date website and social media presence. CADTS utilises online enrolment systems and participate in public information events such as Pet Expo.
24. Club days and competitions are also advertised through Facebook, attracting various spectators.

D. Financial and maintenance obligations – *The group must be in a financial position to fulfil its lease obligations for the term of the lease, including but not exclusive to rent, insurance and building and grounds maintenance.*

Financial

25. CADTS receives income from various sources including membership fees and competition entry. In the year ending March 31 2018 the Club had a total income of \$53,284.75 inclusive of a term deposit of \$41,449.91
26. Most of this surplus will be required to re-establish the Club at the new site.
27. The income covers the CADTS's rent, insurance and maintenance costs.

Maintenance

28. CADTS have kept their assets (buildings and grounds) at their current location in a well-maintained condition.

E. Optimal use of resources – *The land and/or buildings must be utilised to the fullest extent practicable.*

29. CADTS would use the land for training and run 80 classes and 2-3 events there per annum. The site is currently underutilised.

F. Environmental impact – *The activity cannot have the potential to adversely affect open space values or other legitimate activities.*

30. The area proposed is currently in mown grass. This would remain unchanged. The vegetation around the site would not be altered. There would still be access into Otari from this site.

31. There are immediate plans to fence the site and install lighting. There are longer term plans to install a relocatable building near the western end by the carpark. This will need to be in keeping with the site and requires Officer approval as per standard lease terms and conditions.

32. The presence of CADTS might create further compliance from other dog owners entering Otari with their dogs off leash.

G. Demonstrated need from the community – *There must be demonstrated support and need within the community for the activity.*

33. CADTS runs regular dog training events. There is a demonstrated need for further dog training in the community.

34. Club competitions participating in a nationally administered Rally Obedience Competition are held monthly. Day long events and competitions are also held two to three times a year where members of the public are encouraged to come and watch.

Options

35. If the Council doesn't support a new lease for CADTS they are likely to fold as a club, resulting in only one dog club left in Wellington.

Next Actions

36. If the recommendations in this report are accepted the following will occur:
- Public notification / consultation of the proposed lease, in line with the Reserves Act 1977.
 - The outcome of submissions will be reported back to Committee, if necessary.
 - Negotiate and sign the CADTS lease documentation for the site at Ian Galloway Park.

Attachments

- Attachment 1. [Map of site with CADTS proposal for development](#)   Page 25
- Attachment 2. [CADTS proposal for development to be achieved by July 2020](#)   Page 26

Author	Kristine Ford, Community Recreation Leases Lead
Authoriser	Sarah Murray, Customer and Community Partnerships Manager

	Barbara McKerrow, Chief Operating Officer
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SUPPORTING INFORMATION

Engagement and Consultation

Public consultation will be undertaken as required under sections 119 and 120 of the Reserves Act 1977, and section 6 of the *Leases Policy for Community and Recreation Groups*.

All submissions received will be taken into account.

CADTS has discussed their proposal with the Western Suburbs Rugby Club.

Treaty of Waitangi considerations

There are no Treaty of Waitangi considerations.

Financial implications

Council have committed to removing the buildings and associated structures from the existing Polhill site. Council will also support the building of a fence at the new site up to a value of \$15K and cover consenting costs for the installation of the lights. All other costs will be met by CADTS.

Policy and legislative implications

The recommendations in this report are consistent with relevant Council Policy – the *Leases Policy for Community and Recreation Groups* and legislation – the Reserves Act 1977.

Risks / legal

The proposal will be subject to the Reserves Act 1977.

Climate Change impact and considerations

Not applicable.

Communications Plan

Not applicable.

Health and Safety Impact considered

The Club has an up-to-date Health and Safety plan.

